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ONE HUNDRED NINETEENTH CONGRESS

Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
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July 8, 2025

Mr. Ramogi Huma
Executive Director
National College Players Association
P.O. Box 6917
Norco, CA 92860

Dear Mr. Huma,

Thank you for appearing before the Subcommittee on Commerce, Manufacturing, and Trade hearing on Thursday, June 12, 2025, to testify at the hearing entitled, "Winning Off the Field: Legislative Proposal to Stabilize NIL and College Athletics."

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

To facilitate the printing of the hearing record, please respond to these questions with a transmittal letter by the close of business on Tuesday, July 22, 2025. Your responses should be mailed to Alex Khlopin, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515 and e-mailed in Word format to alex.khlopin@mail.house.gov.

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

Sincerely,

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

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

Attachment —Additional Questions for the Record

The Honorable Russel Fry (R-SC)

I'd like to discuss employment status. From what I and most members of this committee have heard from our universities and student athletes is that they do not want employment status.

1. Mr. Huma, you brought a case to the NLRB on behalf of USC football players to have them deemed employees, then quickly withdrew it, possibly because Democrats were losing the majority.
    a. At the time, you said it was to give the transformation in college athletics a chance to work. Do you now agree that the best path forward is to codify the settlement in federal law?
    b. I ask because you've also publicly called the settlement "terrible," despite it including things you've long advocated for—like revenue sharing and extended health benefits, which are reflected in the legislation we're considering today.

I also have questions on health benefits.

1. Mr. Huma, in your opening statement, you mentioned that this bill excludes college athletes from being able to unionize, and therefore to get safety protections.
    a. It seems to me that you just want unionization and employment and for the reasons to support big unions and creating some sort of commercial enterprise.
    b. A future NLRB could start the process to unionize college sports, right?
    c. And in a few years the Johnson v. NCAA wage and hour lawsuit will get through the courts, so this issue is urgent, right?
    d. If college athletes are employees and unionize will volleyball teams, swim teams, and other non-revenue sports be protected? The answer is NO, schools will be forced to cut programs because they won't be able to afford the cost of employment and collective bargaining for sports that don't generate revenue.

I'm proud of the work being done in both committees on which I serve to develop a comprehensive roadmap for the future of college sports. I look forward to continuing to work with my colleagues on those committees, as well as on the Education and Workforce Committee, to advance this effort.

The Honorable Kathy Castor (D-FL)

1. Mr. Huma, how can the discussion draft be improved to protect roster spots for women's sports?

2. Mr. Huma, how would you recommend the rules and guidelines be determined around transfers? How can we ensure that students are able to balance their educational and athletic experience while considering their physical and emotional wellbeing?

3. Mr. Huma, how can the discussion draft implement incentivize student athletes to stay at their first institution and complete their schooling in a timely manner?

4. Mr. Huma, how can the discussion draft be improved to protect experience and contribution of international student athletes?

The Honorable Debbie Dingell (D-MI)

1. Mr. Huma, in your view, what critical health and safety protections are missing from this draft?

2. Would you support provisions requiring institutions to cover medical expenses for serious, sport-related injuries? What about guaranteeing athletes the right to return and complete their degrees? Or mandatory financial literacy education or other educational support to navigate this new NIL era?

3. What prescriptive safeguards should be added to ensure college athletes are protected?

   From what I understand, this draft would provide liability protections to a new entity, which largely represents the interests of the NCAA and the Power 4 conferences.

   In professional sports, such as in Major League Baseball (MLB), leagues are allowed to operate under limited antitrust exemptions, but in exchange, athletes have the right to collectively bargain, retain professional representation, and advocate for their rights. That balance simply doesn't exist in college sports. For most college athletes, this isn't a full-time career — it's a steppingstone. The reality is that the vast majority will never play professionally, and they're only involved for four or five years at most.

   It's not a level playing field, and we're not dealing with unions like players associations in college sports.

4. Mr. Huma, how should Congress ensure that stakeholders from across the spectrum have a meaningful role in shaping the formation, governance, and rulemaking of this new entity? Many of us here today want to see a structure that goes beyond serving the interests of just the top football and men's basketball programs, and instead promote fairness, transparency, and athlete welfare across all of college sports. One problem in college sports that is not getting nearly enough attention is the lack of regulation around so-called "agents" representing college athletes.

   Currently, nearly anyone can call themselves an agent and pretend to be qualified to negotiate on behalf of a college athlete. There is no registration, no certification process, and no minimum standards for those negotiating on behalf of a college athlete. There are bad actors calling themselves agents who are abusing the lack of rules and are exploiting players and their families.

