

## 1. SHORT TITLE

1.1.The “Save College Athletics Act of 2025.”

## 2. DEFINITIONS

**2.1.Agency Contract.** The contract which authorizes a person to be an agent for a college athlete.

**2.2.Athlete Representative.** A person or entity who enters an agency contract with an athlete to be their agent for financial gain by way of their ability or reputation, which includes certified players association; but not a person or entity that has a familial relationship, professional sports team, or an attorney.

**2.3.CAC.** The Act creates the College Athletics Corporation – a new, collaborative entity comprised of current athletes, intercollegiate athletic associations, conferences, and higher education administrators to develop rules for implementing the Act, and to investigate potential violations of the Act under the oversight of a government agency of Congress’ choosing.

**2.4.College Athlete.** An athlete enrolled at 2- or 4-year college who plays college sports.

**2.5.College Athletic Competition.** Any college varsity game, meet, or other competition between two schools.

**2.6.College Athletic Event.** Any event, game, media day, banquet, fundraiser, etc., organized or authorized by an intercollegiate athletics department at a college or intercollegiate athletic association; and includes the travel to and from these events.

**2.7.Commission.** A government agency of Congress’ choosing.

**2.8.Committee.** U.S. Olympic and Paralympic Committee.

**2.9.Conference.** Any entity that has 2 or more college or universities as members and sets rules for college athletics or arranges championships.

**2.10.Cost of Attendance.** The cost of attendance means the same as section 472 of the Higher Education Act of 1965 and will be calculated with the same standards, policies, and procedures the same for all students.

**2.11.Covered Compensation.** Any form of remuneration paid to a college athlete by a third party; but not, grants-in-aid, government-related education grants, health insurance and care, disability and loss of value insurance, career related services and support, and regular job wages.

**2.12.Endorsement Contract.** Establishing a definition for what constitutes an “endorsement contract” for the purposes of the Act.

**2.13.Former College Athlete.** A college athlete who is no longer eligible to compete in college athletics.

**2.14.Grant in Aid.** Financial assistance provided by an institution for a student's education (room, board, etc.), which does not exceed the cost of attendance, and does not include compensation for athletes.

**2.15.Image.** A photograph, video, or computer-generated representation identifying or linked to a college athlete.

**2.16.Intercollegiate Athletic Association.** Any group, including the NCAA, that governs intercollegiate athletics and engages in commerce in any industry or activity affecting commerce.

**2.17.Institution of Higher Education.** Defined under Section 101 the *Higher Education Act of 1965*, including affiliates operating college athletics departments.

**2.18.Likeness.** Identifiable features along with a college athlete’s jersey number, such as their school colors or logo; voice or catchphrase; or some other association that distinguishes the athlete.

**2.19.Name.** A combination of first and last names, last name, or unique nickname identifying a college athlete.

**2.20.Players Association.** An independent nonprofit that represents at least 4,000 college athletes, which does not have a relationship with any intercollegiate athletic association and complies guidance to be certified by the CAC.

**2.21.Third Party.** An individual or entity not affiliated with an institution of higher education, conference, or national athletic association.

**2.22.Unaffiliated.** Two or more individuals or entities that do not share operations, management, labor relations, common ownership, or financial control.

### 3. NAME, IMAGE, AND LIKENESS

**3.1.** Establishing a right of college athletes to enter into endorsement contracts with third parties and the inability of institutions of higher education, conferences, or intercollegiate athletic associations to prohibit their participation in collegiate athletic events and competitions for having done so.

### 4. SPECIAL NON-EMPLOYEE STATUS FOR SELECT COLLEGE ATHLETES

**4.1.Definitions.** Section 203 of the *Fair Labor Standards Act* is amended to create a limited class of Division I athletes ("Special Athlete Non-Employee") receiving direct compensation under the *House v. NCAA* that would be allowed to collectively bargain pursuant to the proposed amendments of the *National Labor Relations Act* set forth in Section 5.

**4.2. Exemptions.** Section 213 of the *Fair Labor Standards Act* (FLSA) is amended to state that Sections 206 (governing, *inter alia*, minimum wage requirements) and 207 (regulating overtime) of FLSA **do not** apply to "Special Athlete Non-Employees" designated by Section 4.1. Compensation and a broad range of other matters that Special Athlete Non-Employees would collectively bargain for – e.g. wages, compensation, educational benefits, working conditions, protections, support, training, travel, injury management, discipline and grievances, etc. – are outlined in Section 5.

