

WRITTEN TESTIMONY OF

MARTIN MCNAIR

TO THE U.S. SENATE

IN SUPPORT OF

NCAA STUDENT ATHLETES AND NIL RIGHTS

JUNE 17, 2021

Good Morning Members of Congress.

I'm Martin McNair, father of Jordan McNair and Founder of The Jordan McNair Foundation.

Today I stand before you in support of Senate Bill – NCAA Student Athletes and NIL Rights.

The Jordan McNair Safe and Fair Play Act was passed unanimously with bipartisan effort in the state of Maryland. The addition to the bill was the health and wellness and player safety aspect of the bill. The sponsors for this bill were Delegate Brooke Lierman, a Democrat and Senator Justin Ready, a Republican. The bill passed through the House and the Senate successfully. Governor Hogan signed off on the bill on May 14, 2021. The health and wellness as well as the player safety component will go into effect July 1, 2021. Out of 19 states to have passed the Name Image and Likeness (NIL) Bill into law, the State of Maryland is the only state to place the health, safety and well-being ahead of a student athlete being paid for their Name Image and Likeness.

The last time I spoke to my son Jordan Martin McNair was May 28, 2018. Our conversation was a typical father and son exchange. I asked him “how was he feeling and was he prepared for the first day of conditioning drills that following day?” His reply - “Yeah dad, I’m ready.” We talked a little more with the standard “call me later in the week” and my fatherly advice of “always wear protection,” the way I ended every conversation with him since he’d been in college.

The call we received the next evening changed our lives forever.

The campus police officer said “Jordan has had a seizure while at football practice.” Jordan had never been in the hospital a day after he’d been born 19 years earlier. Our thoughts raced as I and his mom Tonya sped to the hospital.

Our questions started as soon as we walked into the emergency room. “What happened?” We weren’t prepared for what we saw as Jordan was lying there in a cooling suit with the attempts to get his core body temperature down. Medical terms like rhabdomyolysis had started and we still didn’t know what was going on with our son.

My next conversation with him now was son if you can hear me, squeeze my finger. Son if you can hear me, blink your eyes.

After we spent the night at the hospital a medical decision was made the next day to airlift Jordan to the Shock Trauma Unit at University of Maryland Hospital.

Who knew the next two weeks would be the worst of our 19 years? How did we go from a healthy 19-year-old who was 6’5, 300 lbs, and a size 16 shoe Tuesday morning, to a child so sick that 85% of his liver had necrosis and if we didn’t agree to an emergency liver transplant, he’d be dead within 12 hours?

Jordan had a heat stroke that humid day while running gassers. (Explain a gasser) A heat stroke is an exertional injury when your core body temperature goes above 104 degrees. It’s the equivalent of your body being in a microwave oven. Your organs start to cook and

you have a small window of 15-30 minutes to cool the athlete's body temperature down below 104 with the right safety equipment.

When Jordan's teammates handed him off to the athletic training staff, the head athletic trainer who was the medical professional on the field yelled "if he can't walk drag his ass across the field."

It took 1 hour and 46 minutes to get my son to the hospital emergency room that day.

Those 2 weeks Jordan was fighting for his life. We kept asking ourselves what did we miss when the coaches were sitting at our kitchen table before signing day?

We missed everything that we didn't know. I like the typical parent asked two questions. Can Jordan get some playing time and another question about mental health and substance abuse support.

I never thought to ask about any safety, preventative, or overall protection of my student athlete on or off the field. I just assumed like so many of us parents of collegiate athletes that the systems were in place in the event of. I never thought to ask what if Jordan got hurt or couldn't play anymore what would they do to protect him?

The number of student athletes who've been injured or tragically died at the hands of a college coaching staff is totally unacceptable.

Jordan was a predictable statistic that 2-3 football players would die every year from a heat related injury.

Heat related injuries are 100 percent preventable. No child regardless of the level of competition should succumb to complications of this type of injury with the right preventive systems in place.

No one sends their student athlete off to college for them not to return a better person ready for the next journey in their life.

Jordan has become a poster boy for student athlete safety at the collegiate level of competition. His death along with many others was not in vain.

The safety, protection and wellness of all collegiate student athletes should be a paramount priority before we consider paying them for their NIL. How can we support a student athlete getting paid when we can't keep them safe?

Jordan lost oxygen to his brain on June 12, 2018. He transitioned the next day. As my family visited the cemetery last Sunday, June 13th to honor him on the 3rd anniversary of his death, I always promise him to celebrate his legacy by educating and saving the lives of others.

Today let's all follow our example in the state of Maryland. The protection and safety of student athletes again should be paramount. I ask for a bipartisan show of unity on this bill as Jordan McNair could have been any of our sons, nephews, grandsons or family members.

I'd like to thank the Congressional Committee for allowing me to speak today. God bless you all.