



STATE OF FLORIDA

JAMES UTHMEIER ATTORNEY GENERAL

May 13, 2026

Ted Ullyot
Executive Vice President & General Counsel
National Football League
345 Park Avenue, 5th Floor
New York, NY 10154

Dear Mr. Ullyot,

Thank you for your response to our letter of March 25, 2026.¹ My office appreciates the NFL's stated commitment to equal opportunity and nondiscrimination. We also appreciate how quickly the NFL changed its website in response to our letter, as well as the NFL's assertion that it no longer requires the consideration of race or sex in the hiring of at least one offensive assistant. Unfortunately, neither your letter nor the changes to your website assuage our concerns over the NFL's violations of Florida law. In fact, they raise new ones.

Our letter addressed the Rooney Rule and "other programming" from "the NFL's inclusive hiring" initiatives:² the Offensive Assistant Coach Mandate, the Coach and Front Office Accelerator Program, the Mackie Development Program, and Resolution JC-2A. We take each in turn.

The Rooney Rule. This policy was designed to "promote[] diverse leadership among NFL clubs" by requiring teams to interview the NFL's preferred races.³ You assert the Rule "does not impose any hiring quotas."⁴ We are not convinced. And in any event, although imposing hiring quotas—like the Offensive Assistant Coach Mandate—is sufficient to violate Florida law, it is not necessary. You also claim the Rule "does not license clubs to consider race or sex in making hiring decisions."⁵ But according to your own statements, its very point is to do just that. "Through *hiring best practices*, the Rooney Rule aims to *increase the number of minorities hired* in head coach, general manager, and executive positions."⁶ Or to again

¹ Letter from Ted Ullyot, NFL, to James Uthmeier, Att'y Gen. of Fla. (May 1, 2026).

² Dr. C. Keith Harrison & Scott Bukstein, *2023 NFL Diversity & Inclusion Report*, NFL, at 18 (Mar. 2023), perma.cc/NT4W-W45W.

³ *The Rooney Rule*, NFL, perma.cc/3YGX-8QFC.

⁴ Ullyot Ltr. at 2.

⁵ *Id.*

⁶ *The Rooney Rule*, *supra* (emphases added).

quote the NFL's own Executive Vice President, "the Rooney Rule and other policy adjustments are necessary" "[u]ntil [the NFL] see[s] organizations doing the right thing for the right reasons *in hiring* individuals."⁷ In the end, year after year, the NFL has bemoaned the hiring of "White" coaches rather than "coaches of color."⁸ This obsession with hiring based on race is wrong. It also violates Florida law.

Offensive Assistant Coach Mandate. For years, the NFL has mandated that teams "must" hire a female or minority coach as an offensive assistant.⁹ That this mandate did not "dictate or limit the number of assistant coaches a club could employ"¹⁰—even if true—is beside the point. At a minimum, it mandated hiring based on sex and race. The NFL now contends—apparently in response to our letter—that the NFL has "sunset" this mandate.¹¹ Given the NFL's history of open discrimination, however, we are skeptical that the mandate is no longer in place. And like the Rooney Rule, it violates Florida law.

Coach and Front Office Accelerator Program. The NFL operates this program to "provide[] ... female and minority prospects with leadership development sessions" and the opportunity "to network directly with club owners."¹² Nothing about that was "open to all individuals," as your letter claims.¹³ As with your update on the Offensive Assistant Coach Mandate, we appreciate the changes to your website stressing a new "openness" in the programs towards previously disfavored races. But these updates only strengthen our concerns.

Mackie Development Program. This program gives up-and-coming officials not yet hired by the NFL the opportunity "to be exposed to some of the same experiences as NFL officials" to see if "they have the potential to succeed in the NFL."¹⁴ In choosing which officials, the NFL places "an emphasis on diverse candidates."¹⁵ Whether "any applicant, regardless of race or sex," can apply is of no moment.¹⁶ The point is, in selecting them for this program, the NFL discriminates based on race and sex.¹⁷

Resolution JC-2A. Under this resolution, the NFL rewards teams "who developed minority talent that went on to become GMs or head coaches across the league" by offering

⁷ Dr. C. Keith Harrison & Scott Bukstein, *2023 NFL Diversity & Inclusion Report*, *supra* at 15 (emphasis added).

⁸ See, e.g., *id.* at 8-11; Dr. C. Keith Harrison & Scott Bukstein, *2022 NFL Diversity & Inclusion Report Occupational Mobility Patterns*, NFL, at 7-13 (Feb. 2022), perma.cc/BV2K-JUPM.

