WINNING OFF THE FIELD: LEGISLATIVE PROPOSAL TO STABILIZE NIL AND COLLEGE ATHLETICS

HEARING

BEFORE THE

SUBCOMMITTEE ON COMMERCE, MANUFACTURING, AND TRADE

OF THE

COMMITTEE ON ENERGY AND COMMERCE

HOUSE OF REPRESENTATIVES

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C O N T E N T S

WINNING OFF THE FIELD: LEGISLATIVE PROPOSAL TO STABILIZE NIL AND COLLEGE ATHLETICS

THURSDAY, JUNE 12, 2025

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON COMMERCE, MANUFACTURING, AND TRADE,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC.

The subcommittee met, pursuant to call, at 10:03 a.m. in the John D. Dingell Room 2123 of the Rayburn House Office Building, Hon. Gus M. Bilirakis (chairman of the subcommittee) presiding.

Members present: Representatives Bilirakis, Fulcher, Harshbarger, Cammack, Obernolte, Fry, Kean, Evans, Goldman, Guthrie (ex officio), Schakowsky (subcommittee ranking member), Soto, Trahan, Mullin, Clarke, Dingell, Veasey, and Pallone (ex officio).

Also present: Representatives Carter of Georgia and Fedorchak.

Staff present: Jessica Donlon, General Counsel; Matt Furlow, Counsel; Sydney Greene, Director of Finance and Logistics; Natalie Hellman, Professional Staff Member; Megan Jackson, Staff Director; Daniel Kelly, Press Secretary; Sophie Khanahmadi, Deputy Staff Director; Alex Khlopin, Clerk; Giulia Leganski, Chief Counsel; Sarah Meier, Counsel and Parliamentarian; Joel Miller, Chief Counsel; Chris Sarley, Member Services/Stakeholder Director; Matt VanHyfte, Communications Director; Hannah Anton, Minority Policy Analyst; Keegan Cardman, Minority Staff Assistant; Waverly Gordon, Minority Deputy Staff Director and General Counsel; Tiffany Guarascio, Minority Staff Director; Lisa Hone, Minority Chief Counsel, Commerce, Manufacturing, and Trade; La'Zale Johnson, Minority Intern; Megan Kanne, Minority Professional Staff Member; Phoebe Rouge, Minority FTC Detailee; Destiny Sheppard, Minority Intern.

Mr. BILIRAKIS. The committee will come to order.

The chairman recognizes himself for 5 minutes for an opening statement.

OPENING STATEMENT OF HON. GUS M. BILIRAKIS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

Good morning, everyone, and welcome to our legislative hearing on name, image, likeness, and college athletics. I want to thank our witnesses for being here today. Your experience and insight are

critical as we navigate what is arguably one of the most transformative moments in the history of college sports.

In recent years, we have seen a dramatic shift in college athletes engaging in their sports, their schools, and their personal brands. The recent *House* v. *NCAA* settlement represents more than just a court decision. It marks a fundamental change in how college athletes—athletics will operate going forward. The timing couldn't be more appropriate for legislative action, in my opinion. That is why I am leading the SCORE Act, the Student Compensation and Opportunity Through Rights and Endorsements Act, a comprehensive, commonsense discussion draft that reflects months of dialog with student-athletes, athletic directors, conference leaders, and the NCAA.

This is not just another proposal. It is a targeted solution designed to bring predictability, fairness, and long-term balance to a system that has rapidly evolved without structure. The SCORE Act is built around three core principles: clarity, by establishing a national standard that replaces the current patchwork of State laws; stability, by setting reasonable guardrails around the transfer portal and NIL deals to protect both athletes and programs; and support, by ensuring benefits like scholarship protections and financial literacy programs are not optional, but expected.

For far too long, student-athletes have operated in a gray area, empowered in some ways but exposed in others. The current model lacks the transparency and consistency that both athletes and institutions need. The SCORE Act brings that balance, in my opinion.

And while today's hearing is just the beginning of a broader tricommittee process with the Committees on Judiciary and Education and Workforce—so the two committees—it is an important step. So three committees total, including this one, E&C—the best committee in Congress, by the way.

We are not here to micromanage college sports. We are here to put forward a framework that strengthens it, that ensures athletes can succeed on the field without losing sight of their future off of it. I am proud of the work this subcommittee has done on this issue, and I look forward to working with my colleagues on both sides of the aisle to get this across the finish line.

Oh, and by the way, it is great to be a Florida Gator.

[The prepared statement of Mr. Bilirakis follows:]

Chairman Bilirakis Opening Remarks at CMT Hearing:
"Winning Off the Field: Legislative Proposal to Stabilize NIL and College Athletics."

Good morning, everyone, and welcome to our legislative hearing on Name, Image, and Likeness in college athletics.

I want to thank our witnesses for being here today. Your experience and insight are critical as we navigate what is arguably one of the most transformative moments in the history of college sports.

In recent years, we've seen a dramatic shift in how college athletes engage with their sports, their schools, and their personal brands. The recent House v. NCAA settlement represents more than just a court decision — it marks a fundamental change in how college athletics will operate going forward. The timing couldn't be more appropriate for legislative action.

That's why I am leading the SCORE Act — the Student Compensation and Opportunity through Rights and Endorsements Act — a comprehensive, commonsense discussion draft that reflects months of dialogue with student-athletes, athletic directors, conference leaders, and the NCAA.

This is not just another proposal; it's a targeted solution designed to bring predictability, fairness, and long-term balance to a system that has rapidly evolved without structure.

The SCORE Act is built around three core principles:

1. Clarity: by establishing a national standard that replaces the current patchwork of state laws,
2. Stability: by setting reasonable guardrails around the transfer portal and NIL deals to protect both athletes and programs, and
3. Support: by ensuring benefits like scholarship protections and financial literacy programs are not optional but expected.

For too long, student-athletes have operated in a gray area, empowered in some ways but exposed in others. The current model lacks the transparency and consistency that both athletes and institutions need. The SCORE Act brings that balance.

And while today's hearing is just the beginning of a broader tri-committee process, with the Committees on Judiciary and Education & Workforce, it's an important step. We are not here to micromanage college sports. We are here to put forward a framework that strengthens it — that ensures athletes can succeed on the field without losing sight of their futures off of it.

I am proud of the work this subcommittee has done on this issue, and I look forward to working with my colleagues on both sides of the aisle to get this across the finish line. And Go Gators!

Mr. BILIRAKIS. All right, so the chairman now recognizes the ranking member, Ms. Schakowsky, for 5 minutes for her opening statement.

OPENING STATEMENT OF HON. JAN SCHAKOWSKY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS

Ms. SCHAKOWSKY. Thank you, Mr. Chairman. I am happy to be here today.

And in part I believe that there is a role for the Congress, but not necessarily the one that we are looking at today. And I am looking forward to working on it further and hearing the testimony on what we really need to make sure—for me, the health and welfare of the students is the most important thing.

But we have a real expert among us, and all of the—someone who has been involved in sports all of her growing life. And I wanted to yield now to Congresswoman Trahan. And also after that, if she would yield to Congresswoman Kelly.

Mrs. TRAHAN. Clarke.

Ms. SCHAKOWSKY. Oh, Clarke, I am sorry. Clarke, of course.

OPENING STATEMENT OF HON. LORI TRAHAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MASSACHUSETTS

Mrs. TRAHAN. Thank you. I want to thank the ranking member for yielding.

I am deeply disappointed. For the second year in a row, Republicans on the committee are advancing a partisan college sports bill that protects the power brokers of college athletics at the expense of the athletes themselves. This legislation was crafted behind closed doors with no input from Democratic members on the Energy and Commerce Committee, the Judiciary Committee, or the Education and Workforce Committee. In fact, we didn't see a draft of this bill until late last week—not because our Republican colleagues shared it with us, but because lobbyists and the members of the media got it first.

I am a former DI athlete, and I am deeply—I care deeply about the future of college sports, so that when I asked the chairman about the rumored hearing today, he said he would be happy to discuss the proposal with me beforehand. Sadly, that meeting never happened.

What makes this all the more frustrating is that there is bipartisan agreement on serious problems in college sports that deserve congressional action. International athletes are being denied the same NIL rights as their teammates. Women are being left out of roster spots due to title 9 loopholes. We could be working together on solutions. Instead, the SCORE Act uses the approval of the *House* settlement as justification to slam the door on future progress for college athletes.

Proponents claim the system is broken, but the fact that three separate antitrust cases are being settled proves otherwise. We have a system where the NCAA conferences and their member institutions set rules. Athletes can challenge them. And if the rules are unfair, courts can intervene or a deal can be struck. This bill rewrites that process to guarantee that people in power always win

and the athletes who fuel this multibillion-dollar industry always lose.

I oppose the legislation as written.

[The prepared statement of Mrs. Trahan follows:]

Statement of Subcommittee Member Lori Trahan
Committee on Energy and Commerce
Subcommittee on Commerce, Manufacturing, and Trade

Hearing on "Winning Off the Field: Legislative Proposal to Stabilize NIL and College Athletics"

June 12, 2025

I'm deeply disappointed for the second year in a row, Republicans on this Committee are advancing a partisan college sports bill that protects the power brokers of college athletics at the expense of the athletes themselves. This legislation was crafted behind closed doors, with no input from Democratic members of the Energy and Commerce Committee, the Judiciary Committee, or the Education and Workforce Committee.

In fact, we didn't see a draft of the bill until late last week – not because our Republican colleagues shared it with us, but because lobbyists and members of the media got it first. I'm a former D1 athlete, and I'm deeply, I care deeply about the future of college sports. So that when I asked the Chairman about the rumored hearing today, he said he'd be happy to discuss the proposal with me beforehand. Sadly, that meeting never happened.

What makes this all the more frustrating is that there is bipartisan agreement on serious problems in college sports that deserve congressional action. International athletes are being denied the same NIL rights as their teammates. Women are being left out of roster spots due to Title IX loopholes.

We could be working together on solutions. Instead, the SCORE Act uses the approval of the House settlement as justification to slam the door on future progress for college athletes.

Proponents claim the system is broken, but the fact that three separate antitrust cases are being settled proves otherwise. We have a system where the NCAA, conferences, and their member institutions set rules. Athletes can challenge them. And if the rules are unfair, courts can intervene, or a deal can be struck.

This bill rewrites that process to guarantee the people in power always win, and the athletes who fuel this multibillion-dollar industry always lose.

I oppose the legislation as written, and I look forward to hearing from our witnesses, and I yield to Congresswoman Clarke.

Mrs. TRAHAN. I look forward to hearing from our witnesses, and I yield to Congresswoman Clarke.

OPENING STATEMENT OF HON. YVETTE D. CLARKE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Ms. CLARKE. I thank my dear colleague and the Ranking Member Schakowsky for yielding some time. And thank you to our panel of witnesses for joining us today.

The landscape of college sports has undergone a rapid transformation over the last decade, including with the recent settlement of landmark *House* v. *NCAA* lawsuit. But one thing remains: the enduring popularity of college athletics.

College football remains the second-most watched sport in American—in America behind the NFL, and this year's men's basketball Final Four was the most watched since 2017. Women's basketball has experienced an exponential growth in popularity in recent years due to stars such as Angel Reese, Caitlin Clark, and Juju Watkins.

The point is that the so-called Wild West environment that is often used to describe college sports in this committee is an unfair characterization. For far too long, college sports prioritized some antiquated definition of amateurism that provided cover to allow the billions of dollars created by the labor of college athletes to flow to coaches, athletic departments, conferences, and the NCAA. Just about everyone was getting paid—except for those whose efforts created all these streams of revenue: the players, primarily Black and Brown young people.

So to call this the Wild West or the NIL era is ridiculous. Let's call this what it really is: the era of athletes' empowerment. We should embrace that, not seek to reign it in just because the job of the college athletic director got a little harder.

There may be a role for Congress to play in protecting college athletes and providing clarity in certain areas, but it is incumbent on us not to screw this up by giving undue authority back to the remnants of the previous power structure that exploited athletes for decades by keeping them unpaid and subject to restrictions we would not allow in any other industry.

[The prepared statement of Ms. Clarke follows:]

Statement of Subcommittee Member Yvette D. Clarke
Committee on Energy and Commerce
Subcommittee on Commerce, Manufacturing, and Trade

Hearing on "Winning Off the Field: Legislative Proposal to Stabilize NIL and College Athletics"

June 12, 2025

Thank you to my dear friend, Ranking Member Schakowsky for yielding some of her time, and thank you to our panel of witnesses for joining us today.

The landscape of college sports has undergone a rapid transformation over the last decade, including with the recent settlement in the landmark House vs. NCAA lawsuit.

But one thing remains: the enduring popularity of college athletics.

College football remains the second most watched sport in America behind the NFL; This year's Men's basketball Final Four was the most watched since 2017; and women's basketball has experienced an exponential growth in popularity in recent years due to stars such as Angel Reese, Caitlin Clark, and JuJu Watkins.

The point is, is that the so-called "wild west" environment that is often used to describe college sports in this Committee is an unfair characterization.

For too long, college sports prioritized some antiquated definition of amateurism that provided cover to allow the billions of dollars created by the labor of college athletes to flow to coaches, athletic departments, conferences, and the NCAA. Just about everyone was getting paid EXCEPT for those whose efforts created all these streams of revenue: the players, primarily Black and Brown young people.

So, to call this the wild west or the "NIL era" is ridiculous. Let's call this what it really is: the era of player empowerment.

We should embrace that, not seek to rein it in just because the job of a college athletic director got a little harder.

There may be a role for Congress to play in protecting college athletes and providing clarity in certain areas, but it is incumbent on us to not screw this up by giving undue authority back to the remnants of the previous power structure that exploited athletes for decades by keeping them unpaid and subject to restrictions we would not allow in any other industry.

I look forward to today's discussion and yield back. Thank you.

Ms. CLARKE. I look forward to today's discussion, and I yield back. Thank you.

Mr. BILIRAKIS. The gentlelady yields back, and Ms. Schakowsky yields back.

So anyway, I just want to address a couple of things, Mrs. Trahan, and you know that I have an open-door policy, and I did agree to meet with you. And I don't think anybody reached out to my office to make the appointment, but I will be happy to meet with you anytime.

And also to remind the committee that this is a discussion draft. It is not a bill, so it is not finalized. And that is why we are here today, to make the bill even better, or at least make the discussion draft, which will become a bill, even better.

So—and some of the comments that were made by other Members at this time so far—read the discussion draft. I urge you to do that, and also read the settlement, which is—addresses some of the issues that concern all of us. So we appreciate it very much.

And with that, I will yield to the chairman, Representative Guthrie from the great State of—excuse me, Kentucky——

[Laughter.]

Mr. BILIRAKIS [continuing]. For 5 minutes for his opening statement.

OPENING STATEMENT OF HON. BRETT GUTHRIE, A REPRESENTATIVE IN CONGRESS FROM THE COMMONWEALTH OF KENTUCKY

Mr. GUTHRIE. Thank you. Thank you, Chair Bilirakis, and thank you for your hard work on this. And good morning to our witnesses, and thank you all for being here.

And before we dive in, we need to look at name, image, and likeness agreements with our own ethics laws because I believe August Pfluger, after his great play at third base last night, is going to be open for opportunities for his—I don't know if anybody saw his diving play on third base. All joking aside, this is a serious issue. But he did do well. But I look forward to a thought-provoking discussion that we have already started today on the ways Congress can more—specifically this committee—can help stabilize the current system.

This subcommittee has deeply engaged on this issue. Just this year we have had numerous hearings, roundtables with student-athletes, coaches, athletic directors, conference leaders, and the NCAA, and the work has accumulated in a discussion draft, the SCORE Act, a legislative proposal to bring stability and clarity to the NIL arena.

Last week, the approval of the *House* litigation settlement marked a historic shift in college athletics. Since the NCAA changed their NIL rules in 2021, the NIL ecosystem has operated without meaningful guardrails. The settlement provides long-overdue relief to thousands of student-athletes and allows schools to share a percentage of that revenue with their student-athletes. While the settlement addresses key issues with collegiate athletics, it also raises complex legal, operational, and policy questions, especially in the absence of consistent Federal standards for a fundamentally interstate system. That is precisely why we are here

today: to create a sustainable Federal structure that preserves the integrity of college sports programs.

Right now, more than 30 States have enacted NIL laws, creating a fragmented and uneven playing field. The SCORE Act, working in conjunction with the settlement, will help to level this playing field and provide more consistency nationwide.

We have also seen the lack of enforceable rules around athletic eligibility, and transferring between schools has intensified recruiting battles and led to a surge in student-athletes entering the transfer portal, not to mention the challenges posed by the added player—layer of student-athlete agents. This instability raises serious questions about the competitive balance, the sustainability of college athletic programs, and, most important, the athletic integrity—the academic integrity of what our students are experiencing.

Our proposal would provide authority and liability protection to the entities creating and enforcing such rules. We are working closely with our colleagues when—respect of all their jurisdiction of the Judiciary Committee to refine this language.

And lastly, the SCORE Act ensures that student-athletes may not be considered employees of their institution. Such a classification could put significant financial strain on college athletic departments, lead to program cuts, and ultimately, fewer opportunities for student-athletes.

I look forward to working closely and with all respect to the jurisdiction of our Education and Workforce Committee on these important issues. We have also been in close contact with the Senate, with the chairman of the Senate Commerce Committee, who has shown a strong interest in creating a durable and balanced framework for college athletics. I appreciate the engagement and look forward to continuing that discussion to get this across the finish line.

And as members of this committee, we have an important responsibility to ensure that college athletics can thrive in a new era. Today we will take a step in the direction by discussing draft legislation designed to create a unified framework to ensure—for fair treatment for student-athletes while preserving the integrity and viability of college sports programs.

Energy and Commerce has always led the way to tackle big issues affecting interstate commerce in a serious way. I look forward to continuing to work with my colleagues across the aisle to make this a bipartisan bill, and we will work together.

And before I yield back, I want to thank my good friend, Chairman Bilirakis, for his diligent work over many years to come up with solutions for NIL.

Your leadership and commitment to student-athletes has been essential to getting us here today. And you know as well as I do that college sports are an important American institution, and I am glad you are willing to take the lead that you are taking.

And I did talk to my good friend from New Jersey, the ranking member, yesterday, and we had a kind of a colloquy about noticing of legislative hearings. And the committee rules said that the subject of the committee will be noticed, as well. And the precedent has been to release legislative texts. I think we pointed to two issues where we didn't. One was on yesterday's meeting in the En-

vironment Subcommittee, and the text just had not come back from Legislative Council because someone was out. And so I can apologize for that. That was kind of out of our control, but we will make sure we try to—we will follow precedent. And if for some reason we can't, I will personally let you know that there is an issue.

The other with this—today's discussion draft for today, in my understanding it was shared with committee as of last Thursday. So if Members didn't get it until after it was released to the press or to downtown, I apologize for that. I know it was shared with your—the minority committee as of last Thursday.

And so, of course, this is a discussion draft, and we will do everything within our power to make sure everybody is informed because we want to make this so we can work together because it makes it more sustainable if it is a bipartisan solution.

And so we will—I will just commit again we will share legislative texts when we post legislative hearings, unless there are extenuating circumstances. And we will communicate that.

[The prepared statement of Mr. Guthrie follows:]

Chairman Brett Guthrie
Opening Statement—Subcommittee on Commerce, Manufacturing, and Trade
"Winning Off the Field: Legislative Proposal to Stabilize NIL and College Athletics"
June 12, 2025
As prepared for delivery

Thank you, Chairman Bilirakis.

Good morning and thank you to our witnesses as well for joining today's hearing on the ever-evolving landscape of Name, Image, and Likeness in college athletics.

Before we dive in, I have to say, after watching the Republicans ***win*** the Congressional Baseball Game last night, I think a few of our players might want to start exploring their own NIL opportunities. I'd love to see what kind of NIL deal Mr. Pfluger could get after his diving stop at third and being named the Republican MVP.

I look forward to a thought-provoking discussion on ways Congress, and more specifically, this Committee, can help stabilize the current system.

This subcommittee has been deeply engaged on this issue. Just this year, we've had numerous hearings and roundtables with student-athletes, coaches, athletic directors, Conference leaders, and the NCAA. The work has culminated in a discussion draft, the SCORE Act, a legislative proposal to bring stability and clarity to the NIL arena.

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While the settlement addresses key issues within collegiate athletics, it also raises complex legal, operational, and policy questions, especially in the absence of consistent federal standards for a fundamentally interstate system. That's precisely why we're here today: to create a sustainable, federal structure that preserves the integrity of college sports programs.

Right now, more than 30 states have enacted NIL laws, creating a fragmented and uneven playing field. The SCORE Act, working in conjunction with the settlement, will help to level this playing field and provide more consistency nationwide.

We have also seen how the lack of enforceable rules around athlete eligibility and transferring between schools has intensified recruiting battles and led to a surge in student-athletes entering the transfer portal, not to mention the challenges posed by the added layer of student-athlete agents. This instability raises serious concerns about competitive balance, academic integrity, and the sustainability of college athletics programs nationwide.

Our proposal would provide authority and liability protection to the entities creating and enforcing such rules. We are working closely with our colleagues on the Judiciary Committee to refine this language.

Lastly, the SCORE Act ensures that student-athletes may not be considered employees of their institution. Such a classification could put significant financial strain on college athletic departments, lead to program cuts, and ultimately fewer opportunities for student-athletes. I look forward to continuing to work with the Education and Workforce Committee on these important issues. We've also been in close contact with the Chairman of the Senate Commerce Committee, who has shown a strong interest in creating a durable and balanced framework for college athletics. I appreciate his engagement and look forward to continuing that discussion to get this across the finish line.

As members of this Committee, we have an important responsibility to ensure that college athletics can thrive in a new era. Today, we will take a step in that direction by discussing draft legislation designed to create a unified framework to ensure fair treatment for student-athletes while preserving the integrity and viability of college sports programs.

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Mr. GUTHRIE. So thank you, and I will yield back.

Mr. BILIRAKIS. The gentleman yields back. Now I recognize the ranking member of the full committee, Mr. Pallone, for 5 minutes for an opening statement.

OPENING STATEMENT OF HON. FRANK PALLONE, JR., A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY

Mr. PALLONE. Thank you, Mr. Chairman, and let me thank Chairman Guthrie for what he just said about the notice. I do appreciate the—what you are saying you are going to do in the future. It is important for us, as the Democrats, as we prepare for the hearings, to actually have the text and—so that we, you know, can prepare in advance not only what we are going to say but for the witnesses as well.

So thank you, Chairman, for what you just said.

I also wanted to mention I enjoyed the game last night. I don't know if all of you know in the audience, but we had our Congressional Baseball Game last night, and August—I did see the play with August. And the only thing I would say is I know the Democrats lost, but we did better than we did the previous year. So I hope we are on the upswing, is what I am going to say.

I do have to say, though, Mr. Chairman, of the—Bilirakis, before we begin—and I don't mean to take away from this hearing, but I am very concerned about the fact that, you know, in order to have college sports you have to have colleges, right? And I do believe that the Trump administration is trying to destroy American higher education every day. Every day. And we should be having hearings on those aspects of his destruction of America's universities and colleges that fall within the jurisdiction of the committee.

You know, I am very concerned that some of our best universities—like Harvard and Columbia, for example—are really going to go under, or really suffer greatly because of this administration. I mean, we see elimination of research projects which is within our jurisdiction. We see trying to tax endowments to the point where there essentially won't be any endowments. Taking away accreditation. Can you imagine that the President is trying to take away the accreditation of Harvard and Columbia? To me, this is so extreme I can't even imagine that someone would suggest it. Prohibiting foreign students. You talk about international athletes, he doesn't want any international students at any university. So what are we talking about here? And of course, the abolishment of the Department of Education.

So my point is you can't have college sports if you don't have colleges, and we should be talking about his effort to destroy colleges and universities—not just the sports programs, but the colleges themselves.

Now, getting to the issue at hand, we have heard countless—we have had countless hearings about college sports over the last few years. And in every hearing we have heard that for decades, the National Collegiate Athletic Association failed to put the interests of college athletes first.

Every witness we have heard from has agreed that finally allowing college athletes to profit from their name, image, and likeness

is a good thing and represents a long-overdue change in college sports. And changing the rules so that college athletes can now profit from name, image, and likeness was a hard-fought change won by college athletes, not by congressional action. We can pat ourselves on the back, but it wasn't us. It was through State legislatures and the court system.

Just last week, a court approved a historic settlement in *House* v. *NCAA* that allows schools to pay college athletes subject to a salary cap of $20.5 million per school. And this is the first time the NCAA will allow colleges and universities to pay college athletes for the talents those athletes bring to their institutions, conferences, and the NCAA.

Instead of celebrating progress made by college athletes, the Republican majority has called a hearing today on a legislative draft that would bring this progress to a dramatic halt. The legislation grants the NCAA a broad exemption from legal liability and seemingly limitless and unchecked authority to govern how college athletes can get paid, transfer schools, or be represented by an agent.

Rather than offering college athletes new, strong, enforceable protections, the Republican bill simply codifies recent NCAA health and safety rules but leaves college athletes no way to enforce violation of these protections.

The bill does not offer any meaningless—any meaningful protections to help ensure college students don't hire bad actors as agents, and it does not provide pathways to relief if they do. Instead, it simply allows the NCAA and the conferences to require agents to register with those institutions. This act of registration with a third party will do little to help college athletes and could create a false sense of security regarding the integrity of registered agents.

So as we discuss this bill, I believe it is important that we don't do anything that stifles the progress being won by the students that the NCAA is supposed to represent. The landscapes of modern college sports is well on its way to being developed by these recent court decisions, and Congress should allow that work to play out.

And instead, this committee should be focused on the very real issues facing colleges and universities, as well as everyday Americans, because the bottom line, there's not going to be any college sports if there are no colleges or if there are no—colleges have no money and have no ability to function. And that is where we are headed. That is where we are headed with the Trump administration.

[The prepared statement of Mr. Pallone follows:]

Statement of Full Committee Ranking Member Frank Pallone, Jr.
Committee on Energy and Commerce
Subcommittee on Commerce, Manufacturing, and Trade

Hearing on "Winning Off the Field: Legislative Proposal to Stabilize NIL and College Athletics"

June 12, 2025

With all due respect to my colleagues, and to today's witnesses, I simply do not think today's hearing is a good use of this Subcommittee's time. We're talking about college sports when the Trump Administration is determined to destroy our universities.

We have held countless hearings about college sports over the last few years. In every hearing, we have heard that for decades the National Collegiate Athletic Association (NCAA) failed to put the interests of college athletes first. Every witness we have heard from has agreed that finally allowing college athletes to profit from their Name, Image, and Likeness is a good thing and represents a long overdue change in college sports. Changing the rules so that college athletes can now profit from Name, Image, and Likeness was a hard-fought change won by college athletes, not by Congressional action, but through state legislatures and the court system.

Just last week, a court approved a historic settlement in *House v. NCAA* that allows schools to pay college athletes, subject to a salary cap of $20.5 million per school. This is the very first time the NCAA will allow colleges and universities to pay college athletes for the talents those athletes bring to their institutions, conferences, and the NCAA.

Instead of celebrating progress made by college athletes, the Republican Majority has called a hearing today on a legislative draft that would bring this progress to a dramatic halt. The legislation grants the NCAA a broad exemption from legal liability and seemingly limitless and unchecked authority to govern how college athletes can get paid, transfer schools, or be represented by an agent. Rather than offering college athletes new, strong, enforceable protections, the Republican bill simply codifies recent NCAA health and safety rules but leaves college athletes no way to enforce violations of those protections.

The bill does not offer any meaningful protections to help ensure college students don't hire bad actors as agents, and it does not provide pathways to relief if they do. Instead, it simply allows the NCAA and conferences to require agents to register with those institutions. The act of registration with a third party will do little to help college athletes and could create a false sense of security regarding the integrity of registered agents.

As we discuss this bill, I believe it is important that we don't do anything that stifles the progress being won by the students that the NCAA is supposed to represent.

The landscape of modern college sports is well on its way to being developed by these recent court decisions and Congress should allow that work to play out. Instead, this Committee

should be focused on the very real issues facing colleges and universities as well as everyday Americans.

Because the bottom line is there is no college sports if there are no colleges. And that's where were headed under the Trump Administration.

Thank you, I yield back Mr. Chairman.

Mr. PALLONE. Thank you, Mr. Chairman, I yield back.

Mr. BILIRAKIS. The gentleman yields back. This concludes opening statements. The Chair would like to remind Members that, pursuant to the committee rules, all Members' opening statements will be made part of the record.

I want to thank all of our witnesses here today, and taking—thanks for taking the time to testify before this subcommittee.

Our witnesses today are Sherika Montgomery, and she is a commissioner for the Big South Conference.

Welcome.

And then next we have, let's see, Ramogi Huma. Is that right? The executive director of the National College Players Association.

Welcome.

We have Mr. William King, associate commissioner of legal affairs compliance at the Southeastern Conference.

Welcome, sir.

And we have Ms. Ashley Cozad, swimming student-athlete and Division I SAAC chair at the University of North Florida, class of 2024.

Welcome.

So per committee custom, each witness will have the opportunity, 5 minutes for an opening statement, followed by a round of questions from Members.

The light on the timer in front of you will turn from green to yellow when you have 1 minute left.

So let's start with Ms. Montgomery.

You are recognized for 5 minutes for your opening statement.

STATEMENTS OF SHERIKA A. MONTGOMERY, COMMISSIONER, BIG SOUTH CONFERENCE; RAMOGI HUMA, EXECUTIVE DIRECTOR, NATIONAL COLLEGE PLAYERS ASSOCIATION; WILLIAM KING, ASSOCIATE COMMISSIONER FOR LEGAL AFFAIRS AND COMPLIANCE, SOUTHEASTERN CONFERENCE; AND ASHLEY COZAD, FORMER SWIMMING STUDENT-ATHLETE AND FORMER DIVISION I SAAC CHAIR, UNIVERSITY OF NORTH FLORIDA

STATEMENT OF SHERIKA A. MONTGOMERY

Ms. MONTGOMERY. Thank you so much. Chairman Bilirakis, Vice Chairman Fulcher, Ranking Member Schakowsky, and distinguished members of the subcommittee. Thank you for the opportunity to speak with you today. It is truly an honor to speak on an issue that I care deeply about: the evolving landscape of college athletics.

As a former women's basketball student-athlete, I know firsthand the tremendous and invaluable impact of a prominent student-athlete experience. It is not hyperbole to say that an orange basketball changed the trajectory of my life and professional career. College athletics provided me with a pathway to higher education and an opportunity to compete on the Division I level. Nearly 15 years later I have united an innate advocacy for optimal student-athlete experiences and servant and transformative leadership. I turned my avocation into my vocation.

With a background in NCAA governance and compliance, I have served at all three levels of college athletics: a college campus, three Division I conference offices, and the NCAA national office. The Big South Conference includes nine member institutions and three contiguous States—that is North Carolina, South Carolina, and Virginia. The Big South Conference sponsors 19 championship sports while providing supreme academic experiences and highly competitive athletics to nearly 3,400 student-athletes.

For over 40 years, the Big South Conference has been unwavering in its commitment to fostering the academic, personal, social, athletic, and leadership development of its student-athletes. During the 2023-2024 academic year, the conference achieved a league record of nearly 74 percent of eligible student-athletes earning a 3.0 grade point average or better.

Even more impressive, a total of 1,399 student-athletes earned a 3.5 grade point average or better. During the '24-'25 academic year our top athletic accomplishments included 18 victories over A4 and/or power conferences in 7 different sports; ranked number 18 out of 31 in net rankings in the sport of men's basketball; 3 notable All-Americans in volleyball, men's and women's track and field. Former UNC Asheville men's tennis player and three-time student-athlete Player of the Year Henry Patton won the 2005 Australian Open men's double in January of 2025 and won the 2024 Wimbledon doubles championship of 2024.

For the last two decades, the Big South Conference has annually sponsored a leadership conference—which I am proud to say I am an alum of—that 60 student-athletes are able to come and focus on their development as people. As you can see, we are committed to developing the next generation of leaders through meaningful and yet transformational student-athlete experiences. Yet very few, if any, of our student-athletes receive the level of NIL that makes headlines. None of our programs generate a large sum of revenue. All of them depend on the assistance of institutional support to fill those competitive 19 programs we just spoke about.

The experience of our members and student-athletes is the norm for the majority of student-athletes who compete at the Division I level across the United States. One thing we all can agree on is that the college athletic landscape—is that for Big South member institutions and similar institutions, to continue to providing life-changing experiences, clarity and stability is essential.

In the last 2 years, the NCAA and its member institutions have evolved and adopted warranted enhancements focused on meeting the needs of our student-athletes, establishing the core guarantees that I know you all are familiar with. Despite the positive and impactful change made thus far, there are areas that can only be addressed with the leadership of Congress. Those areas are affirming student-athletes are not employees, providing safe harbor from select liability complaints and preempt State law.

As previously noted, significant progress has been made surrounding the evolution of athletics, but we are not done. As Chairman Bilirakis's opening statement—as he stated in his opening statement of the March 4, 2025, "Moving the Goalpost, How NIL is Shaping College Athletics," the absence of preeminent uniform standard has led to a Wild West environment here, where, sadly,

our student-athletes are put into a vulnerable position where they can easily be exploited by those who do not have their best interests in mind. As a former student-athlete and current commissioner, I want to enable our student-athletes to succeed on the field, in the classroom, and financially.

We appreciate the introduction of SCORE Act 2025 and commend your aim to bring Federal clarity to NIL frameworks. I look forward to working with each member of the committee to ensure that schools such as those in the Big South are able to continue to compete and thrive. Thank you for your visionary leadership and consideration of legislation to ensure student-athletes are winning on and off the field for generations to come. Thank you.

[The prepared statement of Ms. Montgomery follows:]

HEARING BEFORE THE UNITED STATES
HOUSE ENERGY AND COMMERCE COMMITTEE:
SUBCOMMITTEE ON COMMERCE, MANUFACTURING AND TRADE

"Winning Off the Field: Legislative Proposal to Stabilize NIL and College Athletics"

Thursday, June 12, 2025

Summary Testimony of Sherika A. Montgomery
Commissioner, Big South Conference

INTRODUCTION AND BACKGROUND

Chairman Bilirakis, Vice Chairman Fulcher, Ranking Member Schakowsky and distinguished members of the Subcommittee, thank you for the opportunity to speak with you today. It is truly an honor to speak on an issue I care deeply about—the evolving landscape around College Athletics.

As a former women's basketball student athlete, I know firsthand the tremendous and invaluable impact of a prominent student-athlete experience. **It is not hyperbole to say that an orange basketball changed the trajectory of my life and professional career.** Thanks to the strong foundation built during my time within the Big South Conference, both as a student–athlete and administrator, I have been able to unite an innate advocacy for optimal student–athlete experiences with servant and transformative leadership. Fifteen years later, I am fortunate to serve as the fourth Commissioner of the Big South Conference. Prior to returning to the Big South Conference, I held leadership roles at the Missouri Valley Conference, National Collegiate Athletics Association (NCAA), Summit League and Winthrop University.

The Big South Conference[1] is comprised of nine (9) member institutions in three (3) continuous states – North Carolina, South Carolina, and Virginia. The Conference sponsors nineteen (19) championship sports providing high-level competitive athletics to nearly 3,400 student-athletes.

CURRENT LANDSCAPE AND CONGRESSIONAL ENGAGEMENT

In the last two years, the NCAA has evolved and adopted warranted enhancements focused on meeting the needs of today's student–athletes such as established Core Guarantees. Despite the positive and impactful changes made thus far, the following areas can only be addressed by the leadership of Congress.

1. **Affirm student–athletes are not employees.** Notwithstanding the often-public perception, student–athletes being deemed employees would be detrimental to the enterprise of college athletics. From the highest revenue generating athletic departments to those that are subsidized by their institutions, this would be disadvantageous to the student–athlete experience.
2. **Provide safe harbor from select liability complaints.** The Big South supports the NCAA in seeking safe harbor from specific litigation. While there is so much change underway, it is imperative the NCAA and its membership can create and regulate rules and regulations to ensure uniformity within college athletics.
3. **Preempt state law.** There are thirty–two states that have active laws or executive orders that related to NIL. This makes it extremely difficult to create a level-playing field state-

[1] The Big South Conference membership includes Charleston Southern University, Gardner-Webb University, High Point University, Longwood University, Presbyterian College, Radford University, UNC Asheville, USC Upstate and Winthrop University.

by-state. Moreover, the current patchwork of state laws places an enormous burden on student-athletes when making college decisions.

As stated in Chairman Bilirakis' Opening Statement of the March 4, 2025 Moving the Goalposts: How NIL is Reshaping College Athletics hearing, ". . . the absence of a preemptive uniform standard has led to a 'Wild West' environment where, sadly, our student-athletes are put in vulnerable positions where they can easily be exploited by those who do not have their best interests in mind." As a former student-athlete and current commissioner, I want to emphasize my commitment to protecting our student-athletes.

We appreciate the introduction of the SCORE Act of 2025 and commend its aim to bring federal clarity to NIL frameworks. I look forward to working with the Committee to ensure that schools such as those in the Big South are able to continue to compete and thrive.

I would like to thank you in advance for your visionary leadership and consideration of bipartisan legislation to ensure student-athletes continue winning on and off the field for generations to come. Thank you.

Mr. BILIRAKIS. Thank you so very much. I appreciate it.

Now, Mr. Huma, you are recognized, sir, for your 5 minutes.

STATEMENT OF RAMOGI HUMA

Mr. HUMA. Good morning. And first I would like to thank Chairmen Guthrie and Bilirakis and Ranking Members Pallone and Schakowsky for inviting me to testify today. My name is Ramogi Huma. I am a former UCLA football player and executive director of the NCPA, the National College Players Association.

