

1 Purpose: In the nature of a substitute.

2
3 S. 4668

4
5 To protect the name, image, and likeness rights of, and provide protections for, student athletes
6 and to promote fair competition among intercollegiate athletics, and for other purposes.

7
8 Amendment In the Nature of a Substitute intended to be proposed by Mr. Cruz (for himself, Ms.
9 Cantwell, Mr. Schmitt, and Mr. Coons)

10
11 Viz:

12 Strike all after the enacting clause and insert the following:

13 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

14 (a) Short Title.—This Act may be cited as the “Protect College Sports Act of 2026”.

15 (b) Table of Contents.—The table of contents for this Act is as follows:

16 Sec.1.Short title; table of contents.

17 TITLE I—PROTECTIONS OF STUDENT ATHLETES AND 18 FAIR COMPETITION

19 Sec.100.Definitions.

20 Sec.101.Name, image, and likeness protections.

21 Sec.102.Modifications to Sports Agent Responsibility and Trust Act.

22 Sec.103.Agent registry requirements for intercollegiate athletic associations.

23 Sec.104.Disclosures and establishment of name, image, and likeness agreement database.

24 Sec.105.Academic protections.

25 Sec.106.Medical coverage requirements.

26 Sec.107.Health, wellness, and safety standards.

27 Sec.108.Office of the Student Athlete Ombudsman.

28 Sec.109.Comparable standards for access to facilities, services, and events.

29 Sec.110.Rules governing certain mid-season coaching transitions.

30 Sec.111.Student athlete representation on intercollegiate athletic association governing boards.

31 Sec.112.Transfer protections.

32 Sec.113.Eligibility to participate in intercollegiate sports.

33 Sec.114.Prohibited compensation and agreements.

34 Sec.115.Congressional approval of continuation of revenue share cap and retention fund.

35 Sec.116.Commission on the Future of College Athletics.

1 Sec.117.Recruitment and tampering.
2 Sec.118.Limitation on liability.
3 Sec.119.Private right of action.
4 Sec.120.Whistleblower protection.
5 Sec.121.Relationship to existing law.
6 Sec.122.Neutrality on employee or non-employee status.
7 Sec.123.Applicability.
8 Sec.124.Severability.
9 Sec.125.Protection of women’s sports and Olympic sports.
10 Sec.126.Mid-sized conference representation on intercollegiate athletic association governing
11 boards.
12 Sec.127.Title IX savings clause.
13 Sec.128.Protecting opportunities for American student athletes.

14 TITLE II—SPORTS BROADCASTING

15 Sec.201.Definitions.
16 Sec.202.Limitation on liability for transmission of collegiate sports competitions.
17 Sec.203.Requirements for entities selling media rights.
18 Sec.204.Market level broadcast access for college football and basketball.
19 Sec.205.Prohibition on certain conference mergers or acquisition.
20 Sec.206.Amendments to intercollegiate and interscholastic football contest limitations.
21 Sec.207.Media rights utilization requirement for college sports other than football and basketball.

22 TITLE III—HBCU SPORTS MEDIA AND CONNECTIVITY 23 PROGRAM

24 Sec.301.Short title.
25 Sec.302.Grants for improvement of broadband, technology, media, and sports broadcast
26 infrastructure of HBCUs.
27 Sec.303.Grant uses.
28 Sec.304.Coordination.
29 Sec.305.Reports and evaluation.
30 Sec.306.Definitions.
31 Sec.307.Authorization of appropriations.

32 TITLE I—PROTECTIONS OF STUDENT ATHLETES AND

1 FAIR COMPETITION

2 SEC. 100. DEFINITIONS.

3 In this title:

4 (1) ANTITRUST LAWS.—The term “antitrust laws” has the meaning given that term in the
5 1st section of the Clayton Act (15 U.S.C. 12) and includes—

6 (A) section 5 of the Federal Trade Commission Act (15 U.S.C. 45) to the extent that
7 such section 5 applies to unfair methods of competition; and

8 (B) any similar State antitrust law, including a State law provision that applies to
9 covering unfair methods of competition having the force and effect of law.

10 (2) ASSOCIATED ENTITY.—The term “associated entity” means any individual or entity,
11 including a collective, that—

12 (A) is known, or was known, or should have been known to the athletics department
13 staff of an institution to exist, in significant part, for the purpose of—

14 (i) promoting or supporting a particular institution’s intercollegiate athletics
15 program or student athletes; or

16 (ii) creating or identifying name, image, and likeness opportunities solely for a
17 particular institution’s student athletes;

18 (B) is or was a member, employee, director, officer, owner, or agent of an individual
19 or entity described in subparagraph (A);

20 (C) directly or indirectly (including contributions by an affiliated entity, individual,
21 or family member) has contributed more than \$50,000 over their lifetime to a particular
22 institution or to an individual or entity described in subparagraph (A);

23 (D) has—

24 (i) been directed or requested by an institution’s athletic department staff to
25 assist in the recruitment or retention of student athletes or prospective student
26 athletes; or

27 (ii) otherwise assisted in the recruitment or retention of student athletes or
28 prospective student athletes; or

29 (E) is owned, controlled, or operated by, or otherwise affiliated with the individuals
30 or entities described in subparagraphs (A) through (D), other than a publicly traded
31 corporation.

32 (3) ATHLETE AGENT.—The term “athlete agent” has the meaning given that term in
33 section 2 of the Sports Agent Responsibility and Trust Act (15 U.S.C. 7801).

34 (4) COLLECTIVE.—The term “collective”—

35 (A) means a person, corporation, booster organization, tax-exempt organization, or
36 other entity that provides donations or other support directly or indirectly to or for the
37 benefit or support of—

- (i) a student athlete who is enrolled, or who may enroll, at an institution; or
- (ii) the intercollegiate athletics program or any booster organization of an institution; and

(B) does not include—

- (i) an immediate family member of a student athlete; or
- (ii) an individual or entity that—

(I) licenses trademark rights of an institution; and

(II) does not—

(aa) license name, image, and likeness rights of student athletes; or

(bb) make payments earmarked or designated to fund name, image, or likeness licenses or other payments to student athletes.

(5) COMPENSATION.—The term “compensation”—

(A) means any payment, remuneration, or benefit provided to a student athlete or a prospective student athlete; and

(B) does not include—

(i) grants-in-aid;

(ii) Federal Pell Grants provided under section 401 of the Higher Education Act of 1965 (20 U.S.C. 1070a) or any other Federal or State grants unrelated to and not awarded with regard to participation in intercollegiate sports;

(iii) health insurance and the costs of health care funded by an institution, intercollegiate athletic association, or conference;

(iv) disability and loss-of-value insurance, including disability and loss-of-value insurance funded by an institution, intercollegiate athletic association, or conference;

(v) career counseling, job placement services, or other guidance available to all students at an institution;

(vi) hourly wages and benefits for work performed outside of participating in intercollegiate sports at a rate commensurate with the prevailing rate in the relevant State or locality for similar work;

(vii) enhanced education benefits, including academic awards;

(viii) financial literacy or tax education resources; or

(ix) any program to connect student athletes with employers and facilitate employment opportunities, if—

(I) the financial terms of such employment opportunities are consistent with the terms offered to similarly situated employees who are not student athletes; and

(II) such program is not used to induce a student athlete to attend a

1 particular institution.

2 (6) CONFERENCE.—The term “conference” means any organization that is not an
3 intercollegiate athletic association and that—

4 (A) has 2 or more institutions as members; and

5 (B) arranges championships for intercollegiate athletic competitions or sets rules for
6 intercollegiate athletic competition.

7 (7) COST OF ATTENDANCE.—The term “cost of attendance”—

8 (A) has the meaning given that term in section 472 of the Higher Education Act of
9 1965 (20 U.S.C. 108711); and

10 (B) shall be calculated by the financial aid office of an institution applying the same
11 standards, policies, and procedures for all students.

12 (8) GRANT-IN-AID.—The term “grant-in-aid” means—

13 (A) a scholarship, grant, stipend, or other form of financial assistance, including the
14 provision of tuition, room, board, books, or funds for fees or personal expenses, that—

15 (i) is paid or provided by an institution to a student for the undergraduate or
16 graduate education of the student; and

17 (ii) is in an amount that does not exceed the cost of attendance for such student
18 at the institution; and

19 (B) does not include compensation paid to a student athlete.

20 (9) IMAGE.—With respect to a student athlete, the term “image” means a picture, video,
21 computer-generated representation, or other depiction that identifies, is linked to, or is
22 reasonably linked to the student athlete.

23 (10) INSTITUTION.—Except as otherwise explicitly provided, the term “institution” has
24 the meaning given the term “institution of higher education” under section 101 of the
25 Higher Education Act of 1965 (20 U.S.C. 1001).

26 (11) INTERCOLLEGIATE ATHLETIC ASSOCIATION.—The term “intercollegiate athletic
27 association”—

28 (A) means any organization, not-for-profit corporation, association, or any other
29 group organized in the United States that—

30 (i) sponsors or arranges intercollegiate athletic competition between
31 institutions;

32 (ii) sets common rules, standards, procedures, or guidelines for the
33 administration of intercollegiate athletic competition;

34 (iii) is composed of 2 or more institutions or conferences that are located in
35 different States or participate in intercollegiate athletic competition in more than 1
36 State; and

37 (iv) is not a conference;

38 (B) includes—

1 (i) the National Collegiate Athletic Association; and

2 (ii) any other national intercollegiate athletic association; and

3 (C) does not include a corporation, association, or other group affiliated with
4 professional athletic competition.

5 (12) INTERCOLLEGIATE ATHLETIC COMPETITION.—The term “intercollegiate athletic
6 competition” means any intercollegiate sport contest, game, meet, match, tournament,
7 regatta, or other intercollegiate sport event in which student athletes or varsity sports teams
8 compete.

9 (13) INTERCOLLEGIATE SPORT.—The term “intercollegiate sport”—

10 (A) means a sport played between institutions for which eligibility requirements for
11 participation by a student athlete are established by an intercollegiate athletic
12 association; and

13 (B) does not include a recreational, intramural, or club sport.

14 (14) LIKENESS.—With respect to a student athlete, the term “likeness” means a physical
15 or digital depiction or representation that identifies, is linked to, or is reasonably linked to
16 the student athlete, including —

17 (A) the uniquely identifiable body, physical characteristics, or voice of the student
18 athlete;

19 (B) any other mark that identifies or distinguishes the student athlete; or

20 (C) the jersey number associated with the student athlete during the period of
21 athletic participation by the student athlete at an institution if the jersey number is
22 accompanied by—

23 (i) a logo or color scheme that is clearly associated with the institution; or

24 (ii) some other means by which the jersey number is associated with the student
25 athlete.

26 (15) NAME.—With respect to a student athlete, the term “name” means the first or last
27 name that identifies the student athlete, a nickname or assumed name of the student athlete,
28 or a username associated with the student athlete on any public-facing internet platform
29 when used in a context that identifies, is linked to, or is reasonably linked to the student
30 athlete.

31 (16) NAME, IMAGE, AND LIKENESS AGREEMENT.—The term “name, image, and likeness
32 agreement” means a contract or similar agreement between a student athlete (or group of
33 student athletes) and a conference, institution, intercollegiate athletic association, associated
34 entity, collective, or third party regarding the commercial use of the name, image, and
35 likeness rights of the student athlete (or group of student athletes).

36 (17) NAME, IMAGE, AND LIKENESS RIGHTS.—The term “name, image, and likeness rights”
37 means the ability of a student athlete to market and profit from the commercial use of his or
38 her name, image, or likeness.

39 (18) PROSPECTIVE STUDENT ATHLETE.—The term “prospective student athlete” means an
40 individual who is recruited, actively being recruited, or has been contacted for the purposes

1 of recruitment to attend an institution as a student athlete, but has not yet enrolled at the
2 institution.

3 (19) REVENUE SHARE CAP.—The term “revenue share cap” means the Benefits Pool Limit
4 set forth in the Injunctive Relief Settlement Agreement approved by the court in “In Re
5 College Athlete NIL Litigation”, No. 20–cv–03919 (N.D. Cal. June 6, 2025), or as modified
6 pursuant to the amendment provision specified in paragraph 55 of that settlement.

7 (20) STUDENT ATHLETE.—

8 (A) IN GENERAL.—The term “student athlete” means an individual who is enrolled
9 as a full-time student (as defined in section 668.2 of title 34, Code of Federal
10 Regulations (as in effect on the day before the date of the enactment of this Act)) at an
11 institution and who—

12 (i) makes satisfactory academic progress (as determined in accordance with
13 section 668.34 of such title 34 (as in effect on the day before the date of the
14 enactment of this Act)) toward completing a degree; and

15 (ii) participates in intercollegiate athletic competition or competes for a varsity
16 sports team as part of the institution’s educational, developmental, or
17 extracurricular programs.

18 (B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A)(i) shall be construed to
19 preclude an institution, conference, or intercollegiate athletic association from
20 establishing satisfactory academic progress standards that are more stringent than the
21 requirements described in subparagraph (A)(i), if such standards are required of all
22 student athletes, or in the case of an institution, of all full-time students.

23 (21) THIRD PARTY.—The term “third party” means an individual or entity that is not an
24 institution, associated entity, collective, conference, or intercollegiate athletic association.

25 (22) VALID BUSINESS PURPOSE.—The term “valid business purpose” means a purpose
26 genuinely related to the promotion of goods or services provided to the general public for
27 profit.

28 (23) VARSITY SPORTS TEAM.—The term “varsity sports team” means a sports team
29 composed of student athletes that is organized by an institution for the purpose of
30 intercollegiate athletic competition.

31 SEC. 101. NAME, IMAGE, AND LIKENESS PROTECTIONS.

32 (a) Student Athlete Name, Image, and Likeness Compensation.—

33 (1) IN GENERAL.—Except as provided in this title, an institution, conference,
34 intercollegiate athletic association, or any representative of such an entity may not—

35 (A) restrict the ability of a student athlete, group of student athletes, or prospective
36 student athlete—

37 (i) to market or earn compensation for the value of their name, image, or
38 likeness rights; or

39 (ii) to enter into a name, image, and likeness agreement;

(B) restrict the eligibility for intercollegiate athletic competition for a student athlete or prospective student athlete on the basis of the student athlete or prospective student athlete entering into a name, image, and likeness agreement or marketing or earning compensation for the value of their name, image, or likeness;

(C) unless otherwise required by law, limit the eligibility or opportunity of a student athlete or prospective student athlete to apply for or receive a grant-in-aid, including the amount, duration, or renewal of such grant-in-aid, on the basis of the student athlete or prospective student athlete entering into a name, image, and likeness agreement, or marketing or earning compensation for the value of their name, image, or likeness; or

(D) unless otherwise required by law, revoke, reduce, or decline to renew a grant-in-aid for a student athlete or prospective student athlete based on the student athlete or prospective student athlete entering into a name, image, and likeness agreement or marketing or earning compensation for the value of their name, image, or likeness.

(2) CONSENT AND COMPENSATION FOR GROUP USE.—An institution, conference, intercollegiate athletic association, collective, third party, or any representative thereof, may not use the name, image, or likeness of any group of student athletes to sell or promote any product or service unless the institution, conference, athletic association, collective, or third party, as the case may be, obtains an agreement from each member of the group for that purpose.

(3) EXCEPTIONS.—

(A) CERTAIN AGREEMENTS.—An institution may restrict the eligibility for intercollegiate athletic competition of a student athlete or prospective student athlete who enters into a name, image, and likeness agreement that violates the code of student conduct of the institution that applies to all students enrolled at the institution.

(B) CERTAIN USES.—An institution may restrict the eligibility for intercollegiate athletic competition of a student athlete or prospective student athlete if, in connection with a name, image, and likeness agreement, the student athlete or prospective student athlete uses a facility, uniform, equipment, registered or unregistered trademark, copyright-protected product, or the official logo, mark, or other indicia of the institution without the express consent of the institution.

(b) Mandatory Disclosures by Student Athletes.—

(1) IN GENERAL.—All student athletes shall report to their institution and their intercollegiate athletic association, or to an entity designated by their intercollegiate athletic association and under the control of that intercollegiate athletic association pursuant to the Injunctive Relief Settlement Agreement approved by the court in “In Re College Athlete NIL Litigation”, No. 20–cv–03919 (N.D. Cal. June 6, 2025)—

(A) not later than 5 days after entering into a name, image, and likeness agreement, the terms of any such agreement, including the amount and source, that exceeds \$600 in value, including multiple payments, remunerations, or benefits from the same entity that exceeds a total of \$600 over a 12-month period; and

(B) to the extent not reported under subparagraph (A), not later than 30 days after

1 receiving compensation for the name, image, or likeness of the student athlete, the
2 amount and source of any such compensation that exceeds \$600, including multiple
3 payments, remunerations, or benefits from the same entity that exceeds a total of \$600
4 over a 12-month period.

5 (2) MANDATORY DISCLOSURES BY RECRUITED ATHLETES.—With respect to a student
6 athlete or prospective student athlete who is recruited to attend, but is not yet enrolled in, an
7 institution, the student athlete or prospective student athlete shall report to the institution at
8 which the student athlete enrolls and their intercollegiate athletic association, or to an entity
9 designated by that intercollegiate athletic association and under the control of that
10 intercollegiate athletic association pursuant to the Injunctive Relief Settlement Agreement
11 approved by the court in “In Re College Athlete NIL Litigation”, No. 20–cv–03919 (N.D.
12 Cal. June 6, 2025)—

13 (A) the terms of any current or ongoing name, image, and likeness agreement that
14 exceeds \$600 in value, including multiple payments, remunerations, or benefits from
15 the same entity that exceeds a total of \$600 over a 12-month period; and

16 (B) to the extent not reported under subparagraph (A), the amount and source of any
17 current or ongoing name, image, and likeness compensation that exceeds \$600,
18 including multiple payments, remunerations, or benefits from the same person that
19 exceeds a total of \$600 over a 12-month period.

20 (3) EXCEPTION.—

21 (A) IN GENERAL.—Paragraphs (1) and (2) shall not apply to either marketing or
22 earning compensation for the value of the name, image, and likeness rights of a student
23 athlete or to the compensation within a name, image, and likeness agreement in which
24 a student athlete receives less than \$600, including multiple payments, remunerations,
25 or benefits from the same person that totals less than \$600 over a 12-month period.

26 (B) ADJUSTMENT FOR INFLATION.—The amount described in subparagraph (A) shall
27 be adjusted for inflation by the percent increase, if any, in the Consumer Price Index
28 for All Urban Consumers published by the Bureau of Labor Statistics of the
29 Department of Labor for the most recent 12-month period for which applicable data is
30 available.

31 (4) RELEASE OF INFORMATION.—Except as provided in section 104 or as necessary to
32 comply with this Act, an institution may not release any information that would identify a
33 student athlete or prospective student athlete in a disclosure under paragraph (1) or (2)
34 without the express written consent of the student athlete, prospective student athlete,
35 athlete agent of the student athlete or prospective student athlete, or, in case of a minor, the
36 parent or legal guardian of the minor.

37 (5) LIMITATION.—This subsection shall apply only to student athletes and prospective
38 student athletes of institutions whose primary membership is in Division I, as defined by
39 bylaw 20.9 of the National Collegiate Athletic Association, or a successor bylaw.

40 (c) Name, Image, or Likeness Compensation by Institutions.—Subject to the requirements of
41 this title, an institution, intercollegiate athletic association, conference, collective, associated
42 entity, or third party, may pay, provide, or facilitate compensation to a student athlete for the use
43 of the name, image, or likeness of the student athlete.

(d) Right to Representation.—An institution, intercollegiate athletic association, or conference may not restrict the eligibility for intercollegiate athletic competition, or any other event or activity relating to intercollegiate athletic competition, of a prospective student athlete or student athlete based on the prospective student athlete or student athlete having obtained an athlete agent or legal representative.

(e) Educational Resources Regarding This Title.—An intercollegiate athletic association shall provide student athletes and prospective student athletes and the parents or guardians of student athletes or prospective student athletes with educational materials relating to this title.