5. Mr. Huma, would agent registration, certification, and a set of minimum standards — including standard contracts and set fees for those negotiating on behalf of athletes — help prevent exploitation?

6. Mr. Huma, in your view, how do we ensure real transparency and the enforcement of fair-market NIL deals that won't undermine the college athletes? What safeguards are needed in a draft bill to prevent exploitation and ensure college athletes fully benefit from revenue-sharing and NIL opportunities?

7. Mr. Huma, does the current draft of this bill include any provisions that directly address Title IX compliance or enforcement or federal equal opportunity protections?

8. Mr. Huma, can you tell us what this new model of revenue sharing means for the revenue-generating athletes and non-revenue-generating athletes and for big and small schools?

9. Mr. Huma, what types of schools will be best positioned to compete in this new NIL era?

10. How do you think these changes will impact programs across the country, at both large and smaller schools?

Attachment—National College Players Association Executive Director Ramogi Huma's Answers to Additional Questions for the Record

Subcommittee on Commerce, Manufacturing, and Trade

Hearing on
"Winning Off the Field: Legislative Proposal to Stabilize NIL and College Athletics."

June 12, 2025

The Honorable Russel Fry (R-SC)

"1. Mr. Huma, you brought a case to the NLRB on behalf of USC football players to have them deemed employees, then quickly withdrew it, possibly because Democrats were losing the majority.
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Ramogi Huma's Answers to The Honorable Russel Fry (R-SC)

1.a. The settlement should not be codified into federal law. It is truly terrible. I explained to the board that the transformation in college sports was due primarily to new state NIL laws ensuring their universities could directly pay their athletes without interference or punishments from the NCAA or conferences. Though the settlement remains terrible, the decision for USC and other

universities to opt-in to directly paying athletes demonstrated that universities would soon be competing for recruits by offering pay for play.

To be clear, claims that the SCORE Act will improve the well-being of college athletes is incorrect because terms in the bill that can be characterized as beneficial to college athletes already exist. This bill does not add to athletes' protections, compensation, and freedoms, it takes them away.

Some of the many reasons Congress should not enshrine the settlement in law are below.

The SCORE Act:

• Broad language allows all institutions to collude nationwide to ban all athlete NIL deals by creating contracts that conflict with athlete NIL deals i.e. "All universities agree that athlete NIL contracts conflict with this university agreement." Institutions should not have the ability to prohibit athlete NIL deals conducted during the athletes' free time.
• Provides no legal recourse for athletes harmed by institutional or NCAA misconduct or violations of the Act.
• Fails to establish broad-based safety and health protections for athletes.
• Allows Division I universities to cut over 1000 women's and Olympic Sports Teams.
• Strips athletes of equal rights under antitrust and labor law.
• Imposes a low athlete compensation cap of 22% of revenue—less than half of what pro athletes receive through unions.
• Eliminates virtually all of the $2 billion per year in athlete NIL pay from NIL collectives to universities by through severe restrictions on athlete NIL collectives compensation amounts.
• Fails to enforce Title IX transparency or compliance.
• Grants the NCAA power to restrict athlete transfer rights—even in cases of abuse.
• Permits schools to act as athlete agents as allowed in the House settlement, creating major conflicts of interest.
• Lacks clarity on the application of the SCORE Act if private equity contractors, or university subsidiaries take control of athletic programs.
• Offers no real gain in compensation or benefits, as existing provisions are already protected under state laws.

1a.-d.

a. Thank you for giving me an opportunity to provide you information about various aspects of college athlete unionization. First, college sports is already a $19 billion commercial enterprise that falls under the jurisdiction of the House Energy and Commerce committee due to engaging in interstate commerce. However, unions are not commercial enterprises. They are nonprofit organizations that fall under 501(c)(5) of the IRS code. For clarification, you may recall during the hearing that when I was asked if I think

college athletes should form a union, I answered that they should have the choice to form a union.

b.&c. These matters are not urgent issues given the Johnson case and any NLRB case would take a number of years to wind through the federal courts. Additionally, though the NCPA would not be supportive of such legislation, a future Congress could pass legislation designating college athletes as nonemployees if courts affirmed college athlete employee status. Congressional power on this issue does not expire so there is no urgent need for Congress to Act.