The NCPA has served as a primary advocate in support of NIL laws in over a dozen States and has helped craft State and Federal bills seeking broad-based reform. The NCPA is opposed to the SCORE Act.

College sports is in crisis, but it is not because of NIL collectives and transfer portals. College sports is in crisis because NCAA sports is a predatory industry that exploits college athletes physically, sexually, and economically. The NCAA and conferences refuse to enforce safety standards or impose any consequences for athletic personnel who kill an athlete in a hazardous workout, sexually abuse an athlete, or force an athlete with a concussion back into the same game.

Just ask the parents of Calvin Dickey, Jr. and Jordan McNair, football players who died preventable deaths at Bucknell University and the University of Maryland; or former San Jose State gymnast Amy LeClair, who along with her teammates survived sexual abuse from the athletic trainer.

In surveys, Division I athletic trainers report about 20 percent of coaches return athletes to play who are deemed medically ineligible, and more than 1 in 4 college athletes report being sexually assaulted or harassed by a campus authority figure. The NCPA is advocating that Congress refrain passing any Federal legislation that does not mandate the enforcement of safety standards by a third party and other key protections. The SCORE Act does not address these critical issues and is instead modeled heavily after the unjust *House* v. *NCAA* settlement.

The SCORE Act would exclude college athletes from equal rights under antitrust and labor law. This would prevent unionization, which could otherwise help bring forth key safety protections. The SCORE Act would give the NCAA power to ban all athlete pay from colleges. If pay was allowed, it would be optional, and the SCORE Act would directly impose a low athlete compensation cap of 22 percent, instead of the 48 to 50 percent of guaranteed revenue pro athletes earn, thanks to their unions. The SCORE Act's 22 percent cap would yield different maximum compensation amounts from one school to the next. The total athlete payouts could be a max—could max out at $10 million at Virginia but $15 million at North Carolina and $20 million at Florida State, for example.

Athletes have no way of knowing whether their pay from a university would exceed the compensation limit, which could subject all athletes to that team—on that team to punishments. The SCORE Act would permanently eliminate about $2 billion in athlete NIL pay by gutting NIL collectives, which are booster-funded organizations that are labeled associated entities in the SCORE Act.

The SCORE Act would allow universities to prohibit athlete pay conducting—conducted during athletes' free time if dictated by a school's contract. The SCORE Act would allow the NCAA and conferences to continue to eliminate athlete roster spots and cut entire Olympic sports. The SCORE Act would give the NCAA absolute power to eliminate all transfer freedoms, even when athletes are being abused.

The SCORE Act is silent on its application of private equity firms if they ultimately operate athletic programs or replace an athletic association. And notably, the athlete compensation and benefits included in the SCORE Act are not a net gain for athletes because these provisions already exist under State NIL laws and NCAA rules. The SCORE Act gives athletes no recourse if a university, conference, or the NCAA breaks the law at the athlete's expense.

And just to be clear: The current language in the SCORE Act would hurt college athletes, not help them.

Much of this bill chases the myth of creating a level playing field among college athletes—athletic programs, and the truth is that there has never been a level playing field. Rich programs and boosters have always spent money to give their athletic programs a competitive advantage. If a level playing field was the goal, the bill would cap coaches' salaries and require schools to share revenue evenly amongst themselves. Instead, the SCORE Act allows the same rich athletic programs and boosters to keep competitive advantages by spending unlimited amounts of money on coaches, recruiting budgets, and lavish facilities.

To gain competitive advantage, rich athletic programs and conferences are ruthlessly poaching the most valuable athletic programs from less prominent conferences to gain higher TV revenue and continue their dominance. Congress shouldn't pass legislation to deny college athletes billions of dollars so that the NCAA and conferences can pretend a level playing field exists.

Finally, the NCPA is supportive of a transfer structure that is less chaotic, but we point out that the athletes didn't adopt unlimited transfer freedoms and schedule transfer portals in the middle of the football postseason and spring football. The NCAA did.

I look forward to your questions. Thank you.

[The prepared statement of Mr. Huma follows:]

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US House Energy and Commerce Committee Hearing
"Winning Off the Field: Legislative Proposal to Stabilize NIL and College Athletics."

June 10, 2025

Dear Chairmen Guthrie and Bilirakis, Ranking Members Pallone and Schakowsky, and members of the Energy and Commerce Committee,

Thank you very much for inviting me to participate in the "Winning Off the Field: Legislative Proposal to Stabilize NIL and College Athletics." hearing on Thursday June 9, 2025. The National College Players Association (NCPA) is a nonprofit advocacy organization with a mission to protect future, current, and former college athletes of all sports.

Please accept this document as my written testimony:

College sports is an $18 billion dollar industry with multibillion dollar TV deals that pay coaches and administrators multimillion dollar salaries. The NCAA and conferences continues to unjustly deny college athletes basic protections. It's important for college athletes to have key protections and the freedom to pursue equitable treatment without being excluded from antitrust and labor laws afforded to other Americans.

The Urgent Need for Congress to Ensure Broad-Based Reform

Contrary to the constant drumbeat of college coaches and athletic administrators, recent trends in player movement are not the source of a college sports crisis. Rather, college the lack of enforcement of safety standards to prevent serious injury, abuse, and death among college athletes continues to preventable tragedy upon college athletes and their families.

The NCPA is urges Congress to include broad based reform in any federal legislation related to college sports that includes:

- Enforcement of safety standards and university payment of sports-related medical bills by an independent third party.
- Comprehensive medical coverage for all athletes at high revenue athletic programs.
- Preserve athlete sports participation by prohibiting cuts to aggregate participation opportunities
- Transparency on athletic programs' compliance with Title IX
- Ensuring athletes have the means to influence policies that affect their well-being
- Protecting athletes from unfair transfer restrictions.

The SCORE Act Draft

The SCORE Act does not include much needed protections and is based primarily off of the unjust House v. NCAA Settlement. The NCPA would like to work with the Committee to help develop a bill that will include broad based reform. Below is a list of concerns that the NCPA has with the SCORE Act:

- The SCORE Act does not include critical, broad-based reform to protect college athletes.
- The SCORE Act would exclude college athletes from equal rights under antitrust and labor law.
    - This would prevent unionization, which could otherwise help bring forth key safety protections.
- The SCORE Act would directly impose a low athlete compensation cap of 22% of revenue instead of the 48-50% of revenue pro athletes earn thanks to their unions.
- Athletes would have no way of knowing whether their pay from a university would exceed the compensation limit, which could subject all athletes on that team to punishments.
- The SCORE Act would permanently eliminate about $2 billion in athlete NIL pay by gutting NIL collectives, which are the booster-funded organizations that are labeled "associated entities" in this draft. Universities would then re-monopolize this money that could no longer flow to the athletes.
- The Score Act would allow universities to prohibit athlete NIL pay conducted during athletes' free time if dictated by a school's contract.
- The Score Act would allow the NCAA and conferences to continue to eliminate athlete roster spots and cut entire Olympic sports.
- The SCORE Act would give the NCAA absolute power to eliminate all athlete transfer freedoms, even when athletes are being abused.
- The SCORE Act would allow institutions to serve as athlete agents as permitted in the House v. NCAA Settlement, which is a major conflict of interest.
- The SCORE Act is silent on its application if private equity firms ultimately operate athletic programs or replace an athletic association.
- And notably, the athlete compensation and benefits included in the SCORE Act are not a gain for athletes because these provisions already exist under state NIL laws and NCAA rules.
- The SCORE Act gives athletes no recourse if a university, conference, and the NCAA breaks the law at the athletes' expense.

Enforcement of Safety Standards and Payment of Sport-Related Medical Bills

The NCAA holds that it has not duty to protect college athletes. And while it claims to require its schools to pay for sports-related medical expenses, there is no enforcement mechanism for when universities decide not to.

NIL Collectives, the Transfer Portal, and the Myth of Competitive Equity

The NCAA and conferences are claiming that NIL collectives and the transfer portal are destroying college sports. They claim that Congress must pass legislation to put themselves above the law to save college sports. This could not be further from the truth.

First, boosters who fund NIL collectives have always provided athletic programs significant amounts of money to gain competitive advantages. The idea that competitive equity would be achieved by prohibiting boosters from paying athletes NIL is not credible given the same boosters are allowed to pay unlimited amounts of money to hire the best coaches, maintain the biggest recruiting budgets, and build lavish facilities to gain athlete recruiting and retention advantages for the athletic program that they support.

In addition, rich college athletic programs are not sharing athletic revenue with programs with fewer revenue in ways similar to professional sports leagues in the name of competitive equity. They are actually doing the opposite through ruthless conference realignment to gain higher TV revenue and continue their dominance. After securing much more College Football Player off revenue for their member institutions, the Big Ten and SEC conferences are reportedly seeking to gain more advantage by demanding more guaranteed playoff sports in a new structure of a College Football Playoff.

While the current dynamics in college sports may shift competitive advantages from some schools to others, athletes' NIL pay from NIL collectives does not affect boosters' pursuit of competitive advantages that have always existed. Additionally, most would agree that Congress should not intervene on behalf of universities that may want to regain previous competitive advantages. There is no injustice if SMU and BYU become consistent college football powerhouses instead of a couple of the previous football powerhouses in the old system. But there would be tremendous injustice if college athletes were denied an estimated $2 billion in annual NIL pay from NIL collectives to pretend that competitive equity exits.

The fact is that the conferences' drive to bring NIL collectives "in house" simply means that they want Congress to pass legislation to allow their universities to legally re-monopolize booster money. Antitrust laws and state NIL laws have proven effective at preventing such unwarranted exploitation of college athletes.

The player transfer portals that give coaches headaches is the source of what many describe as instability in college sports. The NCPA is supportive of a more reasonable structure than what is currently taking place. However, the transfer portal by no means is a crisis that demands Congressional action. It's important to note that the athletes did not implement unlimited transfer freedoms or schedule transfer portals in the middle of the football postseason and during spring football – the NCAA did. Instead of changing the transfer portal schedule to make sense, the NCAA scheduled them during the worst periods possible. In addition, universities are already beginning to mitigate athlete movement by signing athletes to contracts that include athlete buyouts if they transfer. Such contracts can be reasonably fair to athletes if the athletes' contracts are guaranteed. To sum up, though they pretend to be helpless on this issue, the NCAA, conferences, and schools are currently equipped to mitigate this matter.

College Athlete Employment Status

Contrary to the NCAA and conferences assertions, college athlete employment is not an urgent issue. There are no active NLRB cases regarding college athletes' right to collective bargaining. The Johnson v. NCAA wage and hour lawsuit will take many years to wind through the federal courts.

Carving athletes out of protections under labor laws would eliminate another avenue that college athletes could secure the safety standards and other much-needed protections that the NCAA and conferences refuse to provide.

Preserving College Sports Participation Opportunities

The NCAA and conferences' claim that they want to prohibit athlete employee status and collective bargaining in order to preserve sports lacks credibility given they entered into the *House v NCAA* preliminary settlement agreement to needlessly cut sports rosters. Universities can and should directly compensate college athletes without being required to cut sports. To date, at least ten states have adopted laws allowing colleges to directly pay NIL money to their athletes. These laws and executive orders do not require universities to cut rosters. One must conclude that preserving sports is not their concern, but stripping athletes of their rights under the law is. Unless Congress takes action, the NCAA and conferences can continue cutting roster spots and continue on to cut Olympic and women's sports as permitted by the House v. NCAA settlement.

Why Congress Must Act Urgently to Address the Exploitation of College Athletes

The NCAA asserts it has no duty to protect college athletes:
http://www.washingtontimes.com/news/2013/dec/18/court-filing-ncaa-denies-legal-duty-protect-athlet/

Bucknell football player Calvin Dickey Jr. Dies in Football Workout:
Parents say Bucknell lacked emergency plan and son died a preventable death.
https://www.espn.com/college-football/story/_/id/44494058/parents-dead-football-player-calvin-dickey-jr-sue-bucknell

University of Maryland admits negligence in death of football player Jordan McNair:
https://www.cnn.com/2018/09/22/us/maryland-jordan-mcnair-death-report/index.html#:~:text=University%20has%20taken%20responsibility&text=Loh%20apologized%20to%20McNair's%20family,on%20that%20fateful%20workout%20day."

UC Berkeley admits negligence in death of football player Ted Agu:
https://www.espn.com/college-football/story/_/id/14682233/university-california-admits-negligence-2014-death-lineman-ted-agu

Ex-San Jose State athletic trainer pleads guilty to sexually assaulting female athletes
https://www.usatoday.com/story/news/investigations/2023/08/15/scott-shaw-ex-sjsu-trainer-pleads-guilty-groping-female-athletes/70596967007/

"Coach Makes the Call: Athletic trainers who butt heads with coaches over concussion treatment take career hits"
https://www.chronicle.com/article/coach-makes-the-call/

National Athletic Trainers Survey Results:
18.73% reported a coach playing an athlete who had been deemed medically ineligible for participation
https://www.nata.org/press-release/062619/only-half-collegiate-level-sports-programs-follow-medical-model-care-student

NCAA survey: half of athletic trainers admit to returning athletes to same game:
http://www.cbssports.com/college-football/news/why-the-ncaa-wont-adopt-concussion-penalties----at-least-not-yet/

NCAA won't punish coaches that force an athlete to return to the same game:
https://www.washingtontimes.com/blog/screen-play/2013/jul/20/internal-ncaa-emails-raise-questions-about-concuss/

"1 in 4 college athletes say they experienced sexual abuse from an authority figure, survey finds"
https://www.usatoday.com/story/news/nation/2021/08/26/college-athlete-report-sexual-assault-common-survey/8253766002/

NCAA Sports Administrators and Coaches Paid Lavishly While Athletes Suffer

Head football coaches' salaries top $13 million dollars with a maximum buyout of $118 million:
https://sportsdata.usatoday.com/ncaa/salaries/football/coach

Texas A&M paid $76 million just to fire a football coach for poor performance:
https://www.nytimes.com/athletic/5056311/2023/11/12/buyout-jimbo-fisher-contract/

Head men's basketball coaches' salaries top almost $9 million with a top buyout of almost $43 million:
https://sportsdata.usatoday.com/ncaa/salaries/mens-basketball/coach

Athletic director salaries top more than $3 million:
https://www.usatoday.com/story/sports/college/2024/08/29/tennessee-danny-white-salary-athletic-director/74995735007/

NCAA and Power 5 conferences agree to unnecessarily cut sports rosters

"Part of the pending agreement would set new limits for the maximum roster size of every Division I NCAA-sponsored sport, reducing D-I opportunities by at least 4,739 if the settlement is approved."
https://www.espn.com/college-sports/story/_/id/42273737/college-athletes-face-national-signing-day-amid-uncertainty-new-roster-limits

Thank you again for the opportunity to participate in this hearing and I am committed to working with you in continuing discussions on this issue and other issues concerning college athletes' well-being.

Sincerely,

Ramogi Huma
NCPA Executive Director

Mr. BILIRAKIS. The gentleman yields back. Now I will recognize Mr. King for 5 minutes' testimony.

Thank you again for being here.

STATEMENT OF WILLIAM KING

Mr. KING. Good morning. Chair Bilirakis, Chair Guthrie, Ranking Member Schakowsky, and Ranking Member Pallone, and distinguished members of the subcommittee. On behalf of the Southeastern Conference and its 16 members, thank you for the opportunity to share my views on these important issues in college athletics today.

My name is William King. I am associate commissioner for legal affairs and compliance at the Southeastern Conference. Prior to joining the SEC nearly 10 years ago I spent 25 years in private law practice, where I specialized in representing universities, coaches, and occasionally student-athletes in NCAA infractions matters. I represented universities throughout the country, often working to help athletes stay or get back on the field or court to play their sports.

Over the past year, I have spent most of my time working with my colleagues to be prepared to successfully implement the exceptional changes in college sports reflected in the *House* v. *NCAA* settlement, which includes a new revenue share model between institutions and their student-athletes. This implementation must be done in a manner that preserves the attributes that make college sports such a unique and special part of American culture.

My one remaining professional goal is to help create a solution that provides stability for college sports, treats all college athletes fairly, and allows schools to continue to sponsor a broad range of sports that create opportunities for athletes to earn college degrees when otherwise they might not have attended college.

The timing for this hearing is especially good, after the court's approval of the *House* settlement on Friday night, as the court's decision helps frame the issues for discussion today. I will focus these remarks on why congressional action is needed now more than ever, after the settlement approval to provide stability for the future of college sports.

Federal legislation is needed to codify the key elements of the settlement as revenue sharing with student-athletes and reasonable NIL regulation. These key tenets are needed in Federal legislation because they are not included in and could not be achieved in the *House* settlement agreement. Only Congress can do those—do that.

First, we need preemption of State laws governing name, image, and likeness and compensation of college athletes. The current environment in State legislatures has devolved into competitive lawmaking, intended to give universities in a particular State meaningful advantages in recruiting and competition and, in some States, even prevent enforcement of national rules related to name, image, and likeness. We need a Federal law that creates a uniform national standard with meaningful enforcement and preempts State laws that conflict with the Federal law.

Next, we need liability protection or safe harbor for conduct that complies with the Federal law. We do not seek broad antitrust ex-

emption or blanket antitrust immunity. What we seek is more limited than that: protection from lawsuits that challenge conduct and regulations that are consistent with or codified in a Federal law passed by Congress.

Third, Congress needs to address the issue of college athletes as employees. The SEC athletes we speak with—we have four leadership councils—they tell us they do not want to become employees of their universities. Putting aside their views—which should not be put aside—the financial impact of employee status for college athletes would be devastating and force many Division I schools to abandon athletics altogether while those with greater resources would likely reduce the number of sports they offer or otherwise alter the student-athlete experience.

We are the only country in the world where elite athletes do not have to choose between education and their sports but instead can use their athletics ability to receive a college education for free while pursuing their athletic goals at the same time. College athletics programs are the Olympic development program for many sports, and the United States' Olympic development model is the envy of many countries. I am concerned this system is at risk if Congress does not act.

Now that the settlement has been approved and the transformative model for college athletics is being implemented even as we meet today, there will never be a better opportunity for Congress to act to provide the structure and stability to ensure the future of college athletics.

Thank you for the opportunity to share my views on these topics, and I look forward to a productive discussion today. Thank you.

[The prepared statement of Mr. King follows:]

HEARING BEFORE THE UNITED STATES HOUSE
COMMITTEE ON ENERGY AND COMMERCE

Thursday, June 12, 2025

Written Testimony of William King
Southeastern Conference Associate Commissioner for Legal Affairs and Compliance

Good morning,

My name is William King, and I am the Associate Commissioner for Legal Affairs and Compliance for the Southeastern Conference (SEC). In my current role, I am responsible for legal, litigation and legislative matters at the SEC, and I advise SEC members on NCAA compliance and governance issues. Prior to joining the SEC nearly 10 years ago, I spent 25 years in private law practice where I specialized in representing universities, coaches and occasionally student-athletes in NCAA compliance matters. I spent most of my time trying to help athletes, some of whom you might have heard such as Cam Newton, Johnny Manziel and Todd Gurley, stay or get back on the field or court to play their sports. While I represented universities most of the time in those cases, helping the athletes move beyond their eligibility issues to resume their playing careers was a primary motivation.

Some might incorrectly assume based on my current position as general counsel for the SEC that I am focused only on what is best for the SEC, its members and their athletics programs. While I certainly want the SEC and its members to excel, I am now driven by the desire to successfully incorporate the exceptional changes in college sports reflected in the *House v. NCAA* settlement, including the new revenue sharing model between institutions and their student-athletes, in a manner that preserves the attributes that make college sports such a unique and special part of American culture. This is my one remaining professional goal – to find a solution that provides stability for college athletics, treats all college athletes fairly, and allows schools to continue to sponsor a broad range of sports to continue to create opportunities for athletes to earn college degrees.

Our discussion today is aided by the Court's approval of the *House* settlement on Friday night, as the Court's decision helps frame the issues. While I am happy to answer questions about the settlement agreement, I will focus here on why Congressional action is still necessary after settlement approval and how Congress needs to act to provide the stability needed for the future of college sports. Federal legislation is needed to codify the key elements of the settlement – revenue sharing with student-athletes and reasonable NIL regulation – as well as steps we have taken voluntarily, such as extending medical care for student-athletes after their college careers are over.

There are several key tenets needed in federal legislation that are not included and cannot be achieved in the *House* settlement agreement. One, we need preemption of state laws governing name, image and likeness and compensation of college athletes. The current environment in state legislatures has devolved into competitive lawmaking intended to give universities in a particular state meaningful advantages in recruiting and competition, and in some states, prevent enforcement of national rules related to NIL. We need a federal law that creates a uniform, national standard with meaningful enforcement and preempts state laws that conflict with the federal law.

We also need liability protection or a safe harbor for conduct that complies with the federal law. Contrary to what has been reported by some, we do not seek a broad antitrust exemption or blanket antitrust immunity. What we seek is more limited than that – protection from lawsuits that challenge conduct and regulations that are consistent with the federal law passed by Congress. This protection from liability would apply if we increase benefits or payments available to college athletes in the future. In the 10 years I have been with the SEC, every time the rules have changed to allow more benefits or payments to athletes, we have been sued by current and former athletes who claim they should have received the same benefits or payments.

Congress also needs to address the issue of college athletes as employees. The SEC athletes we speak with do not want to be employees of their universities. We have four student-athlete leadership councils at the SEC – the Student-Athlete Advisory Committee as part of the NCAA national structure, and then one each for football, men's basketball and women's basketball. These athletes have made clear to the Conference that they do not want to be employees. Putting aside this important factor, the impact of employee status for college athletes would be devastating and cause many Division I schools to abandon athletics altogether, while those with greater resources likely would reduce the number of sports they offer. The general public does not understand how few Division I athletics programs are self-sustaining and generate net revenues – few do, with the vast majority of athletics programs relying on institutional support to fund their athletics departments. Adding the significant cost of employee wages and benefits to the equation will leave Division I schools with exceedingly difficult decisions about the future of their athletics departments.

We are the only country in the world where elite athletes do not have to choose between education and their sports but instead can use their athletics ability to receive a college education while also pursuing their athletics goals. In the SEC, that means competing against the best day in and day out while receiving world class training, medical treatment, mental health support, coaching and competition opportunities. College athletics programs serve as the Olympic development program for many sports, and the United States Olympic development model is the envy of many countries. I am very concerned these wonderful traits of college sports are at risk if Congress does not act to pass a fair and balanced bill to preserve them.

The time for Congress to act is now. The settlement has been approved, and the transformative model for college athletics is being implemented as we meet today. There will never be a better opportunity for Congress to act to provide the structure and stability to ensure the future of college athletics and preserve the characteristics that make college

sports such a valuable part of American society. Thank you for the opportunity to share my views on these topics.

Mr. BILIRAKIS. Thank you, Mr. King. I appreciate it very much. Next we have Ms. Cozad.

You are recognized for 5 minutes for your opening statement.

STATEMENT OF ASHLEY COZAD

Ms. COZAD. Good morning, Chairman Bilirakis, Ranking Member Schakowsky, and distinguished subcommittee members. My name is Ashley Cozad. I am a former swimming student-athlete at the University of North Florida, more simply known as UNF.

As a freshman walk-on, I was hopeful of proving myself to my coaches and peers in and out of the pool. Over the course of the 5 years that I attended UNF, I earned three degrees, an athletic scholarship, and held numerous leadership positions and advocacy roles. As a freshman, I quickly became involved with the Student Athlete Advisory Committee, or SAAC, and held numerous positions at the institutional, conference, and national level. I was nominated in June of 2022 to serve as the Atlantic Sun Conference Division I SAAC representative. After 2 years of service, I was elected chair of the Division I group for a 1-year term.

Serving as the collective voice for over 190,000 Division I student-athletes changed my perspective on the importance of advocacy and sharing individual stories. Being one of two student-athletes that served on the NCAA Division I Board of Directors, I understood how important it was to share both my own perspective in addition to the thoughts and concerns of the student-athletes I represent around this Nation.

Throughout this experience, two continual issues always resurfaced in my conversations: name, image, and likeness, or NIL, and employment.

In July of 2021, the NCAA removed their bylaws regulating NIL and ultimately gave student-athletes the right to capitalize on their name, image, and likeness. While it is evident that NIL has had positive impacts on student-athletes, the lack of transparency and the lack of uniform regulation due to differing State laws has created an unstable environment.

In the process of writing my testimony, the *House* v. *NCAA* settlement received final approval. This approval will positively change college athletics in numerous areas, including NIL.

In addition to allowing schools the option to direct new financial benefits to student-athletes, part of the agreement of the settlement is the NIL clearinghouse. Student-athletes will be required to report any NIL deal and/or earnings over $600 to the clearinghouse. This will create much-needed transparency for institutions and student-athletes across Division I. However, the hodgepodge of State laws remains a nightmare for student-athletes who are often unsure of what rules apply where and to whom.

It is imperative that Congress take action to establish Federal guidelines surrounding NIL so that student-athletes are on the same playing field across institutions over State lines, as to diminish the confusion and competitive advantages created by conflicting State laws.

While student-athletes are capitalizing on their NIL, the conversation surrounding employment status is routinely discussed. While classifying student-athletes as employees may seem logical

because of the time we pour into our sports, it would be incredibly detrimental for the majority of student-athletes. Most institutions would not be able to afford an employee model and would only have the funds to sponsor a football or basketball team. This model would decimate opportunities for athletes like me and thousands of others throughout the country. Congressional action to affirm the nonemployee status is vital for preserving the collegiate model and guaranteeing a future for Olympic and nonrevenue-generating sports.

We have entered a new era of collegiate athletics, whereby student-athletes can benefit from both NIL and revenue sharing from their institutions. These opportunities have both transformed and are continuing to transform the landscape of college sports for the benefits of student-athletes.

Thank you for giving me the opportunity to testify before you today. I am hopeful that through continuous conversations and collaboration we can create an environment where student-athletes will not only compete but thrive.

[The prepared statement of Ms. Cozad follows:]

Written Testimony

Congressional Hearing

Committee on Energy and Commerce

Ashley Cozad

Former Swimming Student Athlete

Former Division 1 SAAC Chair

University of North Florida

Summary:

The following written testimony covers who I am, my thoughts on student athletes' use of name, image, and likeness, as well as how an employment model would negatively impact college athletics.

Chairman Bilirakis, Vice Chairman Fulcher, Ranking Member Schakowsky and distinguished subcommittee members: thank you for the opportunity to testify before you today. I am pleased to share my viewpoint on college athletics as well as my experience as a student athlete. Being a student athlete has impacted me significantly and has positively influenced my future.

My name is Ashley Cozad; I am currently a public high school English teacher in Jacksonville, Florida. Before starting my career in education, I was a five-year swimming student athlete at the University of North Florida (UNF). Throughout this time, I completed my Bachelor and Master of Arts in English Composition as well as a Bachelor of Arts in Communication Studies. Academics have consistently been a priority in my life alongside the sport of swimming. In the Fall of 2018, I committed as a walk-on to UNF having no idea how far my student athlete experience would take me. As a freshman, I quickly became involved with the Student Athlete Advisory Committee (SAAC) and held numerous positions at the institutional, conference, and national level. I was nominated in June of 2022 to serve as the Atlantic Sun Conference Division 1 SAAC Representative. After two years of service, I was elected Chair of the group for a one-year term. Being the student athlete voice for over 190,000 Division 1 student athletes changed my perspective on the importance of advocacy and sharing individual stories. Being one of two student athletes that served on the National Collegiate Athletic Association (NCAA) Division 1 Board of Directors, I knew how important it was to share my perspective as well as the thoughts and concerns of my peers. Throughout this experience, the same issues always resurfaced in conversation: student athlete employment status and name, image, and likeness (NIL).

My college experience is one of perseverance and resilience that would not have been possible without the University of North Florida taking a chance on me. I hope to shed light on

how name, image, and likeness have impacted me, as well as how an employment model would have decimated the opportunities I was fortunate enough to have.

Name Image and Likeness:

Over the course of the five years that I was a student athlete, I watched NIL go from an illegal taboo to complete deregulation. Before the NCAA changed their bylaws surrounding NIL in July of 2021, I was part of numerous conversations and taskforces at the Conference and Institutional level that discussed the impact that NIL will have on college sports. Fast forward four years, and it is evident that NIL has had a positive impact on student athletes nationwide. Despite this, bad actors are consistently prevalent, and student athletes are continuously being taken advantage of. I am advocating for federal action that will diminish bad actors in the world of NIL and urge Congress to codify that federal law preempts state law surrounding NIL activities. Therefore, guarantee that student athlete contracts and obligations are met and student athletes can capitalize on their NIL regardless of what state their institution is located in.

Additionally, in the process of writing this testimony the House vs. NCAA settlement received approval from Judge Claudia Wilken. This approval will change the makeup of college athletics in numerous areas including NIL. Part of the agreement of the settlement is the NIL clearinghouse. Student athletes will be required to report any NIL deal/earnings over $600 dollars to the clearinghouse. This will create transparency for institutions and student athletes across Division 1. However, having a hodge podge of state laws creates a recruiting nightmare. It is imperative to have federal guidelines surrounding NIL so that student athletes are on the same playing field across institutions over state lines.

Being in the Atlantic Sun, I competed in a Conference that has twelve institutions across seven different states. This created a unique competitive environment where we were not limited to only competing in the state of Florida. Furthermore, there are numerous Conferences that compete across states and some even across the country. By having federal NIL guidelines, the playing field will remain fair and competitive. Without this, we fear that college athletics will not maintain authenticity or any sort of amateurism.

Impacts of an Employment Model:

While it is imperative to maintain that student athletes deserve the rights to their name, image, and likeness, it is also equally important that we are NOT classified as employees. It is essential to maintain that student athletes should not be employees of their institution. Student athletes are and always will be students first. The collegiate system prioritizes education, and it is crucial that student athletes receive special status to preserve the traditional collegiate experience. By recognizing the unique relationship between student athletes and their institutions, Congress can help ensure that the fundamental purpose of college sports is sustained. Non-employee status is vital for preserving collegiate sports because of the following reasons: (1) Educational Focus, (2) Workload and Time Commitments, (3) Amateurism and Fair Play, and (4) Financial Sustainability.

Having experienced a significant injury where I could not compete for several months, I learned the importance of adversity through my recovery. If an employee model were implemented, it is possible I would not have had the same support system from my coaches, athletic trainers, and teammates due to the fear of being ‘fired.’ If an employee model is implemented, this is a harsh reality student athletes could face. Congressional involvement is paramount to prevent situations like this from happening.

Thank you for giving me your time today. Your commitment to college athletics is essential to preserving the student athlete experience for future Ashley Cozad's and allowing institutions the opportunity to take a chance on more young people just like me. My life will forever be changed by college athletics, and I hope that others are given the same chance that I was. We serve the student athletes past present and future.

Mr. BILIRAKIS. Thank you, Ms. Cozad. I appreciate it very much.

I want to thank all the witnesses today for their testimony, and I will begin questioning and recognize myself for 5 minutes.

Mr. King, I would like to start with you. Over the last several years, we have seen the pendulum swing dramatically when it comes to the transfer portal. What began as a mechanism to give student-athletes more flexibility and control over their futures has, in many cases, created instability, both academically and athletically. Does the SCORE Act help provide stability to the transfer portal, and should we consider including a one-time unrestricted—again, I want to emphasize unrestricted—transfer rule or other rules in Federal legislation?

Mr. KING. Thank you, Chair Bilirakis, and you certainly picked a timely issue to start with, and your description I would agree with, as to the current environment.

Where the NCAA is now is it is unable to regulate this space. There are unlimited transfers. Some athletes are seeking transfer three, four times. We will talk about the educational consequences later. Let's just talk about the competitive first. We need the ability to regulate in this area.

Your suggestion of a one-time exception, that is where the NCAA approach was prior to a court injunction that enjoined the rule and opened the door for unlimited transfers. I think that is a good part—a good place to start the conversation. I agree with you.

In addition to creating a system where there is greater stability in the system, where athletes know who their teammates are going to be and it is not a constant turnover semester after semester, there is definitely an educational component that sometimes is left out of the conversation. We know statistically that transfers, especially multiple transfers, are less likely or will take longer to graduate. And what we have heard—I have heard directly from athletes myself is they go in the portal, they transfer, and only after they are at their new school do they find out that many of their credits did not go with them. And that is—that also is—you know, it is a setback from a standpoint of the ultimate goal of earning a degree.

Mr. BILIRAKIS. Thank you very much.

Ms. Montgomery, the SCORE Act has a section codifying core guarantees, which include protections for scholarships and posteligibility degree completion. How does this give student-athletes across all sports programs more stability and assurance as they complete their degrees?

Ms. MONTGOMERY. Thank you so much. I think it does exactly that. It provides that guarantee. Student-athletes are no longer looking to see, is this an NCAA policy, is this a State law, where does this assurance come from? So being able to codify that, I do think, will assist student-athletes in knowing that it is exactly that, and it is a core guarantee.

I think, furthermore, making sure the student-athletes are, one, informed, and they are educated, I think that that is one of the issues, as Mr. King just alluded to. The burden that is placed on student-athletes currently of not knowing where information is coming from, if it is coming, is it legit, is it accurate—so I think the codification of the already existing and adopted core guarantees

will only provide that additional insurance and assurance for student-athletes.

Mr. BILIRAKIS. Thank you.

Ms. Cozad, as a student-athlete in a nonrevenue sport like swimming, you have an important viewpoint to our hearing, and thank you so very much for your testimony. Much of the national NIL conversation has focused around football and basketball, as you know, but athletes like you are very much affected. Can you speak on how NIL opportunities and guardrails in the SCORE Act can support student-athletes in sports like yours?

Ms. COZAD. Thank you for your question. I think guardrails that are level across all sports are imperative, especially when it comes to educating student-athletes. Oftentimes we all receive the same education, and it just—when you talk to one student-athlete versus another, one says one rule, one says another. That just creates more confusion across the board.

So having a level playing field would benefit all student-athletes so that we know what the rules are, whether we are in the State of Florida, the State of Georgia, wherever it may be. Thank you.

Mr. BILIRAKIS. Thank you very much. Well, you know what? I have got 25 seconds left. Is there anything else anyone wants to add with regard to that?

I will tell you, you know, we want to emphasize we want to protect the Olympic sports, and swimming is definitely one of them. So is there anyone else who wants to make a comment?

Yes, but briefly, sir.

Mr. HUMA. I think that is one area we all agree in, and it needs to be put in the law. You know, the power schools to the settlement are cutting the sports, not preserving them. So that I think that is an area of agreement we should all be able to support.

Mr. BILIRAKIS. Thank you, sir. I appreciate it.

All right, I will yield back and I will recognize the ranking member of the subcommittee, Ms. Schakowsky, for her 5 minutes.

Ms. SCHAKOWSKY. I want to thank the witnesses for being here.

We are talking about the—a piece of legislation that I have a lot of concern about because I don't think it catches what I feel most about. So the SCORE Act, I think, is certainly just the beginning, and I want to say once again that the health and safety of the athletes is number one to me. And that seems to me to call on us to do something to make sure that we really do protect our athletes.

And so, Mr. Huma, I wanted to ask you what you think we should be doing to make sure that we protect our students.

Mr. HUMA. Well, thank you very much for that question and your concern, and all that you have done for college athletes and advocated for over the last number of years.

You know, the NCAA's position is that it has no duty to protect college athletes. You know, if you talk to the parents whose kids either die or are abused, they are shocked that NCAA sports does not enforce safety standards. So if they don't do it, who does? And from our perspective, these are institutions that receive Federal funds. Obviously, a matter of public policy. We need a referee. We need a third party. Congress can do that.

And I would say, you know, we fought very hard for every avenue of protection for athletes, whether it be avenue towards collec-

tive bargaining, even. But there are athletes that would not necessarily have the same leverage even if they wanted to start a union, right? You have athletes in community colleges, NAIA, you know, all different levels of schools. So they need protections too. And it doesn't cost money to not kill someone in a hazardous workout. It costs —it takes accountability. It takes people following the rules.

So Congress, what we advocate for is to ensure that safety standards which are above—they are abundant. You know, the pro leagues have safety standards. the National Athletic Trainers Association, even the NCAA has great guidelines, none of which are enforced on the college level.

We need a mandate that these standards are identified and enforced by a third party because right now you have a bunch of guidelines. The NCAA says, "Hey, schools, self-police." And the schools, there is no accountability, so the athletic trainers, the coaches, they are really uninformed, and that is—and that can create deadly situations. So self-policing is a recipe for disaster, and we don't want to see that. So Congress definitely has a role to play.

Ms. SCHAKOWSKY. So do you think there has to be something universal that should be brought into the Congress and into law?

Mr. HUMA. Absolutely. For instance: concussion protocols, that should be at every level, from community colleges up to the top; preventing heat illness, death from heat illness, rhabdomyolysis. There are simple solutions, there are just a lot of uninformed people. And so we don't want to see more deaths.

This is something that, you know, when our organization started, that very year back in 2001 there were 3 deaths in college football. And actually, as I look at you two, ironically, Northwestern in Illinois and two in Florida—Florida and Florida State—all within the same year. A few months later, I testified in this very committee asking Congress to do something, and that didn't happen. A few years ago, I asked for this very committee for Congress to do something. That didn't happen.

And since then—and I mentioned Calvin Dickey, Jr.—he died after all of the, you know, information was out there. So a lack of action from Congress will guarantee more deaths. Calvin Dickey, Jr., could be alive today if Congress would have acted. And that is—those are the stakes.

Ms. SCHAKOWSKY. So let me ask one more question, Mr. Huma. Do you think that athletes should be able to sue in any case the NCAA, when there are situations?

