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U.S. Senate Health, Education, Labor, and Pensions Committee Hearing
"Don't Fumble Their Future: Positioning Student-Athletes for Success in School and Beyond"

March 26, 2026

Dear Chairman Cassidy, Ranking Member Sanders, and members of the Senate Health, Education, Labor, and Pensions Committee,

Thank you for inviting me to participate in the "Don't Fumble Their Future: Positioning Student-Athletes for Success in School and Beyond" hearing on March 26, 2026. I am grateful for this opportunity to provide my perspective on the issues facing the great and uniquely American institution of college athletics.

My name is Liam Anderson and I am testifying today as a member of the National College Players Association's Players Council, which advocates to protect future, current, and former college athletes. I am also here as a former college athlete—I competed on Stanford University's track and cross country teams from 2019 until 2024—and as a former academic, who authored my honors and master's theses on many of the economic, legal, and regulatory challenges in college athletics that are at issue in this hearing.

These challenges can be distilled into two questions: First, how do we protect the economic and legal rights of the small subset of college athletes who generate tremendous revenues, while also preserving this invaluable formative experience for those playing Olympic or non-revenue sports, like I did? And second, in answering that question, should the federal government regulate college athletics any differently than it regulates every other industry in this country?

With some very limited caveats, I believe that the answer to the latter is a resounding no. The issues that have brought us here today are readily solved by accepting the obvious eventuality: that certain college athletes are employees.

Federal labor law provides a tried and true framework to resolve these issues through collective bargaining, and there can be little question that athletes in the heavily professionalized upper echelon of the NCAA meet the relevant criteria for employee status—namely FBS football players and Division I men's and women's basketball players, such as those playing in March Madness today. Congress need not reinvent the wheel by conjuring up a unique sub-employee classification as some have contemplated, nor should it altogether bar college athletes from obtaining employee status, as the SCORE Act proposes. Doing so would deprive college athletes of the equal protections enjoyed by any other American.

The NCAA and its members make a litany of complaints about the regulatory schema that exists today in the post-*House* Settlement world: they claim that the transfer portal has destroyed roster stability; that collectives have upended competitive parity by circumventing the revenue sharing cap; that the courts have enjoined eligibility rules, enabling some athletes to compete for as many as nine years and allowing others to enter the NCAA even after playing professionally; and that the patchwork of state laws makes NIL rules unfair.

Many of these complaints are well founded. But the NCAA's solution—begging Congress to exempt it from federal labor and antitrust law—must be a nonstarter, if for no other reason than the issue of equal protection.

The NCAA's real solution lies in the non-statutory labor exemption. Once Division I basketball and FBS football players are recognized as employees and subsequently choose to form unions—which history suggests they would likely do once so recognized—the NCAA and its members can negotiate collective bargaining agreements with those unions on the mandatory subjects of bargaining, including compensation, benefits, scheduling, grievance procedures, termination, and safety practices. It is its inability to make and enforce consistent rules in these subject areas that precludes the NCAA from governing effectively. With a collective bargaining agreement, the NCAA and its members can secure what they need most, including mutually agreeable and enforceable transfer limitations, salary or revenue share caps, NIL rules, and eligibility standards—all exempt from antitrust scrutiny.

Industry leaders could decide tomorrow to recognize a subset of college athletes as employees; there is no statutory obstacle to their doing so. But we need support from Congress to affirmatively identify that some athletes are employees throughout the country.

This is a real concern that Congress should help address. But many of the other purported reasons not to pursue collective bargaining as a solution are baseless. Consider the NCAA's tired argument that employment status is incompatible with the academic mission of college athletics. This is an obvious farce; countless college students are employed by their schools in a variety of capacities, including by their athletic departments. Indeed, many of these student workers are unionized. The NCAA has also asserted that athletes' interests are sufficiently represented by internal groups such as its Division I Student-Athlete Advisory Committee. This too is a facade. I have been in those rooms and can state unequivocally that they are as ineffectual as any other company union, wholly captured by the organization they are intended to counterbalance and structurally conditioned to adhere to the NCAA party line. Such arguments, and the NCAA's myriad other objections to collective bargaining, are merely pretextual.

I'll finish with this: every college athlete deserves a pathway to join an independent advocacy organization such as the NCPA, and is worthy of having health and safety protections enshrined into law. I will never forget sitting in on meetings with Senate staff and listening to the parents of Calvin Dickey Jr. tell the story of their son, who died after collapsing during his first day of college football at Bucknell. That is the gravity of what is at stake here.

Any legislation Congress passes must include sufficient health and safety protections, enforced by an independent third party, and it must ensure college athletes receive the equal rights afforded to Americans in every other industry in this country: including the protections guaranteed by federal labor and antitrust law.

The NCPA looks forward to continuing to work with the Committee to address these critical issues and I welcome your questions.

Sincerely,

Liam Anderson
NCPA Players Council