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6 WINNING OFF THE FIELD:

7 LEGISLATIVE PROPOSAL TO STABILIZE NIL AND COLLEGE ATHLETICS

8 THURSDAY, JUNE 12, 2025

9 House of Representatives,

10 Subcommittee on Commerce, Manufacturing, and Trade,

11 Committee on Energy and Commerce,

12 Washington, D.C.

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16 The subcommittee met, pursuant to call, at 10:03 a.m. in
17 2123 of the Rayburn House Office Building, Hon. Gus
18 Bilirakis, [chairman of the subcommittee] presiding.

19

20 Present: Representatives Bilirakis, Fulcher,
21 Harshbarger, Cammack, Obernolte, Fry, Kean, Evans, Goldman,
22 Guthrie (ex officio); Schakowsky, Soto, Trahan, Mullin,
23 Clarke, Dingell, Veasey, and Pallone (ex officio).

24

25 Also present: Representative Carter and Fedorchak.

26

27 Staff Present: Jessica Donlon, General Counsel; Matt

28 Furlow, Counsel; Sydney Greene, Director of Finance and
29 Logistics; Natalie Hellman, Professional Staff Member; Megan
30 Jackson, Staff Director; Daniel Kelly, Press Secretary;
31 Sophie Khanahmadi, Deputy Staff Director; Alex Khlopin,
32 Clerk; Giulia Leganski, Chief Counsel; Sarah Meier, Counsel
33 and Parliamentarian; Joel Miller, Chief Counsel; Chris
34 Sarley, Member Services/Stakeholder Director; Matt VanHyfte,
35 Communications Director; Hannah Anton, Minority Policy
36 Analyst; Keegan Cardman, Minority Staff Assistant; Waverly
37 Gordon, Minority Deputy Staff Director and General Counsel;
38 Tiffany Guarascio, Minority Staff Director; Lisa Hone,
39 Minority Chief Counsel, CMT; La'Zale Johnson, Minority
40 Intern; Megan Kanne, Minority Professional Staff Member;
41 Phoebe Rouge, Minority FTC Detailee; Destiny Sheppard,
42 Minority Intern.

43

44 *Mr. Bilirakis. The committee will come to order.

45 The chairman recognizes himself for five minutes for an
46 opening statement.

47 Good morning, everyone, and welcome to our legislative
48 hearing on name, image, likeness, and college athletics. I
49 want to thank our witnesses for being here today. Your
50 experience and insight are critical as we navigate what is
51 arguably one of the most transformative moments in the
52 history of college sports.

53 In recent years we have seen a dramatic shift in college
54 athletes engaging in their sports, their schools, and their
55 personal brands. The recent House versus NCAA settlement
56 represents more than just a court decision. It marks a
57 fundamental change in how college athletes -- athletics will
58 operate going forward. The timing couldn't be more
59 appropriate for legislative action, in my opinion. That is
60 why I am leading the SCORE Act, the Student Compensation and
61 Opportunity Through Rights and Endorsements Act, a
62 comprehensive, common-sense discussion draft that reflects
63 months of dialog with student athletes, athletic directors,
64 conference leaders, and the NCAA.

65 This is not just another proposal. It is a targeted
66 solution designed to bring predictability, fairness, and
67 long-term balance to a system that has rapidly evolved
68 without structure. The SCORE Act is built around three core

69 principles: clarity, by establishing a national standard
70 that replaces the current patchwork of state laws; stability,
71 by setting reasonable guardrails around the transfer portal
72 and NIL deals to protect both athletes and programs; and
73 support, by ensuring benefits like scholarship protections
74 and financial literacy programs are not optional, but
75 expected.

76 For far too long, student athletes have operated in a
77 gray area, empowered in some ways but exposed in others. The
78 current model lacks the transparency and consistency that
79 both athletes and institutions need. The SCORE Act brings
80 that balance, in my opinion. And while today's hearing is
81 just the beginning of a broader tri-committee process with
82 the Committees on Judiciary and Education and Workforce -- so
83 the two committees -- it is an important step. So three
84 committees total, including this one, E&C -- the best
85 committee in Congress, by the way.

86 We are not here to micro-manage college sports. We are
87 here to put forward a framework that strengthens it, that
88 ensures athletes can succeed on the field without losing
89 sight of their future off of it. I am proud of the work this
90 subcommittee has done on this issue, and I look forward to
91 working with my colleagues on both sides of the aisle to get
92 this across the finish line.

93 Oh, and by the way, it is great to be a Florida Gator.

94 [The prepared statement of Mr. Bilirakis follows:]

95

96 *****COMMITTEE INSERT*****

97

98 *Mr. Bilirakis. All right, so the chairman now
99 recognizes the ranking member, Ms. Schakowsky, for five
100 minutes for her opening statement.

101 *Ms. Schakowsky. Thank you, Mr. Chairman. I am happy
102 to be here today.

103 And in part I believe that there is a role for the
104 Congress, but not necessarily the one that we are looking at
105 today. And I am looking forward to working on it further and
106 hearing the testimony on what we really need to make sure --
107 for me the health and welfare of the students is the most
108 important thing.

109 But we have a real expert among us, and all of the --
110 someone who has been involved in sports all of her growing
111 life. And I wanted to yield now to Congresswoman Trahan.
112 And also after that, if she would yield to Congresswoman
113 Kelly.

114 *Mrs. Trahan. Clarke.

115 *Ms. Schakowsky. Oh, Clarke, I am sorry. Clarke, of
116 course.

117 *Mrs. Trahan. Thank you. I want to thank the ranking
118 member for yielding.

119 I am deeply disappointed. For the second year in a row,
120 Republicans on the committee are advancing a partisan college
121 sports bill that protects the power brokers of college
122 athletics at the expense of the athletes themselves. This

123 legislation was crafted behind closed doors with no input
124 from Democratic members on the Energy and Commerce Committee,
125 the Judiciary Committee, or the Education and Workforce
126 Committee. In fact, we didn't see a draft of this bill until
127 late last week, not because our Republican colleagues shared
128 it with us, but because lobbyists and the members of the
129 media got it first.

130 I am a former D1 athlete, and I am deeply -- I care
131 deeply about the future of college sports. So that when I
132 asked the chairman about the rumored hearing today, he said
133 he would be happy to discuss the proposal with me beforehand.
134 Sadly, that meeting never happened.

135 What makes this all the more frustrating is that there
136 is bipartisan agreement on serious problems in college sports
137 that deserve congressional action. International athletes
138 are being denied the same NIL rights as their teammates.
139 Women are being left out of roster spots due to title 9
140 loopholes. We could be working together on solutions.
141 Instead, the SCORE Act uses the approval of the House
142 settlement as justification to slam the door on future
143 progress for college athletes.

144 Proponents claim the system is broken, but the fact that
145 three separate antitrust cases are being settled proves
146 otherwise. We have a system where the NCAA conferences and
147 their member institutions set rules. Athletes can challenge

148 them. And if the rules are unfair, courts can intervene or a
149 deal can be struck. This bill rewrites that process to
150 guarantee that people in power always win and the athletes
151 who fuel this multi-billion dollar industry always lose.

152 I oppose the legislation as written.

153 [The prepared statement of Mrs. Trahan follows:]

154

155 *****COMMITTEE INSERT*****

156

157 *Mrs. Trahan. I look forward to hearing from our
158 witnesses, and I yield to Congresswoman Clarke.

159 *Ms. Clarke. I thank my dear colleague and the Ranking
160 Member Schakowsky for yielding some time. And thank you to
161 our panel of witnesses for joining us today.

162 The landscape of college sports has undergone a rapid
163 transformation over the last decade, including with the
164 recent settlement of landmark House v. NCAA lawsuit. But one
165 thing remains, the enduring popularity of college athletics.

166 College football remains the second-most watched sport
167 in American -- in America behind the NFL, and this year's
168 men's basketball Final Four was the most watched since 2017.
169 Women's basketball has experienced an exponential growth in
170 popularity in recent years due to stars such as Angel Reese,
171 Caitlin Clark, and Juju Watkins.

172 The point is that the so-called Wild West environment
173 that is often used to describe college sports in this
174 committee is an unfair characterization. For far too long,
175 college sports prioritized some antiquated definition of
176 amateurism that provided cover to allow the billions of
177 dollars created by the labor of college athletes to flow to
178 coaches, athletic departments, conferences, and the NCAA.
179 Just about everyone was getting paid, except for those whose
180 efforts created all these streams of revenue, the players,
181 primarily Black and Brown young people. So to call this the

182 Wild West or the NIL era is ridiculous. Let's call this what
183 it really is, the era of athletes' empowerment. We should
184 embrace that, not seek to reign it in just because the job of
185 the college athletic director got a little harder.

186 There may be a role for Congress to play in protecting
187 college athletes and providing clarity in certain areas, but
188 it is incumbent on us not to screw this up by giving undue
189 authority back to the remnants of the previous power
190 structure that exploited athletes for decades by keeping them
191 unpaid and subject to restrictions we would not allow in any
192 other industry.

193 [The prepared statement of Ms. Clarke follows:]

194

195 *****COMMITTEE INSERT*****

196

197 *Ms. Clarke. I look forward to today's discussion, and
198 I yield back. Thank you.

199 *Mr. Bilirakis. The gentlelady yields back and Ms.
200 Schakowsky yields back.

201 So anyway, I just want to address a couple of things,
202 Mrs. Trahan, and you know that I have an open door policy,
203 and I did agree to meet with you. And I don't think anybody
204 reached out to my office to make the appointment, but I will
205 be happy to meet with you any time.

206 And also to remind the committee that this is a
207 discussion draft. It is not a bill, so it is not finalized.
208 And that is why we are here today, to make the bill even
209 better, or at least make the discussion draft, which will
210 become a bill, even better.

211 So -- and some of the comments that were made by other
212 members at this time so far -- read the discussion draft. I
213 urge you to do that, and also read the settlement, which is -
214 - addresses some of the issues that concern all of us. So we
215 appreciate it very much.

216 And with that I will yield to the chairman,
217 Representative Guthrie from the great State of -- excuse me,
218 Kentucky --

219 [Laughter.]

220 *Mr. Bilirakis. -- for five minutes for his opening
221 statement.

222 *The Chair. Thank you. Thank you, Chair Bilirakis, and
223 thank you for your hard work on this. And good morning to
224 our witnesses, and thank you all for being here.

225 And before we dive in, we need to look at name, image,
226 and likeness agreements with our own ethics laws because I
227 believe August Pfluger, after his great play at third base
228 last night, is going to be open for opportunities for his --
229 I don't know if anybody saw his diving play on third base.
230 All joking aside, this is a serious issue. But he did do
231 well. But I look forward to a thought-provoking discussion
232 that we have already started today on the ways Congress can
233 more -- specifically this committee -- can help stabilize the
234 current system.

235 This subcommittee has deeply engaged on this issue.
236 Just this year we have had numerous hearings, roundtables
237 with student athletes, coaches, athletic directors,
238 conference leaders, and the NCAA, and the work has
239 accumulated in a discussion draft, the SCORE Act, a
240 legislative proposal to bring stability and clarity to the
241 NIL arena.

242 Last week the approval of the House litigation
243 settlement marked a historic shift in college athletics.
244 Since the NCAA changed their NIL rules in 2021, the NIL
245 ecosystem has operated without meaningful guardrails. The
246 settlement provides long-overdue relief to thousands of

247 student athletes, and allows schools to share a percentage of
248 that revenue with their student athletes. While the
249 settlement addresses key issues with collegiate athletics, it
250 also raises complex legal, operational, and policy questions,
251 especially in the absence of consistent Federal standards for
252 fundamentally interstate system. That is precisely why we
253 are here today to create a sustainable Federal structure that
254 preserves the integrity of college sports programs.

255 Right now more than 30 states have enacted NIL laws,
256 creating a fragmented and uneven playing field. The SCORE
257 Act, working in conjunction with the settlement, will help to
258 level this playing field and provide more consistency
259 nationwide.

260 We have also seen the lack of enforceable rules around
261 athletic eligibility, and transferring between schools has
262 intensified recruiting battles and led to a surge in student
263 athletes entering the transfer portal, not to mention the
264 challenges posed by the added player -- layer of student
265 athlete agents. This instability raises serious questions
266 about the competitive balance, the sustainability of college
267 athletic programs, and, most important, the athletic
268 integrity -- the academic integrity of what our students are
269 experiencing.

270 Our proposal would provide authority and liability
271 protection to the entities creating and enforcing such rules.

272 We are working closely with our colleagues when -- respect of
273 all their jurisdiction of the Judiciary Committee to refine
274 this language.

275 And lastly, the SCORE Act ensures that student athletes
276 may not be considered employees of their institution. Such a
277 classification could put significant financial strain on
278 college athletic departments, lead to program cuts, and
279 ultimately, fewer opportunities for student athletes.

280 I look forward to working closely and with all respect
281 to the jurisdiction of our Education and Workforce Committee
282 on these important issues. We have also been in close
283 contact with the Senate, with the chairman of the Senate
284 Commerce Committee, who has shown a strong interest in
285 creating a durable and balanced framework for college
286 athletics. I appreciate the engagement and look forward to
287 continuing that discussion to get this across the finish
288 line.

289 And as members of this committee, we have an important
290 responsibility to ensure that college athletics can thrive in
291 a new era. Today we will take a step in the direction by
292 discussing draft legislation designed to create a unified
293 framework to ensure -- for fair treatment for student
294 athletes while preserving the integrity and viability of
295 college sports programs.

296 Energy and Commerce has always led the way to tackle big

297 issues affecting interstate commerce in a serious way. I
298 look forward to continuing to work with my colleagues across
299 the aisle to make this a bipartisan bill, and we will work
300 together.

301 [The prepared statement of The Chair follows:]

302

303 *****COMMITTEE INSERT*****

304

305 *The Chair. And before I yield back I want to thank my
306 good friend, Chairman Bilirakis, for his diligent work over
307 many years to come up with solutions for NIL.

308 Your leadership and commitment to student athletes has
309 been essential to getting us here today. And you know as
310 well as I do that college sports are an important American
311 institution, and I am glad you are willing to take the lead
312 that you are taking.

313 And I did talk to my good friend from New Jersey, the
314 ranking member, yesterday, and we had a kind of a colloquy
315 about noticing of legislative hearings. And the committee
316 rules said that the subject of the committee will be noticed,
317 as well. And the precedent has been to release legislative
318 texts. I think we pointed to two issues where we didn't.
319 One was on yesterday's meeting in the Environment
320 Subcommittee, and the text just had not come back from
321 Legislative Council because someone was out. And so I can
322 apologize for that. That was kind of out of our control, but
323 we will make sure we try to -- we will follow precedent. And
324 if for some reason we can't, I will personally let you know
325 that there is an issue.

326 The other with this -- today's discussion draft for
327 today, in my understanding it was shared with committee as of
328 last Thursday. So if members didn't get it until after it
329 was released to the press or to downtown, I apologize for

330 that. I know it was shared with your -- the minority
331 committee as of last Thursday.

332 And so, of course, this is a discussion draft, and we
333 will do everything within our power to make sure everybody is
334 informed because we want to make this so we can work together
335 because it makes it more sustainable if it is a bipartisan
336 solution.

337 And so we will -- I will just commit again we will share
338 legislative texts when we post legislative hearings, unless
339 there are extenuating circumstances. And we will communicate
340 that.

341 So thank you, and I will yield back.

342 *Mr. Bilirakis. The gentleman yields back. Now I
343 recognize the ranking member of the full committee, Mr.
344 Pallone, for five minutes for an opening statement.

345 *Mr. Pallone. Thank you, Mr. Chairman, and let me thank
346 Chairman Guthrie for what he just said about the notice. I
347 do appreciate the -- what you are saying you are going to do
348 in the future. It is important for us, as the Democrats, as
349 we prepare for the hearings, to actually have the text and --
350 so that we, you know, can prepare in advance not only what we
351 are going to say, but for the witnesses, as well.

352 So thank you, Chairman, for what you just said.

353 I also wanted to mention I enjoyed the game last night.
354 I don't know if all of you know in the audience, but we had

355 our congressional baseball game last night, and August -- I
356 did see the play with August. And the only thing I would say
357 is I know the Democrats lost, but we did better than we did
358 the previous year. So I hope we are on the upswing is what I
359 am going to say.