Mr. HUMA. Absolutely. Liability exemption, you know, that is kind of described in this bill is a detriment to athletes.

Being able to sue does a number of things. One, it can provide recourse. Some of these athletes have lifelong injuries. You know, a loss of a family member is irreplaceable, but it also works to be punitive as a deterrent as well.

And in some cases, like in the Dickeys' case and several others, the schools won't even give information about a child's death to the schools without signing an NDA. The Dickeys have said that, even after signing the NDA, that they still don't have information. So suing gives you the ability to have discovery and subpoena power and get information critical for—as a parent or a surviving family

member that you have to be able to try to make sense of something.

Ms. SCHAKOWSKY. Great. My time is up. I yield back. Thank you for your testimony.

Mr. BILIRAKIS. I thank the gentlelady. Now I will yield 5 minutes to Mrs. Harshbarger, who is was wearing Tennessee orange today.

Mrs. HARSHBARGER. Yes.

Mr. BILIRAKIS. I will give you 5 minutes for questioning.

Mrs. HARSHBARGER. OK. Thank you, Mr. Chairman. Thank you to the witnesses for being here today.

You got to represent it if you are SEC, so that is what I am doing.

I will start with you, Mr. King. You hear stories about shady agents pretending to be college athletes on the phone, or cases where star quarterbacks get bad advice. They lose out on great NIL deals. How do you see agent registration changing the landscape for college athletes?

Mr. KING. Well, thank you for the question, and it is it is an area that I hear anecdotally from our campuses that, when they from time to time see a contract that an athlete will share with them, ask for their input, some pretty unscrupulous practices trying to take—the agents trying to take advantage. So absolutely, I agree that this is an area where regulation is needed. The discussion draft, you know, provides for that.

The real solution, however, lies in the process for discipline and consequences——

Mrs. HARSHBARGER. Yes.

Mr. KING [continuing]. To encourage agents to not even engage in that conduct to begin with, to not take advantage.

And then I think, as part of that registration process, I think in the past it has been difficult—but to have meaningful criteria that must be met. Not too much, but that some general showing of aptitude to represent athletes——

Mrs. HARSHBARGER. Yes.

Mr. KING [continuing]. In these matters. And then, when they take advantage of them, to have——

Mrs. HARSHBARGER. Pretty——

Mr. KING [continuing]. Very meaningful penalties.

Mrs. HARSHBARGER [continuing]. Stiff penalties. OK, thank you, sir.

Ms. Montgomery, I read that Judge Wilkins said herself that the *House* settlement is still open to antitrust issues. Do you anticipate that colleges and universities could be subject—the subject of such lawsuits?

And do you think there is room for liability protections for schools as well?

Ms. MONTGOMERY. Thank you so much for the question. You are exactly right. Even with the *House* settlement being recently approved, not only—well, not even a week ago tomorrow, we have already seen some concerns that have been voiced with regards to challenging some of the aspects.

One specifically is title 9, which—we know that that is an area continuing to be of concern.

Mrs. HARSHBARGER. Yes, absolutely.

Ms. MONTGOMERY. Albeit I think it goes back to not complete liability protections, but there are some areas that I think would be appropriate so that the NCAA, its member institutions, as a national organization has an opportunity to not only create but enforce rules to not prohibit or restrict student-athletes, but more so to protect.

But to answer your question in short, I do see that there will continue to be some areas of liability and/or litigation.

Mrs. HARSHBARGER. Yes, very good. I am going to continue with you, ma'am.

As a former student-athlete and now commissioner of the Big South Conference—you go, girl, OK?

Ms. MONTGOMERY. Thank you.

Mrs. HARSHBARGER. I would love to know your thoughts on the future of these agreements between schools and student-athletes. And do you think these revenue-sharing agreements will bring stability to college athletic rosters?

Ms. MONTGOMERY. Yes, and thank you for the question again. I do think that it will bring a level of stability. That is one of the reasons—and specifically member institutions of the Big South Conference, not all nine of us are opting in to those opportunities for various reasons. But of the four who have decided to opt in thus far, that is one of the primary reasons. It is being able to bring in some of those collective actions, some of those opportunities that we have seen previously in house to make sure there is no nefarious activity going on——

Mrs. HARSHBARGER. Yes.

Ms. MONTGOMERY [continuing]. Student-athletes aren't being promised things that an institution will not be able to commit to.

So I think, with contracts and with more institution and student-athlete engagements and agreements, there—will bring a level of stability.

Mrs. HARSHBARGER. OK. You talked about title 9. It doesn't appear the legislation addresses the topic of title 9, but aren't there pending or expected title 9 lawsuits related to the topic of NIL?

And should Congress address these questions as we develop a national solution?

Ms. MONTGOMERY. Yes, as a former women's basketball student-athlete who—I have benefited tremendously from title 9—I think this is an area——

Mrs. HARSHBARGER. Yes.

Ms. MONTGOMERY [continuing]. That we, as leaders both within our association as well as the leaders of Congress, should continue to give a significant amount of attention to.

Mrs. HARSHBARGER. Yes.

Ms. MONTGOMERY. Obviously, we are only a week out, so there is still a lot of questions about the application and the implications of title 9, but I would 100 percent support continued attention given to this area.

Mrs. HARSHBARGER. Thank you, ma'am.

Ms. MONTGOMERY. Thank you.

Mrs. HARSHBARGER. Mr. King, I have got about 30 seconds left. Can you talk to us about the financial viability of SEC athletic pro-

grams and the difference between revenue and nonrevenue programs?

Mr. KING. Absolutely. So generally speaking, there are two sports that generate the vast majority of the revenue—no surprise there—football and men's basketball.

Mrs. HARSHBARGER. Yes.

Mr. KING. And the funds from those sports are used to support the other sports. And in our conference now, obviously, we are fortunate to be in the position that we are in. But I hear regularly from our people on campus just how difficult it is to try to make everything work in this current environment and the—in many ways unregulated—and that with the additional expenses from the settlement, which we are very glad the settlement was approved and look forward to implementing it, that that job will become even more difficult.

And we have already alluded to this, that there have been and will be difficult decisions to make if we are unable to get some certainty and some areas through Federal legislation. Those decisions will expand and be even more difficult.

Mrs. HARSHBARGER. OK. Thank you, sir.

My time is up, so I yield back.

Mr. BILIRAKIS. Thank you. I appreciate it very much. Now I will yield 5 minutes to Mr. Soto from the great State of Florida.

You are recognized, sir.

Mr. SOTO. Thank you, Mr. Chairman, and it is a great time to congratulate the Gators once again on a basketball national championship.

We know we, as Americans, love college sports. That is why we are here. That is why we are all so passionate about this. We also know it is a huge business, which is why in *Alston* v. *NCAA* no one was surprised that there was a unanimous decision regarding antitrust and making sure that students have economic rights, that the financial straitjacket is lifted.

We also see in all major professional sports leagues they have players' unions. All Americans have a First Amendment right to form a union. All Americans also have a right to representation by an agent, and our college athletes deserve those same rights.

Mr. Chairman, would you mind, since this is a discussion draft, yielding to a question about college players unions?

I just—because there is not a lot of information in the—in section 8. Does this discussion draft ban college players' unions, or does it just simply regulate them?

Mr. BILIRAKIS. This particular discussion draft does not. We don't have jurisdiction, so this is clearly E&C jurisdiction, as far as this draft is concerned.

Mr. SOTO. OK, thank you. Yes, just because it is kind of general in section 8 right now.

And then the only other question, does it regulate transfer portal in any way? I didn't see anything in there, but I have heard some of the witnesses talk about it.

Mr. BILIRAKIS. Yes, yes. Well, at this particular time it allows the creation of rules——

Mr. SOTO. OK.

Mr. BILIRAKIS [continuing]. With regard to transfer portals. I have some suggestions, and I would be happy to talk to you about that as well, Mr. Soto.

Mr. SOTO. I am sure we all have opinions about the transfer portal.

Mr. BILIRAKIS. Absolutely.

Mr. SOTO. That is not a shock. Thank you, Mr. Chairman, for yielding. That was very helpful.

Mr. Huma, you had mentioned in your testimony you thought that because it exempts from labor laws, our college sports, that it would violate unions. Can you go into that—or prevent unions. Can you go into that a little more, even though——

Mr. HUMA. Sure.

Mr. SOTO [continuing]. Some of that may be beyond the committee's jurisdiction?

Mr. HUMA. Sure. So the draft States that college athletes would not be defined as employees under any Federal law. That includes the National Labor Relations Act. That is a Federal law. And the right to organize falls under that law. So if college athletes are not employees under any Federal law, that would capture the National Labor Relations Act as well. Therefore, they would have no rights to organize or collectively bargain.

Mr. SOTO. And so even beyond that, they may have—there still might be a First Amendment issue with this legislation because the right to unionize is protected by the First Amendment. So what could that mean, as far as trying to resolve this issue?

Mr. HUMA. Well, I think in general, honestly, college athletes deserve equal rights under the law. We are not asking for favors from Congress, we are just asking that Congress allow athletes to have equal rights. And we believe that currently college athletes would qualify.

Depending on their situation, we focused our organization—football and basketball, in our opinion, clearly fall under the National Labor Relations Act right to organize. They would be employees and they would have the right to organize. So in a sense, you know, our north star is to ensure that college athletes are treated equally under the law, the same law that governs every other American, including labor law.

Mr. SOTO. And we are all concerned about safety. We heard our ranking member talk about that, as well as a lot of other college leagues that aren't the big revenue-makers, but are absolutely essential to college sports. What do you think are some of the ways we can protect some of the—beyond college football and men's and women's basketball—some of the other sports that are so important for college life?

Mr. HUMA. It is going to take Congress. It is going to take a mandate from Congress.

You know, we have had a lot of experience going State to State, trying health and safety, trying NIL. NIL catches on, the economics always catch on. The States love to compete. But unfortunately, when it comes to health and safety standards, they don't compete. And recruits aren't very aware about the differences in life-and-death situations and what it would mean from State to State. That is going to take Congress.

And athletes from community college on up, from nonrevenue sports to revenue sports, they all deserve the same protections.

Mr. SOTO. Ms. Cozad, welcome. We are always happy to have a Floridian here.

There's a lot of us on this committee. How important is it for you that we make sure there is some revenue sharing so all these sports that are currently in existence get to continue onward?

Ms. COZAD. Thank you for your question.

It is so important because, if we go to an employee model, I wouldn't be here. There would not be any more nonrevenue-generating sports. The protections surrounding Olympic sports would be—we need protections for Olympic sports. You would not see NCAA college athletes representing us for Team USA. So it is imperative. Thank you.

Mr. SOTO. Well, thanks so much. I appreciate it.

And I yield back.

Mr. BILIRAKIS. The gentleman yields back. And now I will recognize Mr. Fry from the great State of South Carolina.

Mr. FRY. Thank you, Mr. Chairman. Thank you to the witnesses for being here.

You know, I am struck, obviously, with the *NCAA* v. *House* settlement. I mean, I think that clarifies certain things, but I think it also leaves intentionally vague the future of college sports and where we are going to go.

What we have seen throughout the country are States carving out specific protections for their instate schools. And as our student-athlete has talked about, it becomes an untenable situation, an unmanageable situation on how we go about governing or playing college sports when you don't know the legal framework with a 50-State patchwork of laws. And so Congress, I think, has an authority here.

I also worry a little bit, too, about how much that authority goes. There is a framework, I think, that Congress has a role in. But do we go too far? I think those are questions that I still have in my mind both about this and this discussion draft and also, you know, Congress' role in this. You don't want to go too far and create more problems than you solve. But I think we are on the right track. I think this committee, I think the Judiciary Committee has a unique role here and, of course, Ed and Labor, as well.

Mr. King, I want to discuss just briefly the settlement and the litigation. You know, the NCAA and conferences, you know, have the ability to govern college athletes, but it has been diminished. You can't create rules—you can't enforce the rules that you create. We have heard the term "Wild West" a lot by folks at this table and in other hearings too. Can you explain the SEC's ability to regulate and govern its member institutions, particularly on matters related to NIL, just briefly?

Mr. KING. Thank you for the question, and I guess we will kind of start where you started, is that there needs to—that in order to have national competitions, you need to have uniform standards nationally.

And as a reminder, name, image, and likeness started in State legislatures. It did not start with an NCAA rule. The NCAA rules have prohibited before, then State legislatures got involved. And

once it became a State law question rather than a governing association question, then the ability to govern nationally, obviously, is impacted. And as we have seen, the State lawmaking in this area in particular has become a competitive endeavor, where it is—some call it a race to the bottom, with each State legislature trying to give its universities some type of leg up. So it has—this approach has severely limited the ability of anyone to regulate, including the SEC, and has highlighted the need for preemption.

And you mentioned the *House* settlement. The fact that there is a structure coming out of this settlement that was negotiated by the leading plaintiffs antitrust lawyers in the nation, was approved by the court as fair, reasonable, and adequate, that provides revenue share of 22 percent of certain revenues on a national average, which would be over $20 million per year in year 1, and it will go up every year.

Mr. FRY. Mr. King—and I hate to—I am going to cut you off. I have got a ton of questions here, so I want to——

Mr. KING. OK, I am sorry.

Mr. FRY [continuing]. Bounce around, if that is OK.

Mr. Huma, you brought a case to the NLRB on behalf of USC football players to have them deemed employees. But you quickly withdrew that case, possibly because of a change in administrations. So I am curious a little bit. Do you now agree that the best—and you have said that some of the things within the *House* lawsuit—do you agree that some of those from that settlement, that it—is it important to codify some of those settlement terms in a future bill?

Mr. HUMA. Yes, and thanks for that question. Actually, it is also through the lens of State laws.

Mr. FRY. Well, let me ask you this too. So I am a little bit perplexed, because you also called the settlement terrible, despite it including things that you have long advocated for, so—like revenue sharing and extended health benefits. So I am a little bit concerned.

I mean, is this just about unionization? I mean, is this ultimately what your goal is? Because we have heard from our student-athlete today, but we have also heard from several other student-athletes that they don't want employee status and they don't want unionization. So why are you pushing something that student-athletes don't want?

Mr. HUMA. So the settlement, in terms—through the lens of the State law, the settlement actually reduces freedoms for athletes. It imposes caps on direct compensation. The State laws already—many, many States—allow that already.

The steps that are good about the settlement is the NCAA admitted college athletes should be paid and schools admitted they should be paid. That was what we were referring to. The State laws are really important to hold the door open, whereas the settlement tries to shut the door on NIL collectives' $2 billion, and then cap at a low percentage optional compensation pay to college athletes, and that is—those are some of the reasons why we oppose the settlement, including cutting 5,000 rosters across Division I sports.

Mr. FRY. Thank you. I see my time is, unfortunately, expired, because I have a ton more questions.

But Mr. Chairman, thank you for the time. And I do hope that, as we discuss the discussion draft and as we move forward between all three committees of jurisdiction, that we are inclusive of Members, that we are making sure that Congress is taking the right approach, that we are not overreacting to a problem, and that we have significant buy-in from all the Members that serve on all the different committees. But I appreciate that, and I yield back.

Mr. BILIRAKIS. Agreed. The gentleman yields back. Now we will ask Mr. Mullin to go ahead and proceed with his 5 minutes of questioning.

Mr. MULLIN. Thank you, Mr. Chairman, and thank you to our witnesses for being here today.

There is no denying that the college sports landscape is shifting rapidly. The amount of money flowing through this ecosystem from media deals to NIL agreements is staggering. But for all the talk about stabilizing the system, I think we should be asking stabilizing for whom? Because from where I sit, a lot of what is happening right now—conference realignments, rush rule changes, and patchwork policies—seems to prioritize institutions and revenue over the athletes themselves.

We have seen conferences chase bigger media deals at the expense of athletes who now have to fly across the country just to compete in a conference game. That may make sense on a spreadsheet, but does it make sense for a 19-year-old balancing practice, travel, and a full course load?

I am concerned that the SCORE Act, as drafted, proposes a framework that is more focused on regulatory certainty for schools than on protections for college athletes. It caps how much athletes can earn, carves them out of labor protections, gives broad enforcement powers to the NCAA, the athletic conferences, and this new College Sports Commission that has been created to administer the financial parts of the recent settlement. But it doesn't include clear, enforceable standards when it comes to healthcare safety or operational fairness and transparency.

So my question, Mr. Huma, in your testimony you point to several real risks athletes face: medical bills, for example, after injuries; lack of recourse in abusive situations; and little protection when bad actors enter the picture. So what tools do athletes currently have to protect themselves when things go wrong?

And would the SCORE Act take any of those things away or give athletes due process in such instances?

Mr. HUMA. Well, thank you for that question.

The SCORE Act does nothing to advance athletes' positions in those situations. There is no enforcement whatsoever. And I think the enforcement of anything that Congress looks at to protect athletes, there needs to be third-party enforcement.

You have—I have helped athletes in situations where their schools were supposed to provide medical coverage, they are still stuck with the bill, but they have the athletes behind closed doors. There is a big power dynamic, right? And they are dangling their scholarship and telling them to look the other way, or if they are

trying to medically retire—but the schools are putting extra conditions on them and, you know, they aren't supposed to be allowable.

And you have—you know, right now, even the broader sense, this whole settlement, we have—we mentioned the State NIL laws. Just taking the Big Ten alone, 10 of the schools fall under States with NIL laws that don't even allow their schools to comply with the *House* settlement. It would be—they would be breaking their own State law. And now you have conferences trying to strong-arm the schools to force them to break State NIL laws. It has been reported throughout the media, to break the law.

So if they are willing to break the law of State lawmakers, you know, Congress needs to consider who they are dealing with. They are dealing with schools and conferences that are increasingly engaging in lawless activities. So there needs to be very sound enforcement from a third party, not the schools, not the NCAA.

Mr. MULLIN. Thank you for that.

So the SCORE Act includes a requirement that agents register with athletic associations, but a name on a list doesn't necessarily protect a student from a predatory contract or a bad actor with hidden conflicts of interest.

Similarly, while the College Sports Commission created by the *House* settlement will monitor NIL deals, it is not set up to protect students from predatory practices. If we are serious about protecting these young athletes, especially those with little support at home, we need to do more than just track who is in the room or how much the deal is worth. We need to make sure someone is looking out for the athletes.

So with my minute left here, Mr. Huma, what kinds of guardrails should Congress be thinking about to ensure college athletes aren't being pressured or misled by the people around them?

Mr. HUMA. Well, I think there is definitely a need for an agent certification program. Congress can do that. It needs to be completely independent from the NCAA, the conferences, and the colleges. Those are the very entities that never wanted athletes to have agents in the first place. And under the *House* settlement, it kind of enshrines a complete conflict of interest that allows the schools to serve as exclusive agents for the athletes, if you can believe it. So the athletes are supposed to negotiate with schools NIL deals, yet the schools can pressure the athletes into granting them, you know, the power to be the exclusive agent. So you can see where that goes. Huge conflicts of interest.

There needs to be a third party similar to the NFLPA, NFL, you know, the NBPA, they certify agents because they have the best interests of the athletes, and not so much the leagues.

Mr. MULLIN. I appreciate that, sir.

And with that, I will yield back.

Mr. BILIRAKIS. The gentleman yields back, and now I will recognize Mr. Goldman for his 5 minutes.

Mr. GOLDMAN. Thank you, Mr. Chairman, and thank you to all the panelists here today.

Ms. Montgomery, thank you for your very good testimony. I am interested in digging a little deeper in the Big South. How many of your student-athletes receive NIL money?

Ms. MONTGOMERY. I would say this past academic year, out of our 3,400, I would say maybe 500 to 600 student-athletes in some level of NIL opportunities.

Mr. GOLDMAN. Do you know what the largest NIL payment was?

Ms. MONTGOMERY. This is anecdotal, but I would say around the 17,000 to 18,000.

Mr. GOLDMAN. Seventeen or eighteen thousand——

Ms. MONTGOMERY. Correct, dollars.

Mr. GOLDMAN [continuing]. To play.

Ms. MONTGOMERY. Mm-hmm.

Mr. GOLDMAN. And was that only in football, I assume?

Ms. MONTGOMERY. Specifically basketball, the Big South, yes.

Mr. GOLDMAN. OK.

Ms. MONTGOMERY. Big South Conference. We do have two football member playing institutions. We are in a great partnership with Ohio Valley Conference. But basketball would be the sport I am alluding to.

Mr. GOLDMAN. OK, so several hundred students receiving thousands of dollars to play basketball.

And so NCAA has oversight over you all?

Ms. MONTGOMERY. Correct.

Mr. GOLDMAN. What service do they provide? What does the NCAA do for the Big South?

Ms. MONTGOMERY. So following student-athletes being able to receive a name, image, and likeness opportunities, the education, obviously, was there. Information as it relates to student-athletes being informed, I think the NCAA does a really good job of supporting that.

From a conference perspective, we do the best that we can. But as we know, student-athletes receive information differently. Also, from an engagement perspective, obviously, that is something that is continuous on the dockets and the agendas of commissioners and industry leaders.

But I would say, for the most part, it is definitely the education piece.

Mr. GOLDMAN. When you played, did you receive NIL money?

Ms. MONTGOMERY. I did not.

Mr. GOLDMAN. What did you receive?

Ms. MONTGOMERY. I received a full scholarship, I will——

Mr. GOLDMAN. A great education, huh?

Ms. MONTGOMERY. Yes, a great education. But I will say I was a transfer student-athlete. So when I was at the University of Memphis I did receive what I will call additional benefits outside of my scholarship, and this was just a part of our—or a package, if you will. But when I came to Gardner-Webb University, that was a slight difference, but it was essentially my scholarship.

Mr. GOLDMAN. So you were in the portal before the portal was cool?

Ms. MONTGOMERY. Do we have time for that?

[Laughter.]

Ms. MONTGOMERY. I say that respectfully, and I will—just won't go down a rabbit hole. But when I transferred, that was essentially my foot into the door of NCAA. I could not believe for the life of me, as a women's basketball student-athlete, I had to sit out,

whereas there were 83 other sports at that time that did not have to sit out.

Mr. GOLDMAN. Yes, great point.

Ms. MONTGOMERY. It was at that point I was implored to understand my student-athlete experience outside of the classroom, off the court. What is this NCAA? What are these bylaws that I am governed by? We have seen that change, but there was no portal when I transferred.

Mr. GOLDMAN. I understand. You did have to sit out a year.

Ms. MONTGOMERY. I did serve a year in residence.

Mr. GOLDMAN. Great point. Thank you very much. Thanks for being here.

Ms. MONTGOMERY. You are welcome.

Mr. GOLDMAN. Mr. Huma, should athletes unionize?

Mr. HUMA. I think they should have the option. You know, I think—and it varies on their preference from school to school, situation to situation. There's some schools that, you know—and I will say, you know, obviously, in terms of leverage, the higher-revenue athletes might have more leverage. But even Grambling State, you know—not necessarily a higher-revenue school—several years ago the athletes had real issues on safety standards, and they threatened to boycott and everything else. You know, obviously, there were things that—beyond money they needed to have addressed.

And so I think it needs to be an option, an avenue that they have, a choice to pursue, just like every other American in similar situations.

Mr. GOLDMAN. Should we ban agents from representing student-athletes?

Mr. HUMA. Not at all. Not at all. Agents—it is really important. One reason why college sports has evolved this way is because athletes have never had proper representation. It was banned. I mean, murderers have representation, you know, in this country. They have the right to representation. But you have 17-year-olds coming from homes that, you know, they may not have had a college degree in the house, and they are having to negotiate or just take whatever the multibillion-dollar industry gives them.

Mr. GOLDMAN. But you certainly agree that there's some people taking advantage of these student-athletes who are——

Mr. HUMA. Absolutely.

Mr. GOLDMAN [continuing]. Acting as agents.

Mr. HUMA. Absolutely.

Mr. GOLDMAN. OK, thank you.

Mr. King, SEC. Do you know what percentage of student-athletes receive NIL funds?

Mr. KING. I do not know the percentage, but I would think it would be higher than 500 or 600.

Mr. GOLDMAN. Well, let's put it this way. Ninety percent—80percent, 90 percent of the college football athletes in the SEC, do they receive NIL funds? You know, a rough estimate.

Mr. KING. Yes, I don't have a rough estimate, but I would not be surprised if that—if the number you quoted is accurate.

Mr. GOLDMAN. Do you know what the largest payment is to one individual athlete?

Mr. KING. I do not. The agreements are not reported to the conference office right now. They are not reported anywhere.

Mr. GOLDMAN. And overall, what does the NCAA do for the SEC?

Mr. KING. It certainly provides structure, it provides excellent championships, it has provided oversight, and——

Mr. GOLDMAN. Excellent revenue-producing championships?

Mr. KING. Some, not all. But—and also, obviously, enforcement and rulemaking. But with this—with the *House* settlement, the issues related to that will be handled differently as part of the College Sports Commission.

Mr. GOLDMAN. Like Mr. Fry, I have many more questions but my time is over. I yield the rest of my time. Thank you, Mr. Chairman.

Mr. BILIRAKIS. Thank you. I appreciate it. Now I recognize Representative Dingell from the great State of Michigan.

Again, you are recognized for 5 minutes for your questioning.

Mrs. DINGELL. Thank you, Mr. Chair, and thank you to the witnesses for being here today to speak on—I know some people don't think this is a critical issue, but for where all of us are, it is, especially as the *House* settlement was approved just last week formalizing a new era in college sports.

College sports are the lifeblood of so many communities across the Nation, and they sure are in Michigan. I am proud to represent both the University of Michigan—yes, Go, Blue—and Eastern Michigan University, two very different schools with very different athletic programs. I have seen firsthand how these programs can inspire, educate, and uplift college athletes, and I have also seen how some of this may endanger athletics at smaller schools and a broader range of college sports across athletic departments.

Many now say college athletics are becoming indistinguishable from professional sports. While this may be true for a small number of athletes at a few schools, it doesn't reflect the reality for most athletes. And people are asking, "Why do we need Federal rules? Shouldn't we just let the *House* case play out or the *House* settlement play out?" As you all have pointed out today, States are already considering laws that will distort the system and risks the promise of fairness and creating what I worry about: a race to the bottom.

We need a national framework with clear and real enforcement mechanisms. We must stay focused on protecting the athletes themselves, supporting the educational opportunities and programs they value, preserve the broad range of sports that colleges offer, and upholding the spirit of what college athletics has been, is, and should continue to be across the country.

I know I am naive, but I want college athletics to be college athletics.

As we look ahead, title 9 must be front and center. We cannot allow new compensation models to widen the gap between men's and women's sports. That is why gender equity and strong protections must be built into any Federal framework.

For most Power 4 schools, about 90 percent of the total athletic revenue comes from football and basketball men's teams. That revenue isn't just supporting those teams, it is supporting the rest of the athletic departments. At the University of Michigan, for instance, this revenue helps to support 27 other varsity sports, their

training programs, the facilities, and the opportunities they provide to athletes, including all the nonrevenue sports that have produced Olympians like Michael Phelps, Tom Dolan, and Greg Meyer. These nonrevenue and Olympic sports face uncertainty and possible what—like they may not be.

And we don't realize in this country that the way that we—our Olympians get training is through this. We don't support them in other ways.

And let's not forget that while there are approximately 70 Power 4 institutions that generate major revenue in the football and men's basketball programs, there are more than 1,000 other schools that offer college sports that don't. Across all the divisions, there are 500,000 college athletes, and less than 2 percent of college athletes ever become professional.

College athletics are not just pipelines to the pros for a lucky few. College athletics are supposed to be pathways for a good education, degrees, leadership, and lifelong opportunity. And that is why Federal legislation must include real athlete representation for both revenue and nonrevenue sports from large and small schools. Athletes must have a voice in the decisions that affect their futures, and they need protections around issues like medical coverage for serious, long-term injuries, academic support, and how they are going to get to fight for what is good for them.

We must also bring increased transparency and accountability to third-party affiliates like collectives and boosters. Their activities should be reported, regulated, and aligned with fairness and equity, not market manipulation. And as we consider any kind of antitrust exemption, we must ensure it is narrow and justified. The goal here is to preserve athletes' rights and ensure the long-term viability of college sports.

This is a pivotal moment. We have the chance to build a system that reflects the full diversity of college athletics and protects what makes it so special. It means ensuring athletes are supported, not exploited. It means preserving Olympic sports. It means honoring title 9. And we owe it to the athletes to get it right.

And I am out of time, Mr. Chairman, so I will have about 1,000 questions I will submit for the record.

Mr. BILIRAKIS. Thank you. I appreciate it. The gentlelady yields back. Now I recognize Representative Evans from the great State of Colorado.

You are recognized for 5 minutes.

Mr. EVANS. Thank you, Mr. Chairman, Ranking Member, and, of course, thank you to the witnesses for coming.

Mr. King, I just wanted to lead off with a question to you. In this conversation, some folks have proposed the creation of a Federal, self-regulatory organization or some other sort of independent body to oversee college sports, including NIL. So just curious: In your view, do you think this is necessary or unnecessary?

What mechanisms are already in place?

And how do we ensure fair play and athletic protection—athlete protection without creating a new layer of bureaucracy? Or do you think we need a new layer of bureaucracy in this space?

Mr. KING. Thank you for the question, and it is certainly one that has been front of mind over the past few months.

I do not think that we need a federally created commission. You have heard talk about the College Sports Commission, which is—arises out of the *House* settlement. Now that it is approved, it is actually in existence and up and running. And the way it is structured is, it would—it will handle the regulation, implementation of the settlement around revenue share, around review of NIL agreements, other than with the university, to try to weed out or identify pay-for-play or fake NIL.

And so I believe that structure will serve its role well in that area. It will have a separate enforcement arm. It will be not an additional layer of bureaucracy, we don't need that. It will be a new approach to these issues related to the *House* settlement.

Mr. EVANS. Thank you. And kind of following up on that: In a previous career I was a cop, which meant that I worked with a lot of bail recovery agents. And once I became a supervisor and had to kind of sort out these things on the streets from my perspective as a police officer, a police sergeant, I learned there is actually—in my State there is a bail bondsman and bail recovery agents. The bondsmen have to be registered. The agents don't.

And so I kind of use that as an analysis to how do we have the appropriate level of regulation in this space for agents that are representing student-athletes to make sure that they are doing the right things and we don't have a Wild West situation that is going on, which, unfortunately, sometimes I saw in the unregulated component of interacting with bail recovery agents in my State.

So I know we have talked about it a little bit. Can you just talk about how the previous bodies you have discussed would have the ability to have that appropriate regulation to make sure that we are taking care of our student-athletes without an additional layer of bureaucracy?

Mr. KING. Yes, thank you. I think we have all talked about that there is absolutely a need for meaningful regulation of agents as a way to protect student-athletes. Given where we are in college athletics now, the question of whether athletes need agents or not, that is gone. We all agree that they should have the right to have that representation and that we need to know who they are, we need to know that they meet minimum qualifications, and then we need to know when they don't fulfill their professional obligations to their clients. We need to know that so that they can be—the appropriate consequences.

And, you know, the draft discussion provides a mechanism to at least require them to identify themselves, but I think that is a conversation that we need to—it needs to continue to the next level, to the issues you raise about how do we most efficiently, effectively regulate with the least amount of bureaucracy.

Mr. EVANS. Thank you.

And switching to Ms. Cozad, student-athlete. We want to make sure that student-athletes are at the table, that your voices are heard when we are having these conversations about the sports because, ultimately, you all are the central focus of this whole conversation. So can you just share a little bit more about how you were able to make an impact in this space as a student-athlete, especially when you were serving on a board in the NCAA?

Ms. COZAD. For sure. Thank you for that question. I served on the Division I Board of Directors for a 1-year term. I actually rolled off, like, 10 days ago. And before that, I served on three separate NCAA committees. A majority of NCAA committees have student-athlete representation. And as we speak right now, the NCAA is undergoing governance structure changes that will increase student-athlete representation in the future.

During my time, my biggest goal was to advocate for student-athletes, making the *House* settlement digestible for your everyday student-athlete that is not an attorney and that does not understand the weeds of all the specific pieces. And that was something that I really, really pushed for back in October in our in-person meeting when student-athletes were scared of what was happening within the *House* settlement, and we wanted to make it as digestible and understandable as possible. Thank you.

Mr. EVANS. Got it. Thank you.

I yield back, Chairman.

Mr. BILIRAKIS. The gentleman yields back. I now recognize Mrs. Trahan for her 5 minutes of questioning.

Mrs. TRAHAN. Thank you, Mr. Chairman. I also want to thank you for emphasizing that this is a discussion draft. I look forward to getting on your calendar and working with you to ensure that this legislation is bipartisan. Thank you.

Ms. Cozad, when fans went to your meets, who were they cheering for? Were they cheering for your coach, your university president, your conference commissioner, or do you believe it was you and your teammates?

Ms. COZAD. Hi, thank you for that question. I definitely feel it was for me and my teammates. Being from a nonrevenue-generating sport, the fans was my mom and my family members, and those were the people that were watching us.

Mrs. TRAHAN. I believe you are right, and I want to thank you for the—answering the question and for being on the panel.

And look, I asked that question because too often in this conversation we lose sight of who actually drives the value, the fans, the excitement of college sports. It is not the coaches. It is not the administrators. It is the athletes.

Mr. Huma, I would like for you to indulge me for a moment. I am going to describe a few provisions of this bill, and I want to—I would love for you to tell me, in your expert opinion, whether each one strengthens or restricts the rights of college athletes. You can simply respond with "strengthen" or "restrict" so we get through it.

First, a blanket antitrust exemption for the NCAA and conferences that eliminates athletes' ability to sue over eligibility, NIL, and compensation rules.

Mr. HUMA. Restricts.

Mrs. TRAHAN. A provision banning college athletes from ever being permitted to collectively bargain, regardless of their sport or the revenue they generate.

Mr. HUMA. Restricts.

Mrs. TRAHAN. Language allowing schools or the NCAA to block NIL deals that conflict with existing contracts.

Mr. HUMA. Restricts.

Mrs. TRAHAN. A preemption of all State NIL laws, even those that currently expand and protect athletes' rights.

Mr. HUMA. Restricts.

Mrs. TRAHAN. Thank you, Mr. Huma. So from what I am hearing, this bill imposes significant new restrictions on college athletes. But let's look at what, if anything, it gives them in return. Mr. Huma, if—in your reading of the legislation, does it strengthen title 9 enforcement to ensure more women can play college sports or ensure that they benefit fairly from the *House* settlement?

Mr. HUMA. No.

Mrs. TRAHAN. Does it include any provisions to help international athletes like Alex Condon, who helped lead the chairman's beloved Florida Gators to a men's basketball title this year, access their NIL rights?

Mr. HUMA. No.

Mrs. TRAHAN. So I just want to get this straight: This committee is considering a bill that would constrain or roll back athlete rights, block further progress, and give them little in return.

Mr. HUMA. Correct.

Mrs. TRAHAN. I think we can do a lot better. It is athletes' talent, labor, and courage that have forced the changes we have seen, not because the college sports executives wanted it, but because young men and women across the country demanded it. Congress should be standing with the athletes who are unafraid to advocate for themselves, not undermining them.

I yield back.

Mr. BILIRAKIS. I thank the gentlelady, and I think we are going to go with Mr. Veasey.

Mr. Veasey, you are recognized for 5 minutes for questioning.

Mr. VEASEY. Mr. Chairman, thank you very much. I wanted to point out something, and I am going to change my comments here because I was—I heard something that kind of really, really bothered me, and it was about the protection of the student-athletes from an academic standpoint. And I want people to just remember how students were treated before NIL, the transfer portal when it came to academics.

A lot of these programs would do whatever it took, whatever was necessary to keep players eligible. And I can tell you stories about young people back in the 1980s, 1990s, 2000s that were pushed into remedial classes, and they got ready to—they thought they were getting ready to graduate from college their senior year, and there was a kid in the Dallas-Fort Worth area that was a first-round draft pick, and he had about 90 hours and none of them counted towards anything.

That is what was happening before the transfer portal, before NIL. And I want people to know that it was Wild West before then. There wasn't anyone looking out for the student-athletes before all of this happened.

I talked to one player who had a great career in the NFL, absolutely loves his coach, would do anything in the world for his former coach. And he told me, he said you have to decide at this university that I went to if you wanted to be a student or if you wanted to be an athlete. If you wanted to be a student, they would move you down the depth chart. You had to decide. And if you took

certain classes, you would get moved down the depth chart. So there wasn't anyone looking out for the students before all of this happened.

What I would like to see—and don't get me started on the low, dismal Black student-athlete graduating rates, Black male graduating rates in football and basketball. If you go back—and you can easily Google some of these articles—some of these football programs and basketball programs, they would have 19, 20, 30 percent Black male graduating rates out of these programs.

So the schools want to try to put together something that looks more like the past, and I am telling you the past was not perfect. The past was jacked up, and these kids were being exploited. And so now they have a chance to get some of this money, kids that were pushed into remedial classes, were threatened to be moved down the depth chart. Now there is starting to be some equal footing here, and I don't want to take that away from future student-athletes. I think that that would be terrible. And when you start talking about tinkering with the transfer portal, that is exactly what you will do.

I do think that there needs to be some rules. I thought it was crazy that kids were transferring during the March Madness, during NCAA. I did not like that at all. Like, that is the type of thing that needs to be fixed, right? I think that is something that we can all agree on, protecting some of these players that are getting into these risky contracts with people and they have absolutely no idea what they are doing.

I remember when my brother was getting all the letters when he went DI, and we had coaches and recruiters coming in and out of our house. And, you know, I was having to sort of try to figure out a lot of that for him, and I was barely 23 years old myself, right? And so these kids, they need—there needs to be some protections for them.