SEC. 102. MODIFICATIONS TO SPORTS AGENT RESPONSIBILITY AND TRUST ACT.

(a) In General.—The Sports Agent Responsibility and Trust Act (15 U.S.C. 7801 et seq.) is amended—

(1) in section 2 (15 U.S.C. 7801)—

(A) in paragraph (1), by striking “an oral or written agreement” and inserting “a written agreement”;

(B) in paragraph (5), by inserting before the period the following: “and includes any name, image, and likeness agreement as defined in section 100 of the Protect College Sports Act of 2026”;

(C) by redesignating paragraphs (6) through (9) as paragraphs (7) through (10), respectively; and

(D) by inserting after paragraph (5) the following:

“(6) INTERCOLLEGIATE ATHLETIC ASSOCIATION.—The term ‘intercollegiate athletic association’ has the meaning given that term in section 100 of Protect College Sports Act of 2026”;

(2) in section 3 (15 U.S.C. 7802)—

(A) in subsection (a)—

(i) in paragraph (2), by striking “or” at the end;

(ii) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

“(4) enter into an agency contract or represent a student athlete in a manner that violates section 9;

“(5) charge a student athlete a fee in connection with an endorsement contract that exceeds 5 percent of the value of the endorsement contract;

“(6) enter into an agency contract with an athlete for a term that extends beyond the eligibility of the student athlete to participate in intercollegiate sport;

“(7) make any materially false, deceptive, or fraudulent representation as an athlete agent, including any materially false, deceptive, or fraudulent statement to a student athlete or

prospective student athlete that misrepresents the existence, nature, or value of a name, image, or likeness opportunity the athlete agent can arrange on behalf of the student athlete or prospective student athlete through recruitment or transfer to an institution (as defined in section 100 of the Protect College Sports Act of 2026); or

“(8) make a materially false, deceptive, or fraudulent statement in the application for registration as an athlete agent.”; and

(B) in subsection (b)(3), by striking “Warning to Student Athlete: If you agree orally or in writing to be represented by an agent now or in the future you may lose your eligibility to compete as a student athlete in your sport.”;

(3) by inserting after section 5 (15 U.S.C. 7804) the following:

“SEC. 5A. PRIVATE RIGHT OF ACTION.

“(a) In General.—Any current or former student athlete alleging a violation of paragraphs (4) through (8) of section 3(a), section 9, or section 10 may bring a civil action in an appropriate district court of the United States or in an appropriate State court.

“(b) Relief.—In a civil action brought under subsection (a) in which the plaintiff prevails, the court may award—

“(1) a declaratory judgment that a name, image, or likeness agreement (as defined in section 100 of the Protect College Sports Act of 2026) or an agency contract, as applicable, is null and void; and

“(2) actual damages.

“(c) Attorney’s Fees and Costs.—In a civil action brought under subsection (a) in which the defendant is not an institution (as defined in section 100 of the Protect College Sports Act of 2026), the court may, in its discretion, award reasonable attorney’s fees and litigation costs.

“(d) Invalidity of Pre-dispute Arbitration Agreements and Pre-dispute Joint Action Waivers.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, no pre-dispute arbitration agreement or pre-dispute joint action waiver shall be valid or enforceable against a student athlete with respect to a dispute arising under this Act.

“(2) APPLICABILITY.—Any determination as to whether or how paragraph (1) applies to any dispute shall be made by a court, rather than an arbitrator, without regard to whether the agreement or waiver that is the subject of the dispute purports to delegate such determination to an arbitrator.

“(3) DEFINITIONS.—In this subsection:

“(A) PRE-DISPUTE ARBITRATION AGREEMENT.—The term ‘pre-dispute arbitration agreement’ means any agreement to arbitrate a dispute that has not arisen at the time of the making of the agreement.

“(B) PRE-DISPUTE JOINT-ACTION WAIVER.—The term ‘pre-dispute joint-action waiver’ means an agreement, whether or not part of a pre-dispute arbitration agreement, that would prohibit, or waive the right of, one of the parties to the agreement to participate in a joint, class, or collective action in a judicial, arbitral,

1 administrative, or other forum, concerning a dispute that has not yet arisen at the time
2 of the making of the agreement.”; and

3 (4) by adding at the end the following:

4 **“SEC. 9. REGISTRATION OF ATHLETE AGENTS AND**
5 **OTHER REQUIREMENTS.**

6 “(a) In General.—An athlete agent who seeks to represent a student athlete in an endorsement
7 contract shall—

8 “(1) register with a State before representing a student athlete for an endorsement
9 contract; and

10 “(2) enter into an agency contract with the student athlete before providing representation
11 in an endorsement contract.

12 “(b) Registration Established.—An individual is deemed to be registered with a State for
13 purposes of this section if the individual is—

14 “(1) a registered professional sports agent with a professional sports league or players
15 association, in good standing; or

16 “(2) registered and certified under the All State Uniform Agent Acts in the State in which
17 the agent operates, in good standing.

18 “(c) Certification to Intercollegiate Athletic Associations.—

19 “(1) REQUIREMENT.—An athlete agent that represents a student athlete shall certify to
20 each applicable intercollegiate athletic association that the athlete agent is registered with a
21 State.

22 “(2) PROHIBITION.—It is unlawful for an individual to certify to an intercollegiate athletic
23 association that the individual is an athlete agent if the individual is not registered with a
24 State.

25 “(d) Requirements for Agency Contracts.—To be a valid contract, an agency contract shall—

26 “(1) state the name of each party to the contract;

27 “(2) state the term of the contract;

28 “(3) state the registration information for the athlete agent; and

29 “(4) state the fee or commission charged by the athlete agent.

30 **“SEC. 10. ENDORSEMENT CONTRACT REQUIREMENTS.**

31 “An endorsement contract made in interstate or foreign commerce is, at the option of the
32 student athlete, void from the inception of such contract if such contract does not satisfy the
33 following requirements:

34 “(1) The contract is in writing.

35 “(2) The contract plainly states that the student athlete has the right to obtain or retain an
36 athlete agent or legal representation with respect to the contract.

1 “(3) The contract contains—

2 “(A) a description of services rendered;

3 “(B) the names of each party to the contract;

4 “(C) the terms of the contract;

5 “(D) the amount of compensation to be provided to the student athlete under the
6 contract;

7 “(E) a provision specifying the circumstance or event that would result in the
8 termination of the contract due to nonperformance of obligations by the student athlete
9 or other parties to the contract; and

10 “(F) a provision specifying that the validity and effectiveness of the contract, and the
11 provision of compensation to the student athlete under the contract, is not conditioned
12 upon any express or implicit requirement that the student athlete enroll or remain
13 enrolled at an institution or reside in a particular location within the United States,
14 unless the party making the contract with the student athlete is an institution,
15 conference, associated entity, or collective affiliated with the institution and the
16 contract is entered into after the student athlete has enrolled at such institution.

17 “(4) The contract is not for a term that extends beyond the eligibility of the student athlete
18 to participate in intercollegiate sports.”.

19 (b) Clerical Amendments.—The table of contents for the Sports Agent Responsibility and
20 Trust Act is amended—

21 (1) by inserting after the item relating to section 5 the following:

22 “Sec.5A.Private right of action.”; and

23 (2) by adding at the end the following:

24 “Sec.9.Registration of athlete agents and other requirements.

25 “Sec.10.Endorsement contract requirements.”.

26 SEC. 103. AGENT REGISTRY REQUIREMENTS FOR 27 INTERCOLLEGIATE ATHLETIC ASSOCIATIONS.

28 (a) Requirements of Intercollegiate Athletic Associations.—An intercollegiate athletic
29 association shall maintain a publicly available website that includes a searchable database of
30 athlete agents that—

31 (1) are registered with a State and certified pursuant to section 9 of the Sports Agent
32 Responsibility and Trust Act, as added by section 102; and

33 (2) have certified compliance with all rules and bylaws of such intercollegiate athletic
34 association, including any recruitment and tampering rules adopted under section 117.

35 (b) Decertification Permitted.—

36 (1) IN GENERAL.—An intercollegiate athletic association may decertify or fine an athlete
37 agent for any violations of section 9 of the Sports Agent Responsibility and Trust Act, as

added by section 102, or any violation of section 117 on recruitment and tampering.

(2) EFFECT OF DECERTIFICATION.—An athlete agent that is decertified pursuant to paragraph (1) may not represent or contact a student athlete or prospective student athlete of an institution that is a member of such intercollegiate athletic association.

SEC. 104. DISCLOSURES AND ESTABLISHMENT OF NAME, IMAGE, AND LIKENESS AGREEMENT DATABASE.

(a) Disclosures by Institutions.—

(1) DISCLOSURE OF DATA ON NAME, IMAGE, AND LIKENESS AGREEMENTS.—Not later than July 1 of the first year beginning after the date of the enactment of this Act, and each July 1 thereafter, each institution shall disclose to the intercollegiate athletic association of which the institution is a member, in an anonymized manner, the following data:

(A) With respect to each name, image, and likeness agreement disclosed to the institution by a student athlete as required by section 101(b)—

(i) a description of services rendered; and

(ii) the amount of compensation to be provided to the student athlete or group of athletes under the agreement.

(B) With respect to each name, image, and likeness agreement entered into between the institution and a student athlete, and any other compensation provided or to be provided by an institution to a student athlete—

(i) the amount of compensation provided or to be provided to the student athlete by the institution; and

(ii) disaggregated by intercollegiate sports program—

(I) the number of agreements and payments;

(II) the average value of the agreements and payments; and

(III) the total value of the agreements and payments.

(2) REPORT ON REVENUE AND STUDENT OUTCOMES.—Not later than 60 days after the date on which an academic year ends, each institution with 1 or more intercollegiate sports programs shall submit to the governing athletic association for such institution a report that includes, for the academic year, the following:

(A) The amount of revenues and expenditures of each such sports program, including the amount of associated entity and third-party donations, Federal funds, and State funds, including the total amount of remuneration for personnel of each intercollegiate sports program, individually by program and in the aggregate.

(B) The average number of hours student athletes spent on intercollegiate athletic events and intercollegiate athletic competition, disaggregated by sports program.

(C) The academic outcomes and majors for student athletes, disaggregated by sports program.

(3) TREATMENT OF MEN’S AND WOMEN’S PROGRAMS.—An institution shall treat men’s and women’s sports programs as distinct sports programs for the purposes of disclosure and reporting obligations under this subsection.

(4) PROTECTION OF PERSONALLY IDENTIFIABLE INFORMATION.—In making a disclosure under paragraph (1), an institution shall ensure that no personally identifiable information of a student athlete is transmitted to an intercollegiate athletic association.

(b) Disclosures by Associations and Database.—

(1) IN GENERAL.—Not later than September of the first year beginning after the date of the enactment of this Act, each intercollegiate athletic association shall establish and maintain a publicly accessible, searchable database for student athletes and their agents to estimate the fair market value for name, image, and likeness agreements, which shall include data collected under subsection (a)(2).

(2) CONTENT OF DATABASE.—An intercollegiate athletic association shall include the data reported by institutions pursuant to paragraphs (1) and (2) of subsection (a) in the database described in paragraph (1).

(3) UPDATE OF DATABASE.—An intercollegiate athletic association shall update the database described in paragraph (1) each September 1.

(4) PRIVACY.—An intercollegiate athletic association shall take reasonable technical measures to ensure that information available in the database described in paragraph (1) may not be used to identify a student athlete.

(c) Limitation.—This section shall apply only to institutions whose primary membership is in Division I, as defined by bylaw 20.9 of the National Collegiate Athletic Association, or a successor bylaw, and shall not apply to any Division II or Division III institution (as so defined) that participates in a limited number of sports at the Division I level.

SEC. 105. ACADEMIC PROTECTIONS.

(a) Prohibitions Relating to Coursework and Extracurricular Activities.—

(1) IN GENERAL.—An employee or volunteer of an athletic department of an institution may not—

(A) exert undue pressure over or prevent a student athlete from selecting a course or an academic major of the student athlete’s choice;

(B) retaliate against a student athlete based on the student athlete’s selection of any course or academic major; or

(C) prevent a student athlete who seeks to secure employment or internships, participate in student groups or events, or serve as a volunteer from doing so, unless such activity interferes with mandatory class time or mandatory events related to intercollegiate athletic competition or membership on a varsity sports team.

(2) PARTICIPATION IN ATHLETIC RELATED ACTIVITIES.—In order to ensure each student athlete makes satisfactory progress toward the completion of a degree, each intercollegiate athletic association and any institution that is a member of such association may limit a student athlete to only participate in countable athletic-related activities as part of the

1 educational, developmental, or extracurricular programs of the institution.

2 (3) RULE OF CONSTRUCTION.—Paragraph (1) may not be construed as preventing an
3 institution, an athletic department of an institution, or a representative thereof from—

4 (A) informing a student athlete of academic eligibility requirements and mandatory
5 and expected team activities; or

6 (B) providing other legitimate academic counseling and support services, in
7 collaboration with the institution, to help the student athlete pursue the academic
8 interests of and improve academic outcomes for the student athlete.

9 (b) Financial Literacy and Life Skills.—An institution that offers financial literacy and life
10 skills programming directed to student athletes may not include any marketing, advertising,
11 referral, or solicitation offers in such programming.

12 (c) Scholarship Protections.—

13 (1) IN GENERAL.—Except as provided in paragraph (2), an institution that awards a grant-
14 in-aid to a student athlete may not revoke, reduce, or condition the grant-in-aid of the
15 student athlete—

16 (A) based on the athletic ability or performance of the student athlete or the
17 contribution of the student athlete to the success of a varsity sports team;

18 (B) as a result of an injury or illness based on a physical or mental medical condition
19 of the student athlete; or

20 (C) roster management decisions.

21 (2) EXCEPTION.—

22 (A) IN GENERAL.—An institution may revoke, reduce, or condition the grant-in-aid
23 of a student athlete or former student athlete who—

24 (i) transfers to another institution; or

25 (ii) does not remain in good standing in accordance with—

26 (I) the standards or code of conduct of the institution applicable to all
27 students;

28 (II) the established athletics program policies for participating in
29 mandatory team athletic activities for a varsity sports team; or

30 (III) the academic standards for athletic eligibility.

31 (B) NOTICE.—An institution shall provide a student athlete with timely written
32 notice with respect to any possible revocation or reduction of, or condition on, the
33 grant-in-aid or athletic eligibility of the student athlete.

34 (C) REINSTATEMENT.—In the case of a revocation or reduction of, or condition on,
35 the grant-in-aid of a student athlete under this paragraph, an institution may reinstate or
36 remove any condition placed on such grant-in-aid if the student athlete subsequently
37 cures or satisfies the reasons provided by the notice in subparagraph (B).

38 (D) FORMER STUDENT ATHLETES.—

(i) IN GENERAL.—With respect to a former student athlete described in clause (ii), an institution shall provide the former student athlete—

(I) the opportunity to resume study at the institution for the purpose of completing the requirements necessary to earn a degree; and

(II) either—

(aa) the amount of grant-in-aid the former student athlete received while previously enrolled at the institution and participating—

(AA) in intercollegiate athletic competition; or

(BB) as a member of a varsity sports team; or

(bb) in the case of grant-in-aid previously awarded solely on the basis of demonstrated financial need, grant-in-aid awarded based on the current demonstrated financial need of the former student athlete.

(ii) FORMER STUDENT ATHLETE DESCRIBED.—A former student athlete described in this subparagraph is a former student athlete of an institution who—

(I) was enrolled at the institution during their last year of eligibility to participate in intercollegiate athletic competition during the preceding 10-year period;

(II) received grant-in-aid while enrolled at the institution;

(III) was not subject to the revocation of grant-in-aid under subparagraph (A)(ii)(I); and

(IV) has not completed the course of study for an undergraduate degree.

(E) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to preclude—

(i) an institution from providing additional grant-in-aid protections for student athletes or former student athletes; or

(ii) an intercollegiate athletic association, conference, institution, student athlete, or former student athlete from requesting or advocating for additional grant-in-aid protections.

(3) LIMITATION.—Paragraph (2)(D) shall apply only to institutions that compete in Division I, as defined by bylaw 20.9 of the National Collegiate Athletic Association, or a successor bylaw.

SEC. 106. MEDICAL COVERAGE REQUIREMENTS.

(a) In General.—Each Division I institution, as defined by bylaw 20.9 of the National Collegiate Athletic Association, or a successor bylaw, each institution whose primary membership is in Division II or Division III (as so defined) only with respect to student athletes of the institution who compete in Division I, or an intercollegiate athletic association or conference comprised of Division I member institutions shall provide or cause to be provided—

(1) during the participation of a student athlete in an intercollegiate sport—

1 (A) all out-of-pocket medical expenses, such as copayments or deductibles, for the
2 health care coverage of a student athlete for any injury or disease incurred through
3 participation in an intercollegiate sport;

4 (B) the expense for obtaining a medical second opinion independent of the
5 institution for any injury or disease the student athlete incurred through participation in
6 an intercollegiate sport;

7 (C) catastrophic injury medical insurance for any injury or disease incurred through
8 participation in an intercollegiate sport that exceeds \$90,000 in medical costs; and

9 (D) an end-of-college physical examination for a student athlete for the purpose of
10 documenting and diagnosing any injury or condition related to the student athlete's
11 participation in an intercollegiate sport; and

12 (2) with respect to a student athlete enrolled at the institution during their last year of
13 eligibility to participate in intercollegiate athletic competition, for the 5-year period
14 beginning on the day after the last intercollegiate competition for the student athlete, the
15 cost of all out-of-pocket medical expenses of the student athlete for health care coverage for
16 any injury or disease incurred through participation in an intercollegiate sport.

17 (b) Intercollegiate Athletic Association Post-eligibility Insurance and Catastrophic Injury Fund
18 or Program.—

19 (1) IN GENERAL.—An intercollegiate athletic association comprised of member
20 institutions that compete in Division I, Division II, or Division III, as defined by bylaw 20
21 of the National Collegiate Athletic Association, or a successor bylaw, on behalf of its
22 member institutions must establish a fund or program to help cover the cost of—

23 (A) in the case of a Division I institution that generates less than \$20,000,000 in
24 total annual athletics revenue during the preceding academic year, compliance with
25 subsection (a)(2) (or, in the case of a Division II or Division III institution, voluntary
26 compliance with subsection (a)(2)), in the event of demonstrated financial hardship;
27 and

28 (B) post-eligibility medical expenses for the student athletes of a member institution
29 who are diagnosed with significant long-term conditions related to their participation
30 in an intercollegiate sport, including chronic traumatic encephalopathy and any other
31 cognitive impairment.

32 (2) AMOUNT OF FUND.—

33 (A) IN GENERAL.—Subject to increases under subparagraph (B) and the limitation
34 under subparagraph (C), the intercollegiate athletic association described in this
35 subsection shall ensure that the fund or program established under this subsection is
36 funded at an amount that totals not less than \$60,000,000 on the first day of each
37 academic year.

38 (B) SUBSEQUENT INCREASE.—Subject to the limitation under subparagraph (C), if
39 the amount funded for the fund or program established under this subsection is
40 depleted for an academic year, that amount for the next academic year shall be
41 increased by \$5,000,000 as compared to the amount for the previous academic year.

(C) LIMITATION.—The amount funded for the fund or program established under this subsection shall not exceed \$100,000,000.

(3) USE OF COLLECTIVE MEDIA RIGHTS.—In ensuring that the fund or program established under paragraph (2) is adequately funded, an intercollegiate athletic association may use the collective media rights revenue from a covered entity, in accordance with section 5(d)(3) of the Sports Broadcasting Act of 1961, as added by section 203.

(c) Rule of Construction.—Nothing in this section may be construed to preclude—

(1) an intercollegiate athletic association, conference, or institution from providing or causing to be provided to student athletes medical coverage in addition to the medical coverage required by subsection (a); or

(2) an intercollegiate athletic association from exceeding \$60,000,000 for the fund or program established in subsection (b) for any academic year.