In contrast, I hope members of the committee acknowledge that preventing serious injury, abuse, and death among college athletes is an urgent matter. Future employment cases and federal legislation will do nothing to protect the athletes who will suffer preventable traumatic brain injury, sexual abuse, and death this year. I hope you and the other members would agree with me that these are truly urgent issues that Congress should be racing to address.

d. I share your concern of cuts to nonrevenue sports, but not because of unionization. It's because the richest conferences in the nation are enforcing the terrible settlement which requires universities to reduce their rosters. The NCAA, conferences, and universities have done a masterful job at pretending unionization would lead to cuts they already made out of sheer preference and disregard for these very sports and athletes.

I encourage the members of this subcommittee to *require* the preservation of college athlete participation opportunities and scholarships based on 2023-24 levels in any federal legislation they support.

And to be clear, unionization of college athletes of any sport will not lead to cuts in sports that a university does not already want to make. Universities have the power and discretion to refuse to enter into a collective bargaining agreement that it believes would lead to such cuts.

The Honorable Kathy Castor (D-FL)

"1. Mr. Huma, how can the discussion draft be improved to protect roster spots for women's sports?

2. Mr. Huma, how would you recommend the rules and guidelines be determined around transfers? How can we ensure that students are able to balance their educational and athletic experience while considering their physical and emotional wellbeing?

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Ramogi Huma's Answers to The Honorable Kathy Castor (D-FL)

1. This is a priority for the NCPA because women's sports opportunities are on the NCAA, conference, and university chopping blocks. Any federal bill related to college sports reform should explicitly require the preservation of college athlete participation opportunities based on 2023-24 levels. Despite their rhetoric, the NCAA, Power conferences, and institutions want the freedom to cut any sports and are already using the House settlement to cut approximately 5000 Division I roster spots. More cuts will come unless Congress steps in.

2. College athletes should have reasonable transfer freedoms which would include the ability to transfer once without penalty, anytime in cases of mistreatment, after completing an undergraduate baccalaureate degree, and when a head coach leaves. Also, transfer windows should take place in the offseason not during post-season competition.

3. First, federal legislation must ban the practice of coaches "running off" athletes they no longer feel like having on their team for athletic reasons. This has been a major factor long before college athletes had unlimited transfer freedoms. Second, I believe the transfer parameters I laid out in question 2 above will help incentivize athletes to complete their degree in a timely manner. Third, the enforcement of safety standards which would help prevent mistreatment and negligence would provide a proper experience that athletes don't have to flee from. Finally, to help account for the burdensome athletic time demands that interfere with academics, ensure that degree completion programs that allow former athletes to complete their degrees have scholarships that include room and board – not just tuition, fees, and books.

4. It's very important for international college athletes to have the same freedoms, protections, and benefits as American college athletes. Currently, foreign college athletes are prohibited from earning NIL compensation. These athletes sweat and bleed with their teammates in a beloved American pastime and should not be excluded from benefitting from their participation in college sports.

In addition, college athletes who are making additional commitments by attending military academies should also have the ability to earn NIL compensation. This prohibition should immediately be lifted so that these dedicated patriots are no longer denied this important freedom.

The Honorable Debbie Dingell (D-MI)

"1. Mr. Huma, in your view, what critical health and safety protections are missing from this draft?

2. Would you support provisions requiring institutions to cover medical expenses for serious, sport-related injuries? What about guaranteeing athletes the right to return and complete their degrees? Or mandatory financial literacy education or other educational support to navigate this new NIL era?

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In professional sports, such as in Major League Baseball (MLB), leagues are allowed to operate under limited antitrust exemptions, but in exchange, athletes have the right to collectively bargain, retain professional representation, and advocate for their rights. That balance simply doesn't exist in college sports. For most college athletes, this isn't a full-time career — it's a steppingstone. The reality is that the vast majority will never play professionally, and they're only involved for four or five years at most.

It's not a level playing field, and we're not dealing with unions like players associations in college sports.

4. Mr. Huma, how should Congress ensure that stakeholders from across the spectrum have a meaningful role in shaping the formation, governance, and rulemaking of this new entity? Many of us here today want to see a structure that goes beyond serving the interests of just the top football and men's basketball programs, and instead promote fairness, transparency, and athlete welfare across all of college sports. One problem in college sports that is not getting nearly enough attention is the lack of regulation around so-called "agents" representing college athletes.

Currently, nearly anyone can call themselves an agent and pretend to be qualified to negotiate on behalf of a college athlete. There is no registration, no certification process, and no minimum standards for those negotiating on behalf of a college athlete. There are bad actors calling themselves agents who are abusing the lack of rules and are exploiting players and their families.