⁹ *Inclusive Hiring*, NFL, perma.cc/P9AA-SXGH.

¹⁰ Ulliyot Ltr. at 3.

¹¹ *Id.*

¹² *Inclusive Hiring*, *supra*.

¹³ Ulliyot Ltr. at 3.

¹⁴ *NFL Mackie Development Program*, NFL, perma.cc/QQ5E-ZY7W.

¹⁵ *Id.*

¹⁶ Ulliyot Ltr. at 3.

¹⁷ Your claim to define diversity as the "broad ranges of human differences among us" sounds nice. Ulliyot Ltr. at 2. But we both know what you mean by emphasizing "diverse candidates." Some differences—such as race—have no relevance to job performance in the NFL. That is why the consideration of race at all is wrongful and unlawful.

draft picks to teams whose minority employees were hired by other teams for certain positions.¹⁸ You claim, with emphasis, that these draft “picks are only offered *after* an employee has been hired by *another team* as a head coach.”¹⁹ Italics aside, so what? In the end, this program provides a “retroactiv[e] reward[]” for the initial hiring and development of minority candidates.²⁰ That is not a race-neutral employment policy. It is a directive that Florida’s teams consider race and sex in determining which candidates should be hired and developed. Florida law prohibits such policies.²¹

Florida law also prohibits misleading representations. Although we commend your efforts in updating the NFL’s website to strike many references to your unlawful “inclusive hiring” policies, these updates raise new concerns under the Florida Deceptive and Unfair Trade Practices Act. The NFL for years has repeatedly represented its commitments to, among other things, (i) “diverse candidates,”²² (ii) mandating teams “employ a female or minority coach as an offensive assistant,”²³ (iii) providing “female and minority prospects with leadership development sessions” and other apprenticeship and training,²⁴ and (iv) “increas[ing] the number of minorities hired” through “hiring best practices.”²⁵ Now you say the NFL has scrubbed those representations from its website because they do not “accurately reflect the NFL’s current programs and policies.”²⁶ Why, then, were they there to begin with?

My office is committed to ensuring that consumers’ rights are protected from deceptive and unfair business practices.²⁷ Any “representation or omission” that is “likely to deceive a consumer acting reasonably in the same circumstances” constitutes an unfair trade practice.²⁸ A representation “is considered deceptive if it has the capacity to convey misleading impressions to consumers even though nonmisleading interpretations may be possible.”²⁹ If all along, the NFL’s representations that its employment policies (i) are designed for diverse candidates, (ii) require hiring diverse candidates, and (iii) are intended to increase the hiring of diverse candidates did not “accurately reflect” the NFL’s actual policies, that would violate Florida law.³⁰

All in all, the Rooney Rule and the NFL’s related “inclusive hiring” policies—and the NFL’s representations about those policies—continue to raise significant concerns under

¹⁸ *The Rooney Rule, supra.*

¹⁹ Ulliyot Ltr. at 3 (emphasis in original).

²⁰ *Id.*

²¹ See §§ 760.10(1), (4), Fla. Stat.

²² *NFL Mackie Development Program, supra.*

²³ *Inclusive Hiring, supra.*

²⁴ *Id.*

²⁵ *The Rooney Rule, supra.*

²⁶ Ulliyot Ltr. at 3 n.11.

²⁷ See § 501.202(2), Fla. Stat.

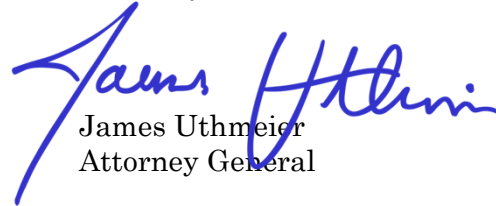
²⁸ *Davis v. Powertel, Inc.*, 776 So. 2d 971, 974 (Fla. 1st DCA 2000).

²⁹ *Dep’t of Legal Affs. v. Father & Son Moving & Storage, Inc.*, 643 So. 2d 22, 26 (Fla. 4th DCA 1994) (citing *Chrysler Corp. v. F.T.C.*, 561 F.2d 357 (D.C. Cir. 1977)).

³⁰ See *Zamber v. American Airlines*, 282 F.Supp.3d 1289, 1300 (S.D. Fla. 2017) (representations on company’s website sufficient to mislead a consumer).

Florida law. Accordingly, please see the attached subpoena. We look forward to your cooperation.

Sincerely,



James Uthmeier
Attorney General

Cc: Prerak Shah, Partner
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