

STEVE COHEN
9TH DISTRICT, TENNESSEE

2404 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515

TELEPHONE: (202) 225-3265
FAX: (202) 225-5663

CLIFFORD DAVIS/ODELL HORTON
FEDERAL BUILDING
167 NORTH MAIN STREET
SUITE 369
MEMPHIS, TN 38103

TELEPHONE: (901) 544-4131
FAX: (901) 544-4329
www.cohen.house.gov

Congress of the United States
House of Representatives
Washington, DC 20515-4209

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(U.S. HELSINKI COMMISSION)

February 22, 2019

Commissioner Adam Silver
National Basketball Association
645 5th Avenue
New York, NY 10022

Dear Commissioner Silver:

As a longtime critic¹ of the NBA's current "19 plus 1" policy that requires players to be at least 19 years old and one year removed from their high school classes, I was pleased to see the NBA's proposal to lower the age of eligibility to 18.² However, I am both disappointed and confused by the NBA's decision to wait to implement this new policy until 2022.

Delaying this change for three years will only unfairly, and unnecessarily, restrict the professional opportunities – and earning potential – of players who would be otherwise eligible.

As I mentioned in my previous correspondence on this issue, a copy of which is enclosed, I am a firm believer in the value of a college education, but I do not believe that the 19 plus 1 policy has benefited those students who briefly attend college solely because they are not permitted to join the NBA. Instead, a "one-and-done" system has developed, whereby athletes attend college only for the mandatory year and then join the NBA as soon as they are eligible. This system does far more to serve the financial interests of the universities at which the students play than the educational interests of the students themselves.

I am glad the NBA now agrees, but it seems patently unfair to continue to hold three more classes of players to a policy the NBA has rightly disavowed.

¹ <https://www.nytimes.com/2009/06/04/sports/basketball/04webcohen.html>

² https://www.washingtonpost.com/sports/2019/02/22/nba-reportedly-makes-official-proposal-lower-draft-age/?utm_term=.7657db82c1cd

As always, I remain,

Most sincerely,

A handwritten signature in blue ink, appearing to read "Steve Cohen", is written over the printed name.

Steve Cohen
Member of Congress

Encl.

cc. Memphis Grizzlies General Manager Chris Wallace

cc. Memphis Grizzlies President of Business Operations Jason Wexler

STEVE COHEN
9TH DISTRICT, TENNESSEE

1005 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515

TELEPHONE: (202) 225-3265
FAX: (202) 225-5663

CLIFFORD DAVIS/ODELL HORTON
FEDERAL BUILDING
167 NORTH MAIN STREET
SUITE 369
MEMPHIS, TN 38103

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HAZARDOUS MATERIALS

June 3, 2009

David Stern
Commissioner
National Basketball Association
Olympic Tower, 645 5th Avenue
New York, NY 10022

Dear Commissioner Stern:

I am writing to express my deep concern over the policy of the National Basketball Association (NBA) to bar athletes from playing in the league on the basis of their age. The "19 plus 1" policy, which requires American players to be at least 19 years of age and one year removed from their high school graduating class, is an unfair restriction on the rights of these young men to pursue their intended career. I also believe that it has played an important role in several recent scandals involving college students who were prevented from entering the NBA upon high school graduation. I ask that this policy be repealed when the NBA completes its new collective bargaining agreement with the NBA Player's Association.

I firmly believe in the value of a college education, but I do not believe that the 19 plus 1 policy has benefited those students who briefly attend college solely because they are not permitted to join the NBA. Instead, a "one-and-done" system has developed, whereby athletes attend college only for the mandatory year and then join the NBA as soon as they are eligible. This system does far more to serve the financial interests of the universities at which the students play than the educational interests of the students themselves. I am also concerned that the 19 plus 1 policy contributed to the recent spate of scandals involving college athletes, like Derek Rose and O.J. Mayo, which have particular resonance in my own community of Memphis.

Numerous publications, including the Memphis Commercial Appeal,¹ Yahoo! Sports,² ESPN.com,³ and USA Today,⁴ have published editorials or articles critical of the policy.

¹ See "One-and-Done Creates a Mess," Editorial, Memphis Commercial Appeal, May 30, 2009, *available at* <http://www.commercialappeal.com/news/2009/may/30/editorials-one-and-done-creates-a-mess/>.

² See "The NBA's Uncool Rule," Dan Wetzel, Yahoo! Sports, June 1, 2009, *available at* <http://rivals.yahoo.com/ncaa/basketball/news?slug=dw-rose060109&prov=yahoo&type=lgns>.

³ See "One-and-Dones Have Low Academic Requirements Too," Andy Katz, ESPN.com, May 13, 2008, *available at* http://sports.espn.go.com/ncb/columns/story?columnist=katz_andy&id=3393470.

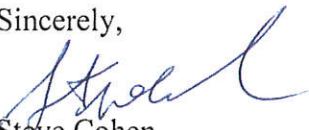
For example, the Commercial Appeal wrote that the policy's effect on college basketball "looks dubious" and serves mostly to harm the true student-athletes.⁵ Dan Wetzel of Yahoo! Sports questions points out that "[t]here is no statistical evidence that players are better on or off the court after a stint on campus."⁶ These articles are just a small sample of the growing public opinion that this rule serves no value to the players who are subject to its restraints.

Few other professional sports leagues prohibit adults from entering their league on the basis of age. The Major League Baseball Association, the National Hockey League, the Professional Golf Association, the United States Tennis Association, NASCAR, and Major League Soccer, not to mention several European professional basketball leagues all permit 18 year-olds to join. Some of these leagues even allow athletes as young as 14. While I do not believe teams should be required to sign players aged, I also do not believe they should be prevented from doing so, especially if such a player has reached the age of majority.

The NBA has many examples of players who successfully entered the league at age 18 before the current policy went into effect. This list includes Kobe Bryant, LeBron James, Kevin Garnett, and Dwight Howard, all of whom have led their teams deep into this year's playoffs. Several of them also proudly represented our country in leading the 2008 Men's Olympic Basketball team to a gold medal. There is no reason to think that today's young athletes would be unable to succeed as well, if given the chance.

I ask that you remove this unfair provision when the NBA completes its new collective bargaining agreement with the Player's Association. I appreciate your taking the time to consider this matter and would be happy to provide you with any additional information you may require. I look forward to hearing from you.

Sincerely,



Steve Cohen
Member of Congress

cc: G. William Hunter, Executive Director, National Basketball Players Association
Myles Brand, President, National Collegiate Athletics Association

⁴ See "Merits of One-and-Done Rule in NBA Face Fresh Scrutiny," Erik Brady and Steve Wieberg, USA Today, May 20, 2008, *available at* http://www.usatoday.com/sports/college/mensbasketball/2008-05-14-nbadraft-freshmen_N.htm.

⁵ See "One-and-Done Creates a Mess," Editorial, Memphis Commercial Appeal, May 30, 2009, *available at* <http://www.commercialappeal.com/news/2009/may/30/editorials-one-and-done-creates-a-mess/>.

⁶ See "The NBA's Uncool Rule," Dan Wetzel, Yahoo! Sports, June 1, 2009, *available at* <http://rivals.yahoo.com/ncaa/basketball/news?slug=dw-rose060109&prov=yhoo&type=lgns>.