360 I do have to say, though, Mr. Chairman, of the --
361 Bilirakis, before we begin -- and I don't mean to take away
362 from this hearing, but I am very concerned about the fact
363 that, you know, in order to have college sports you have to
364 have colleges, right? And I do believe that the Trump
365 Administration is trying to destroy American higher education
366 every day, every day. And we should be having hearings on
367 those aspects of his destruction of America's universities
368 and colleges that fall within the jurisdiction of the
369 committee.

370 You know, I am very concerned that some of our best
371 universities -- like Harvard and Columbia, for example -- are
372 really going to go under, or really suffer greatly because of
373 this Administration. I mean, we see elimination of research
374 projects which is within our jurisdiction. We see trying to
375 tax endowments to the point where there essentially won't be
376 any endowments. Taking away accreditation. Can you imagine
377 that the President is trying to take away the accreditation
378 of Harvard and Columbia? To me, this is so extreme I can't
379 even imagine that someone would suggest it. Prohibiting

380 foreign students. You talk about international athletes, he
381 doesn't want any international students at any university.
382 So what are we talking about here? And of course, the
383 abolishment of the Department of Education.

384 So my point is you can't have college sports if you
385 don't have colleges, and we should be talking about his
386 effort to destroy colleges and universities -- not just the
387 sports programs, but the colleges themselves.

388 Now, getting to the issue at hand, we have heard
389 countless -- we have had countless hearings about college
390 sports over the last few years. And in every hearing we have
391 heard that for decades the National Collegiate Athletic
392 Association failed to put the interests of college athletes
393 first. Every witness we have heard from has agreed that
394 finally allowing college athletes to profit from their name,
395 image, and likeness is a good thing and represents a long-
396 overdue change in college sports. And changing the rules so
397 that college athletes can now profit from name, image, and
398 likeness was a hard-fought change won by college athletes,
399 not by congressional action. We can pat ourselves on the
400 back, but it wasn't us. It was through state legislatures
401 and the court system.

402 Just last week a court approved a historic settlement in
403 House versus NCAA that allows schools to pay college athletes
404 subject to a salary cap of \$20.5 million per school. And

405 this is the first time the NCAA will allow colleges and
406 universities to pay college athletes for the talents those
407 athletes bring to their institutions, conferences, and the
408 NCAA.

409 Instead of celebrating progress made by college
410 athletes, the Republican majority has called a hearing today
411 on a legislative draft that would bring this progress to a
412 dramatic halt. The legislation grants the NCAA a broad
413 exemption from legal liability and seemingly limitless and
414 unchecked authority to govern how college athletes can get
415 paid, transfer schools, or be represented by an agent.
416 Rather than offering college athletes new, strong,
417 enforceable protections, the Republican bill simply codifies
418 recent NCAA health and safety rules, but leaves college
419 athletes no way to enforce violation of these protections.

420 The bill does not offer any meaningless -- any
421 meaningful protections to help ensure college students don't
422 hire bad actors as agents, and it does not provide pathways
423 to relief if they do. Instead, it simply allows the NCAA and
424 the conferences to require agents to register with those
425 institutions. This act of registration with a third party
426 will do little to help college athletes, and could create a
427 false sense of security regarding the integrity of registered
428 agents.

429 So as we discuss this bill, I believe it is important

430 that we don't do anything that stifles the progress being won
431 by the students that the NCAA is supposed to represent. The
432 landscapes of modern college sports is well on its way to
433 being developed by these recent court decisions, and Congress
434 should allow that work to play out. And instead, this
435 committee should be focused on the very real issues facing
436 colleges and universities, as well as everyday Americans,
437 because the bottom line, there is not going to be any college
438 sports if there are no colleges or if there are no --
439 colleges have no money and have no ability to function. And
440 that is where we are headed. That is where we are headed
441 with the Trump Administration.

442 [The prepared statement of Mr. Pallone follows:]

443

444 *****COMMITTEE INSERT*****

445

446 *Mr. Pallone. Thank you, Mr. Chairman, I yield back.

447 *Mr. Bilirakis. The gentleman yields back. This
448 concludes opening statements. The chair would like to remind
449 members that, pursuant to the committee rules, all members'
450 opening statements will be made part of the record.

451 I want to thank all of our witnesses here today, and
452 taking -- thanks for taking the time to testify before this
453 subcommittee.

454 Our witnesses today are Sherika Montgomery, and she is a
455 commissioner for the Big South Conference.

456 Welcome.

457 And then next we have, let's see, Ramogi Huma. Is that
458 right? The executive director of the National College
459 Players Association.

460 Welcome.

461 We have Mr. William King, associate commissioner of
462 legal affairs compliance at the Southeastern Conference.

463 Welcome, sir.

464 And we have Ms. Ashley Cozad, swimming student athlete
465 and division 1 SAAC chair at the University of North Florida,
466 class of 2024.

467 Welcome.

468 So per committee custom, each witness will have the
469 opportunity, five minutes for an opening statement, followed
470 by a round of questions from members.

471 The light on the timer in front of you will turn from
472 green to yellow when you have one minute left.

473 So let's start with Ms. Montgomery.

474 You are recognized for five minutes for your opening
475 statement.

476

477 STATEMENT OF SHERIKA A. MONTGOMERY, COMMISSIONER, BIG SOUTH
478 CONFERENCE; RAMOGI HUMA, EXECUTIVE DIRECTOR, NATIONAL COLLEGE
479 PLAYERS ASSOCIATION; WILLIAM KING, ASSOCIATE
480 COMMISSIONER/LEGAL AFFAIRS COMPLIANCE, SOUTHEASTERN
481 CONFERENCE; AND ASHLEY COZAD, SWIMMING STUDENT ATHLETE AND
482 DIVISION I SAAC CHAIR, UNIVERSITY OF NORTH FLORIDA, CLASS OF
483 2025

484

485 STATEMENT OF SHERIKA A. MONTGOMERY

486

487 *Ms. Montgomery. Thank you so much. Chairman
488 Bilirakis, Vice Chairman Fulcher, Ranking Member Schakowsky,
489 and distinguished members of the subcommittee, thank you for
490 the opportunity to speak with you today. It is truly an
491 honor to speak on an issue that I care deeply about: the
492 evolving landscape of college athletics.

493 As a former women's basketball student athlete, I know
494 firsthand the tremendous and invaluable impact of a prominent
495 student athlete experience. It is not hyperbole to say that
496 an orange basketball changed the trajectory of my life and
497 professional career. College athletics provided me with a
498 pathway to higher education and an opportunity to compete on
499 the Division 1 level. Nearly 15 years later I have united an
500 innate advocacy for optimal student athlete experiences and
501 servant and transformative leadership. I turned my avocation

502 into my vocation.

503 With a background in NCAA governance and compliance, I
504 have served at all three levels of college athletics: a
505 college campus, three Division 1 conference offices, and the
506 NCAA national office. The Big South Conference includes nine
507 member institutions and three contiguous states. That is
508 North Carolina, South Carolina, and Virginia. The Big South
509 Conference sponsors 19 championship sports while providing
510 supreme academic experiences and highly competitive athletics
511 to nearly 3,400 student athletes.

512 For over 40 years the Big South Conference has been
513 unwavering in its commitment to fostering the academic,
514 personal, social, athletic, and leadership development of its
515 student athletes. During the 2023/2024 academic year the
516 conference achieved a league record of nearly 74 percent of
517 eligible student athletes earning a 3.0 grade point average
518 or better.

519 Even more impressive, a total of 1,399 student athletes
520 earned a 3.5 grade point average or better. During the 2425
521 academic year our top athletic accomplishments included 18
522 victories over A4 and/or Power Conferences in 7 different
523 sports; ranked number 18 out of 31 in net rankings in the
524 sport of men's basketball; 3 notable All-Americans in
525 volleyball, men's and women's track and field. Former UNC
526 Asheville men's tennis player and three-time student athlete

527 player of the year, Henry Patton, won the 2005 Australian
528 Open men's double in January of 2025, and won the 2024
529 Wilmington Doubles Championship of 2024.

530 For the last two decades the Big South Conference has
531 annually sponsored a leadership conference which I am proud
532 to say I am an alum of that 60 student athletes are able to
533 come and focus on their development as people. As you can
534 see, we are committed to developing the next generation of
535 leaders through meaningful and yet transformational student
536 athlete experiences. Yet very few, if any, of our student
537 athletes receive the level of NIL that makes headlines. None
538 of our programs generate a large sum of revenue. All of them
539 depend on the assistance of institutional support to fill
540 those competitive 19 programs we just spoke about.

541 The experience of our members and student athletes is
542 the norm for the majority of student athletes who compete at
543 the Division 1 level across the United States. One thing we
544 all can agree on is that the college athletic landscape -- is
545 that for Big South member institutions and similar
546 institutions, to continue to providing life-changing
547 experiences, clarity and stability is essential.

548 In the last two years the NCAA and its member
549 institutions have evolved and adopted warranted enhancements
550 focused on meeting the needs of our student athletes,
551 establishing the core guarantees that I know you all are

552 familiar with. Despite the positive and impactful change
553 made thus far, there are areas that can only be addressed
554 with the leadership of Congress. Those areas are affirming
555 student athletes are not employees, providing safe harbor
556 from select liability complaints and preempt state law.

557 As previously noted, significant progress has been made
558 surrounding the evolution of athletics, but we are not done.
559 As Chairman Bilirakis's opening statement -- as he stated in
560 his opening statement of the March 4, 2025, Moving the
561 Goalpost, How NIL is Shaping College Athletics, the absence
562 of preeminent uniform standard has led to a Wild West
563 environment here, where, sadly, our student athletes are put
564 into a vulnerable position where they can easily be exploited
565 by those who do not have their best interests in mind. As a
566 former student athlete and current commissioner, I want to
567 enable our student athletes to succeed on the field, in the
568 classroom, and financially.

569 We appreciate the introduction of SCORE Act 2025, and
570 commend your aim to bring Federal clarity to NIL frameworks.
571 I look forward to working with each member of the committee
572 to ensure that schools such as those in the Big South are
573 able to continue to compete and thrive. Thank you for your
574 visionary leadership and consideration of legislation to
575 ensure student athletes are winning on and off the field for
576 generations to come. Thank you.

577 [The prepared statement of Ms. Montgomery follows:]

578

579 *****COMMITTEE INSERT*****

580

581 *Mr. Bilirakis. Thank you so very much. I appreciate
582 it.

583 Now, Mr. Huma, you are recognized, sir, for your five
584 minutes.

585

586 STATEMENT OF RAMOGI HUMA

587

588 *Mr. Huma. Good morning. And first I would like to
589 thank Chairmen Guthrie and Bilirakis and Ranking Members
590 Pallone and Schakowsky for inviting me to testify today. My
591 name is Ramogi Huma. I am a former UCLA football player and
592 executive director of the NCPA, the National College Players
593 Association.

594 The NCPA has served as a primary advocate in support of
595 NIL laws in over a dozen states, and has helped craft state
596 and Federal bills seeking broad-based reform. The NCPA is
597 opposed to the SCORE Act.

598 College sports is in crisis, but it is not because of
599 NIL collectives and transfer portals. College sports is in
600 crisis because NCAA sports is a predatory industry that
601 exploits college athletes physically, sexually, and
602 economically. The NCAA and conferences refuse to enforce
603 safety standards or impose any consequences for athletic
604 personnel who kill an athlete in a hazardous workout,
605 sexually abuse an athlete, or force an athlete with a
606 concussion back into the same game. Just ask the parents of
607 Calvin Dickey, Jr. and Jordan McNair, football players who
608 died preventable deaths at Bucknell University and the
609 University of Maryland; or former San Jose State gymnast Amy
610 LeClair, who, along with her teammates, survived sexual abuse

611 from the athletic trainer.

612 In surveys, Division 1 athletic trainers report about 20
613 percent of coaches return athletes to play who are deemed
614 medically ineligible, and more than one in four college
615 athletes report being sexually assaulted or harassed by a
616 campus authority figure. The NCPA is advocating that
617 Congress refrain passing any Federal legislation that does
618 not mandate the enforcement of safety standards by a third
619 party and other key protections. The SCORE Act does not
620 address these critical issues, and is instead modeled heavily
621 after the unjust House versus NCAA settlement.

622 The SCORE Act would exclude college athletes from equal
623 rights under antitrust and labor law. This would prevent
624 unionization, which could otherwise help bring forth key
625 safety protections. The SCORE Act would give the NCAA power
626 to ban all athlete pay from colleges. If pay was allowed, it
627 would be optional, and the SCORE Act would directly impose a
628 low athlete compensation cap of 22 percent, instead of the 48
629 to 50 percent of guaranteed revenue pro athletes earn, thanks
630 to their unions. The SCORE Act's 22 percent cap would yield
631 different maximum compensation amounts from one school to the
632 next. The total athlete payouts could be a max -- could max
633 out at \$10 million at Virginia, but \$15 million at North
634 Carolina and \$20 million at Florida State, for example.

635 Athletes have no way of knowing whether their pay from a

636 university would exceed the compensation limit, which could
637 subject all athletes to that team -- on that team to
638 punishments. The SCORE Act would permanently eliminate about
639 \$2 billion in athlete NIL pay by gutting NIL collectives
640 which are booster-funded organizations that are labeled
641 associated entities in the SCORE Act.

642 The SCORE Act would allow universities to prohibit
643 athlete pay conducting -- conducted during athletes' free
644 time if dictated by a school's contract. The SCORE Act would
645 allow the NCAA and conferences to continue to eliminate
646 athlete roster spots and cut entire Olympic sports. The
647 SCORE Act would give the NCAA absolute power to eliminate all
648 transfer freedoms, even when athletes are being abused.

649 The SCORE Act is silent on its application of private
650 equity firms if they ultimately operate athletic programs or
651 replace an athletic association. And notably, the athlete
652 compensation and benefits included in the SCORE Act are not a
653 net gain for athletes because these provisions already exist
654 under state NIL laws and NCAA rules. The SCORE Act gives
655 athletes no recourse if a university, conference, or the NCAA
656 breaks the law at the athlete's expense.

657 And just to be clear, the current language in the SCORE
658 Act would hurt college athletes, not help them.

659 Much of this bill chases the myth of creating a level
660 playing field among college athletes -- athletic programs,

661 and the truth is that there has never been a level playing
662 field. Rich programs and boosters have always spent money to
663 give their athletic programs a competitive advantage. If a
664 level playing field was the goal, the bill would cap coaches'
665 salaries and require schools to share revenue evenly amongst
666 themselves. Instead, the SCORE Act allows the same rich
667 athletic programs and boosters to keep competitive advantages
668 by spending unlimited amounts of money on coaches, recruiting
669 budgets, and lavish facilities.

670 To gain competitive advantage, rich athletic programs
671 and conferences are ruthlessly poaching the most valuable
672 athletic programs from less prominent conferences to gain
673 higher TV revenue and continue their dominance. Congress
674 shouldn't pass legislation to deny college athletes billions
675 of dollars so that the NCAA and conferences can pretend a
676 level playing field exists.

677 Finally, the NCPA is supportive of a transfer structure
678 that is less chaotic, but we point out that the athletes
679 didn't adopt unlimited transfer freedoms and schedule
680 transfer portals in the middle of the football post-season
681 and spring football. The NCAA did.

682 I look forward to your questions. Thank you.

683

684

685

686 [The prepared statement of Mr. Huma follows:]

687

688 *****COMMITTEE INSERT*****

689

690 *Mr. Bilirakis. The gentleman yields back. Now I will
691 recognize Mr. King for five minutes' testimony.

692 Thank you again for being here.

693

694 STATEMENT OF WILLIAM KING

695

696 *Mr. King. Good morning. Chair Bilirakis, Chair
697 Guthrie, Ranking Member Schakowsky, and Ranking Member
698 Pallone, and distinguished members of the subcommittee, on
699 behalf of the Southeastern Conference and its 16 members,
700 thank you for the opportunity to share my views on these
701 important issues in college athletics today.

702 My name is William King. I am associate commissioner
703 for legal affairs and compliance at the Southeastern
704 Conference. Prior to joining the SEC nearly 10 years ago I
705 spent 25 years in private law practice, where I specialized
706 in representing universities, coaches, and occasionally
707 student athletes in NCAA infractions matters. I represented
708 universities throughout the country, often working to help
709 athletes stay or get back on the field or court to play their
710 sports.

711 Over the past year I have spent most of my time working
712 with my colleagues to be prepared to successfully implement
713 the exceptional changes in college sports reflected in the
714 House versus NCAA settlement, which includes a new revenue
715 share model between institutions and their student athletes.
716 This implementation must be done in a manner that preserves
717 the attributes that make college sports such a unique and
718 special part of American culture.

