

## **E&C Member Day Statement**

Chairman Pallone, Ranking Member McMorris Rodgers, & Members of the Committee,

Thank you for allowing me to address the Committee on an important issue that I have been working on since last Congress, the ability of student athletes to capitalize on their name, image, and likeness or NIL.

As a former student athlete at The Ohio State University, I know firsthand the impact college sports can have on our students, our athletes, and our communities across the country. For me, my time playing for Ohio State shaped my life immeasurably, and I am more thankful for the lessons I learned on and off the field every day. College athletics has a way of doing that – for many of my teammates, college sports provided the best and sometimes the only opportunity to attend college and earn a degree. That in and of itself is a fantastic gift.

Until the beginning of this month, student athletes across the nation were restricted from capitalizing on their NIL because of an NCAA policy. This meant that student athletes couldn't sign autographs, teach swim lessons, or accept any financial award while non-athlete students on the same campus had these freedoms.

States took matters into their own hands and beginning in 2019 with the California Fair Pay to Play Act, started passing state laws allowing for student athletes to profit from their NIL in their respective state. The pressure of multiple state laws going into effect July 1st caused the NCAA to act. On June 30th the NCAA announced an interim policy allowing for student athletes across the nation to profit from their NIL. Universities located in a state with a NIL law used this as guidance, while universities located in states with no NIL law were tasked with creating their own NIL policy.

It was a huge win for student athletes everywhere when the NCAA finally overturned this inequitable policy, but the existing patchwork of state laws and individual school policies has created chaos in the NIL market. Without a clear standard across the board, student athletes will continue to face a convoluted and confusing set of policies. After all of this time, student athletes deserve clarity and guidance. Congress has the opportunity to deliver this by passing a federal NIL law that will create one uniform standard, protect the recruiting process, and preserve the college athletics system that Americans love.

The Energy and Commerce Committee is uniquely positioned to consider legislation on NIL which at its heart is centered around fair commercial activity and market involvement for student athletes. The Committee should hold a hearing on NIL to further examine the issue. The Senate has held multiple hearings to examine the subject, and I hope to see the House do so as well. A good starting point would be to look at my bipartisan bill that I introduced with my friend Rep. Emanuel Cleaver. The Student Athlete Level Playing Field Act is the only bipartisan bill introduced in either Chamber that protects student athletes rights for their Name Image and Likeness and would provide one federal standard.

Thank you for the opportunity to speak. I look forward to working with you to find a fair, timely solution for student athletes across the country.