

119th CONGRESS
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To clarify the employment status of select college athletes, to establish collective bargaining rights for college athletes, to provide an antitrust exemption, and for other purposes.

A BILL

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1 *Be it enacted by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*

3 **SEC. 1. SHORT TITLE.**

4 This Act may be cited as the “Save College Athletics Act
5 of 2025”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) AGENCY CONTRACT. The term “agency
9 contract” means a written agreement in which a college
10 athlete authorizes an athlete representative to act on behalf
11 of the college athlete.

12 (2) Athlete representative.

13 (A) IN GENERAL. The term “athlete
14 representative” means an individual who-

15 (i) enters into an agency contract
16 with a college athlete; or

17 (ii) directly or indirectly recruits or
18 solicits a college athlete for the purpose of-

2

1 (I) entering into an agency
2 contract with the college athlete;

3 (II) representing or attempting
4 to represent the college athlete for the
5 purpose of marketing his or her
6 athletics ability or reputation for
7 financial gain; or

8 (III) seeking to obtain any type
9 of agreement for financial gain or
10 benefit from the potential earnings of
11 the college athlete as a professional
12 athlete.

13 (B) INCLUSIONS. The term “athlete
14 representative” includes-

- 15 (i) a certified contract advisor;
16 (ii) a financial advisor;
17 (iii) a marketing representative;
18 (iv) a brand manager;
19 (v) a players association; and

1 (vi) any individual employed by an
2 individual described in any of clauses
3 (i) through (iv).

4 (C) EXCLUSIONS. The term “athlete
5 representative” does not include-

6 (i) the spouse, parent, sibling,
7 grandparent, or legal guardian of a college
8 athlete;

9 (ii) an individual acting solely on
10 behalf of a professional sports team or a
11 professional sports organization-;

12 (iii) an attorney authorized to
13 practice law in any state in the United States,
14 the District of Columbia, or the U.S.
15 territories.

16 (3) CAC. The term “CAC” means the College
17 Athletics Corporation established by section 7(a).

18 (4) COLLEGE ATHLETE. The term “college
19 athlete” means an athlete who is recruited to attend, or is
20 enrolled in, a 2-year or 4-year degree-granting institution

1 of higher education to participate in its designated
2 intercollegiate athletics program.

3 (5) COLLEGE ATHLETIC COMPETITION. The term
4 “college athletic competition” means any varsity game,
5 meet, or other competition between or among athletic
6 teams sponsored by institutions of higher education.

7 (6) COLLEGE ATHLETIC EVENT.

8 (A) IN GENERAL The term “college athletic
9 event” means, but is not limited to, a game, meet,
10 competition, banquet, practice, conditioning
11 session, media session, or any other event that has
12 been organized or authorized by an intercollegiate
13 athletics department of an institution of higher
14 education or by a intercollegiate athletic
15 association, regardless of whether such event occurs
16 on or off the campus of an institution of higher
17 education or during or outside the season for
18 competition.

1 (B) INCLUSION. The term “college athletic
2 event” includes travel to and from any event
3 described in subparagraph (A).

4 (7) COMMISSION. The term “commission”
5 means the federal agency Congress permits to oversee the
6 CAC.

7 (8) CONFERENCE. The term “conference” means
8 any organization or association that-

9 (A) has as members 2 or more institutions
10 of higher education; and

11 (B) arranges championships and sets rules
12 for college athletic competition.

13 (9) COST OF ATTENDANCE. The term “cost of
14 attendance”-

15 (A) has the meaning given the term in
16 Section 472 of the Higher Education Act of 1965
17 (20 U.S.C. 108711); and

18 (B) shall be calculated by the financial aid
19 office of an institution of higher education applying

1 the same standards, policies, and procedures for all
2 students.

3 (10) COVERED COMPENSATION.

4 (A) IN GENERAL. The term “covered
5 compensation” means any remuneration provided
6 by a third party to a college athlete, in cash or in
7 kind and regardless of the date on which the
8 remuneration is provided.

9 (B) EXCLUSION. The term “covered
10 compensation” does not include the payment or
11 provision of any of the following-

12 (i) grants-in-aid;

13 (ii) Federal Pell Grants and other
14 State or Federal grants unrelated to and not
15 awarded with regard to participation in
16 college athletic events;

17 (iii) health insurance and costs of
18 health care, including health insurance and
19 health care costs wholly or partly self-funded

1 by an institution of higher education or an
2 intercollegiate athletic association;

3 (iv) disability and loss-of-value
4 insurance, including disability and
5 loss-of-value insurance that is wholly or
6 partly self-funded by an institution of higher
7 education or an intercollegiate athletic
8 association;

9 (v) career counseling, job
10 placement services, and other guidance
11 available to all students at an institution of
12 higher education;

13 (vi) payment of hourly wages and
14 benefits for work actually performed (and not
15 for participation in college athletic events) at
16 a rate commensurate with the going rate in
17 the locality of an institution of higher
18 education for similar work.

19 (11) ENDORSEMENT CONTRACT. The term
20 “endorsement contract” has the meaning given the term in

1 Section 2 of the Sports Agent Responsibility and Trust Act
2 (15 U.S.C. 7801).

3 (12) FORMER COLLEGE ATHLETE. The term
4 “former college athlete” means a college athlete who is no
5 longer eligible to participate in college athletic
6 competition.

