

Committee on Energy and Commerce

**Opening Statement as Prepared for Delivery
of**

Subcommittee on Consumer Protection and Commerce Chair Janice D. Schakowsky

Hearing on “A Level Playing Field: College Athletes’ Rights to Their Name, Image, and Likeness”

September 30, 2021

On any given fall Saturday on college campuses all over this nation, students, alumna, and others gather. College sports bring joy to Americans in every state, in every Congressional district, and can provide lifechanging opportunity and friendships for college athletes. I know our colleague Congresswoman Trahan, and others of you who were college athletes, have personally experienced this.

College sports have also created enormous wealth, to the tune of \$14.4 billion for colleges and university, but unfortunately that wealth has not been equitably distributed for decades and led to systemic exploitation of athletes.

This exploitation has denied those most responsible for the creation of this wealth, the players, from their fair share of the pie. And if that weren’t bad enough, we have seen athletes saddled with contracts this subcommittee would clearly identify as unfair and deceptive in service of the amateurism mythology. Such contracts have in the past included restrictions on transferring to another school and loss of scholarship in the case of injury, which for many meant halting their education.

In 2015, when Northwestern football players, who I have had the privilege of representing in my district, began a union drive. I was proud to stand with those courageous athletes, fighting for their rights. Regrettably, Northwestern employed classic union-busting tactics, and the effort failed.

Since then, we have recognized pervasive systemic inequities in the way the NCAA manages, funds, and treats male versus female athletes. In August, an independent investigation concluded what many already knew: the NCAA has not lived up to its stated commitment to “diversity, inclusion, and gender equity among its student-athletes.”

For years, Congress was told by the NCAA and others to let them govern themselves. However, in the wake of the proliferation of Name-Image-Likeness laws on the state level, not to mention a Supreme Court case, today they come to us asking us to intervene. The Energy and Commerce Committee is where many of these debates are going to take place, and we are ready to have those debates on fair contracts, health and safety, Name-Image-Likeness, recruiting practices, and labor rights, but I can assure you we will only move forward in a way that puts players first.

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That said, I look forward to engaging with Ranking Member Bilirakis, Members on both sides of the aisle of this subcommittee, and all key stakeholders as we correct past injustices and move forward in an equitable way that puts players first.

I thank the witnesses for attending and recognize for 5 minutes the Ranking Member, Mr. Bilirakis.