

Statement for the Record by Rep. Anthony Gonzalez  
House Energy & Commerce Committee  
Subcommittee on Consumer Protection and Commerce  
Sept. 30<sup>th</sup>, 2021

Chairman Pallone, Ranking Member McMorris Rodgers, Chairwoman Schakowsky, and Ranking Member Bilirakis –

Thank you for providing me the opportunity to provide a statement for the record today and for holding this Subcommittee hearing on the issue of name, image, and likeness or NIL.

As a former student athlete at The Ohio State University, I know firsthand the impact college sports can have on our students, our athletes, and our communities across the country. For me, my time playing for Ohio State shaped my life immeasurably, and I am more thankful for the lessons I learned on and off the field every day. College athletics has a way of doing that – for many of my teammates, college sports provided the best and sometimes the only opportunity to attend college and earn a degree. That in and of itself is a fantastic gift.

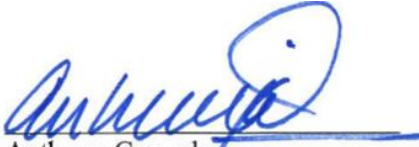
Until this year, student athletes across the nation were restricted from capitalizing on their NIL because of an NCAA policy. This meant that student athletes couldn't sign autographs, teach swim lessons, or accept any financial award while non-athlete students on the same campus had these freedoms.

States took matters into their own hands and beginning in 2019 with the California Fair Pay to Play Act, started passing state laws allowing for student athletes to profit from their NIL in their respective state. The pressure of multiple state laws going into effect July 1st caused the NCAA to act. On June 30th the NCAA announced an interim policy allowing for student athletes across the nation to profit from their NIL. Universities located in a state with a NIL law used this as guidance, while universities located in states with no NIL law were tasked with creating their own NIL policy.

It was a huge win for student athletes everywhere when the NCAA finally overturned this inequitable policy, but the existing patchwork of state laws and individual school policies has created chaos in the NIL market. Without a clear standard across the board, student athletes will continue to face a convoluted and confusing set of policies. After all of this time, student athletes deserve clarity and guidance. Congress has the opportunity to deliver this by passing a federal NIL law that will create one uniform standard, protect the recruiting process, and preserve the college athletics system that Americans love.

The Energy and Commerce Committee, and particularly the Consumer Protection and Commerce Subcommittee, is uniquely positioned to consider legislation on NIL which at its heart is centered around fair commercial activity and market involvement for student athletes. I am pleased to see the Subcommittee holding a hearing to learn more about NIL and to consider the importance of federal legislation. It is vital that any solution to this issue be addressed in a bipartisan way that considers all the stakeholders involved. I am pleased to see a number of those stakeholders testifying as witnesses before the Subcommittee today.

I look forward to working with you to find a fair, timely solution for student athletes across the country.



Anthony Gonzalez  
Member of Congress