7 (13) GRANT-IN-AID. The term “grant-in- aid”-

8 (A) means a scholarship, grant, stipend, or
9 other form of financial assistance, including the
10 provision of tuition, room, board, books, or funds
11 for fees or personal expenses, that-

12 (i) is paid or provided by an
13 institution of higher education to a student for
14 the student’s undergraduate or graduate
15 course of study; and

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

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

4 (14) IMAGE. The term “image,” with respect to a
5 college athlete, means a photograph, video, or
6 computer-generated representation that identifies, is
7 linked to, or is reasonably linkable to the athlete.

8 (15) INTERCOLLEGIATE ATHLETIC ASSOCIATION.
9 The term “intercollegiate athletic association” means any
10 association, conference, or other group or organization,
11 including the National Collegiate Athletic Association,
12 that—

13 (A) exercises authority over intercollegiate
14 athletics; and

15 (B) is engaged in commerce or in any
16 industry or activity affecting commerce.

17 (16) INSTITUTION OF HIGHER EDUCATION. The
18 term “institution of higher education” -

1 (A) has the meaning given the term under
2 section 101 of the Higher Education Act of 1965
3 (20 U.S.C. 1001); and

4 (B) includes controlled affiliates that
5 operate athletics departments on behalf of
6 institutions of higher education.

7 (17) LIKENESS. The term “likeness” means-

8 (A) with respect to a college athlete of a
9 sport for which the athlete has a jersey number, the
10 jersey number associated with the athlete and the
11 sport in which the athlete participates at a particular
12 institution of higher education during the period of
13 the participation of the athlete in the sport at the
14 institution of higher education, if the jersey number
15 is accompanied by-

16 (i) a logo or color scheme that is
17 clearly associated with the institution of
18 higher education; or

1 (ii) some other means by which the
2 jersey number is clearly associated with the
3 particular athlete; and

4 (B) with respect to any college athlete-

5 (i) the uniquely identifiable voice
6 or catch phrase of the athlete; or

7 (ii) any other trademark that
8 identifies or distinguishes the athlete.

9 (18) NAME. The term “name”, with respect to a
10 college athlete, means-

11 (A) a combination of a first and last or
12 family name that identifies the athlete;

13 (B) a last or family name that identifies the
14 athlete; or

15 (C) a unique nickname that identifies the
16 athlete.

17 (19) OLYMPIC SPORTS. The term “Olympic
18 Sports” means those sports included in the Summer and
19 Winter Olympic Games, representing international
20 athletic competitions where athletes compete for their

1 countries, governed by the International Olympic
2 Committee and its affiliated international federations.

3 (20) PLAYERS ASSOCIATION.

4 (A) IN GENERAL. The term “Players
5 Association” means an independent, nonprofit
6 entity who-

7 (i) Represents at least 4,000 current
8 college athletes;

9 (ii) Not affiliated with any
10 intercollegiate athletic association; and

11 (iii) Complies with guidance to be
12 certified by CAC as a players association for
13 purposes of this statute.

14 (21) THIRD PARTY. The term “third party” means
15 an individual or entity that-

16 (A) is not an institution of higher
17 education, a conference, or a intercollegiate athletic
18 association; and

19 (B) is unaffiliated with-

20 (i) a conference; or

1 (ii) an intercollegiate athletic
2 association.

3 (22) UNAFFILIATED. With respect to 2 or more
4 individuals or entities, the term “unaffiliated” means that
5 the individuals or entities do not share interrelated
6 operations, common management, centralized control of
7 labor relations, or common ownership or financial control.

8 **SEC. 3. NAME, IMAGE, AND LIKENESS.**

9 (a) IN GENERAL. An institution of higher education,
10 conference, or intercollegiate athletic association, may not
11 punish or prohibit the participation of a college athlete in a
12 college athletic event or college athletic competition based on the
13 college athlete having entered an endorsement contract with a
14 third party.

15 **SEC. 4. SPECIAL NON-EMPLOYEE STATUS FOR**
16 **SELECT COLLEGE ATHLETES.**

17 (1) DEFINITIONS. —Section 203 of the Fair
18 Labor Standards Act (29 U.S.C. § 201) is amended—

19 (A) “Special Athlete Non-Employee”
20 means an athlete at a Division I college or university

1 that receives direct compensation from an
2 institution of higher education.

3 (2) EXEMPTIONS. –Section 213 of the Fair
4 Labor Standards Act is amended –

5 (A) The provisions of section 206 and 207
6 of this title shall not apply with respect to Special
7 Athlete Non-Employees. Without limitation, all
8 matters involving wages, compensation,
9 educational benefits, working conditions,
10 protections, support, training, travel, injury
11 management, discipline and grievances, and any
12 other matters pertaining to their participation in
13 college athletic events shall be determined through
14 collective bargaining pursuant to Section 5 of this
15 Act.

16 (3) RECOGNITION OF PLAYERS
17 ASSOCIATION. the Fair Labor Standard is amended –

18 (A) Special Athlete Non-Employees may
19 choose to be represented by a players association
20 certified by the CAC to collectively represent their

1 interests. Only entities that qualify as “players
2 associations” pursuant to Section 2 of this Act shall
3 be allowed to collectively bargain pursuant to
4 Section 5 of this Act on Special Athlete Non-
5 Employees’ behalf.