SEC. 107. HEALTH, WELLNESS, AND SAFETY STANDARDS.

(a) Establishment of Standards.—Not later than 270 days after the date of the enactment of this Act, each institution, conference, and intercollegiate athletic association shall adhere to standards to protect student athletes from sports-related serious injury, conditions, and death, including—

(1) brain injury, by adhering to the concussion management practices, protocols, and legislation of the National Collegiate Athletic Association effective January 15, 2024, and as amended to strengthen protections for student athletes;

(2) heat-related illness, by adhering to the American College of Sports Medicine Expert Consensus Statement on Exertional Heat Illness: Recognition, Management, and Return to Activity (April 2023), and as amended to strengthen protections for student athletes;

(3) rhabdomyolysis, in accordance with the guidelines of the National Collegiate Athletic Association for exertional rhabdomyolysis published in 2025, and as amended to strengthen protections for student athletes; and

(4) for any student athlete who is identified with—

(A) sickle cell trait, by following the guidelines published by the National Collegiate Athletic Association in 2025, and as amended to strengthen protections for student athletes; and

(B) asthma, by following the guidelines of the National Athletic Trainers' Association Position Statement: Management of Asthma in Athletes (September 2005), and as amended to strengthen protections for student athletes.

(b) Measures To Prevent, Assess, and Remediate Abuse or Misconduct.—Each institution, conference, and intercollegiate athletic association shall take reasonable actions to prevent, assess, and remediate—

(1) abuse or hazing of any student athlete, including physical and sexual abuse; and

(2) sexual assault, sexual misconduct, and sexual harassment.

1 (c) Provision of Information on Contact for Student Athlete Ombudsman.—

2 (1) INTERCOLLEGIATE ATHLETIC ASSOCIATION.—An intercollegiate athletic association
3 shall provide to student athletes information on how to contact the Office of the Student
4 Athlete Ombudsman, as established in section 108, on the internet website of the
5 association.

6 (2) INSTITUTION.—At the beginning of each academic year, an institution shall provide to
7 student athletes information on how to locate the website specified under paragraph (1) or a
8 link to the website and information on how to contact the Office of the Student Athlete
9 Ombudsman, as established in section 108.

10 (d) Athletic Health and Safety Officers.—

11 (1) IN GENERAL.—Each institution shall designate an employee, who is independent of
12 the athletic department, as the athletic health and safety officer for the institution.

13 (2) REPORTING.—The athletic health and safety officer designated under paragraph (1)
14 shall report to an employee of the institution who is independent of the athletic department.

15 (3) OFFICER RESPONSIBILITIES.—An employee who is designated by an institution under
16 paragraph (1) as an athletic health and safety officer shall be responsible for, at a
17 minimum—

18 (A) overseeing implementation of the applicable requirements the institution is
19 subject to under this section, including any applicable training, oversight practices,
20 policies, and procedures; and

21 (B) consulting with student athletes and athletic department personnel and reporting
22 any suspected violations of this section to the employee specified under paragraph (2).

23 (e) Independence of Medical Professionals.—

24 (1) IN GENERAL.—Medical personnel, including athletic trainers, physical therapists, and
25 physicians, shall have the autonomous, unchallengeable authority to determine medical
26 management and return to play decisions for student athletes under their care at an
27 institution.

28 (2) LIMITATION ON NONMEDICAL PERSONNEL.—No coach or other nonmedical personnel
29 of an institution may attempt to influence or disregard the decisions of medical personnel
30 with respect to the medical management and return to play decisions for student athletes
31 under their care at the institution.

32 (f) Rule of Construction.—Nothing in this section may be construed to preclude—

33 (1) an intercollegiate athletic association, conference, institution, or State from
34 establishing additional health, wellness, and safety standards to protect student athletes,
35 including additional sexual assault, sexual misconduct, and sexual harassment standards in
36 addition to those specified in subsection (b); or

37 (2) an intercollegiate athletic association, conference, institution, or student athletes from
38 requesting or advocating for additional health, wellness, and safety standards to protect
39 student athletes.

40 (g) Intercollegiate Athletic Association Oversight.—An intercollegiate athletic association

1 shall take reasonable actions to ensure that its member institutions comply with this section.

2 SEC. 108. OFFICE OF THE STUDENT ATHLETE 3 OMBUDSMAN.

4 (a) In General.—An intercollegiate athletic association shall establish an office to support
5 student athletes, known as the “Office of the Student Athlete Ombudsman” (in this section
6 referred to as the “Office”).

7 (b) Duties.—The Office shall—

8 (1) provide independent advice to student athletes at no cost about the applicable
9 requirements of this title and the amendments made by this title, including with respect to
10 their rights and responsibilities and the resources available;

11 (2) assist in the resolution of student athlete concerns regarding the intercollegiate athletic
12 association, conferences, or institutions;

13 (3) provide independent advice to student athletes with respect to the role, responsibility,
14 authority, and jurisdiction of the intercollegiate athletic association, conferences, or
15 institutions;

16 (4) provide student athletes with current contact information for external third-party
17 resources for student athletes;

18 (5) provide independent advice to student athletes with respect to the relative value of
19 engaging legal counsel;

20 (6) develop standard language to explain the rights and responsibilities of student athletes
21 under this Act that institutions shall be required to conspicuously display in common areas
22 where student athletes congregate, such as locker rooms, dormitories, or study areas, to
23 ensure that student athletes are properly informed of their rights, responsibilities, and ability
24 to contact the Ombudsman; and

25 (7) as appropriate, develop curricula to educate student athletes on their rights and
26 responsibilities under this Act that is capable of being shared through in person or online
27 classes, training sessions, or other means.

28 (c) Administration.—An intercollegiate athletic association shall hire and provide salary,
29 benefits, and administrative expenses for an Ombudsman and support staff for the Office.

30 (d) Confidentiality.—

31 (1) IN GENERAL.—The Office shall maintain as confidential any information
32 communicated or provided to the Office in confidence in any matter involving the exercise
33 of the official duties of the Office.

34 (2) EXCEPTION.—The Office may, with the permission of the parties involved, disclose
35 information described in paragraph (1) as necessary to resolve or mediate a dispute.

36 (3) APPLICATION.—The confidentiality requirements under this subsection shall not apply
37 to information—

38 (A) as necessary to comply with applicable reporting requirements mandated by
39 Federal law;

- (B) relating to a felony personally witnessed by a member of the Office;
- (C) if necessary to protect an individual at imminent risk of serious harm; or
- (D) with the permission of the parties involved, as necessary to resolve or mediate a dispute.

(4) JUDICIAL AND ADMINISTRATIVE PROCEEDINGS.—

(A) IN GENERAL.—The Ombudsman and any staff of the Office shall not be compelled to testify or produce evidence in any judicial or administrative proceeding with respect to any matter involving the exercise of the duties of the Office.

(B) CONFIDENTIALITY.—Any memorandum, work product, notes, or case file of the Office—

(i) shall be confidential; and

(ii) shall not be—

(I) subject to discovery, subpoena, or any other means of legal compulsion; or

(II) admissible as evidence in a judicial or administrative proceeding.

(5) PROHIBITION ON RETALIATION.—No employee, contractor, agent, volunteer, or member of an intercollegiate athletic association, a conference, or an institution shall take or threaten to take any action against a student athlete as a reprisal for disclosing information to or seeking assistance from the Office.

(e) Independence in Carrying Out Duties.—The board of directors or other governing board or committee of an intercollegiate athletic association, a conference, or an institution shall not prevent or prohibit the Office from carrying out any duty or responsibility under this section.

SEC. 109. COMPARABLE STANDARDS FOR ACCESS TO FACILITIES, SERVICES, AND EVENTS.

Intercollegiate athletic associations and conferences shall maintain comparable standards for medical care, lodging, meals, rest, transportation, publicity and promotion, and, if applicable, athletic facilities for championship events or tournaments, across similarly situated men's and women's athletic programs.

SEC. 110. RULES GOVERNING CERTAIN MID-SEASON COACHING TRANSITIONS.

(a) In General.—An individual who serves, or has served at any point during a competitive season, as football athletic personnel for a varsity sports team for intercollegiate football at an institution shall not, during that same competitive season, perform for another institution any duties or responsibilities customarily associated with a head coach of a varsity sports team for intercollegiate football, including, at a minimum—

(1) recruiting or contacting prospective or current student athletes;

(2) directing, participating in, or materially influencing recruiting strategy or evaluations;

1 (3) directing, participating in, or materially influencing roster management decisions,
2 including decisions relating to transfers;

3 (4) facilitating, coordinating, negotiating, or otherwise materially influencing name,
4 image, and likeness activities involving student athletes;

5 (5) directing, supervising, or materially influencing coaching staff or team operations;

6 (6) participating in practice planning, game preparation, strategic decision-making, or on-
7 field activities;

8 (7) publicly representing the institution in an intercollegiate football-related capacity in a
9 manner that reflects or implies authority over the intercollegiate football program; and

10 (8) undertaking any other activity customarily associated with a head coach of a varsity
11 sports team for intercollegiate football.

12 (b) Application.—Subsection (a) shall apply without regard to title, formal designation,
13 compensation structure, employment status, or timing of any public announcement, and the
14 applicable intercollegiate athletic association may prohibit any arrangement that, in substance or
15 effect, provides an individual described in subsection (a) with authority or responsibilities
16 customarily exercised by a head coach.

17 (c) Determination of Ineligibility.—An individual described in subsection (a) who accepts
18 employment, appointment, or designation as head coach of a varsity sports team for
19 intercollegiate football at another institution during the same competitive season is ineligible to
20 participate in intercollegiate athletic competition for intercollegiate football as head coach for the
21 hiring institution through the conclusion of the competitive season, including any postseason
22 competition, of the prior institution or the hiring institution, whichever occurs later.

23 (d) Penalties for Non-compliance.—In the event an individual who accepts employment,
24 appointment, or designation as head coach of a varsity sports team for intercollegiate football at
25 another institution violates this section, that individual shall be ineligible to assume the duties as
26 head coach of the varsity sports team for intercollegiate football at the hiring institution for the
27 subsequent competitive season after the season in which the violation occurred and be subject to
28 additional penalties sufficient to ensure compliance with this section.

29 (e) Application.—This section applies only to institutions that compete in the Football Bowl
30 Subdivision, as defined by bylaw 20.9.9 of the National Collegiate Athletic Association, or a
31 successor bylaw.

32 (f) Definitions.—In this section:

33 (1) APPLICABLE INTERCOLLEGIATE ATHLETIC ASSOCIATION.—The term “applicable
34 intercollegiate athletic association” means only an intercollegiate athletic association that
35 has at least one member institution that is a member of the Football Bowl Subdivision, as
36 defined by bylaw 20.9.9 of the National Collegiate Athletic Association, or a successor
37 bylaw.

38 (2) COMPETITIVE SEASON.—The term “competitive season” means the period beginning
39 with the first regularly scheduled intercollegiate athletic competition for intercollegiate
40 football for an institution during a season and ending with the conclusion of the final
41 intercollegiate athletic competition for intercollegiate football for the institution during that

1 season.

2 (3) FOOTBALL ATHLETIC PERSONNEL.—The term “football athletic personnel” means any
3 individual employed by, contracted with, or otherwise engaged by an institution who
4 provides coaching, instruction, recruiting, roster management, or training as the head coach
5 or a coordinator, including an offensive, defensive, or special teams coordinator, of student
6 athletes who are members of or participate with the varsity sports team for intercollegiate
7 football of the institution.

8 (4) INTERCOLLEGIATE FOOTBALL.—The term “intercollegiate football”—

9 (A) means football played between institutions for which eligibility requirements for
10 participation by a student athlete are established by an intercollegiate athletic
11 association; and

12 (B) does not include a recreational, intramural, or club sport.

13 SEC. 111. STUDENT ATHLETE REPRESENTATION ON 14 INTERCOLLEGIATE ATHLETIC ASSOCIATION 15 GOVERNING BOARDS.

16 (a) In General.—Not less than 1/3 of the membership and voting power of any board of
17 directors or other governing board, or committees with authority to establish and enforce rules or
18 bylaws shall be comprised of current student athletes or former student athletes who have
19 graduated from their institution during the preceding 10-year period.

20 (b) Limitation.—

21 (1) A former student athlete who is a current or former employee of an intercollegiate
22 athletic association, a conference, or a member institution may not count towards the
23 student athlete membership requirement pursuant to subsection (a); and

24 (2) no member of any such board or committee shall vote on any matter that presents a
25 conflict of interest for such member.

26 SEC. 112. TRANSFER PROTECTIONS.

27 An institution, a conference, an intercollegiate athletic association, or any representative of
28 such entity shall permit a student athlete to transfer from one four-year institution to another
29 four-year institution—

30 (1) once without losing or delaying eligibility to participate in intercollegiate sports;

31 (2) except as provided in paragraph (3), a second time with a loss of eligibility to
32 participate in intercollegiate sports during the first academic year following the transfer; and

33 (3) additionally, without losing or delaying eligibility to participate in intercollegiate
34 sports, upon—

35 (A) discontinuation of a sport in which the student athlete competes;

36 (B) the departure of the head coach of the student athlete’s varsity sports team;

37 (C) sexual assault or harassment of the student athlete by an individual associated

1 with the student athlete's institution; or

2 (D) the student athlete pursuing a graduate degree.

3 SEC. 113. ELIGIBILITY TO PARTICIPATE IN 4 INTERCOLLEGIATE SPORTS.

5 (a) In General.—An individual is eligible to participate on a Division I or Division II (as
6 defined by bylaw 20 of the National Collegiate Athletic Association, or a successor bylaw)
7 varsity sports team or in intercollegiate athletic competition for a Division I or Division II
8 institution (as defined by bylaw 20 of the National Collegiate Athletic Association, or a
9 successor bylaw) if the individual—

10 (1) is a student athlete;

11 (2) meets uniform academic standards established by the relevant intercollegiate athletic
12 association, conference, or institution;

13 (3) is not a professional athlete; and

14 (4) complies with established rules that restrict eligibility for violations of State or
15 Federal law.

16 (b) Years of Eligibility.—

17 (1) IN GENERAL.—Subject to paragraph (2), a student athlete is eligible to compete in
18 intercollegiate athletic competition for a Division I or Division II institution (as defined by
19 bylaw 20 of the National Collegiate Athletic Association, or a successor bylaw) for a
20 maximum of 5 calendar years beginning on, whichever occurs first—

21 (A) the beginning of the academic year following the 19th birthday of the student
22 athlete; or

23 (B) the date the student athlete initially enrolls full time at an institution.

24 (2) EXCEPTIONS.—Paragraph (1) does not apply during a period of absence for any of the
25 following:

26 (A) Reasons of pregnancy.

27 (B) Religious mission.

28 (C) Active-duty military service.

29 (D) Other periods of absence, which may include serious athletic injury or medical
30 condition, adopted by rule or bylaw by an intercollegiate athletic association that apply
31 uniformly to all student athletes.

32 (c) Restrictions on Eligibility.—

33 (1) IN GENERAL.—An intercollegiate athletic association or a conference may restrict the
34 eligibility of a student athlete to participate in intercollegiate sports if the student athlete—

35 (A) used an illegal or performance enhancing drug; or

36 (B) participated in sports wagering activities or sports-related event contracts.

(2) CODE OF CONDUCT.—An institution may restrict the eligibility of a student athlete to participate in intercollegiate sports if the student athlete violated the code of conduct of the institution that applies to all students.

(d) Clarification on Youth Activities and Prize Money.—For purposes of subsection (a)(3)—

(1) a student athlete who competes in basketball shall not be considered a professional athlete based on their participation in athletic competitions prior to, whichever occurs first—

(A) the 19th birthday of the student athlete; or

(B) the date the student athlete initially enrolls full time at an institution; and

(2) a student athlete who competes in a sport other than football or basketball shall not be considered a professional athlete based solely on the amount of prize money the student athlete received based on place finish or performance in an athletic event before or after enrollment in an institution, so long as—

(A) the prize money was provided only by the sponsor of the athletics event; and

(B) the sponsor of the athletics event is not an institution, employee of an institution, volunteer of an institution, collective, or an associated entity.

(e) Transfer From 2-year Institution.—No intercollegiate athletic association or conference shall require a student athlete who transfers from a 2-year institution to a 4-year institution to meet additional or more stringent academic standards than the academic standards required for student athletes who transfer from a 4-year institution.

(f) Rule of Construction.—Nothing in this section shall be construed to restrict the ability of an institution to—

(1) require student athletes to meet or maintain academic standards that are in addition to, or more stringent than, the standards described in subsection (a) if such standards are required of all students enrolled at the institution;

(2) discipline or sanction a student athlete for violating a rule, regulation, or code of conduct that applies to all students enrolled at the institution; or

(3) discipline or sanction a student athlete for violating a rule, regulation, or a code of conduct that applies to all student athletes participating in intercollegiate athletic competition at that institution.

SEC. 114. PROHIBITED COMPENSATION AND AGREEMENTS.

(a) Certain Agreements and Compensation Prohibited.—

(1) PROHIBITION.—An institution, an employee of an institution, a volunteer of an institution, a conference, an employee of a conference, or an associated entity shall not—

(A) except as provided in paragraph (2) and subsection (b), arrange, provide, offer, or permit, directly or indirectly, compensation in an amount that would circumvent or result in the institution exceeding the revenue share cap to—

1 (i) a student athlete, a group of student athletes, or their family members; or

2 (ii) a prospective student athlete, a group of prospective student athletes, or
3 their family members;

4 (B) except for a name, image, and likeness agreement between a student athlete and
5 an institution or between a prospective student athlete and an institution, enter into a
6 name, image, and likeness agreement with a student athlete or prospective student
7 athlete that is not—

8 (i) for a valid business purpose; and

9 (ii) commensurate with compensation paid by third parties to individuals with a
10 similar profile, reputation, or notability who are not student athletes or
11 prospective student athletes at the institution; or

12 (C) provide compensation for any purpose to a prospective student athlete prior to
13 enrollment in an institution, but nothing in this subparagraph shall prohibit an
14 institution from providing compensation to attend a development camp or program if
15 that camp or program is open to non-prospective student athletes and such
16 compensation does not exceed the reasonable costs of attendance.

17 (2) RETENTION FUND.—

18 (A) RETENTION FUND EXCEPTION.—Except as provided in subparagraph (B), an
19 institution may exceed the revenue share cap by not more than \$22,500,000 per
20 academic year for the purpose of retaining a student athlete or group of student athletes
21 who have spent at least one full competitive season at the institution.

22 (B) NON-REVENUE GENERATING INTERCOLLEGIATE SPORTS PROGRAMS.—

23 (i) IN GENERAL.—An institution may further exceed the revenue share cap for
24 the purpose described in subparagraph (A) by up to an additional \$5,000,000 per
25 academic year in proportion to the amount of name, image, and likeness
26 compensation provided by the institution through the revenue share cap described
27 in subsection (a)(1) and the retention fund amount described in subparagraph (A)
28 to a student athlete or group of student athletes competing in non-revenue
29 generating intercollegiate sports programs, including women's and Olympic
30 intercollegiate sports programs.

31 (ii) CLARIFICATION.—Nothing in clause (i) shall be interpreted to preclude an
32 institution from providing name, image, and likeness compensation through the
33 revenue share cap described in subsection (a)(1) and the retention fund amount
34 described in subparagraph (A) in excess of \$5,000,000 to a student athlete or
35 group of student athletes competing in non-revenue generating intercollegiate
36 sports programs, including women's and Olympic intercollegiate sports programs,
37 provided such compensation complies with subparagraph (A) and subsection
38 (a)(1).

39 (C) TIME LIMITATION.—The exception described in subparagraph (A) shall apply
40 only during the nine-year period beginning on the date of the enactment of this Act.

41 (D) ACADEMIC SUCCESS LIMITATION.—An institution shall not be eligible for the

1 exception described in subparagraph (A) if the institution fails to meet uniform
2 benchmarks established by the relevant intercollegiate athletic association or
3 conference related to graduation rates and the academic progress of its student athletes
4 participating in a varsity sports program.