**4.3.Recognition of Players Association.** Special Athlete Non-Employees can collectively choose to be represented by a players association, with only qualified Players Associations allowed to collectively bargain on their behalf.

### 5. COLLECTIVE BARGAINING RIGHTS FOR COLLEGE ATHLETES WITH SPECIAL ATHLETE NON-EMPLOYEE STATUS

**5.1.Definitions.** Section 2 of the *National Labor Relations Act* (NLRA) is amended to include public institutions of higher education as "employers." This would allow Special Athlete Non-Employees that attend both public and private colleges and universities to collectively bargain.

**5.2.Multiemployer Bargaining Unit.** Section 9(b) of the NLRA is amended to allow multiple institutions within an athletic conference or an athletic conference to form a "multiemployer bargaining unit" for Special Athlete Non-Employees, with consent from the representatives of the Special Athlete Non-Employees that would be part of the multiemployer bargaining unit.

**5.3.Jurisdiction Related to Intercollegiate Sports.** Section 14(c)(1) of the Act is amended to give the National Labor Relations Board jurisdiction over collective bargaining matters for Special Athlete Non-Employees, including representation and labor disputes.

**5.4.Prohibition on Waiver.** Special Athlete Non-Employees cannot waive or permit noncompliance with the Act or its amendments through any agreement or legal settlement.

**5.5.Parity with Employee Members.** Collective bargaining for Special Athlete Non-Employees will provide the same protections as those granted to labor organizations and their employee-members under federal antitrust laws.

**5.6.Mandatory Bargaining Subjects.** Establishes what must be bargained in a collective bargaining process between parties subject to this Act.

## **6. NAME, IMAGE, AND LIKENESS FOR INTERNATIONAL COLLEGIATE ATHLETES**

**6.1.Definitions.** Section 101(a)(15)(F) of the *Immigration and Nationality Act* (INA) is amended to include student athletes who intend to enter name, image, likeness endorsement contracts for compensation under the definition of nonimmigrant students.

**6.2.Employment Authorization.** Section 214(m) of the INA is amended to allow nonimmigrant student athletes who are eligible for employment authorization to engage in endorsement contracts and may receive oversight from their institution's school official designated by the Secretary of Homeland Security to ensure compliance.

## **7. ESTABLISHMENT OF THE COLLEGE ATHLETICS CORPORATION**

**7.1.Establishment.** Establishes the College Athletics Corporation.

**7.2.Purposes.** The purposes of the CAC are to (1) serve as a clearinghouse for best practices and provide guidance on contracts; (2) establish and enforce rules and investigatory processes for violations of the rules; (3) develop and enforce standards for endorsement contracts; (4) establish a certification process for athlete representatives and Player Associations, ensuring compliance and revoking certifications if necessary; (5) recommend protections for athletes from unscrupulous representatives; (6) investigate disputes and ensure representatives act in athletes' best interests; (7) provide a process for resolving conflicts, including neutral arbitration; and (8) ensure compliance with contract rules.

**7.3.Membership.** Eligibility is defined by the CAC's constitution and bylaws; and those documents must establish provisions that govern the CAC, and its conduct related to the reasonable representation of athletes, associations, administrators, experts, and unaffiliated individuals.

**7.4.Board of Directors.** The CAC shall be governed by a 15-member board, with 7 being current and former college athletes, approved by a certified Player Association, 7 representing the interests of intercollegiate athletic associations, and a seat for any certified Player Association. At least one-third of the board must be current or former athletes, with 20% of athletes being current (still playing) or recent (last 10 years).

**7.5.Powers.** The CAC will have the powers to (1) adopt a constitution and bylaws; (2) establish offices, enter contracts, accept gifts, manage property, borrow money, publish materials, manage membership, and any other actions necessary to manage the CAC; and (3) with Commission approval, have subpoena power.

**7.6.Restrictions.** The CAC cannot engage in a business for profit or issue stock; and cannot endorse candidates or engage in political activities.

**7.7.Headquarters, Principal Office, and Meetings.** The CAC will maintain its main office in the U.S. and can hold special meetings at chosen locations.

**7.8.Service of Process.** The CAC must have a designated agent to receive legal notices. When the agent is served, it will qualify as the CAC being served.

**7.9.Report.** The CAC must annually report to Senate and House committees on the number of disputes investigated and filed and provide recommendations for improving the endorsement contract process.