6 **SEC. 5. COLLECTIVE BARGAINING RIGHTS FOR**
7 **COLLEGE ATHLETES WITH**
8 **SPECIAL ATHLETE NON-EMPLOYEE**
9 **STATUS.**

10 (1) DEFINITIONS.—Section 2 of the National
11 Labor Relations Act (29 U.S.C. 152) is amended—

12 (A) in paragraph (2), by adding at the end
13 the following: “Notwithstanding the previous
14 sentence, the term ‘employer’ includes a public
15 institution of higher education with respect to any
16 individual designated as “Special Athlete Non-
17 Employees” pursuant to Section 4 of this Act;

18 (B) in paragraph (3), by adding at the end
19 the following: “Any individual designated as a
20 “Special Non-Employee”, and is a student enrolled

1 in the institution of higher education, shall be
2 allowed to collectively bargain if—

3 “(A) the individual is a Division I
4 athlete that receives direct
5 compensation pursuant to *Grant*
6 *House and Sedona Prince v. National*
7 *Collegiate Athletic Association, et al.*;

8 “(B) any terms or conditions of such
9 compensation require participation in
10 an intercollegiate sport.”; and

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

12 “(15) The term ‘institution of higher
13 education’ has the meaning given the
14 term in section 102 of the Higher
15 Education Act of 1965 (20 U.S.C.
16 1002).

17 (2) MULTIEMPLOYER BARGAINING

18 UNIT.—Section 9(b) of the National Labor Relations Act
19 (29 U.S.C. 159(b)) is amended by striking the period at the
20 end and inserting the following: “Provided, that, for the

1 purpose of establishing an appropriate bargaining unit for
2 “Special Athlete Non-Employees” at institutions of higher
3 education in an intercollegiate athletic association, the
4 Board shall recognize multiple institutions of higher
5 education within an intercollegiate athletic conference, or an
6 intercollegiate athletic conference, as a multiemployer
7 bargaining unit, but only if consented to by the “Special
8 Athlete Non-Employee” representatives for the
9 intercollegiate sports bargaining units at the institutions of
10 higher education that will be included in the multiemployer
11 bargaining unit.”

12 (3) JURISDICTION RELATED TO
13 INTERCOLLEGIATE SPORTS.—Section 14(c)(1) of the
14 National Labor Relations Act (29 U.S.C. 164(c)(1)) is
15 amended by striking “Provided,” and inserting the
16 following: “Provided, That the Board shall exercise
17 jurisdiction over institutions of higher education and
18 “Special Athlete Non-Employees” of such institutions in
19 relation to all collective bargaining matters under this Act
20 pertaining to such “Special Athlete Non-Employees”,

1 including any representation matter, such as recognizing or
2 establishing a bargaining unit for such “Special Athlete
3 Non-Employees” and any labor dispute involving such
4 institutions and “Special Athlete Non-Employees”:
5 Provided further,”.

6 (4) PROHIBITION ON WAIVER.—A “Special
7 Athlete Non-Employee” may not enter into any agreement
8 (including an agreement for grant-in-aid, as defined in
9 section 3(15) of the National Labor Relations Act (29
10 U.S.C. 152(15))) or legal settlement that waives or permits
11 noncompliance with this Act or the amendments made by
12 this Act.

13 (5) PARITY WITH EMPLOYEE
14 MEMBERS.— Any collective bargaining pursuant to this
15 amendment shall grant the negotiating parties the same
16 protections as set forth in the non-statutory labor exemption
17 to federal antitrust laws which apply to labor organizations
18 that collective bargain on behalf of their employee
19 members.

1 (6) MANDATORY BARGAINING
2 SUBJECTS. ---- With respect to bargaining, parties to a
3 collective bargaining agreement shall be required to bargain
4 on the following subjects: health and safety standards,
5 medical coverage during a college athlete’s time performing
6 for an institution of higher education, medical coverage
7 after a college athlete’s time performing for an institution of
8 higher education, revenue sharing, practice time, the
9 movement of college athletes to-and-from institutions of
10 higher education, and time spent on team-related activities.

11 **SEC. 6. NAME, IMAGE, AND LIKENESS FOR**
12 **INTERNATIONAL COLLEGIATE**
13 **ATHLETES.**

14 (1) Section 101(a)(15)(F) of the Immigration and
15 Nationality Act (8 U.S.C. 1101(a)(15)(F)) is amended

16 (A) in clause (ii), by striking “and” at the
17 end; and

18 (B) in clause (iii), by striking the
19 semicolon at the end and inserting “, and (iv) an
20 alien who is or will become a college athlete upon

1 enrollment at an institution of higher education (as
2 defined in section 101 of the Higher Education Act
3 of 1965 (20 U.S.C. 1001)) and who intends to enter
4 into an endorsement contract, revenue sharing
5 agreement, or any other agreement covered by this
6 Act, for the purpose of earning compensation for
7 the commercial use of the alien’s name, image, or
8 likeness;”.

9 (2) EMPLOYMENT AUTHORIZATION.