5. Mr. Huma, would agent registration, certification, and a set of minimum standards — including standard contracts and set fees for those negotiating on behalf of athletes — help prevent exploitation?

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Ramogi Huma's Answers to The Honorable Debbie Dingell (D-MI)

1. It is vital that any federal college sports reform bill include safety standards that are enforced by a third party. It must include best practices and policies to prevent serious injury, abuse, and death that are used by other professional sports leagues and the National Athletic Trainers' Association, and recommended by other similar bodies. It should include mandatory reporting of suspected violations, whistleblower protections, and the authority of the 3rd party to impose disciplinary action, financial remedies, and suspend or ban violators that cause significant harm to a college athlete.

2. Yes, all of the provisions you mention should be included in any federal legislation.

3. That is all correct. Collective bargaining agreements between pro leagues and unions are entered into mutually and are exempt from antitrust law. The enforcement of antitrust laws and leverage are the mechanism by which college and professional athletes have secured compensation and benefits. However, the SCORE Act would eliminate athletes' key protections under antitrust laws afforded to other Americans. And instead of adding protections and benefits, the SCORE Act seeks to eliminate them. It gives the NCAA, conferences, and universities an antitrust exemption, effectively and unjustly putting them above the law.

The NCAA pretends an antitrust exemption to deny athletes compensation from boosters and to limit how much universities can pay their athletes will bring forth "competitive balance". In reality, there has never been any sincere attempt at achieving competitive balance. With or without the adoption of the SCORE Act, colleges will remain free to receive unlimited funds from boosters to pay unlimited sums to hire the best coaches and wield the richest recruiting budgets. Congress should not strip college athletes of billions of dollars in annual compensation so the NCAA can pretend that competitive balance exists. The NCAA's true motive is to maximalize university revenue by imposing an unjust, low limit on how much universities can pay athletes, and to deny boosters the ability to pay NIL money to athletes so that boosters' only option to support their athletic program is to pay the university and its coaches.

4.&5. As I mentioned in my testimony, college athletes should have equal protection under labor laws, including the choice to organize to the extent allowed under the NLRA. However, the vast majority of college athletes do not generate revenue and lack the leverage to successfully collectively bargain for critical protections and freedoms.

All college should have a voice through an athlete advocacy organization like the NCPA, which is independent from universities, conferences, the NCAA and their personnel, and that has extensive experience in advocating for athletes across all sports. Federal legislation should ensure that athletes participating in such an organization have standing to inform and empower college athletes.

In terms of agents, there is a need to bring forth credible and effective college athlete representation. Similar to the pro unions and to the extent that there is a continued absence of a college athlete union, an athlete advocacy organization should set the parameters for agent certification requirements. This would include disciplinary actions against agents that commit violations. It is important that the NCAA, conferences, and universities do not have any role in agent certification because it would bring forth a major conflict of interest that could compromise college athlete representation to the benefit of universities. Alarmingly, the House v NCAA settlement allows universities to function as exclusive agents for college athletes, which should be prohibited.

6. Transparency will lead to price collusion and imposing a "fair market" cap is a nice sounding term for the unjust elimination of athlete compensation. To ensure college athletes are treated fairly, the SCORE Act must not impose restrictions on NIL pay to athletes from collectives. In addition, federal legislation should require athletic programs generating high revenue to pay a guaranteed minimum amount to their athletes. If the SCORE Act continues to deny athletes broad-based reform, then there should be no limit on the amount of college sports revenue that a university can share with their athletes. If there is comprehensive reform, it would be fair for Congress to directly set a revenue share limit of 50% (similar to the NFL and NBA) instead of 22%.

Nowhere in the SCORE Act are there terms to cap the compensation paid to coaches, athletic directors, and conference commissioners for any reason. In fact, when the Big Ten tried to cap assistant coaches salaries, the coaches successfully sued the Big Ten because it violated antitrust laws. **How can Congress strip college athletes of antitrust protections while allowing their coaches to use antitrust laws to enjoy unlimited compensation?** The racial injustice of this double-standard would be staggering given the majority of football and basketball players harmed by such a low revenue sharing limit are Black. And many of these Black athletes are from low-income homes.

Any enforcement of what the NCAA is calling "fair market" regarding NIL deals would merely function as an arbitrary cap purposefully created to unjustly extinguish virtually all of the NIL money that collectives pay athletes. The cap can only reduce, not increase, NIL pay to college athletes. Moreover, neither the NCAA nor Congress can justify a cap on athlete NIL compensation from boosters or any other source given these same sources are free to provide unlimited funds to universities and coaches in pursuit of wins. Nowhere in the SCORE Act is there language to prevent universities and coaches from enjoying unlimited funds from boosters for fear that some imaginary and arbitrary fair market limit is exceeded.