5 (b) Personal Athletic and Education Benefits Permitted.—An intercollegiate athletic
6 association, a conference, an institution, or any representative thereof shall not, pursuant to the
7 Injunctive Relief Settlement Agreement approved by the court in “In Re College Athlete NIL
8 Litigation”, No. 20–cv–03919 (N.D. Cal. June 6, 2025), restrict the ability of a student athlete
9 enrolled at an institution to receive compensation from an intercollegiate athletic association, an
10 institution, a conference, or an associated entity, for personal benefits related to education or
11 intercollegiate athletics, if those benefits are—

12 (1) reasonable costs of transportation and temporary lodging for family members of a
13 student athlete while the student athlete is experiencing a documented physical or mental
14 health concern or participating in an intercollegiate athletic competition;

15 (2) reasonable costs for meals, shelter, medical coverage, and medical expenses not
16 provided or covered by the institution; or

17 (3) reasonable education-related financial benefits, such as institution fees, books, or
18 other incidental educational expenses that are not otherwise provided by the institution.

19 (c) Multimedia Rights Holders, Sponsors, Apparel Companies, and Vendors.—In the case of a
20 name, image, and likeness agreement involving, or brokered by, a multimedia rights holder, or a
21 sponsor of the institution in which the student athlete is enrolled or plans to enroll that has a
22 commercial relationship with the institution, an apparel company that has a commercial
23 relationship with the institution, or a vendor for the athletic department or athletic facilities that
24 has a commercial relationship with the institution—

25 (1) the multimedia rights holder shall provide a signed certification to the intercollegiate
26 athletic association or its designated enforcement entity affirming that the institution in
27 which the student athlete is enrolled or plans to enroll is not the originating source of the
28 compensation to be paid to the student athlete or prospective student athlete and that
29 payment of the compensation is not coming directly or indirectly from the institution;

30 (2) the third party or the sponsor, apparel company, or vendor benefitting from the name,
31 image, and likeness of the student athlete or prospective student athlete shall provide a
32 signed certification to the intercollegiate athletic association or its designated enforcement
33 entity affirming that it is the originating source of the compensation to be paid to the student
34 athlete, that it did not receive funds, directly or indirectly, from the institution in which the
35 student athlete is enrolled or plans to enroll for the purpose of financing the agreement, that
36 the institution did not forgo funds due from the third party or the sponsor, apparel company,
37 or vendor for the purpose of financing the agreement, and that the institution did not
38 negotiate for and determine the amount of compensation to be paid to the student athlete or
39 prospective student athlete through the agreement; and

40 (3) the institution at which the student athlete is enrolled or plans to enroll, if required by
41 the intercollegiate athletic association or its designated enforcement entity, shall provide a
42 signed certification to the intercollegiate athletic association or its designated enforcement
43 entity that the institution is not circumventing the revenue share cap through the name,

1 image, and likeness agreement, or negotiating for and determining the amount of
2 compensation to be paid to the student athlete or prospective student athlete through the
3 agreement.

4 (d) Valid Business Purpose.—Except for a name, image, and likeness agreement with an
5 institution, a name, image, and likeness agreement with a student athlete shall be for a valid
6 business purpose.

7 (e) Payments to Coaches and Managers.—

8 (1) IN GENERAL.—An institution described in paragraph (2) may not compensate or
9 otherwise provide or promise any type of payment or benefit of more than \$500,000 to any
10 coach, assistant coach, general manager, or other person who coaches or manages a varsity
11 sports team by using, diverting, budgeting, or otherwise obtaining funds from any source
12 other than college sports revenue or a donation or contribution to the athletic department of
13 the institution.

14 (2) INSTITUTION DESCRIBED.—An institution described in this paragraph is an institution
15 with more than \$80,000,000 in total annual athletics revenue during the preceding academic
16 year.

17 (f) Institution Defined.—In this section, the term “institution” means—

18 (1) an institution of higher education, as that term is defined in section 101 of the Higher
19 Education Act of 1965 (20 U.S.C. 1001); and

20 (2) an institution that is a party to, through membership in a conference or otherwise, “In
21 Re College Athlete NIL Litigation”, No. 20–cv–03919 (N.D. Cal. June 6, 2025), or has
22 opted in to the Injunctive Relief Settlement in that case.

23 SEC. 115. CONGRESSIONAL APPROVAL OF 24 CONTINUATION OF REVENUE SHARE CAP AND 25 RETENTION FUND.

26 (a) Continuation Upon Congressional Approval.—

27 (1) CESSATION ABSENT APPROVAL.—Except as provided in paragraph (2), if the covered
28 settlement agreement expires or terminates but no joint resolution of approval relating to the
29 notice of the expiration or termination is enacted into law during the applicable
30 congressional approval period, the provisions of section 114 relating to the revenue share
31 cap, and, notwithstanding section 114(a)(2)(C), the retention fund, shall—

32 (A) in the case of an expiration—

33 (i) cease to have force or effect on the date of such expiration, if the applicable
34 congressional approval period ends before that date; or

35 (ii) if the applicable congressional approval period ends after the date of such
36 expiration, at the end of the applicable congressional approval period; or

37 (B) in the case of a termination, remain in effect without interruption
38 notwithstanding such termination until, and cease to have force or effect at, the end of
39 the applicable congressional approval period.

1 (2) CONTINUATION UPON APPROVAL.—If a joint resolution of approval relating to the
2 notice of the expiration or termination is enacted into law, the provisions of section 114
3 relating to the revenue share cap and, only if specified in the joint resolution of approval,
4 the retention fund, in effect immediately before such expiration or termination or at the time
5 the notice is provided to Congress pursuant to subsection (b), subject to paragraph (3), shall
6 continue in effect without interruption beginning on the date of such expiration or
7 termination.

8 (3) RECALCULATION OF REVENUE SHARE CAP DOLLAR AMOUNT.—In the first 2 years
9 following a continuation under paragraph (2), the revenue share cap shall increase by 4
10 percent each year over the previous year's amount. In the third year following a
11 continuation under paragraph (2), and every 3 years thereafter, the revenue share cap shall
12 be recalculated based on 22 percent of the Average Shared Revenue based on the most
13 recent Membership Financial Reporting System Reports available, or, if the covered
14 settlement agreement is modified, pursuant to the amendment provision specified in
15 paragraph 55 of that settlement, pursuant to the calculation process in effect immediately
16 before the expiration or termination of the covered settlement agreement or at the time the
17 notice is provided to Congress pursuant to subsection (b). In each of the 2 years following
18 each such recalculation, the revenue share cap shall increase by 4 percent each year over the
19 previous year's amount. For purposes of this paragraph, all information used to calculate the
20 revenue share cap pursuant to the covered settlement agreement, or as modified pursuant to
21 the amendment provision specified in paragraph 55 of that settlement, shall be subject to a
22 publicly available, independent third-party audit to verify the accuracy of such information
23 for purposes of complying with this subsection.

24 (b) Notice to Congress.—

25 (1) SCHEDULED EXPIRATION.—Not later than 180 calendar days before the date on which
26 the covered settlement agreement is scheduled to expire, the defendant parties, or in the case
27 of disagreement, a majority of defendant parties, to the covered settlement agreement shall
28 transmit to the President pro tempore of the Senate and the Speaker of the House of
29 Representatives a written notice of the scheduled expiration. If the scheduled expiration
30 date is established less than 180 calendar days before that date, any defendant party to the
31 covered settlement agreement shall transmit the notice not later than 1 calendar day after the
32 scheduled expiration date is established.

33 (2) EARLY TERMINATION.—Not later than 1 calendar day after the date on which the
34 defendant parties to the covered settlement become aware of a court order that provides for
35 the termination of the covered settlement agreement before its scheduled expiration, any
36 defendant party to the covered settlement agreement shall transmit to the President pro
37 tempore of the Senate and the Speaker of the House of Representatives a written notice of
38 the termination.

39 (3) CONTENTS.—A notice under this subsection shall include—

40 (A) the scheduled, expected, or actual date of the expiration or termination, if
41 known, and the basis for the expiration or termination; and

42 (B) the dollar amounts and material terms of the revenue share cap in effect, or
43 expected to be in effect, immediately before the expiration or termination.

1 (4) DATE OF RECEIPT.—Congress receives a notice under this subsection on the date on
2 which both the President pro tempore of the Senate and the Speaker of the House of
3 Representatives receive the notice. In the event a notice is not provided to Congress under
4 this subsection, notice shall be deemed to have been received by Congress not later than 3
5 calendar days after the date of the expiration or termination of the covered settlement
6 agreement.

7 (5) DEEMED RECEIPT.—Notwithstanding paragraph (4), for purposes of this section, a
8 notice required under this subsection received after the expiration or termination of the
9 covered settlement agreement shall be deemed to have been received by Congress on the
10 date on which covered settlement agreement expired or terminated.

11 (c) Joint Resolution of Approval.—

12 (1) APPLICABLE CONGRESSIONAL APPROVAL PERIOD.—With respect to a notice under
13 subsection (b), the term “applicable congressional approval period” means the 30-calendar-
14 day period beginning on the date on which Congress receives the notice, except that the
15 congressional approval period shall immediately terminate upon the passage a of a joint
16 resolution of approval by the Senate and the House of Representatives.

17 (2) JOINT RESOLUTION OF APPROVAL.—For purposes of this section, the term “joint
18 resolution of approval” means only any joint resolution—

19 (A) that is introduced not later than 10 calendar days after the date on which
20 Congress receives the notice under subsection (b) to which the joint resolution relates;

21 (B) that does not have a preamble;

22 (C) the title of which is either of the following:

23 (i) “Joint resolution approving the continuation of the revenue share cap and
24 retention fund under the Protect College Sports Act of 2026”; or

25 (ii) “Joint resolution approving the continuation of the revenue share cap under
26 the Protect College Sports Act of 2026”; and

27 (D) the sole matter after the resolving clause of which is either of the following:

28 (i) for a joint resolution with a title described in subparagraph (C)(i): “That
29 Congress approves, under section 115 of the Protect College Sports Act of 2026,
30 the continuation, after the expiration or termination described in the notice
31 received by Congress on _____, of the revenue share cap and retention
32 fund in effect immediately before such expiration or termination or at the time the
33 notice was provided to Congress pursuant to subsection (b) of that section, and of
34 the provisions of section 114 of such Act relating to that cap and fund.”; or

35 (ii) for a joint resolution with a title described in subparagraph (C)(ii): “That
36 Congress approves, under section 115 of the Protect College Sports Act of 2026,
37 the continuation, after the expiration or termination described in the notice
38 received by Congress on _____, of the revenue share cap in effect
39 immediately before such expiration or termination or at the time the notice was
40 provided to Congress pursuant to subsection (b) of that section, and of the
41 provisions of section 114 of such Act relating to that cap.”.

1 (3) DATE IN RESOLVING TEXT.—The date inserted in the blank in paragraph (2)(D)(i) or
2 (2)(D)(ii) shall be the date on which Congress receives the notice under subsection (b) to
3 which the joint resolution relates.

4 (4) INTRODUCTION.—A joint resolution of approval may be introduced in either House of
5 Congress by any Member of that House.

6 (d) Fast Track Consideration in House of Representatives.—

7 (1) RECONVENING.—Upon receipt of a notice under subsection (b), the Speaker of the
8 House of Representatives, if the House would otherwise be adjourned, shall notify the
9 Members of the House that, pursuant to this section, the House shall convene not later than
10 the second calendar day after receipt of the notice.

11 (2) REFERRAL, REPORTING, AND DISCHARGE.—A joint resolution of approval introduced
12 in the House of Representatives shall be referred to the Committee on Energy and
13 Commerce. The committee shall report the joint resolution to the House not later than 10
14 calendar days after the date on which Congress receives the notice under subsection (b) to
15 which the joint resolution relates. If the committee fails to report the joint resolution within
16 that period, the committee shall be discharged from further consideration of the joint
17 resolution and the joint resolution shall be referred to the appropriate calendar.

18 (3) PROCEEDING TO CONSIDERATION.—After the committee referred to in paragraph (2)
19 reports a joint resolution of approval to the House or is discharged from its consideration, it
20 shall be in order, not later than the 16th day after the date on which Congress receives the
21 notice under subsection (b) to which the joint resolution relates, to move to proceed to
22 consider the joint resolution in the House. All points of order against the motion are waived.
23 Such a motion shall not be in order after the House has disposed of a motion to proceed on
24 the joint resolution. The previous question shall be considered as ordered on the motion to
25 its adoption without intervening motion. The motion shall not be debatable. A motion to
26 reconsider the vote by which the motion is disposed of shall not be in order.

27 (4) CONSIDERATION.—The joint resolution shall be considered as read. All points of order
28 against the joint resolution and against its consideration are waived. The previous question
29 shall be considered as ordered on the joint resolution to its passage without intervening
30 motion except 2 hours of debate equally divided and controlled by the proponent and an
31 opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in
32 order.

33 (e) Fast Track Consideration in Senate.—

34 (1) RECONVENING.—Upon receipt of a notice under subsection (b), if the Senate has
35 adjourned or recessed for more than 2 days, the majority leader of the Senate, after
36 consultation with the minority leader of the Senate, shall notify the Members of the Senate
37 that, pursuant to this section, the Senate shall convene not later than the fifteenth calendar
38 day after receipt of the notice.

39 (2) PLACEMENT ON CALENDAR.—Upon introduction in the Senate, a joint resolution of
40 approval shall be placed immediately on the calendar.

41 (3) FLOOR CONSIDERATION.—

42 (A) IN GENERAL.—It is in order at any time during the period beginning on the 10th

1 day after the date on which Congress receives the notice under subsection (b) to which
2 the joint resolution relates to move to proceed to the consideration of the joint
3 resolution. The motion to proceed is privileged and not debatable. All points of order
4 against the joint resolution and against consideration of the joint resolution are waived.
5 The motion is not subject to a motion to postpone. A motion to reconsider the vote by
6 which the motion is agreed to or disagreed to shall not be in order. If a motion to
7 proceed to the consideration of the joint resolution is agreed to, the joint resolution
8 shall remain the unfinished business until disposed of.

9 (B) DEBATE.—Except as otherwise provided in this paragraph, the joint resolution
10 shall be debatable and shall be subject to rule XXII of the Standing Rules of the
11 Senate. If cloture is invoked on the joint resolution, post-cloture consideration of the
12 joint resolution shall be limited to not more than 10 hours, which shall be divided
13 equally between the majority and minority leaders or their designees. After cloture is
14 invoked, a motion further to limit debate is in order and not debatable. An amendment
15 to, or a motion to postpone, or a motion to proceed to the consideration of other
16 business, or a motion to recommit, the joint resolution is not in order.

17 (C) VOTE ON PASSAGE.—After cloture is invoked on the joint resolution, the vote on
18 passage shall occur immediately following the conclusion of the period of post-cloture
19 consideration under subparagraph (B) and, if requested in accordance with the rules of
20 the Senate, a single quorum call.

21 (D) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the
22 Chair relating to the application of the rules of the Senate to the procedure relating to a
23 joint resolution shall be decided without debate.

24 (f) Rules Relating to Senate and House of Representatives.—

25 (1) COORDINATION WITH ACTION BY OTHER HOUSE.—If, before the passage by one House
26 of a joint resolution of approval of that House, that House receives from the other House a
27 joint resolution of approval relating to the same notice under subsection (b), the following
28 procedures shall apply:

29 (A) The joint resolution of the other House shall not be referred to a committee.

30 (B) With respect to the joint resolution of the House receiving the joint resolution—

31 (i) the procedure in that House shall be the same as if no joint resolution had
32 been received from the other House; but

33 (ii) the vote on passage shall be on the joint resolution of the other House.

34 (2) TREATMENT OF JOINT RESOLUTION OF OTHER HOUSE.—If one House fails to introduce
35 or consider a joint resolution of approval under this section, the joint resolution of approval
36 of the other House shall be entitled to expedited floor procedures under this section.

37 (3) TREATMENT OF COMPANION MEASURES.—If, following passage of a joint resolution of
38 approval in the Senate, the Senate then receives the companion measure from the House of
39 Representatives, the companion measure shall not be debatable.

40 (4) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection and subsections
41 (c), (d), and (e) are enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such are deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution of approval, and supersede other rules only to the extent that they are inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules, so far as relating to the procedure of that House, at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(g) Covered Settlement Agreement Defined.—In this section, the term “covered settlement agreement” means the Injunctive Relief Settlement Agreement approved by the court in “In Re College Athlete NIL Litigation”, No. 20–cv–03919 (N.D. Cal. June 6, 2025) or as modified pursuant to the amendment provision specified in paragraph 55 of that settlement.

SEC. 116. COMMISSION ON THE FUTURE OF COLLEGE ATHLETICS.

(a) Commission on the Future of College Athletics.—

(1) IN GENERAL.—There is established within the legislative branch a commission, to be known as the “Congressional Commission on the Future of College Athletics” (referred to in this section as the “Commission”), for the purpose of providing recommendations on the future of college athletics.

(2) PURPOSE.—The purpose of the commission is to provide recommendations for the future of college athletics.

(b) Membership.—

(1) COMPOSITION.—Subject to paragraph (2), the Commission shall be composed of 24 members, of whom—

(A) 4 members shall be appointed by the chair of the Committee on Commerce, Science, and Transportation of the Senate, in consultation with the chair of the Committee on Health, Education, Labor, and Pensions of the Senate, of which at least 1 member shall be a student athlete or former student athlete;

(B) 4 members shall be appointed by the ranking member of the Committee on Commerce, Science, and Transportation of the Senate, in consultation with the ranking member of the Committee on Health, Education, Labor, and Pensions of the Senate, of which at least 1 member shall be a student athlete or former student athlete;

(C) 4 members shall be appointed by the chair of the Committee on Energy and Commerce of the House of Representatives, in consultation with the chair of the Committee on Education and Workforce of the House of Representatives, of which at least 1 member shall be a student athlete or former student athlete;

(D) 4 members shall be appointed by the ranking member of the Committee on Energy and Commerce of the House of Representatives, in consultation with the ranking member of the Committee on Education and Workforce of the House of Representatives, of which at least 1 member shall be a student athlete or former student

1 athlete;

2 (E) 1 member shall be a current or former student athlete appointed by the majority
3 leader of the Senate, in consultation with the chair of the Committee on Commerce,
4 Science, and Transportation of the Senate and the chair of the Committee on Health,
5 Education, Labor, and Pensions of the Senate;

6 (F) 1 member shall be a current or former student athlete appointed by the minority
7 leader of the Senate, in consultation with the ranking member of the Committee on
8 Commerce, Science, and Transportation of the Senate and the ranking member of the
9 Committee on Health, Education, Labor, and Pensions of the Senate;

10 (G) 1 member shall be a current or former student athlete appointed by Speaker of
11 the House of Representatives, in consultation with the chair of the Committee on
12 Energy and Commerce of the House of Representatives and the chair of the Committee
13 on Education and Workforce of the House of Representatives;

14 (H) 1 member shall be a current or former student athlete appointed by the minority
15 leader of the House of Representatives, in consultation with the ranking member of the
16 Committee on Energy and Commerce of the House of Representatives and the ranking
17 member of the Committee on Education and Workforce of the House of
18 Representatives;

19 (I) 1 member shall be a representative of a historically Black college or university,
20 appointed by the majority leader of the Senate;

21 (J) 1 member shall be a representative of a historically Black college or university,
22 appointed by the Speaker of the House of Representatives;

23 (K) 1 member shall be a representative of a mid-sized conference, appointed by the
24 majority leader of the Senate; and

25 (L) 1 member shall be a representative of a mid-sized conference, appointed by the
26 Speaker of the House of Representatives.

27 (2) REQUIREMENTS.—Members of the Commission shall be individuals who are
28 nationally recognized for expertise, knowledge, or experience in matters related to college
29 athletics, university administration, sports law, labor law, athlete welfare, sports economics,
30 health care, or sports medicine.