10 Section 214(m) of Immigration and Nationality Act (8
11 U.S.C. 1184(m)) is amended by adding at the end the
12 following:

13 “(3)(A) A nonimmigrant who obtains
14 the status of a nonimmigrant under
15 clause (iv) of section 101(a)(15)(F)
16 shall be eligible for employment
17 authorization for the purpose of
18 engaging in activities pursuant to an
19 endorsement contract, revenue sharing
20 agreement, or any other agreement

1 governed by this Act, for the
2 commercial use of the nonimmigrant’s
3 name, image, or likeness.

4 “(B) The Secretary of Homeland
5 Security may seek to engage the
6 designated school official of the
7 institution of higher education at
8 which such a nonimmigrant is enrolled
9 in oversight of the employment
10 activity of the non-immigrant for the
11 purpose of ensuring compliance with
12 this paragraph.”.

13

14 **SEC. 7. ENDORSEMENT**

CONTRACT

15 **REQUIREMENTS**

16 (1) **IN GENERAL.**—The Sports Agent Responsibility and Trust Act (15
17 U.S.C. 7801 et seq.) is amended—

18 (A) in section 2—

19 (1) by redesignating paragraphs (3) through (9) as paragraphs (4) through (10),
20 respectively; and

21 (2) by inserting after paragraph (2) the following:

1 (a) INTERCOLLEGIATE ATHLETIC ASSOCIATION.—The term
2 ‘intercollegiate athletic association’ has the meaning given that term in section 2
3 of the “Save College Athletics Act of 2025.”; and

4 (i) by inserting after section 3 the following:

5 1. “ENDORSEMENT CONTRACT REQUIREMENTS.”

6 (a) ENDORSEMENT CONTRACT REQUIREMENTS.—

7 (i) An endorsement contract with a college athlete must—

8 (ii) be in writing;

9 (iii) plainly state that the college athlete has the right to obtain or
10 retain an athlete agent or

11 legal representation with respect to the endorsement contract;

12 (iv) state the name of each party to the endorsement contract;

13 (v) state a description of services rendered and the terms of the
14 endorsement contract;

15 (vi) state the amount of covered compensation to be provided to
16 the college athlete under the

17 endorsement contract; and

18 (vii) not be for a term that extends beyond the eligibility of the
19 college athlete to participate in

20 varsity intercollegiate sport.

21 2. EFFECT OF COMPLIANCE.—An endorsement contract with a college
22 athlete that does not comply with the requirements under subsection (a) shall be
23 void at the option of the college athlete.

24 3. RESCISSION OF CONTRACT.—A college athlete who no longer
25 participates in an intercollegiate sport program as a result of a determination of
26 ineligibility by an intercollegiate athletic association, or Players Association may
27 rescind an endorsement contract with a remaining term of 1 year or longer—

28 a. without being held liable for breach; and

29 b. with no obligation to return payments or covered compensation received
30 before giving notice of the rescission.

31 (4) PRIVACY PROTECTIONS.—

32 (a) PROHIBITION ON DISCLOSURE OF ENDORSEMENT
33 CONTRACTS.—

34 Except as explicitly provided by this Act or the Save College
35 Athletics Act of 2025, an institution of higher education (or a
36 reporting entity designated by the institution of higher education)
37 or third party may not disclose an endorsement contract or any
38 term of an endorsement contract publicly or to any individual who
39 is not party to the endorsement contract without the express

1 written consent of the college athlete that is party to the
2 endorsement contract unless—

3 (i) the endorsement contract or the term has already been disclosed
4 publicly by the college athlete or their athlete agent or legal
5 representative; or

6 (ii) required to comply with a properly authorized civil, criminal,
7 or regulatory investigation or subpoena or summons by Federal or
8 State authorities.

9 (b) CONSENT REQUIREMENTS.—

10 (i) Written consent under paragraph (1) shall state the individual
11 or entity to which the institution of higher education (or a
12 reporting entity designated by the institution of higher education)
13 or third party may disclose the endorsement contract or term of
14 the contract, any permitted subsequent disclosures of the
15 contract, and the purpose of the disclosure.

16 (c) APPLICABILITY OF OPEN RECORDS LAWS.—Endorsement
17 contracts or other financial information provided by a college athlete or
18 an athlete agent of a college athlete to an institution of higher education
19 shall be subject to Federal or State open records laws.

20 (d) DEFINITIONS.—In this section, the terms ‘covered compensation’,
21 ‘institution of higher education’, and ‘third party’ have the meanings given
22 those terms in section 2 of the “Save College Athletics Act of 2025.”

23 (2) CLERICAL AMENDMENT.—The table of contents for the Sports Agent
24 Responsibility and Trust Act is amended by inserting after the item relating to
25 section 3 the following: “Sec. 3A. Endorsement contract requirements.”

26 (3) COLLEGE ATHLETE SPORTS AGENT REFORM.