719 My one remaining professional goal is to help create a
720 solution that provides stability for college sports, treats
721 all college athletes fairly, and allows schools to continue
722 to sponsor a broad range of sports that create opportunities
723 for athletes to earn college degrees when otherwise they
724 might not have attended college.

725 The timing for this hearing is especially good, after
726 the court's approval of the House settlement on Friday night,
727 as the court's decision helps frame the issues for discussion
728 today. I will focus these remarks on why congressional
729 action is needed now, more than ever, after the settlement
730 approval to provide stability for the future of college
731 sports.

732 Federal legislation is needed to codify the key elements
733 of the settlement as revenue sharing with student athletes
734 and reasonable NIL regulation. These key tenets are needed
735 in Federal legislation because they are not included in and
736 could not be achieved in the House settlement agreement.
737 Only Congress can do those -- do that.

738 First, we need preemption of state laws governing name,
739 image, and likeness and compensation of college athletes.
740 The current environment in state legislatures has devolved
741 into competitive lawmaking, intended to give universities in
742 a particular state meaningful advantages in recruiting and
743 competition and, in some states, even prevent enforcement of

744 national rules related to name, image, and likeness. We need
745 a Federal law that creates a uniform national standard with
746 meaningful enforcement, and preempts state laws that conflict
747 with the Federal law.

748 Next we need liability protection or safe harbor for
749 conduct that complies with the Federal law. We do not seek
750 broad, antitrust exemption or blanket antitrust immunity.
751 What we seek is more limited than that: protection from
752 lawsuits that challenge conduct and regulations that are
753 consistent with or codified in a Federal law passed by
754 Congress.

755 Third, Congress needs to address the issue of college
756 athletes as employees. The SEC athletes we speak with -- we
757 have four leadership counsels -- they tell us they do not
758 want to become employees of their universities. Putting
759 aside their views, which should not be put aside, the
760 financial impact of employee status for college athletes
761 would be devastating and force many Division 1 schools to
762 abandon athletics altogether while those with greater
763 resources would likely reduce the number of sports they offer
764 or otherwise alter the student athlete experience.

765 We are the only country in the world where elite
766 athletes do not have to choose between education and their
767 sports, but instead can use their athletics ability to
768 receive a college education for free while pursuing their

769 athletic goals at the same time. College athletics programs
770 are the Olympic development program for many sports, and the
771 United States Olympic development model is the envy of many
772 countries. I am concerned this system is at risk if Congress
773 does not act.

774 Now that the settlement has been approved and the
775 transformative model for college athletics is being
776 implemented even as we meet today, there will never be a
777 better opportunity for Congress to act to provide the
778 structure and stability to ensure the future of college
779 athletics.

780 Thank you for the opportunity to share my views on these
781 topics, and I look forward to a productive discussion today.
782 Thank you.

783 [The prepared statement of Mr. King follows:]

784

785 *****COMMITTEE INSERT*****

786

787 *Mr. Bilirakis. Thank you, Mr. King. I appreciate it
788 very much. Next we have Ms. Cozad.

789 You are recognized for five minutes for your opening
790 statement.

791

792 STATEMENT OF ASHLEY COZAD

793

794 *Ms. Cozad. Good morning, Chairman Bilirakis, Ranking
795 Member Schakowsky, and distinguished subcommittee members.
796 My name is Ashley Cozad. I am a former swimming student
797 athlete at the University of North Florida, more simply known
798 as UNF.

799 As a freshman walk-on, I was hopeful of proving myself
800 to my coaches and peers in and out of the pool. Over the
801 course of the five years that I attended UNF, I earned three
802 degrees, an athletic scholarship, and held numerous
803 leadership positions and advocacy roles. As a freshman, I
804 quickly became involved with the Student Athlete Advisory
805 Committee, or SAAC, and held numerous positions at the
806 institutional conference and national level. I was nominated
807 in June of 2022 to serve as the Atlantic Sun Conference
808 Division 1 SAAC representative. After two years of service,
809 I was elected chair of the Division 1 group for a one-year
810 term.

811 Serving as the collective voice for over 190,000
812 Division 1 student athletes changed my perspective on the
813 importance of advocacy and sharing individual stories. Being
814 one of two student athletes that served on the NCAA Division
815 1 board of directors, I understood how important it was to
816 share both my own perspective in addition to the thoughts and

817 concerns of the student athletes I represent around this
818 nation.

819 Throughout this experience, two continual issues always
820 resurfaced in my conversations: name, image, and likeness,
821 or NIL; and employment.

822 In July of 2021 the NCAA removed their bylaws regulating
823 NIL, and ultimately gave student athletes the right to
824 capitalize on their name, image, and likeness. While it is
825 evident that NIL has had positive impacts on student
826 athletes, the lack of transparency and the lack of uniform
827 regulation due to differing state laws has created an
828 unstable environment.

829 In the process of writing my testimony, the House v.
830 NCAA settlement received final approval. This approval will
831 positively change college athletics in numerous areas,
832 including NIL.

833 In addition to allowing schools the option to direct new
834 financial benefits to student athletes, part of the agreement
835 of the settlement is the NIL clearinghouse. Student athletes
836 will be required to report any NIL deal and/or earnings over
837 \$600 to the clearinghouse. This will create much-needed
838 transparency for institutions and student athletes across
839 Division 1. However, the hodge-podge of state laws remains a
840 nightmare for student athletes who are often unsure of what
841 rules apply where and to whom.

842 It is imperative that Congress take action to establish
843 Federal guidelines surrounding NIL so that student athletes
844 are on the same playing field across institutions, over state
845 lines as to diminish the confusion and competitive advantages
846 created by conflicting state laws.

847 While student athletes are capitalizing on their NIL,
848 the conversation surrounding employment status is routinely
849 discussed. While classifying student athletes as employees
850 may seem logical because of the time we pour into our sports,
851 it would be incredibly detrimental for the majority of
852 student athletes. Most institutions would not be able to
853 afford an employee model, and would only have the funds to
854 sponsor a football or basketball team. This model would
855 decimate opportunities for athletes like me and thousands of
856 others throughout the country. Congressional action to
857 affirm the non-employee status is vital for preserving the
858 collegiate model and guaranteeing a future for Olympic and
859 non-revenue-generating sports.

860 We have entered a new era of collegiate athletics,
861 whereby student athletes can benefit from both NIL and
862 revenue sharing from their institutions. These opportunities
863 have both transformed and are continuing to transform the
864 landscape of college sports for the benefits of student
865 athletes.

866 Thank you for giving me the opportunity to testify

867 before you today. I am hopeful that through continuous
868 conversations and collaboration we can create an environment
869 where student athletes will not only compete, but thrive.

870 [The prepared statement of Ms. Cozad follows:]

871

872 *****COMMITTEE INSERT*****

873

874 *Mr. Bilirakis. Thank you, Ms. Cozad. I appreciate it
875 very much.

876 I want to thank all the witnesses today for their
877 testimony, and I will begin questioning and recognize myself
878 for five minutes.

879 Mr. King, I would like to start with you. Over the last
880 several years we have seen the pendulum swing dramatically
881 when it comes to the transfer portal. What began as a
882 mechanism to give student athletes more flexibility and
883 control over their futures has, in many cases, created
884 instability, both academically and athletically. Does the
885 SCORE Act help provide stability to the transfer portal, and
886 should we consider including a one-time unrestricted --
887 again, I want to emphasize unrestricted -- transfer rule or
888 other rules in Federal legislation?

889 *Mr. King. Thank you, Chair Bilirakis, and you
890 certainly picked a timely issue to start with, and your
891 description I would agree with, as to the current
892 environment.

893 Where the NCAA is now is it is unable to regulate this
894 space. There are unlimited transfers. Some athletes are
895 seeing transfer three, four times. We will talk about the
896 educational consequences later. Let's just talk about the
897 competitive first. We need the ability to regulate in this
898 area.

899 Your suggestion of a one-time exception, that is where
900 the NCAA approach was prior to a court injunction that
901 enjoined the rule and opened the door for unlimited
902 transfers. I think that is a good part -- a good place to
903 start the conversation. I agree with you.

904 In addition to creating a system where there is greater
905 stability in the system, where athletes know who their
906 teammates are going to be, and it is not a constant turnover
907 semester after semester, there is definitely an educational
908 component that sometimes is left out of the conversation. We
909 know statistically that transfers, especially multiple
910 transfers, are less likely or will take longer to graduate.
911 And what we have heard -- I have heard directly from athletes
912 myself is they go in the portal, they transfer, and only
913 after they are at their new school do they find out that many
914 of their credits did not go with them. And that is -- that
915 also is -- you know, it is a setback from a standpoint of the
916 ultimate goal of earning a degree.

917 *Mr. Bilirakis. Thank you very much.

918 Ms. Montgomery, the SCORE Act has a section codifying
919 core guarantees, which include protections for scholarships
920 and post-eligibility degree completion. How does this give
921 student athletes across all sports programs more stability
922 and assurance as they complete their degrees?

923 *Ms. Montgomery. Thank you so much. I think it does

924 exactly that. It provides that guarantee. Student athletes
925 are no longer looking to see, is this an NCAA policy? Is
926 this a state law? Where does this assurance come from? So
927 being able to codify that, I do think, will assist student
928 athletes in knowing that it is exactly that, and it is a core
929 guarantee.

930 I think, furthermore, making sure the student athletes
931 are, one, informed, and they are educated, I think that that
932 is one of the issues, as Mr. King just alluded to. The
933 burden that is placed on student athletes currently of not
934 knowing where information is coming from, if it is coming, is
935 it legit, is it accurate -- so I think the codification of
936 the already existing and adopted core guarantees will only
937 provide that additional insurance and assurance for student
938 athletes.

939 *Mr. Bilirakis. Thank you.

940 Ms. Cozad, as a student athlete in a non-revenue sport
941 like swimming, you have an important viewpoint to our
942 hearing, and thank you so very much for your testimony. Much
943 of the national NIL conversation has focused around football
944 and basketball, as you know, but athletes like you are very
945 much affected. Can you speak on how NIL opportunities and
946 guardrails in the SCORE Act can support student athletes in
947 sports like yours?

948 *Ms. Cozad. Thank you for your question. I think

949 guardrails that are level across all sports are imperative,
950 especially when it comes to educating student athletes.
951 Often times we all receive the same education, and it just --
952 when you talk to one student athlete versus another, one says
953 one rule, one says another. That just creates more confusion
954 across the board.

955 So having a level playing field would benefit all
956 student athletes so that we know what the rules are, whether
957 we are in the State of Florida, the State of Georgia,
958 wherever it may be. Thank you.

959 *Mr. Bilirakis. Thank you very much. Well, you know
960 what? I have got 25 seconds left. Is there anything else
961 anyone wants to add with regard to that?

962 I will tell you, you know, we want to emphasize we want
963 to protect the Olympic sports, and swimming is definitely one
964 of them. So is there anyone else who wants to make a
965 comment?

966 Yes, but briefly, sir.

967 *Mr. Huma. I think that is one area we all agree in,
968 and it needs to be put in the law. You know, the power
969 schools do the settlement are cutting the sports, not
970 preserving them. So that I think that is an area agreement
971 we should all be able to support.

972 *Mr. Bilirakis. Thank you, sir. I appreciate it.

973 All right, I will yield back and I will recognize the

974 ranking member of the subcommittee, Ms. Schakowsky, for her
975 five minutes.

976 *Ms. Schakowsky. I want to thank the witnesses for
977 being here.

978 We are talking about the -- a piece of legislation that
979 I have a lot of concern about because I don't think it
980 catches what I feel most about. So the SCORE Act, I think,
981 is certainly just the beginning, and I want to say once again
982 that the health and safety of the athletes is number one to
983 me. And that seems to me to call on us to do something to
984 make sure that we really do protect our athletes.

985 And so, Mr. Suma [sic], I wanted to ask you what you
986 think we should be doing to make sure that we protect our
987 students.

988 *Mr. Huma. Well, thank you very much for that question
989 and your concern, and all that you have done for college
990 athletes and advocated for over the last number of years.

991 You know, the NCAA's position is that it has no duty to
992 protect college athletes. You know, if you talk to the
993 parents whose kids either die or abused, they are shocked
994 that NCAA sports does not enforce safety standards. So if
995 they don't do it, who does? And from our perspective, these
996 are institutions that receive Federal funds. Obviously, a
997 matter of public policy. We need a referee. We need a third
998 party. Congress can do that.

999 And I would say, you know, we fought very hard for every
1000 avenue of protection for athletes, whether it be avenue
1001 towards collective bargaining, even. But there are athletes
1002 that would not necessarily have the same leverage even if
1003 they wanted to start a union, right? You have athletes in
1004 community colleges, NAIA, you know, all different levels of
1005 schools. So they need protections, too. And it doesn't cost
1006 money to not kill someone in a hazardous workout. It costs
1007 -- it takes accountability. It takes people following the
1008 rules.

1009 So Congress, what we advocate for is to ensure that
1010 safety standards which are above -- they are abundant. You
1011 know, the pro leagues have safety standards. The National
1012 Athletic Trainers Association, even the NCAA has great
1013 guidelines, none of which are enforced on the college level.
1014 We need a mandate that these standards are identified and
1015 enforced by a third party because right now you have a bunch
1016 of guidelines. The NCAA says, hey, schools, self-police.
1017 And the schools, there is no accountability, so the athletic
1018 trainers, the coaches, they are really uninformed, and that
1019 is -- and that can create deadly situations. So self-
1020 policing is a recipe for disaster, and we don't want to see
1021 that. So Congress definitely has a role to play.

1022 *Ms. Schakowsky. So do you think there has to be
1023 something universal that should be brought into the Congress

1024 and into law?

1025 *Mr. Huma. Absolutely. For instance, concussion
1026 protocols, that should be at every level, from community
1027 colleges up to the top. Preventing heat illness, death from
1028 heat illness, rhabdomyolysis, there are simple solutions,
1029 there are just a lot of uninformed people. And so we don't
1030 want to see more deaths.

1031 This is something that, you know, when our organization
1032 started, that very year back in 2001 there were 3 deaths in
1033 college football. And actually, as I look at you two,
1034 ironically, Northwestern and Illinois and two in Florida,
1035 Florida and Florida State, all within the same year. A few
1036 months later I testified in this very committee asking
1037 Congress to do something, and that didn't happen. A few
1038 years ago I asked for this very committee for Congress to do
1039 something. That didn't happen.

1040 And since then -- and I mentioned Calvin Dickey, Jr. --
1041 he died after all of the, you know, information was out
1042 there. So a lack of action from Congress will guarantee more
1043 deaths. Calvin Dickey, Jr. could be alive today if Congress
1044 would have acted. And that is -- those are the stakes.

1045 *Ms. Schakowsky. So let me ask one more question, Mr.
1046 Huma. Do you think that athletes should be able to sue in
1047 any case the NCAA when there are situations?

1048 *Mr. Huma. Absolutely. Liability exemption, you know,

1049 that is kind of described in this bill is a detriment to
1050 athletes.

1051 Being able to sue does a number of things. One, it can
1052 provide recourse. Some of these athletes have lifelong
1053 injuries. You know, a loss of a family member is
1054 irreplaceable. But it also works to be punitive as a
1055 deterrent, as well. And in some cases, like in the Dickey's
1056 case and several others, the schools won't even give
1057 information about a child's death to the schools without
1058 signing an NDA. The Dickey's have said that, even after
1059 signing the NDA, that they still don't have information. So
1060 suing gives you the ability to have discovery and subpoena
1061 power and get information critical for -- as a parent or a
1062 surviving family member that you have to be able to try to
1063 make sense of something.

1064 *Ms. Schakowsky. Great. My time is up. I yield back.
1065 Thank you for your testimony.

1066 *Mr. Bilirakis. I thank the gentlelady. Now I will
1067 yield five minutes to Mrs. Harshbarger, who is was wearing
1068 Tennessee orange today.

1069 *Mrs. Harshbarger. Yes.

1070 *Mr. Bilirakis. I will give you five minutes for
1071 questioning.

1072 *Mrs. Harshbarger. Okay. Thank you, Mr. Chairman.
1073 Thank you to the witnesses for being here today.

1074 You got to represent it if you are SEC, so that is what
1075 I am doing.

1076 I will start with you, Mr. King. You hear stories about
1077 shady agents pretending to be college athletes on the phone,
1078 or cases where star quarterbacks get bad advice. They lose
1079 out on great NIL deals. How do you see agent registration
1080 changing the landscape for college athletes?

