

Committee on Energy and Commerce

**Opening Statement as Prepared for Delivery
of
Representative Lori Trahan**

Subcommittee on Innovation, Data, and Commerce Subcommittee Hearing on “Taking the Buzzer Beater to the Bank: Protecting College Athletes’ NIL Dealmaking Rights.”

March 29, 2023

Well, I thank the Ranking Member for yielding. Like many of our colleagues on the committee, I believe that Congress can and must act to create a level playing field for college athletics. We’ll no doubt hear today from our witnesses that the current patchwork of state laws is difficult for colleges and conferences to navigate. But as a former college athlete myself, I’m more concerned with how that same patchwork affects athletes.

When I was being recruited to play volleyball, I had to navigate that process alone. You know, my parents didn’t get a scholarship to college – in fact, many first-generation Americans, like my dad, didn’t have a choice but to start working right after high school. They did their best to help me, but the burden of navigating different scholarship offers and weighing the pros and cons of one school against another was stressful and at times daunting.

That was difficult enough 30 years ago without having to parse through different state laws to determine if going to school in New Mexico might be better from a NIL perspective than staying in my home state of Massachusetts. But that’s a challenge athletes are facing today. Make no mistake – the system of college athletics is better than it was two years ago. But there are emerging challenges – including inequity and collusion among collectives, predatory contracts, and Title IX loopholes – that we should address.

I would urge my colleagues that when we move the ball forward on this issue, we do so in a way that prioritizes the rights of athletes who have long been left out of discussions about the future of college athletics. There should not be a desire to return to the status quo that didn’t work for so many college athletes. We can’t put that genie back in the bottle, as they say. But we can work together to advance legislation that creates a level playing field, strengthens the rights of athletes, and preserves college athletics for generations to come.

I want to thank the Chair and Ranking Member for hosting today’s hearing, and the panel of witnesses for their testimony, and I yield back.