27 (A) IN GENERAL.—The Sports Agent Responsibility and Trust Act (15
28 U.S.C. 7801 et seq.), as amended by section 103, is further amended—

29 (1) in section 2 (15 U.S.C. 7801), by amending paragraph (1) to
30 read as follows:

31 (a) AGENCY CONTRACT.—The term ‘agency
32 contract’ means a written agreement—

33 (i) in which a college athlete authorizes a person
34 to negotiate or solicit on behalf of the college
35 athlete a professional sports contract or an
36 endorsement contract; and

37 (ii) that—

38 (a) states the name of each party to the
39 agreement;

40 (b) states the term of the agreement;

- 1 (c) states the registration information for
- 2 the athlete agent; and
- 3 (d) states the fee or commission charged
- 4 by the athlete agent. ;
- 5 (2) in section 3 (15 U.S.C. 7802)—
- 6 a. in subsection (a)—
- 7 (i) in paragraph (2), by striking “; or” and inserting a
- 8 semicolon;
- 9 (ii) in paragraph (3), by striking the period at the end and
- 10 inserting a semicolon; and
- 11 (iii) by adding at the end the following:
- 12 1. represent a college athlete for an endorsement
- 13 contract without entering into agency contract;
- 14 2. represent a college athlete for an endorsement
- 15 contract without the athlete agent first registering
- 16 as an agent with a Players Association and
- 17 certifying to an intercollegiate athletic
- 18 association governing the intercollegiate sport the
- 19 college athlete participates in that the athlete
- 20 agent is registered with a Players Association;
- 21 3. charge a college athlete a fee in connection with
- 22 an endorsement contract that exceeds 20 percent
- 23 of the value of the endorsement contract;
- 24 4. enter into an agency contract with a college
- 25 athlete for a term that extends beyond the
- 26 eligibility of the college athlete to participate in
- 27 intercollegiate sport;
- 28 5. entice a college athlete to enroll at an institution
- 29 of higher education (as defined in section 2 of the
- 30 Save College Athletics Act of 2025), transfer to
- 31 or from an institution of higher education, or
- 32 declare an intent to transfer from an institution of
- 33 higher education by misrepresenting the
- 34 existence, nature, or value of a name, image, or
- 35 likeness opportunity the athlete agent can arrange
- 36 on behalf of the college athlete; or
- 37 6. make a materially false, misleading, deceptive, or
- 38 fraudulent representation as an athlete agent or in
- 39 the application for registration as an athlete
- 40 agent.”; and
- 41 (3) in subsection (b)(3), by striking “Warning to Student
- 42 Athlete: If you agree orally or in writing to be represented by an
- 43 agent now or in the future you may lose your eligibility to
- 44 compete as a student athlete in your sport.”;

1 (4) by inserting after section 3A, as added by section ____, the
2 following:

3 **(4) REGISTRATION AND OTHER REQUIREMENTS OF ATHLETE**
4 **AGENTS AND PLAYERS ASSOCIATIONS.**

5 (A) REGISTRATION REQUIREMENT.— Prior to representing a college
6 athlete for an endorsement contract, a prospective athlete agent must register with
7 a Players Association.

8 (B) REGISTRATION ESTABLISHED.—An individual is deemed to be
9 registered with a Players Association for purposes of this section if the individual
10 is—

11 (1) a registered professional sports agent with a professional sports
12 league or professional players association, in good standing; or

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

15 (C) AGENT FEE CAP.—Fees charged by an athlete agent in connection with an
16 endorsement contract entered into by a college athlete shall not exceed 20 percent
17 of the value of the endorsement contract.

18 **(D) REQUIREMENTS OF PLAYERS ASSOCIATIONS.—**

19 (1) SEARCHABLE REGISTRY.—It is unlawful for a players association
20 to operate without maintaining a publicly available website that includes a
21 searchable database of athlete agents registered under subsection (a) and certified
22 under subsection (b).

23 (2) WEBSITE.—A players association shall include on a publicly
24 available website a working link to, or information on how to locate, the website
25 of the CAC.

26 **(5) PRIVATE RIGHT OF ACTION.**

27 (A) IN GENERAL.—Any current or former college athlete alleging a violation
28 of this Act may bring a civil action in an appropriate district court of the United
29 States or in an appropriate State court.

30 (B) RELIEF.—In a civil action brought under subsection (a) in which the
31 plaintiff prevails, the court may award—

- 32
33 (1) actual damages;
34 (2) reasonable attorney’s fees and litigation costs; and
35 (3) any other relief, including equitable or declaratory relief, that the court
36 determines appropriate.

37 **(6) INVALIDITY OF PRE-DISPUTE ARBITRATION AGREEMENTS**
38 **AND PRE-DISPUTE JOINT ACTION WAIVERS.—**

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

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

5 (C) DEFINITIONS.—In this subsection:

6 (1) PRE-DISPUTE ARBITRATION AGREEMENT.—

7 a. The term ‘pre-dispute arbitration agreement’ means any agreement to
8 arbitrate a dispute that has not arisen at the time of the making of the agreement.

9 (2) PRE-DISPUTE JOINTACTION WAIVER.—The term ‘pre-dispute
10 joint-action waiver’ means an agreement, whether or not part of a pre-dispute
11 arbitration agreement, that would prohibit, or waive the right of, one of the parties
12 to the agreement to participate in a joint, class, or collective action in a judicial,
13 arbitral, administrative, or other forum, concerning a dispute that has not yet
14 arisen at the time of the making of the agreement.”.

15
16 (c) CLERICAL AMENDMENTS.—The table of contents for the
17 Sports Agent Responsibility and Trust Act is amended—

18 (1) by inserting after the item relating to section 3A the
19 following:

20 “Sec. 3B. Registration and other requirements of
21 athlete agents and athletic associations.”; and

22 (2) by inserting after the item relating to section 5 the
23 following: “Sec. 5A. Private right of action.”

