

U.S. House of Representatives
Committee on Energy and Commerce
Subcommittee on Commerce, Manufacturing, and Trade Hearing
March 4, 2025
Questions for the Record
Responses from Coach Shane Beamer

The Honorable Russ Fulcher (R-ID)

1. How would rules preventing student-athletes from claiming employee status protect them from potential problems if student-athletes get tagged as employees and then collect NIL money. Do you see roster stability and your ability to plan out your season, along with allowing your players to develop as student teammates and not having confusion over whether they are student-athletes or employees, come with rules preventing student-athletes claiming employee status?

Designating student-athletes as employees would fundamentally change the relationship between student-athletes and schools and undermine the academic model of college sports. This change would detract from the educational and developmental mission of universities, as the focus would shift to student-athletes as employees, not students working toward a college degree. I understand other current benefits, such as scholarships, could be subject to taxation. If student-athletes become employees, they would be able to be fired for performance and lose their academic opportunities for a free college education. The employment model would also heavily strain the finances of universities, resulting in less funding for non-revenue sports. If student-athletes become employees, I expect many non-revenue sports programs would be cut, and the experience of student-athletes in other sports would be negatively impacted.

As for roster stability, yes, I believe keeping the focus on student-athletes' academic pursuits and personal growth is a positive rather than student-athletes being viewed as employees who generate revenue but can be terminated based upon performance.

The Honorable John James (R-MI)

1. Bad actors are already moving into the NIL space by convincing young athletes to sign contracts that exploit their earning power. Some of these contracts require athletes to pay 50 percent of their earnings to these agents. What guardrails should be created to ensure young impressionable athletes are not exploited?

Universities are seeking to help student-athletes navigate the new NIL reality by providing financial literacy and other resources to navigate contractual arrangements, but more can

certainly be done. An agent registration process is the first step toward reining in bad actor agents. Further, requiring transparency in NIL deals can help bring accountability to the system. I support agent registration and regulation, including a system for discipline for agents who exploit student-athletes. A federal law that codifies the proposed university revenue sharing system in the House settlement would decrease the opportunity for bad actor agents to take advantage of student-athletes.

2. While Adrian College wholeheartedly supports the right of college athletes to earn money from their NIL, an arms race could ensure quickly creating colleges of “haves” and “have-nots.” Is there a way to create equanimity among colleges to ensure a few rich institutions don’t have all the power to recruit top athletes?

As I mentioned in my testimony before the Committee, college athletics is at a critical juncture. We must have federal legislation to ensure that there is uniformity in college sports. Without federal legislation, college athletics will simply continue on a path to where the schools with the most money and the wealthiest boosters buy their way to the top. The need for a level playing field with all schools playing by the same rules is critical. The House settlement’s accountability measures for NIL deals, as well as its revenue sharing agreement that allows schools to share more than an additional \$20 million with student-athletes each year is an important first step towards returning stability to college athletics, and Congress needs to include this in federal legislation that ensures a uniform national standard that promotes fairness and competitive equity in the system

3. Is the amateur student-athlete model dead? Do we now have a pay-for-play professional model across the college spectrum?

The amateur student-athlete model is not dead, but it is in danger of becoming extinct if Congress does not act. We need Congress to act with urgency to preempt the patchwork of state laws and set a federal standard for NIL, and to provide liability protection to the conferences to implement new rules consistent with the House settlement. This will allow us to provide more benefits for student-athletes while preserving the student-athlete model that ensures the educational and developmental goals of college athletics remain.