

HEARING BEFORE THE UNITED STATES HOUSE  
COMMITTEE ON ENERGY AND COMMERCE

Thursday, June 12, 2025

Written Testimony of William King  
Southeastern Conference Associate Commissioner for Legal Affairs and Compliance

Good morning,

My name is William King, and I am the Associate Commissioner for Legal Affairs and Compliance for the Southeastern Conference (SEC). In my current role, I am responsible for legal, litigation and legislative matters at the SEC, and I advise SEC members on NCAA compliance and governance issues. Prior to joining the SEC nearly 10 years ago, I spent 25 years in private law practice where I specialized in representing universities, coaches and occasionally student-athletes in NCAA compliance matters. I spent most of my time trying to help athletes, some of whom you might have heard such as Cam Newton, Johnny Manziel and Todd Gurley, stay or get back on the field or court to play their sports. While I represented universities most of the time in those cases, helping the athletes move beyond their eligibility issues to resume their playing careers was a primary motivation.

Some might incorrectly assume based on my current position as general counsel for the SEC that I am focused only on what is best for the SEC, its members and their athletics programs. While I certainly want the SEC and its members to excel, I am now driven by the desire to successfully incorporate the exceptional changes in college sports reflected in the *House v. NCAA* settlement, including the new revenue sharing model between institutions and their student-athletes, in a manner that preserves the attributes that make college sports such a unique and special part of American culture. This is my one remaining professional goal – to find a solution that provides stability for college athletics, treats all college athletes fairly, and allows schools to continue to sponsor a broad range of sports to continue to create opportunities for athletes to earn college degrees.

Our discussion today is aided by the Court's approval of the *House* settlement on Friday night, as the Court's decision helps frame the issues. While I am happy to answer questions about the settlement agreement, I will focus here on why Congressional action is still necessary after settlement approval and how Congress needs to act to provide the stability needed for the future of college sports. Federal legislation is needed to codify the key elements of the settlement – revenue sharing with student-athletes and reasonable NIL regulation – as well as steps we have taken voluntarily, such as extending medical care for student-athletes after their college careers are over.

There are several key tenets needed in federal legislation that are not included and cannot be achieved in the *House* settlement agreement. One, we need preemption of state laws governing name, image and likeness and compensation of college athletes. The current environment in state legislatures has devolved into competitive lawmaking intended to give universities in a particular state meaningful advantages in recruiting and competition, and in some states, prevent enforcement of national rules related to NIL. We need a federal law that creates a uniform, national standard with meaningful enforcement and preempts state laws that conflict with the federal law.

We also need liability protection or a safe harbor for conduct that complies with the federal law. Contrary to what has been reported by some, we do not seek a broad antitrust exemption or blanket antitrust immunity. What we seek is more limited than that – protection from lawsuits that challenge conduct and regulations that are consistent with the federal law passed by Congress. This protection from liability would apply if we increase benefits or payments available to college athletes in the future. In the 10 years I have been with the SEC, every time the rules have changed to allow more benefits or payments to athletes, we have been sued by current and former athletes who claim they should have received the same benefits or payments.

Congress also needs to address the issue of college athletes as employees. The SEC athletes we speak with do not want to be employees of their universities. We have four student-athlete leadership councils at the SEC – the Student-Athlete Advisory Committee as part of the NCAA national structure, and then one each for football, men’s basketball and women’s basketball. These athletes have made clear to the Conference that they do not want to be employees. Putting aside this important factor, the impact of employee status for college athletes would be devastating and cause many Division I schools to abandon athletics altogether, while those with greater resources likely would reduce the number of sports they offer. The general public does not understand how few Division I athletics programs are self-sustaining and generate net revenues – few do, with the vast majority of athletics programs relying on institutional support to fund their athletics departments. Adding the significant cost of employee wages and benefits to the equation will leave Division I schools with exceedingly difficult decisions about the future of their athletics departments.

We are the only country in the world where elite athletes do not have to choose between education and their sports but instead can use their athletics ability to receive a college education while also pursuing their athletics goals. In the SEC, that means competing against the best day in and day out while receiving world class training, medical treatment, mental health support, coaching and competition opportunities. College athletics programs serve as the Olympic development program for many sports, and the United States Olympic development model is the envy of many countries. I am very concerned these wonderful traits of college sports are at risk if Congress does not act to pass a fair and balanced bill to preserve them.

The time for Congress to act is now. The settlement has been approved, and the transformative model for college athletics is being implemented as we meet today. There will never be a better opportunity for Congress to act to provide the structure and stability to ensure the future of college athletics and preserve the characteristics that make college

sports such a valuable part of American society. Thank you for the opportunity to share my views on these topics.