24

25 **SEC. 8. ESTABLISHMENT OF THE COLLEGE**
26 **ATHLETICS CORPORATION.**

27 (a) ESTABLISHMENT. There is established a
28 corporation, to be known as the “College Athletics Corporation.”

29 (b) PURPOSES. The purposes of the CAC are as follows:

30 (1) To serve as a clearinghouse for best practices
31 with respect to the rights and protections of college athletes
32 who enter into agency contracts and endorsement contracts,

1 including by providing guidance to college athletes
2 concerning such contracts.

3 (2) Subject to final approval from the
4 Commission, establish rules and investigatory processes
5 and to bring actions to enforce this Act and any established
6 collective bargaining agreement(s) with respect to athlete
7 representatives, institutions of higher education,
8 conferences, and intercollegiate athletic associations that
9 violate such rules and agreement(s).

10 (3) To establish a formal certification process for
11 athlete representatives and players associations, by which
12 the CAC shall-

13 (A) determine the eligibility of an
14 individual to serve as an athlete representative;

15 (B) periodically verify an athlete
16 representative's continued eligibility and
17 compliance with this Act and the best practices,
18 rules, and competency and ethical standards
19 established under this subsection; and

1 (C) in the case of noncompliance with this
2 Act or any such best practice, rule, collective
3 bargaining agreement(s), or competency or ethical
4 standard, revoke a certification issued in accordance
5 with this paragraph.

6 (4) To provide recommendations to institutions
7 of higher education, conferences, and intercollegiate
8 athletic associations on how to protect college athletes
9 from unfair or deceptive business practices undertaken by
10 athlete representatives.

11 (5) Subject to final approval from the
12 Commission, investigate disputes with respect to agency
13 contracts and endorsement contracts entered into by
14 college athletes, including-

15 (A) verifying that athlete representatives
16 involved in the endorsement contract process have
17 acted in the best interests of college athletes; and

18 (B) monitoring compliance with, and
19 making determinations and findings concerning
20 violations of, this Act.

1 (6) To provide college athletes with a process for
2 the resolution of conflicts concerning agency contracts and
3 endorsement contracts, or any other agreements governed
4 by this Act, including by providing a neutral arbitrator for
5 any case in which a college athlete is the complaining
6 party if requested by both parties.

7 (7) To ensure institutions of higher education
8 and are complying with agency contract and endorsement
9 contract rules set forth by the CAC in consultation with
10 certified players associations in accordance with this
11 section.

12 (c) MEMBERSHIP.

13 (1) ELIGIBILITY. Eligibility for membership in
14 the CAC shall be as provided in the constitution and bylaws
15 of the CAC.

16 (2) REQUIRED PROVISIONS FOR REPRESENTATION.

17 In its constitution and bylaws, the CAC shall establish and
18 maintain provisions with respect to its governance and the
19 conduct of its affairs for the reasonable representation of-

20 (A) college athletes;

- 1 (B) certified players associations;
- 2 (C) administrators of institutions of higher
- 3 education, including directors of athletics;
- 4 (D) administrators of intercollegiate
- 5 athletic associations;
- 6 (E) -athletic conference administrators;
- 7 (F) professionals with expertise in sports
- 8 marketing, contracting, and public relations; and
- 9 (G) individuals unaffiliated with any
- 10 intercollegiate athletic association who, in the
- 11 judgment of the board of directors of the CAC,
- 12 represent the interest of providing oversight of the
- 13 activities of the CAC.

14 (d) BOARD OF DIRECTORS.

15 (1) IN GENERAL. The CAC shall be governed by

16 a board of directors comprised of 15 voting members, which

17 shall include seven voting members who comprise current

18 and former college athletes selected by a certified players

19 association, seven voting members representing

1 intercollegiate athletic associations, and one voting member
2 who is a certified players association.

3 (2) REPRESENTATION.

4 (A) IN GENERAL. Not less than 1/3 of the
5 membership of the board of directors of the CAC
6 shall be composed of current or former college
7 athletes selected by a certified players association.

8 (B) CURRENT COLLEGE ATHLETES. Not
9 less than 20 percent of the membership of the board
10 of directors of the CAC shall be composed of
11 college athletes selected by a certified players
12 association who are-

13 (i) actively engaged in college
14 athletic events; or

15 (ii) have engaged in college athletic
16 events during the 10 years immediately
17 preceding appointment to the board of
18 directors.

19 (e) POWERS.

1 (1) CONSTITUTION AND BYLAWS. The CAC shall
2 adopt a constitution and bylaws.

3 (2) GENERAL CORPORATE POWERS. The CAC
4 may-

5 (A) establish and maintain offices to
6 conduct the affairs of the CAC;

7 (B) enter into contracts;

8 (C) accept gifts, legacies, and devises m
9 furtherance of its corporate purposes;

10 (D) acquire, own, lease, encumber, and
11 transfer property as necessary to carry out the
12 purposes of the CAC;

13 (E) borrow money, issue instruments of
14 indebtedness, and secure its obligations by granting
15 security interests in its property;

16 (F) publish a magazine, newsletter, and
17 other publications consistent with its corporate
18 purposes;

19 (G) approve and revoke membership in the
20 CAC; and

1 (H) conduct any other activity necessary
2 and proper to carry out the purposes of the CAC.

