

BRETT GUTHRIE, KENTUCKY
CHAIRMAN

FRANK PALLONE, JR., NEW JERSEY
RANKING MEMBER

ONE HUNDRED NINETEENTH CONGRESS

Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115
Majority (202) 225-3641
Minority (202) 225-2927

April 10, 2025

Mr. Justin Falcinelli
Former College Athlete, Clemson Football
Vice President, College Football Players Association
2800 Hamline Avenue North, Suite 232
St. Paul, MN 55113

Dear Mr. Falcinelli,

Thank you for appearing before the Subcommittee on Commerce, Manufacturing, and Trade hearing on Tuesday, March 4, 2025, to testify at the hearing entitled, "Moving the Goalposts: How NIL is Reshaping College Athletics."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached.

To facilitate the printing of the hearing record, please respond to these questions with a transmittal letter by the close of business on Thursday, April 24, 2025. Your responses should be mailed to Alex Khlopin, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515 and e-mailed in Word format to alex.khlopin@mail.house.gov.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Gus M. Bilirakis
Chairman
Subcommittee on Commerce, Manufacturing, and Trade

CC: The Honorable Jan Schakowsky, Ranking Member, Subcommittee on Commerce, Manufacturing, and Trade

Attachment —Additional Questions for the Record

The Honorable Debbie Dingell (D-MI)

1. Mr. Falcinelli, if Congress legislated on NIL, what are the top three things you would bargain for that Congress might guarantee as a part of the law?

I do not believe direct federal regulation is necessary at this time. NIL is the right to monetize your name, image and likeness and is a right that is freely available to every American, and should not be infringed upon by any school, conference, or governing body. What congress needs to do is enact legislation that empowers Athletes to address these issues themselves in a way that is legally shielded. Collective Bargaining is the time and time again proven successful model for professionalized sports to self-regulate in a way that is fair, empowering, and protecting for the athlete. Anything short of a tailored collective bargaining framework for collegiate athletics will be a temporary measure that will continue to be attacked in the courts and be ineffective at addressing the unique needs of individual sports. I would suggest congress takes a look at the recent California measure that allows uber and Lyft drivers to collectively bargain as independent contractors. If applied to Collegiate athletes it would allow them to organize without being employees of the universities.