You know, Gervon Dexter was recruited to play football at Florida, signed with an agent, and agreed to pay his—this agent 15 percent of his future NFL earnings. And now, as a second-round draft pick, he owes this agent $1 million. Like, kids—I mean, and these kids need to be able—and these families need to be able to get in and out of these contracts with much more ease than that, and so those are the type of things that I think that we need to fix, and we need to simplify a lot that is in this bill.

And in the remaining time that I have left, I wanted to ask Mr. Huma if he could elaborate on whether NIL legislation should guarantee student-athletes the freedom to transfer without administrative hurdles, because I think that that is the biggest piece of all of this—my personal opinion—because college football coaching was closed to so many Black coaches. I don't think that a Deion Sanders—my son is a freshman at CU—I don't think a Deion Sanders ever gets a chance to coach big-time college football without this transfer portal deal. Please, if you could talk about the question that I just asked you, that would be great.

Mr. HUMA. Sure. I think it is important to protect the transfer opportunities, as you mentioned. Schedule them at different times, you know, and the NCAA can do that right now. They don't need to schedule them during postseason playoff games and champion-

ships and spring football. So I think that is something they can do, as well.

I think an important part—and you are talking about graduation rates—one thing that shifted when players got these freedoms: Prior to that, if a player wanted to transfer, the school couldn't take their scholarship away just for saying, "Hey, I am interested." Now when they gave athletes the freedom, they say the moment you step foot in that portal we can cut your scholarship and close your opportunity. And players are being blamed for a lot of this. Many of these players are being forced into these portals because the coaches are running them off, and they—and players need to be protected from that as well.

Mr. BILIRAKIS. The gentleman yields back. I appreciate it. And we have—now I will recognize Mr. Kean from the great State of New Jersey for his 5 minutes of questioning.

Mr. KEAN. Thank you, Mr. Chairman, and thank you to our distinguished witnesses for being here today.

As we look at supporting student-athletes around the country, it is important that we provide a consistent legal framework that allows our student-athletes to thrive. Federal NIL legislation is an important step towards this end.

Mr. King, in the New Jersey State Senate I voted to advance NIL rights through the New Jersey Fair Play Act. This bill ensured that New Jersey student-athletes could receive compensation for use of their NIL. Could you share how the SCORE Act would ensure that students have equal opportunities for NIL rights not just in New Jersey but across this country?

Mr. KING. Yes, thank you for the question.

And as we have talked about the *House* settlement, the draft discussion incorporates some of the key parts of the *House* settlement, and one of those is regulation of NIL agreements other than with the university, outside or third-party NIL. And the settlement and the draft discussion as I read it, both have the common goal of no limit on student-athlete compensation, with one exception. And that is if it is not NIL, it is fake NIL or pay-for-play and it involves a payor, a company that is associated or affiliated with the university.

Other than that—and I am not—I am sorry, I am not familiar with the New Jersey law, but other than that, the—an athlete's ability to earn NIL income from people outside the university remains the same.

Mr. KEAN. Thank you.

Ms. Montgomery, is there anything that you would like to add on the important impact of Federal legislation protecting NIL rights?

Ms. MONTGOMERY. The only thing I will add is—and I think you alluded to this—is the importance of how this will benefit our student-athletes in being able to be informed and being educated as they make these life-changing decisions.

A Federal framework will now—regardless if you are being recruited by an institution in the State of New Jersey or an institution in the State of Georgia, student-athletes now know what that standard is instead of having to deem which one is appropriate and/or the competitiveness that starts there.

Mr. KEAN. OK, thank you.

Ms. Cozad, as a student-athlete yourself, you know firsthand the importance of maintaining academic integrity while allowing students to receive reasonable compensation for their name, image, and likeness. Could you share how this legislation would benefit student-athletes like yourself?

Ms. COZAD. Thank you for that question.

Legislation of this nature would benefit student-athletes like me because I am the type of student-athlete you don't hear about on the SEC Top 10. And yet there are hundreds of thousands of us out there that are just as capable on capitalizing on NIL and doing a really great job at it. So having universal NIL rules would create that environment where we could all capitalize equally and move forward. Thank you.

Mr. KEAN. Thank you.

Ms. Montgomery, it is important that higher education institutions can ensure academic integrity while supporting their student-athletes' NIL rights. What provisions are important to ensure academic integrity is maintained?

Ms. MONTGOMERY. Thank you again for that question.

I think, first and foremost, the ability from an NCAA perspective to maintain our academic eligibility standards, that is something that keeps college athletics at its core, and that is the academic component.

When it comes to the name, image, and likeness, I look at this as an enhancement for our student-athletes. But it is important that, regardless of the framework and the direction that moves forward, higher education and academic and the current eligibility status remain prominent.

Mr. KEAN. Thank you.

Ms. MONTGOMERY. Thank you.

Mr. KEAN. Thank you all to every one of our witnesses here today.

And I yield back.

Ms. MONTGOMERY. Thank you.

Mr. BILIRAKIS. I thank you, the gentleman yields back. Now I will recognize Mrs. Fedorchak, who has waived on for this particular subcommittee.

You are recognized for 5 minutes of questioning.

Mrs. FEDORCHAK. Excellent. Good morning, all of you. It is still morning. I am Julie Fedorchak. I represent the entire State of North Dakota, which includes both the University of North Dakota and North Dakota State University, two Division I FCS schools. So we are very proud of our schools, but they are probably the exact size school that is going to be particularly challenged in this new environment, so I really appreciate you all sharing your expertise and your experiences here today, and I just have a couple questions for you.

Mr. King, given the wide disparity in budgets and resources among Division I institutions—from 10 million to 300 million—how can we ensure that national NIL policies don't disproportionately benefit the Power 5 programs while effectively marginalizing non-autonomy conferences like the Big South, or institutions like the University of North Dakota or North Dakota State?

Mr. KING. Yes, so from a national standpoint as opposed to 50 different State laws, like, having uniformity is obviously important, and then allowing as much freedom as possible for the student-athletes while achieving the goal of having some regulations, some structure, rather than just completely unregulated, which is where we basically are now.

The *House* settlement, which, if it is codified as part of Federal legislation, maintains that. But it provides structure in that the NIL agreements will be submitted and reviewed to make sure that they are not pay-for-play and that they are not fake NIL. I am speculating, but I would imagine that that is less of an issue at North Dakota and North Dakota State, although I will note that you have really, really good football, and that——

Mrs. FEDORCHAK. And hockey. Don't forget our hockey.

Mr. KING. We don't—

Mrs. FEDORCHAK. It has been a little down lately, but it is coming back.

Mr. KING. We don't do hockey, so I am not so familiar, but I know you are good in football.

And that—the type of regulation I am talking about would make it more difficult for someone to come to one of your players and say, "Please transfer, we have this deal to give you," which is not really NIL, it is fake NIL. That sort of regulation would be uniform.

Mrs. FEDORCHAK. OK, thank you.

Ms. Montgomery, thank you for your honesty today and your great testimony.

Ms. MONTGOMERY. Thank you.

Mrs. FEDORCHAK. You have raised concerns about the current lack of regulation around NIL agents and the risk of roster tampering. That is also a concern that our institutions have expressed. Can you provide examples of how this is affecting student-athletes' or smaller schools' ability to retain talent?

And what would be some of the solutions for addressing that—those issues?

Ms. MONTGOMERY. Thank you so much for that question. I will probably pick up where Mr. King left off and the uniformity of those laws.

While it will not completely abolish tampering, I do think it could curtail that aspect that is a very real concern. An example of that is if you were to have a football student-athlete that decided they would like to reopen their recruitment process, they are now going to be able to confirm that the NIL opportunities that they are being offered and received are actually legitimate prior to making that decision. So I think that that is one example of how uniformity in the name, image, and likeness space will once again not abolish tampering, but it can curtail it from a standpoint of student-athletes being able to ensure they are considering legitimate opportunities instead of nefarious activity and/or pay-for-play.

Mrs. FEDORCHAK. OK, thank you.

And then do any of you have concerns about the—this governing commission that was established in the settlement, and thoughts on what needs to be done to clarify their roles and responsibility, their oversight authority, how we are going to have some enforce-

ment through that group, or whoever else is going to be enforcing these new rules and regs?

Mr.—Huma?

Mr. HUMA. Huma, thank you. Thanks for that question.

I think, in the context of Congress, if Congress looks to a third-party enforcement mechanism, it should not be one where the conferences solely select. You know, there should be—it should be neutral, number one, and it shouldn't just focus on whatever the parameters may be economically. It needs to focus on safety standards. Any benefit protection that athletes have, the athletes need a referee.

Mrs. FEDORCHAK. OK.

Mr. HUMA. Because otherwise, it would be—they would be taken advantage of.

Mrs. FEDORCHAK. Thank you.

I have 15 seconds. Anybody else, thoughts on that?

Mr. KING. I tried to get in ahead of Mr. Huma, but failed.

The College Sports Commission has been created to bring life to the settlement, to create a mechanism nationally to regulate and monitor institutional revenue share, to make sure that people don't exceed the limit, to regulate NIL, as I talked about, to ferret out pay-for-play or fake NIL and make sure that it is legitimate, and to enforce—to create rules and enforce those. It has already created rules to bring to life the specifics of the settlement, and then there will be rules made in the future to try to prevent people from circumventing or getting around the settlement.

So absolutely, I am very confident in the ability of that commission to regulate in this area effectively moving forward.

Mrs. FEDORCHAK. OK. Thank you, I yield back.

Mr. BILIRAKIS. I thank the gentlelady. Now I will recognize my fellow Florida Gator, Mrs. Cammack, for her 5 minutes of questioning.

Mrs. CAMMACK. Thank you, Mr. Chairman.

VOICE. I didn't [inaudible].

Mrs. CAMMACK. He did do it, because you are a Georgia Bulldog. He is just much nicer than I am.

Thank you to our witnesses for being here today. Obviously, college athletics is something that is all very near and dear to our heart. I am very proud to represent the Gator Nation up here in our Nation's capital, and appreciate everyone's contributions to this hearing today.

I am just going to start with you, Mr. King, talking about the SCORE Act and how the IIAA enforces rules on revenue sharing and NIL disclosures. Now, you flagged the risk of constant litigation any time the rules change. However, should we be thinking about how to structure the IIAA oversight to avoid these future lawsuits, for example, through transparency mandates or safe harbor triggers that are built into the Federal law itself?

Mr. KING. Yes, thank you for the question, and you really hit on some of the key issues.

So the IIAA—we will just call it the College Sports Commission, or CSC—has been created to regulate in this area. You are correct that one of the concerns that I raised earlier, one of the needs in the legislation is to preempt the State laws, codify the rules coming

out of the settlement, and provide protection so long as schools follow those rules—conferences, associations—that they will not be subject to liability. We need that structure to give this a chance to work. It is a really good settlement.

I want to be respectful of your time, but there—it is—contrary to Mr. Huma's views, there are some incredible positives in this settlement for athletes that I think no one 10 years ago would have ever thought. Things that were requested or put forth in legislation 4 or 5 years ago that have now been done, they need to be codified. Revenue share, medical guarantees, postparticipation—codify those things and create a structure where this commission can enforce them, give them a chance to succeed, and see what happens, rather than immediately being in lawsuits left and right while trying to start this new system.

Mrs. CAMMACK. OK, I appreciate that. Now, of course, the bill would also require that student-athletes disclose NIL deals over $600, as we have talked about a couple times here today, and it allows interstate intercollegiate athletic associations to collect and share aggregated data.

My question is this: Now, under the framework of the SCORE Act, how do we ensure that the data collected through the process actually gets turned into useful, accessible, comparative information both for schools looking to maintain compliance for student-athletes trying to understand if fair market value is there, or what oversight or reporting should Congress be considering to make sure that this isn't a one-way data collection exercise?

Mr. KING. Yes, so the data collection is an issue that really has not been talked about a lot, but I think it will be a huge advantage for athletes, for people on campus, and—but it will be respectful of the athletes' privacy. So it will be aggregated, it will be anonymized. It will not—you will not be able to learn specifically what Joe Jones gets from his university or he gets from this deal. That will be protected. But Joe Jones will be able to know what an average at his position for an autonomy for school or for an SEC school, what is average in NIL or in institutional rev share, those sorts of things.

Likewise, the agents, their agents will have access to that information, as will the university. So it will be a much more candid discussion.

Now, we are still working out the details on how that will be shared and with whom it will be shared, how public will it be. But respecting the athletes' privacy while giving everyone involved in this new system the information they need to make informed decisions, I think, is a real benefit. And then obviously, there is some legal concerns about how the information is shared, as well, and we are obviously monitoring and aware of those. But I think it will be a huge positive for everyone when this information is shared.

Mrs. CAMMACK. Excellent. Well, and going completely in a different direction here, in talking about section 3 of the SCORE Act it says that under this legislation it affirms the right of student-athletes to enter into NIL agreements which cannot be restricted by their school, the IIAA, or the conference. And exceptions exist for schools that can restrict deals that, one, violate the student code of cnduct, or, two, conflict with the school's existing contracts.

Now, I know I am built for comfort not for speed these days, but back in the day I was actually cheering as an undergrad, and there was a situation where several of my teammates engaged in foxy football. It got into a gray area of the school's code of conduct. Under this, is there a preemption that should be required in this legislation? Because school code of conducts are all over the map. Is there something that you see being potentially problematic moving forward, where maybe there is a bit of a gray area, maybe adult content that students may be engaging in, while lawful and legal, that could potentially become problematic moving forward?

I would like to open this up to the entire panel, and I will start with you, Ms. Montgomery.

I am sorry, quickly, because I got 30 seconds.

Ms. MONTGOMERY. Yes, I do think that that could be problematic not only as it is written here, but I think there is also currently an expectation when it comes to name, image, and likeness opportunities, that they do not fall outside of the expectation code of conduct with institutions. With the example that you specifically raised, I do see that potentially being a gray area, one of concern.

Mrs. CAMMACK. Thank you.

Mr. Huma?

Mr. HUMA. You know, I think a baseline, good test could be if the school is not partnering with these types of industries for moral reasons and reputational reasons, that might be a good balance. But I think right now, as written, is very, very broad restrictions that really need to be reeled in.

Mrs. CAMMACK. Mr. King?

Mr. KING. I just looked at the language quickly. It says an institution "may," not "shall," restrict. So it is left to the campus. And I would imagine that in some parts of our country what would be objectionable behavior to, let's say, an institution with a religious affiliation might not be a problem at all at others. So those can be made at the campus level, based on institutional values and also between the university and the athlete, depending on the circumstance. We have already seen very high-profile athletes signed shoe deals with companies other than the company their university is using.

So it is—I think this—rather than view this as, boy, this is a stonewall, there is no way that athlete—this will be handled at the campus level, I would imagine maybe in some areas a policy, but otherwise on a case-by-case basis.

Mrs. CAMMACK. OK. And finally—and I know I am way over time. She is going to go real fast, Mr. Chairman.

Mr. BILIRAKIS. Very fast.

Ms. COZAD. Thank you. I would echo Mr. King. Our institutions are so unique and so different. I come from a mid-major school that is very much smaller than the University of Florida. And what is OK in our university is probably different than what is OK at a big Power 5 school. And so it is really important that it is left in the institution's hands. Thank you.

Mr. BILIRAKIS. And I will say that your school has a great reputation, and I have quite a few constituents and family members that attend your school.

OK, now we will yield to Ms. Clarke, her 5 minutes of questioning.

Ms. CLARKE. Thank you, Mr. Chairman, and I thank Ranking Member Schakowsky for holding today's hearing. I want to thank our expert witnesses for bringing your expertise to the table this morning.

The topic of NIL and college sports is one this committee has been grappling with for years. And with the recent settlement in *House* v. *NCAA*, it is more important than ever that we reach some consensus on what exactly our role is here.

Unfortunately, in its current form, the discussion draft before us today is something I cannot support. I appreciate Chairman Bilirakis's good-faith attempt to create a national standard for NIL deals and desire to create a more level playing field for athletic programs while providing athletes more clarity moving forward, but I have some real concerns with the current iteration of this bill, as well as some of the provisions of the settlement of the *House* lawsuit.

First and foremost, let me state that, even though this may not be within our committee's wide jurisdiction, I am extremely hesitant to grant any kind of liability limit or antitrust exemptions at this stage, given that antitrust lawsuits are the driving factor in bringing about this long-overdue era of fair compensation for college athletes.

Second, major universities have made clear their belief that these athletes should not be classified as employees, and I am sensitive to that, especially because it could be an existential threat to HBCUs if such a classification were to be made.

However, the *House* settlement and the discussion draft before us today make clear to me that there needs to be some kind of legitimate collective bargaining between college athletes and the NCAA and its member institutions. It makes no sense to me to give rules laid out by the NCAA, the institution originally responsible for the decades-long exploitation of college athletics, the power of law as a response to a growing number of antitrust lawsuits challenging that exploitation. You don't protect young people by putting into law the rules regarding their exploitation and providing no mechanism to ensure them a properly fair—and fairly administered.

Further, if we are going to arbitrarily allow conferences to cap the amount that schools can directly pay through revenue sharing their college athletes, we should not put up additional barriers around NIL collectives that supplement this income for deserving young athletes. There is more than enough money to go around in college sports, but it seems the NCAA and many universities want to make sure that that money, once donated, directly to their programs to enrich themselves and their coaches and administrators rather than the college athletes. That is not about a level playing field. That seems like greed to me.

So, Mr. King, do you know how much money the athletic departments of the 15 public universities in the SEC spent in fiscal year 2024 on severance for coaches they fired?

Mr. KING. I do not—

Ms. CLARKE. According to one report, the number is over $72 million. And again, that is just for last year. This is part of the reason I am not particularly sympathetic to any arguments for—in favor of capping the amount of money players can receive.

Mr. Chairman, I ask unanimous consent to enter an article I have on severance pay from AL.com into the record.

Mr. BILIRAKIS. Without objection, so ordered.

[The information appears at the conclusion of the hearing.]

Ms. CLARKE. Thank you very much.

Mr. Huma, thank you for joining us once again. It is great to see such a forceful advocate for college athletes before this committee once again.

Can you tell this committee where you think the *House* settlement and discussion draft of the SCORE Act falls short and could be improved?

And is there anything we can do to strengthen health protections for college athletes, for example?

Mr. HUMA. I think, number one, you mentioned the boosters. You know, they want to shut down boosters' ability to pay players. It is just to remonopolize it. As you mentioned, boosters before, they could only pay the schools. Once the athletes had their freedom, the boosters can make a decision, and some of that money was flowing to the players. It is now being demonized as fake NIL and this is bad. The schools just want their money back, and they want to monopolize it.

And they are actually excluding—in this draft they exclude the booster money from being shared with the players. This is just a money grab, $2 billion back in their pockets and they pay maybe, what, 1.3 on the way out to revenue share if they max out. They actually make money in this situation.

And as you mentioned, unless they are going to cap coaches' salaries, facilities, and share evenly—I know there was a question about, you know, North Dakota. Why would they support something like this? This benefits the richer, most powerful conferences.

So we can't fantasize and pretend that is not happening. And in that situation, college athletes should be not the only people excluded from the free market. That is what this model is. It is a free market model. And that is OK, if that is going to be the model. If it is going to be something different, then let's talk about revenue sharing with Florida and Florida Atlantic and everyone else in between. But that is not the discussion. It is only about how to hammer the players and remonopolize that money.

Ms. CLARKE. And could you tell a little bit about the health protections for college athletes?

Mr. HUMA. Absolutely.

Ms. CLARKE. How can we strengthen it?

Mr. HUMA. From our perspective, Congress has a duty. You know, they have a duty to help make sure that athletes not just at the places where maybe there could be collective bargaining and players have the leverage to protect their athletes, but North Dakota athletes need protections as well. You know, no matter what level, community colleges all the way up, everyone needs protections.

Congress, it is you or no one. And if this is going to be that moment, then let it be that moment.

Ms. CLARKE. Very well.

Mr. Chairman, I yield back.

Mr. BILIRAKIS. The gentlelady yields back. Now I will recognize the vice chairman of the full committee for his 5 minutes of questioning.

And I am sorry, Buddy, I am not doing this on purpose, I promise you. You are my SEC partner, so I wouldn't be doing that to you.

Mr. FULCHER. Thank you, Mr. Chairman.

Mr. BILIRAKIS. You are recognized.

Mr. FULCHER. Thank you, Mr. Chairman, and for your understanding.

And to the panel, thank you for being here. And please understand that some of us have dueling committees, and it is not a rudeness thing. I did not get to hear my predecessors' questions, but I did get a chance to look at some of the written testimony. And so if this is a duplicate, please forgive me.

But a question for Mr. King. In regard to the transfer portals, it is my understanding that there is really no requirement in there that takes into consideration a student-athlete's credits. And I am personally—I am concerned about this thing that colleges and universities are supposed to ultimately serve the purpose for, and that is an education. And so should there be an inclusion of what happens to a student-athlete's credits when they make a transfer through the portal?

Mr. KING. Yes, that is—it is something that was discussed previously but not framed the way you did, and you framed it exactly the way I would, so thank you for that.

So right now, basically, unlimited transfers. You could transfer as many times as you want. And the focus has been entirely on tampering, and competitive, and rebuilding rosters. And really, no one talks much about what you raised, and that is, what does it do to the education?

And the truth is that the vast majority of the athletes, well over 90 percent, are not going to play professionally when they finish, and the education must remain front and center in this. And I have talked directly with athletes on our campus who found out after they transferred from somewhere outside in that some of their credits didn't come with them, and it was going to take a semester or a year longer to graduate, maybe beyond their eligibility. So it is absolutely something that we need to be tracking on.

And what I don't have to share with you is, because we are 2, 3 years into this—actually, really, a year and a half into unlimited transfers—we don't have the data yet, but I fully expect that you will see that the athletes who enter the portal, especially multiple times, that their rate of success academically will be significantly lower.

Mr. FULCHER. And that is my concern, so thank you for that thoughtful answer. And I believe that is something that we need to consider from our perspective, as well. So thank you for clarifying that.

A followup question to you, and this is in regard to collectives. Is there anything in the *House* settlement that limits a collective from giving directly to a school?

And do you see that as an important component to keeping a program competitive or perhaps helping fund those programs that aren't self-sufficient?

Mr. KING. So there is nothing in this *House* settlement specific to collectives because that was not at issue, the collective specifically, in the lawsuit. But from a regulation standpoint—and this is—applies to everyone, not just collectives—third-party agreements with entities or individuals associated with an institution—and that is defined, and it is set forth in the draft discussion as well, that those will be subject to review to make sure they are real, that they are actual NIL and not pay-for-play. Other than that, there is really nothing coming out of the settlement that would specifically relate there.

To your question about the donation, there is nothing that would limit a collective's ability to gather money and then give it to the school. I think many people believe that if the settlement goes forward and works as it should, that the individuals who have donated to the collectives in the past will be—you know, might redirect the money or decide to give money directly to the school.

Mr. FULCHER. I am going to thank you for that. I have only got a minute left, so I am going to abbreviate this. Hopefully, it will make sense, but it is along that same line.

Personally, I have been concerned about some of the transparency in some of these NIL deals and the potential bad actors that get involved as agents who are taking advantage of students. And in terms of the revenue-sharing model, you mentioned the pay-for-play. Are you confident that a future revenue-sharing model will prevent that pay-to-play thing?

And who is the appropriate channel to oversee that?

Mr. KING. So the settlement agreement gives the conferences—and the NCAA, but the conferences the ability to create a structure to make rules and enforce to implement the settlement. And the four conferences have created an entity called the College Sports Commission. It went live after the settlement was approved, but it has been months in the planning and making. That will enforce the rules to make the settlement work.

And so that—yes, that is already—that is in place and will be a work in progress in the coming months. But it is—it exists now.

Mr. FULCHER. Thank you, Mr. King.

Mr. Chairman, I again appreciate your patience and the same to Mr. Carter. Thank you for your patience, and I yield back.

Mr. BILIRAKIS. All right. Thank you, sir. I appreciate it.

Now I will yield back to my good friend—I mean, I will yield to my good friend from the great State of Georgia, Mr.—Chairman Carter for his 5 minutes of questioning. Thank you for your patience.

Mr. CARTER OF GEORGIA. Well, thank you, Mr. Chairman. We are going to make the Georgia boy go last, I guess. But I really appreciate all of you all being here. And sincerely, Mr. Chairman, I appreciate your work and this subcommittee's work on this most important issue. It is very impressive not only for a Member of Con-

gress to put in that much work, but a member of the Florida Gator Nation. But nevertheless, thank you all for being here.

One thing I want to talk to you about real quickly—particularly you, Mr. King—is the walk-on situation. I know that you all just recently—or the NCAA just recently removed the scholarship limits and put in roster limits to allow more flexibility, particularly for schools that are funding nonrevenue sports. And this is of concern.

If you will remember back when the University of Georgia—Go, Dawgs—won the national championship back to back, we had a walk-on quarterback. And that is very important. I have a lot of—I know a lot of people who walked on and played in college as walk-ons. And I am just concerned, and I would like to ask you, Mr. King, if you could comment on what you think is—the impact of this is going to be if we have the availability of walk-on opportunities limited.

Mr. KING. Yes, thank you. That is a really important question, so thank you for raising it.

So for those of you who have been following the *House*—actually, for those of you who have not been following it, one of the issues that is addressed in the settlement is it eliminates scholarship limits under NCAA rules. So, for example, baseball has had a scholarship limit of 11.7, and it was the only sport that had a roster limit before the settlement, and the roster limit was 34. So the coaches had to spread 11.7 over 34 players.

After the settlement those limits are gone, but each sport now has a roster limit. And I believe baseball will stay at 34, if—my recollection. So Georgia can offer 34 full scholarships, provided—in baseball if it chooses. So where in the past some of the athletes on the baseball roster would have been walk-ons because they didn't receive scholarship aid, now they will be able to. And that is true across all sports. So the ability of walk-ons to be a part of the program is still there, it is just they may not be a walk-on anymore. They may be on scholarship. All right, one.

Two, let's just focus on football, because you mentioned Stetson Bennett. The football——

Mr. CARTER OF GEORGIA. Who, by the way, is from my district and whose parents are pharmacists like me. I just want to make sure I got that in. I am sorry.

Mr. KING. Yes, get a good plug in.

[Laughter.]

Mr. KING. The roster limit will be 105, scholarship limit has been—is 85 before. So school has—any school has the ability to go up to 105 scholarships. They also have the ability to have more than 105 athletes in their preseason camp, they just have to reduce the roster to 105 before the first game.

Three, as part of the settlement Judge Wilken really did not like the fact that some athletes, primarily walk-ons, were going to lose their roster spot, and so she asked us to address that, and we did. So any athlete who was going to lose their roster spot is given a special status designated as—designated student-athlete, where they don't count. So you will be able to go to the roster limit and keep any walk-ons or other athletes above that number. And if you have that designated tag, you can transfer anywhere and it goes with you where you don't count. So——

Mr. CARTER OF GEORGIA. OK, so maybe it——

Mr. KING [continuing]. Have been taken care of.

Mr. CARTER OF GEORGIA [continuing]. It looks worse than it is actually going to be——

Mr. KING. Yes.

Mr. CARTER OF GEORGIA [continuing]. Is what it sounds like.

The rest of it, we got about a minute and a half here left, although I believe my Florida counterpart—you gave 2 minutes—not that I am—no, I am not counting, I am just saying.

Mr. King, another thing. I know that this has been a long hearing, and I couldn't help but hear the question from my colleague on the other side of the aisle about the number of coaches in the SEC who had been fired and how much we are paying. I just wanted to give you an opportunity if you want to respond to that or anything else that has been said today, because it—correct me if I am wrong, but most of that is coming from one school, from Auburn. It is——

Mr. KING. You know you can't put me on the spot to——

Mr. CARTER OF GEORGIA. I am sorry.

Mr. KING [continuing]. Anybody. So there have been a number of things that I—this format does not lend itself well to jump in and say, wait a minute, particularly around the area of medical care for athletes. I am not in any way denigrating or downplaying any of those instances that Mr. Huma talked about, but the way he describes healthcare is just—in college athletics—is completely contrary to what I see on our campuses.

He also omitted that, you know, one of the—in the—I have been doing—coming to DC for over 5 years now. And in the first draft bills, particularly in the Senate, Senator Booker and Senator Blumenthal—thank them very much for their continued work, as well as Senator Cruz, but those bills included revenue share and they included guaranteed healthcare beyond the athlete's career. Well, the autonomy conferences were already doing that. In this 5-year period, now the NCAA is doing it for Division I, II, and III, out-of-pocket is covered for 2 years. So it is omitted in that conversation that these things are already happening now, and so I just wanted to make that clear.

The new scholarships in *House*, we have touched on it. I would love to walk through the *House* settlement, but I know we don't have time. But the scholarship limits going away is—it is just not a real sizzle issue. People don't want to talk about it. But the benefit of that change, particularly for the nonrevenue sports, is really hard to quantify

And every scholarship that is offered to a male athlete must be matched for a female athlete. So if someone decides to go all in on baseball and add 20-plus scholarships, they have to do it across the board. And several schools have already come out and said—these are higher-resourced schools—that they are going to do it for every athlete. That is an incredible benefit as part of this settlement.

And I would love to talk about more about the collective bargaining issues there, but—

Mr. CARTER OF GEORGIA. OK, I am getting the gavel here, so I will have to go.

But one last thing: Go, Dawgs.

[Laughter.]

Mr. BILIRAKIS. All right, well, thank you very much, and I am glad you cleared up that—the roster, because I know that was a sticking point at the end with regard to the settlement's concern too. So I understand it a lot better. Thanks for asking that question, Buddy, I appreciate it.

And listen, this was a great hearing, I thought, very informative. And I know we are going to follow up with some questions. I tell you, you were outstanding.

And—yes, anybody? You need something? No? OK.

I was going to give her the opportunity to speak, but I know I am going to follow up with questions.

Ms. MONTGOMERY. Thank you.

Mr. BILIRAKIS. But great testimony, and you cleared up a lot of issues.

So I ask unanimous consent that the documents on the staff document list be submitted for the record.

Without objection, so ordered.

[The information appears at the conclusion of the hearing.]

Mr. BILIRAKIS. I would like to thank all your—thanks for your patience, and thanks for asking—answering all the questions.

Members may have additional written questions for all of you. I remind Members that they have 10 business days to submit questions for the record, and I ask the witnesses to respond to the questions promptly. Members should submit their questions by the close of business day on Friday, June 20.

So if there is nothing further, without objection, the committee is adjourned.

[Whereupon, at 12:21 p.m., the subcommittee was adjourned.]

[Material submitted for inclusion in the record follows:]

[Discussion Draft]

119TH CONGRESS
1ST SESSION

H. R. _____

To protect the name, image, and likeness rights of student athletes and to promote fair competition among intercollegiate athletics, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M__. _____ introduced the following bill; which was referred to the Committee on _____

A BILL

To protect the name, image, and likeness rights of student athletes and to promote fair competition among intercollegiate athletics, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Student Compensation and Opportunity through Rights and Endorsements Act of 2025" or the "SCORE Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) AGENT.—The term "agent"—

(A) means an individual representing a student athlete with respect to a name, image, and likeness agreement or other agreement for compensation; and

(B) does not include such representation by an immediate family member of the student athlete.

(2) ASSOCIATED ENTITY OR INDIVIDUAL.—

(A) IN GENERAL.—With respect to an institution, the term "associated entity or individual" means—

(i) an entity known or should have been known to the athletics department staff of an institution to exist, in significant part, for the purpose of—

(I) promoting or supporting a particular institution's intercollegiate athletics or student athletes; or

(II) creating or identifying opportunities relating to name, image and likeness agreements solely for the student athletes of a particular institution;

(ii) an individual who is or was a member, employee, director, officer, owner,

or other representative of an entity described in clause (i);

(iii) an individual who directly or indirectly (including through contributions by an affiliated entity or family member) has contributed more than $50,000 over the lifetime of the individual to a particular institution or to an entity described in clause (i);

(iv) an individual or entity that—

(I) is directed or requested by the athletics department staff of an institution to assist in the recruitment or retention of prospective student athletes or student athletes; or

(II) otherwise assists in the recruitment or retention of prospective student athletes or student athletes; or

(v) any entity (other than a publicly traded corporation) owned, controlled, operated by, or otherwise affiliated with the individuals or entities described in clauses (i) through (iv).

(B) EXCLUSIONS.—The term "associated entity or individual" does not include—

(i) an immediate family member of a student athlete; or

(ii) a person or entity that—

(I) licenses trademark rights of the institution; and

(II) does not—

(aa) license name, image, and likeness rights of student athletes; or

(bb) make payments earmarked or designated to fund name, image, or likeness licenses or other payments to student athletes.

(3) COLLEGE SPORTS REVENUE.—The term "college sports revenue" means, regardless of whether an institution has legal title, revenues received by an institution—

(A) for sales of admissions to intercollegiate athletic competitions, including actual monetary revenues received by or for the benefit of institutions for suite licenses, except for—

(i) any associated philanthropy; and

(ii) the use of suites for any purposes not related to student athletic events (e.g. concerts);

(B) from participation in intercollegiate athletic competitions held at other institutions, including payments received due to cancellations of intercollegiate athletic competitions;

(C) for radio, television, internet, digital and e-commerce rights, including media rights revenue distributed by a conference to members of the conference, if applicable;

(D) from an interstate intercollegiate athletic association, including revenue distributions, grants, travel reimbursements from interstate intercollegiate athletic association championships, and payments received from an interstate intercollegiate athletic association for hosting a championship;

(E) by conference distribution, excluding portions of distributions relating to media rights described in subparagraph (C) and interstate intercollegiate athletic association distributions described in subparagraph (D);

(F) that is generated by a post-season football bowl and distributed to members of a conference;

(G) for sponsorships, licensing agreements, advertisements, royalties, and in-kind products and services as part of a sponsorship agreement;

(H) from a post-season football bowl game, including expense reimbursements and ticket sales; and

(I) any additional categories of revenue an interstate intercollegiate athletic association, pursuant to its procedures, includes to establish the pool limit.

(4) COMPENSATION.—The term "compensation"—

(A) means any kind of payment or remuneration in cash, benefits, awards, or any other form, including, but not limited to, payments for—

(i) licenses relating to, or the use of, name, image, and likeness rights; and

(ii) any other Federal or State intellectual or intangible property right; and

(B) does not include—

(i) grants-in-aid;

(ii) Federal Pell Grants or other Federal or State grants unrelated to and not awarded with regard to participation in intercollegiate athletics;

(iii) health insurance or the costs of health care, including such costs that are wholly or partly self-funded by an institution, interstate intercollegiate athletic association, or conference;

(iv) disability or loss-of-value insurance, including such insurance that is wholly or partly self-funded by an institution, interstate intercollegiate athletic association, or conference;

(v) career counseling, job placement services, or other guidance available to all students at an institution;

(vi) payment of hourly wages or benefits for work actually performed (and not for participation in intercollegiate athletics) at a rate commensurate with the going rate in the locality of an institution for similar work;

(vii) academic awards paid to student athletes by institutions;

(viii) provision of financial literacy or tax education resources and guidance; or

(ix) any program to connect student athletes with employers and facilitate employment opportunities, if—

(I) the financial terms of such employment opportunities are consistent with the terms offered to similarly situated employees who are not student athletes; and

(II) such program is not used to induce a student athlete to attend a particular institution.

(5) CONFERENCE.—The term "conference" means an organization or association that—

(A) has as members 2 or more institutions; and

(B) arranges championships and sets rules for intercollegiate athletic competitions.

(6) COST OF ATTENDANCE.—The term "cost of attendance"—

(A) has the meaning given the term in section 472 of the Higher Education Act of 1965 (20 U.S.C. 1087ll); and

(B) shall be calculated by the financial aid office of an institution applying the same standards, policies, and procedures for all students.

(7) GRANT-IN-AID.—The term "grant-in-aid" means a scholarship, grant, stipend, or other form of financial assistance, including the provision of tuition, room, board, books, or funds for fees or personal expenses, that—

(A) is paid or provided by an institution to a student for the undergraduate or graduate course of study of such student; and

(B) is in an amount that does not exceed the cost of attendance for such student at the institution.

(8) IMAGE.—With respect to a student athlete, the term "image" means a picture or a video that identifies, is linked to, or is reasonably linkable to the student athlete.

(9) INSTITUTION.—The term "institution" has the same meaning given the term "institution of higher education" in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(10) INTERCOLLEGIATE ATHLETICS.—The term "intercollegiate athletics"—

(A) means a sport played between varsity sports teams for which eligibility requirements for participation by student athletes are established by an interstate intercollegiate athletic association; and

(B) does not include a recreational, intramural, or club sport.

(11) INTERCOLLEGIATE ATHLETIC COMPETITION.—The term "intercollegiate athletic competition" means any contest, game, meet, match, tournament, regatta, or other event in which student athletes or varsity sports teams compete.

(12) INTERSTATE INTERCOLLEGIATE ATHLETIC ASSOCIATION.—The term "interstate intercollegiate athletic association" means—

(A) a nonprofit organization, an association, or any other group incorporated in the United States that—

(i) sets common rules, standards, procedures, or guidelines for the administration and regulation of intercollegiate athletics;

(ii) has as members 2 or more institutions or conferences with members that are located in different States; and

(iii) has rules or bylaws prohibiting members from providing prohibited compensation to student athletes or other participants in intercollegiate athletic competitions; and

(B) does not include a corporation, an association, or any other group affiliated with professional athletic competition.

(13) LIKENESS.—With respect to a student athlete, the term "likeness" means a physical or digital depiction or representation that identifies, is linked to, or is reasonably linkable to the student athlete.

(14) NAME.—With respect to a student athlete, the term "name" means the first, middle, or last name, nickname, or former name of the student athlete when used in a context that identifies, is linked to, or is reasonably linkable to the student athlete.