3 (3) SUBPOENA POWER. Subject to the final
4 approval of the Commission, the CAC shall have subpoena
5 power and shall adopt rules that will result in the CAC, in
6 response to appropriate requests, issuing subpoenas duces
7 tecum and ad testificandum and compelling deposition
8 testimony at the request of a intercollegiate athletic
9 association.

10 (f) RESTRICTIONS.

11 (1) PROFIT AND STOCK. The CAC may not
12 engage in business for profit or issue stock.

13 (2) POLITICAL ACTIVITIES. The CAC shall be
14 nonpolitical and may not promote the candidacy of an
15 individual seeking public office.

16 (g) HEADQUARTERS, PRINCIPAL OFFICE, AND MEETINGS.

17 The CAC shall maintain its principal office and national
18 headquarters in a location in the United States chosen by the
19 CAC. The CAC may hold its annual and special meetings in the
20 places chosen by the CAC.

1 (h) SERVICE OF PROCESS. As a condition to the exercise
2 of any power or privilege granted by this section, the CAC shall
3 have a designated agent to receive service of process for the
4 CAC. Notice to or service on the agent, or mailed to the business
5 address of the agent, is notice to or service on the CAC.

6 (i) REPORT. Not less frequently than annually, the
7 CAC shall submit to the Committee on Commerce,
8 Transportation, and Science of the Senate and the Committee on
9 Energy and Commerce of the House of Representatives a report
10 that includes-

11 (1) the number of disputes investigated by the
12 CAC in the preceding year pursuant to subsection (b)(6);

13 (2) the number of such disputes filed in the
14 preceding year; and

15 (3) any recommendations to improve the
16 endorsement contract process.

17 **SEC. 9. ENFORCEMENT ACTIONS BY STATES.**

18 (a) IN GENERAL. In any case in which the attorney
19 general of a State, or such other official as the State may
20 designate, has reason to believe that an interest of the residents

1 of such State has been or is threatened or adversely affected by
2 an act or practice in violation of this Act, or a standard or rule
3 established under this Act, the State may bring a civil action on
4 behalf of the residents of the State in an appropriate State court
5 or a Federal district court of the United States that is located in
6 the State and has jurisdiction over the defendant-

7 (1) to enforce compliance with this Act or such
8 standard or rule; and

9 (2) for all appropriate remedies.

10 (b) NOTICE.

11 (1) IN GENERAL. Before filing an action under
12 this section or commencing any other administrative or
13 regulatory proceeding to enforce this Act, or a standard or
14 rule established under this Act, the attorney general, official,
15 or agency of the State involved shall provide to the
16 Commission, the CAC, and any players associations
17 certified by the CAC-

18 (A) a written notice of such action or
19 proceeding; and

1 (B) a copy of the complaint for such action
2 or proceeding.

3 (2) CONTENTS OF NOTICE. The written notice
4 required by paragraph (1) shall include-

5 (A) the identity of the parties;

6 (B) a description of the alleged facts
7 underlying the action or proceeding; and

8 (C) an assessment as to whether there is a
9 need to coordinate the prosecution of the action or
10 proceeding so as not to interfere with any action or
11 proceeding undertaken by the CAC or a Federal
12 agency.

13 (3) CAC RESPONSE. On receiving notice under
14 this subsection of an action or proceeding under this
15 subsection, the CAC shall, upon approval of the
16 Commission, have the right-

17 (A) to intervene in the action or
18 proceeding;

19 (B) upon so intervening-

1 (i) to remove the action or
2 proceeding to the appropriate United States
3 Federal district court, if the action or
4 proceeding was not originally brought there;
5 and

6 (ii) to be heard on all matters arising
7 in the action or proceeding; and

8 (C) to appeal any order or judgment, to the
9 same extent as any other party in the proceeding.

10 (c) REGULATIONS. Upon approval of the Commission,
11 the CAC shall prescribe regulations to implement this section
12 and, from time to time, provide guidance to further coordinate
13 actions with State attorneys general and other regulators.

14 (d) RULE OF CONSTRUCTION. Nothing in this section
15 may be construed as altering, limiting, or affecting the authority
16 of a State attorney general or any other regulatory or enforcement
17 agency or authority to bring an action or other regulatory
18 proceeding arising solely under the law in effect in that State.

1 **SEC. 10. ROLE OF INTERCOLLEGIATE ATHLETIC**
2 **ASSOCIATIONS.**

3 An intercollegiate athletic association may-

4 (1) establish titles to enforce the provisions of
5 this Act and the standards issued under section 12(b)(2); and

6 (2) enforce such rules, including by, depending
7 on the severity of the violation-

8 (A) declaring ineligible for college athlete
9 competition a college athlete who violates an
10 established collective bargaining agreement; and

11 (B) suspending or permanently removing
12 from involvement in intercollegiate athletics any
13 athletic personnel or volunteer who violate this Act.

14 **SEC. 11. REPORTING.**

15 (a) BIENNIAL REPORT. Not later than 180 days after the
16 date of the enactment of this Act, and biennially thereafter, the
17 head of each intercollegiate athletic association shall submit to
18 the Committee on Commerce, Science, and Transportation of the
19 Senate and the Committee on Energy and Commerce of the
20 House of Representatives a report that includes-

1 (1) a summary of the systemic issues faced by the
2 intercollegiate athletic association relating to compliance
3 with this Act;

4 (2) a summary of the trends that are developing
5 among institutions of higher education, conferences, and
6 intercollegiate athletic associations in response to the
7 prohibitions under this Act; and

8 (3) recommendations for improvements to inter-
9 collegiate athletics that would improve the health, safety,
10 and educational opportunities of college athletes.

