

**Opening Statement of Chair Cathy McMorris Rodgers**  
**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**

Thank you to our witnesses for joining us today.

I want to take a moment to thank Chair Bilirakis for his exhaustive process over the past year to bring parties together...

... and recognize my colleagues, Representative Dingell and Senator Lujan – an alum of this committee – for their work with him to find a path forward on this important issue.

Every one of us takes great pride in the universities and colleges in our home states. We all want our student athletes to be successful, both on and off the field.

Today’s hearing is the next step in our regular order process.

This is an opportunity to continue the dialogue, address outstanding concerns, and hear from the student athletes who will benefit most from a clear set of uniform rules and protections.

To ensure that amateur athletes have every chance to succeed in life and in sports, we must give them clear guidance.

Today, we have the opportunity to hear from several of these athletes...

... Ms. Meredith Page, a Division I volleyball player at Radford University...

... Ms. Keke Tholl, a member of the University of Michigan softball team...

...and Mr. Chase Griffin, a football player at UCLA.

We appreciate you sharing your stories with us.

Your experience navigating this complex topic is critical as members work to refine the discussion draft under consideration.

The current patchwork of state laws is confusing for athletes, schools, and conferences alike.

It is unreasonable to expect student athletes to balance their studies while navigating a maze of complex and conflicting laws.

They are put in an unwinnable position of running afoul of rules they would need a law firm to provide counsel on.

This can be detrimental to their educational experience, as well as their savings and future career.

I recently heard about a draft NIL agreement with a collective which agreed to pay an athlete \$1.5 million over two years.

Hidden in the fine print was a provision which allowed the collective “from time to time” to ask for repayment of that money plus a 10 percent interest for commission and expenses.

These provisions applied even if that agreement were to be terminated.

This behavior is abhorrent, predatory and is exactly what we are trying to prevent with this legislation.

With one national standard, we can shield student athletes from such bad actors, provide transparency into the evolving NIL marketplace, and allow athletes to focus on succeeding on the field and in the classroom.

We need to get this right in order to protect the rights for millions of young Americans to continue receiving an education and competing in the sports they love.

Furthermore, while some sports at the highest level are profitable, most student athletes are competing in sports that are non-revenue generating.

Yet many of these programs continue to be paths for students pursuing higher education, and for some to even represent our country to the world.

For instance, in the 2020 Tokyo games, over 80% of U.S. Medalists had ties to a collegiate program, with more than 170 U.S. institutions of higher learning being a training ground for Olympians.

Some proposals currently being discussed, along with the uncertainty created by a patchwork of state laws...

...jeopardize these opportunities for young people, and could prevent them from accessing a college degree program.

It would mean that many small schools.... including historically black colleges and universities... and others could be forced to eliminate their sports programs altogether.

Our proposal would ensure these programs are preserved for student athletes across the country.

These collegiate athletes are more than just athletes—they are students, small business owners, podcasters, entrepreneurs, and more.

They deserve clear guidelines and transparency.

NIL is a long-overdue means of compensation for student athletes across our country.

Every student athlete deserves the opportunity to succeed in their sport and in their life.

There are many other important conversations currently happening in collegiate sports that aren't necessarily specific to the issue of NIL—for instance, Title IX—which other committees are actively engaging on.

As we continue this discussion, I encourage all my colleagues... House and Senate...., as well as stakeholders, to work with us in providing the best protections and opportunities possible for student athletes Thank you.

I yield back.