



**Testimony of Heather Lyke  
Director of Athletics, University of Pittsburgh**

**U.S. Senate Judiciary Committee  
July 22, 2020**

Chairman Graham, Ranking Member Blumenthal and distinguished members of the Judiciary Committee, on behalf of the University of Pittsburgh and the Atlantic Coast Conference, thank you for providing me with the opportunity to testify on the issue of wagering on intercollegiate sports.

My name is Heather Lyke and I am the Director of Athletics at the University of Pittsburgh. I am honored to be the first woman to hold the Director of Athletics position at Pitt. Pitt's athletic department encompasses 19 intercollegiate sports programs with nearly 475 student-athletes who compete in the Atlantic Coast Conference. During my tenure at Pitt, I have served as a representative of the ACC to the NCAA Division 1 Council, the National Association of Collegiate Directors of Athletics' Executive Committee, as well as the LEAD1 Board of Directors. Prior to my time at Pitt, I served as Vice President and Director of Athletics at Eastern Michigan University, where my department sponsored 21 varsity sports. I have also held various athletic department roles at The Ohio State University (where I oversaw 10 of the school's 36 athletic programs) and the University of Cincinnati (as the Assistant Athletic Director for Compliance). Well before my athletic administrator career, I was a scholarship student-athlete at the University of Michigan, where I was the captain of the Big Ten champion softball team, was an All-Academic Big Ten honoree and received my bachelor's degree in education. I received my law degree from the University of Akron School of Law.

During my time at Pitt, I am proud of the steps we have taken to prioritize student-athletes and to be a place that fosters life-changing experiences, academically, athletically, and personally. While we celebrate and support the athletic successes of our student athletes, our goal is to prepare students for success beyond the tenure of their time at Pitt.

Prior to 2018, our institutions had to handle multiple compliance challenges, but legalized, wide-spread sports wagering was not one of these. The Supreme Court's 2018 decision on the Professional and Amateur Sports Protection Act (PASPA) opened the door for sports wagering on intercollegiate sports. I am not here to discuss constitutional law, I chose a different career path, but there is an important invitation in the Supreme Court's decision in *Murphy v. NCAA*. Justice Alito explained that "Congress can regulate sports gambling directly, but if it elects not to do so, each State is free to act on its own."<sup>1</sup> Unfortunately, Congress has not legislated on sports wagering since the 2018 decision, and consequently states have begun to do so on their own. At present, one can place a sports wager on intercollegiate sports in 18 states across the U.S. This has led to a patchwork of state laws that allow sports wagering on intercollegiate sports in certain jurisdictions, and on certain athletic events, while neighboring jurisdictions prohibit the same activity.

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<sup>1</sup> *Murphy v. NCAA*, 138 S.Ct. 1461 (2018).





The ACC opposes gambling on intercollegiate sports. The ACC's position was arrived at by the unanimous decision of its Presidents and supported by its Athletic Directors, Faculty Athletics Representatives and Student-Athlete Advisory Council. While we understand that gambling on professional sports is here to stay, we urge Congress to directly address gambling on intercollegiate athletics and prohibit it, as was intended in PASPA and had been the case for so long.

I urge this committee to consider: (1) student and student-athlete well-being; (2) the integrity of amateur competition; and (3) the compliance impact on all our institutions of higher education.

The introduction of legal wagering on intercollegiate athletics will have a corrosive and detrimental impact on student-athletes and the general student body alike. Gambling creates pressures and temptations that should not exist.

Unlike professional athletes, student-athletes are part of the broader university community. Student athletes are already subjected to intense peer and community pressure which will only be significantly heightened if wagering takes place. While currently a spectator's pride and team spirit might hinge on a win or a loss, if sports wagering is permitted one's livelihood could depend on the outcome of a Saturday afternoon game. This significantly increases the pressure for student athletes to perform or not perform depending on the given bet. Social media messages about and to student-athletes after "big" losses provide a glimpse of the current pressures and threats student-athletes face. These messages pale in comparison to those that will come when a spectator has bet a relatively large sum of money on the game. With wagering legal and money at stake, those threats will be more numerous and, worse yet, may be acted on. Regardless of whether these threats are acted on, the threats themselves increase the overall pressure on student-athletes and undermine the amateur nature of intercollegiate athletics.

The general student body will not be immune to the detrimental effects. Mental health and addictive behavior must be considered if young adults are exposed to gambling. It is not unreasonable to foresee students gambling away financial aid or work study money on the "big game." With the proliferation of online betting, placing wagers on any game at any time is as simple as the click of a button. One does not have to walk into the sports book of a casino to bet on their favorite college team, they just have to enter a credit card and place the bet online.

In addition, students may be susceptible to corruption and other abuses by gambling interests who will seek to utilize students as sources of information before placing wagers. For example, many of the individuals that have daily information about student-athlete's health and readiness for competition are fellow students, athletic department staff members, athletic trainers, graduate assistants who may be more susceptible to the temptation to share that information for money. Even if the NCAA, the conferences or the universities themselves provide education and enact rules to prohibit student-athletes and athletics staff from gambling, the wide-spread corrosive effects cannot be contained. Unlike professional sports teams with limited athletes, strong security organizations and significant financial resources, universities will be unable to police the student-athletes, athletic staff,



student body, boosters & alumni, families of student-athletes and others who could endanger the student-athlete, the student body and the institution.

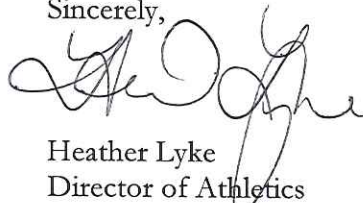
The advent of “prop betting” – a bet on an individual occurrence within a game that is not outcome determinative, such as whether the next play will be a run or a pass, increases the number of scenarios in which a wager can be placed and increases the opportunity for student involvement and student-athlete influence on a result. A student-athlete may be persuaded to take an action (for example, losing the jump ball at the start of a game or throwing a fastball versus a curveball on the first pitch to the second batter of the third inning) that the student athlete rationalizes is not truly impacting the outcome. Instances supporting prop bets additionally tarnish the integrity of the game.

Ironically, the case for prohibiting gambling on intercollegiate athletics on a national basis is made by the very states that have authorized it. Many states that have permitted sports wagering have recognized the dangers of wagering on intercollegiate sports and prohibited wagering on teams in their home state or on competitions that take place in their home state. For example, New York allows sports wagering on college sports generally, but prohibits wagering on New York college sports teams or on any collegiate sports taking place in the state of New York. Somewhat similarly, Illinois allows wagering on college sports generally, but does not allow wagering on a "minor league sports event" or any game involving "an Illinois collegiate team". New York may not take a bet on a Syracuse game or a college tournament at Madison Square Garden, but it will allow bets on Pitt versus Clemson. While these states seek to protect their own students and universities, they are more than willing to allow the corrosive effects of gambling to impact the rest of the country. Of course, their neighboring states are doing the same to them.

I know I speak for all athletic directors when I say that we strive to foster academically, athletically, and personally life-changing opportunities for our student-athletes and enable student-athletes to excel after their collegiate careers. While sports wagering might create revenue opportunities for states, it will ultimately undermine the integrity of intercollegiate sports and the academic, personal and social experiences of students and student-athletes at our institutions.

Thank you again for the opportunity to speak with you on this issue and I look forward to working with you to protect our students and the integrity of intercollegiate athletics.

Sincerely,



Heather Lyke  
Director of Athletics  
University of Pittsburgh