(15) NAME, IMAGE, AND LIKENESS AGREEMENT.—The term "name, image, and likeness agreement" means a contract or similar agreement in which a student athlete licenses, authorizes, or oth-

erwise is in relation to the commercial use of the name, image, or likeness of the student athlete.

(16) NAME, IMAGE, AND LIKENESS RIGHTS.—The term "name, image, and likeness rights" means rights recognized under Federal or State law that allow an individual to control and profit from the commercial use of the name, image, likeness, and persona of the individual, including all of the rights commonly referred to as "publicity rights".

(17) POOL LIMIT.—The term "pool limit" means a dollar amount which shall constitute no less than 22 percent of college sports revenue, that—

(A) is calculated and published pursuant to the procedures of an interstate intercollegiate athletic association; and

(B) serves as the annual maximum amount that an institution may provide to student athletes in direct payments.

(18) PROHIBITED COMPENSATION.—The term "prohibited compensation" means—

(A) receipt (or entry into an agreement for receipt) of compensation by a student athlete from an associated entity or individual of an institution at which a student athlete is enrolled, or is being recruited, for any name, image, and

likeness license or payment, or any other license or payment, unless the payment or license is for a valid business purpose related to the promotion or endorsement of goods or services provided to the general public for profit, with compensation at rates and terms commensurate with compensation paid to similarly situated individuals with comparable name, image, and likeness value who are not student athletes or prospective student athletes at such institution;

(B) payment of compensation to prospective student athletes or student athletes enrolled at an institution made by or on behalf of such institution if such payments in the aggregate exceed the annual pool limit as set forth by the interstate intercollegiate athletic association; or

(C) payment of compensation in violation of applicable rules or bylaws of an interstate intercollegiate athletic association.

(19) PROSPECTIVE STUDENT ATHLETE.—The term "prospective student athlete" means an individual whose enrollment is solicited through actions of, or done at the direction of, an institutional staff member or by an associated entity or individual for the purpose of securing the prospective student ath-

lete's ultimate participation in intercollegiate athletics at the institution.

(20) STATE.—The term "State" includes any State, commonwealth, territory, or possession of the United States, and any political subdivision of a State, commonwealth, territory, or possession.

(21) STUDENT ATHLETE.—The term "student athlete" means an individual who—

(A) is enrolled as a student at an institution; and

(B) is a member of or on the roster of a varsity sports team.

(22) VARSITY SPORTS TEAM.—The term "varsity sports team" means a sports team that consists of student athletes and that is organized by an institution for the purpose of intercollegiate athletic competition.

SEC. 3. PROTECTION OF NAME, IMAGE, AND LIKENESS RIGHTS OF STUDENT ATHLETES.

(a) RIGHT TO ENTER INTO NAME, IMAGE, AND LIKENESS AGREEMENTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), an institution, interstate intercollegiate athletic association, or conference may not restrict

the ability of a student athlete to enter into a name, image, and likeness agreement.

(2) EXCEPTIONS.—An institution may restrict the ability of a student athlete to enter into a name, image, and likeness agreement that, with respect to the institution at which the student athlete is enrolled or the interstate intercollegiate athletic association or conference of which such institution is a member—

(A) violates the institution's code of student conduct; or

(B) conflicts with the terms of an agreement or a contract to which the institution is a party.

(3) DISCLOSURE.—

(A) IN GENERAL.—Not later than 30 business days after the date on which a student athlete executes or agrees to the terms of payment for a name, image, and likeness agreement, the student athlete shall disclose the terms of such agreement—

(i) to the institution at which the student athlete is enrolled; and

(ii) if required by an interstate intercollegiate athletic association's rule, to an

interstate intercollegiate athletic association of which the institution that the student athlete is enrolled or will be enrolled is a member, in accordance with the interstate intercollegiate athletic association's rules and procedures.

(B) EXCEPTION.—Subparagraph (A) shall not apply to a student athlete who receives less than $600 annually (to be annually adjusted for inflation using the Consumer Price Index for all-urban consumers published by the Bureau of Labor Statistics) in compensation under the name, image, and likeness agreement into which the student athlete has entered.

(C) RELEASE OF INFORMATION.—

(i) An institution may not release any information disclosed by a student athlete pursuant to subparagraph (A) without the express written consent of the student athlete or the agent of the student athlete.

(ii) An interstate intercollegiate athletic association may release information disclosed by a student athlete in accordance with section 5(2) of this Act.

(b) RIGHT TO REPRESENTATION.—An institution, interstate intercollegiate athletic association, or conference may not restrict the eligibility for intercollegiate athletics, or any event or activity relating to intercollegiate athletics, of a student athlete based on the student athlete having obtained an agent.

SEC. 4. AMENDING SPORTS AGENT RESPONSIBILITY AND TRUST ACT.

The Sports Agent Responsibility and Trust Act (15 U.S.C. 7801 note) is amended—

(1) in section 3(b)(3), by striking "Warning to Student Athlete: If you agree orally or in writing to be represented by an agent now or in the future you may lose your eligibility to compete as a student athlete in your sport." and inserting "Notice to Student Athlete:"; and

(2) by adding at the end the following:

"SEC. 9. REGISTRATION REQUIREMENT.

"(a) REQUIREMENT.—An athlete agent who assists a student athlete with an endorsement contract or other agreement for compensation shall register with an interstate intercollegiate athletic association as described in section 5(1) of the Student Compensation and Opportunity through Rights and Endorsements Act of 2025.

"(b) INTERSTATE INTERCOLLEGIATE ATHLETIC ASSOCIATION DEFINED.—In this section, the term 'interstate intercollegiate athletic association' has the meaning given the term in section 2 of the Student Compensation and Opportunity through Rights and Endorsements Act of 2025.".

SEC. 5. REQUIREMENTS APPLICABLE TO CERTAIN INSTITUTIONS.

(a) INSTITUTIONS.—An institution shall fulfill the requirements described in subsection (b) if the institution—

(1) provides the equivalent of at least 50 full grants-in-aid to student athletes in sports other than football and basketball, as determined by the ratio of athletically related financial aid received to the student athlete's cost of attendance; and

(2) competes in intercollegiate athletics such that at least 50 percent of the competitions in a given sport and season are against institutions that satisfy the criterion described in paragraph (1).

(b) REQUIREMENTS.—The requirements described in this subsection are—

(1) provide comprehensive academic support and career counseling services to student athletes, including life skills development programs covering mental health, strength and conditioning, nutrition,

name, image, and likeness (NIL) education, financial literacy, career readiness, transfer processes, and sexual violence prevention;

(2) provide medical and health benefits to student athletes including—

(A) provision of medical care, including payment of out-of-pocket expenses, for an athletically related injury incurred during the student athlete's involvement in intercollegiate athletics for the institution, including for a period of at least two years following graduation or separation with the institution or coverage under a catastrophic injury insurance program offered by an interstate intercollegiate athletic association;

(B) provision of mental health services and support, including mental health educational materials and resources;

(C) an administrative structure that provides independent medical care and affirms the unchallengeable autonomous authority of primary athletics health care providers (team physicians and athletic trainers) to determine medical management and return-to-play decisions related to student athletes; and

(D) a requirement that member institutions certify insurance coverage for medical expenses resulting from athletically related injuries sustained by student athletes;

(3) maintain an athletics grant-in-aid during the period of that grant-in-aid (contingent on the student athlete's academic eligibility, continued participation as a member of a varsity sports team and compliance with additional nonathletically related conditions set by the institution) regardless of a student athlete's—

(A) athletic performance;

(B) contribution to a team's success;

(C) injury, illness, or physical or mental condition; or

(D) receipt of compensation pursuant to a name, image and likeness contract; and

(4) provide degree completion programs that provide financial aid, at a minimum tuition and fees, and course-related books to a former student athlete to complete their first baccalaureate degree in accordance with the policies of an IIAA.

(c) BENEFITS.—An institution may provide the required benefits in conjunction with a conference or intercollegiate athletic association of which it is a member.

SEC. 6. ROLES OF INTERSTATE INTERCOLLEGIATE ATHLETIC ASSOCIATIONS.

An interstate intercollegiate athletic association may—

(1) establish a process to collect and publicly share aggregated and anonymized data related to name, image, and likeness agreements submitted by student athletes pursuant to section 3(a)(3)(A);

(2) establish and enforce rules relating to—

(A) the manner in which and the time period during which student athletes may be recruited for intercollegiate athletics;

(B) prohibiting a student athlete from receiving prohibited compensation;

(C) the transfer of a student athlete between institutions;

(D) the eligibility of a student athlete to participate in intercollegiate athletics, such as rules establishing the number of seasons or length of time for which a student athlete is eligible to compete, academic standards, and code of conduct;

(E) the membership of the interstate intercollegiate athletic association, under which such interstate intercollegiate athletic association may—

(i) remove member; and

(ii) set rules and regulations for membership qualifications and participation; and

(F) agreements between a student athlete and an institution under which the institution provides a percentage of college sports revenue, in accordance with the pool limit, to student athletes on an annual basis; and

(3) organize championships for intercollegiate athletic competitions.

SEC. 7. LIMITATION ON LIABILITY.

[text placeholder]

SEC. 8. PREEMPTION.

(a) IN GENERAL.—A State, or political subdivision of a State, may not maintain, enforce, prescribe, or continue in effect any law, rule, regulation, requirement, standard, or other provision having the force and effect of law of the State, or political subdivision of the State, that—

(1) is related to this Act;

(2) governs or regulates the compensation, payment, benefits, employment status, or eligibility of a prospective student athlete or student athlete in intercollegiate athletics;

(3) limits or restricts a right provided to a conference, an institution, or an interstate intercollegiate athletic association under this Act;

(4) concerns a right of a student athlete to receive compensation or other payments or benefits directly or indirectly from any institution, associated entity or individual, conference, or interstate intercollegiate athletic association; or

(5) requires a release of or license to use the name, image, and likeness rights (or requires a name, image, and likeness agreement) from or with any individual or group of participants in an intercollegiate athletic competition (or a spectator at an intercollegiate athletic competition) for audio-visual, audio, or visual broadcasts or other distributions of such intercollegiate athletic competition.

(b) STUDENT ATHLETES NOT EMPLOYEES.—Notwithstanding any other provision of Federal or State law, a student athlete may not be considered an employee of an institution, conference, or interstate intercollegiate athletic association for purposes of (or as a basis for imposing liability or awarding damages or other monetary relief under) any Federal or State law based on the student athlete's receipt of compensation, or of any payments or bene-

fits excluded from the definition of compensation pursuant to section 2 of this Act, or and 1 or more of the following:

(1) Receipt by the student athlete of—

(A) compensation; or

(B) anything listed in section 2(3)(B).

(2) Membership of the student athlete on any varsity sports team.

(3) Participation by the student athlete in intercollegiate athletics.

(4) Imposition of requirements, controls, or restrictions on the student athlete by the institution at which such student athlete is enrolled related to the participation of the student athlete in intercollegiate athletics.

(c) STATE OR POLITICAL SUBDIVISION OF A STATE.—In this section, the term "State or political subdivision of a State" does not include an institution.

Documents for the Record

Subcommittee on Commerce, Manufacturing, and Trade Hearing

"Winning Off the Field: Legislative Proposal to Stabilize NIL and College Athletics"

June 12, 2025

1. A letter from Division I Student Athlete Advisory Committee to Congressional Leaders, submitted by the Majority.
2. A letter from Division III Student Athlete Advisory Committee to Chairman Bilirakis, submitted by the Majority.
3. A letter from Commissioners of the Central Intercollegiate Athletic Association (CIAA), Mid-Eastern Athletic Conference (MEAC), Southern Intercollegiate Athletic Conference (SIAC), and Southwestern Athletic Conference (SWAC) to Chairwoman Clarke and Member of the Congressional Black Caucus, submitted by the Majority.
4. A letter from Saving College Sports to Chairman Bilirakis and Ranking Member Schakowsky, submitted by the Majority.
5. A letter from undersigned Coaches Associations to Chairman Bilirakis and Ranking Member Schakowsky, submitted by the Majority and the Minority.
6. A statement from American Association for Justice titled "The NCAA Should Be Subject to More Scrutiny, Not Less, in the Face of Decades of Anti-Trust Violations," submitted by the Minority.
7. A letter from Jim Cavale, President and Co-Founder of Athletes.org, submitted by the Minority.
8. An article from Advance Local titled "Which SEC football program spent the most on severance in FY 2024?" submitted by the Minority.

Division 1 – Student-Athlete Advisory Committee

Dear Congressional Leaders,

I trust you enjoyed a rejuvenating and restful break during the recent festive season.

Serving as the collective voice of Division I student-athletes throughout the country, we the NCAA Division I Student-Athlete Advisory Committee (SAAC) are writing to reiterate the sentiments of former SAAC Chair Cody Shimp and continue to elevate the concerns of current student-athletes throughout the country that we represent. We firmly believe that federal action is imperative to navigating the complex and evolving landscape of name, image, and likeness (NIL) rights and employment status of student-athletes in college sports. Federal action is paramount to maintaining opportunity for the generations of student-athletes to come.

With over 200,000 student-athletes competing at Division I member institutions, the Division I SAAC assumes a pivotal role in representing every single one of those voices. In our previous letter, Shimp detailed that the SAAC is the student-athlete voice that provides a critical platform for us to provide feedback on diverse issues that affect our collegiate experience. The SAAC serves as a middle ground between athletes, administrators, and the NCAA to ensure that the welfare of Division I student-athletes is the top priority. For that reason, we humbly implore your continued attention and unwavering support in this critical matter to safeguard the well-being and equitable treatment of current and future student-athletes nationwide.

First, it is essential to maintain that student-athletes **should not** be employees of their institution. Student-athletes are and always will be students first. The collegiate system prioritizes education and it is crucial that student-athletes receive special status to preserve the traditional collegiate experience. By recognizing the unique relationship between student-athletes and their institutions, Congress can help ensure that the fundamental purpose of college sports is sustained. Non-employee status is vital for preserving collegiate sports because of the following reasons: (1) Educational Focus, (2) Workload and Time Commitments, (3) Amateurism and Fair Play, and (4) Financial Sustainability.

When thinking about the classification of an employee and the expectations and standards that come with that position, student-athletes would have to perform at a certain level to maintain their place on the team. The current Chair of Division I SAAC Ashley Cozad details:

> Having experienced a significant injury where I could not compete for several months, I learned the importance of adversity throughout my recovery. If an employee model were implemented, it is possible I would not have had the same

> support system from my coaches, athletic trainers, and teammates due to the fear of being 'fired.'

Current Duke Basketball player and former Division I SAAC representative for the American Athletic Conference, Sion James, furthers this notion, imploring that:

> Employment status would jeopardize our ability to maintain a traditional college experience. Increased athletic requirements would undermine the academic and social experience that make being a student-athlete special. While many athletes face strong pressure to perform at a high level, college athletics remains an educational experience that shapes young boys and girls into men and women who can handle challenges in the real world. Employment status would ruin that dynamic and make transformational player-coach relationships into transactional employee-employer ones.

An environment where student-athletes are constantly pressured to perform will have serious negative impacts on mental health. Student-athletes are people first, and we must prioritize the well-being of players over performance. The fear of job insecurity will negatively impact the athletic and academic experience of student-athletes and will be consistently detrimental to an ongoing mental health crisis.

The ongoing House vs. NCAA settlement agreement allows for NCAA member institutions to benefit from revenue sharing, or "pool benefits" as referred to in the agreement itself. In short, this benefit allows for the sharing of an Athletic Department's revenue, generated from various sources, such as ticket sales, broadcasting rights, sponsorships, and other forms alike. These funds will be distributed amongst student-athletes, directly compensating them for their participation in sports and recognizing their involvement in revenue generation at the institutional level. This structure provides a share of revenue without a guaranteed salary or wage, acknowledging the economic value that student-athletes bring to their institutions.

The NCAA's ability to prioritize the well-being of student-athletes relies heavily on the establishment of congressional safe harbor protections. Safe harbor protections would provide the NCAA with legal clarity and stability needed to enact consistent reforms that protect college athletics and the generations of student-athletes that are yet to embark on their collegiate experience. This includes addressing critical issues like NIL regulations, enhanced Athlete benefits, and equitable access to resources and opportunities, regardless of institutional or financial disparities. Without these protections, the NCAA risks being driven by legal fears and external pressures rather than prioritizing the holistic development, health, and success of student-athletes.

Meredith Page, the current Division I SAAC Co-Vice Chair shares her thoughts surrounding a safe harbor law for the NCAA:

> As a Division I women's volleyball student-athlete, I've poured my heart into this experience. The long hours in the gym, the sacrifices, and the pride of representing my school—it's all a part of who I am. But the lack of safe harbor protections makes it feel like everything I have worked for could be taken away in an instant. What happens if a law changes, or if the NCAA has to make decisions based on avoiding litigation rather than supporting us? Safe harbor would mean stability—a chance to compete and grow without the fear that everything we have worked for could disappear indefinitely with no recourse. That peace of mind is something every student-athlete deserves.

By granting the NCAA this safeguard, Congress can ensure a unified approach to college athletics that prioritizes fairness, opportunity, and the long term well-being of the nearly 500,000 student-athletes it serves.

Finally, we are continuing to seek federal action that will diminish bad actors in the world of name, image, and likeness (NIL), and urge Congress to codify that federal law preempts state law surrounding NIL activities. Therefore, guaranteeing that student-athlete contracts and obligations are met and student-athletes are able to capitalize on their NIL regardless of what state their institution is located.

On August 1st, 2024, the NCAA launched NIL Assist; a comprehensive digital database where student-athletes are able to disclose NIL activities and NIL providers can apply for the NCAA Service Providers Registry. The robust website has provided transparency for both parties surrounding contracts and dollars made by student-athletes through the use of their NIL. Although implementing NIL Assist has facilitated in mitigating bad actors, there is still a rising concern about protecting student-athletes' interests and upholding contractual obligations. Providing amplified congressional safeguards for student-athletes in the evolving world of NIL would ensure that student-athlete well-being is protected and NIL Service Providers are guaranteed to follow through on financial commitments.

Furthermore, the work of NIL Assist would greatly benefit from a uniform federal law surrounding NIL activities. With there being over 30 different sets of state laws, it is very difficult to keep track of various rules. Additionally, having a patchwork of NIL regulations creates an unlevel playing field where uniformity is nearly impossible. Additionally, Division I SAAC's current Atlantic Coast Conference (ACC) Representative Matthew Dennis describes how NIL has influenced the world of college football:

> As a 5th year graduate student and football player (kicker) at Wake Forest University, I have seen the immense changes in college athletics during my tenure as a student-athlete. NIL has created numerous opportunities for student-athletes nationwide including myself. With federal NIL laws in place, seeking new opportunities at other institutions would be seamless and regulated. That being said, a unified NIL law would make transfer between NCAA institutions seamless

and consistent for student-athletes to partake in NIL deals regardless of geographic location.

Therefore, standardized NIL regulations would provide student-athletes and their institutions with the essential guidelines needed to protect student-athlete well-being.

Congressional leaders, as the elected representatives of student-athletes across the nation, we plead that you take action that would support federal legislation addressing student-athlete employment status, provide a safe harbor for the NCAA and unify regulations surrounding name, image, and likeness (NIL). We, the student-athletes, are ready and enthusiastic to work with you to ensure that the perspectives and concerns of student-athletes nation-wide are effectively represented in the legislative process. We value your focus on this important issue and look forward to continuing the conversation.

Thank you for your public service and your commitment to improving college sports.

Sincerely,

NCAA DIVISION I
SAAC

Dear Chairman Bikirakis,

On behalf of the NCAA Division III Student-Athlete Advisory Committee (SAAC), we urge you to pass legislation that protects opportunities for student-athletes like us now and into the future. The state of college athletics is an ever-changing one, and we look to you to provide stability to this landscape to further protect our experiences and the experiences of those to come after us. Our goal is to leave Division III better than when we arrived, and we need federal legislation to do so. **By passing legislation that ensures student-athletes remain student-athletes and not employees, establishes uniform commonsense rules for schools, conferences, and associations, and stabilizes the NIL landscape, you will not only strengthen our athletic experience but also preserve it for future generations.**

As members of Division III SAAC, we are charged with representing and strengthening the voices of our peers on issues that impact student-athletes across our institution. We recognize the current college sports environment is uncertain and we believe it is important our voices are heard along with our peers at Divisions I and II. With the rising threats against our programs and institutions, we respectfully ask that you support national legislation that protects our uniquely American system of college sports, and **we urge you to pass legislation that would declare a special status for student-athletes so that we do not become employees of our institution.**

Below are individual statements from several of our current and former student-athlete leaders on SAAC, highlighting what it has meant to us to be Division III student-athletes and why federal legislation is needed to protect us and future Division III attendees.

Morgan Shaw
Cross Country, Willamette University (Oregon)
"I chose Division III for the opportunities it provided me, for the focus on academics that it has allowed, while simultaneously pushing me to athletic achievement. Division III has given me the space to learn and grow, to be a person first and foremost, a student, and an athlete, all while driving me to grow in all aspects of who I am. I came out of high school running hoping that any team would take me, as I was not yet ready to give up on my love of competition. However, I also knew I wasn't statistically good enough for a lot of places to want me. Willamette offered me a place where I could thrive through individual competition and create the academic future that I so desired. Yet this would never have been a possibility had the NCAA followed an employment model regarding collegiate athletics. I would have become another number, another statistic, and a drain for a university looking to maximize capital through the employment of athletes."

Tanner Rowland
Tennis, University of California, Santa Cruz

"As a former Division III student-athlete, I highly encourage you to oppose any legislation or policy proposals recognizing student-athletes as employees. Enforcing a mandated employment system on student-athletes fundamentally undermines the academic and student-focused components of the student-athlete experience, while threatening the financial viability of smaller university athletic departments. This change would jeopardize the existence of NCAA Division III athletics and its core philosophy of prioritizing the student-athlete academic experience."

Zack Durr
Track & Field, Vermont State University Castleton
"I've had the opportunity to thrive as a student leader on my campus largely due to the structure of being a Division III student-athlete. I serve as the Senior Class of 2025 President, the Student Government Association Vice President, and the Student-Athlete Advisory Committee President, along with multiple other roles at VTSU Castleton. I've been able to effectively serve the students on my campus within these roles because of the flexibility and amateur status that being a collegiate student-athlete provides. The NCAA's amateurism model allows for flexibility in the student-athlete experience and is ultimately responsible for my ability to thrive in each domain I've served in on my campus. Simultaneously continuing to compete in my sport while serving the VTSU Castleton community for hundreds of hours each academic year has been unforgettable, and this wouldn't be possible if I was considered an employee of my institution as a student-athlete. I couldn't imagine my experience as a Division III student-athlete any differently, and I believe our elected officials must continue to allow student-athletes to prosper because of our current amateur status. I urge Congress to pass legislation to maintain the amateurism model that exists across intercollegiate athletics, which will allow student-athletes to continue to make an impact on their campuses all across our nation."

John Langan
Baseball, Cornell College (Iowa)
"By providing protections on the sanctity of the "student-athlete" role, you not only save student-athletes the troubles that potential employment brings such as taxes, loss of financial aid, or cutting of programs due to the reality of budgets, you also keep our institutions running and allow them to provide world-class experiences to not only play our sport but grow as people. College athletics have been such an impactful part of my life, from the lifelong relationships to the overall professional and personal development I have undergone as a student-athlete that sets my experience leagues above my peers. College sports is truly one of the most transformative experiences that is nothing shy of world-class. The ability to step onto a campus in Mount Vernon, Iowa from Tucson, Arizona and knowing that I have 60 teammates that will help push me to succeed - working closely with our athletic department to reach my academic and athletic goals, as well as being able to immerse myself in the culture of my college - I wouldn't trade that for anything. I urge you to pass legislation to further the experiences I've had for generations to come."

Lillian Case
Field Hockey, Juniata College (Pennsylvania)
"Legislation to protect our student-athlete status is imperative at the Division III level because most of our institutions' enrollment is made up of student-athletes. Many DIII schools have a student body that is over 50% student-athletes, so asking athletic departments to pay their

student-athletes as employees is not feasible. I took advantage of the experience DIII provides and graduated with a 4.0 GPA, was captain of my field hockey team, and was also involved in every aspect of campus from being a tour guide, to working in tutoring, to leading our Digital Media Studio, and beyond. I urge you to pass legislation that protects special status, stabilizes the NIL landscape, and establishes uniform commonsense rules so that future student-athletes continue to have the opportunities I did. Division III is special and so is being a student-athlete, but passing legislation is the way to ensure it is possible for a stable future."

Student-athletes are the biggest stakeholders in collegiate athletics, and Congress is the only body that can stabilize its' legal environment to provide student-athletes with a fair, inclusive, and consistent experience. Division III SAAC represents student-athletes from across the nation, and our members would welcome any conversation with elected representatives to provide additional information.

Kind regards,

Lillian Case
Division III Student-Athlete Advisory Committee Chair
Juniata College

The Honorable Yvette Clarke
U.S. House of Representatives
2058 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Troy Carter
U.S. House of Representatives
442 Cannon House Office Building
Washington, D.C. 20515

The Honorable Lucy McBath
U.S. House of Representatives
2246 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Marilyn Strickland
U.S. House of Representatives
1708 Longworth House Office Building
Washington, D.C. 20515

The Honorable Sydney Kamlager-Dove
U.S. House of Representatives
1419 Longworth House Office Building
Washington, D.C. 20515

February 17, 2025

Dear Chairwoman Clarke & Members of the Congressional Black Caucus:

The Central Intercollegiate Athletic Association (CIAA), Mid-Eastern Athletic Conference (MEAC), Southern Intercollegiate Athletic Conference (SIAC), and Southwestern Athletic Conference (SWAC), represent Historically Black Colleges & Universities within Divisions' I and II of the National Collegiate Athletic Association (NCAA). As members of the NCAA, our four Conferences include 48 institutions spanning nearly twenty states. We serve 15,000 student athletes, and bring together millions of HBCU alumni, fans and communities in celebration of our rich history and traditions.

While there have been historic changes recently in collegiate sports to support student-athletes overall, opportunities for our predominantly Black students at our institutions are at risk. Pending regulatory decisions and litigation threaten to change the face of college sports devoid of our input and, more importantly, without the voices of our student athletes, administrators and us as commissioners leading our conferences being considered. *To ensure that college sports broadly – and HBCU sports especially – can continue to thrive, it's essential that Congress allow for consistent and nimble national governance and affirm that student-athletes are not designated as employees of their universities.*

There continues to be a growing patchwork of state laws impacting college sports and creating disparities and confusion among our prospective and current student-athletes. The disparate laws and increasing court decisions have made it difficult for conferences like ours to continue to provide developmental and competition opportunities for member institutions and student-athletes. Retention is also a challenge within our HBCU student athlete population due to increasing differences in state laws and legal activity that have all but eliminated a level playing field.

At the same time, we are witnessing ongoing efforts to classify student-athletes as employees. Like the majority of our mid-major and Division II peers, most HBCUs do not generate significant revenue and rely heavily on school appropriated funds and donations. Classifying student-athletes as employees would have a devastating impact on our athletic programs and schools, and in some cases lead to the elimination of intercollegiate athletics.

Amid these looming outside threats, there has also been significant internal transformation during President Charlie Baker's first two years leading the NCAA. Recent initiatives and enhancements including membership funded sports injury health coverage for all college athletes for up to two years after graduation, student-athletes' access to mental health services, financial literacy training, health and well-being benefits, scholarship protections, and degree completion funding are bettering the student athlete experience. While we are working tirelessly to advocate for and protect all that we have accomplished with our HBCU campuses, we need your support and understanding in the value of affirming that student-athletes are not employees of their universities and in pre-empting state law and providing limited safe harbor protections to create clear and fair playing fields for HBCU student-athletes.

Over the past few years we have made efforts to meet with members of Congress and the Congressional Black Caucus to share the HBCU sports community's views regarding the passage of federal legislation for intercollegiate athletics. We continue to stand ready to engage as resources and as part of the dialogue on the important issues impacting HBCU intercollegiate athletics. We would like to invite Chair Clarke and/or members of her leadership team to discuss the important role the Congressional Black Caucus can play in protecting future opportunities for HBCU schools and student-athletes. Please let us know if there is a time in February or March that would be convenient to meet in-person or virtually.

Thank you again for your consideration and for your continued support of HBCU communities.

Kind regards,

Commissioner Jacqie McWilliams
Central Intercollegiate Athletic Conference

Commissioner Anthony Holloman
Southern Intercollegiate Athletic Conference

Commissioner Sonja Stills
Mid-Eastern Athletic Conference

Commissioner Charles McClelland
Southwestern Athletic Conference

Cc:

The Honorable Alma Adams
The Honorable Angela Alsobrooks
The Honorable Gabriel Amo
The Honorable Joyce Beatty
The Honorable Wesley Bell
The Honorable Sanford Bishop
The Honorable Lisa Blunt Rochester
The Honorable Cory Booker
The Honorable Shontel Brown
The Honorable Janelle Bynum
The Honorable Andre Carson
The Honorable Troy Carter
The Honorable Sheila Cherfilus-McCormick
The Honorable Yvette Clarke
The Honorable Emanuel Cleaver
The Honorable James Clyburn
The Honorable Herbert Conaway
The Honorable Jasmine Crockett
The Honorable Danny Davis
The Honorable Donald Davis
The Honorable Dwight Evans
The Honorable Cleo Fields
The Honorable Shomari Figures
The Honorable Valerie Foushee
The Honorable Maxwell Frost
The Honorable Al Green
The Honorable Jahana Hayes
The Honorable Glenn Ivey
The Honorable Jonathan Jackson
The Honorable Hakeem Jeffries
The Honorable Henry Johnson
The Honorable Sydney Kamlager-Dove
The Honorable Robin Kelly
The Honorable Summer Lee
The Honorable Lucia McBath
The Honorable Jennifer McClellan
The Honorable Lamonica McIver
The Honorable Gregory Meeks
The Honorable Kweisi Mfume
The Honorable Gwendolynne Moore
The Honorable Joseph Neguse
The Honorable Eleanor Norton
The Honorable Ilhan Omar
The Honorable Stacey Plaskett
The Honorable Ayanna Pressley
The Honorable Robert Scott
The Honorable David Scott
The Honorable Terry Sewell
The Honorable Lateefah Simon
The Honorable Marilyn Strickland
The Honorable Emilia Sykes
The Honorable Bennie Thompson
The Honorable Ritchie Torres
The Honorable Sylvester Turner
The Honorable Lauren Underwood
The Honorable Marc Veasey
The Honorable Raphael Warnock
The Honorable Maxine Waters
The Honorable Bonnie Watson Coleman
The Honorable Nikema Williams
The Honorable Frederica Wilson

SCS SAVING COLLEGE SPORTS

June 12, 2025

The Honorable Gus Bilirakis
Chairman
Commerce, Manufacturing, and Trade Subcommittee
2306 Rayburn House Office Building
Washington, DC 20515

The Honorable Jan Schakowsky
Ranking Member
Commerce, Manufacturing, and Trade Subcommittee
2408 Rayburn House Office Building
Washington, DC 20515

Letter for the Record: Winning Off the Field: Legislative Proposal to Stabilize NIL and College Athletics

Dear Chairman Bilirakis and Ranking Member Schakowsky:

Thank you for holding today's hearing, "Winning Off the Field: Legislative Proposal to Stabilize NIL and College Athletics." This is a pivotal time in the fight to save college sports and student-athlete rights, and we know that this hearing and your draft legislation will help set the stage for the important work that must be done in Congress.

Saving College Sports is an organization dedicated to protecting student athletes and creating a system that is fair, stable, and profitable. Just this week, the long-awaited *House v. NCAA* case reached a settlement. Yet, our college sports system is drawing nearer to the brink of collapse than ever before. Since January of 2025, in anticipation of the *House v. NCAA* settlement, the University of Michigan announced cuts to its athletic program, Grand Canyon University will no longer offer men's volleyball, Cal Poly will discontinue men's and women's swimming and diving, and the legal challenges continue.[1] We consider this a call to action. The time to save college sports is now.

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[1] *See* Aaron McMann, *Michigan to downsize athletic department after House settlement approved*, Michigan Live (June 9, 2025), https://www mlive.com/wolverines/2025/06/michigan-to-downsize-athletic-department-after-house settlement-approval html; Amanda Christovich, *'What Just Happened': Inside the Abrupt End of Grand Canyon Men's Volleyball*, Front Office Sports (May 10, 2025), https://frontofficesports.com/grand-canyon-mens-volleyballdiscontinuation; Jeffrey D. Armstrong, *Letter from President Armstrong on Budget and Organizational Changes*, Cal Poly Athletics (March 7, 2025), https://gopoly.com/news/2025/3/7/swimming-and-diving-cal-poly-discontinuesswimming-diving-effective-immediately.aspx; Dan Murhpy (@danmurphyESPN), X (June 11, 2025, 1:08 PM), https://x.com/danmurphyespn/status/1932847398612832343?s=46&t=pCDTVB3qXISHqcoyfm0SLw

Saving College Sports applauds your efforts to meet the urgency of this moment, and we strongly support the draft legislation that the Committee released earlier this week as a critical first step. While we understand that this is the first stage of an iterative process that will include necessary efforts from the Education & Workforce and Judiciary Committees, our organization is encouraged to see that the following concepts are a part of the initial draft: the right for students to have representation; limited protections for students availing themselves of agents; creating requirements for institutions to provide academic support, career counseling, medical and health benefits, mental health counseling, and insurance; creating transparency for student athletes in the NIL marketplace; and keeping the Federal Trade Commission out of College Sports.

Our organization stands ready to work with the Committee to address other critical issues such as: (1) providing additional protections for students from predatory agents, including a commission cap for any NIL compensation received by student athletes; (2) creating rules on eligibility, transfer, roster size, in and out of season practices and team activities, and recruiting; (3) establishing a new governing body for College Sports; and (4) instituting a ban on collectives.

Saving College Sports also greatly welcomes the opportunity to work with the House Judiciary Committee to help craft an appropriate antitrust exemption and an update to the Sports Broadcasting Act of 1961 to allow for distributing and selling television rights related to college athletics. Central to our mission, we are eager to support the Education & Workforce Committee with potential solutions that keep student athletes *students*, and do not classify them as employees, while fully supporting their mental, physical, and financial wellbeing.

Our national intercollegiate athletics system is unreplicated and unparalleled anywhere in the world. It now provides an opportunity to more than 532,000 student-athletes annually and has trained the winners of 329 medals in the Paris Olympics. This system remains core to the strength and success of our nation. It develops leadership, work ethic, toughness, and competitive spirit, and provides the promise of education and social mobility to many who otherwise would not enjoy such opportunities.

This isn't just about the premier and highest-profile programs. All of this must be done in a manner that is maximally inclusive of the 134 Football Bowl Subdivision schools, ensuring that no institution is left behind. We understand that college football and men's college basketball generate significant revenue, enabling institutions to fund women's sports and Olympic programs, which we need. We cannot allow the system to fall apart on our watch. It isn't an option and isn't in the American spirit.

We can save college sports. But to do so, we must approach the issue, in Teddy Roosevelt's words, "with courage, in a spirit of fair dealing, with sanity and common sense." Once again, we applaud the Subcommittee's leadership on this issue over the past few Congresses under your stewardship. We stand ready to do everything we can to help build a better solution that meets our shared goals: protecting students and enabling them to create a better future through athletics.

Sincerely,

David Polansky
Executive Director
Saving College Sports

Enclosures:

1. Aaron McMann, *Michigan to downsize athletic department after House settlement approved*, Michigan Live (June 9, 2025), https://www.mlive.com/wolverines/2025/06/michigan-todownsize-athletic-department-after-house-settlement-approval.html.
2. Amanda Christovich, *'What Just Happened': Inside the Abrupt End of Grand Canyon Men's Volleyball*, Front Office Sports (May 10, 2025), https://frontofficesports.com/grand-canyon-mensvolleyball-discontinuation.
3. Jeffrey D. Armstrong, *Letter from President Armstrong on Budget and Organizational Changes*, Cal Poly Athletics (March 7, 2025), https://gopoly.com/news/2025/3/7/swimming-and-diving-calpoly-discontinues-swimming-diving-effective-immediately.aspx.

Enclosure 1:

Michigan to downsize athletic department after House settlement approval
Aaron McMann, Michigan Live
June 9, 2025
https://www.mlive.com/wolverines/2025/06/michigan-to-downsize-athletic-department-after-housesettlement-approval.html

The University of Michigan athletic department is planning a 10 percent reduction in staff following the recent House settlement that will allow schools to pay student-athletes.

In a letter to fans, alumni and supporters on Monday, athletic director Warde Manuel detailed the department's plans to rein in its spending and cost-cutting measures to help fund a projected $27 million budget deficit for the 2025-26 academic year.

Of the nearly $27 million in new money, $20.5 million will go to student-athletes under the new settlement approved Friday by Judge Claudia Wilken. Manuel said previously up to 75 percent of that money could go to the football team, with another 5 to 15 percent to men's and women's basketball teams.

The settlement also caps roster limits but allows schools to fund unlimited scholarships, and Michigan plans to add 82.1 new scholarships across 19 sports this fall at a cost of roughly $6.2 million.

"We will support our student-athletes with the full amount allowed each year to remain competitive for Big Ten Conference and National championships," Manuel wrote in the letter.

"Steeping the costs," Manuel wrote, Michigan will only host six home football games this fall, down from the eight in 2024, representing a $19.1 million year-over-year decline in revenue.

As a result, Michigan athletics has committed to $10 million in budget cuts for the coming year, through adjustments to its travel policy and not filling selected jobs when [sic] they become vacant, and worked with the school to reduce its allocation of TV revenue from $8 million to $2 million.

