

## **Congressional Testimony of Emily Cole**

*U.S. House of Representatives Energy and Commerce Committee, Subcommittee  
on Commerce, Manufacturing, and Trade*

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Chairman Guthrie, Ranking Member Pallone, Chairman Bilirakis, Ranking Member Schakowsky, and distinguished members of the Subcommittee on Commerce, Manufacturing, and Trade, thank you for the opportunity to testify before you today on the important topic of how Name, Image, and Likeness (“NIL”) is reshaping college athletics.

Some of you might know me as the Duke runner who went viral for documenting my week-long journey getting a knot out of my hair after running in the rain. While this moment may have been lighthearted, it serves as an example of the immense reach of college athletics—reach that used to be largely limited to sports like men’s football and basketball but has now begun to extend to female and non-revenue sports as well, thanks to the power of social media.

I am so grateful that the new policies around NIL have positively impacted me and allowed me to pursue my dreams on and off the track. My journey, however, did not begin with NIL. It began long before the laws changed, back when I was growing up in Houston, Texas.

I grew up attending my sisters’ volleyball, basketball, and track meets, as my parents always encouraged us to try as many sports as possible. When I was in just fifth grade, my oldest sister, Kristin, was accepted to Duke, sparking my lifelong passion for Duke sports. During her sophomore year in 2012, she wrote a paper on why student-athletes should be able to profit from their NIL, which led to deep discussions within our family. At the time, I had no idea that this debate, one I first considered at such a young age, would later become a defining part of my own experience as a college athlete.

Eight years after Kristin’s acceptance to Duke, I arrived on the historic campus myself, eager to pursue both my academic and athletic goals. But just as my journey was beginning, the world came to a standstill. During my freshman year in 2019, the COVID-19 pandemic hit, bringing uncertainty and disruption.

Yet, amid the chaos, I found an opportunity in the unexpected downtime. I started sharing more of my journey on social media, something my middle sister, Julia, a Vanderbilt graduate and country music artist, had encouraged me to do. She had seen firsthand how social media was transforming opportunities for artists and believed it could help me build a platform as an athlete, too. Neither of us realized at the time how this would give me a head start when the NIL laws changed shortly thereafter.

More specifically, I finally had the time to pursue and document a large endeavor I had been considering for the past year: writing a book.

The following fall, during my sophomore year, I took a gap semester to officially begin writing *The Player's Plate*, a guide to fueling with balance as an elite athlete. My inspiration for the book came from my own life-changing experience during my senior year of high school. As I had become more stringent with what I ate to fuel my running goals, I started feeling sick and eventually fell into a coma due to hyponatremia—a condition caused by dangerously low sodium levels, often from overhydration without electrolytes. This life-threatening experience at just 17—one that completely contradicted society's traditional idea of "healthy," which emphasizes drinking more water and eating less salt—opened my eyes to the need for a deeper understanding of the unique nutritional needs of athletes at all ages and levels.

Conveniently, *The Player's Plate* was published just after the NCAA's policies around NIL changed, allowing college athletes to profit from their name, image, and likeness. I became the first NCAA athlete to write and profit from a book using NIL, though that was never the goal when I set out to write it.

At the same time, my athletic career was taking off. I qualified for the NCAA Championships for the first time, earned All-American honors, and qualified to compete in the U.S. Track and Field Championships, where I had the opportunity to race against my idols.

This fortunate timing allowed me to build a personal brand rooted in my passions and unintentionally placed me at the forefront of how Olympic and female athletes could navigate this new era. While much of the NIL conversation centered around football and basketball, my journey demonstrated how these opportunities could also empower athletes in sports without large TV advertising contracts that had long been overlooked in those discussions.

As my social media presence grew, I initially negotiated all of my brand deals on my own. However, I quickly realized that managing everything myself was no longer sustainable. That's when I connected with Michael Raymond. His agency, Raymond Representation, operates with a human-first approach, and I knew immediately it was the right fit. Protecting athletes in these partnerships is essential to ensuring that future student-athletes have the same positive experience that I did. With their support, I've secured multiple five-figure deals with brands such as Therabody, Dick's Sporting Goods, Marriott Hotels, Gatorade, and H&R Block.

I was also fortunate to be part of the inaugural NCAA x Meta NIL Empower Program, which provides education and resources to female athletes on maximizing their NIL opportunities. Since then, I have served as a mentor for the past two years, helping new athletes navigate the NIL space, build their brands, and use their platforms to create meaningful change.

Just last week, I launched my Salty and Strong Run Club in partnership with Morgan's Message, a nonprofit founded by the parents of a fellow Duke female athlete that focuses on raising awareness about student-athlete mental health. Today, I have over 700,000 followers across platforms. As we all know, social media is often seen as just a highlight reel. Because of this, I strive to use my voice to share both the highs and lows of life—helping inspire young athletes to fuel their bodies well, chase their dreams, and build the confidence they need to pursue their goals in sport, education, and life.

To preserve opportunities for all student-athletes, the minimum number of sports required for Division I status must remain unchanged. Reducing this requirement would lead to widespread cuts in non-revenue sports, eliminating countless scholarships and stripping athletes of the opportunity to receive a college education while competing at the highest level—opportunities that shaped my own journey in profound ways.

Furthermore, while NIL has created meaningful opportunities, classifying college athletes as employees is not the right path forward. Doing so could put non-revenue sports, women's sports, and smaller universities at risk due to financial constraints. Instead, we must find solutions that allow athletes to benefit from their NIL while ensuring the integrity and accessibility of collegiate athletics.

The value of an athlete's NIL is undeniable, and the impact of these new policies on college athletics is still unfolding. Thoughtful implementation is key to ensuring that all athletes are protected, have equal access to opportunities, and continue to receive the education that will serve them long after their playing careers. However, inconsistencies in state laws create disparities that threaten the ability of all athletes to access the same opportunities I have had. Addressing these gaps is essential to maintaining fairness in this evolving landscape.

My own experiences navigating this space have continued to shape my story in unexpected ways. In May 2024, I graduated from Duke with a degree in Computer Science and a minor in Economics. Since then, I've continued my brand partnerships while also taking on a part-time role as an associate at Visible Ventures, a venture capital firm co-founded by fellow Duke alum Lori Cashman.

This opportunity came about largely because Lori had followed my journey on social media and seen how my passions aligned with Visible's mission. She recognized my dedication to women's sports, my experience building a personal brand as an athlete, and my decision to study computer science with the goal of leveraging AI and machine learning to advance women's health and nutrition. Her awareness of my work opened the door to this incredible opportunity, allowing me to bring my unique experiences to the world of venture capital.

In conclusion, I will forever be grateful for all that the new NIL laws have made possible for me. They have empowered me to take control of my personal brand, mentor female athletes to do the same, and ultimately land my dream job while pursuing professional running.

I look forward to seeing how this new era of college athletics continues to evolve, ensuring that athletes not only receive a great education but also have the opportunity to make a meaningful impact beyond their sport.

Thank you again for allowing me to share my story with you all today.