A cap will disproportionately harm college football and basketball players who receive most of the NIL money paid by NIL collectives. If Congress imposes this massive reduction in how much NIL money boosters can pay athletes, boosters who want to support their team will then once again be allowed to pay only the universities, and coaches. Congress would effectively be facilitating a multibillion dollar redistribution of compensation from Black athletes to White coaches. Again, the racial injustice of this double-standard would be staggering.

Please note that fair compensation does not mean sports will have to be cut. It will mean that universities will choose to spend less lavishly on coaches and administrators' salaries. As a comparison, there are 28 more universities and over 3000 more athletes among NCAA Division II schools that sponsor football compared to universities participating in the high revenue-generating NCAA Division I Football Subdivision (FBS). Similar to FBS universities, these Division II schools hire full time coaches, travel, and provide scholarships. However, these Division II universities do not spend lavishly on salaries paid to coaches and athletic directors. If universities needed to pay coaches multimillion dollar salaries to operate intercollegiate athletic programs, NCAA Division II would not exist. FBS athletic programs will not go out of business or be forced to cut sports if they were allowed to pay athletes more.

7. The SCORE Act is silent on these issues. For too long, there has been a lack of transparency and enforcement regarding on Title IX. The most recent athlete participation numbers in college sports reported by colleges to the US Department of Education found that

there are about 118,000 more male college athletes compared to female college athletes. This is a red flag, but there is no practical way for the public to discern whether universities are complying with Title IX. The NCPA continues to advocate for Congress to require universities to publish on their web sites annual Title IX reports. This will put pressure on universities to comply with Title IX or face litigation.

Among other things, a continued lack of Title IX compliance will continue to deprive female college athletes of equal promotion of their sport. This is extremely important in the NIL era given such noncompliance can prevent female athletes from much-deserved exposure that can enhance their NIL opportunities.

8. All indications so far is that universities with larger college sports revenue are more inclined to pay athletes the maximum amount of compensation allowed under the House settlement. Each school can pay any athletes that they want up to the 22% limit. With a cap of about $20 million this first year, a number of universities with high athletic revenue plan to pay their football players about $15 million, men's basketball players be paid, about $4 million, and much of the rest would likely go to women's basketball players. Some schools plan to use some of the cap space to max out athletic scholarships in sports whose athletes used to only be permitted to earn partial scholarships.

As I stated above, Black athletes comprise the majority of athletes on these teams' rosters and are being deprived of significant income due to a cap that is set at 22% instead of 50%. In addition, a higher cap would leave room for universities to include more athletes in revenue sharing opportunities.

Universities with less college sports revenue may choose to spend less on paying their athletes, which means they are less likely to recruit the best athletes and less likely to win as many games as their wealthier counter part. This dynamic is a product of the House v NCAA settlement as would continue if the SCORE Act is adopted. Again highlights the lack of a level playing field and the contradictions of using the notion of competitive balance to diminish athletes' compensation opportunities.

There is one notable exception. There is a category of universities with prominent basketball teams that do not field a football team such as Gonzaga. Gonzaga generates much less total revenue than most universities that are members of Power conferences but generates enough money to pay their basketball men's and women's players significantly more than a limit of $4 million and $1 million, respectively, that universities in the Power conferences may be inclined to pay these players. If Gonzaga paid it's men's and women's basketball players 50% of their respective team's revenue, its men's and women's basketball team would receive $8.5 million and almost $3 million, respectively.

There is another category of universities that generate a lower to mid-range amount of revenue that will choose not to pay athletes at all. San Diego State University falls into this category. It generates about $84 million annually but announced that it will not pay its athletes any revenue. This is an example for why Congress must require schools generating $75 million or more to pay their athletes a minimum amount of revenue.

There are also universities that make such little money that they may decide not to pay their athletes.

9. The schools that are currently members of the Big Ten and SEC are best positioned to compete in football, which generates the bulk of their college sports revenues. However, private equity firms are seeking deals which may lead to more conference realignment that could even alter the Big Ten and SEC conferences' membership by forming a new conference made up of their highest revenue generators. Again, the pursuit of competitive balance lacks any credibility.

10. These changes will leave the pecking order of college sports dominance largely unchanged. Universities with the most athletic revenue and richest boosters won the most games before this evolution and they will continue to win after this evolution.