Those measures alone have helped shave $12 million from the deficit, creating a need for only $15 million in the upcoming year.

Over time, Manuel says, the Michigan athletic department "will gradually decline in number through two methods: attrition, with a long-term goal of 10 percent reduction in total staff, and through a stricter approval process for new hires."

Michigan generated $2.25 million in new money in 2024 through alcohol sales at Michigan Stadium, Crisler Center and Yost Ice Arena and will host its first-ever concert in the football stadium this fall, country singer Luke Bryan on Sept. 27. In the letter, Manuel touted past events

at Michigan Stadium, including international soccer matches and the 2014 NHL Winter Classic, as having generated between $750,000 and $3 million each.

"We will continue to evaluate other opportunities to generate additional revenue through the department," Manuel wrote. "These changes have been a tremendous undertaking for our department, but we know they are just the beginning. We ask for your continued support and understanding, and we welcome your questions, comments, and concerns."

Enclosure 2:

'What Just Happened': Inside the Abrupt End of Grand Canyon Men's Volleyball
Amanda Christovich, Front Office Sports
May 10, 2025
https://frontofficesports.com/grand-canyon-mens-volleyball-discontinuation

Grand Canyon University boasted one of the nation's most successful men's volleyball teams, coming off a Final Four berth in 2024 as well as multiple coach and player accolades. But in a brief, optional meeting called for April 28, the Monday after their season ended, the entire team was abruptly told the program had been cut.

Coaches found out just minutes before the players in a separate meeting and were not allowed to join the player meeting. Players and coaches weren't just devastated but also confused, they told *Front Office Sports*.

The team's annual budget was modest, and changes to college sports, like revenue-sharing and conference realignment, weren't anticipated to dramatically increase the team's operating costs. What's more, the program had established a monopoly on Division I men's volleyball talent in Arizona, one of the hotbeds of the nation's fastest-growing team sport.

On April 28, the university issued a four-paragraph public statement, which referenced "a rapidly evolving college athletics landscape," and said "the move will allow GCU to focus on supporting its remaining 20 athletic programs at the highest levels in their respective conferences." Administrators did not elaborate when asked by coaches and players.

The team appears to be one of the earliest Olympic sports casualties of the upcoming House v. NCAA settlement era, in which athletic departments use the settlement's new compensation requirements (including sharing revenue with players) as justification to cease funding what they deem "non-revenue sports." Cutting Olympic sports could have far-reaching consequences, as the NCAA represents one of the world's strongest Olympic pipelines. GCU's discontinuation suggests no program is safe.

The threat of sports cuts is "a very serious thing for these smaller programs on campuses, no matter how big or how good they are," GCU junior men's volleyball player Jaxon Herr tells *FOS*. "These universities nowadays only care about basketball and football. That's their main priority."

But GCU is also an example of how these teams, as well as their fan bases and surrounding sports communities, aren't going down without a fight.

The GCU men's volleyball team meeting was called just a few days before and described by an athletic department administrator as "optional," as many players already had plans to leave campus for the summer.

Players said they lifted weights and ate breakfast together before heading to the meeting that, by all accounts, ended up being the most consequential one of their college careers.

Athletic director Jamie Boggs took just two questions from the players, they said, and then left them with the campus pastor. Herr said: "We were kind of sitting in the room twiddling our thumbs—and wondering what the hell just happened." In a written statement to FOS, the university said athletic department officials stayed to answer all the players' questions.

When the school simultaneously put out its statement, four incoming recruits and two players who had already returned home learned their fate on social media, players say. Herr notes two students were busy taking makeup final exams, and at least one other was listening to the meeting on FaceTime.

Players were left with life-altering choices: Stay at Grand Canyon and play club volleyball or hit the transfer portal. Recruits would have to scramble to find new homes before they even got to freshman orientation. They told *FOS* they felt blindsided and disrespected by Boggs and the GCU administration.

Boggs declined an interview request with *FOS* for this story.

Assistant coach Bryan Dell'Amico, who served as co-interim head coach, is concerned that Grand Canyon is one of the first schools to use a common justification for defunding Olympic sports, and that others could follow suit.

The first question the players asked: Why? Boggs told them there was "no good reason," players say. The university clarified to *FOS* that Boggs meant there was no good reason to provide to the players at that time, and reiterated that the decision was motivated by changes in college sports (likely referencing the upcoming House v. NCAA settlement, which would allow D-I programs to pay players and offer unlimited scholarships, among other things). The university also said the reasoning included a move to a new conference, as well as the desire to direct resources to other teams and the fact that only a small number of programs sponsor varsity men's volleyball.

But coaches and players noted those reasons didn't make much sense to them. "If it is a money thing, I don't understand how it relates to us," Herr says. "If it is a conference thing, I don't understand how it relates to ours." Freshman Connor Oldani agreed the financial justification didn't make sense.

In reality, conference realignment wouldn't have impacted men's volleyball at all. The school is moving from the Western Athletic Conference to the Mountain West—neither of which sponsors

men's volleyball—but the team competes in the Mountain Pacific Sports Federation, which provides a home for myriad high-level Olympic sports teams including power conference programs. That wouldn't have changed.

The financial picture makes the decision more questionable: The team's 2025 budget was only $300,000,
Dell'Amico said—a fraction of the $30 million in revenue the program reported to the Department of Education in 2024. The team contributed major revenue of its own, drawing the second-highest attendance of any sport at GCU behind men's basketball, Dell'Amico says. This year, the Antelopes drew 2,500 for a USC match, selling tickets for $10 a piece—generating a quick $25,000. For BYU, they upped the price to $15 apiece.

The House v. NCAA settlement will undoubtedly raise costs for D-I schools—though likely would not have for GCU men's volleyball. But Dell'Amico said he was told the team wouldn't be receiving any of the extra resources the settlement allows, whether through revenue-sharing dollars or extra scholarships. (In fact, because the team offered only 4.5 scholarships, the vast majority of players on the team were paying their own way through GCU, effectively saving the university money, Dell'Amico notes.)

But by all accounts, GCU was in a good financial position, even by its own admission. In March, the school announced it would participate in the settlement, boasting the school's "successful financial model," and listed half a dozen revenue streams to fund House settlement payments. The athletic department is also expected to earn more money when it joins the Mountain West, a more lucrative conference, in 2026. (GCU men's volleyball was slated to stay in the MPSF.)

Says Dell'Amico: "Why would you do this to these kids when it's literally pennies for them?" Members of the greater volleyball community, especially those in Arizona—one of the sport's hotbeds— are putting up a fight with a social media campaign that includes a Change.org petition, a GoFundMe, and an Instagram account called "saveGCUmvb." Multiple local-media outlets have covered the team's story, prompting the athletic department officials to ask Dell'Amico about the "narrative" that players and coaches have offered to the media, he says. Meanwhile, the petition has garnered more than 20,000 signatures.

"I think it's so cool that we have so many people that are supporting us," Herr says.

Players could have other recourse: There have been rumors of a lawsuit, though nothing has been filed to date. Litigation was, in fact, a successful tactic for many Olympic sports programs that got cut during the COVID-19 pandemic, when athletic departments claimed budget shortfalls made it impossible to fund their sports. Several were filed as Title IX—or gender equity—lawsuits, and in many cases men's sports teams were reinstated alongside the women's sports teams who sued to get their teams back. (Grand Canyon is still fielding a women's volleyball team.)

For now, however, most of them are entering the transfer portal, and coaches are hunting for new jobs. "At this point, we've all kind of realized that the program isn't coming back," Oldani says,

adding he isn't sure any of the players would want to play for GCU after the way they've been treated.

Either way, the GCU situation shows that threats to cut Olympic sports teams—especially because of changes to the college sports business model—may be met with more pushback than administrators ever anticipated.

Enclosure 3:

Letter from President Armstrong on Budget and Organizational Changes
Jeffery D. Armstrong, Cal Poly
March 7, 2025
https://gopoly.com/news/2025/3/7/swimming-and-diving-cal-poly-discontinues-swimming-divingeffective-immediately.aspx

I am writing to follow up on my budget email from earlier this month. As you know, we are living in unprecedented times, which require bold and strategic action. Despite these challenges, I remain incredibly optimistic about the future of Cal Poly and confident in the strength of our students, faculty, staff, alumni and supporters. Our university is well-positioned to fulfill its mission and build upon its success, even in turbulent times.

Cal Poly has long relied upon its Learn by Doing philosophy, and now is the time to double down on that approach. As a residential campus, we must remain committed to hands-on learning while also focusing on operational excellence. To protect the academic mission of the university, we must continually assess our administrative structure to ensure it supports rather than hinders our goals. As Cal Poly evolves, our administrative framework must also adapt to best serve our faculty, staff and students.

With that in mind, I am announcing the following organizational changes and efficiencies to create better alignment in many of our business processes across campus. All impacted individuals and divisions have been informed, as it is essential to engage directly with those affected to address questions and concerns.

Organizational Changes

- Student Affairs & Strategic Enrollment Management

The divisions of Student Affairs and Strategic Enrollment Management will be unified under a single vice president, Terrance Harris, effective no later than July 1, 2025. In this new role, Terrance will report directly to me. This alignment will bring together two outstanding divisions that work in tandem to support student success. The change will allow us to fully benefit from having a single division oversee the entire lifecycle from student prospect to graduate. The new division's name will be determined through a collaborative process led by Terrance Harris and Cindy Villa.

I want to express my deep appreciation to Terrance for stepping into this expanded role. I am equally grateful to Cindy for her dedication in delaying her retirement to serve as interim vice president of Student Affairs over the past few months. Additionally, Cindy has agreed to continue in a part-time capacity during the transition, providing critical support to the division and Terrance.

- Research

As we look forward, the Division of Research will be integrated into Academic Affairs no later than July
1, 2025. In addition, Research will no longer be led by a vice president-level position (currently only two CSU campuses have vice presidents for research). These changes are not a reflection of diminished importance, but rather a strategic step to create greater efficiencies, while better aligning research with academic priorities and ensuring its continued growth and impact.

When the Division of Research and Economic Development was established several years ago, it laid the foundation for many successes. Since then, our economic development efforts have expanded significantly, particularly externally, leading much of this work to be incorporated into the Office of the President.

In partnership with Academic Affairs and Administration and Finance, Interim Vice President for Research Dawn Neill will collaborate with Huron Consulting, a management consulting firm specializing in higher education, who will provide a third-party assessment focused on efficient operations while continuing to support and elevate research and the Teacher Scholar Model.

It bears repeating that research remains critical to advancing the Teacher Scholar Model and strengthening Learn by Doing. At the same time, Cal Poly does not aspire to R1 or R2 Carnegie Classification, nor does the university seek to offer PhD programs.

I want to express my gratitude to Dawn Neill for her leadership to the Division of Research and through this transition.

Alignment Initiatives (Efficiency and Effectiveness)

- Housing Operations

Earlier this academic year, Allison Baird-James and Cindy Villa met with our housing team to announce the realignment of operations under the Division of Administration and Finance effective July 1, 2025. While residential life and student success programs will remain within Student Affairs (or the newly named division), operational and financial functions related to housing will shift to Administration and Finance.

- Payroll

In late January, Payroll transitioned to University Personnel's Human Resources unit. This new structure provides more efficient (end-to-end processes) management of day-to-day operations

together within one management team. In addition to improved alignment of objectives and strategies, this change will ensure greater effectiveness and further enhance customer service in addition to supporting the newly created Employee Shared Services Center on campus.

- Maritime Academy & Cal Poly

As we continue integrating the California State University Maritime Academy with Cal Poly, we are expanding our geographical and academic responsibilities across the four Pacific-facing states (Alaska, Hawaii, Washington, Oregon), Guam and Samoa. To strengthen relationships with governmental and private entities associated with the maritime industries, Bill Britton will serve as Executive Director of the Solano Campus and Maritime Academy Initiatives, under the leadership of Vice President Jessica Darin and the soon-to-be-named Vice President/CEO of the Cal Poly Solano campus.

- Noyce School of Applied Computing

The Digital Transformation Hub (DxHub, powered by AWS) and the Cybersecurity Institute (CCI), along with several of their signature programs (e.g. Cleared for Success and the Cal Poly 5G Innovation Lab) will now be administratively housed within the Noyce School of Applied Computing effective July 1, 2025. These are initiatives Bill Britton shepherded, prior to assuming responsibilities associated with the
Maritime Integration. Dustin DeBrum and the teams with DxHub and CCI will transition to the school under the leadership of Chris Lupo. This strategic realignment will allow for greater synergies and efficiency in support of student success.

This strategic realignment will allow for greater synergies with efforts and partnerships already underway in the College of Engineering consistent with our commitment to Learn by Doing, student success and workforce development. This Spring, Provost Jackson-Elmoore will be collaborating with Chris Lupo and Bob Crockett to provide opportunities for engagement on ways in which this more intentional coupling of the DxHub and CCI with the College of Engineering and Noyce School of Applied Computing can continue to drive innovation and provide academic opportunities.

- Athletics

Cal Poly Athletics announced today that Cal Poly's men's and women's swimming and diving programs will be discontinued effective immediately. While this is disappointing news to share, the financial realities made the decision unavoidable.

Cal Poly Director of Athletics Don Oberhelman met with the impacted student-athletes, coaches and staff to share this news. While the Swimming and Diving program is discontinued, student-athletes that were in the program will have their scholarships and commitments honored throughout their time at Cal Poly or have the option to enter the transfer portal. For additional information refer to the Athletic FAQ.

Unfortunately, Cal Poly is not immune to the rapidly evolving and changing NCAA Division I landscape, which presents many challenges and uncertainties for collegiate athletics programs. The House vs. NCAA settlement, which addresses past and future compensation for student athletes related to name, image and likeness (NIL) rights, will have a significant financial impact – resulting in a loss of at least $450,000 per year for our programs. This comes amid additional national class-action lawsuits pending against the NCAA, further compounding financial and operational challenges for collegiate athletics.

I want to be clear that we remain committed to the student-athlete model and excelling both in the classroom and in athletic competitions. However, that requires us to make difficult decisions, such as today's, to maintain and sustain a viable athletics program. At this time, no other Cal Poly sports programs are at risk of being discontinued. However, the university continues to look at roster management to ensure we field the most competitive teams while providing a top-tier experience for our student-athletes.

- Administrative Reductions & Future Goals

The changes I've announced today are designed to enhance efficiency by streamlining administrative roles and business processes. I understand that transitions like this, and the resulting changes, can be difficult and unsettling for some. However, embracing change is healthy and helps safeguard the university's future in uncertain times.

Importantly, we recognize that student success cannot happen without the success of our faculty and staff. It is imperative that we remain focused on the key priorities I outlined for the university's growth and sustainability. Moving forward, we will continue to prioritize:

- Expanding access to hands-on learning opportunities for students and expanding the Teacher Scholar Model for faculty
- Strengthening faculty and staff support through salary equity programs, as well as housing, and childcare
- Enhancing financial sustainability through revenue generating and fundraising opportunities
- Advancing our mission to serve the breadth and diversity of California

By staying committed to these priorities balanced by cost containment, we will ensure Cal Poly remains a leader in higher education into the future.

Closing Thoughts

I am as excited as ever about Cal Poly's future. Our institution's success is driven by our incredible students, faculty and staff who embody Learn by Doing every day.

Thank you for your continued commitment to our students and our mission. Together, we will navigate these challenges and ensure a strong future for Cal Poly.

June 12, 2025

The Honorable Gus Bilirakis
Chairman
Subcommittee on Commerce,
Manufacturing and Trade Washington,
D.C. 20515

The Honorable Jan Schakowsky
Ranking Member
Subcommittee on Commerce,
Manufacturing and Trade
Washington, D.C. 20515

RE: Letter for the Record: "Winning Off the Field: Legislative Proposal to Stabilize NIL and College Athletics"

Dear Chairman Bilirakis, Ranking Member Schakowsky, and Members of the Subcommittee,

On behalf of the American Volleyball Coaches Association, College Swimming and Diving Coaches Association, Collegiate Rifle Coaches Association, Collegiate Rowing Coaches Association, Collegiate Water Polo Coaches Association, Intercollegiate Women's Lacrosse Coaches Association, National Fastpitch Coaches Association, National Field Hockey Coaches Association, National Wrestling Coaches Association, U.S. Fencing Coaches Association, and U.S. Track & Field and Cross-Country Coaches Association, thank you for the opportunity to share our perspective as you consider legislative solutions to address the evolving college sports landscape. The release of the *Student Compensation and Opportunity through Rights and Endorsements (SCORE) Act* discussion draft and today's hearing are important steps forward in providing much-needed stability to college sports, and we applaud you for your leadership.

As representatives of college coaches in broad-based, Olympic sports programs, we understand the importance of addressing the unique challenges faced by our programs. The ability to maintain broad-based sports programs in the transforming world of college sports is increasingly at risk, leaving us gravely concerned about opportunities for present and future student-athletes.

The Importance of Broad-Based Programs

Broad-based sports programs are a cornerstone of college athletics, profoundly benefitting the lives of students, universities, and communities. These programs serve as pathways to higher education, often for individuals who might not have otherwise had access. The core mission of higher education is enhanced by participation in our sports, as they exemplify

excellence in teamwork, leadership, and resilience. Beyond the playing field, our programs play a pivotal role in shaping future leaders, as the majority of student-athletes say that participating in college sports equips them with the skills needed to succeed in life after graduation.

Furthermore, broad-based sports programs at colleges and universities serve as a key pipeline for U.S. Olympic Teams and are critical to maintaining our competitive edge on the global stage. Seventy-five percent of Team USA's 2024 Paris Olympic Team consisted of current or former student-athletes. Unlike our competitors around the world, the United States relies on our schools and universities to produce our Olympic pipeline as opposed to statefunded academies. We lead the world in many Olympic sports precisely because of our college athletics system, and without it, our nation risks losing its global athletic dominance.

House v. NCAA Settlement - A Step Forward for Some

Judge Claudia Wilken's approval of the House v. NCAA settlement marked significant progress in addressing the transforming world of college athletics. However, the settlement falls short in protecting the future of programs outside of football and basketball – programs where 76% of Division I student-athletes participate. The new financial obligations placed on schools will undoubtedly lead to administrators diverting resources away from broad-based sports programs to support football and basketball. This shift is already evident – since the settlement was announced, 36 Division I Olympic sports programs have been eliminated, impacting over 1,000 student-athletes. These decisions occurred before the settlement's approval, and our associations have had direct conversations with administrators who anticipate even more cuts. The approval of the settlement is merely an important step forward for some, and we are concerned that it steers us towards a future of college sports that disproportionately benefits a small fraction of the NCAA student-athlete population while jeopardizing opportunities for others.

Student Compensation and Opportunity through Rights and Endorsements (SCORE) Act

We were encouraged by the release of the *SCORE Act* discussion draft and are grateful for the leadership of Chairman Guthrie and Chairman Bilirakis to bring much-needed clarity and stability to college athletics. We support the bill's efforts to establish clear guidelines, protect the NIL rights of student-athletes, provide medical and health benefits, and preempt state law – policies that are not only necessary but essential to ensuring the long-term sustainability of college athletics. We are particularly supportive of the legislation's provisions to make clear that student-athletes are not classified as employees, as proposals to the contrary would lead to drastic cuts and likely the elimination of most broad-based sports programs altogether. By appropriately addressing the unique relationship between schools and athletes, the *SCORE Act* is taking an important step in protecting the future of broad-based sports programs.

Importantly, a legislative solution must also incorporate two priorities to provide further certainty that broad-based sports programs are not sidelined in the evolving collegiate model:

1. **Maintain current NCAA bylaws on minimum sports sponsorship requirements:** Division I FBS institutions are currently required to sponsor at least 16 varsity sports, while FCS and Division I non-football institutions are required to sponsor a minimum of 14.

2. **Maintain current spending ratios:** Using historical trends, institutions should meet a baseline threshold in allocating their operating budget to sports beyond football and basketball. By codifying proportional spending targets, Congress can safeguard investment in broad-based sports and prevent institutions from eliminating or reducing programs to better serve football and basketball.

These proposals are not new mandates, but rather reaffirmations of the system that schools have voluntarily followed for decades. Congressional support for these provisions would help protect a proven model before it becomes undermined by financial uncertainty. Protecting existing requirements of schools to maintain robust sport sponsorship and a meaningful allocation of resources for non-football and non-basketball programs will ensure a future of college sports that is balanced and equitable for all student-athletes.

Sincerely,

American Volleyball Coaches Association
College Swimming and Diving Coaches Association
Collegiate Rifle Coaches Association
Collegiate Rowing Coaches Association
Collegiate Water Polo Coaches Association
Intercollegiate Women's Lacrosse Coaches Association
National Fastpitch Coaches Association
National Field Hockey Coaches Association
National Wrestling Coaches Association
U.S. Fencing Coaches Association
U.S. Track & Field and Cross-Country Coaches Association

The NCAA Should Be Subject to More Scrutiny, Not Less, in the Face of Decades of Anti-Trust Violations

In the 2021 case *National Collegiate Athletic Association v. Alston*,[1] the Supreme Court unanimously upheld the 9th Circuit's ruling that the National Collegiate Athletic Association's (NCAA) restrictions on "education-related benefits" for college athletes violated antitrust law. This landmark decision led the NCAA to lift its longstanding prohibition on college athletes monetizing their name, image, and likeness (NIL) rights, finally allowing them to receive the fair and equitable compensation that had been denied to them for decades.[2]

For decades, the name, image, and likeness of college athletes have been exploited, leaving them unpaid while schools and large corporations raked in billions of dollars marketing their NIL.

In June 2025, a federal judge granted a settlement between lawyers representing classes of student-athletes worth 2.8-billion-dollars.[3] This settlement compensates athletes for past restrictions on their ability to profit from their NIL, by awarding back damages from 2016 to 2024. Additionally, it establishes a system that ensures that college athletes are paid for their NIL over the next decade.

According to the settlement, the NCAA and its member schools will be protected from future NIL-related lawsuits for the next ten years, unless they violate the provisions outlined in the settlement agreement. If that occurs, the NCAA would once again be subject to NIL-related liability, reaffirming the principle that no institution should be unaccountable to the athletes it profits from.

The Guthrie-Bilirakis SCORE Act discussion draft gives far too much leeway to the NCAA in the face of decades of misconduct and anticompetitive behavior. More specifically, the SCORE Act contains overly broad preemption language and contains a placeholder for a broad liability exemption. The settlement already grants the NCAA and its member schools ten years of immunity from NIL-related lawsuits. Both of these provisions are seemingly intended to allow the NCAA and its member schools to escape accountability in perpetuity.

No Preemption of State or Federal Remedies

Legislation must not preempt student-athletes' ability to bring lawsuits under state or federal laws to protect all of the rights and remedies currently available to them. With the broad language in the SCORE Act, any state or local law related to this legislation would be wiped out. Moreover, the draft removes any protections that "govern[s] or regulate[s] the compensation, payment, benefits, employment status, or eligibility of a **prospective student athlete or student athlete in intercollegiate athletics**". This means any potential claim, beyond those related to

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[1] Nat'l Collegiate Athletic Ass'n v. Alston, 141 S.Ct. 2141 (2021)
[2] https://www.ncsasports.org/name-image-likeness#:~:text=Name%2C%20image%20and%20likeness%20(or,promote%20a%20product%20or%20service.
[3] https://www.cbssports.com/college-football/news/house-v-ncaa-settlement-approved-landmark-decision-opens-door-for-revenue-sharing-in-college-athletics/

NIL, by current or future student-athletes would likely be preempted, including those by high school students simply considering the opportunity to play college sports.
Lawsuits brought by student-athletes are the only reason why the Supreme Court ruled, and student-athletes' NIL rights were changed. To ensure continued protection, student-athletes must continue to be able to use state and federal laws to safeguard their rights in the future.

Student-athletes must also be allowed to pursue private civil actions for any NCAA or its member schools' violations related to NIL, antitrust or other issues. Attorneys general must continue to have the authority to hire private counsel to help with any enforcement efforts, ensuring that violations are properly addressed.

No Liability Exemptions
Historically, antitrust was the only way student-athletes could challenge the NCAA rules, which had previously denied them NIL while allowing the NCAA and its members to profit. The NCAA should not be granted any special immunity or exceptions from antitrust or other laws that apply to every other American business. Additionally, any legislation aimed at standardizing state regulations must not be used to immunize the NCAA from antitrust liability or prevent the NIL market from operating freely like any other competitive market.

As Supreme Court Justice Kavanaugh observed in *NCAA v. Alston*: "Nowhere else in America can businesses get away with agreeing not to pay their workers a fair market rate on the theory that their product is defined by not paying their workers a fair market rate. And under ordinary principles of antitrust law, it is not evident why college sports should be any different. The NCAA is not above the law."[4]

[4] Nat'l Collegiate Athletic Ass'n v. Alston, 141 S.Ct. 2141 (2021)

June 11, 2025

Giulia Leganski, Chief Counsel
Subcommittee on Commerce, Manufacturing, & Trade
House Committee on Energy & Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515

Athletes.org's Comments and Feedback Regarding the "Student Compensation and Opportunity through Rights and Endorsements Act of 2025" or "SCORE Act"

Dear Chairman Guthrie, Members of the Committee, and Committee Staff:

On behalf of Athletes.org, and the thousands of college athletes across the nation, I want to thank you for the opportunity to provide feedback on the Student Compensation and Opportunity through Rights and Endorsements (SCORE) Act.

Athletes.org (AO) is the leading players association for college athletes. We represent over 4,000 active Division I athletes. We empower AO member-athletes by amplifying their voices through member education and advocacy, and providing them with free, on-demand support for the key decisions in their lives.

Athletes.org (AO) supports the overarching goal of establishing a national standard for college athlete rights and protections, and we appreciate the Committee's thoughtful approach in presenting this legislation as a framework and a coordinated tri-committee effort. However, we have significant concerns with the current draft of the SCORE Act. Our feedback is informed by the practical experiences of our members and reflects our commitment to ensuring that any federal legislation meaningfully advances the welfare, equity, and voice of college athletes.

Nevertheless, while we recognize the importance of this Thursday's legislative hearing as a venue for open discussion rather than immediate markup, we believe it is essential to provide substantive feedback to help guide and shape a more equitable and effective policy for college athletes. Please see below for our comments and thoughts on the current draft of the SCORE Act relative to most relevant provisions of the discussion draft that AO has circulated, the "Save College Athletics Act."

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1. **Lack of Collective Bargaining and Athlete Representation.** One of the most critical shortcomings of the SCORE Act is its failure to recognize or provide for collective bargaining rights for college athletes. The bill does not acknowledge players associations or any formal

mechanism for athletes to collectively negotiate the terms of their participation, compensation, or working conditions. This omission is particularly concerning given the increasing recognition—both in public discourse, by industry professionals, and legal precedent—that college athletes deserve a voice in shaping their athletic and academic environments. The absence of collective bargaining rights will likely lead to continued litigation and instability in the collegiate athletics landscape. We strongly recommend that the Committee incorporate the non-employment collective bargaining provisions from the "Save College Sports Act," which offer a balanced approach that preserves the amateurism model while granting athletes meaningful representation.

2. **Support for Preemption and Agent Standards.** We support the SCORE Act's preemption provisions, which aim to create a uniform national framework and eliminate the patchwork of state laws that currently govern name, image, and likeness (NIL) rights and athlete compensation. A consistent federal standard is essential for ensuring fairness and clarity for athletes, institutions, and third-party stakeholders. Additionally, we agree with the bill's provisions regarding agent registration and oversight. The establishment of the College Athletics Corporation (CAC) as a certifying and regulatory body for athlete representatives is a positive step. However, we believe these provisions could be strengthened by aligning them more closely with the standards and enforcement mechanisms outlined in the "Save College Sports Act," particularly with respect to ethical conduct, transparency, and accountability.

3. **International Athlete NIL Rights.** We commend the inclusion of provisions that extend NIL rights to international student-athletes. These athletes have historically been excluded from NIL opportunities due to visa restrictions and regulatory uncertainty. By amending the Immigration and Nationality Act to explicitly permit international student-athletes to engage in NIL activities, the SCORE Act takes an important step toward equity and inclusion. We support this provision and encourage its retention in any final version of the legislation.

4. **Concerns with "Special Non-Employee" Status.** While we understand the intent behind the creation of a "Special Athlete Non-Employee" designation, we are concerned that this status may introduce ambiguity and fail to provide adequate protections for athletes. The bill exempts these athletes from key provisions of the Fair Labor Standards Act and relies on collective bargaining to determine their rights and benefits—yet, as noted above, the bill does not establish a clear path for such bargaining to occur. Without formal recognition of players associations or enforceable bargaining rights, the "Special Non-Employee" status risks becoming a hollow designation that offers neither the protections of employment nor the autonomy of true amateurism. We urge the Committee to clarify this status and ensure that it is accompanied by enforceable rights and representation.

5. **Additional Concerns:** We also have concerns about other provisions in the bill that may warrant further scrutiny. For example, the bill grants significant authority to interstate intercollegiate athletic associations to regulate athlete eligibility, recruitment, and compensation-sharing agreements. While some oversight is necessary, we caution against granting these associations unchecked power without robust safeguards and athlete input. We also recommend reviewing the bill's liability and antitrust exemption provisions to ensure they do not unduly shield institutions or associations from accountability.

Athletes.org is committed to working collaboratively with Congress to ensure that college athletes are treated fairly, protected from exploitation, and empowered to shape their futures. While we oppose the SCORE Act in its current form, we believe it provides a valuable starting point for dialogue and improvement.

We respectfully urge the Committee to revise the bill to include collective bargaining rights, strengthen agent oversight, clarify the status of compensated athletes, and ensure that all provisions are designed with athlete welfare and equity at the forefront. We welcome the opportunity to continue this dialogue and provide further input as the legislative process moves forward.

Sincerely,

/x/

Jim Cavale
President and Co-Founder
Athletes.org (AO)

SEC. 3. PROTECTION OF NAME, IMAGE, AND LIKENESS RIGHTS OF STUDENT ATHLETES.		
The "SCORE Act"	**Athletes.Org's "Save College Athletics Act"**	**Notes, Comments, and Feedback**
SEC. 3. PROTECTION OF NAME, IMAGE, AND LIKENESS RIGHTS OF STUDENT ATHLETES. (a) RIGHT TO ENTER INTO NAME, IMAGE, AND LIKENESS AGREEMENTS — (1) IN GENERAL — Except as provided in paragraph (2), an institution, interstate intercollegiate athletic association, or conference may not restrict the ability of a student athlete to enter into a name, image, and likeness agreement. (2) EXCEPTIONS. — An institution may restrict the ability of a student athlete to enter into a name, image, and likeness agreement that, with respect to the institution at which the student athlete is enrolled or the interstate intercollegiate athletic association or conference of which such institution is a member— (A) violates the institution's code of student conduct; or (B) conflicts with the terms of an agreement or a contract to which the institution is a party. (3) DISCLOSURE — (A) IN GENERAL— Not later than 30 business days after the date on which a student athlete executes or agrees to the terms of payment for a name, image, and likeness agreement, the student athlete shall disclose the terms of such agreement— (i) to the institution at which the student athlete is enrolled; and (ii) if required by an interstate intercollegiate athletic association's rule, to an interstate intercollegiate athletic association of which the institution that the student athlete is enrolled or will be enrolled is a	**SEC. 3. NAME, IMAGE, AND LIKENESS.** (a) In general. An institution of higher education, conference, or intercollegiate athletic association may not punish or prohibit the participation of a college athlete in a college athletic event or college athletic competition based on the college athlete having entered an endorsement contract with a third party. **SEC. 4. SPECIAL NON-EMPLOYEE STATUS FOR SELECT COLLEGE ATHLETES.** **(1) DEFINITIONS.** —Section 203 of the Fair Labor Standards Act (29 U.S.C. § 201) is amended— (A) "Special Athlete Non-Employee" means an athlete at a Division I college or university that receives direct compensation from an institution of higher education. **(2) EXEMPTIONS.** –Section 213 of the Fair Labor Standards Act is amended – (A) The provisions of section 206 and 207 of this title shall not apply with respect to Special Athlete Non-Employees. Without limitation, all matters involving wages, compensation, educational benefits, working conditions, protections, support, training, travel, injury management, discipline and grievances, and any other matters pertaining to their participation in college athletic events shall be determined through collective bargaining pursuant to Section 5 of this Act. **(3) RECOGNITION OF PLAYERS ASSOCIATION.** The Fair Labor Standard is amended – (A) Special Athlete Non-Employees may choose to be represented by a players association certified by the CAC to collectively represent their interests. Only	**Relevant Differences:** • The E&C version permits institutions to restrict NIL agreements that conflict with institutional contracts or codes of conduct, whereas AO's version offers broader protections by prohibiting any punishment or restriction based on NIL participation. • E&C also includes a detailed disclosure framework, including a $600 threshold for mandatory reporting, which AO does not mirror. • AO's approach is more athlete-centric instead of supporting arbitrary mandatory reporting thresholds AO focuses more on a system that enables compensation for athletic performance which, because of the current model, has diluted 'true NIL' deal reporting. • Additionally, E&C allows associations to access NIL data under certain conditions, while AO emphasizes athlete privacy and autonomy. **Practical Concerns.** • The E&C disclosure requirement, especially the $600 threshold, may create unnecessary administrative burdens for athletes with small or one-time deals, potentially discouraging participation in NIL opportunities. • The institutional veto power over NIL deals could be used to suppress deals that are disfavored for non-transparent reasons, undermining athlete autonomy.

member, in accordance with the interstate intercollegiate athletic association's rules and procedures. (B) EXCEPTION — Subparagraph (A) shall not apply to a student athlete who receives less than $600 annually (to be annually adjusted for inflation using the Consumer Price Index for all-urban consumers published by the Bureau of Labor Statistics) in compensation under the name, image, and likeness agreement into which the student athlete has entered. (C) RELEASE OF INFORMATION — (i) An institution may not release any information disclosed by a student athlete pursuant to subparagraph (A) without the express written consent of the student athlete or the agent of the student athlete. (ii) An interstate intercollegiate athletic association may release information disclosed by a student athlete in accordance with section 5(2) of this Act. (b) RIGHT TO REPRESENTATION — An institution, interstate intercollegiate athletic association, or conference may not restrict the eligibility for intercollegiate athletics, or any event or activity relating to intercollegiate athletics, of a student athlete based on the student athlete having obtained an agent.	entities that qualify as "players associations" pursuant to Section 2 of this Act shall be allowed to collectively bargain pursuant to Section 5 of this Act on Special Athlete Non-Employees' behalf. **SEC. 6. NIL FOR INTERNATIONAL COLLEGIATE ATHLETES.** **(1) Definitions.** Section 101(a)(15)(F) of the *Immigration and Nationality Act* (INA) is amended to include student athletes who intend to enter name, image, likeness endorsement contracts for compensation under the definition of nonimmigrant students. **(2) Employment Authorization.** Section 214(m) of the INA is amended to allow nonimmigrant student athletes who are eligible for employment authorization to engage in endorsement contracts and may receive oversight from their institution's school official designated by the Secretary of Homeland Security to ensure compliance.	• There is also a risk that institutions could use vague conduct codes to block legitimate NIL activity. • AO's simpler and more protective framework avoids these pitfalls by focusing on athlete rights and limiting institutional interference. **AO Recommendation:** We believe that college athletes must be free to engage in name, image, and likeness (NIL) activities without fear of institutional retaliation or interference. • Therefore, we recommend adopting our language that prohibits any institution, conference, or intercollegiate athletic association from punishing or restricting an athlete's participation in athletics based on their NIL activity. • We also oppose arbitrary disclosure thresholds like the $600 limit, which create unnecessary burdens and privacy concerns for athletes. • Lastly, institutions should not have veto power over NIL deals; instead, athletes should retain full autonomy over their commercial rights.

