



NATIONAL FOOTBALL LEAGUE

January 28, 2021

VIA Electronic Submission

Mr. Christopher Kirkpatrick
Secretary of the Commission
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, NW
Washington, DC 20581

Re: Proposed RSBIX NFL Futures Contracts

Dear Mr. Kirkpatrick:

The National Football League (“NFL”) submits this letter in response to the Commodity Futures Trading Commission’s (“Commission”) request for public comment on the Commission’s review of the RSBIX NFL futures contracts self-certified by Eris Exchange, LLC (“ErisX”).

At the outset, we would like to correct the public record regarding ErisX’s statement in its comment letter that the NFL “does not object to ErisX listing these contracts.”¹ ErisX did not seek the NFL’s permission to make that representation, and the NFL saw ErisX’s submission for the first time only after it was filed. We have no business relationship with this firm and had no role in the development or structuring of the contracts that are the subject of ErisX’s submission.

At minimum, the NFL believes that more information is required to properly assess these types of futures contracts.² If the Commission is considering approving them, the NFL would accordingly urge that such a decision be postponed pending a more comprehensive study – which might include (via public hearings or otherwise) an examination of the following issues, among others:

1. Whether ErisX could and would confirm, in each instance, that every dollar used to purchase or sell NFL futures contracts was, in fact, a legitimate effort to mitigate commercial risk, and what criteria ErisX would use to do so;
2. Whether risking money, for a chance to win more money (regardless of motivation), on the outcome of NFL spread, moneyline and over/under markets across state lines might implicate other federal laws; and

¹ See Letter from Thomas Chippas, CEO, ErisX (Dec. 29, 2020), 6, available at <https://comments.cftc.gov/PublicComments/ViewComment.aspx?id=63780&SearchText=>.

² For clarity, the NFL takes no position here as to the purported market benefits of hedging vehicles for licensed sportsbooks, as described in ErisX’s contract submission dated December 14, 2020.

Mr. Christopher Kirkpatrick

January 28, 2021

Page 2

3. Whether market makers that are (i) handicapping common betting markets, (ii) accepting wagers on those markets, and (iii) potentially accruing significant financial exposure to specific sides of those markets (as there would presumably be no guarantee that they would have balanced exposure on each side), should be engaging in such activities outside the purview of sports betting regulatory authorities.

The NFL appreciates the Commission's time and consideration regarding these matters as it evaluates any potential approval of the proposed RSBIX NFL futures contracts. We are available to discuss further if the Commission has any questions regarding our submission.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brendon Plack".

Brendon Plack
SVP, Public Policy & Government Affairs
National Football League