31 (3) CO-CHAIRS, EXECUTIVE DIRECTOR, AND STAFF.—

32 (A) CO-CHAIRS.—The Commission shall have 2 co-chairs, of whom—

33 (i) 1 co-chair shall be a member selected by the majority party; and

34 (ii) 1 co-chair shall be a member selected by the minority party.

35 (B) EXECUTIVE DIRECTOR AND STAFF.—The co-chairs of the Commission shall
36 appoint an executive director of the Commission and such staff as appropriate, with
37 compensation.

38 (4) HISTORICALLY BLACK COLLEGE OR UNIVERSITY DEFINED.—In this subsection, the term
39 “historically Black college or university” has the meaning given the term “part B
40 institution” in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(5) MID-SIZED CONFERENCE DEFINED.—In this subsection, the term “mid-sized conference” means any conference that has generated less than \$500,000,000 in total annual revenue during the preceding academic year.

(c) Authority.—The Commission may, for the purpose of carrying out the duties of the Commission—

(1) hold such hearings and sit and act at such times and places, take such testimony, receive such evidence, and administer such oaths as the Commission considers relevant to the purpose of the Commission; and

(2) require, by subpoena issued upon a majority vote of the Commission, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents as the Commission considers relevant to the purpose of the Commission, provided that the Commission shall take such action as may be necessary and appropriate to preserve the confidentiality of trade secrets or other confidential information of conferences, intercollegiate athletic associations, institutions, or other entities the Commission deems appropriate.

(d) Duties.—The duties of the Commission are as follows:

(1) To study and develop recommendations regarding—

(A) an alternative structure for providing compensation for student athletes, including consideration of the positive and negative implications associated with a collective bargaining structure and employment status for student athletes;

(B) protecting and preserving athletic opportunities for student athletes, particularly in non-revenue generating, women’s, and Olympic sports intercollegiate athletic programs;

(C) whether any intercollegiate sport should be subject to spending or cost limitations;

(D) whether to eliminate, extend, or change the revenue share cap and retention fund described in section 114(a)(2), including consideration of the calculation of the revenue share cap and additional categories of revenue that should be included in such calculation;

(E) compliance with endorsement contract reporting requirements established by an athletic association or a conference;

(F) adequacy of health, wellness, and safety standards established pursuant to this title and compliance with those standards by institutions, including a review of violations of this title, student athlete injuries, student athlete deaths, the adequacy of the independent reporting structure of the athletic health and safety officers, and the independence of medical personnel decisions, and consideration of options for additional health, wellness, and safety standards and increased oversight (including by a third-party oversight organization) to improve compliance and enforcement of health, wellness, and safety standards;

(G) the adequacy of the athlete agent provisions of this title;

(H) the extent to which student athletes experience abuse or mistreatment and

1 measures that could protect student athletes from such abuse or mistreatment,
2 including consideration of options for greater oversight (including by a third-party
3 oversight organization) to reduce instances of abuse and mistreatment;

4 (I) the benefits of the intercollegiate athletic system, including consideration of how
5 the balance of education and athletics impacts the life skills, educational opportunities,
6 leadership skills, character development, and personal growth of the student athlete;

7 (J) within the Student Athlete Retention Council established under subsection (e),
8 whether the retention fund exception under section 114(a)(2)(A) should be adjusted
9 after the date of the enactment of this Act, and if so, the amount of annual
10 compensation that should be subject to the retention fund exception;

11 (K) the opportunities and drawbacks with providing student athletes a method to
12 derive long term financial stability through financial interest in the value of a collegiate
13 athletic program; and

14 (L) any other recommendations regarding intercollegiate athletics.

15 (2) To draft a joint resolution of approval under subsection (j) that provides for
16 implementation of the recommendation of the Commission on whether to eliminate, raise,
17 or lower the Pool Benefits Limit in section 114(a).

18 (3) Not later than 30 months after the date of the enactment of this Act, to submit a
19 preliminary report on the Commission's findings related to matters under paragraph (1) to—

20 (A) the Committee on Commerce, Science, and Transportation of the Senate;

21 (B) the Committee on Energy and Commerce of the House of Representatives; and

22 (C) the President.

23 (4) Not later than 5 years after the date of the enactment of this Act, to submit a report on
24 the activities of the Commission, including recommendations for such legislative action as
25 the Commission considers appropriate, to—

26 (A) the Committee on Commerce, Science, and Transportation of the Senate;

27 (B) the Committee on Energy and Commerce of the House of Representatives; and

28 (C) the President.

29 (e) Student Athlete Retention Council.—

30 (1) IN GENERAL.—There is established within the Commission a council, to be known as
31 the “Student Athlete Retention Council”, for the purposes of providing recommendations
32 pursuant to subsection (d)(1)(J) on the future of the retention fund exception under section
33 114(a)(2)(A).

34 (2) MEMBERSHIP.—The Student Athlete Retention Council shall be composed of 16
35 members, of whom—

36 (A) 8 shall be representatives of Division I institutions, with not more than one
37 institution coming from the same conference; and

38 (B) 8 shall be student athletes elected by all Division I student athletes.

(3) AUTHORITY.—The Student Athlete Retention Council may sit and act at such times and places as necessary for the purpose of providing recommendations specified in subsection (d)(1)(J).

(f) Quorum.—Twelve members of the Commission, of which 5 members shall be current or former student athletes, shall constitute a quorum.

(g) Initial Meeting.—The Commission shall hold an initial meeting not later than 30 days after the date on which a sufficient number of members have been appointed under subsection (b) to constitute a quorum pursuant to subsection (f).

(h) Public Hearings.—The Commission shall hold 1 or more public hearings.

(i) Status.—The Commission is not an agency (as defined in section 551 of title 5, United States Code).

(j) Joint Resolution.—Any Member of Congress may introduce a joint resolution for consideration to adopt any of the recommendations of the Commission, in whole or in part, including any recommendations from the Commission on whether to eliminate, raise, or lower the Pool Benefits Limit.

(k) Termination.—The Commission shall terminate 90 days after the date on which the Commission submits the report required by this section.

(l) Authorization of Appropriations.—There is authorized to be appropriated to the Commission such sums as may be necessary in any fiscal year, half of which shall be derived from the applicable account of the House of Representatives and half of which shall be derived from the contingent fund of the Senate.

SEC. 117. RECRUITMENT AND TAMPERING.

An intercollegiate athletic association may enforce provisions on recruitment and tampering of student athletes or prospective student athletes before and during their eligibility for intercollegiate athletic competition that—

(1) prohibit an institution, an employee of an institution, a conference, an employee of a conference, or an associated entity from contacting a student athlete who is enrolled at or committed to another institution for the purpose of recruiting that student athlete to transfer to or enroll at an institution except for during a reasonable period (or periods) of time established for each intercollegiate sport that in no case shall be less than 2 weeks or greater than 5 weeks starting after the last intercollegiate athletic competition in an academic year in the intercollegiate sport in which the student athlete competes and in which student athletes from the same intercollegiate athletic association competed;

(2) prohibit an athlete agent from contacting an institution, employee of an institution, or associated entity on behalf of a student athlete who is enrolled at or committed to another institution for the purpose of facilitating the transfer or enrollment of the student athlete at the contacted institution except for during a reasonable period (or periods) of time for each intercollegiate sport that in no case shall be less than 2 weeks or greater than 5 weeks starting after the last intercollegiate athletic competition in an academic year in the intercollegiate sport in which the student athlete competes and in which student athletes from the same intercollegiate athletic association competed;

(3) prohibit an institution, an employee of an institution, a conference, an employee of a conference, or an associated entity from contacting a prospective student athlete, who has not enrolled in an institution, for the purpose of recruiting that prospective student athlete to attend an institution as a student athlete except for during a reasonable period (or periods) of time established for each sport that in no case shall be less than 2 weeks or greater than 5 weeks;

(4) prohibit an athlete agent from contacting an institution, employee of an institution, or associated entity on behalf of a prospective student athlete, who has not enrolled in an institution, for the purpose of facilitating the enrollment of the prospective student athlete at an institution as a student athlete except for during a reasonable period (or periods) of time for each sport that in no case shall be less than 2 weeks or greater than 5 weeks;

(5) prohibit an institution, an employee of an institution, a conference, an employee of a conference, an associated entity, or an athlete agent from recruiting or contacting a student athlete or prospective student athlete who has not affirmatively opted in to receive such recruitment or contact;

(6) prohibit an institution, an employee of an institution, a volunteer of an institution, an associated entity, an athlete agent, a conference, an employee of a conference, or a volunteer of a conference from inducing a student athlete or a prospective student athlete to enroll at an institution or transfer to an institution by offering compensation to a student athlete in violation of any of paragraphs (1) through (5); or

(7) notwithstanding paragraph (1) or (2) of this section, ensure that a student athlete permitted to transfer under one or more of the exceptions specified in section 112(3) may affirmatively opt in to receive recruitment or contact at a time outside the times described in paragraphs (1) and (2) of this section for the purpose of transferring pursuant to one or more of such exceptions.

SEC. 118. LIMITATION ON LIABILITY.

(a) In General.—It shall not be unlawful under the antitrust laws for an intercollegiate athletic association, a conference, or an institution to enforce or comply with, including through rules or bylaws—

(1) section 114;

(2) section 115;

(3) section 113;

(4) sections 101(a)(3) and 101(b)(1) and subparagraphs (A) and (B) of section 101(b)(2);

(5) section 117;

(6) section 112;

(7) rules, bylaws, or requirements of an intercollegiate athletic association that determine whether a specific institution is selected to participate in a championship or tournament if the process for selecting participants is not entitled to antitrust exemption under this subsection;

(8) section 103; and

1 (9) section 110.

2 (b) Sanctions by an Intercollegiate Athletic Association.—It shall not be unlawful under the
3 antitrust laws for an intercollegiate athletic association or conference to, including through rules
4 or bylaws—

5 (1) impose a fine against an institution, an employee, or volunteer of an institution, a
6 conference, an employee of a conference, or an associated entity for a violation of sections
7 110, 112, 113, 114, 115, or 117;

8 (2) restrict an institution, employee or volunteer of an institution, a conference, or an
9 employee of a conference, from participation in intercollegiate athletic competition,
10 including championships or tournaments, for a violation of sections 110, 112, 113, 114,
11 115, or 117;

12 (3) restrict the eligibility of a student athlete who—

13 (A) is not eligible to participate in intercollegiate athletic competition or participate
14 on a varsity sports team under section 113;

15 (B) has transferred to an institution in a manner that does not comply with section
16 112; or

17 (C) has received compensation in contravention of section 114 or section 115; or

18 (4) decertify an athlete agent for violations of section 103 or the amendments made by
19 section 102.

20 (c) Requirements for an Intercollegiate Athletic Association.—An intercollegiate athletic
21 association shall not be entitled to the antitrust exemptions set forth in subsections (a) and (b)
22 unless the intercollegiate athletic association has established rules, bylaws, or other regulations
23 implementing paragraphs (1) through (9) of subsection (a) and paragraphs (1) through (4) of
24 subsection (b).

25 (d) Designation of Entity.—

26 (1) IN GENERAL.—An intercollegiate athletic association or conference may designate an
27 entity under its control pursuant to the Injunctive Relief Settlement Agreement approved by
28 the court in “In Re College Athlete NIL Litigation”, No. 20–cv–03919 (N.D. Cal. June 6,
29 2025) for which it shall not be unlawful to enforce or comply with section 114.

30 (2) NOTICE AND COMMENT REQUIREMENT.—If an entity designated under paragraph (1)
31 proposes to issue a measure, rule, guidance, or policy interpreting or implementing the
32 Injunctive Relief Settlement Agreement approved by the court in “In Re College Athlete
33 NIL Litigation”, No. 20–cv–03919 (N.D. Cal. June 6, 2025), the designated entity shall give
34 reasonable prior notice and an opportunity to comment to the defendant parties in “In Re
35 College Athlete NIL Litigation”.

36 SEC. 119. PRIVATE RIGHT OF ACTION.

37 (a) Violations.—A person may file a civil action in an appropriate district court of the United
38 States or in an appropriate State court only for a violation of the following:

39 (1) Subsections (a) and (c) of section 101.

1 (2) Section 104.

2 (3) Section 105.

3 (4) Section 106.

4 (5) Section 107.

5 (6) Section 108.

6 (7) Section 109.

7 (8) Section 111.

8 (9) Section 112, only to the extent the claim—

9 (A) alleges an intercollegiate athletic association, a conference, or an institution has
10 not complied with the transfer standard set forth in section 112;

11 (B) is filed against a Division I, Division II, or Division III institution, as defined by
12 bylaw 20 of the National Collegiate Athletic Association as of the date of the
13 enactment of this Act, or an intercollegiate athletic association or a conference
14 comprised of any such institutions; and

15 (C) is filed in an appropriate district court of the United States.

16 (10) Section 113, only to the extent the claim—

17 (A) alleges an intercollegiate athletic association, a conference, or an institution has
18 not complied with the eligibility standard set forth in section 113;

19 (B) is filed against a Division I or Division II institution, as defined by bylaw 20 of
20 the National Collegiate Athletic Association as of the date of the enactment of this Act,
21 or an intercollegiate athletic association or a conference comprised of any such
22 institutions; and

23 (C) is filed in an appropriate district court of the United States.

24 (11) Section 114(b).

25 (b) Limitation.—The protection from antitrust liability set forth in section 118 shall not be
26 limited by a private right of action filed under subsection (a).

27 (c) Relief.—In a civil action brought under subsection (a) in which the plaintiff prevails, the
28 court may award the plaintiff—

29 (1) actual damages; and

30 (2) any other relief, including equitable relief or declaratory relief, that the court
31 determines appropriate (including attorney’s fees, if otherwise allowed under applicable
32 law).

33 (d) Limitation on Pre-dispute Agreements and Waivers.—

34 (1) PRE-DISPUTE ARBITRATION AGREEMENT.—

35 (A) IN GENERAL.—Notwithstanding any other provision of law, no intercollegiate
36 athletic association, conference, or institution shall include a pre-dispute arbitration
37 agreement (as defined in section 401 of title 9, United States Code) in an agreement

1 with a student athlete regarding a provision of this title or an amendment made to this
2 title.

3 (B) TREATMENT OF CLAIM.—If a claim for a violation of this title arises, a student
4 athlete has the option to arbitrate the dispute if the intercollegiate athletic association,
5 conference, or institution agrees to the arbitration.

6 (2) PRE-DISPUTE JOINT-ACTION WAIVER.—Notwithstanding any other provision of law, no
7 intercollegiate athletic association or conference shall enforce a pre-dispute joint-action
8 waiver (as defined in section 401 of title 9, United States Code) against a student athlete or
9 group of student athletes with respect to a dispute arising under this title or an amendment
10 made to this title, so long as there are not fewer than 7 named plaintiffs.

11 (e) Disputes Arising From Enforcement of Injunctive Relief Settlement.—Notwithstanding
12 subsection (d)—

13 (1) a claim made by any entity or individual subject to the injunctive relief provisions in
14 “In Re College Athlete NIL Litigation”, No. 20–cv–03919 (N.D. Cal. June 6, 2025),
15 regarding whether a name, image, or likeness agreement is for a valid business purpose
16 shall follow the procedure set forth in article 6, section 2, of such settlement; and

17 (2) in any dispute regarding whether an institution, an employee of an institution, a
18 volunteer of an institution, a conference, an employee of a conference, or an associated
19 entity complied with paragraph (1) or (2) of section 114(a), an institution, an employee of
20 an institution, a volunteer of an institution, a conference, an employee of a conference, or an
21 associated entity shall follow the procedure set forth in article 6, section 2 of “In Re College
22 Athlete NIL Litigation”, No. 20–cv–03919 (N.D. Cal. June 6, 2025).

23 (f) Notice Requirement for Civil Actions.—

24 (1) IN GENERAL.—A civil action may be brought by a person under this section only if,
25 prior to filing such action, the plaintiff provides to the defendant 30 days written notice
26 identifying the specific provisions set forth in subsection (a) that the plaintiff alleges have
27 been or are being violated.

28 (2) EFFECT OF CURE.—In the event a cure is possible, if, within the 30-day period under
29 paragraph (1), the defendant cures the violation and provides the plaintiff with an express
30 written statement that the violation has been cured and no such further violation shall occur,
31 an action shall not be permitted.

32 (3) EXCEPTION.—Paragraphs (1) and (2) shall not apply to any civil action that is based in
33 whole or in part on allegations of physical injury, death, or sexual abuse or misconduct.

34 SEC. 120. WHISTLEBLOWER PROTECTION.

35 (a) In General.—No institution, conference, or intercollegiate athletic association, or any agent
36 thereof, may discharge, demote, suspend, withdraw or reduce benefits from, threaten, harass, or
37 in any other manner discriminate against an employee, a student athlete, a prospective student
38 athlete, a former student athlete, a contractor, a subcontractor, a service provider, or an agent of
39 an institution, a conference, or an intercollegiate athletic association because of any lawful act
40 done by such individual—

41 (1) to provide information to, or cause information to be provided to, an agency of the

1 Federal Government, an agency of State government, Congress, or any law enforcement
2 agency regarding any act or omission that such individual reasonably believes to be a
3 violation of this title or title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et
4 seq.); or

5 (2) to file, cause to be filed, testify, participate in, or otherwise assist in a proceeding filed
6 or about to be filed relating to an alleged violation of this title or title IX of the Education
7 Amendments of 1972 (20 U.S.C. 1681 et seq.).

8 (b) Enforcement Action.—

9 (1) IN GENERAL.—An individual aggrieved by a violation of subsection (a) may bring an
10 action in the appropriate district court of the United States for the relief set forth in
11 paragraph (2).

12 (2) RELIEF.—An individual prevailing in any action under paragraph (1) may obtain—

13 (A) compensatory damages and the cost of the action, including reasonable
14 attorney's fees and other litigation costs reasonably incurred;

15 (B) in addition to any other relief available at law, equitable relief that may be
16 necessary or appropriate to correct a violation of subsection (a) or make the individual
17 whole again;

18 (C) temporary relief while the case is pending; and

19 (D) if the prevailing individual is an employee—

20 (i) reinstatement with the same seniority status that the individual would have
21 had, but for the discrimination; and

22 (ii) backpay otherwise owed to the individual, with interest.

23 (c) Rights Retained by Individual.—Nothing in this section shall be construed to diminish the
24 rights, privileges, or remedies of any individual under any Federal or State law, or under any
25 labor contract.

26 (d) Nonenforceability of Certain Provisions Waiving Rights and Remedies or Requiring
27 Arbitration of Disputes.—

28 (1) WAIVER OF RIGHTS AND REMEDIES.—The rights and remedies provided for in this
29 section may not be waived by any agreement, policy form, condition of employment, or
30 athletic agreement or participation.

31 (2) PREDISPUTE ARBITRATION AGREEMENTS.—No predispute arbitration agreement shall
32 be valid or enforceable if the agreement requires arbitration of a dispute arising under this
33 section.

34 **SEC. 121. RELATIONSHIP TO EXISTING LAW.**

35 (a) In General.—No State or political subdivision of a State may adopt, maintain, enforce, or
36 continue in effect any law, regulation, rule, requirement, or standard that—

37 (1) conflicts with any provision of this title that would prevent compliance with this title;
38 or

1 (2) governs, regulates, or invalidates policies or rules of an institution, a conference, or an
2 intercollegiate athletic association that regulates—

3 (A) the compensation to a student athlete or prospective student athlete for the use of
4 their name, image, or likeness, except as necessary to comply with this title;

5 (B) transfers of student athletes between institutions; or

6 (C) any provision described in subsection (a)(1)-(3) or (b) of section 113 relating to
7 the eligibility of a student athlete to participate in intercollegiate athletics.

8 (b) Preservation of State Laws.—The following State laws, rules, regulations, or requirements,
9 or common law rights or remedies shall not be preempted, displaced, or supplanted:

10 (1) Except to the extent that such law rule, regulation, requirement, or common law right
11 or remedy conflicts with subsection (a), the following:

12 (A) Uniform Athlete Agent Acts.

13 (B) Civil rights laws.