SEC. 4. AMENDING SPORTS AGENT RESPONSIBILITY AND TRUST ACT.		
The "SCORE Act"	**Athletes.Org's "Save College Athletics Act"**	**Notes, Comments, and Feedback**
SEC. 4. AMENDING SPORTS AGENT RESPONSIBILITY AND TRUST ACT. The Sports Agent Responsibility and Trust Act (15 U.S.C. 7801 note) is amended— (1) in section 3(b)(3), by striking "Warning to Student Athlete: If you agree orally or in writing to be represented by an agent now or in the future you may lose your eligibility to compete as a student athlete in your sport." and inserting "Notice to Student Athlete:"; and (2) by adding at the end the following: "SEC. 9. REGISTRATION REQUIREMENT. (a) REQUIREMENT — An athlete agent who assists a student athlete with an endorsement contract or other agreement for compensation shall register with an interstate intercollegiate athletic association as described in section 5(1) of the Student Compensation and Opportunity through Rights and Endorsements Act of 2025. (b) INTERSTATE INTERCOLLEGIATE ATHLETIC ASSOCIATION DEFINED — In this section, the term 'interstate intercollegiate athletic association' has the meaning given the term in section 2 of the Student Compensation and Opportunity through Rights and Endorsements Act of 2025."	**SEC. 2. DEFINITIONS** **(1) Agency Contract.** The contract which authorizes a person to be an agent for a college athlete. **(2) Athlete Representative.** (A) IN GENERAL ¬ The term "athlete representative" means an individual who (i) enters into an agency contract with a college athlete; or (ii) directly or indirectly recruits or solicits a college athlete for the purpose of (I) entering into an agency contract with the college athlete; (II) representing or attempting to represent the college athlete for the purpose of marketing his or her athletics ability or reputation for financial gain; or (III) seeking to obtain any type of agreement for financial gain or benefit from the potential earnings of the college athlete as a professional athlete. (B) INCLUSIONS. ¬ The term "athlete representative" includes (i) a certified contract advisor; (ii) a financial advisor; (iii) a marketing representative; (iv) a brand manager; (v) a players association; and (vi) any individual employed by an individual described in any of clauses (i) through (iv).	**Relevant Differences.** • E&C proposes a modest change to the warning language and introduces a registration requirement for athlete agents with interstate athletic associations. • In contrast, AO introduces a comprehensive definition of "athlete representative" and mandates certification through the College Athletics Corporation (CAC), which includes ethical standards and enforcement mechanisms. • AO's framework is broader and more robust, encompassing not just traditional agents but also financial advisors, brand managers, and others who may influence athlete decisions. This ensures a more holistic and protective regulatory environment for athletes. **Practical Concerns.** • The E&C registration requirement lacks meaningful oversight or enforcement, potentially allowing bad actors to operate with minimal accountability. • Without a certification process, there is no mechanism to ensure that athlete representatives meet ethical or professional standards. AO's CAC model addresses this gap by establishing a formal vetting and disciplinary process, which is essential for protecting young athletes from exploitation. • The broader definition of athlete representatives also ensures that all

	(C) EXCLUSIONS. ¬ The term "athlete representative" does not include (i) the spouse, parent, sibling, grandparent, or legal guardian of a college athlete; (ii) an individual acting solely on behalf of a professional sports team or a professional sports organization.; (iii) an attorney authorized to practice law in any state in the United States, the District of Columbia, or the U.S. territories. **(16) Intercollegiate Athletic Association.** Any group, including the NCAA, that governs intercollegiate athletics and engages in commerce in any industry or activity affecting commerce. **(20) Players Association.** An independent nonprofit that represents at least 4,000 college athletes, which does not have a relationship with any intercollegiate athletic association and complies guidance to be certified by the CAC. **SEC. 7. ESTABLISHMENT OF THE COLLEGE ATHLETICS CORPORATION (CAC)** (a) ESTABLISHMENT. ¬ There is established a corporation, to be known as the "College Athletics Corporation." (b) PURPOSES. ¬ The purposes of the CAC are as follows: (1) To serve as a clearinghouse for best practices with respect to the rights and protections of college athletes who enter into agency contracts and endorsement contracts, including by providing guidance to college athletes concerning such contracts.	influential parties are held to the same standards. **AO Recommendation:** To protect college athletes from exploitation and ensure professional standards, we recommend replacing the E&C's limited registration requirement with our comprehensive certification framework administered by the College Athletics Corporation (CAC). All athlete representatives—including agents, financial advisors, brand managers, and others—must be certified by the CAC and subject to ongoing compliance checks and ethical standards. Our broader definition of "athlete representative" ensures that all individuals who influence or profit from athlete decisions are held accountable. This approach provides athletes with the transparency and protection they deserve.

	(3) To establish a formal certification process for athlete representatives and players associations, by which the CAC shall— (A) determine the eligibility of an individual to serve as an athlete representative; (B) periodically verify an athlete representative's continued eligibility and compliance with this Act and the best practices, rules, and competency and ethical standards established under this subsection; and (C) in the case of noncompliance with this Act or any such best practice, rule, collective bargaining agreement(s), or competency or ethical standard, revoke a certification issued in accordance with this paragraph. (4) To provide recommendations to institutions of higher education, conferences, and intercollegiate athletic associations on how to protect college athletes from unfair or deceptive business practices undertaken by athlete representatives. (5) Subject to final approval from the Commission, investigate disputes with respect to agency contracts and endorsement contracts entered into by college athletes, including (A) verifying that athlete representatives involved in the endorsement contract process have acted in the best interests of college athletes; and (B) monitoring compliance with, and making determinations and findings concerning violations of, this Act. (6) To provide college athletes with a process for the resolution of conflicts concerning agency contracts and endorsement contracts, or any other agreements governed by this Act, including by providing a neutral arbitrator for any case in which a college athlete is the complaining party if requested by both parties. (7) To ensure institutions of higher education and are complying with agency contract and endorsement contract	

	rules set forth by the CAC in consultation with certified players associations in accordance with this section.	
SEC. 5. REQUIREMENTS APPLICABLE TO CERTAIN INSTITUTIONS.		
The "SCORE Act"	**Athletes.Org's "Save College Athletics Act"**	**Notes, Comments, and Feedback**
SEC. 5. REQUIREMENTS APPLICABLE TO CERTAIN INSTITUTIONS. (a) INSTITUTIONS — An institution shall fulfill the requirements described in subsection (b) if the institution— (1) provides the equivalent of at least 50 full grants-in-aid to student athletes in sports other than football and basketball, as determined by the ratio of athletically related financial aid received to the student athlete's cost of attendance; and (2) competes in intercollegiate athletics such that at least 50 percent of the competitions in a given sport and season are against institutions that satisfy the criterion described in paragraph (1). (b) REQUIREMENTS — The requirements described in this subsection are— (1) provide comprehensive academic support and career counseling services to student athletes, including life skills development programs covering mental health, strength and conditioning, nutrition, name, image, and likeness (NIL) education, financial literacy, career readiness, transfer processes, and sexual violence prevention; (2) provide medical and health benefits to student athletes including— (A) provision of medical care, including payment of out-of-pocket expenses, for an athletically related injury incurred during the student athlete's	**SEC. 4. SPECIAL NON-EMPLOYEE STATUS FOR SELECT COLLEGE ATHLETES.** **(1) DEFINITIONS.** —Section 203 of the Fair Labor Standards Act (29 U.S.C. § 201) is amended— (A) "Special Athlete Non-Employee" means an athlete at a Division I college or university that receives direct compensation from an institution of higher education. **(2) EXEMPTIONS.** –Section 213 of the Fair Labor Standards Act is amended – **(A)** The provisions of section 206 and 207 of this title shall not apply with respect to Special Athlete Non-Employees. Without limitation, all matters ***involving wages, compensation, educational benefits, working conditions, protections, support, training, travel, injury management, discipline and grievances, and any other matters pertaining to their participation in college athletic events*** shall be determined through collective bargaining pursuant to Section 5 of this Act. **(3) RECOGNITION OF PLAYERS ASSOCIATION.** The Fair Labor Standard is amended – (A) Special Athlete Non-Employees may choose to be represented by a players association certified by the CAC to collectively represent their interests. Only entities that qualify as "players associations" pursuant to Section 2 of this Act shall be allowed to collectively bargain pursuant to Section 5 of this Act on Special Athlete Non-Employees' behalf	**Relevant Differences.** • E&C outlines specific benefits institutions must provide, such as medical care, academic support, and degree completion programs, but only for institutions meeting certain thresholds. • AO, on the other hand, reframes the issue by recognizing athletes as "Special Athlete Non-Employees" with collective bargaining rights, allowing them to negotiate for these benefits directly. • This shift from a top-down mandate to a labor rights framework empowers athletes to shape their own conditions. • AO's model also includes representation through certified players associations, ensuring athlete voices are central in decision-making. **Practical Concerns.** • While E&C's benefit mandates are well-intentioned, they may be inconsistently applied and lack enforceability, especially for athletes at institutions that fall below the threshold. • The conditional nature of benefits, such as tying aid to academic eligibility or team participation, can be used to pressure athletes or deny support unfairly.

involvement in intercollegiate athletics for the institution, including for a period of at least two years following graduation or separation with the institution or coverage under a catastrophic injury insurance program offered by an interstate intercollegiate athletic association; (B) provision of mental health services and support, including mental health educational materials and resources; (C) an administrative structure that provides independent medical care and affirms the unchallengeable autonomous authority of primary athletics health care providers (team physicians and athletic trainers) to determine medical management and return-to-play decisions related to student athletes; and (D) a requirement that member institutions certify insurance coverage for medical expenses resulting from athletically related injuries sustained by student athletes; (3) maintain an athletics grant-in-aid during the period of that grant-in-aid (contingent on the student athlete's academic eligibility, continued participation as a member of a varsity sports team and compliance with additional non-athletically related conditions set by the institution) regardless of a student athlete's— (A) athletic performance; (B) contribution to a team's success; (C) injury, illness, or physical or mental condition; or (D) receipt of compensation pursuant to a name, image and likeness contract; and	**SEC. 5. COLLECTIVE BARGAINING RIGHTS FOR COLLEGE ATHLETES WITH SPECIAL ATHLETE NON-EMPLOYEE STATUS.** (1) DEFINITIONS.—Section 2 of the National Labor Relations Act (29 U.S.C. 152) is amended— (A) in paragraph (2), by adding at the end the following: "Notwithstanding the previous sentence, the term 'employer' includes a public institution of higher education with respect to any individual designated as "Special Athlete Non-Employees" pursuant to Section 4 of this Act; (B) in paragraph (3), by adding at the end the following: "Any individual designated as a "Special Non-Employee", and is a student enrolled in the institution of higher education, shall be allowed to collectively bargain if— "(A) the individual is a Division I athlete that receives direct compensation pursuant to Grant House and Sedona Prince v. National Collegiate Athletic Association, et al.; "(B) any terms or conditions of such compensation require participation in an intercollegiate sport."; and (3) by adding at the end the following: "(15) The term 'institution of higher education' has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002). **(2) MULTIEMPLOYER BARGAINING UNIT** — Section 9(b) of the National Labor Relations Act (29 U.S.C. 159(b)) is amended by striking the period at the end and inserting the following: "Provided, that, for the purpose of establishing an appropriate bargaining unit for "Special Athlete Non-Employees" at institutions of higher education in an intercollegiate athletic association, the Board shall recognize multiple institutions of higher education within an intercollegiate athletic conference, or	• AO's collective bargaining model provides a more equitable and enforceable structure, allowing athletes to negotiate protections that reflect their needs and realities. • It also ensures that benefits are not arbitrarily withdrawn or conditioned on performance. **AO Recommendation:** • Rather than relying on conditional mandates that may be inconsistently applied, we recommend recognizing college athletes as "Special Athlete Non-Employees" with the right to collectively bargain for their compensation, benefits, and protections. • Institutions should be required to negotiate directly with certified players associations to determine matters such as medical coverage, academic support, and degree completion. • This framework ensures that athletes have a meaningful voice in shaping their conditions and that their rights are enforceable through legally binding agreements. • We also urge the removal of arbitrary thresholds that limit access to these essential protections.

(4) provide degree completion programs that provide financial aid, at a minimum tuition and fees, and course-related books to a former student athlete to complete their first baccalaureate degree in accordance with the policies of an IIAA. (c) BENEFITS — An institution may provide the required benefits in conjunction with a conference or intercollegiate athletic association of which it is a member.	an intercollegiate athletic conference, as a multiemployer bargaining unit, but only if consented to by the "Special Athlete Non-Employee" representatives for the intercollegiate sports bargaining units at the institutions of higher education that will be included in the multiemployer bargaining unit." **(3) JURISDICTION RELATED TO INTERCOLLEGIATE SPORTS** — Section 14(c)(1) of the National Labor Relations Act (29 U.S.C. 164(c)(1)) is amended by striking "Provided," and inserting the following: "Provided, That the Board shall exercise jurisdiction over institutions of higher education and "Special Athlete Non-Employees" of such institutions in relation to all collective bargaining matters under this Act pertaining to such "Special Athlete Non-Employees", including any representation matter, such as recognizing or establishing a bargaining unit for such "Special Athlete Non-Employees" and any labor dispute involving such institutions and "Special Athlete Non-Employees": Provided further,". **(4) PROHIBITION ON WAIVE** — A "Special Athlete Non-Employee" may not enter into any agreement (including an agreement for grant-in-aid, as defined in section 3(15) of the National Labor Relations Act (29 U.S.C. 152(15))) or legal settlement that waives or permits noncompliance with this Act or the amendments made by this Act. **(5) PARITY WITH EMPLOYEE MEMBERS** —Any collective bargaining pursuant to this amendment shall grant the negotiating parties the same protections as set forth in the non-statutory labor exemption to federal antitrust laws which apply to labor organizations that collective bargain on behalf of their employee members. **(6) MANDATORY BARGAINING SUBJECTS** — With respect to bargaining, parties to a collective bargaining agreement shall be required to bargain on the following subjects: health and safety standards, medical coverage during a college athlete's time performing for an	

	institution of higher education, medical coverage after a college athlete's time performing for an institution of higher education, revenue sharing, practice time, the movement of college athletes to-and-from institutions of higher education, and time spent on team-related activities. **SEC. 10. REPORTING** **(a) Biennial Report**. Not later than 180 days after the date of the enactment and every two years after, the head of each national intercollegiate athletic association must report to Senate and House committees on systemic issues, trends, and recommendations for improving the health, safety, and educational opportunities of college athletes. **(b) Investigation and Report**. Every five years, the Comptroller General will investigate compliance with the Act and report to Congress, summarizing the investigation and providing recommendations for improving intercollegiate athletics and the health, safety, and educational opportunities of college athletes.	

SEC. 6. ROLES OF INTERSTATE INTERCOLLEGIATE ATHLETIC ASSOCIATIONS.		
The "SCORE Act"	**Athletes.Org's "Save College Athletics Act"**	**Notes, Comments, and Feedback**
SEC. 6. ROLES OF INTERSTATE INTERCOLLEGIATE ATHLETIC ASSOCIATIONS. An interstate intercollegiate athletic association may— (1) establish a process to collect and publicly share aggregated and anonymized data related to name, image, and likeness agreements submitted by student athletes pursuant to section 3(a)(3)(A); (2) establish and enforce rules relating to— (A) the manner in which and the time period during which student athletes may be recruited for intercollegiate athletics; (B) prohibiting a student athlete from receiving prohibited compensation; (C) the transfer of a student athlete between institutions; (D) the eligibility of a student athlete to participate in intercollegiate athletics, such as rules establishing the number of seasons or length of time for which a student athlete is eligible to compete, academic standards, and code of conduct; (E) the membership of the interstate intercollegiate athletic association, under which such interstate intercollegiate athletic association may— (i) remove member; and	**SEC. 7. ESTABLISHMENT OF THE COLLEGE ATHLETICS CORPORATION (CAC)** (a) ESTABLISHMENT ¬ There is established a corporation, to be known as the "College Athletics Corporation." (b) PURPOSES ¬ The purposes of the CAC are as follows: (1) To serve as a clearinghouse for best practices with respect to the rights and protections of college athletes who enter into agency contracts and endorsement contracts, including by providing guidance to college athletes concerning such contracts. (3) To establish a formal certification process for athlete representatives and players associations, by which the CAC shall — (A) determine the eligibility of an individual to serve as an athlete representative; (B) periodically verify an athlete representative's continued eligibility and compliance with this Act and the best practices, rules, and competency and ethical standards established under this subsection; and (C) in the case of noncompliance with this Act or any such best practice, rule, collective bargaining agreement(s), or competency or ethical standard, revoke a certification issued in accordance with this paragraph. (4) To provide recommendations to institutions of higher education, conferences, and intercollegiate athletic associations on how to protect college athletes from unfair or deceptive business practices undertaken by athlete representatives. (5) Subject to final approval from the Commission, investigate disputes with respect to agency contracts and	**Relevant Differences.** • E&C grants broad authority to athletic associations to regulate recruitment, transfers, eligibility, and revenue-sharing agreements. • AO, by contrast, limits the role of associations and establishes the CAC as the central regulatory body, with oversight and enforcement powers shared with certified players associations. • AO's model ensures that athlete interests are represented in rulemaking and enforcement, whereas E&C risks reinforcing the status quo of unilateral control by associations like the NCAA. • AO also introduces mechanisms for dispute resolution and ethical oversight that are absent in E&C. **Practical Concerns.** • The expansive powers granted to associations under E&C could be used to restrict athlete mobility, suppress NIL activity, or enforce arbitrary eligibility rules. • Without athlete representation in governance, these rules may not reflect athlete interests or realities. • AO's CAC model addresses these concerns by ensuring that rules are developed in

(ii) set rules and regulations for membership qualifications and participation; and (F) agreements between a student athlete and an institution under which the institution provides a percentage of college sports revenue, in accordance with the pool limit, to student athletes on an annual basis; and (3) organize championships for intercollegiate athletic competitions.	endorsement contracts entered into by college athletes, including (A) verifying that athlete representatives involved in the endorsement contract process have acted in the best interests of college athletes; and (B) monitoring compliance with, and making determinations and findings concerning violations of, this Act. (6) To provide college athletes with a process for the resolution of conflicts concerning agency contracts and endorsement contracts, or any other agreements governed by this Act, including by providing a neutral arbitrator for any case in which a college athlete is the complaining party if requested by both parties. (7) To ensure institutions of higher education and are complying with agency contract and endorsement contract rules set forth by the CAC in consultation with certified players associations in accordance with this section. **SEC. 9. ROLE OF INTERCOLLEGIATE ATHLETIC ASSOCIATIONS.** An intercollegiate athletic association may- (1) establish titles to enforce the provisions of this Act and the standards issued under section 12(b)(2); and (2) enforce such rules, including by, depending on the severity of the violation (A) declaring ineligible for college athlete competition a college athlete who violates an established collective bargaining agreement; and (B) suspending or permanently removing from involvement in intercollegiate athletics any athletic personnel or volunteer who violate this Act. **SEC. 11. ROLE OF PLAYERS ASSOCIATIONS** Any players association certified by the CAC may -	consultation with players associations and subject to independent oversight. • This creates a more balanced and transparent regulatory environment that prioritizes athlete welfare. **AO Recommendations** • We strongly believe that intercollegiate athletic associations should not have unilateral authority to regulate athlete eligibility, transfers, or NIL activity. • Instead, we recommend that any rules enforced by such associations be developed in consultation with certified players associations and approved by the CAC. • This ensures that athletes are represented in all governance processes and that rules reflect their interests and rights. • Associations should serve a supportive role—not a regulatory one—under the oversight of athlete-led institutions like the CAC.

	(1) establish titles to enforce the provisions of this Act and the standards issued under section 7(b)(2) in consultant with the CAC; and (2) draft and negotiate such CAC rules, including by, depending on the severity of the violation in consultant with the CAC (A) declaring ineligible for college athlete competition a college athlete in violation of any established collective bargaining agreement(s); and (B) suspending or permanently removing from involvement in intercollegiate athletics any athletic personnel or volunteer who violate this Act.	
SEC. 7. LIMITATION ON LIABILITY.		
The "SCORE Act"	**Athletes.Org's "Save College Athletics Act"**	**Notes, Comments, and Feedback**
SEC. 7. LIMITATION ON LIABILITY. [text placeholder]	**N/A**	**N/A**

SEC. 8. PREEMPTION.		
The "SCORE Act"	**Athletes.Org's "Save College Athletics Act"**	**Notes, Comments, and Feedback**
SEC. 8. PREEMPTION. **(a) IN GENERAL.**— A State, or political subdivision of a State, may not maintain, enforce, prescribe, or continue in effect any law, rule, regulation, requirement, standard, or other provision having the force and effect of law of the State, or political subdivision of the State, that— 1. is related to this Act; 2. governs or regulates the compensation, payment, benefits, employment status, or eligibility of a prospective student athlete or student athlete in intercollegiate athletics; 3. limits or restricts a right provided to a conference, an institution, or an interstate intercollegiate athletic association under this Act; 4. concerns a right of a student athlete to receive compensation or other payments or benefits directly or indirectly from any institution, associated entity or individual, conference, or interstate intercollegiate athletic association; or 5. requires a release of or license to use the name, image, and likeness rights (or requires a name, image, and likeness agreement) from or with any individual or group of participants in an intercollegiate athletic competition (or a spectator at an intercollegiate athletic competition) for audio-visual, audio, or visual	**SEC. 15. ANTITRUST EXEMPTION** — Institutions, interstate intercollegiate athletic associations, or conferences are not liable under any state or federal law for adopting, agreeing to, enforcing, or complying with rules or bylaws of an interstate intercollegiate athletic association that limits or prohibits student athletes from receiving compensation. This includes compensation from the association, conference, institution, or third parties. **SEC. 16. PREEMPTION OF STATE NAME, IMAGE, AND LIKENESS LAWS AND REGULATIONS** No State or political subdivision of a state may establish or continue in effect any law or regulation that governs or regulates (1) the freedom of a college athlete to transfer from one institution of higher education to another institution of higher education; (2) the commercial use of, and the provision of covered compensation for such use of, the name, image, or likeness of a college athlete; (3) the certification of athlete representatives associated with intercollegiate athletics; or (4) Any other matters governed by this Act. **SEC. 17. SEVERABILITY** If any part of the Act is found unconstitutional, the rest of the act remains effective. **SEC. 4. SPECIAL NON-EMPLOYEE STATUS FOR SELECT COLLEGE ATHLETES.**	**Relevant Differences:** • E&C broadly preempts state laws and denies student athletes employee status under any federal or state law. • AO also preempts state NIL laws but preserves the ability of athletes to collectively bargain and be recognized as "Special Athlete Non-Employees." AO's approach respects federal uniformity while safeguarding labor rights and athlete protections. • It also avoids blanket denials of employment status, which could undermine future legal recognition of athlete rights. **Practical Concerns.** • E&C's sweeping preemption could invalidate progressive state laws that offer stronger protections for athletes, creating a race to the bottom in terms of rights and benefits. • The categorical denial of employment status may also conflict with ongoing legal developments and court rulings recognizing athlete labor rights. • AO's more nuanced approach allows for federal consistency while preserving pathways for athlete empowerment.

broadcasts or other distributions of such intercollegiate athletic competition. **(b) STUDENT ATHLETES NOT EMPLOYEES.**— Notwithstanding any other provision of Federal or State law, a student athlete may not be considered an employee of an institution, conference, or interstate intercollegiate athletic association for purposes of (or as a basis for imposing liability or awarding damages or other monetary relief under) any Federal or State law based on the student athlete's receipt of compensation, or of any payments or benefits excluded from the definition of compensation pursuant to section 2 of this Act, or and 1 or more of the following: 1. Receipt by the student athlete of— (A) compensation; or (B) anything listed in section 2(3)(B). 2. Membership of the student athlete on any varsity sports team. 3. Participation by the student athlete in intercollegiate athletics. 4. Imposition of requirements, controls, or restrictions on the student athlete by the institution at which such student athlete is enrolled related to the participation of the student athlete in intercollegiate athletics. **(c) STATE OR POLITICAL SUBDIVISION OF A STATE.**— In this section, the term "State or political subdivision of a State" does not include an institution.	**(1) DEFINITIONS.** —Section 203 of the Fair Labor Standards Act (29 U.S.C. § 201) is amended— (A) "Special Athlete Non-Employee" means an athlete at a Division I college or university that receives direct compensation from an institution of higher education. **(2) EXEMPTIONS.** –Section 213 of the Fair Labor Standards Act is amended – **(A)** The provisions of section 206 and 207 of this title shall not apply with respect to Special Athlete Non-Employees. Without limitation, all matters ***involving wages, compensation, educational benefits, working conditions, protections, support, training, travel, injury management, discipline and grievances, and any other matters pertaining to their participation in college athletic events*** shall be determined through collective bargaining pursuant to Section 5 of this Act. **(3) RECOGNITION OF PLAYERS ASSOCIATION.** The Fair Labor Standard is amended – (A) Special Athlete Non-Employees may choose to be represented by a players association certified by the CAC to collectively represent their interests. Only entities that qualify as "players associations" pursuant to Section 2 of this Act shall be allowed to collectively bargain pursuant to Section 5 of this Act on Special Athlete Non-Employees' behalf	• It also aligns with broader labor law principles and evolving jurisprudence. **AO Recommendation:** • We support federal preemption of inconsistent state NIL laws to ensure uniformity, but we oppose any provision that categorically denies athletes the right to be recognized as employees or to collectively bargain. • Our recommendation is to adopt our preemption language, which preserves federal labor rights and ensures that college athletes can organize and negotiate for fair treatment. • States should not be allowed to interfere with NIL rights, athlete mobility, or the certification of athlete representatives—but federal law must also protect the evolving labor rights of athletes. Our approach ensures both consistency and justice.

Which SEC football program spent the most on severance in FY 2024?

Updated: May. 15, 2025, 10:23 a.m. | Published: May. 15, 2025, 10:22 a.m.

AJ McCarron's forgotten masterpiece. How Bama got vengeance against Johnny Football

By Matt Stahl | mstahl@al.com

The buyout money Texas A&M paid former football coach Jimbo Fisher when it fired him in November of 2023 dwarfed the severance spending any other public SEC school reported to the NCAA for Fiscal Year 2024. According to the 15 financial reports, obtained by AL.com via a series of open records requests, TAMU athletics spent $27.5 million in that category during the fiscal year, which ran from July 1, 2023 through June 30, 2024.

According to ESPN, Fisher's contract stated he would receive $19.2 million within 60 days of his firing, and will continue to be paid $7.2 million annually through 2031, a total cost of over $76 million. It was by far the most expensive firing in college football history, at least among publicly known numbers.

The Aggies were one of just two athletics departments to spend more than $10 million in the category, joining Auburn, which reported $10.8 million department-wide. The buyout spending came during a year where TAMU's athletics contributions fell from $115.4 million in FY 2023 to $88.6 million in FY 2024, and donations to its fundraising organization fell by over $25 million year-over-year according to a Sportico report.

Besides Texas A&M and Auburn, Texas and Mississippi State were the only schools to report over $5 million for the category in FY 2024. The Longhorns shelled out $7.2 million in severance, while the Bulldogs spent just over $5 million.

Alabama spent the least on severance throughout the department, shelling out just $69,911 during FY 2024. South Carolina was the only other public SEC school under $1 million in severance spending, at $440,486.

Vanderbilt is not included, as VU is a private school and not subject to open records requests.

SEC athletics department severance spending FY 2024

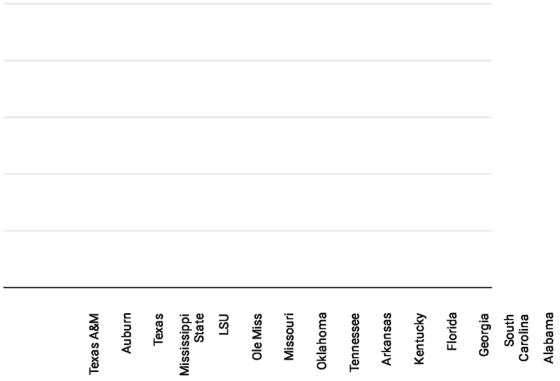

Chart: Matt Stahl | AL.com • Created with Datawrapper

As usual, football drove the most severance spending. All but $281,666 of TAMU's massive number came from the SEC's most important sport.

Despite being second on the list, Auburn actually improved its standing in the category. The Tigers had spent $19.9 million on severance department-wide in FY 2023, $18.6 million on football alone, after firing Bryan Harsin while still on the hook for part of Gus Malzahn's buyout.

AU spent $6.3 million on football severance in FY 2024. The Tigers were one of four SEC schools over $2 million in that category, with Mississippi State shelling out $3.7 million after firing Zach Arnett after just one season, and Arkansas reporting $2.1 million despite not firing Sam Pittman.

Alabama reported $6,874 in football severance during FY 2024, a drop from $491,715 in FY 2023. Three schools did not report any spending in the category this past fiscal year, including Missouri, Tennessee and South Carolina.

Missouri joined the $0 club after spending $511,871 on football severance in FY 2023. Georgia hadn't spent any money in the category during FY 2023, but reported $195,600 for FY 2024.

SEC football severance spending FY 2024

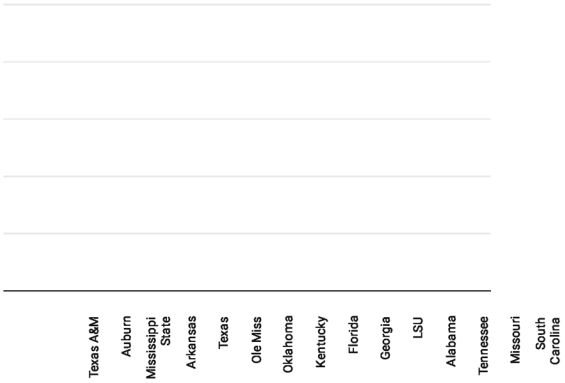

Chart: Matt Stahl | AL.com • Created with Datawrapper

Ms. Sherika Montgomery, Commissioner, Big South Conference

Attachment —Additional Questions for the Record

The Honorable Debbie Dingell (D-MI)

1. Commissioner Montgomery, do schools in the Big South Conference have the same resources to help college athletes navigate NIL opportunities?

Monday, July 21, 2025

MEMORANDUM

ADVANCED VIA EMAIL

The Honorable Debbie Dingell (D-MI)

United States Congresswoman

102 Cannon House Office Building

Washington, DC 20515

Greetings Congresswoman Dingell,

I hope this memorandum finds you doing well. It was truly an honor to testify before the Subcommittee on Commerce, Manufacturing, and Trade during the Thursday, June 12, 2025, hearing entitled, "Winning Off the Field: Legislative Proposal to Stabilize NIL and College Athletics." Thank you for the additional question and opportunity to provide insight.

The Big South Conference provides education and resources to all member institutions. We utilize a company called Game Plan powered by Bridge. Game Plan offers the most extensive library of interactive, on-demand eLearning courses available, and partners with best-in-class subject matter experts to provide compelling content on a wide array of topics including Name, Image and Likeness (NIL), Financial Literacy, Mental Health, Professional Development and more. In addition, student – athletes receive Name, Image and Likeness (NIL) education and resources during monthly leadership meetings directly from Conference Office Representatives. Member institutions also have individual partnerships with various companies such as Athlete's Thread, Compass NIL, INFLCR, Opendorse, SA NIL, and Teamworks GM.

Thank you for your visionary leadership and consideration of legislation to ensure student-athletes continue winning on and off field for generations to come. Please feel free to contact me if I can be of any additional assistance regarding this important matter.

Best Regards,

Sherika A. Montgomery

Commissioner

Big South Conference

Attachment—National College Players Association Executive Director Ramogi Huma's Answers to Additional Questions for the Record

Subcommittee on Commerce, Manufacturing, and Trade

Hearing on
"Winning Off the Field: Legislative Proposal to Stabilize NIL and College Athletics."

June 12, 2025

The Honorable Russel Fry (R-SC)

"1. Mr. Huma, you brought a case to the NLRB on behalf of USC football players to have them deemed employees, then quickly withdrew it, possibly because Democrats were losing the majority.
a. At the time, you said it was to give the transformation in college athletics a chance to work. Do you now agree that the best path forward is to codify the settlement in federal law?
b. I ask because you've also publicly called the settlement "terrible," despite it including things you've long advocated for—like revenue sharing and extended health benefits, which are reflected in the legislation we're considering today.

I also have questions on health benefits.

1. Mr. Huma, in your opening statement, you mentioned that this bill excludes college athletes from being able to unionize, and therefore to get safety protections.
a. It seems to me that you just want unionization and employment and for the reasons to support big unions and creating some sort of commercial enterprise.
b. A future NLRB could start the process to unionize college sports, right?
c. And in a few years the Johnson v. NCAA wage and hour lawsuit will get through the courts, so this issue is urgent, right?
d. If college athletes are employees and unionize will volleyball teams, swim teams, and other non-revenue sports be protected? The answer is NO, schools will be forced to cut programs because they won't be able to afford the cost of employment and collective bargaining for sports that don't generate revenue."

Ramogi Huma's Answers to The Honorable Russel Fry (R-SC)

1.a. The settlement should not be codified into federal law. It is truly terrible. I explained to the board that the transformation in college sports was due primarily to new state NIL laws ensuring their universities could directly pay their athletes without interference or punishments from the NCAA or conferences. Though the settlement remains terrible, the decision for USC and other

universities to opt-in to directly paying athletes demonstrated that universities would soon be competing for recruits by offering pay for play.

To be clear, claims that the SCORE Act will improve the well-being of college athletes is incorrect because terms in the bill that can be characterized as beneficial to college athletes already exist. This bill does not add to athletes' protections, compensation, and freedoms, it takes them away.

Some of the many reasons Congress should not enshrine the settlement in law are below.

The SCORE Act:

• Broad language allows all institutions to collude nationwide to ban all athlete NIL deals by creating contracts that conflict with athlete NIL deals i.e. "All universities agree that athlete NIL contracts conflict with this university agreement." Institutions should not have the ability to prohibit athlete NIL deals conducted during the athletes' free time.
• Provides no legal recourse for athletes harmed by institutional or NCAA misconduct or violations of the Act.
• Fails to establish broad-based safety and health protections for athletes.
• Allows Division I universities to cut over 1000 women's and Olympic Sports Teams.
• Strips athletes of equal rights under antitrust and labor law.
• Imposes a low athlete compensation cap of 22% of revenue—less than half of what pro athletes receive through unions.
• Eliminates virtually all of the $2 billion per year in athlete NIL pay from NIL collectives to universities by through severe restrictions on athlete NIL collectives compensation amounts.
• Fails to enforce Title IX transparency or compliance.
• Grants the NCAA power to restrict athlete transfer rights—even in cases of abuse.
• Permits schools to act as athlete agents as allowed in the House settlement, creating major conflicts of interest.
• Lacks clarity on the application of the SCORE Act if private equity contractors, or university subsidiaries take control of athletic programs.
• Offers no real gain in compensation or benefits, as existing provisions are already protected under state laws.

1a.-d.

a. Thank you for giving me an opportunity to provide you information about various aspects of college athlete unionization. First, college sports is already a $19 billion commercial enterprise that falls under the jurisdiction of the House Energy and Commerce committee due to engaging in interstate commerce. However, unions are not commercial enterprises. They are nonprofit organizations that fall under 501(c)(5) of the IRS code. For clarification, you may recall during the hearing that when I was asked if I think

college athletes should form a union, I answered that they should have the choice to form a union.

b.&c. These matters are not urgent issues given the Johnson case and any NLRB case would take a number of years to wind through the federal courts. Additionally, though the NCPA would not be supportive of such legislation, a future Congress could pass legislation designating college athletes as nonemployees if courts affirmed college athlete employee status. Congressional power on this issue does not expire so there is no urgent need for Congress to Act.

In contrast, I hope members of the committee acknowledge that preventing serious injury, abuse, and death among college athletes is an urgent matter. Future employment cases and federal legislation will do nothing to protect the athletes who will suffer preventable traumatic brain injury, sexual abuse, and death this year. I hope you and the other members would agree with me that these are truly urgent issues that Congress should be racing to address.

d. I share your concern of cuts to nonrevenue sports, but not because of unionization. It's because the richest conferences in the nation are enforcing the terrible settlement which requires universities to reduce their rosters. The NCAA, conferences, and universities have done a masterful job at pretending unionization would lead to cuts they already made out of sheer preference and disregard for these very sports and athletes.

I encourage the members of this subcommittee to *require* the preservation of college athlete participation opportunities and scholarships based on 2023-24 levels in any federal legislation they support.

And to be clear, unionization of college athletes of any sport will not lead to cuts in sports that a university does not already want to make. Universities have the power and discretion to refuse to enter into a collective bargaining agreement that it believes would lead to such cuts.

The Honorable Kathy Castor (D-FL)

"1. Mr. Huma, how can the discussion draft be improved to protect roster spots for women's sports?

2. Mr. Huma, how would you recommend the rules and guidelines be determined around transfers? How can we ensure that students are able to balance their educational and athletic experience while considering their physical and emotional wellbeing?

3. Mr. Huma, how can the discussion draft implement incentivize student athletes to stay at their first institution and complete their schooling in a timely manner?

4. Mr. Huma, how can the discussion draft be improved to protect experience and contribution of international student athletes?"

Ramogi Huma's Answers to The Honorable Kathy Castor (D-FL)

1. This is a priority for the NCPA because women's sports opportunities are on the NCAA, conference, and university chopping blocks. Any federal bill related to college sports reform should explicitly require the preservation of college athlete participation opportunities based on 2023-24 levels. Despite their rhetoric, the NCAA, Power conferences, and institutions want the freedom to cut any sports and are already using the House settlement to cut approximately 5000 Division I roster spots. More cuts will come unless Congress steps in.

2. College athletes should have reasonable transfer freedoms which would include the ability to transfer once without penalty, anytime in cases of mistreatment, after completing an undergraduate baccalaureate degree, and when a head coach leaves. Also, transfer windows should take place in the offseason not during post-season competition.

3. First, federal legislation must ban the practice of coaches "running off" athletes they no longer feel like having on their team for athletic reasons. This has been a major factor long before college athletes had unlimited transfer freedoms. Second, I believe the transfer parameters I laid out in question 2 above will help incentivize athletes to complete their degree in a timely manner. Third, the enforcement of safety standards which would help prevent mistreatment and negligence would provide a proper experience that athletes don't have to flee from. Finally, to help account for the burdensome athletic time demands that interfere with academics, ensure that degree completion programs that allow former athletes to complete their degrees have scholarships that include room and board – not just tuition, fees, and books.

4. It's very important for international college athletes to have the same freedoms, protections, and benefits as American college athletes. Currently, foreign college athletes are prohibited from earning NIL compensation. These athletes sweat and bleed with their teammates in a beloved American pastime and should not be excluded from benefitting from their participation in college sports.

In addition, college athletes who are making additional commitments by attending military academies should also have the ability to earn NIL compensation. This prohibition should immediately be lifted so that these dedicated patriots are no longer denied this important freedom.

The Honorable Debbie Dingell (D-MI)

"1. Mr. Huma, in your view, what critical health and safety protections are missing from this draft?

2. Would you support provisions requiring institutions to cover medical expenses for serious, sport-related injuries? What about guaranteeing athletes the right to return and complete their degrees? Or mandatory financial literacy education or other educational support to navigate this new NIL era?

3. What prescriptive safeguards should be added to ensure college athletes are protected?

From what I understand, this draft would provide liability protections to a new entity, which largely represents the interests of the NCAA and the Power 4 conferences.