1081 *Mr. King. Well, thank you for the question, and it is
1082 it is an area that I hear anecdotally from our campuses that
1083 when they from time to time see a contract that an athlete
1084 will share with them, ask for their input, some pretty
1085 unscrupulous practices trying to take -- the agents trying to
1086 take advantage. So absolutely, I agree that this is an area
1087 where regulation is needed. The discussion draft, you know,
1088 provides for that.

1089 The real solution, however, lies in the process for
1090 discipline and consequences --

1091 *Mrs. Harshbarger. Yes.

1092 *Mr. King. -- to encourage agents to not even engage in
1093 that conduct to begin with, to not take advantage.

1094 And then I think, as part of that registration process,
1095 I think in the past it has been difficult -- but to have
1096 meaningful criteria that must be met. Not too much, but that
1097 some general showing of aptitude to represent athletes --

1098 *Mrs. Harshbarger. Yes.

1099 *Mr. King. -- in these matters. And then, when they
1100 take advantage of them, to have --

1101 *Mrs. Harshbarger. Pretty --

1102 *Mr. King. -- very meaningful penalties.

1103 *Mrs. Harshbarger. -- stiff penalties. Okay, thank
1104 you, sir.

1105 Ms. Montgomery, I read that Judge Wilkins said herself
1106 that the House settlement is still open to antitrust issues.
1107 Do you anticipate that colleges and universities could be
1108 subject -- the subject of such lawsuits?

1109 And do you think there is room for liability protections
1110 for schools, as well?

1111 *Ms. Montgomery. Thank you so much for the question.
1112 You are exactly right. Even with the House settlement being
1113 recently approved, not only -- well, not even a week ago
1114 tomorrow, we have already seen some concerns that have been
1115 voiced with regards to challenging some of the aspects.

1116 One specifically is title 9, which -- we know that that
1117 is an area continuing to be of concern.

1118 *Mrs. Harshbarger. Yes, absolutely.

1119 *Ms. Montgomery. Albeit I think it goes back to not
1120 complete liability protections, but there are some areas that
1121 I think would be appropriate so that the NCAA, its member
1122 institutions, as a national organization has an opportunity
1123 to not only create but enforce rules to not prohibit or

1124 restrict student athletes, but more so to protect.

1125 But to answer your question in short, I do see that
1126 there will continue to be some areas of liability and/or
1127 litigation.

1128 *Mrs. Harshbarger. Yes, very good. I am going to
1129 continue with you, ma'am.

1130 As a former student athlete and now commissioner of the
1131 Big South Conference -- you go, girl, okay?

1132 *Ms. Montgomery. Thank you.

1133 *Mrs. Harshbarger. -- I would love to know your
1134 thoughts on the future of these agreements between schools
1135 and student athletes. And do you think these revenue sharing
1136 agreements will bring stability to college athletic rosters?

1137 *Ms. Montgomery. Yes, and thank you for the question
1138 again. I do think that it will bring a level of stability.
1139 That is one of the reasons -- and specifically member
1140 institutions of the Big South Conference, not all nine of us
1141 are opting in to those opportunities for various reasons.
1142 But of the four who have decided to opt in thus far, that is
1143 one of the primary reasons. It is being able to bring in
1144 some of those collective actions, some of those opportunities
1145 that we have seen previously in house to make sure there is
1146 no nefarious activity going on --

1147 *Mrs. Harshbarger. Yes.

1148 *Ms. Montgomery. -- student athletes aren't being

1149 promised things that an institution will not be able to
1150 commit to.

1151 So I think, with contracts and with more institution and
1152 student athlete engagements and agreements, there -- will
1153 bring a level of stability.

1154 *Mrs. Harshbarger. Okay. You talked about title 9. It
1155 doesn't appear the legislation addresses the topic of title
1156 9, but aren't there pending or expected title 9 lawsuits
1157 related to the topic of NIL?

1158 And should Congress address these questions as we
1159 develop a national solution?

1160 *Ms. Montgomery. Yes, as a former women's basketball
1161 student athlete who -- I have benefitted tremendously from
1162 title 9 -- I think this is an area --

1163 *Mrs. Harshbarger. Yes.

1164 *Ms. Montgomery. -- that we, as leaders both within our
1165 association as well as the leaders of Congress, should
1166 continue to give a significant amount of attention to.

1167 *Mrs. Harshbarger. Yes.

1168 *Ms. Montgomery. Obviously, we are only a week out, so
1169 there is still a lot of questions about the application and
1170 the implications of title 9, but I would 100 percent support
1171 continued attention given to this area.

1172 *Mrs. Harshbarger. Thank you, ma'am.

1173 *Ms. Montgomery. Thank you.

1174 *Mrs. Harshbarger. Mr. King, I have got about 30
1175 seconds left. Can you talk to us about the financial
1176 viability of SEC athletic programs and the difference between
1177 revenue and non-revenue programs?

1178 *Mr. King. Absolutely. So generally speaking, there
1179 are two sports that generate the vast majority of the revenue
1180 -- no surprise there -- football and men's basketball.

1181 *Mrs. Harshbarger. Yes.

1182 *Mr. King. And the funds from those sports are used to
1183 support the other sports. And in our conference now,
1184 obviously, we are fortunate to be in the position that we are
1185 in. But I hear regularly from our people on campus just how
1186 difficult it is to try to make everything work in this
1187 current environment and the -- in many ways unregulated --
1188 and that with the additional expenses from the settlement,
1189 which we are very glad the settlement was approved and look
1190 forward to implementing it, that that job will become even
1191 more difficult.

1192 And we have already alluded to this, that there have
1193 been and will be difficult decisions to make if we are unable
1194 to get some certainty and some areas through Federal
1195 legislation. Those decisions will expand and be even more
1196 difficult.

1197 *Mrs. Harshbarger. Okay. Thank you, sir.

1198 My time is up, so I yield back.

1199 *Mr. Bilirakis. Thank you. I appreciate it very much.
1200 Now I will yield five minutes to Mr. Soto from the great
1201 State of Florida.

1202 You are recognized, sir.

1203 *Mr. Soto. Thank you, Mr. Chairman, and it is a great
1204 time to congratulate the Gators once again on a basketball
1205 national championship.

1206 We know we, as Americans, love college sports. That is
1207 why we are here. That is why we are all so passionate about
1208 this. We also know it is a huge business, which is why in
1209 *Alston v. NCAA* no one was surprised that there was a
1210 unanimous decision regarding antitrust and making sure that
1211 students have economic rights, that the financial
1212 straitjacket is lifted.

1213 We also see in all major professional sports leagues
1214 they have players unions. All Americans have a First
1215 Amendment right to form a union. All Americans also have a
1216 right to representation by an agent, and our college athletes
1217 deserve those same rights.

1218 Mr. Chairman, would you mind, since this is a discussion
1219 draft, yielding to a question about college players unions?

1220 I just -- because there is not a lot of information in
1221 the -- in section 8. Does this discussion draft ban college
1222 players unions, or does it just simply regulate them?

1223 *Mr. Bilirakis. This particular discussion draft does

1224 not. We don't have jurisdiction, so this is clearly E&C
1225 jurisdiction, as far as this draft is concerned.

1226 *Mr. Soto. Okay, thank you. Yes, just because it is
1227 kind of general in section 8 right now.

1228 And then the only other question, does it regulate
1229 transfer portal in any way? I didn't see anything in there,
1230 but I have heard some of the witnesses talk about it.

1231 *Mr. Bilirakis. Yes, yes. Well, at this particular
1232 time it allows the creation of rules --

1233 *Mr. Soto. Okay.

1234 *Mr. Bilirakis. -- with regard to transfer portals. I
1235 have some suggestions, and I would be happy to talk to you
1236 about that, as well, Mr. Soto.

1237 *Mr. Soto. I am sure we all have opinions about the
1238 transfer portal.

1239 *Mr. Bilirakis. Absolutely.

1240 *Mr. Soto. That is not a shock. Thank you, Mr.
1241 Chairman, for yielding. That was very helpful.

1242 Mr. Huma, you had mentioned in your testimony you
1243 thought that because it exempts from labor laws, our college
1244 sports, that it would violate unions. Can you go into that -
1245 - or prevent unions. Can you go into that a little more,
1246 even though --

1247 *Mr. Huma. Sure.

1248 *Mr. Soto. -- some of that may be beyond the

1249 committee's jurisdiction?

1250 *Mr. Huma. Sure. So the draft states that college
1251 athletes would not be defined as employees under any Federal
1252 law. That includes the National Labor Relations Act. That
1253 is a Federal law. And the right to organize falls under that
1254 law. So if college athletes are not employees under any
1255 Federal law, that would capture the National Labor Relations
1256 Act, as well. Therefore, they would have no rights to
1257 organize or collectively bargain.

1258 *Mr. Soto. And so even beyond that, they may have --
1259 there still might be a First Amendment issue with this
1260 legislation because the right to unionize is protected by the
1261 First Amendment. So what could that mean, as far as trying
1262 to resolve this issue?

1263 *Mr. Huma. Well, I think in general, honestly, college
1264 athletes deserve equal rights under the law. We are not
1265 asking for favors from Congress; we are just asking that
1266 Congress allow athletes to have equal rights. And we believe
1267 that currently college athletes would qualify.

1268 Depending on their situation, we focused our
1269 organization -- football and basketball, in our opinion,
1270 clearly fall under the National Labor Relations Act right to
1271 organize. They would be employees and they would have the
1272 right to organize. So in a sense, you know, our north star
1273 is to ensure that college athletes are treated equally under

1274 the law, the same law that governs every other American,
1275 including labor law.

1276 *Mr. Soto. And we are all concerned about safety. We
1277 heard our ranking member talk about that, as well as a lot of
1278 other college leagues that aren't the big revenue-makers, but
1279 are absolutely essential to college sports. What do you
1280 think are some of the ways we can protect some of the --
1281 beyond college football and men's and women's basketball --
1282 some of the other sports that are so important for college
1283 life?

1284 *Mr. Huma. It is going to take Congress. It is going
1285 to take a mandate from Congress.

1286 You know, we have had a lot of experience going state to
1287 state, trying health and safety, trying NIL. NIL catches on,
1288 the economics always catch on. The states love to compete.
1289 But unfortunately, when it comes to health and safety
1290 standards, they don't compete. And recruits aren't very
1291 aware about the differences in life-and-death situations and
1292 what it would mean from state to state. That is going to
1293 take Congress.

1294 And athletes from community college on up, from non-
1295 revenue sports to revenue sports, they all deserve the same
1296 protections.

1297 *Mr. Soto. Ms. Cozad, welcome. We are always happy to
1298 have a Floridian here. There is a lot of us on this

1299 committee. How important is it for you that we make sure
1300 there is some revenue sharing so all these sports that are
1301 currently in existence get to continue onward?

1302 *Ms. Cozad. Thank you for your question.

1303 It is so important because, if we go to an employee
1304 model, I wouldn't be here. There would not be any more non-
1305 revenue-generating sports. The protections surrounding
1306 Olympic sports would be -- we need protections for Olympic
1307 sports. You would not see NCAA college athletes representing
1308 us for Team USA. So it is imperative. Thank you.

1309 *Mr. Soto. Well, thanks so much. I appreciate it.

1310 And I yield back.

1311 *Mr. Bilirakis. The gentleman yields back. And now I
1312 will recognize Mr. Fry from the great State of South
1313 Carolina.

1314 *Mr. Fry. Thank you, Mr. Chairman. Thank you to the
1315 witnesses for being here.

1316 You know, I am struck, obviously, with the NCAA versus
1317 House settlement. I mean, I think that clarifies certain
1318 things, but I think it also leaves intentionally vague the
1319 future of college sports and where we are going to go.

1320 What we have seen throughout the country are states
1321 carving out specific protections for their in-state schools.
1322 And as our student athlete has talked about, it becomes an
1323 untenable situation, an unmanageable situation on how we go

1324 about governing or playing college sports when you don't know
1325 the legal framework with a 50-state patchwork of laws. And
1326 so Congress, I think, has an authority here.

1327 I also worry a little bit, too, about how much that
1328 authority goes. There is a framework, I think, that Congress
1329 has a role in. But do we go too far? I think those are
1330 questions that I still have in my mind both about this and
1331 this discussion draft and also, you know, Congress's role in
1332 this. You don't want to go too far and create more problems
1333 than you solve. But I think we are on the right track. I
1334 think this committee, I think the Judiciary Committee has a
1335 unique role here and, of course, Ed and Labor, as well.

1336 Mr. King, I want to discuss just briefly the settlement
1337 and the litigation. You know, the NCAA and conferences, you
1338 know, have the ability to govern college athletes, but it has
1339 been diminished. You can't create rules. You can't enforce
1340 the rules that you create. We have heard the term "Wild
1341 West'' a lot by folks at this table and in other hearings,
1342 too. Can you explain the SEC's ability to regulate and
1343 govern its member institutions, particularly on matters
1344 related to NIL, just briefly?

1345 *Mr. King. Thank you for the question, and I guess we
1346 will kind of start where you started, is that there needs to
1347 -- that in order to have national competitions, you need to
1348 have uniform standards nationally.

1349 And as a reminder, name, image, and likeness started in
1350 state legislatures. It did not start with an NCAA rule. The
1351 NCAA rules have prohibited before, then state legislatures
1352 got involved. And once it became a state law question rather
1353 than a governing association question, then the ability to
1354 govern nationally, obviously, is impacted. And as we have
1355 seen, the state lawmaking in this area in particular has
1356 become a competitive endeavor, where it is -- some call it a
1357 race to the bottom, with each state legislature trying to
1358 give its universities some type of leg up. So it has -- this
1359 approach has severely limited the ability of anyone to
1360 regulate, including the SEC, and has highlighted the need for
1361 preemption.

1362 And you mentioned the House settlement. The fact that
1363 there is a structure coming out of this settlement that was
1364 negotiated by the leading plaintiffs, antitrust lawyers in
1365 the nation, was approved by the court as fair, reasonable,
1366 and adequate, that provides revenue share of 22 percent of
1367 certain revenues on a national average, which would be over
1368 \$20 million per year in year 1, and it will go up every year.

1369 *Mr. Fry. Mr. King -- and I hate to -- I am going to
1370 cut you off. I have got a ton of questions here, so I want
1371 to --

1372 *Mr. King. Okay, I am sorry.

1373 *Mr. Fry. -- bounce around, if that is okay.

1374 Mr. Huma, you brought a case to the NLRB on behalf of
1375 USC football players to have them deemed employees. But you
1376 quickly withdrew that case, possibly because of a change in
1377 administrations. So I am curious a little bit. Do you now
1378 agree that the best -- and you have said that some of the
1379 things within the House lawsuit -- do you agree that some of
1380 those from that settlement, that it -- is it important to
1381 codify some of those settlement terms in a future bill?

1382 *Mr. Huma. Yes, and thanks for that question.
1383 Actually, it is also through the lens of state laws.

1384 *Mr. Fry. Well, let me ask you this, too. So I am a
1385 little bit perplexed, because you also called the settlement
1386 terrible, despite it including things that you have long
1387 advocated for, so -- like revenue sharing and extended health
1388 benefits. So I am a little bit concerned.

1389 I mean, is this just about unionization? I mean, is
1390 this ultimately what your goal is? Because we have heard
1391 from our student athlete today, but we have also heard from
1392 several other student athletes that they don't want employee
1393 status, and they don't want unionization. So why are you
1394 pushing something that student athletes don't want?

1395 *Mr. Huma. So the settlement, in terms -- through the
1396 lens of the state law, the settlement actually reduces
1397 freedoms for athletes. It imposes caps on direct
1398 compensation. The state laws already -- many, many states --

1399 allow that already.

1400 The steps that are good about the settlement is the NCAA
1401 admitted college athletes should be paid and schools admitted
1402 they should be paid. That was what we were referring to.
1403 The state laws are really important to hold the door open,
1404 whereas the settlement tries to shut the door on NIL
1405 collectives \$2 billion, and then cap at a low percentage
1406 optional compensation pay to college athletes, and that is --
1407 those are some of the reasons why we oppose the settlement,
1408 including cutting 5,000 rosters across Division 1 sports.

1409 *Mr. Fry. Thank you. I see my time is, unfortunately,
1410 expired, because I have a ton more questions.