14 (C) Tort law, unless otherwise specified in paragraph (2).

15 (D) Criminal law.

16 (E) Laws that relate to student or campus safety.

17 (F) Fraud.

18 (G) Privacy or data breach.

19 (H) Contract law.

20 (I) Trademark law.

21 (J) Copyright law.

22 (K) Consumer protection law.

23 (2) Except to the extent that such law conflicts with subsection (a)(2), any law, whether
24 statutory or common law, that gives rise to a cause of action for the following:

25 (A) Personal injury, including psychological injury.

26 (B) Wrongful death.

27 (C) Property damage.

28 (D) Sexual assault.

29 (E) Injury.

30 (F) Harassment.

31 (G) Any cause of action derivative of any of subparagraphs (A) through (F).

32 (c) Rules of Construction.—

33 (1) ANTITRUST LAWS.—To the extent liability for violations of the antitrust laws is not
34 limited by this title, subsection (a) shall not be construed to preempt, displace, or supplant
35 the antitrust laws.

(2) FEDERAL TRADEMARK AND COPYRIGHT LAW.—Nothing in this title or the amendments made by this title may be construed to override, modify, or amend the applicability of Federal trademark or copyright law.

SEC. 122. NEUTRALITY ON EMPLOYEE OR NON-EMPLOYEE STATUS.

This title is neutral on, and does nothing to alter, employee or non-employee status for student athletes.

SEC. 123. APPLICABILITY.

(a) Section 113(c)(1)(B) shall apply with respect to any action or proceeding that is pending on or commenced on or after the date of the enactment of this Act.

(b)(1) Except as provided in subsection (a), the provisions of this Act shall not apply to any action or proceeding commenced prior to the effective date of this Act.

(2) Exceptions.—Nothing in subsection (b) shall be construed to—

(A) allow a student athlete eligibility to participate on a Division I or Division II varsity sports team or in intercollegiate athletic competition for a Division I or Division II institution for more than a total of 5 years; or

(B) undermine the Benefits Pool Limit set forth in the Injunctive Relief Settlement Agreement approved by the court in “In Re College Athlete NIL Litigation”, No. 20–cv–03919 (N.D. Cal. June 6, 2025), or as modified pursuant to the amendment provision specified in paragraph 55 of that settlement, unless such outcome is the result of legal proceedings in the In Re College Athlete NIL Litigation, No. 20–cv–03919, or any appeal of legal proceedings in the In Re College Athlete NIL Litigation, No. 20–cv–03919.

(c) Except as provided in subsection (a), nothing in this Act shall be construed to extinguish, impair, or otherwise limit a claim for monetary relief arising from conduct that occurred before the date of the enactment of this Act.

SEC. 124. SEVERABILITY.

If any provision of this title, or an amendment made by this title, is determined to be unenforceable or invalid, the remaining provisions of this title and the amendments made by this title shall not be affected.

SEC. 125. PROTECTION OF WOMEN’S SPORTS AND OLYMPIC SPORTS.

(a) In General.—An intercollegiate athletic association or conference comprised of Division I institutions, as defined by bylaw 20.9 of the National Collegiate Athletic Association, or a successor bylaw, shall not reduce the minimum intercollegiate athletic competitions, minimum participants on a varsity sports team, or the number of varsity sports teams, including the number of men’s and women’s varsity sports teams or Olympic varsity sports teams, that an institution must sponsor for membership within—

1 (1) Division I of the National Collegiate Athletic Association, as defined by bylaw 20.9
2 of the National Collegiate Athletic Association, or a successor bylaw; or

3 (2) the Football Bowl Subdivision, as defined by bylaw 20.9.9 of the National Collegiate
4 Athletic Association, or successor bylaw.

5 (b) Large-sized Institutions.—

6 (1) IN GENERAL.—Except as provided in paragraph (2), an intercollegiate athletic
7 association or conference comprised of institutions shall provide that each institution shall,
8 consistent with applicable intercollegiate athletic association rules, offer and maintain at
9 least as many total grant-in-aid opportunities and total roster spots for non-revenue
10 generating intercollegiate sports programs, including women's and Olympic intercollegiate
11 sports programs, during each academic year as the member institution provided during
12 academic year 2024–2025.

13 (2) WAIVER.—

14 (A) IN GENERAL.—An institution may be granted a waiver from compliance with
15 paragraph (1) for not more than one academic year at a time by an intercollegiate
16 athletic association if the institution provides evidence that—

17 (i) annual athletics revenues have declined not less than 15 percent based on the
18 average of the preceding three academic years, and total grant-in-aid accounts for
19 not less than 45 percent of the total expenses of the athletic department of the
20 institution;

21 (ii) compliance with paragraph (1) would materially impair the ability of the
22 institution to comply with Federal law; or

23 (iii) there are extraordinary circumstances relating to financial hardship,
24 including from a natural disaster, act of war, or another catastrophe, that are
25 beyond the control of the institution or materially impair the ability of the
26 institution to comply with paragraph (1).

27 (B) CONDITION.—As a condition of seeking a waiver under subparagraph (A)(i), an
28 institution shall first reduce the total compensation of the coaching staff of its revenue-
29 generating varsity sports programs by the same proportion as any planned reduction in
30 expenditures for its non-revenue generating intercollegiate sports programs during the
31 waiver period.

32 (3) DEFINITIONS.—In this subsection:

33 (A) INSTITUTION.—The term “institution” means an institution, as defined by bylaw
34 20.9 of the National Collegiate Athletic Association, or a successor bylaw, that, upon
35 the date of the enactment of this Act, reports, as required under section 485(g) of the
36 Higher Education Act of 1965 (20 U.S.C. 1092(g)), having generated not less than
37 \$80,000,000 in total annual athletics revenue during the preceding academic year.

38 (B) NON-REVENUE GENERATING INTERCOLLEGIATE SPORTS PROGRAM.—the term
39 “non-revenue generating intercollegiate sports program” means an intercollegiate
40 sports program at an institution for which, during an academic year, the revenues
41 generated specifically attributable to that sports program are less than the direct and

1 allocated operating expenses of that sports program.

2 (4) SUNSET.—This subsection shall terminate on the date that is 9 years after the date of
3 the enactment of this Act.

4 (c) Transitional Protection for Women’s and Olympic Sports at Mid-sized Institutions.—

5 (1) IN GENERAL.—Except as provided in paragraph (2), an intercollegiate athletic
6 association or conference comprised of covered mid-sized institutions shall provide that
7 each such institution shall, consistent with applicable intercollegiate athletic association
8 rules, offer and maintain at least as many total grant-in-aid opportunities and total roster
9 spots for non-revenue generating intercollegiate sports programs, including women’s and
10 Olympic intercollegiate sports programs, during each academic year as the institution
11 provided during academic year 2024–2025.

12 (2) EXEMPTIONS.—An institution shall be exempt from the requirement under paragraph
13 (1) for an academic year if—

14 (A) the total annual athletics revenue of the institution, as reported under section
15 485(g) of the Higher Education Act of 1965 (20 U.S.C. 1092(g)), declined by not less
16 than 15 percent from the immediately preceding academic year;

17 (B) the institution petitions the relevant intercollegiate athletic association for, and is
18 granted, an exemption based on a demonstrable financial hardship;

19 (C) compliance with that paragraph would materially impair the ability of the
20 institution to comply with Federal law; or

21 (D) there are extraordinary circumstances relating to financial hardship, including
22 from a natural disaster, act of war, or other circumstance that is beyond the control of
23 the institution or materially impair the ability of the institution to comply with that
24 paragraph.

25 (3) COVERED MID-SIZED INSTITUTION DEFINED.—In this subsection, the term “covered
26 mid-sized institution” means an institution, as defined by bylaw 20.9 of the National
27 Collegiate Athletic Association, or a successor bylaw, that, upon the date of the enactment
28 of this Act, reports, as required under section 485(g) of the Higher Education Act of 1965
29 (20 U.S.C. 1092(g)), having generated not less than \$50,000,000 but less than \$80,000,000
30 in total annual athletics revenue during the preceding academic year.

31 (4) SUNSET.—This subsection shall terminate on the date that is 4 years after the date of
32 the enactment of this Act.

33 (d) Clarification of Flexibility.—Nothing in this section may be construed to prevent an
34 institution or a covered mid-sized institution from modifying or substituting which varsity sports
35 it sponsors, or the number of roster spots and grant-in-aid opportunities on each varsity sport, so
36 long as the institution—

37 (1) complies with bylaw 20.9 of the National Collegiate Athletic Association, or a
38 successor bylaw, or bylaw 20.9.9 of the National Collegiate Athletic Association, or a
39 successor bylaw; and

40 (2) as applicable under subsections (b) and (c), offers and maintains at least as many total
41 grant-in-aid opportunities and total roster spots for non-revenue generating intercollegiate

sports programs during each academic year as the institution provided during academic year 2024–2025.

(e) Clarification of Walk-on Athlete Eligibility for Para Athletes.—

(1) IN GENERAL.—Notwithstanding any provision of this Act—

(A) an institution and the athletic director of an institution shall retain full authority to include para athletes on their roster spots for intercollegiate sports as walk-on athletes;

(B) subparagraph (A) does not constitute a violation of roster or scholarship limits for intercollegiate sports covered under this Act or under “In Re College Athlete NIL Litigation”, No. 20–cv–03919 (N.D. Cal. June 6, 2025); and

(C) para athletes included as walk-on athletes shall not be counted toward any roster cap or scholarship count established for that intercollegiate sport.

(2) DEFINITIONS.—In this subsection:

(A) PARA ATHLETE.—The term “para athlete” means a nationally or internationally classified athlete eligible to compete in the Paralympic Games pursuant to qualifications determined by the United States Olympic and Paralympic Committee under chapter 2205 of title 36, United States Code.

(B) WALK-ON ATHLETE.—The term “walk-on athlete” means an enrolled student athlete who participates on a sport roster without receiving athletics-based scholarship aid.

SEC. 126. MID-SIZED CONFERENCE REPRESENTATION ON INTERCOLLEGIATE ATHLETIC ASSOCIATION GOVERNING BOARDS.

(a) In General.—An intercollegiate athletic association, of which a mid-sized conference is a member, shall ensure any board of directors or other governing board of the intercollegiate athletic association, or any committee of the intercollegiate athletic association with authority to establish and enforce rules or bylaws, is comprised of adequate representation by mid-sized conferences.

(b) Mid-sized Conference Defined.—In this section, the term “mid-sized conference” means any conference that has generated less than \$500,000,000 in total annual revenue during the preceding academic year.

SEC. 127. TITLE IX SAVINGS CLAUSE.

Nothing in this title or the amendments made by this title shall be construed to override, modify, or amend the applicability of title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.).

SEC. 128. PROTECTING OPPORTUNITIES FOR AMERICAN STUDENT ATHLETES.

1 It is the policy of the United States that any institution of higher education participating in
2 intercollegiate athletics should prioritize domestic students in the selection of student athletes
3 and the awarding of athletic opportunities, including grant-in-aid and roster positions, on the
4 varsity sports teams of that institution.

5 TITLE II—SPORTS BROADCASTING

6 SEC. 201. DEFINITIONS.

7 (a) References to Sports Broadcasting Act of 1961.—In this Act, the term “Sports
8 Broadcasting Act of 1961” means the Act of September 30, 1961 (15 U.S.C. 1291 et seq.).

9 (b) Amendments to Sports Broadcasting Act of 1961.—The Sports Broadcasting Act of 1961
10 is amended—

11 (1) by redesignating sections 5 and 6 (15 U.S.C. 1295, 1291 note) as sections 8 and 9,
12 respectively; and

13 (2) in section 8, as so redesignated—

14 (A) by striking “As used in this Act, ‘persons’ means” and inserting the following:
15 “As used in this Act:”

16 “(12) PERSONS.—The term ‘persons’ means”;

17 (B) by inserting before paragraph (12), as so designated, the following:

18 “(1) COLLECTIVE MEDIA RIGHTS REVENUE.—The term ‘collective media rights revenue’
19 means revenue derived from the sale or transfer of the media rights of the member
20 institutions and member conferences of the covered entity resulting from the joint
21 agreement described in section 5.

22 “(2) CONFERENCE.—The term ‘conference’ means any organization that is not an
23 intercollegiate athletic association and that—

24 “(A) has 2 or more institutions as members; and

25 “(B) arranges championships for intercollegiate athletic competitions or sets rules
26 for intercollegiate athletic competitions.

27 “(3) COVERED ENTITY.—The term ‘covered entity’ means the entity formed by a joint
28 agreement of institutions or conferences described in subparagraph (A) or (B) of section
29 5(b)(1) that meets each of the requirements under section 5.

30 “(4) GRANT-IN-AID.—The term ‘grant-in-aid’—

31 “(A) means a scholarship, grant, stipend, or other form of financial assistance,
32 including the provision of tuition, room, board, books, or funds for fees or personal
33 expenses, that—

34 “(i) is paid or provided by an institution to a student for the undergraduate or
35 graduate course of study of the student; and

36 “(ii) is in an amount that does not exceed the cost of attendance for the student
37 at the institution; and

1 “(B) does not include compensation paid to an individual who is a student athlete or
2 a former student athlete.

3 “(5) INSTITUTION.—The term ‘institution’ has the meaning given the term ‘institution of
4 higher education’ in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

5 “(6) INTERCOLLEGIATE ATHLETIC ASSOCIATION.—The term ‘intercollegiate athletic
6 association’—

7 “(A) means any organization, not-for-profit corporation, association, or other group
8 organized in the United States that—

9 “(i) is composed of 2 or more institutions or conferences that—

10 “(I) are located in different States; or

11 “(II) participate in intercollegiate athletic competitions in more than 1
12 State;

13 “(ii) sponsors or arranges intercollegiate athletic competitions between
14 institutions;

15 “(iii) sets common rules, standards, procedures, or guidelines for the
16 administration of intercollegiate athletic competition; and

17 “(iv) is not a conference;

18 “(B) includes—

19 “(i) the National Collegiate Athletic Association; and

20 “(ii) any other national intercollegiate athletic association; and

21 “(C) does not include a corporation, association, or other group affiliated with
22 professional athletic competition.

23 “(7) INTERCOLLEGIATE ATHLETIC COMPETITION.—The term ‘intercollegiate athletic
24 competition’ means any varsity intercollegiate sport contest, game, meet, match,
25 tournament, regatta, or other intercollegiate sport event in which student athletes or varsity
26 sports teams compete.

27 “(8) INTERCOLLEGIATE FOOTBALL.—The term ‘intercollegiate football’ means the
28 intercollegiate sport of football.

29 “(9) INTERCOLLEGIATE SPORT.—The term ‘intercollegiate sport’—

30 “(A) means a sport played at the intercollegiate level, administered by an athletic
31 department, between institutions for which eligibility requirements for participation by
32 a student athlete are established by an intercollegiate athletic association; and

33 “(B) does not include a recreational, intramural, or club sport.

34 “(10) MEMBER CONFERENCE.—The term ‘member conference’, with respect to the
35 covered entity, means a conference that is a member of the covered entity.

36 “(11) MEMBER INSTITUTION.—The term ‘member institution’, with respect to the covered
37 entity, means an institution that is a member of the covered entity.”; and

(C) by inserting after paragraph (12), as so redesignated, the following:

“(13) STUDENT ATHLETE.—The term ‘student athlete’ means an individual who—

“(A) is enrolled as a full-time student at an institution;

“(B) makes satisfactory progress towards completing a degree; and

“(C) participates in intercollegiate athletic competitions or competes for a varsity sports team as part of the institution’s educational, developmental, or extracurricular programs.

“(14) TOP 5 HISTORIC OPPONENTS IN INTERCOLLEGIATE FOOTBALL.—The term ‘top 5 historic opponents in intercollegiate football’, with respect to an institution, means the 5 other institutions against which the institution has played the most intercollegiate athletic competitions within intercollegiate football.

“(15) TOP 10 HISTORIC OPPONENTS IN INTERCOLLEGIATE FOOTBALL.—The term ‘top 10 historic opponents in intercollegiate football’, with respect to an institution, means the 10 other institutions against which the institution has played the most intercollegiate athletic competitions within intercollegiate football.

“(16) TRADITIONAL RIVALRY.—The term ‘traditional rivalry’ means an intercollegiate athletic competition within intercollegiate football that is between varsity sports teams of 2 institutions that—

“(A) are both members of the covered entity;

“(B) are not members of the same conference; and

“(C) rank among each other’s top 10 historic opponents in intercollegiate football.

“(17) VARSITY SPORTS TEAM.—The term ‘varsity sports team’ means a team composed of student athletes that is organized by an institution for the purpose of intercollegiate athletic competitions.”.

SEC. 202. LIMITATION ON LIABILITY FOR TRANSMISSION OF COLLEGIATE SPORTS COMPETITIONS.

(a) In General.—Section 1 of the Sports Broadcasting Act of 1961 (15 U.S.C. 1291) is amended—

(1) by striking “That the” and inserting the following:

“SECTION 1. EXEMPTION OF CERTAIN AGREEMENTS FROM ANTITRUST LAWS.

“(a) Professional Sports.—The”; and

(2) by adding at the end the following:

“(b) College Sports.—The antitrust laws, as defined in subsection (a), shall not apply to any joint agreement, by or among institutions engaging in or conducting organized intercollegiate

1 sports, or conferences that have such institutions as members, to form and operate a covered
2 entity that complies with and enforces the requirements of section 5 and sells or otherwise
3 transfers to a third party all or any part of the rights of the institutions or conferences in the
4 sponsored telecasting of the intercollegiate athletic competitions engaged in or conducted by the
5 institutions or conferences.”.

6 (b) Technical and Conforming Amendments.—The Sports Broadcasting Act of 1961 is
7 amended—

8 (1) in section 2 (15 U.S.C. 1292)—

9 (A) by striking “Section 1” and inserting “Section 1(a)”; and

10 (B) by striking “in section 1” and inserting “in section 1(a)”;

11 (2) in section 3 (15 U.S.C. 1293), by striking “section 1” each place it appears and
12 inserting “section 1(a)”; and

13 (3) in section 4 (15 U.S.C. 1294), by striking “section 1” and inserting “section 1(a)”.

14 SEC. 203. REQUIREMENTS FOR ENTITIES SELLING 15 MEDIA RIGHTS.

16 The Sports Broadcasting Act of 1961, as amended by section 201(b)(1) of this Act, is
17 amended by inserting after section 4 (15 U.S.C. 1294) the following:

18 “SEC. 5. REQUIREMENTS FOR ENTITIES SELLING 19 MEDIA RIGHTS.

20 “(a) Condition on Antitrust Exemption.—Section 1(b) shall not apply to any joint agreement
21 entered into by institutions or conferences to form the covered entity unless the covered entity
22 complies with the requirements under this section and section 6.

23 “(b) Membership of the Covered Entity.—

24 “(1) ELIGIBLE MEMBERSHIP.—A joint agreement to form the covered entity shall be
25 comprised of a voluntary association of institutions or conferences that includes, at a
26 minimum, as of the date on which the joint agreement is entered into, not less than 75
27 percent of the institutions participating in the Football Bowl Subdivision, as defined by
28 Bylaw 20.9.9 of the National Collegiate Athletic Association.

29 “(2) INVITATION REQUIREMENT.—

30 “(A) IN GENERAL.—The covered entity shall offer membership on fair and
31 nondiscriminatory terms to each conference and each institution that is in Division I, as
32 defined by Bylaw 20.9 of the National Collegiate Athletic Association as of the date of
33 enactment of the Protect College Sports Act of 2026.

34 “(B) OPTIONAL PARTICIPATION.—No conference or institution shall be required to
35 join the covered entity or accept an offer under subparagraph (A), but no conference or
36 institution eligible for membership under subparagraph (A) may be refused an
37 invitation to join the covered entity.

