

Committee on Energy and Commerce

**Opening Statement as Prepared for Delivery
of
Chairman Frank Pallone, Jr.**

Hearing on “A Level Playing Field: College Athletes’ Rights to Their Name, Image, and Likeness”

September 30, 2021

The devotion, sacrifice, and effort of college athletes has helped make college sports one of the most popular and lucrative brands of sports entertainment in the country. These athletes deserve a system that protects their interests and well-being.

For years, and despite criticism and many court challenges, the National Collegiate Athletic Association (NCAA), its member schools, television networks, athletic wear companies, and others have earned massive revenues. At the same time, the college athletes had been stuck in a strict amateur status that prohibited them from earning compensation on their name, image, and likeness. It wasn’t until the Supreme Court’s decision this summer, finding the NCAA in violation of antitrust law, that the NCAA finally felt enough pressure to begin making changes to this unfair system.

For far too long collegiate athletes missed out on opportunities that other students have been able to take advantage of. This is not just about big sponsorship or endorsement deals for big-name football and basketball players. The rules also prevented things like swimmers, tennis players, and golfers from using their names and pictures to advertise lessons in their sports to make some extra money.

After the rule change, young athletes are already capitalizing on many of the opportunities that were previously not available to them. But while this rule change is a step in the right direction, collegiate athletes continue to face additional hurdles that other students do not.

With fewer than two percent of collegiate athletes reaching the pros in their sports, education is vital to success after graduation. Yet, many college athletes are forced to dedicate more than 40 hours per week to practices and other training, leaving little time for study. Collegiate athletes have a graduation rate 18 percent lower than non-athletes. More starkly, for Black athletes, the graduation rate is between 20 and 30 percent lower than their peers.

Today’s hearing is focused on name, image, and likeness rights, but we cannot ignore other issues that face college athletes. Issues such as gender equity for college athletes, short and long-term safety and health care are just as important. And just yesterday, the National Labor Relations Board announced that certain college athletes must be treated as employees, rightfully giving them protections that come with that classification.

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Thank you for having this hearing, Madam Chair, and I look forward to hearing the testimony of all of the witnesses and the unique perspectives you all provide. Thank you for being here today.

I yield the remainder of my time to Congresswoman Trahan.