1411 But Mr. Chairman, thank you for the time. And I do hope
1412 that, as we discuss the discussion draft and as we move
1413 forward between all three committees of jurisdiction, that we
1414 are inclusive of members, that we are making sure that
1415 Congress is taking the right approach, that we are not
1416 overreacting to a problem, and that we have significant buy-
1417 in from all the members that serve on all the different
1418 committees. But I appreciate that, and I yield back.

1419 *Mr. Bilirakis. Agreed. The gentleman yields back.
1420 Now we will ask Mr. Mullin to go ahead and proceed with his
1421 five minutes of questioning.

1422 *Mr. Mullin. Thank you, Mr. Chairman, and thank you to
1423 our witnesses for being here today.

1424 There is no denying that the college sports landscape is
1425 shifting rapidly. The amount of money flowing through this
1426 ecosystem from media deals to NIL agreements is staggering.
1427 But for all the talk about stabilizing the system, I think we
1428 should be asking stabilizing for whom? Because from where I
1429 sit, a lot of what is happening right now -- conference
1430 realignments, rush rule changes, and patchwork policies --
1431 seems to prioritize institutions and revenue over the
1432 athletes themselves.

1433 We have seen conferences chase bigger media deals at the
1434 expense of athletes who now have to fly across the country
1435 just to compete in a conference game. That may make sense on
1436 a spreadsheet, but does it make sense for a 19-year-old
1437 balancing practice, travel, and a full course load?

1438 I am concerned that the SCORE Act, as drafted, proposes
1439 a framework that is more focused on regulatory certainty for
1440 schools than on protections for college athletes. It caps
1441 how much athletes can earn, carves them out of labor
1442 protections, gives broad enforcement powers to the NCAA, the
1443 athletic conferences, and this new college sports commission
1444 that has been created to administer the financial parts of
1445 the recent settlement. But it doesn't include clear,
1446 enforceable standards when it comes to health care safety or
1447 operational fairness and transparency.

1448 So my question, Mr. Huma, in your testimony you point to

1449 several real risks athletes face: medical bills, for
1450 example, after injuries; lack of recourse in abusive
1451 situations; and a little protection when bad actors enter the
1452 picture. So what tools do athletes currently have to protect
1453 themselves when things go wrong?

1454 And would the SCORE Act take any of those things away or
1455 give athletes due process in such instances?

1456 *Mr. Huma. Well, thank you for that question.

1457 The SCORE Act does nothing to advance athletes'
1458 positions in those situations. There is no enforcement
1459 whatsoever. And I think the enforcement of anything that
1460 Congress looks at to protect athletes, there needs to be
1461 third-party enforcement.

1462 You have -- I have helped athletes in situations where
1463 their schools were supposed to provide medical coverage, they
1464 are still stuck with the bill, but they have the athletes
1465 behind closed doors. There is a big power dynamic, right?
1466 And they are dangling their scholarship, and telling them to
1467 look the other way. Or if they are trying to medically
1468 retire, but the schools are putting extra conditions on them
1469 and, you know, they aren't supposed to be allowable.

1470 And you have -- you know, right now, even the broader
1471 sense, this whole settlement, we have -- we mentioned the
1472 state NIL laws. Just taking the Big Ten alone, ten of the
1473 schools fall under states with NIL laws that don't even allow

1474 their schools to comply with the House settlement. It would
1475 be -- they would be breaking their own state law. And now
1476 you have conferences trying to strong-arm the schools to
1477 force them to break state NIL laws. It has been reported
1478 throughout the media to break the law.

1479 So if they are willing to break the law of state
1480 lawmakers, you know, Congress needs to consider who they are
1481 dealing with. They are dealing with schools and conferences
1482 that are increasingly engaging in lawless activities. So
1483 there needs to be very sound enforcement from a third party,
1484 not the schools, not the NCAA.

1485 *Mr. Mullin. Thank you for that.

1486 So the SCORE Act includes a requirement that agents
1487 register with athletic associations, but a name on a list
1488 doesn't necessarily protect a student from predatory contract
1489 or a bad actor with hidden conflicts of interest.

1490 Similarly, while the College Sports Commission created
1491 by the House settlement will monitor NIL deals, it is not set
1492 up to protect students from predatory practices. If we are
1493 serious about protecting these young athletes, especially
1494 those with little support at home, we need to do more than
1495 just track who is in the room or how much the deal is worth.
1496 We need to make sure someone is looking out for the athletes.

1497 So with my minute left here, Mr. Huma, what kinds of
1498 guardrails should Congress be thinking about to ensure

1499 college athletes aren't being pressured or misled by the
1500 people around them?

1501 *Mr. Huma. Well, I think there is definitely a need for
1502 an agent certification program. Congress can do that. It
1503 needs to be completely independent from the NCAA, the
1504 conferences, and the colleges. Those are the very entities
1505 that never wanted athletes to have agents in the first place.
1506 And under the House settlement, it kind of enshrines a
1507 complete conflict of interest that allows the schools to
1508 serve as exclusive agents for the athletes, if you can
1509 believe it. So the athletes are supposed to negotiate with
1510 schools NIL deals, yet the schools can pressure the athletes
1511 into granting them, you know, the power to be the exclusive
1512 agent. So you can see where that goes. Huge conflicts of
1513 interest.

1514 There needs to be a third party similar to the NFLPA,
1515 NFL, you know, the NBPA, they certify agents because they
1516 have the best interests of the athletes, and not so much the
1517 leagues.

1518 *Mr. Mullin. I appreciate that, sir.

1519 And with that I will yield back.

1520 *Mr. Bilirakis. The gentleman yields back, and now I
1521 will recognize Mr. Goldman for his five minutes.

1522 *Mr. Goldman. Thank you, Mr. Chairman, and thank you to
1523 all the panelists here today.

1524 Ms. Montgomery, thank you for your very good testimony.
1525 I am interested in digging a little deeper in the Big South.
1526 How many of your student athletes receive NIL money?

1527 *Ms. Montgomery. I would say this past academic year,
1528 out of our 3,400, I would say maybe 500 to 600 student
1529 athletes in some level of NIL opportunities.

1530 *Mr. Goldman. Do you know what the largest NIL payment
1531 was?

1532 *Ms. Montgomery. This is anecdotal, but I would say
1533 around the 17,000 to 18,000.

1534 *Mr. Goldman. Seventeen or eighteen thousand --

1535 *Ms. Montgomery. Correct, dollars.

1536 *Mr. Goldman. -- to play.

1537 *Ms. Montgomery. Mm-hmm.

1538 *Mr. Goldman. And was that only in football, I assume?

1539 *Ms. Montgomery. Specifically basketball, the Big
1540 South, yes.

1541 *Mr. Goldman. Okay.

1542 *Ms. Montgomery. Big South Conference. We do have two
1543 football member-playing institutions. We are in a great
1544 partnership with Ohio Valley Conference. But basketball
1545 would be the sport I am alluding to.

1546 *Mr. Goldman. Okay, so several hundred students
1547 receiving thousands of dollars to play basketball.

1548 And so NCAA has oversight over you all?

1549 *Ms. Montgomery. Correct.

1550 *Mr. Goldman. What service do they provide? What does
1551 the NCAA do for the Big South?

1552 *Ms. Montgomery. So following student athletes being
1553 able to receive a name, image, and likeness opportunities,
1554 the education, obviously, was there. Information as it
1555 relates to student athletes being informed, I think the NCAA
1556 does a really good job of supporting that. From a conference
1557 perspective, we do the best that we can. But as we know,
1558 student athletes receive information differently. Also, from
1559 an engagement perspective, obviously, that is something that
1560 is continuous on the dockets and the agendas of commissioners
1561 and industry leaders.

1562 But I would say, for the most part, it is definitely the
1563 education piece.

1564 *Mr. Goldman. When you played, did you receive NIL
1565 money?

1566 *Ms. Montgomery. I did not.

1567 *Mr. Goldman. What did you receive?

1568 *Ms. Montgomery. I received a full scholarship, I
1569 will --

1570 *Mr. Goldman. A great education, huh?

1571 *Ms. Montgomery. Yes, a great education. But I will
1572 say I was a transfer student athlete. So when I was at the
1573 University of Memphis I did receive what I will call

1574 additional benefits outside of my scholarship, and this was
1575 just a part of our -- or a package, if you will. But when I
1576 came to Gardner-Webb University, that was a slight
1577 difference, but it was essentially my scholarship.

1578 *Mr. Goldman. So you were in the portal before the
1579 portal was cool?

1580 *Ms. Montgomery. Do we have time for that?

1581 [Laughter.]

1582 *Ms. Montgomery. I say that respectfully, and I will --
1583 just won't go down a rabbit hole. But when I transferred,
1584 that was essentially my foot into the door of NCAA. I could
1585 not believe for the life of me, as a women's basketball
1586 student athlete, I had to sit out, whereas there were 83
1587 other sports at that time that did not have to sit out.

1588 *Mr. Goldman. Yes, great point.

1589 *Ms. Montgomery. It was at that point I was implored to
1590 understand my student athlete experience outside of the
1591 classroom, off the court. What is this NCAA? What are these
1592 bylaws that I am governed by? We have seen that change, but
1593 there was no portal when I transferred.

1594 *Mr. Goldman. I understand. You did have to sit out a
1595 year.

1596 *Ms. Montgomery. I did serve a year in residence.

1597 *Mr. Goldman. Great point. Thank you very much.

1598 Thanks for being here.

1599 *Ms. Montgomery. You are welcome.

1600 *Mr. Goldman. Mr. Huma, should athletes unionize?

1601 *Mr. Huma. I think they should have the option. You
1602 know, I think -- and it varies on their preference from
1603 school to school, situation to situation. There is some
1604 schools that, you know -- and I will say, you know,
1605 obviously, in terms of leverage, the higher revenue athletes
1606 might have more leverage. But even Grambling State, you
1607 know, not necessarily a higher-revenue school, several years
1608 ago the athletes had real issues on safety standards, and
1609 they threatened to boycott and everything else. You know,
1610 obviously, there were things that -- beyond money they needed
1611 to have addressed.

1612 And so I think it needs to be an option, an avenue that
1613 they have, a choice to pursue, just like every other American
1614 in similar situations.

1615 *Mr. Goldman. Should we ban agents from representing
1616 student athletes?

1617 *Mr. Huma. Not at all. Not at all. Agents -- it is
1618 really important. One reason why college sports has evolved
1619 this way is because athletes have never had proper
1620 representation. It was banned. I mean, murderers have
1621 representation, you know, in this country. They have the
1622 right to representation. But you have 17-year-olds coming
1623 from homes that, you know, they may not have had a college

1624 degree in the house, and they are having to negotiate or just
1625 take whatever the multi-billion-dollar industry gives them.

1626 *Mr. Goldman. But you certainly agree that there is
1627 some people taking advantage of these student athletes who
1628 are --

1629 *Mr. Huma. Absolutely.

1630 *Mr. Goldman. -- acting as agents.

1631 *Mr. Huma. Absolutely.

1632 *Mr. Goldman. Okay, thank you.

1633 Mr. King, SEC. Do you know what percentage of student
1634 athletes receive NIL funds?

1635 *Mr. King. I do not know the percentage, but I would
1636 think it would be higher than 500 or 600.

1637 *Mr. Goldman. Well, let's put it this way. Ninety
1638 percent -- eighty percent, ninety percent of the college
1639 football athletes in the SEC, do they receive NIL funds? You
1640 know, a rough estimate.

1641 *Mr. King. Yes, I don't have rough estimate, but I
1642 would not be surprised if that -- if the number you quoted is
1643 accurate.

1644 *Mr. Goldman. Do you know what the largest payment is
1645 to one individual athlete?

1646 *Mr. King. I do not. The agreements are not reported
1647 to the conference office right now. They are not reported
1648 anywhere.

1649 *Mr. Goldman. And overall, what does the NCAA do for
1650 the SEC?

1651 *Mr. King. It certainly provides structure, it provides
1652 excellent championships, it has provided oversight, and --

1653 *Mr. Goldman. Excellent revenue-producing
1654 championships?

1655 *Mr. King. Some, not all. But -- and also, obviously,
1656 enforcement and rulemaking. But with this -- with the House
1657 settlement, the issues related to that will be handled
1658 differently as part of the College Sports Commission.

1659 *Mr. Goldman. Like Mr. Fry, I have many more questions
1660 but my time is over. I yield the rest of my time. Thank
1661 you, Mr. Chairman.

1662 *Mr. Bilirakis. Thank you. I appreciate it. Now I
1663 recognize Representative Dingell from the great State of
1664 Michigan.

1665 Again, you are recognized for five minutes for your
1666 questioning.

1667 *Mrs. Dingell. Thank you, Mr. Chair, and thank you to
1668 the witnesses for being here today to speak on -- I know some
1669 people don't think this is a critical issue, but for where
1670 all of us are, it is, especially as the House settlement was
1671 approved just last week formalizing a new era in college
1672 sports.

1673 College sports are the lifeblood of so many communities

1674 across the nation, and they sure are in Michigan. I am proud
1675 to represent both the University of Michigan -- yes, Go, Blue
1676 -- and Eastern Michigan University, two very different
1677 schools with very different athletic programs. I have seen
1678 firsthand how these programs can inspire, educate, and uplift
1679 college athletes, and I have also seen how some of this may
1680 endanger athletics at smaller schools and a broader range of
1681 college sports across athletic departments.

1682 Many now say college athletics are becoming
1683 indistinguishable from professional sports. While this may
1684 be true for a small number of athletes at a few schools, it
1685 doesn't reflect the reality for most athletes. And people
1686 are asking, "Why do we need Federal rules? Shouldn't we just
1687 let the House case play out or the House settlement play
1688 out?" As you all have pointed out today, states are already
1689 considering laws that will distort the system and risks the
1690 promise of fairness and creating what I worry about, a race
1691 to the bottom.

1692 We need a national framework with clear and real
1693 enforcement mechanisms. We must stay focused on protecting
1694 the athletes themselves, supporting the educational
1695 opportunities and programs they value, preserve the broad
1696 range of sports that colleges offer, and upholding the spirit
1697 of what college athletics has been, is, and should continue
1698 to be across the country.

1699 I know I am naive, but I want college athletics to be
1700 college athletics.

1701 As we look ahead, title 9 must be front and center. We
1702 cannot allow new compensation models to widen the gap between
1703 men's and women's sports. That is why gender equity and
1704 strong protections must be built into any Federal framework.

1705 For most Power 4 schools, about 90 percent of the total
1706 athletic revenue comes from football and basketball men's
1707 teams. That revenue isn't just supporting those teams, it is
1708 supporting the rest of the athletic departments. At the
1709 University of Michigan, for instance, this revenue helps to
1710 support 27 other varsity sports, their training programs, the
1711 facilities, and the opportunities they provide to athletes,
1712 including all the non-revenue sports that have produced
1713 Olympians like Michael Phelps, Tom Dolan, and Greg Meyer.
1714 These non-revenue and Olympic sports face uncertainty and
1715 possible what like they may not be [sic]. And we don't
1716 realize in this country that the way that we -- our Olympians
1717 get training is through this. We don't support them in other
1718 ways.

1719 And let's not forget that while there are approximately
1720 70 Power 4 institutions that generate major revenue in the
1721 football and men's basketball programs, there are more than
1722 1,000 other schools that offer college sports that don't.
1723 Across all the divisions, there are 500,000 college athletes,

1724 and less than 2 percent of college athletes ever become
1725 professional.

1726 College athletics are not just pipelines to the pros for
1727 a lucky few. College athletics are supposed to be pathways
1728 for a good education, degrees, leadership, and lifelong
1729 opportunity. And that is why Federal legislation must
1730 include real athlete representation for both revenue and non-
1731 revenue sports from large and small schools. Athletes must
1732 have a voice in the decisions that affect their futures, and
1733 they need protections around issues like medical coverage for
1734 serious, long-term injuries, academic support, and how they
1735 are going to get to fight for what is good for them.

1736 We must also bring increased transparency and
1737 accountability to third-party affiliates like collectives and
1738 boosters. Their activities should be reported, regulated,
1739 and aligned with fairness and equity, not market
1740 manipulation. And as we consider any kind of antitrust
1741 exemption, we must ensure it is narrow and justified. The
1742 goal here is to preserve athletes' rights and ensure the
1743 long-term viability of college sports.

1744 This is a pivotal moment. We have the chance to build a
1745 system that reflects the full diversity of college athletics,
1746 and protects what makes it so special. It means ensuring
1747 athletes are supported, not exploited. It means preserving
1748 Olympic sports. It means honoring title 9. And we owe it to

1749 the athletes to get it right.