## **8. ENFORCEMENT ACTIONS BY STATES**

**8.1.In General.** State attorneys general can bring civil actions in state or federal courts to enforce compliance with this Act and seek remedies if residents' interests are threatened or adversely affected.

**8.2.Notice.** Before filing an action, the state must notify the Commission, the CAC, and any certified players associations with written notice and a copy of the complaint. The notice must include party identities, alleged facts, and an assessment of prosecution coordination needs. The CAC can intervene, remove the action to federal court, be heard on all matters, and appeal all orders or judgments.

**8.3.Regulations.** The CAC, with Commission approval, will prescribe regulations and provide guidance to coordinate actions with state attorneys general and other regulators.

**8.4.Rule of Construction.** This section does not alter or limit the authority of state attorneys general or other agencies to bring actions under state law.

## **9. ROLE OF NATIONAL INTERCOLLEGIATE ATHLETIC ASSOCIATIONS**

**9.1.**A national intercollegiate athletic association can establish titles to enforce this Act and its standards, enforce collective bargaining agreements by declaring athletes ineligible, and suspending or removing athletic personnel for violations.

## **10. REPORTING**

**10.1.Biennial Report.** Not later than 180 days after the date of the enactment and every two years after, the head of each national intercollegiate athletic association must report to Senate and House committees on systemic issues, trends, and recommendations for improving the health, safety, and educational opportunities of college athletes.

**10.2.Investigation and Report.** Every five years, the Comptroller General will investigate compliance with the Act and report to Congress, summarizing the investigation and providing recommendations for improving intercollegiate athletics and the health, safety, and educational opportunities of college athletes.

## **11. ROLE OF PLAYERS ASSOCIATIONS**

**11.1.**Certified Players Associations can establish titles and enforce Act provisions and standards with the CAC's consultation. They can also draft and negotiate rules, including declaring athletes ineligible for violations of collective bargaining agreements, and suspending or removing athletic personnel for violations.

## **12. REPORTING**

**12.1.Biennial Report.** Not later than 180 days after the date of the enactment and every two years after, Certified Players Associations must submit a biennial report to Senate and House Committees summarizing systemic issues, trends, and recommendations for improving the health, safety, and educational opportunities of college athletes.

**12.2.Investigation and Report.** Every five years, the Comptroller General will investigate compliance with the Act and report to Congress, summarizing the investigation and providing recommendations for improving intercollegiate athletics.

## **13. REPORTING REQUIREMENTS ON OLYMPIC SPORTS**

**13.1.Reporting Requirements on Olympic Sports.** Not later than 1 year after the final order is issued in the *House Settlement*, institutions participating in revenue sharing must report the number of roster spots for varsity Olympic sports annually to the Department of Education, for the previous and current academic year starting from the 2025-2026 academic year.

## **14. GAO STUDY ON OLYMPIC SPORTS**

**14.1.**Not later than 2 years after the final order is issued in the *House Settlement*, the Comptroller General will complete a study within two years of the House Settlement's final order, assessing its impact on Olympic sports, international funding models, and providing federal support recommendations. The study shall:

(A)Survey international models of national support for Olympic sports, focusing on coordination with intercollegiate athletics.

(B)Project the scale and magnitude of potential federal support for Olympic sports in the U.S., considering historic private and philanthropic support.

(C)Examine the required coordination between various bodies for developing Olympic sports at higher education institutions.

(D)Describe potential changes in the oversight and governance structure if federal support is provided, including recommendations for incorporating relevant bodies.

(E)Analyze trends in roster sizes of Olympic sports, focusing on Division I programs opting into revenue sharing.

(F)**Report Recommendations.** Submit a report with study results and recommendations to relevant Congressional committees.

## **15. ANTITRUST EXEMPTION**

**15.1.**Institutions, interstate intercollegiate athletic associations, or conferences are not liable under any state or federal law for adopting, agreeing to, enforcing, or complying with rules or bylaws of an interstate intercollegiate athletic association that limits or prohibits student athletes from receiving compensation. This includes compensation from the association, conference, institution, or third parties.

## **16. PREEMPTION OF STATE NAME, IMAGE, AND LIKENESS LAWS AND REGULATIONS**

**16.1.Preemption of State Name, Image, and Likeness Laws and Regulations.** Neither states nor a political subdivision of a state can regulate (1) athlete transfers, (2) NIL compensation, (4) certification of athlete representatives, or (5) any other matters governed by the act.

## **17. SEVERABILITY**

**17.1.**If any part of the Act is found unconstitutional, the rest of the act remains effective.