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**Opening Statement by Chairman Bobby L. Rush**  
**Energy and Commerce Subcommittee on**  
**Commerce, Trade and Consumer Protection**  
on the  
**Manager's Amendment to H.R. 390**  
**"College Football Playoffs Act of 2009"**  
**Subcommittee Markup**

WASHINGTON — "The Manager's Amendment to H.R. 390, reflects bipartisan discussions and agreement between myself and Ranking Member Barton, the gentleman from Texas. We have worked together to bring sports fans and college alums across the nation a playoff system for NCAA Division 1 Football that would consistently crown an undisputed national champion. I thank Mr. Barton for his tireless work on the legislation and the amendment, as well as all my subcommittee colleagues who rise in support of such a system.

"The amendment makes three additions to the bill. These changes reflect solutions to problems we identified in our May, 2009 hearing on the Bowl Championship Series.

"First, it revises further the definition of an unfair or deceptive act to clarify the bill's intent. This will ensure that the BCS cannot find any loopholes. BCS officials won't simply be able to get

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away with calling their game the “Final Game,” or the “Big Game,” or something that implies it is the championship game when there has not been a playoff system to get down to the final two teams.

“Second, it ensures that all teams are equally eligible to participate in a conference playoff system that is fair for all teams. Great teams that happen to play in non-favored conferences can no longer be kept out of the playoff based on arbitrary rules. If a team is good enough to qualify for the playoff, they will get in.

“Finally, the amendment makes sure that there is an equitable distribution of revenue from a playoff system. Teams from non-favored conferences that qualify for the playoffs, and go just as deep into the playoff as favored conference teams, would have to be paid equitably, and the same, as teams from the six favored conferences. The BCS couldn’t pay one team more than another just because those teams came from different conferences.

“Overall, this manager’s amendment improves the bill and helps ensure that the vision of a true college football champion, determined on the field of play, comes to fruition.”

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