1750 And I am out of time, Mr. Chairman, so I will have about
1751 1,000 questions I will submit for the record.

1752 [The information follows:]

1753

1754 *****COMMITTEE INSERT*****

1755

1756 *Mr. Bilirakis. Thank you. I appreciate it. The
1757 gentlelady yields back. Now I recognize Representative Evans
1758 from the great State of Colorado.

1759 You are recognized for five minutes.

1760 *Mr. Evans. Thank you, Mr. Chairman, Ranking Member,
1761 and, of course, thank you to the witnesses for coming.

1762 Mr. King, I just wanted to lead off with a question to
1763 you. In this conversation some folks have proposed the
1764 creation of a Federal, self-regulatory organization, or some
1765 other sort of independent body to oversee college sports,
1766 including NIL. So just curious. In your view, do you think
1767 this is necessary or unnecessary?

1768 What mechanisms are already in place?

1769 And how do we ensure fair play and athletic protection
1770 -- athlete protection without creating a new layer of
1771 bureaucracy, or do you think we need a new layer of
1772 bureaucracy in this space?

1773 *Mr. King. Thank you for the question, and it is
1774 certainly one that has been front of mind over the past few
1775 months.

1776 I do not think that we need a federally-created
1777 commission. You have heard talk about the College Sports
1778 Commission, which is -- arises out of the House settlement.
1779 Now that it is approved, it is actually in existence and up
1780 and running. And the way it is structured is it would -- it

1781 will handle the regulation, implementation of the settlement
1782 around revenue share, around review of NIL agreements, other
1783 than with the university, to try to weed out or identify pay-
1784 for-play or fake NIL. And so I believe that structure will
1785 serve its role well in that area. It will have a separate
1786 enforcement arm. It will be not an additional layer of
1787 bureaucracy, we don't need that. It will be a new approach
1788 to these issues related to the House settlement.

1789 *Mr. Evans. Thank you. And kind of following up on
1790 that, in a previous career I was a cop, which meant that I
1791 worked with a lot of bail recovery agents. And once I became
1792 a supervisor and had to kind of sort out these things on the
1793 streets from my perspective as a police officer, a police
1794 sergeant, I learned there is actually -- in my state there is
1795 a bail bondsman and bail recovery agents. The bondsmen have
1796 to be registered. The agents don't.

1797 And so I kind of use that as an analysis to how do we
1798 have the appropriate level of regulation in this space for
1799 agents that are representing student athletes to make sure
1800 that they are doing the right things and we don't have a Wild
1801 West situation that is going on, which, unfortunately,
1802 sometimes I saw in the unregulated component of interacting
1803 with bail recovery agents in my state.

1804 So I know we have talked about it a little bit. Can you
1805 just talk about how the previous bodies you have discussed

1806 would have the ability to have that appropriate regulation to
1807 make sure that we are taking care of our student athletes
1808 without an additional layer of bureaucracy?

1809 *Mr. King. Yes, thank you. I think we have all talked
1810 about that there is absolutely a need for meaningful
1811 regulation of agents as a way to protect student athletes.
1812 Given where we are in college athletics now, the question of
1813 whether athletes need agents or not, that is gone. We all
1814 agree that they should have the right to have that
1815 representation, and that we need to know who they are, we
1816 need to know that they meet minimum qualifications, and then
1817 we need to know when they don't fulfill their professional
1818 obligations to their clients. We need to know that so that
1819 they can be -- the appropriate consequences.

1820 And, you know, the draft discussion provides a mechanism
1821 to at least require them to identify themselves, but I think
1822 that is a conversation that we need to -- it needs to
1823 continue to the next level, to the issues you raise about how
1824 do we most efficiently, effectively regulate with the least
1825 amount of bureaucracy.

1826 *Mr. Evans. Thank you.

1827 And switching to Ms. Cozad, student athlete, we want to
1828 make sure that student athletes are at the table, that your
1829 voices are heard when we are having these conversations about
1830 the sports because, ultimately, you all are the central focus

1831 of this whole conversation. So can you just share a little
1832 bit more about how you were able to make an impact in this
1833 space as a student athlete, especially when you were serving
1834 on a board in the NCAA?

1835 *Ms. Cozad. For sure. Thank you for that question. I
1836 served on the Division 1 board of directors for a one-year
1837 term. I actually rolled off, like, 10 days ago. And before
1838 that I served on three separate NCAA committees. A majority
1839 of NCAA committees have student athlete representation. And
1840 as we speak right now, the NCAA is undergoing governance
1841 structure changes that will increase student athlete
1842 representation in the future.

1843 During my time my biggest goal was to advocate for
1844 student athletes, making the House settlement digestible for
1845 your everyday student athlete that is not an attorney and
1846 that does not understand the weeds of all the specific
1847 pieces. And that was something that I really, really pushed
1848 for back in October in our in-person meeting when student
1849 athletes were scared of what was happening within the House
1850 settlement, and we wanted to make it as digestible and
1851 understandable as possible. Thank you.

1852 *Mr. Evans. Got it. Thank you.

1853 I yield back, Chairman.

1854 *Mr. Bilirakis. The gentleman yields back. I now
1855 recognize Mrs. Trahan for her five minutes of questioning.

1856 *Mrs. Trahan. Thank you, Mr. Chairman. I also want to
1857 thank you for emphasizing that this is a discussion draft. I
1858 look forward to getting on your calendar and working with you
1859 to ensure that this legislation is bipartisan. Thank you.

1860 Ms. Cozad, when fans went to your meets, who were they
1861 cheering for? Were they cheering for your coach, your
1862 university president, your conference commissioner, or do you
1863 believe it was you and your teammates?

1864 *Ms. Cozad. Hi, thank you for that question. I
1865 definitely feel it was for me and my teammates. Being from a
1866 non-revenue-generating sport, the fans was my mom and my
1867 family members, and those were the people that were watching
1868 us.

1869 *Mrs. Trahan. I believe you are right, and I want to
1870 thank you for the -- answering the question and for being on
1871 the panel.

1872 And look, I asked that question because too often in
1873 this conversation we lose sight of who actually drives the
1874 value: the fans, the excitement of college sports. It is
1875 not the coaches. It is not the administrators. It is the
1876 athletes.

1877 Mr. Huma, I would like for you to indulge me for a
1878 moment. I am going to describe a few provisions of this
1879 bill, and I want to -- I would love for you to tell me, in
1880 your expert opinion, whether each one strengthens or

1881 restricts the rights of college athletes. You can simply
1882 respond with "strengthen'" or "restrict,'" so we get through
1883 it.

1884 First, a blanket antitrust exemption for the NCAA and
1885 conferences that eliminates athletes' ability to sue over
1886 eligibility, NIL, and compensation rules.

1887 *Mr. Huma. Restricts.

1888 *Mrs. Trahan. A provision banning college athletes from
1889 ever being permitted to collectively bargain, regardless of
1890 their sport or the revenue they generate.

1891 *Mr. Huma. Restricts.

1892 *Mrs. Trahan. Language allowing schools or the NCAA to
1893 block NIL deals that conflict with existing contracts.

1894 *Mr. Huma. Restricts.

1895 *Mrs. Trahan. A preemption of all state NIL laws, even
1896 those that currently expand and protect athletes' rights.

1897 *Mr. Huma. Restricts.

1898 *Mrs. Trahan. Thank you, Mr. Huma. So from what I am
1899 hearing, this bill imposes significant new restrictions on
1900 college athletes. But let's look at what, if anything, it
1901 gives them in return. Mr. Huma, if -- in your reading of the
1902 legislation, does it strengthen title 9 enforcement to ensure
1903 more women can play college sports or ensure that they
1904 benefit fairly from the House settlement?

1905 *Mr. Huma. No.

1906 *Mrs. Trahan. Does it include any provisions to help
1907 international athletes like Alex Condon, who helped lead the
1908 chairman's beloved Florida Gators to a men's basketball title
1909 this year, access their NIL rights?

1910 *Mr. Huma. No.

1911 *Mrs. Trahan. So I just want to get this straight.
1912 This committee is considering a bill that would constrain or
1913 roll back athlete rights, block further progress, and give
1914 them little in return.

1915 *Mr. Huma. Correct.

1916 *Mrs. Trahan. I think we can do a lot better. It is
1917 athletes' talent, labor, and courage that have forced the
1918 changes we have seen, not because the college sports
1919 executives wanted it, but because young men and women across
1920 the country demanded it. Congress should be standing with
1921 the athletes who are unafraid to advocate for themselves, not
1922 undermining them.

1923 I yield back.

1924 *Mr. Bilirakis. I thank the gentlelady, and I think we
1925 are going to go with Mr. Veasey.

1926 Mr. Veasey, you are recognized for five minutes for
1927 questioning.

1928 *Mr. Veasey. Mr. Chairman, thank you very much. I
1929 wanted to point out something, and I am going to change my
1930 comments here because I was -- I heard something that kind of

1931 really, really bothered me, and it was about the protection
1932 of the student athletes from an academic standpoint. And I
1933 want people to just remember how students were treated before
1934 NIL, the transfer portal when it came to academics.

1935 A lot of these programs would do whatever it took,
1936 whatever was necessary to keep players eligible. And I can
1937 tell you stories about young people back in the 1980s, 1990s,
1938 2000s that were pushed into remedial classes, and they got
1939 ready to -- they thought they were getting ready to graduate
1940 from college their senior year, and there was a kid in the
1941 Dallas-Fort Worth area that was a first-round draft pick, and
1942 he had about 90 hours and none of them counted towards
1943 anything. That is what was happening before the transfer
1944 portal, before NIL. And I want people to know that it was
1945 Wild West before then. There wasn't anyone looking out for
1946 the student athletes before all of this happened.

1947 I talked to one player who had a great career in the
1948 NFL, absolutely loves his coach, would do anything in the
1949 world for his former coach. And he told me, he said you have
1950 to decide at this university that I went to if you wanted to
1951 be a student or if you wanted to be an athlete. If you
1952 wanted to be a student, they would move you down the depth
1953 chart. You had to decide. And if you took certain classes,
1954 you would get moved down the depth chart. So there wasn't
1955 anyone looking out for the students before all of this

1956 happened.

1957 What I would like to see -- and don't get me started on
1958 the low, dismal Black student athlete graduating rates, Black
1959 male graduating rates in football and basketball. If you go
1960 back -- and you can easily Google some of these articles --
1961 some of these football programs and basketball programs, they
1962 would have 19, 20, 30 percent Black male graduating rates out
1963 of these programs.

1964 So the schools want to try to put together something
1965 that looks more like the past, and I am telling you the past
1966 was not perfect. The past was jacked up, and these kids were
1967 being exploited. And so now they have a chance to get some
1968 of this money, kids that were pushed into remedial classes,
1969 were threatened to be moved down the depth chart. Now there
1970 is starting to be some equal footing here, and I don't want
1971 to take that away from future student athletes. I think that
1972 that would be terrible. And when you start talking about
1973 tinkering with the transfer portal, that is exactly what you
1974 will do.

1975 I do think that there needs to be some rules. I thought
1976 it was crazy that kids were transferring during the March
1977 Madness during NCAA. I did not like that at all. Like, that
1978 is the type of thing that needs to be fixed, right? I think
1979 that is something that we can all agree on, protecting some
1980 of these players that are getting into these risky contracts

1981 with people and they have absolutely no idea what they are
1982 doing.

1983 I remember when my brother was getting all the letters
1984 when he went D1, and we had coaches and recruiters coming in
1985 and out of our house. And, you know, I was having to sort of
1986 try to figure out a lot of that for him, and I was barely 23
1987 years old myself, right? And so these kids, they need --
1988 there needs to be some protections for them.

1989 You know, Gervon Dexter was recruited to play football
1990 at Florida, signed with an agent, and agreed to pay his --
1991 this agent 15 percent of his future NFL earnings. And now,
1992 as a second-round draft pick, he owes this agent \$1 million.
1993 Like, kids -- I mean, and these kids need to be able -- and
1994 these families need to be able to get in and out of these
1995 contracts with much more ease than that, and so those are the
1996 type of things that I think that we need to fix, and we need
1997 to simplify a lot that is in this bill.

1998 And in the remaining time that I have left I wanted to
1999 ask Mr. Huma if he could elaborate on whether NIL legislation
2000 should guarantee student athletes the freedom to transfer
2001 without administrative hurdles, because I think that that is
2002 the biggest piece of all of this, my personal opinion,
2003 because college football coaching was closed to so many Black
2004 coaches. I don't think that a Deion Sanders -- my son is a
2005 freshman at CU -- I don't think a Deion Sanders ever gets a

2006 chance to coach big-time college football without this
2007 transfer portal deal. Please, if you could talk about the
2008 question that I just asked you, that would be great.

2009 *Mr. Huma. Sure. I think it is important to protect
2010 the transfer opportunities, as you mentioned. Schedule them
2011 at different times. You know, and the NCAA can do that right
2012 now. They don't need to schedule them during post-season
2013 playoff games and championships and spring football. So I
2014 think that is something they can do, as well.

2015 I think an important part -- and you are talking about
2016 graduation rates -- one thing that shifted when players got
2017 these freedoms, prior to that, if a player wanted to
2018 transfer, the school couldn't take their scholarship away
2019 just for saying, hey, I am interested. Now, when they gave
2020 athletes the freedom, they say the moment you step foot in
2021 that portal we can cut your scholarship and close your
2022 opportunity. And players are being blamed for a lot of this.
2023 Many of these players are being forced into these portals
2024 because the coaches are running them off, and they -- and
2025 players need to be protected from that, as well.

2026 *Mr. Bilirakis. The gentleman yields back. I
2027 appreciate it. And we have -- now I will recognize Mr. Kean
2028 from the great State of New Jersey for his five minutes of
2029 questioning.

2030 *Mr. Kean. Thank you, Mr. Chairman, and thank you to

2031 our distinguished witnesses for being here today.

2032 As we look at supporting student athletes around the
2033 country, it is important that we provide a consistent legal
2034 framework that allows our student athletes to thrive.
2035 Federal NIL legislation is an important step towards this
2036 end.

2037 Mr. King, in the New Jersey state senate I voted to
2038 advance NIL rights through the New Jersey Fair Play Act.
2039 This bill ensured that New Jersey student athletes could
2040 receive compensation for use of their NIL. Could you share
2041 how the SCORE Act would ensure that students have equal
2042 opportunities for NIL rights not just in New Jersey, but
2043 across this country?

2044 *Mr. King. Yes, thank you for the question.

2045 And as we have talked about the House settlement, the
2046 draft discussion incorporates some of the key parts of the
2047 House settlement, and one of those is regulation of NIL
2048 agreements other than with the university, outside or third-
2049 party NIL. And the settlement and the draft discussion as I
2050 read it, both have the common goal of no limit on student
2051 athlete compensation, with one exception. And that is if it
2052 is not NIL, it is fake NIL or pay-for-play and it involves a
2053 payor, a company that is associated or affiliated with the
2054 university. Other than that -- and I am not -- I am sorry, I
2055 am not familiar with the New Jersey law, but other than that,

2056 the -- an athlete's ability to earn NIL income from people
2057 outside the university remains the same.

2058 *Mr. Kean. Thank you.

2059 Ms. Montgomery, is there anything that you would like to
2060 add on the important impact of Federal legislation protecting
2061 NIL rights?

2062 *Ms. Montgomery. The only thing I will add is -- and I
2063 think you alluded to this -- is the importance of how this
2064 will benefit our student athletes in being able to be
2065 informed and being educated as they make these life-changing
2066 decisions.

2067 A Federal framework will now, regardless if you are
2068 being recruited by an institution in the State of New Jersey
2069 or an institution in the State of Georgia, student athletes
2070 now know what that standard is instead of having to deem
2071 which one is appropriate and/or the competitiveness that
2072 starts there.

2073 *Mr. Kean. Okay, thank you.

2074 Ms. Cozad, as a student athlete yourself you know
2075 firsthand the importance of maintaining academic integrity
2076 while allowing students to receive reasonable compensation
2077 for their name, image, and likeness. Could you share how
2078 this legislation would benefit student athletes like
2079 yourself?

2080 *Ms. Cozad. Thank you for that question.

2081 Legislation of this nature would benefit student
2082 athletes like me because I am the type of student athlete you
2083 don't hear about on the SEC Top 10. And yet there are
2084 hundreds of thousands of us out there that are just as
2085 capable on capitalizing on NIL, and doing a really great job
2086 at it. So having universal NIL rules would create that
2087 environment where we could all capitalize equally and move
2088 forward. Thank you.