38 “(c) Voting Rights.—

1 “(1) IN GENERAL.—

2 “(A) VOTES OF CONFERENCES AND INSTITUTIONS.—Subject to subparagraph (C), the
3 covered entity shall—

4 “(i) in the bylaws of the covered entity—

5 “(I) provide that each member conference or member institution has 1 vote
6 on each type of decision or determination described in paragraph (2); and

7 “(II) specify the minimum number of votes required for each type of
8 decision or determination described in paragraph (2); and

9 “(ii) require the bylaws to be adopted unanimously by the member conferences
10 and member institutions.

11 “(B) VOTES OF STUDENT ATHLETES.—The covered entity shall—

12 “(i) for purposes of decisions and determinations described in paragraph (2)(C),
13 designate not fewer than 10 individuals who, as of the date of designation, are
14 student athletes or were student athletes during the preceding 10-year period; and

15 “(ii) ensure that each individual designated under clause (i) has 1 vote on a
16 decision or determination described in paragraph (2)(C).

17 “(C) NON-VOTING MEMBER CONFERENCES.—If a conference and 1 or more of the
18 institutions of the conference are members of the covered entity, the conference shall
19 be a non-voting member of the covered entity.

20 “(2) VOTING THRESHOLDS.—

21 “(A) MAJOR DECISIONS.—A major decision, as defined by the bylaws of the covered
22 entity, shall require a vote totaling not less than $\frac{2}{3}$ of the member conferences or
23 member institutions exercising their voting rights.

24 “(B) NON-MAJOR DECISIONS.—A non-major decision, as defined by the bylaws of
25 the covered entity, shall require a vote totaling not less than a majority of the member
26 conferences or member institutions exercising their voting rights.

27 “(C) REVENUE DISTRIBUTIONS OR CHANGES TO VOTING ALLOCATIONS.—A
28 determination regarding the allocation of collective media rights revenue or a decision
29 to change a voting threshold described in this paragraph shall require a unanimous vote
30 of the member conferences, member institutions, or current or former student athletes
31 exercising their voting rights.

32 “(D) MEDIA RIGHTS REQUIREMENT.—A determination of which media rights shall be
33 contributed to the covered entity pursuant to subsection (f) shall require a unanimous
34 vote of the member conferences or member institutions exercising their voting rights.

35 “(d) Revenue Allocation Formula.—

36 “(1) METHOD.—Not less frequently than once each academic year, the covered entity
37 shall distribute the collective media rights revenue among member conferences and member
38 institutions—

39 “(A) according to the allocation of collective media rights revenue most recently

determined in accordance with subsection (c)(2)(C); and

“(B) in accordance with the requirements of this subsection.

“(2) REQUIREMENTS.—The distribution of collective media rights revenue under paragraph (1) shall—

“(A) ensure that—

“(i) each member conference or member institution receives a minimum distribution of collective media rights revenue, the amount of which shall be established under a bylaw adopted in accordance with subsection (c)(2)(C); and

“(ii) each member institution receives more collective media rights revenue (excluding revenue from the College Football Playoff) during each academic year than the largest amount of collective media rights revenue (excluding revenue from the College Football Playoff) that the institution received in any single academic year during the period of academic year 2021–2022 through academic year 2024–2025;

“(B) distribute not less than 15 percent of the collective media rights revenue that remains after compliance with subparagraph (A) equally among all member institutions that received revenue from intercollegiate athletic competitions within intercollegiate football in the Football Bowl Subdivision during academic year 2024–2025; and

“(C) distribute the collective media rights revenue that remains after compliance with subparagraphs (A) and (B) to member institutions based on the performance of each institution during the academic year with respect to the institution’s contribution to the collective media rights revenue.

“(3) TRANSFER OF REVENUE.—Before distributing collective media rights revenue under paragraph (1), the covered entity shall, in accordance with section 106, transfer an amount of collective media rights revenue to the fund or program established under that section to ensure that the program or fund is adequately funded.

“(e) Protection of Women’s and Olympic Sports.—

“(1) IN GENERAL.—Any member institution that receives collective media rights revenue shall, consistent with applicable intercollegiate athletic association rules, offer and maintain at least as many grant-in-aid opportunities and roster spots for non-revenue generating intercollegiate sports programs, including women’s and Olympic intercollegiate sports programs, during each academic year as the member institution provided during the 2024–2025 academic year.

“(2) DEFINITION.—For purposes of this subsection, the term ‘non-revenue generating intercollegiate sports program’ means an intercollegiate sports program at an institution for which, during an academic year, the revenues generated specifically attributable to that sports program are less than the direct and allocated operating expenses of that sports program.

“(f) Contribution of Media Rights.—

“(1) CONDITION OF PARTICIPATION.—The covered entity shall require each member

1 institution or member conference, as a condition of receiving a distribution of collective
2 media rights revenue from the covered entity, to contribute to the covered entity, for sale by
3 the covered entity, the media rights of the member institution or member conference,
4 determined by a vote described in subsection (c)(2)(D), with the exception of the rights in
5 the sponsored telecasting of—

6 “(A) the basketball tournaments organized by the National Collegiate Athletic
7 Association; and

8 “(B) all postseason intercollegiate athletic competitions for intercollegiate football
9 within the College Football Playoff for the Football Bowl Subdivision occurring before
10 August 1, 2032.

11 “(2) EXCLUSIVE AUTHORITY.—The covered entity shall have the exclusive authority to
12 negotiate, sell, license, sublicense, and otherwise transfer on a pooled basis media rights
13 contributed under paragraph (1), with the exception of the rights in the sponsored
14 telecasting of—

15 “(A) the basketball tournaments organized by the National Collegiate Athletic
16 Association; and

17 “(B) all postseason intercollegiate athletic competitions for intercollegiate football
18 within the College Football Playoff for the Football Bowl Subdivision occurring before
19 August 1, 2032.

20 “(3) RELATION TO CONTRACTUAL RIGHTS, OBLIGATIONS, AND REMEDIES.—

21 “(A) CONTRIBUTION OF MEDIA RIGHTS.—Notwithstanding paragraph (1), no member
22 institution or member conference shall contribute to the covered entity any media
23 rights, that, at the time of contribution, the member institution or member conference is
24 not legally entitled to contribute by reason of an existing contract, including an
25 amendment to such contract, that restricts the assignment, transfer, license, or other
26 conveyance of such media rights.

27 “(B) PROTECTION OF CONTRACTUAL RIGHTS, OBLIGATIONS, AND REMEDIES.—
28 Nothing in this Act shall be construed to eliminate, limit, modify, or otherwise affect
29 any right, obligation, or remedy of any party under an existing contract.

30 “(4) BINDING AGREEMENT.—The covered entity shall maintain a written agreement,
31 binding on all member institutions or member conferences, that governs the collection and
32 distribution of collective media rights revenue for the duration of the agreement.

33 “(5) PRESERVATION OF CARRIAGE, DISTRIBUTION, AND PROMOTION OF WOMEN’S AND
34 OLYMPIC SPORTS.—In any joint agreement entered into by a covered entity which includes
35 media rights in football or basketball conveyed pursuant to a vote described in subsection
36 (c)(2)(D), the covered entity shall take reasonable efforts to promote and distribute the
37 media rights for non-revenue generating intercollegiate sports programs in the regular
38 season and post-season, as well as preserve the current levels of carriage, distribution, and
39 promotion.

40 “(g) Preservation of Conference Opponents and Traditional Rivalries.—

41 “(1) CONFERENCE OPPONENTS.—If, as of the date of enactment of the Protect College

1 Sports Act of 2026, more than 6 of the top 10 historic opponents in intercollegiate football
2 of a member institution were intra-conference opponents of the member institution in
3 intercollegiate football during the most recently completed season, the covered entity shall
4 require the member institution to preserve, to the maximum extent practicable,
5 intercollegiate athletic competitions within intercollegiate football amongst all of its current
6 conference opponents as of that date of enactment.

7 “(2) TRADITIONAL RIVALRIES.—

8 “(A) IN GENERAL.—If, as of the date of enactment of the Protect College Sports Act
9 of 2026, more than 2 of the top 10 historic opponents in intercollegiate football of a
10 member institution were out-of-conference opponents of the member institution in
11 intercollegiate football during the most recently completed season, the covered entity
12 shall require the member institution to play intercollegiate athletic competitions within
13 intercollegiate football that constitute traditional rivalries, and ensure that—

14 “(i) the member institution plays not fewer than 2 intercollegiate athletic
15 competitions within intercollegiate football that constitute a traditional rivalry
16 every 4 years; and

17 “(ii) the member institution plays not less than 1 intercollegiate athletic
18 competition within intercollegiate football each year with an institution that is in a
19 different conference and is one of the top 5 historic opponents in intercollegiate
20 football of the member institution.

21 “(B) INSTITUTIONS WITH FEWER THAN 4 OUT-OF-CONFERENCE RIVALS.—If a member
22 institution is subject to the requirements under subparagraph (A), and fewer than 4 of
23 the top 10 historic opponents of the member institution in intercollegiate football are
24 member institutions that belong to a different conference, the member institution shall
25 seek to comply with clauses (i) and (ii) of subparagraph (A) to the extent practicable.

26 “(C) SAVINGS CLAUSE.—Nothing in this paragraph shall be construed to affect the
27 ability of a member institution to engage in intercollegiate athletic competitions within
28 intercollegiate football against any other member institution within the same
29 conference that was 1 of the top 10 historic opponents in intercollegiate football of the
30 member institution as of the date of enactment of the Protect College Sports Act of
31 2026.

32 “(3) PERIODIC REVIEW; AUTHORITY TO MODIFY REQUIREMENTS.—8 years after the date of
33 enactment of the Protect College Sports Act of 2026, and periodically thereafter, but not
34 more frequently than once every 4 years, the covered entity—

35 “(A) may review the effects of the requirements under this subsection on fan
36 interest, student athletes, media revenues, and preservation of traditional rivalries and
37 historic opponents; and

38 “(B) may modify the requirements under this subsection.

39 “(4) NO EFFECT ON CONFERENCES AND INSTITUTIONS OUTSIDE COVERED ENTITY.—
40 Nothing in this subsection requires any conference or institution that is not in the covered
41 entity to schedule an intercollegiate athletic competition against any other institution,
42 regardless of whether such an intercollegiate athletic competition is a traditional rivalry.

1 “(h) Enforcement of the Act; Right to Cure.—

2 “(1) PRIVATE RIGHT OF ACTION.—Subject to paragraph (2), a person aggrieved by a
3 violation of section 1(b), this section, section 6, or section 7, including a party to a joint
4 agreement to form the covered entity, may bring a civil action against the covered entity in
5 an appropriate district court of the United States.

6 “(2) NOTICE AND OPPORTUNITY TO CURE.—A person may only bring a civil action under
7 paragraph (1) for a violation of section 1(b), this section, section 6, or section 7 if—

8 “(A) not later than 1 year before bringing the civil action, the person provides to the
9 defendant specific notice of the violation and an opportunity to cure the violation; and

10 “(B) the defendant does not cure the violation during the 1-year period beginning on
11 the date of the notice described in subparagraph (A).

12 “(i) Participation in Covered Entity Optional.—

13 “(1) IN GENERAL.—Nothing in this Act shall, under Federal or State law, establish or be
14 construed to require, mandate, or encourage any institution or conference to join, participate
15 in, or transfer any media rights to the covered entity or to create or give rise to any duty,
16 obligation, or standard of care to take such action.

17 “(2) EFFECT ON LIABILITY.—Nothing in this Act, any amendments made by this Act, or a
18 decision by an institution or conference to decline to join or participate in the covered entity
19 may be used to support any claim, cause of action, or theory of liability under Federal or
20 State law that would impose liability on an institution or conference or compel an institution
21 or conference to join or participate in the covered entity.

22 “(3) NO ABROGATION OF EXISTING CONTRACTS.—Nothing in this section shall be
23 construed to abrogate, terminate, or modify a contract or other legally enforceable
24 agreement in effect on the date of enactment of the Protect College Sports Act of 2026, or to
25 provide a defense to or immunity from a claim arising from breach or nonperformance of
26 such contract or legally enforceable agreement.

27 “(4) NO LIABILITY FOR DECLINING TO PARTICIPATE IN COVERED ENTITY.—Nothing in this
28 Act shall be construed to permit a person to bring an action under Federal or State law to
29 challenge a decision by an institution or conference to not join or participate in the covered
30 entity.”.

31 SEC. 204. MARKET LEVEL BROADCAST ACCESS FOR 32 COLLEGE FOOTBALL AND BASKETBALL.

33 The Sports Broadcasting Act of 1961 is amended by inserting after section 5 (as added by
34 section 203 of this Act) the following:

35 “SEC. 6. MARKET-LEVEL BROADCAST ACCESS FOR 36 COLLEGE FOOTBALL AND BASKETBALL.

37 “(a) Definitions.—In this section:

38 “(1) DESIGNATED MARKET AREA.—The term ‘designated market area’ has the meaning

1 given the term in section 122(j)(2)(C) of title 17, United States Code.

2 “(2) LOCAL DESIGNATED MARKET AREA.—

3 “(A) IN GENERAL.—The term ‘local designated market area’ means an area that—

4 “(i) consists of a designated market area that includes the principal campus of
5 an institution that is a member of the covered entity; and

6 “(ii) at the election of the member institution and the applicable network,
7 distributor, or licensee holding market-level rights, may include not more than 1
8 additional geographically adjacent designated market area, or designated market
9 area within the State in which the principal campus of the member institution is
10 located, in which a substantial portion of the student body, alumni, or in-State
11 resident population of the member institution resides.

12 “(B) PUBLICATION OF LIST.—The Federal Communications Commission shall—

13 “(i) not later than 180 days after the date of enactment of the Protect College
14 Sports Act of 2026, publish a list of designated market areas described in
15 subparagraph (A); and

16 “(ii) maintain the list described in clause (i) on a public website.

17 “(3) LOCAL OUTLET OPTION.—The term ‘Local Outlet option’ means the opportunity for
18 not less than 1 outlet to carry a live intercollegiate athletic competition without charge to
19 viewers within the local designated market area of a member institution that is participating
20 in the competition.

21 “(b) Requirement of Local Outlet Option.—

22 “(1) IN GENERAL.—As a condition of the exemption under section 1(b)(1), the covered
23 entity shall make commercially available by purchase or license, on a non-exclusive basis,
24 for each intercollegiate athletic competition in football or basketball, not less than 1 Local
25 Outlet option in the local designated market area of each member institution participating in
26 the competition.

27 “(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to require
28 carriage of an intercollegiate athletic competition by more than 1 Local Outlet in a given
29 designated market area.

30 “(3) NO EFFECT ON NATIONAL MEDIA AGREEMENTS.—Nothing in paragraph (1) shall limit
31 the covered entity’s ability to negotiate nationwide or regional media agreements.

32 “(4) REQUIREMENT FULFILLMENT.—A national rights holder may satisfy the requirement
33 under paragraph (1) by making intercollegiate athletic competitions available to viewers in
34 the applicable local designated market areas using an offering that the rights holder owns or
35 is affiliated with that is freely available to viewers.

36 “(c) Good Faith Negotiation.—

37 “(1) IN GENERAL.—Each covered entity, and any network, distributor, or licensee holding
38 market-level rights or seeking Local Outlet option rights to intercollegiate athletic
39 competitions described in subsection (b), shall negotiate in good faith to fulfill the
40 requirement of that subsection.

1 “(2) ENFORCEMENT.—The Federal Communications Commission shall have jurisdiction
2 over complaints alleging a violation of paragraph (1).”.

3 SEC. 205. PROHIBITION ON CERTAIN CONFERENCE 4 MERGERS OR ACQUISITION.

5 The Sports Broadcasting Act of 1961 is amended by inserting after section 6 (as added by
6 section 204 of this Act) the following:

7 “SEC. 7. PROHIBITION ON CERTAIN CONFERENCE 8 MERGERS AND ACQUISITIONS.

9 “(a) Violation of Antitrust Laws.—It shall be unlawful under the antitrust laws, as defined in
10 section 1(a), for—

11 “(1) any covered conference that reported more than \$700,000,000 in revenue on its
12 fiscal year 2025 tax return or any subsequent tax return to—

13 “(A) merge or consolidate with, or acquire the assets or media rights of, another
14 covered conference or a covered institution, if as a result of the transaction, the number
15 of institutions that are members of the covered conference would be less than 75
16 percent of the institutions participating in the Football Bowl Subdivision, as defined by
17 Bylaw 20.9.9 of the National Collegiate Athletic Association; or

18 “(B) acquire the assets or media rights of an institution that is not a covered
19 institution, unless, as a result of the transaction, the number of institutions that are
20 members of the covered conference does not exceed 19 institutions; or

21 “(2) any entity to merge with, acquire, or consolidate the assets or media rights of a
22 covered institution, or multiple covered institutions, for the purpose of creating a new
23 conference or intercollegiate athletic association.

24 “(b) Defenses Not Applicable.—A transaction prohibited under subsection (a) may not be
25 justified by efficiencies, procompetitive effects, or any other defense under the antitrust laws, as
26 defined in section 1(a).

27 “(c) Effect.—Any transaction consummated in violation of subsection (a) shall be void.

28 “(d) No Impact on Covered Entity.—Nothing in this section shall be construed to prohibit the
29 creation of the covered entity under section 5.

30 “(e) Applicability.—Nothing in subsection (a) shall be construed to apply to a covered
31 conference that—

32 “(1) is in existence on the date of enactment of this section or a subsidiary of such
33 covered conference; and

34 “(2) has not reported more than \$700,000,000 on its fiscal year 2025 tax return or any
35 subsequent tax return.

36 “(f) Definitions.—In this section:

37 “(1) COVERED CONFERENCE.—The term ‘covered conference’ means a conference, the
38 primary athletic revenue of which is derived from the sale or transfer of media rights

1 relating to intercollegiate football.

2 “(2) COVERED INSTITUTION.—The term ‘covered institution’—

3 “(A) for purposes of subsection (a)(1)—

4 “(i) during the 6-year period beginning on the date of enactment of the Protect
5 College Sports Act of 2026, means an institution that has, at least once in the
6 preceding 3 years, competed in intercollegiate football as a member of a covered
7 conference that reported more than \$700,000,000 in revenue on its fiscal year
8 2025 tax return or any subsequent tax return; and

9 “(ii) after the termination of the period described in clause (i), means an
10 institution that, as of the day before the date of a transaction described in
11 subsection (a)(1), competes in intercollegiate football as a member of a covered
12 conference that reported more than \$700,000,000 in revenue on its fiscal year
13 2025 tax return or any subsequent tax return; and

14 “(B) for purposes of subsection (a)(2), means an institution that has, at least once in
15 the preceding 5 years, competed in intercollegiate football as a member of a covered
16 conference that reported more than \$700,000,000 in revenue on its fiscal year 2025 tax
17 return or any subsequent tax return.”.

18 SEC. 206. AMENDMENTS TO INTERCOLLEGIATE AND 19 INTERSCHOLASTIC FOOTBALL CONTEST 20 LIMITATIONS.

21 (a) In General.—Section 3 of the Sports Broadcasting Act of 1961 (15 U.S.C. 1293) is
22 amended—

23 (1) in paragraph (2), by striking “and” at the end;

24 (2) in paragraph (3), by striking the period at the end and inserting “, and”; and

25 (3) by adding at the end the following:

26 “(4) the season and any postseason, including championships, of such intercollegiate
27 football contests conclude not later than January 8 of any year, to the extent practicable.”.

28 (b) Protection of Army-Navy Game.—Section 3 of the Sports Broadcasting Act of 1961 (15
29 U.S.C. 1293) is amended—

30 (1) by inserting “(a)” before “The first sentence”; and

31 (2) by adding at the end the following:

32 “(b)(1) Section 1(b) shall not apply to any joint agreement described in that section that
33 permits any person to sponsor, telecast, or authorize the telecast of any postseason intercollegiate
34 football contest involving an institution participating in the Football Bowl Subdivision during the
35 protected Army-Navy Game broadcast window.