In professional sports, such as in Major League Baseball (MLB), leagues are allowed to operate under limited antitrust exemptions, but in exchange, athletes have the right to collectively bargain, retain professional representation, and advocate for their rights. That balance simply doesn't exist in college sports. For most college athletes, this isn't a full-time career — it's a steppingstone. The reality is that the vast majority will never play professionally, and they're only involved for four or five years at most.

It's not a level playing field, and we're not dealing with unions like players associations in college sports.

4. Mr. Huma, how should Congress ensure that stakeholders from across the spectrum have a meaningful role in shaping the formation, governance, and rulemaking of this new entity? Many of us here today want to see a structure that goes beyond serving the interests of just the top football and men's basketball programs, and instead promote fairness, transparency, and athlete welfare across all of college sports. One problem in college sports that is not getting nearly enough attention is the lack of regulation around so-called "agents" representing college athletes.

Currently, nearly anyone can call themselves an agent and pretend to be qualified to negotiate on behalf of a college athlete. There is no registration, no certification process, and no minimum standards for those negotiating on behalf of a college athlete. There are bad actors calling themselves agents who are abusing the lack of rules and are exploiting players and their families.

5. Mr. Huma, would agent registration, certification, and a set of minimum standards — including standard contracts and set fees for those negotiating on behalf of athletes — help prevent exploitation?

6. Mr. Huma, in your view, how do we ensure real transparency and the enforcement of fair-market NIL deals that won't undermine the college athletes? What safeguards are needed in a draft bill to prevent exploitation and ensure college athletes fully benefit from revenue-sharing and NIL opportunities?

7. Mr. Huma, does the current draft of this bill include any provisions that directly address Title IX compliance or enforcement or federal equal opportunity protections?

8. Mr. Huma, can you tell us what this new model of revenue sharing means for the revenue-generating athletes and non-revenue-generating athletes and for big and small schools?

9. Mr. Huma, what types of schools will be best positioned to compete in this new NIL era?

10. How do you think these changes will impact programs across the country, at both large and smaller schools?"

Ramogi Huma's Answers to The Honorable Debbie Dingell (D-MI)

1. It is vital that any federal college sports reform bill include safety standards that are enforced by a third party. It must include best practices and policies to prevent serious injury, abuse, and death that are used by other professional sports leagues and the National Athletic Trainers' Association, and recommended by other similar bodies. It should include mandatory reporting of suspected violations, whistleblower protections, and the authority of the 3rd party to impose disciplinary action, financial remedies, and suspend or ban violators that cause significant harm to a college athlete.

2. Yes, all of the provisions you mention should be included in any federal legislation.

3. That is all correct. Collective bargaining agreements between pro leagues and unions are entered into mutually and are exempt from antitrust law. The enforcement of antitrust laws and leverage are the mechanism by which college and professional athletes have secured compensation and benefits. However, the SCORE Act would eliminate athletes' key protections under antitrust laws afforded to other Americans. And instead of adding protections and benefits, the SCORE Act seeks to eliminate them. It gives the NCAA, conferences, and universities an antitrust exemption, effectively and unjustly putting them above the law.

The NCAA pretends an antitrust exemption to deny athletes compensation from boosters and to limit how much universities can pay their athletes will bring forth "competitive balance". In reality, there has never been any sincere attempt at achieving competitive balance. With or without the adoption of the SCORE Act, colleges will remain free to receive unlimited funds from boosters to pay unlimited sums to hire the best coaches and wield the richest recruiting budgets. Congress should not strip college athletes of billions of dollars in annual compensation so the NCAA can pretend that competitive balance exists. The NCAA's true motive is to maximalize university revenue by imposing an unjust, low limit on how much universities can pay athletes, and to deny boosters the ability to pay NIL money to athletes so that boosters' only option to support their athletic program is to pay the university and its coaches.

4.&5. As I mentioned in my testimony, college athletes should have equal protection under labor laws, including the choice to organize to the extent allowed under the NLRA. However, the vast majority of college athletes do not generate revenue and lack the leverage to successfully collectively bargain for critical protections and freedoms.

All college should have a voice through an athlete advocacy organization like the NCPA, which is independent from universities, conferences, the NCAA and their personnel, and that has extensive experience in advocating for athletes across all sports. Federal legislation should ensure that athletes participating in such an organization have standing to inform and empower college athletes.

In terms of agents, there is a need to bring forth credible and effective college athlete representation. Similar to the pro unions and to the extent that there is a continued absence of a college athlete union, an athlete advocacy organization should set the parameters for agent certification requirements. This would include disciplinary actions against agents that commit violations. It is important that the NCAA, conferences, and universities do not have any role in agent certification because it would bring forth a major conflict of interest that could compromise college athlete representation to the benefit of universities. Alarmingly, the House v NCAA settlement allows universities to function as exclusive agents for college athletes, which should be prohibited.

6. Transparency will lead to price collusion and imposing a "fair market" cap is a nice sounding term for the unjust elimination of athlete compensation. To ensure college athletes are treated fairly, the SCORE Act must not impose restrictions on NIL pay to athletes from collectives. In addition, federal legislation should require athletic programs generating high revenue to pay a guaranteed minimum amount to their athletes. If the SCORE Act continues to deny athletes broad-based reform, then there should be no limit on the amount of college sports revenue that a university can share with their athletes. If there is comprehensive reform, it would be fair for Congress to directly set a revenue share limit of 50% (similar to the NFL and NBA) instead of 22%.

Nowhere in the SCORE Act are there terms to cap the compensation paid to coaches, athletic directors, and conference commissioners for any reason. In fact, when the Big Ten tried to cap assistant coaches salaries, the coaches successfully sued the Big Ten because it violated antitrust laws. **How can Congress strip college athletes of antitrust protections while allowing their coaches to use antitrust laws to enjoy unlimited compensation?** The racial injustice of this double-standard would be staggering given the majority of football and basketball players harmed by such a low revenue sharing limit are Black. And many of these Black athletes are from low-income homes.

Any enforcement of what the NCAA is calling "fair market" regarding NIL deals would merely function as an arbitrary cap purposefully created to unjustly extinguish virtually all of the NIL money that collectives pay athletes. The cap can only reduce, not increase, NIL pay to college athletes. Moreover, neither the NCAA nor Congress can justify a cap on athlete NIL compensation from boosters or any other source given these same sources are free to provide unlimited funds to universities and coaches in pursuit of wins. Nowhere in the SCORE Act is there language to prevent universities and coaches from enjoying unlimited funds from boosters for fear that some imaginary and arbitrary fair market limit is exceeded.

A cap will disproportionately harm college football and basketball players who receive most of the NIL money paid by NIL collectives. If Congress imposes this massive reduction in how much NIL money boosters can pay athletes, boosters who want to support their team will then once again be allowed to pay only the universities, and coaches. Congress would effectively be facilitating a multibillion dollar redistribution of compensation from Black athletes to White coaches. Again, the racial injustice of this double-standard would be staggering.

Please note that fair compensation does not mean sports will have to be cut. It will mean that universities will choose to spend less lavishly on coaches and administrators' salaries. As a comparison, there are 28 more universities and over 3000 more athletes among NCAA Division II schools that sponsor football compared to universities participating in the high revenue-generating NCAA Division I Football Subdivision (FBS). Similar to FBS universities, these Division II schools hire full time coaches, travel, and provide scholarships. However, these Division II universities do not spend lavishly on salaries paid to coaches and athletic directors. If universities needed to pay coaches multimillion dollar salaries to operate intercollegiate athletic programs, NCAA Division II would not exist. FBS athletic programs will not go out of business or be forced to cut sports if they were allowed to pay athletes more.

7. The SCORE Act is silent on these issues. For too long, there has been a lack of transparency and enforcement regarding on Title IX. The most recent athlete participation numbers in college sports reported by colleges to the US Department of Education found that

there are about 118,000 more male college athletes compared to female college athletes. This is a red flag, but there is no practical way for the public to discern whether universities are complying with Title IX. The NCPA continues to advocate for Congress to require universities to publish on their web sites annual Title IX reports. This will put pressure on universities to comply with Title IX or face litigation.

Among other things, a continued lack of Title IX compliance will continue to deprive female college athletes of equal promotion of their sport. This is extremely important in the NIL era given such noncompliance can prevent female athletes from much-deserved exposure that can enhance their NIL opportunities.

8. All indications so far is that universities with larger college sports revenue are more inclined to pay athletes the maximum amount of compensation allowed under the House settlement. Each school can pay any athletes that they want up to the 22% limit. With a cap of about $20 million this first year, a number of universities with high athletic revenue plan to pay their football players about $15 million, men's basketball players be paid, about $4 million, and much of the rest would likely go to women's basketball players. Some schools plan to use some of the cap space to max out athletic scholarships in sports whose athletes used to only be permitted to earn partial scholarships.

As I stated above, Black athletes comprise the majority of athletes on these teams' rosters and are being deprived of significant income due to a cap that is set at 22% instead of 50%. In addition, a higher cap would leave room for universities to include more athletes in revenue sharing opportunities.

Universities with less college sports revenue may choose to spend less on paying their athletes, which means they are less likely to recruit the best athletes and less likely to win as many games as their wealthier counter part. This dynamic is a product of the House v NCAA settlement as would continue if the SCORE Act is adopted. Again highlights the lack of a level playing field and the contradictions of using the notion of competitive balance to diminish athletes' compensation opportunities.

There is one notable exception. There is a category of universities with prominent basketball teams that do not field a football team such as Gonzaga. Gonzaga generates much less total revenue than most universities that are members of Power conferences but generates enough money to pay their basketball men's and women's players significantly more than a limit of $4 million and $1 million, respectively, that universities in the Power conferences may be inclined to pay these players. If Gonzaga paid it's men's and women's basketball players 50% of their respective team's revenue, its men's and women's basketball team would receive $8.5 million and almost $3 million, respectively.

There is another category of universities that generate a lower to mid-range amount of revenue that will choose not to pay athletes at all. San Diego State University falls into this category. It generates about $84 million annually but announced that it will not pay its athletes any revenue. This is an example for why Congress must require schools generating $75 million or more to pay their athletes a minimum amount of revenue.

There are also universities that make such little money that they may decide not to pay their athletes.

9. The schools that are currently members of the Big Ten and SEC are best positioned to compete in football, which generates the bulk of their college sports revenues. However, private equity firms are seeking deals which may lead to more conference realignment that could even alter the Big Ten and SEC conferences' membership by forming a new conference made up of their highest revenue generators. Again, the pursuit of competitive balance lacks any credibility.

10. These changes will leave the pecking order of college sports dominance largely unchanged. Universities with the most athletic revenue and richest boosters won the most games before this evolution and they will continue to win after this evolution.

Mr. William King, Associate Commissioner, South Eastern Conference

Attachment —Additional Questions for the Record

The Honorable Russel Fry (R-SC)

On Friday, June 6th, the House v. NCAA settlement was finalized, marking the beginning of a new era in college athletics. The stakeholders involved in the settlement are now preparing to adjust, and the future of college sports remains uncertain. Congress is on the clock to establish a clear framework—one that protects student-athletes, schools, and the integrity of college sports as a whole.

The NIL debate and prior court cases have largely centered on antitrust issues, so let's begin there.

1. Mr. King, as a result of recent and ongoing litigation, the NCAA and conferences' ability to govern college athletes has diminished, creating what seems to be a managed chaos – you can't make rules, you can't enforce them, and it's the Wild West.
    a. Can you explain the SEC's ability to regulate and govern its member institutions, particularly in matters related to NIL?
    b. How does the SEC collaborate with member institutions to enforce proper compliance with the NCAA's rules and regulations on NIL?
    c. The House v. NCAA settlement provides meaningful stability against antitrust class actions in the short term. Can you explain what liability protections are stemming from the settlement?
    d. You testified that legal issues and ambiguities will remain a threat to college sports absent federal legislation. Please explain further why this is the case in light of the settlement and what you anticipate would be the result of ongoing, unfettered litigation against the NCAA, the conferences, and their members.
    e. Does the NCAA deserve an antitrust exemption? Does the SEC and its institutions?
    f. Given the multiple lost suits and settlements that shaped the landscape of college sports is it now appropriate for congress to give college sports a specific narrow limited antitrust protection?

I'd like to discuss employment status. From what I and most members of this committee have heard from our universities and student athletes is that they do not want employment status.

2. Mr. King, my understanding is that for most institutions, the costs associated with an employment model would surpass the entire athletics budget, in some cases doubling, tripling, or quadrupling their current athletics program allocations.

a. Would the costs associated with paying student athletes as employees and with collective bargaining prevent SEC universities from continuing the current level of sports offerings?
b. Would athletics programs at Division II and III schools and at under-resourced schools, such as most HBCUs, be financially tenable under sweeping employee mandates?

I also have questions on health benefits.

3. Mr. King, can you summarize the benefits currently provided to student athletes at your schools?
    a. The health and safety of student-athletes are of the utmost importance to us here in Congress, and ensuring that student-athletes are properly taken care of is a deep concern of mine.
    b. What health benefits, including insurance coverage, are provided for SEC student-athletes? Do these benefits continue post-graduation or after they are no longer in their sport, whether due to injury or personal choice?
    c. Can you discuss ways that SEC institutions prioritize the health and safety of student-athletes, particularly related to long-term healthcare concerns, such as concussions and/or mental health issues? What protocols and safeguards are in place to ensure athlete health comes first?

I'm proud of the work being done in both committees on which I serve to develop a comprehensive roadmap for the future of college sports. I look forward to continuing to work with my colleagues on those committees, as well as on the Education and Workforce Committee, to advance this effort.

The Honorable Debbie Dingell (D-MI)

1. Mr. King, as we move into this new era of college sports — with NIL and revenue sharing — how do you envision Title IX compliance and protections when determining how revenue is distributed among athletes? For example, if a football team generates a significant share of a school's athletics revenue, how should that translate into athlete compensation without widening gender disparities? How do we ensure that gender equity remains core to these evolving compensation models?

    We need strong enforcement and support mechanisms to ensure third party affiliates — like collectives — comply with the new rules governing the NIL era. These challenges won't just resolve themselves, so we need to be explicit in any legislative efforts.

2. Mr. King, come July 1, will payments made through collectives or third-party affiliates be explicitly subject to Title IX obligations?

Mr. William King

3. Mr. King, can you discuss the resources schools provide to help college athletes navigate NIL opportunities?

4. Mr. King, how does the shift away from amateurism impact the next generation of college athletes? In your view, what resources do they need to succeed in this new environment?

Attachment —Additional Questions for the Record

The Honorable Russel Fry (R-SC)

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The NIL debate and prior court cases have largely centered on antitrust issues, so let's begin there.

1. Mr. King, as a result of recent and ongoing litigation, the NCAA and conferences' ability to govern college athletes has diminished, creating what seems to be a managed chaos – you can't make rules, you can't enforce them, and it's the Wild West.
a. Can you explain the SEC's ability to regulate and govern its member institutions, particularly in matters related to NIL?

The SEC regulates its members in several areas through a combination of support for national (NCAA) rules and a set of SEC rules that either supplement NCAA rules or govern in areas where the NCAA does not. The SEC, however, has limited ability to regulate and govern its members related to NIL matters. NIL regulation historically has been managed at the national level by the NCAA, and not at the conference level, in the interest of uniform national standards for all members that promote competitive equity and fair competition. The advent of state NIL laws, beginning in California in 2019 and spreading throughout the country, led to a change in NCAA policy to permit student-athletes to earn NIL compensation. As state NIL laws were expanded and amended to be more permissive and, in some instances, to limit or prohibit enforcement activities, the NCAA's ability to enforce existing rules suffered. The addition of litigation by state Attorneys General in 2024 resulted in an injunction that further limited the NCAA's ability to enforce its rules regarding NIL activities, which leads us to the current situation in which there is little meaningful regulation. The *House* settlement, however, changes this to allow regulation and enforcement around certain areas to ensure NIL agreements are not pay-for-play in disguise and rather are for actual NIL activity. Codification of the key settlement terms in federal legislation would be a significant step in cementing this system of regulation and ensuring competitive equity on a national level in college sports.

b. How does the SEC collaborate with member institutions to enforce proper compliance with the NCAA's rules and regulations on NIL?

The SEC has a productive and collaborative relationship with its members on compliance generally. With regard to NIL activities, we have collaborated with our members to provide consistent guidance on NIL activities and to maximize uniformity in state NIL laws within the SEC footprint. SEC members have remained focused on achieving uniformity and competitive equity through appropriate rules and laws. We also provide guidance to our members on NIL activities generally and in response to specific inquiries from members.

c. The House v. NCAA settlement provides meaningful stability against antitrust class actions in the short term. Can you explain what liability protections are stemming from the settlement?

The settlement provides protection in several ways. First, the settlement resolves all claims for compensation by current and former Division I athletes for prior conduct, with the exception of the very small percentage of class members who opted out of the monetary damages portion of the settlement. Second, the court retained jurisdiction over the settlement, including the implementation of institutional revenue sharing and the regulatory structure for outside/third-party NIL agreements. Any future challenges to the new model by student-athletes will be decided by the same court that approved the settlement (as opposed to separate lawsuits filed elsewhere – such lawsuits will be transferred back to the original court). One of the critical objectives of the settlement is to provide needed stability to ensure the future of college sports by allowing for the enforcement of rules for the new model, which allows significant new payments and scholarships for student-athletes while furthering the principle of fair competition. The settlement ends decades of antitrust litigation, with a proposed structure to provide stability to college sports. While we are optimistic about the future of college athletics under the *House* settlement, Congressional action is still needed to codify these protections.

d. You testified that legal issues and ambiguities will remain a threat to college sports absent federal legislation. Please explain further why this is the case in light of the settlement and what you anticipate would be the result of ongoing, unfettered litigation against the NCAA, the conferences, and their members.

Ongoing, unfettered litigation poses an existential threat to college athletics. The current patchwork of state laws that directly conflict with the settlement could inhibit the ability to effectively implement the settlement, which is why the codification of the key settlement terms and the inclusion of other important provisions not addressed in the settlement in federal legislation is of such importance. If the litigation continues unfettered, we are concerned college athletics will devolve into a system with no regulation, where schools with the most money will acquire the best talent, severely hampering the ability of the rest

to compete with them. We need a system that works for everyone, with uniform national standards that promote the national competition in all sports and allows institutions to continue to offer the broad number of sports programs. These traits form the core of why college athletics is loved by and important to millions of fans across the country.

e. Does the NCAA deserve an antitrust exemption? Does the SEC and its institutions?

I cannot speak for the NCAA, but to be clear, SEC is not asking for a blanket antitrust exemption from Congress. This point is often the subject of misinformed media reports. Instead, we need a federal law that contains limited liability protection to allow schools, conferences and national associations (including the College Sports Commission and NCAA) to comply with the terms of the law, and provide protection to potentially further enhance the benefits provides to student-athletes.

f. Given the multiple lost suits and settlements that shaped the landscape of college sports is it now appropriate for congress to give college sports a specific narrow limited antitrust protection?

Yes, for the reasons discussed above. We seek a limited safe harbor as part of a federal law to allow us to maintain and possibly increase the benefits provided to student-athletes under the settlement and generally. The opportune time for Congress to act is now, specifically, to codify the settlement so that institutions may abide by the requirements of the law without concerns over litigation. Without Congressional action, we expect continuing litigation that will thwart efforts to gain stability in college athletics. Preemption of the ever-growing patchwork of state NIL laws is also imperative for long-term stability.

I'd like to discuss employment status. From what I and most members of this committee have heard from our universities and student athletes is that they do not want employment status.

2. Mr. King, my understanding is that for most institutions, the costs associated with an employment model would surpass the entire athletics budget, in some cases doubling, tripling, or quadrupling their current athletics program allocations.

a. Would the costs associated with paying student athletes as employees and with collective bargaining prevent SEC universities from continuing the current level of sports offerings?

Yes, I believe it would. Equally important, employment costs would force many institutions outside the SEC and other Autonomy conferences to consider closing their athletics departments entirely. The overwhelming majority of Division I athletics departments are

not financially self-sufficient currently, and the addition of employment costs would be devastating to them. Leaders of these institutions have made this clear in their prior communications with Congressional leaders. See Exhibit A [HBCU letters]. It is clear that plaintiffs' attorneys suing to create employee status for college athletes will not discriminate by sport but instead advocate that every college athlete should be an employee, and yet the SEC student-athletes we speak with have no desire to be employees. The focus needs to remain on education and graduation with a degree, not employment.

b. Would athletics programs at Division II and III schools and at under-resourced schools, such as most HBCUs, be financially tenable under sweeping employee mandates?

I refer to Exhibit A above to allow the HBCU commissioners to answer this question themselves. I view the employment efforts as the single greatest threat to the future of college athletics and broad offering of sports at every level throughout the country.

As the HBCU Commissioners outlined in their letter to the Congressional Black Caucus this past February, "To ensure that college sports broadly – and HBCU sports especially – can continue to thrive, it's essential that Congress allow for consistent and nimble national governance and affirm that student-athletes are not designated as employees of their universities… Like the majority of our mid-major and Division II peers, most HBCUs do not generate significant revenue and rely heavily on school appropriated funds and donations. Classifying student-athletes as employees would have a devastating impact on our athletic programs and schools, and in some cases lead to the elimination of intercollegiate athletics."

I also have questions on health benefits.

3. Mr. King, can you summarize the benefits currently provided to student athletes at your schools?

In addition to outstanding athletics development through coaching, training, strength and conditioning and facilities, current SEC student-athletes receive free or partial tuition, room and board; life skills development, athletics training & development, academic support & tutoring, medical and mental health support & extended coverage, and nutritional support. Since 2018, Autonomy conference institutions have been required to provide medical coverage for athletically-related injuries that occur during enrollment for at least two years after student-athletes leave their institutions. It is common for former SEC athletes to return to their campuses to rehabilitate after injuries in professional sports or to otherwise train for their sports. In 2024, the NCAA extended this rule to apply to all of

Division I and established a national insurance coverage plan to assist in that coverage. In addition, SEC members provide world-class treatment for their athletes, accessing medical experts outside their universities when needed. SEC members have also added emphasis on mental health care for student-athletes, which has become increasingly important as the stigma of seeking such care has decreased.

a. The health and safety of student-athletes are of the utmost importance to us here in Congress, and ensuring that student-athletes are properly taken care of is a deep concern of mine.

b. What health benefits, including insurance coverage, are provided for SEC student-athletes? Do these benefits continue post-graduation or after they are no longer in their sport, whether due to injury or personal choice?

SEC student-athletes receive health benefits and medical coverage while they are enrolled. In addition, for the past seven years, SEC student-athletes have received an additional two years of medical coverage for athletically-related injuries after they leave their institutions (a national rule passed by the Autonomy Conferences in 2018). This rule now applies to all Division I institutions. Recent initiatives and enhancements provide student-athletes with access to mental health services and health and well-being benefits, and nutritional support.

c. Can you discuss ways that SEC institutions prioritize the health and safety of student-athletes, particularly related to long-term healthcare concerns, such as concussions and/or mental health issues? What protocols and safeguards are in place to ensure athlete health comes first?

SEC universities provide student-athletes exceptional:

- Medical care – Schools provide fully-staffed athletic training staffs supplemented by team doctors who are specialists across a wide-range of medical disciplines. Student-athletes receive excellent health care services while enrolled, and for athletically-related injuries, for two years after they leave their institutions. While not a requirement, I understand it is common for former athletes to return to campus to receive rehabilitative services for professional sports injuries.

- Mental health and wellness support – Universities offer programs that provide support to student-athletes with areas of focus such as stress & emotional regulation, depression, anxiety, substance use disorder, PTSD, and more.

- Nutrition support and instruction - Student-athletes have access to cafeteria “training tables” and nutrition centers on campus and in many athletics facilities.. In

addition, many schools employ full-time nutritionists and dieticians to provide nutritional support and plans directly to individual student-athletes.

- Other forms of support for student-athletes in individual circumstances, such as making additional medical experts available for injured student-athletes or providing travel and lodging expenses for family emergencies from the Student-Athlete Assistance Fund.

- This list is illustrative and does not contain all of the ways SEC members prioritize student-athlete health and safety, and it does not include measures to comply with NCAA policies and rules in areas such as concussion protocols, independent medical care for student-athletes, unchallengeable autonomous authority of team physicians and athletics trainers on medical and return-to-play decisions, and drug testing.

I'm proud of the work being done in both committees on which I serve to develop a comprehensive roadmap for the future of college sports. I look forward to continuing to work with my colleagues on those committees, as well as on the Education and Workforce Committee, to advance this effort.

The Honorable Debbie Dingell (D-MI)

1. Mr. King, as we move into this new era of college sports — with NIL and revenue sharing — how do you envision Title IX compliance and protections when determining how revenue is distributed among athletes? For example, if a football team generates a significant share of a school's athletics revenue, how should that translate into athlete compensation without widening gender disparities? How do we ensure that gender equity remains core to these evolving compensation models?

I am not a Title IX expert, but my understanding is the *House v. NCAA* settlement does not impact the current application of Title IX to college athletics with regard to the support of women's and men's sports programs, the number of athletics participation opportunities, and scholarship support for female and male athletes. These core protections will remain in place.

The settlement creates a new issue for consideration – institutional NIL payments to student-athletes as part of the revenue sharing provision. The decisions on how revenue will be shared among sports programs and athletes will be made on each campus. To my knowledge, there is no Title IX precedent on institutional NIL payments to college athletes, as these payments have not been an option in the past. Title IX attorneys vary in their views on whether Title IX proportionality requirements apply to institutional NIL payments. Some

opine that Title IX proportionality requirements apply to these payments, while others say they do not because the payments will be based on an individual's market value, not gender. Some have raised the issue of racial equity in the revenue sharing discussion, as football and men's basketball generate the overwhelming portion of revenue, with this revenue used to support other sports programs. The current and previous administrations had differing views on whether Title IX applies to institutional NIL payments to college athletes.

2. Mr. King, come July 1, will payments made through collectives or third-party affiliates be explicitly subject to Title IX obligations?

To my knowledge, no.

3. Mr. King, can you discuss the resources schools provide to help college athletes navigate NIL opportunities?

I can speak only about my understanding of the resources provided by members of the Southeastern Conference. SEC member institutions provide training, support and assistance in identifying NIL opportunities for student-athletes. Members employ staff or retain third parties to identify and secure commercial entities to enter into legitimate third-party NIL agreements with student-athletes. Some schools offer workshops, seminars, and online courses focused on NIL, covering topics like financial literacy, personal branding, and legal considerations. Additionally, schools may offer services like media training, social media guidance, and personal brand development to help athletes maximize their NIL potential. They may also connect athletes with alumni and local business leaders for mentorship and networking opportunities. Some institutions provide optional access to legal and financial advisors to help student-athletes navigate the complexities of NIL deals and ensure compliance with regulations.

Many universities have dedicated sections on their athletic department websites with information about NIL policies, guidelines, and available support. These resources often include FAQs, contact information for NIL advisors, and links to relevant external resources. Some schools offer "NIL office hours" where athletes can meet with experts on campus or virtually.

4. Mr. King, how does the shift away from amateurism impact the next generation of college athletes? In your view, what resources do they need to succeed in this new environment?

This question is difficult to answer given the current fluid environment in college athletics. We must focus on core principles in being prepared for the future. First, with changes to the economic relationship between student-athletes and their institutions, we must maintain

the focus on education and earning college degrees. Second, we must create a system that protects student-athletes from unscrupulous agents and third parties seeking to exploit them. Third, we need stability and uniformity in the structure for revenue sharing with student-athletes and third-party/outside NIL agreements so student-athletes have clear guidance on how to structure such arrangements A federal law that codifies the key elements of the *House* settlement and preempts the patchwork of state NIL laws will provide this uniform guidance and promote competitive equity on a national level. Federal legislation will also ensure that institutions are allowed to provide substantial additional benefits to student-athletes in a manner that allows the continuation of a broad offering of sports programs and opportunities.

EXHIBIT A

The Honorable Yvette Clarke
U.S. House of Representatives
2058 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Marilyn Strickland
U.S. House of Representatives
1708 Longworth House Office Building
Washington, D.C. 20515

The Honorable Troy Carter
U.S. House of Representatives
442 Cannon House Office Building
Washington, D.C. 20515

The Honorable Sydney Kamlager-Dove
U.S. House of Representatives
1419 Longworth House Office Building
Washington, D.C. 20515

The Honorable Lucy McBath
U.S. House of Representatives
2246 Rayburn House Office Building
Washington, D.C. 20515

February 17, 2025

Dear Chairwoman Clarke & Members of the Congressional Black Caucus:

The Central Intercollegiate Athletic Association (CIAA), Mid-Eastern Athletic Conference (MEAC), Southern Intercollegiate Athletic Conference (SIAC), and Southwestern Athletic Conference (SWAC), represent Historically Black Colleges & Universities within Divisions' I and II of the National Collegiate Athletic Association (NCAA). As members of the NCAA, our four Conferences include 48 institutions spanning nearly twenty states. We serve 15,000 student athletes, and bring together millions of HBCU alumni, fans and communities in celebration of our rich history and traditions.

While there have been historic changes recently in collegiate sports to support student-athletes overall, opportunities for our predominantly Black students at our institutions are at risk. Pending regulatory decisions and litigation threaten to change the face of college sports devoid of our input and, more importantly, without the voices of our student athletes, administrators and us as commissioners leading our conferences being considered. *To ensure that college sports broadly – and HBCU sports especially – can continue to thrive, it's essential that Congress allow for consistent and nimble national governance and affirm that student-athletes are not designated as employees of their universities.*

There continues to be a growing patchwork of state laws impacting college sports and creating disparities and confusion among our prospective and current student-athletes. The disparate laws and increasing court decisions have made it difficult for conferences like ours to continue to provide developmental and competition opportunities for member institutions and student-athletes. Retention is also a challenge within our HBCU student athlete population due to increasing differences in state laws and legal activity that have all but eliminated a level playing field.

At the same time, we are witnessing ongoing efforts to classify student-athletes as employees. Like the majority of our mid-major and Division II peers, most HBCUs do not generate significant revenue and rely heavily on school appropriated funds and donations. Classifying student-athletes as employees would have a devastating impact on our athletic programs and schools, and in some cases lead to the elimination of intercollegiate athletics.

Amid these looming outside threats, there has also been significant internal transformation during President Charlie Baker's first two years leading the NCAA. Recent initiatives and enhancements including membership funded sports injury health coverage for all college athletes for up to two years after graduation, student-athletes' access to mental health services, financial literacy training, health and well-being benefits, scholarship protections, and degree completion funding are bettering the student athlete experience. While we are working tirelessly to advocate for and protect all that we have accomplished with our HBCU campuses, we need your support and understanding in the value of affirming that student-athletes are not employees of their universities and in pre-empting state law and providing limited safe harbor protections to create clear and fair playing fields for HBCU student-athletes.

Over the past few years we have made efforts to meet with members of Congress and the Congressional Black Caucus to share the HBCU sports community's views regarding the passage of federal legislation for intercollegiate athletics. We continue to stand ready to engage as resources and as part of the dialogue on the important issues impacting HBCU intercollegiate athletics. We would like to invite Chair Clarke and/or members of her leadership team to discuss the important role the Congressional Black Caucus can play in protecting future opportunities for HBCU schools and student-athletes. Please let us know if there is a time in February or March that would be convenient to meet in-person or virtually.

Thank you again for your consideration and for your continued support of HBCU communities.

Kind regards,

Commissioner Jacqie McWilliams
Central Intercollegiate Athletic Conference

Commissioner Anthony Holloman
Southern Intercollegiate Athletic Conference

Commissioner Sonja Stills
Mid-Eastern Athletic Conference

Commissioner Charles McClelland
Southwestern Athletic Conference

Cc:

The Honorable Alma Adams
The Honorable Angela Alsobrooks
The Honorable Gabriel Amo
The Honorable Joyce Beatty
The Honorable Wesley Bell
The Honorable Sanford Bishop
The Honorable Lisa Blunt Rochester
The Honorable Cory Booker
The Honorable Shontel Brown
The Honorable Janelle Bynum
The Honorable Andre Carson
The Honorable Troy Carter
The Honorable Sheila Cherfilus-McCormick
The Honorable Yvette Clarke
The Honorable Emanuel Cleaver
The Honorable James Clyburn
The Honorable Herbert Conaway
The Honorable Jasmine Crockett
The Honorable Danny Davis
The Honorable Donald Davis
The Honorable Dwight Evans
The Honorable Cleo Fields
The Honorable Shomari Figures
The Honorable Valerie Foushee
The Honorable Maxwell Frost
The Honorable Al Green
The Honorable Jahana Hayes
The Honorable Glenn Ivey
The Honorable Jonathan Jackson
The Honorable Hakeem Jeffries
The Honorable Henry Johnson
The Honorable Sydney Kamlager-Dove
The Honorable Robin Kelly
The Honorable Summer Lee
The Honorable Lucia McBath
The Honorable Jennifer McClellan
The Honorable Lamonica McIver
The Honorable Gregory Meeks
The Honorable Kweisi Mfume
The Honorable Gwendolynne Moore
The Honorable Joseph Neguse
The Honorable Eleanor Norton
The Honorable Ilhan Omar
The Honorable Stacey Plaskett
The Honorable Ayanna Pressley
The Honorable Robert Scott
The Honorable David Scott
The Honorable Terry Sewell
The Honorable Lateefah Simon
The Honorable Marilyn Strickland
The Honorable Emilia Sykes
The Honorable Bennie Thompson
The Honorable Ritchie Torres
The Honorable Sylvester Turner
The Honorable Lauren Underwood
The Honorable Marc Veasey
The Honorable Raphael Warnock
The Honorable Maxine Waters
The Honorable Bonnie Watson Coleman
The Honorable Nikema Williams
The Honorable Frederica Wilson

BRETT GUTHRIE, KENTUCKY
CHAIRMAN

FRANK PALLONE, JR., NEW JERSEY
RANKING MEMBER

ONE HUNDRED NINETEENTH CONGRESS

Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
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WASHINGTON, DC 20515-6115
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Minority (202) 225-2927

July 8, 2025

Ms. Ashley Cozad
Swimming Student Athlete
Former Division 1 SAAC Chair
University of North Florida
12359 Sunchase Drive
Jacksonville, FL 32246

Dear Ms. Cozad,

Thank you for appearing before the Subcommittee on Commerce, Manufacturing, and Trade hearing on Thursday, June 12, 2025, to testify at the hearing entitled, "Winning Off the Field: Legislative Proposal to Stabilize NIL and College Athletics."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached.

To facilitate the printing of the hearing record, please respond to these questions with a transmittal letter by the close of business on Tuesday, July 22, 2025. Your responses should be mailed to Alex Khlopin, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515 and e-mailed in Word format to alex.khlopin@mail.house.gov.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,

Gus M. Bilirakis
Chairman
Subcommittee on Commerce, Manufacturing, and Trade

cc: The Honorable Jan Schakowsky, Ranking Member, Subcommittee on Commerce, Manufacturing, and Trade

Attachment —Additional Questions for the Record

The Honorable Debbie Dingell (D-MI)

1. Ms. Cozad, as Congress considers NIL in the wake of the House settlement, what are the top three things you would want guaranteed in a federal NIL law to protect and empower college athletes, like yourself?

2. Ms. Cozad, so the question becomes, how do we build a fairer, more equitable system? I want college sports to succeed — I don't want them to grind to a halt — but how do we ensure college athletes have a meaningful seat at the table? What tools or rights do they need to engage in real negotiations and avoid being locked into a race to the bottom?

   I want to ensure that we aren't simply codifying the status quo, where the NCAA and Power 4 hold the decision-making power. We need to work towards a system that reflects the full diversity of stakeholders in college sports, with a focus on the college athletes themselves.

3. Ms. Cozad, do you have thoughts on this question — with the future of collectives, financial pressures, performance expectations, agents, etc. — as we enter this new era?

1. Ms. Cozad, as Congress considers NIL in the wake of the House settlement, what are the top three things you would want guaranteed in a federal NIL law to protect and empower college athletes, like yourself?

The top three things I would want guaranteed in a federal NIL law to protect and empower college athletes would be, (1) agent requirements, (2) mandatory NIL reporting, and (3) required education for student athletes AND agents/third parties. These thresholds would create a stable NIL environment, where student athletes know their rights and agents are unable to take advantage of naïve college players.

2. Ms. Cozad, so the question becomes, how do we build a fairer, more equitable system? I want college sports to succeed — I don't want them to grind to a halt — but how do we ensure college athletes have a meaningful seat at the table? What tools or rights do they need to engage in real negotiations and avoid being locked into a race to the bottom?

I want to ensure that we aren't simply codifying the status quo, where the NCAA and Power 4 hold the decision-making power. We need to work towards a system that reflects the full diversity of stakeholders in college sports, with a focus on the college athletes themselves.

Being apart of the NCAA Student Athlete Advisory Committee or SAAC for three years, I was the seat at the table for over 190,000 student athletes. While it is valuable that there were two student athletes on the NCAA Division 1 Board of Directors and Division 1 Council respectively, it is evident that there is a need for more representation at all levels of governance. Ensuring that student athletes have votes at the conference and national level is imperative to maintaining a meaningful student athlete voice.

3. Ms. Cozad, do you have thoughts on this question — with the future of collectives, financial pressures, performance expectations, agents, etc. — as we enter this new era?

While it is difficult to know what impact collectives, financial pressures, performance expectations and agents will have on the future of college athletics, it is important to recognize that we cannot go backwards when it comes to student athlete protections. I am not sure how collectives and agents will transform, but we must maintain the competitive nature of college sports. After all, there is nothing that compares to the value of college sports and how it has transformed young people in profound ways.Coz