2089 *Mr. Kean. Thank you.

2090 Ms. Montgomery, it is important that higher education
2091 institutions can ensure academic integrity while supporting
2092 their student athletes' NIL rights. What provisions are
2093 important to ensure academic integrity is maintained?

2094 *Ms. Montgomery. Thank you again for that question.

2095 I think, first and foremost, the ability from an NCAA
2096 perspective to maintain our academic eligibility standards,
2097 that is something that keeps college athletics at its core,
2098 and that is the academic component.

2099 When it comes to the name, image, and likeness, I look
2100 at this as an enhancement for our student athletes. But it
2101 is important that, regardless of the framework and the
2102 direction that moves forward, higher education and academic
2103 and the current eligibility status remain prominent.

2104 *Mr. Kean. Thank you.

2105 *Ms. Montgomery. Thank you.

2106 *Mr. Kean. Thank you all to every one of our witnesses
2107 here today.

2108 And I yield back.

2109 *Ms. Montgomery. Thank you.

2110 *Mr. Bilirakis. I thank you, the gentleman yields back.
2111 Now I will recognize Mrs. Fedorchak, who has waived on for
2112 this particular subcommittee.

2113 You are recognized for five minutes of questioning.

2114 *Mrs. Fedorchak. Excellent. Good morning, all of you.
2115 It is still morning. I am Julie Fedorchak. I represent the
2116 entire State of North Dakota, which includes both the
2117 University of North Dakota and North Dakota State University,
2118 two Division 1 FCS schools. So we are very proud of our
2119 schools, but they are probably the exact size school that is
2120 going to be particularly challenged in this new environment,
2121 so I really appreciate you all sharing your expertise and
2122 your experiences here today, and I just have a couple
2123 questions for you.

2124 Mr. King, given the wide disparity in budgets and
2125 resources among Division 1 institutions from 10 million to
2126 300 million, how can we ensure that national NIL policies
2127 don't disproportionately benefit the Power 5 programs while
2128 effectively marginalizing non-autonomy conferences like the
2129 Big South, or institutions like the University of North
2130 Dakota or North Dakota State?

2131 *Mr. King. Yes, so from a national standpoint as
2132 opposed to 50 different state laws, like, having uniformity
2133 is obviously important, and then allowing as much freedom as
2134 possible for the student athletes while achieving the goal of
2135 having some regulations, some structure, rather than just
2136 completely unregulated, which is where we basically are now.

2137 The House settlement, which, if it is codified as part
2138 of Federal legislation, maintains that. But it provides
2139 structure in that the NIL agreements will be submitted and
2140 reviewed to make sure that they are not pay-for-play and that
2141 they are not fake NIL. I am speculating, but I would imagine
2142 that that is less of an issue at North Dakota and North
2143 Dakota State, although I will note that you have really,
2144 really good football, and that --

2145 *Mrs. Fedorchak. And hockey. Don't forget our hockey.

2146 *Mr. King. We don't --

2147 *Mrs. Fedorchak. It has been a little down lately, but
2148 it is coming back.

2149 *Mr. King. We don't do hockey, so I am not so familiar,
2150 but I know you are good in football.

2151 And that -- the type of regulation I am talking about
2152 would make it more difficult for someone to come to one of
2153 your players and say, "Please transfer, we have this deal to
2154 give you," which is not really NIL, it is fake NIL. That
2155 sort of regulation would be uniform.

2156 *Mrs. Fedorchak. Okay, thank you.

2157 Ms. Montgomery, thank you for your honesty today and
2158 your great testimony.

2159 *Ms. Montgomery. Thank you.

2160 *Mrs. Fedorchak. You have raised concerns about the
2161 current lack of regulation around NIL agents and the risk of
2162 roster tampering. That is also a concern that our
2163 institutions have expressed. Can you provide examples of how
2164 this is affecting student athletes or smaller schools'
2165 ability to retain talent?

2166 And what would be some of the solutions for addressing
2167 that -- those issues?

2168 *Ms. Montgomery. Thank you so much for that question.
2169 I will probably pick up where Mr. King left off and the
2170 uniformity of those laws.

2171 While it will not completely abolish tampering, I do
2172 think it could curtail that aspect that is a very real
2173 concern. An example of that is if you were to have a
2174 football student athlete that decided they would like to
2175 reopen their recruitment process, they are now going to be
2176 able to confirm that the NIL opportunities that they are
2177 being offered and received are actually legitimate prior to
2178 making that decision. So I think that that is one example of
2179 how uniformity in the name, image, and likeness space will
2180 once again not abolish tampering, but it can curtail it from

2181 a standpoint of student athletes being able to ensure they
2182 are considering legitimate opportunities instead of nefarious
2183 activity and/or pay-for-play.

2184 *Mrs. Fedorchak. Okay, thank you.

2185 And then do any of you have concerns about the -- this
2186 governing commission that was established in the settlement,
2187 and thoughts on what needs to be done to clarify their roles
2188 and responsibility, their oversight authority, how we are
2189 going to have some enforcement through that group, or whoever
2190 else is going to be enforcing these new rules and regs?

2191 Mr. Huma?

2192 *Mr. Huma. Huma, thank you. Thanks for that question.

2193 I think, in the context of Congress, if Congress looks
2194 to a third-party enforcement mechanism, it should not be one
2195 where the conferences solely select. You know, there should
2196 be -- it should be neutral, number one. And it shouldn't
2197 just focus on whatever the parameters may be economically.
2198 It needs used to focus on safety standards. Any benefit
2199 protection that athletes have, the athletes need a referee.

2200 *Mrs. Fedorchak. Okay.

2201 *Mr. Huma. Because otherwise, it would be -- they would
2202 be taken advantage of.

2203 *Mrs. Fedorchak. Thank you.

2204 I have 15 seconds. Anybody else, thoughts on that?

2205 *Mr. King. I tried to get in ahead of Mr. Huma, but

2206 failed.

2207 The College Sports Commission has been created to bring
2208 life to the settlement, to create a mechanism nationally to
2209 regulate and monitor institutional revenue share, to make
2210 sure that people don't exceed the limit, to regulate NIL, as
2211 I talked about, to ferret out pay-for-play or fake NIL and
2212 make sure that it is legitimate, and to enforce -- to create
2213 rules and enforce those. It has already created rules to
2214 bring to life the specifics of the settlement, and then there
2215 will be rules made in the future to try to prevent people
2216 from circumventing or getting around the settlement.

2217 So absolutely, I am very confident in the ability of
2218 that commission to regulate in this area effectively moving
2219 forward.

2220 *Mrs. Fedorchak. Okay. Thank you, I yield back.

2221 *Mr. Bilirakis. I thank the gentlelady. Now I will
2222 recognize my fellow Florida Gator, Mrs. Cammack, for her five
2223 minutes of questioning.

2224 *Mrs. Cammack. Thank you, Mr. Chairman.

2225 *Voice. I didn't [inaudible].

2226 *Mrs. Cammack. He did do it, because you are a Georgia
2227 Bulldog. He is just much nicer than I am.

2228 Thank you to our witnesses for being here today.
2229 Obviously, college athletics is something that is all very
2230 near and dear to our heart. I am very proud to represent the

2231 Gator Nation up here in our Nation's Capital, and appreciate
2232 everyone's contributions to this hearing today.

2233 I am just going to start with you, Mr. King, talking
2234 about the SCORE Act and how the IIAA enforces rules on
2235 revenue sharing and NIL disclosures. Now, you flagged the
2236 risk of constant litigation any time the rules change.
2237 However, should we be thinking about how to structure the
2238 IIAA oversight to avoid these future lawsuits, for example,
2239 through transparency mandates or safe harbor triggers that
2240 are built into the Federal law itself?

2241 *Mr. King. Yes, thank you for the question, and you
2242 really hit on some of the key issues.

2243 So the IIAA -- we will just call it the College Sports
2244 Commission, or CSC -- has been created to regulate in this
2245 area. You are correct that one of the concerns that I raised
2246 earlier, one of the needs in the legislation is to preempt
2247 the state laws, codify the rules coming out of the
2248 settlement, and provide protection so long as schools follow
2249 those rules -- conferences, associations -- that they will
2250 not be subject to liability. We need that structure to give
2251 this a chance to work. It is a really good settlement.

2252 I want to be respectful of your time, but there -- it is
2253 -- contrary to Mr. Huma's views, there are some incredible
2254 positives in this settlement for athletes that I think no one
2255 10 years ago would have ever thought. Things that were

2256 requested or put forth in legislation four or five years ago
2257 that have now been done, they need to be codified. Revenue
2258 share, medical guarantees, post-participation, codify those
2259 things and create a structure where this commission can
2260 enforce them, give them a chance to succeed, and see what
2261 happens, rather than immediately being in lawsuits left and
2262 right while trying to start this new system.

2263 *Mrs. Cammack. Okay, I appreciate that. Now, of
2264 course, the bill would also require that student athletes
2265 disclose NIL deals over \$600, as we have talked about a
2266 couple times here today, and it allows interstate
2267 intercollegiate athletic associations to collect and share
2268 aggregated data.

2269 My question is this. Now, under the framework of the
2270 SCORE Act, how do we ensure that the data collected through
2271 the process actually gets turned into useful, accessible,
2272 comparative information both for schools looking to maintain
2273 compliance for student athletes trying to understand if fair
2274 market value is there, or what oversight or reporting should
2275 Congress be considering to make sure that this isn't a one-
2276 way data collection exercise?

2277 *Mr. King. Yes, so the data collection is an issue that
2278 really has not been talked about a lot, but I think it will
2279 be a huge advantage for athletes, for people on campus, and -
2280 - but it will be respectful of the athletes' privacy. So it

2281 will be aggregated, it will be anonymized. It will not --
2282 you will not be able to learn specifically what Joe Jones
2283 gets from his university or he gets from this deal. That
2284 will be protected. But Joe Jones will be able to know what
2285 an average at his position for an autonomy for school or for
2286 an SEC school, what is average in NIL or in institutional rev
2287 share, those sorts of things. Likewise, the agents, their
2288 agents will have access to that information, as will the
2289 university. So it will be a much more candid discussion.

2290 Now, we are still working out the details on how that
2291 will be shared and with whom it will be shared, how public
2292 will it be. But respecting the athletes' privacy while
2293 giving everyone involved in this new system the information
2294 they need to make informed decisions, I think, is a real
2295 benefit. And then obviously, there is some legal concerns
2296 about how the information is shared, as well, and we are
2297 obviously monitoring and aware of those. But I think it will
2298 be a huge positive for everyone when this information is
2299 shared.

2300 *Mrs. Cammack. Excellent. Well, and going completely
2301 in a different direction here, in talking about section 3 of
2302 the SCORE Act it says that under this legislation it affirms
2303 the right of student athletes to enter into NIL agreements
2304 which cannot be restricted by their school, the IIAA, or the
2305 conference. And exceptions exist for schools that can

2306 restrict deals that, one, violate the Student Code of
2307 Conduct, or, two, conflict with the school's existing
2308 contracts.

2309 Now, I know I am built for comfort, not for speed these
2310 days, but back in the day I was actually cheering as an
2311 undergrad, and there was a situation where several of my
2312 teammates engaged in foxy football. It got into a gray area
2313 of the school's code of conduct. Under this, is there a
2314 preemption that should be required in this legislation?
2315 Because school code of conducts are all over the map. Is
2316 there something that you see being potentially problematic
2317 moving forward, where maybe there is a bit of a gray area,
2318 maybe adult content that students may be engaging in, while
2319 lawful and legal, that could potentially become problematic
2320 moving forward?

2321 I would like to open this up to the entire panel, and I
2322 will start with you, Ms. Montgomery.

2323 I am sorry, quickly, because I got 30 seconds.

2324 *Ms. Montgomery. Yes, I do think that that could be
2325 problematic not only as it is written here, but I think there
2326 is also currently an expectation when it comes to name,
2327 image, and likeness opportunities, that they do not fall
2328 outside of the expectation code of conduct with institutions.
2329 With the example that you specifically raised, I do see that
2330 potentially being a gray area, one of concern.

2331 *Mrs. Cammack. Thank you.

2332 Mr. Huma?

2333 *Mr. Huma. You know, I think a baseline, good test
2334 could be if the school is not partnering with these types of
2335 industries for moral reasons and reputational reasons, that
2336 might be a good balance. But I think right now, as written,
2337 is very, very broad restrictions that really need to be
2338 reeled in.

2339 *Mrs. Cammack. Mr. King?

2340 *Mr. King. I just looked at the language quickly. It
2341 says an institution "may," not "shall" restrict. So it is
2342 left to the campus. And I would imagine that in some parts
2343 of our country what would be objectionable behavior to, let's
2344 say, an institution with a religious affiliation might not be
2345 a problem at all at others. So those can be made at the
2346 campus level, based on institutional values and also between
2347 the university and the athlete, depending on the
2348 circumstance. We have already seen very high-profile
2349 athletes signed shoe deals with companies other than the
2350 company their university is using.

2351 So it is -- I think this -- rather than view this as,
2352 boy, this is a stonewall, there is no way that athlete --
2353 this will be handled at the campus level, I would imagine
2354 maybe in some areas a policy, but otherwise on a case by case
2355 basis.

2356 *Mrs. Cammack. Okay. And finally -- and I know I am
2357 way over time. She is going to go real fast, Mr. Chairman.

2358 *Mr. Bilirakis. Very fast.

2359 *Ms. Cozad. Thank you. I would echo Mr. King. Our
2360 institutions are so unique and so different. I come from a
2361 mid-major school that is very much smaller than the
2362 University of Florida. And what is okay in our university is
2363 probably different than what is okay at a big Power 5 school.
2364 And so it is really important that it is left in the
2365 institution's hands. Thank you.

2366 *Mr. Bilirakis. And I will say that your school has a
2367 great reputation, and I have quite a few constituents and
2368 family members that attend your school.

2369 Okay, now we will yield to Ms. Clarke, her five minutes
2370 of questioning.

2371 *Ms. Clarke. Thank you, Mr. Chairman, and I thank
2372 Ranking Member Schakowsky for holding today's hearing. I
2373 want to thank our expert witnesses for bringing your
2374 expertise to the table this morning.

2375 The topic of NIL and college sports is one this
2376 committee has been grappling with for years. And with the
2377 recent settlement in House v. NCAA, it is more important than
2378 ever that we reach some consensus on what exactly our role is
2379 here.

2380 Unfortunately, in its current form, the discussion draft

2381 before us today is something I cannot support. I appreciate
2382 Chairman Bilirakis's good faith attempt to create a national
2383 standard for NIL deals and desire to create a more level
2384 playing field for athletic programs while providing athletes
2385 more clarity moving forward, but I have some real concerns
2386 with the current iteration of this bill, as well as some of
2387 the provisions of the settlement of the House lawsuit.

2388 First and foremost, let me state that, even though this
2389 may not be within our committee's wide jurisdiction, I am
2390 extremely hesitant to grant any kind of liability limit or
2391 antitrust exemptions at this stage, given that antitrust
2392 lawsuits are the driving factor in bringing about this long-
2393 overdue era of fair compensation for college athletes.

2394 Second, major universities have made clear their belief
2395 that these athletes should not be classified as employees,
2396 and I am sensitive to that, especially because it could be an
2397 existential threat to HBCUs if such a classification were to
2398 be made.

2399 However, the House settlement and the discussion draft
2400 before us today make clear to me that there needs to be some
2401 kind of legitimate collective bargaining between college
2402 athletes and the NCAA and its member institutions. It makes
2403 no sense to me to give rules laid out by the NCAA, the
2404 institution originally responsible for the decades-long
2405 exploitation of college athletics, the power of law as a

2406 response to a growing number of antitrust lawsuits
2407 challenging that exploitation. You don't protect young
2408 people by putting into law the rules regarding their
2409 exploitation, and providing no mechanism to ensure them a
2410 properly fair -- and fairly administered.

2411 Further, if we are going to arbitrarily allow
2412 conferences to cap the amount that schools can directly pay
2413 through revenue sharing their college athletes, we should not
2414 put up additional barriers around NIL collectives that
2415 supplement this income for deserving young athletes. There
2416 is more than enough money to go around in college sports, but
2417 it seems the NCAA and many universities want to make sure
2418 that that money, once donated, directly to their programs to
2419 enrich themselves and their coaches and administrators,
2420 rather than the college athletes. That is not about a level
2421 playing field. That seems like greed to me.

