

Opening Statement of Chairman Gus M. Bilirakis
As Prepared for Delivery
Committee on Energy and Commerce
Subcommittee on Innovation, Data, and Commerce
Hearing titled “NIL Playbook: Proposal To Protect Student Athletes’
Dealmaking Rights”
January 18, 2024

Good morning, everyone. Welcome to today’s hearing titled “NIL Playbook: Proposal To Protect Student Athletes' Dealmaking Rights.” Last year, our Subcommittee held an educational hearing on this topic of Name, Image, and Likeness in collegiate athletics where we heard from student athletes, university presidents, athletic directors, and others involved in this rapidly growing field.

On the heels of this season’s College Football National Championship game, where the University of Michigan Wolverines defeated the University of Washington Huskies, there has never been a better time to address this topic. And I do want to say congratulations to the Wolverines and Michigan fans nationwide, including my friends Debbie Dingell and Tim Walberg, for their victory.

I want to be clear today – NIL is great for players, and the change was long overdue. At the same time, the sudden transition to NIL has enabled a “wild-west” environment where pay-for-play is rampant. The purchasing of players has set college athletics on an unsustainable path. To ensure a long-term future for college athletics, we must promote safe guardrails and a level playing field.

There is no doubt that Congress needs to act. Unfortunately, the NIL landscape is complicated because the NCAA created many of the problems to begin with and has since struggled to get a handle on this evolving landscape. I am certainly among those who have been concerned with some of the Association’s recent activities while supportive of others, and I look forward to hearing President Baker’s testimony.

As money has poured in from boosters, collectives, and corporate entities to purchase players for their favorite team, small schools and non-revenue generating sports are often forgotten. Meanwhile, I believe we are losing sight of the educational opportunities and values that defines the student experience in universities across our nation. Some have further advocated for students as employees or for forced revenue-sharing schemes, both of which have the potential to end many women’s sports programs and significantly reduce our Olympic pipeline. In the 2020 Tokyo games, almost 82% of American medalists had direct ties to a collegiate

program.

So while the courts have settled the debate on NIL compensation broadly, it has become necessary for Congress to step in and provide some common-sense rules of the road. Today we are considering my discussion draft proposal the FAIR College Sports Act. The goal of this bill is to establish a clear set of rules, so that young people are protected, opportunities for them promoted, and amateur sports of all kinds are preserved, and does so without expanding government.

The FAIR College Sports Act has received an open and robust stakeholder feedback process over the past 8 months. I don't believe this should be a partisan issue, and I'm excited to formally begin a public discussion on NIL legislation and know that we can come together to build consensus. I'm grateful to our former colleague Senator Ben Ray Lujan for his efforts to move the ball forward on this issue with me.

I also particularly want to thank Rep. Dingell, who has committed to working with me to find a path forward. I know she has some concerns with the current draft, and I'm sure there are issues that we won't fully agree on. But this is why we have legislative hearings and run a regular order process - to discuss these matters and work on them together; It is important to remember that Energy & Commerce is where bipartisan proposals flourish and become law. NIL should be one of those examples.

I also want to call out the three student athletes represented on the panel today: Meredith Page Keke Tholl, and Chase Griffin. You are the reason why we do this. With a thoughtful and balanced framework, I'm confident we can provide stability to collegiate athletics while ensuring to protect athletes, promote fair play, and preserve the sports we know and love.

Thank you all for being here, and I look forward to a productive discussion on this important issue. I yield back.