36 “(2) For purposes of this subsection, the term ‘protected Army-Navy Game broadcast
37 window’ means the period beginning 1 hour before scheduled kickoff and ending 30 minutes
38 after the official conclusion of the telecast of the annual football game between the United States

1 Military Academy and the United States Naval Academy occurring on the second Saturday in
2 December in any year.”.

3 SEC. 207. MEDIA RIGHTS UTILIZATION REQUIREMENT 4 FOR COLLEGE SPORTS OTHER THAN FOOTBALL AND 5 BASKETBALL.

6 (a) Definitions.—In this section, the terms “covered entity”, “intercollegiate athletic
7 competition”, “member conference”, and “member institution” have the meanings given those
8 terms in section 8 of the Sports Broadcasting Act of 1961, as redesignated by section 201(b)(1)
9 of this Act.

10 (b) Requirement of Use.—A distributor to which any media rights for intercollegiate athletic
11 competitions in a sport other than football or basketball are sold, licensed, or otherwise conveyed
12 by the covered entity or its member institutions or member conferences after the date of
13 enactment of this Act shall affirmatively use those rights by making the competitions reasonably
14 available to the public not later than 1 year after the effective date of the agreement under which
15 the rights are sold, licensed, or otherwise conveyed.

16 (c) Reversion of Rights.—

17 (1) FAILURE TO USE RIGHTS; OPPORTUNITY TO CURE.—If a distributor to which media
18 rights for intercollegiate athletic competitions in a sport other than football or basketball are
19 sold, licensed, or otherwise conveyed as described in subsection (b) does not use the rights
20 during the 1-year period beginning on the effective date of the agreement under which the
21 rights are sold, licensed, or otherwise conveyed, the covered entity, member institution, or
22 member conference notifies the distributor after the expiration of that 1-year period of the
23 distributor’s failure to use the rights, and the distributor does not use the rights during the
24 180-day period beginning on the date of the notification, the rights for that sport shall revert
25 to the originating covered entity, member institution, or member conference.

26 (2) RECONVEYANCE.—Upon the reversion of rights under paragraph (1), the covered
27 entity, member institution, or member conference may resell, relicense, or otherwise
28 reconvey the rights to another entity without penalty or liability for breach of the original
29 agreement described in that paragraph.

30 (d) Savings.—Nothing in this section shall be construed to modify the Sports Broadcasting
31 Act of 1961, as amended by this title.

32 TITLE III—HBCU SPORTS MEDIA AND CONNECTIVITY 33 PROGRAM

34 SEC. 301. SHORT TITLE.

35 This title may be cited as the “HBCU Sports Media and Connectivity Program”.

36 SEC. 302. GRANTS FOR IMPROVEMENT OF 37 BROADBAND, TECHNOLOGY, MEDIA, AND SPORTS

BROADCAST INFRASTRUCTURE OF HBCUS.

(a) In General.—

(1) GRANTS AUTHORIZED.—The Assistant Secretary, in consultation with the Secretary, shall award grants to eligible entities, on a competitive basis, to support long-term improvements to broadband, information technology, media infrastructure, including infrastructure for the production, transmission, and distribution of live coverage of intercollegiate athletic events, and local journalism for student learning.

(2) GRANT PERIOD.—With respect to each eligible entity that is awarded a grant under this section, such grant shall be for a period determined appropriate by the Assistant Secretary based on the information submitted by such entity under subsection (b) that is not less than 2 years and not more than 5 years.

(3) MULTIPLE GRANTS PERMITTED.—An eligible entity may apply for, and be awarded, more than 1 grant under this section.

(b) Application.—To be considered for a grant under this section, an eligible entity shall submit an application to the Assistant Secretary that includes—

(1) to the extent possible, the information necessary for the Assistant Secretary, in consultation with the Secretary, to make the determinations under subsection (c);

(2) a description of the projects that such eligible entity plans to carry out with the grant and how such projects will advance the long-term goals of the entity;

(3) an assessment of the broadband service available on the campus of the eligible entity, and to the students of the eligible entity, as of the date of the application;

(4) an explanation of—

(A) how such investments in broadband, information technology, and media production, including sports media and live coverage of intercollegiate athletic events, and local journalism at such eligible entity will promote and advance educational opportunities; and

(B) the anticipated number of years that any facilities constructed, improved, or replaced under such projects may be used to facilitate the opportunities and investments described in subparagraph (A);

(5) the median age of the facilities that such entity plans to improve or replace under such projects, if existing and applicable;

(6) if the eligible entity proposes a project described in paragraph (2) or (4) of section 303(a), a description of how the project will expand the capacity of the eligible entity to produce, transmit, or distribute live coverage of intercollegiate athletic events, including events in women's sports and Olympic sports, and, as applicable, to make such live coverage available in the local market of the entity as well as for digital distribution; and

(7) if relevant to the application—

(A) baseline measurements as of the date of the application, in the form prescribed by the Assistant Secretary, of—

1 (i) available network capacity and average and peak utilization over the
2 preceding 12 months; and

3 (ii) the number and percentage of enrolled students who lack access to
4 broadband, and the methodology used to determine that figure; and

5 (B) for each baseline measurement submitted under subparagraph (A), a specific,
6 numerical target the entity commits to achieve by the end of the grant period, and the
7 date by which each target will be met.

8 (c) Priority.—In awarding grants under this section, the Assistant Secretary, in consultation
9 with the Secretary—

10 (1) shall give priority to an eligible entity that—

11 (A) demonstrates the greatest need to improve campus broadband and information
12 technology infrastructure, as determined by a comparison of factors identified by the
13 Assistant Secretary, which may include—

14 (i) the availability, capacity, and condition of broadband service and network
15 infrastructure on the campus of the eligible entity;

16 (ii) the median age of the network and information technology infrastructure
17 that the entity will use grant funds to improve;

18 (iii) the extent to which student enrollment and instructional demands exceed
19 existing network capacity; and

20 (iv) the total amount of deferred maintenance of the network and information
21 technology infrastructure of the entity;

22 (B) demonstrates the most limited capacity to raise funds for the long-term
23 improvement of campus broadband and information technology infrastructure, as
24 determined by an assessment of—

25 (i) the current and historic ability of the eligible entity to raise funds for
26 construction, renovation, modernization, and major repair projects for campus;

27 (ii) whether the eligible entity has been able to issue bonds or receive other
28 funds to support school construction projects;

29 (iii) the bond rating of the eligible entity;

30 (iv) the number of students enrolled as of the date on which the application is
31 submitted;

32 (v) the total value of the endowment of the eligible entity as of the date on
33 which the application is submitted;

34 (vi) the total amount of deferred maintenance of such infrastructure; and

35 (vii) the amount and sources of institutional revenue;

36 (C) enrolls the highest percentages of students who are eligible to receive a Federal
37 Pell Grant under subpart 1 of part A of title IV of the Higher Education Act of 1965
38 (20 U.S.C. 1070a et seq.), and whose families qualify for other Federal need-based aid;

(D) is a public institution that—

- (i) faces declining State support or investment; and
- (ii) demonstrates limited ability to generate revenue, as determined by assessing—
 - (I) the total value of the endowment of the institution as of the date on which the application is submitted; and
 - (II) the costs of the deferred maintenance of the institution relative to the total revenue of the institution;

(E) demonstrates an effort to seek support from public and private entities for projects carried out with a grant awarded under this title; and

(F) proposes a project with the lowest total cost per student projected to be served, taking into account short-term and long-term costs of the project, cost differentials between geographical regions, and other key cost drivers over the lifetime of the project, and demonstrates how those factors contribute to overall cost efficiency; and

(2) may give priority to an eligible entity—

- (A) that did not receive a grant under this title in the preceding fiscal year;
- (B) that proposes projects aligned with long-term infrastructure priorities that—
 - (i) serve as regional models, as determined by the Secretary;
 - (ii) address multiple needs on the campus of the entity; or
 - (iii) address the needs of at least 1 eligible entity in addition to the entity receiving the grant;
- (C) that is a member of an HBCU athletic conference;
- (D) that commits to using the facilities and equipment funded under the grant to produce or distribute live coverage of intercollegiate athletic events in women’s sports and Olympic sports; or
- (E) that has entered into, or demonstrates plans to enter into, a partnership, licensing arrangement, or distribution agreement with a covered entity, a conference, an intercollegiate athletic association, or a video programming distributor with respect to media rights to intercollegiate athletic events of the eligible entity.

(d) Geographic Distribution.—In evaluating applications receiving equivalent scores under the criteria published under subsection (f)(2), the Assistant Secretary may consider the geographic distribution of eligible entities in the United States.

(e) Technical Assistance.—The Assistant Secretary, in consultation with the Secretary, shall provide technical assistance to eligible entities to prepare the entities to qualify for, apply for, and maintain a grant under this title.

(f) Program Accountability.—

(1) PUBLIC INPUT.—Not later than 120 days after the date on which amounts are first appropriated to carry out this title, the Assistant Secretary shall publish in the Federal

1 Register a request for public comment on the design and administration of the grant
2 program under this title, with a comment period of not less than 45 days.

3 (2) PROGRAM GUIDANCE.—Not later than 120 days after the close of the comment period
4 under paragraph (1), and before accepting any application, the Assistant Secretary shall
5 publish—

6 (A) guidance for the grant program under this title, including all application
7 requirements;

8 (B) the criteria the Assistant Secretary will use to evaluate applications, including
9 the numerical weight assigned to each criterion; and

10 (C) the process and timeline for awarding grants.

11 (3) NO POST HOC CHANGES.—The Assistant Secretary shall endeavor to evaluate an
12 application on the basis of the criteria and weights published under paragraph (2) that were
13 in effect on the date on which the application window opened.

14 (4) PUBLICATION OF SCORES.—Not later than 30 days after awarding grants for a fiscal
15 year, the Assistant Secretary shall make available to the appropriate congressional
16 committees, for each grant awarded, the name of the recipient, the amount of the grant, and
17 the score assigned to the recipient's application under each criterion published under
18 paragraph (2).

19 SEC. 303. GRANT USES.

20 (a) Permitted Uses.—Except as provided in subsection (c), an eligible entity that receives a
21 grant under this title shall use the grant funds to carry out at least one of the following activities:

22 (1)(A) Install, upgrade, or extend the life of—

23 (i) high-speed broadband internet infrastructure sufficient to support digital and
24 technology-based learning, except that no funds may be used for broadband
25 infrastructure deployment to any location that is already served by qualifying
26 broadband service or is subject to enforceable deployment obligations, as determined
27 by the Assistant Secretary;

28 (ii) campus-wide broadband networks, including adjacent infrastructure and 5G and
29 future network generations; and

30 (iii) other broadband infrastructure that provides support for teaching, learning and
31 research.

32 (B) Modernize, renovate, or retrofit campus facilities, including preserving facilities with
33 historic significance, to facilitate projects under this paragraph.

34 (2)(A) Construct, install, maintain, or facilitate—

35 (i) equipment or infrastructure used for training and education in digital media
36 production and distribution facilities, including tools and equipment that support
37 instruction in television or radio broadcasting on stations located on the campus of or
38 affiliated with the eligible entity; and

39 (ii) facilities, equipment, or services for the studio of digital media production or

1 production for television or radio broadcast stations located on the campus of or
2 affiliated with the eligible entity.

3 (B) Support technology, broadcast engineering, and journalism instruction through
4 existing courses and supervised training programs that are—

5 (i) operated by or affiliated with the eligible entity; and

6 (ii) used primarily for instructional and experiential learning purposes.

7 (3) Establish new, or improve existing, laboratories or research facilities relating to the
8 fields of communications technology, broadcast engineering, media, journalism, and other
9 disciplines, as determined by the Assistant Secretary in consultation with the Secretary.

10 (4) Construct, install, upgrade, or operate—

11 (A) media production facilities, including production control rooms, master control
12 facilities, and mobile or remote production units, for the coverage of intercollegiate
13 athletic events;

14 (B) cameras, replay, graphics, audio, and other production equipment, and
15 transmission infrastructure, including fiber, satellite, and internet protocol
16 transmission, sufficient to produce live coverage of intercollegiate athletic events at the
17 technical standards of national and regional video programming distributors;

18 (C) streaming and digital distribution infrastructure enabling the eligible entity to
19 distribute live coverage of intercollegiate athletic events directly to the public,
20 including in the local market of the eligible entity; and

21 (D) programs that train students of the eligible entity in sports programming,
22 including coverage, production, distribution, and all other aspects of media operations,
23 integrated where practicable with the journalism and media programs of the entity.

24 (b) Additional Resources.—An eligible entity that receives a grant under this title may use the
25 grant funds to—

26 (1) purchase or lease eligible equipment, excluding personal devices, for shared
27 instructional and research use by students, faculty, and other designated instructional and
28 research personnel of the eligible entity, provided that equipment is relevant to uses
29 described in subsection (a);

30 (2) establish, expand, or operate information technology and network operations capacity,
31 including hiring and training information technology personnel to support student learning;

32 (3) strengthen the cybersecurity posture of the networks and information systems of the
33 eligible entity, including through network monitoring, endpoint protection, and
34 cybersecurity workforce training to support student learning;

35 (4) provide digital skills and relevant occupational training to students;

36 (5) subscribe to broadband internet access service, for each eligible student through a
37 single broadband connection that provides sufficient speed, reliability, and data capacity to
38 support online learning for enrolled students of the eligible entity who individually
39 demonstrate financial need through information submitted through the Free Application for
40 Federal Student Aid (commonly known as the “FAFSA”) and lack access to broadband for

1 learning; or

2 (6) acquire and install research-related equipment and technology in the campus facilities
3 of the eligible entity related to telecommunications, journalism, media, and cybersecurity.

4 (c) Prohibited Uses.—An eligible entity that receives a grant under this title may not use the
5 grant funds for—

6 (1) payment of routine and predictable maintenance costs or minor repairs;

7 (2) the purchase or support of any communications equipment or service (as defined in
8 section 9 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C.
9 1608)) that poses a risk to national security;

10 (3) activities that are funded, in whole or in part, under part B of title III of the Higher
11 Education Act of 1965 (20 U.S.C. 1060 et seq.), unless the Secretary approves such use;

12 (4) last-mile deployment of broadband service to a campus of an eligible entity—

13 (A) that already has access to broadband service at a download speed of not less
14 than 1 gigabit per second at the eligible entity's primary network aggregation point; or

15 (B) where there is a legally enforceable obligation to deploy broadband service at
16 the speed described in subparagraph (A); or

17 (5) technology whose primary purpose is fundraising or the conduct of ceremonial
18 events.

19 (d) Encouraging Partnerships.—The Assistant Secretary and the Secretary shall encourage
20 partnerships between eligible entities and public and private entities to—

21 (1) provide funding in addition to the grants provided under this title; and

22 (2) assist in carrying out the activities funded by grants awarded under this title.

23 SEC. 304. COORDINATION.

24 (a) In General.—In carrying out this title, the Assistant Secretary, in consultation with the
25 Secretary, shall coordinate with the following entities to ensure efficient administration, avoid
26 duplication of funding and efforts, and maximize student achievement:

27 (1) The Federal Communications Commission, including with respect to—

28 (A) the E-Rate program set forth in subpart F of part 54 of title 47, Code of Federal
29 Regulations;

30 (B) broadband availability data collected under title VIII of the Communications Act
31 of 1934 (47 U.S.C. 641 et seq.);

32 (C) the broadcast licensing of noncommercial educational broadcast stations
33 operated by eligible entities; and

34 (D) the local broadcast availability of intercollegiate athletic events.

35 (2) State broadband offices, with respect to funds made available under the Broadband
36 Equity, Access, and Deployment Program established under section 60102 of the
37 Infrastructure Investment and Jobs Act (47 U.S.C. 1702).

(3) Other Federal agencies, including the Department of Agriculture, that fund Federal broadband deployment programs.

(4) Intercollegiate athletic associations and any covered entity, with respect to production standards, media rights, and distribution arrangements relevant to projects funded under this title.

(5) The Director of the Office of Minority Broadband Initiatives.

(b) Streamlined Applications.—The Assistant Secretary shall, to the extent practicable, align the application requirements under this title with the requirements of other Federal broadband programs in order to reduce administrative burdens on eligible entities.

(c) Nonduplication.—In carrying out coordination activities under subsection (a), the Assistant Secretary shall ensure that any grant or other funds provided under this title avoid duplication with a project that has received Federal funds from a Federal entity described in that subsection.

SEC. 305. REPORTS AND EVALUATION.

(a) Report to Congress.—

(1) IN GENERAL.—Not later than 2 years after the first award of a grant under this title, and annually thereafter, the Assistant Secretary, in consultation with the Secretary, shall submit to the appropriate congressional committees a report on the projects carried out with grant funds awarded under this title.

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) with respect to projects carried out by eligible entities with grant funds awarded under this title, an assessment of—

(i) the types of such projects;

(ii) the total cost of each such project;

(iii) the geographic distribution of such projects; and

(iv) the demographic and socioeconomic composition of the student population served by such projects;

(B) an evaluation of a sample of grant recipients, selected by the Assistant Secretary taking into account size and geographic location of each grantee, to determine how such recipients are using the grant and the effectiveness of the activities carried out with the grant in improving student achievement;

(C) with respect to projects described in paragraphs (2) and (4) of section 303(a), the number of intercollegiate athletic events and other campus media productions produced, transmitted, or distributed using facilities or equipment funded under this title, disaggregated by sport and including events in women's sports and Olympic sports; and

(D) the number of students receiving training in journalism, broadcasting, or media production supported under this title.

(b) Grantee Reporting Requirements.—Not later than 90 days after the end of the grant period for a grant awarded under this title, the grantee shall submit to the Assistant Secretary a final

1 report that—

2 (1) describes the use of grant funds, the status of each funded asset, and the grantee’s
3 performance against each target submitted under section 302(b)(7)(B); and

4 (2) meets any additional requirements established by the Assistant Secretary in
5 accordance with part 200 of title 2, Code of Federal Regulations.

6 (c) Measures of Usage and Engagement.—Device utilization, log-in counts, bandwidth
7 consumed, platform hours, or any other measure of usage or engagement may not be—

8 (1) used to fully satisfy any performance metric under this title; or

9 (2) reported as evidence of the effectiveness of a program carried out using grant funds
10 awarded under this title.

11 SEC. 306. DEFINITIONS.

12 In this title:

13 (1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional
14 committees” means—

15 (A) the Committee on Commerce, Science, and Transportation of the Senate;

16 (B) the Committee on Health, Education, Labor, and Pensions of the Senate;

17 (C) the Committee on Education and Workforce of the House of Representatives;
18 and

19 (D) the Committee on Energy and Commerce of the House of Representatives.

20 (2) ASSISTANT SECRETARY.—The term “Assistant Secretary” means the Assistant
21 Secretary of Commerce for Telecommunications and Information.

22 (3) COVERED ENTITY.—The term “covered entity” has the meaning given the term in the
23 Act of September 30, 1961 (commonly known as the “Sports Broadcasting Act of 1961”)
24 (15 U.S.C. 1291 et seq.), as amended by title II of this Act.

25 (4) ELIGIBLE ENTITY.—The term “eligible entity” means—

26 (A) a part B institution; or

27 (B) an institution or program listed under section 326(e)(1) of the Higher Education
28 Act of 1965 (20 U.S.C. 1063b(e)(1)).

29 (5) HBCU ATHLETIC CONFERENCE.—The term “HBCU athletic conference” means a
30 conference the membership of which consists predominantly of part B institutions.

31 (6) INTERCOLLEGIATE ATHLETIC ASSOCIATION; CONFERENCE.—The terms “intercollegiate
32 athletic association” and “conference” have the meanings given those terms in section 100
33 of this Act.

34 (7) PART B INSTITUTION.—The term “Part B institution” has the meaning given the term
35 in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

36 (8) SECRETARY.—The term “Secretary” means the Secretary of Education.

1 (9) STATE.—The term “State” has the meaning given the term in section 103 of the
2 Higher Education Act of 1965 (20 U.S.C. 1003).

3 **SEC. 307. AUTHORIZATION OF APPROPRIATIONS.**

4 There is authorized to be appropriated to carry out this title \$180,000,000 for each of fiscal
5 years 2027 through 2032.
6