2422 So, Mr. King, do you know how much money the athletic
2423 departments of the 15 public universities in the SEC spent in
2424 fiscal year 2024 on severance for coaches they fired?

2425 *Mr. King. I do not --

2426 *Ms. Clarke. According to one report, the number is
2427 over \$72 million. And again, that is just for last year.
2428 This is part of the reason I am not particularly sympathetic
2429 to any arguments for -- in favor of capping the amount of
2430 money players can receive.

2431 Mr. Chairman, I ask unanimous consent to enter an
2432 article I have on severance pay from AL.com into the record.

2433 *Mr. Bilirakis. Without objection, so ordered.

2434 [The information follows:]

2435

2436 *****COMMITTEE INSERT*****

2437

2438 *Ms. Clarke. Thank you very much.

2439 Mr. Huma, thank you for joining us once again. It is
2440 great to see such a forceful advocate for college athletes
2441 before this committee once again.

2442 Can you tell this committee where you think the House
2443 settlement and discussion draft of the SCORE Act falls short
2444 and could be improved?

2445 And is there anything we can do to strengthen health
2446 protections for college athletes, for example?

2447 *Mr. Huma. I think, number one, you mentioned the
2448 boosters. You know, they want to shut down boosters' ability
2449 to pay players. It is just to re-monopolize it. As you
2450 mentioned, boosters before, they could only pay the schools.
2451 Once the athletes had their freedom, the boosters can make a
2452 decision, and some of that money was flowing to the players.
2453 It is now being demonized as fake NIL, and this is bad. The
2454 schools just want their money back, and they want to
2455 monopolize it. And they are actually excluding -- in this
2456 draft they exclude the booster money from being shared with
2457 the players. This is just a money grab, \$2 billion back in
2458 their pockets and they pay maybe, what, 1.3 on the way out to
2459 revenue share if they max out. They actually make money in
2460 this situation.

2461 And as you mentioned, unless they are going to cap
2462 coaches' salaries, facilities, and share evenly -- I know

2463 there was a question about, you know, North Dakota. Why
2464 would they support something like this? This benefits the
2465 richer, most powerful conferences.

2466 So we can't fantasize and pretend that is not happening.
2467 And in that situation, college athletes should be not the
2468 only people excluded from the free market. That is what this
2469 model is. It is a free market model. And that is okay, if
2470 that is going to be the model. If it is going to be
2471 something different, then let's talk about revenue sharing
2472 with Florida, and Florida Atlantic, and everyone else in
2473 between. But that is not the discussion. It is only about
2474 how to hammer the players and re-monopolize that money.

2475 *Ms. Clarke. And could you tell a little bit about the
2476 health protections for college athletes?

2477 *Mr. Huma. Absolutely.

2478 *Ms. Clarke. How can we strengthen it?

2479 *Mr. Huma. From our perspective, Congress has a duty.
2480 You know, they have a duty to help make sure that athletes
2481 not just at the places where maybe there could be collective
2482 bargaining and players have the leverage to protect their
2483 athletes, but North Dakota athletes need protections, as
2484 well. You know, no matter what level, community colleges all
2485 the way up, everyone needs protections. Congress, it is you
2486 or no one. And if this is going to be that moment, then let
2487 it be that moment.

2488 *Ms. Clarke. Very well.

2489 Mr. Chairman, I yield back.

2490 *Mr. Bilirakis. The gentlelady yields back. Now I will
2491 recognize the vice chairman of the full committee for his
2492 five minutes of questioning.

2493 And I am sorry, Buddy, I am not doing this on purpose, I
2494 promise you. You are my SEC partner, so I wouldn't be doing
2495 that to you.

2496 *Mr. Fulcher. Thank you, Mr. Chairman.

2497 *Mr. Bilirakis. You are recognized.

2498 *Mr. Fulcher. Thank you, Mr. Chairman, and for your
2499 understanding.

2500 And to the panel, thank you for being here. And please
2501 understand that some of us have dueling committees, and it is
2502 not a rudeness thing. I did not get to hear my predecessor's
2503 questions, but I did get a chance to look at some of the
2504 written testimony. And so if this is a duplicate, please
2505 forgive me.

2506 But a question for Mr. King. In regard to the transfer
2507 portals, it is my understanding that there is really no
2508 requirement in there that takes into consideration a student
2509 athlete's credits. And I am personally -- I am concerned
2510 about this thing that colleges and universities are supposed
2511 to ultimately serve the purpose for, and that is an
2512 education. And so should there be a inclusion of what

2513 happens to a student athlete's credits when they make a
2514 transfer through the portal?

2515 *Mr. King. Yes, that is -- it is something that was
2516 discussed previously, but not framed the way you did, and you
2517 framed it exactly the way I would, so thank you for that.

2518 So right now, basically, unlimited transfers. You could
2519 transfer as many times as you want. And the focus has been
2520 entirely on tampering, and competitive, and rebuilding
2521 rosters. And really, no one talks much about what you
2522 raised, and that is, what does it do to the education?

2523 And the truth is that the vast majority of the athletes,
2524 well over 90 percent, are not going to play professionally
2525 when they finish, and the education must remain front and
2526 center in this. And I have talked directly with athletes on
2527 our campus who found out after they transferred from
2528 somewhere outside in that some of their credits didn't come
2529 with them, and it was going to take a semester or a year
2530 longer to graduate, maybe beyond their eligibility. So it is
2531 absolutely something that we need to be tracking on.

2532 And what I don't have to share with you is because we
2533 are two, three years into this -- actually, really, a year-
2534 and-a-half into unlimited transfers, we don't have the data
2535 yet, but I fully expect that you will see that the athletes
2536 who enter the portal, especially multiple times, that their
2537 rate of success academically will be significantly lower.

2538 *Mr. Fulcher. And that is my concern, so thank you for
2539 that thoughtful answer. And I believe that is something that
2540 we need to consider from our perspective, as well. So thank
2541 you for clarifying that.

2542 A follow-up question to you, and this is in regard to
2543 collectives. Is there anything in the House settlement that
2544 limits a collective from giving directly to a school?

2545 And do you see that as an important component to keeping
2546 a program competitive or perhaps helping fund those programs
2547 that aren't self-sufficient?

2548 *Mr. King. So there is nothing in this House settlement
2549 specific to collectives because that was not at issue, the
2550 collective specifically in the lawsuit. But from a
2551 regulation standpoint -- and this is -- applies to everyone,
2552 not just collectives -- third-party agreements with entities
2553 or individuals associated with an institution -- and that is
2554 defined, and it is set forth in the draft discussion, as well
2555 -- that those will be subject to review to make sure they are
2556 real, that they are actual NIL and not pay-for-play. Other
2557 than that, there is really nothing coming out of the
2558 settlement that would specifically relate there.

2559 To your question about the donation, there is nothing
2560 that would limit a collective's ability to gather money and
2561 then give it to the school. I think many people believe that
2562 if the settlement goes forward and works as it should, that

2563 the individuals who have donated to the collectives in the
2564 past will be -- you know, might redirect the money or decide
2565 to give money directly to the school.

2566 *Mr. Fulcher. I am going to thank you for that. I have
2567 only got a minute left, so I am going to abbreviate this.
2568 Hopefully, it will make sense, but it is along that same
2569 line.

2570 Personally, I have been concerned about some of the
2571 transparency in some of these NIL deals, and the potential
2572 bad actors that get involved as agents who are taking
2573 advantage of students. And in terms of the revenue sharing
2574 model, you mentioned the pay-for-play. Are you confident
2575 that a future revenue sharing model will prevent that pay-to-
2576 play thing?

2577 And who is the appropriate channel to oversee that?

2578 *Mr. King. So the settlement agreement gives the
2579 conferences -- and the NCAA -- but the conferences the
2580 ability to create a structure to make rules and enforce to
2581 implement the settlement. And the four conferences have
2582 created an entity called the College Sports Commission. It
2583 went live after the settlement was approved, but it has been
2584 months in the planning and making. That will enforce the
2585 rules to make the settlement work.

2586 And so that -- yes, that is already -- that is in place
2587 and will be a work in progress in the coming months. But it

2588 is -- it exists now.

2589 *Mr. Fulcher. Thank you, Mr. King.

2590 Mr. Chairman, I again appreciate your patience and the
2591 same to Mr. Carter. Thank you for your patience, and I yield
2592 back.

2593 *Mr. Bilirakis. All right. Thank you, sir. I
2594 appreciate it.

2595 Now I will yield back to my good friend -- I mean, I
2596 will yield to my good friend from the great State of Georgia,
2597 Mr. -- Chairman Carter for his five minutes of questioning.
2598 Thank you for your patience.

2599 *Mr. Carter of Georgia. Well, thank you, Mr. Chairman.
2600 We are going to make the Georgia boy go last, I guess. But I
2601 really appreciate all of you all being here. And sincerely,
2602 Mr. Chairman, I appreciate your work and this subcommittee's
2603 work on this most important issue. It is very impressive not
2604 only for a Member of Congress to put in that much work, but a
2605 member of the Florida Gator Nation. But nevertheless, thank
2606 you all for being here.

2607 One thing I want to talk to you about real quickly --
2608 particularly you, Mr. King -- is the walk-on situation. I
2609 know that you all just recently -- or the NCAA just recently
2610 removed the scholarship limits and put in roster limits to
2611 allow more flexibility, particularly for schools that are
2612 funding non-revenue sports. And this is of concern.

2613 If you will remember back when the University of Georgia
2614 -- Go, Dawgs -- won the national championship back to back,
2615 we had a walk-on quarterback. And that is very important. I
2616 have a lot of -- I know a lot of people who walked on and
2617 played in college as walk-ons. And I am just concerned, and
2618 I would like to ask you, Mr. King, if you could comment on
2619 what you think is -- the impact of this is going to be if we
2620 have the availability of walk-on opportunities limited.

2621 *Mr. King. Yes, thank you. That is a really important
2622 question, so thank you for raising it.

2623 So for those of you who have been following the House --
2624 actually, for those of you who have not been following it,
2625 one of the issues that is addressed in the settlement is it
2626 eliminates scholarship limits under NCAA rules. So, for
2627 example, baseball has had a scholarship limit of 11.7, and it
2628 was the only sport that had a roster limit before the
2629 settlement, and the roster limit was 34. So the coaches had
2630 to spread 11.7 over 34 players.

2631 After the settlement those limits are gone, but each
2632 sport now has a roster limit. And I believe baseball will
2633 stay at 34, if -- my recollection. So Georgia can offer 34
2634 full scholarships, provided -- in baseball if it chooses. So
2635 where in the past some of the athletes on the baseball roster
2636 would have been walk-ons because they didn't receive
2637 scholarship aid, now they will be able to. And that is true

2638 across all sports. So the ability of walk-ons to be a part
2639 of the program is still there, it is just they may not be a
2640 walk-on anymore. They may be on scholarship. All right,
2641 one.

2642 Two, let's just focus on football, because you mentioned
2643 Stetson Bennett. The football --

2644 *Mr. Carter of Georgia. Who, by the way, is from my
2645 district, and whose parents are pharmacists like me. I just
2646 want to make sure I got that in. I am sorry.

2647 *Mr. King. Yes, get a good plug in.

2648 [Laughter.]

2649 *Mr. King. The roster limit will be 105, scholarship
2650 limit has been -- is 85 before. So school has -- any school
2651 has the ability to go up to 105 scholarships. They also have
2652 the ability to have more than 105 athletes in their pre-
2653 season camp, they just have to reduce the roster to 105
2654 before the first game.

2655 Three, as part of the settlement Judge Wilken really did
2656 not like the fact that some athletes, primarily walk-ons,
2657 were going to lose their roster spot, and so she asked us to
2658 address that, and we did. So any athlete who was going to
2659 lose their roster spot is given a special status designated
2660 as -- designated student athlete, where they don't count. So
2661 you will be able to go to the roster limit and keep any walk-
2662 ons or other athletes above that number. And if you have

2663 that designated tag, you can transfer anywhere and it goes
2664 with you where you don't count. So --

2665 *Mr. Carter of Georgia. Okay, so maybe it --

2666 *Mr. King. -- have been taken care of.

2667 *Mr. Carter of Georgia. -- it looks worse than it is
2668 actually going to be --

2669 *Mr. King. Yes.

2670 *Mr. Carter of Georgia. -- is what it sounds like.

2671 The rest of it, we got about a minute-and-a-half here
2672 left, although I believe my Florida counterpart -- you gave
2673 two minutes -- not that I am -- no, I am not counting, I am
2674 just saying.

2675 Mr. King, another thing. I know that this has been a
2676 long hearing, and I couldn't help but hear the question from
2677 my colleague on the other side of the aisle about the number
2678 of coaches in the SEC who had been fired and how much we are
2679 paying. I just wanted to give you an opportunity if you want
2680 to respond to that or anything else that has been said today,
2681 because it -- correct me if I am wrong, but most of that is
2682 coming from one school, from Auburn. It is.

2683 *Mr. King. You know you can't put me on the spot to --

2684 *Mr. Carter of Georgia. I am sorry.

2685 *Mr. King. -- anybody. So there have been a number of
2686 things that I -- this format does not lend itself well to
2687 jump in and say, wait a minute, particularly around the area

2688 of medical care for athletes. I am not in any way
2689 denigrating or downplaying any of those instances that Mr.
2690 Huma talked about, but the way he describes health care is
2691 just -- in college athletics -- is completely contrary to
2692 what I see on our campuses.

2693 He also omitted that, you know, one of the -- in the --
2694 I have been doing -- coming to D.C. for over five years now.
2695 And in the first draft bills, particularly in the Senate,
2696 Senator Booker and Senator Blumenthal -- thank them very much
2697 for their continued work, as well as Senator Cruz, but those
2698 bills included revenue share, and they included guaranteed
2699 health care beyond the athlete's career. Well, the autonomy
2700 conferences were already doing that. In this five-year
2701 period, now the NCAA is doing it for Division 1, 2, and 3,
2702 out-of-pocket is covered for two years. So it is omitted in
2703 that conversation that these things are already happening
2704 now, and so I just wanted to make that clear.

2705 The new scholarships in House, we have touched on it. I
2706 would love to walk through the House settlement, but I know
2707 we don't have time. But the scholarship limits going away is
2708 -- it is just not a real sizzle issue. People don't want to
2709 talk about it. But the benefit of that change, particularly
2710 for the non-revenue sports, is really hard to quantify. And
2711 every scholarship that is offered to a male athlete must be
2712 matched for a female athlete. So if someone decides to go

2713 all in on baseball and add 20-plus scholarships, they have to
2714 do it across the board. And several schools have already
2715 come out and said -- these are higher-resourced schools --
2716 that they are going to do it for every athlete. That is an
2717 incredible benefit as part of this settlement.

2718 And I would love to talk about more about the collective
2719 bargaining issues there, but --

2720 *Mr. Carter of Georgia. Okay, I am getting the gavel
2721 here, so I will have to go.

2722 But one last thing: Go, Dawgs.

2723 [Laughter.]

2724 *Mr. Bilirakis. All right, well, thank you very much,
2725 and I am glad you cleared up that -- the roster, because I
2726 know that was a sticking point at the end with regard to the
2727 settlement's concern, too. So I understand it a lot better.
2728 Thanks for asking that question, Buddy, I appreciate it.

2729 And, listen this was a great hearing, I thought, very
2730 informative. And I know we are going to follow up with some
2731 questions. I tell you, you were outstanding. And -- yes,
2732 anybody? You need something? No? Okay.

2733 I was going to give her the opportunity to speak, but I
2734 know I am going to follow up with questions.

2735 *Ms. Montgomery. Thank you.

2736 *Mr. Bilirakis. But great testimony, and you cleared up
2737 a lot of issues.

2738 So I ask unanimous consent that the documents on the
2739 staff document list be submitted for the record.

2740 Without objection, so ordered.

2741 [The information follows:]

2742

2743 *****COMMITTEE INSERT*****

2744

2745 *Mr. Bilirakis. I would like to thank all your --
2746 thanks for your patience, and thanks for asking -- answering
2747 all the questions.

2748 Members may have additional written questions for all of
2749 you. I remind members that they have 10 business days to
2750 submit questions for the record, and I ask the witnesses to
2751 respond to the questions promptly. Members should submit
2752 their questions by the close of business day on Friday, June
2753 20.

2754 So if there is nothing further, without objection, the
2755 committee is adjourned.

2756 [Whereupon, at 12:21 p.m., the subcommittee was
2757 adjourned.]