11 (b) INVESTIGATION AND REPORT. Not later than 5 years
12 after the date of the enactment of this Act, and every 5 years
13 thereafter, the Comptroller General of the United States shall-

14 (1) investigate to assess compliance with this
15 Act; and

16 (2) submit to Congress a report that includes-

17 (A) a summary of the investigation con-
18 ducted under paragraph (1); and

19 (B) recommendations for improvements to
20 intercollegiate athletics that would improve the

1 health, safety, and educational opportunities of
2 college athletes.

3 **SEC. 12. ROLE OF PLAYERS ASSOCIATIONS**

4 Any players association certified by the CAC may -

5 (1) establish titles to enforce the provisions of
6 this Act and the standards issued under section 7(b)(2) in
7 consultant with the CAC; and

8 (2) draft and negotiate such CAC rules, including
9 by, depending on the severity of the violation in consultant
10 with the CAC-

11 (A) declaring ineligible for college athlete
12 competition a college athlete in violation of any
13 established collective bargaining agreement(s); and

14 (B) suspending or permanently removing
15 from involvement in intercollegiate athletics any
16 athletic personnel or volunteer who violate this Act.

17 **SEC. 13. REPORTING.**

18 (a) BIENNIAL REPORT. Not later than 180 days after the
19 date of the enactment of this Act, and biennially thereafter,
20 certified players associations shall submit to the Committee on

1 Commerce, Science, and Transportation, Judiciary, and Health,
2 Education, Labor and Pensions of the Senate and the Committee
3 on Energy and Commerce, Judiciary, and Education and the
4 Workforce of the House of Representatives a report that
5 includes-

6 (2) a summary of the systemic issues faced by the
7 players association and college athletes relating to
8 compliance with this Act;

9 (3) recommendations for improvements to inter-
10 collegiate athletics that would improve the health, safety,
11 and educational opportunities of college athletes.

12 (b) INVESTIGATION AND REPORT. Not later than 5 years
13 after the date of the enactment of this Act, and every 5 years
14 thereafter, the Comptroller General of the United States shall-

15 (4) conduct an investigation to assess
16 compliance with this Act; and

17 (5) submit to Congress a report that includes-

18 (A) a summary of the investigation con-
19 ducted under paragraph (1); and

1 (B) recommendations for improvements to
2 intercollegiate athletics that would improve the
3 health, safety, and educational opportunities of
4 college athletes.

5 **SEC. 14. REPORTING REQUIREMENTS ON OLYMPIC**
6 **SPORTS.**

7 (1) Not later than 1 year after the final order is
8 issued in the House Settlement, institutions that opt into
9 revenue sharing, shall report to the Department of Education
10 the number of roster spots for each of their varsity Olympic
11 Sports for the previous and current academic year starting
12 in academic year 2025-2026 and annually for each academic
13 year thereafter.

14 **SEC. 15. GAO STUDY ON OLYMPIC SPORTS.**

15 (1) Not later than 2 years after the final order is
16 issued in the House Settlement, the Comptroller General of
17 the United States shall complete a study that assesses the
18 impact of the House Settlement on Olympic Sports, studies
19 international models of national funding for Olympic
20 Sports, and provides recommendations for federal support

1 of the Committee given the unique nature of Olympic Sports
2 and intercollegiate athletics in the United States. The study
3 shall include:

4 (A) A survey of international models of
5 national support for Olympic sports with a
6 particular focus on international models of national
7 support for Olympic sports in coordination with an
8 existing system of intercollegiate athletics that
9 include Olympic Sports;

10 (B) The projected scale and magnitude of
11 any potential federal support for Olympic Sports in
12 the United States given the historic levels of private
13 and/or philanthropic support to the Committee and
14 Olympic Sports undertaken at United States
15 institutions of higher education;

16 (C) The coordination between the
17 Committee, players associations, the CAC,
18 intercollegiate athletic associations or other similar
19 bodies that would be required in the development

1 and cultivation of Olympic sports at institutions of
2 higher education;

3 (D) A description of any potential changes
4 in the oversight and governance structure of the
5 Committee if federal support were provided to the
6 Committee, including recommendations for the
7 incorporation of the Committee, players
8 associations, the CAC, intercollegiate athletic
9 associations, or other similar bodies into the
10 Committee;

11 (E) An analysis of the reported trends in
12 roster sizes of Olympic Sports with a focus on
13 Division I athletic programs that opt into revenue
14 sharing pursuant to the House Settlement; and,

15 (F) Report Recommendations. The
16 Comptroller General of the United States shall
17 submit a report to the Committee on Energy and
18 Commerce of the House of Representatives and the
19 Committee on Commerce, Science, and

1 Transportation of the Senate on the results of such
2 study.

3 **SEC. 16. ANTITRUST EXEMPTION.**

4 (1) An institution of higher education,
5 intercollegiate athletic association, or conference shall not
6 be in violation of any law or regulation, and shall not be
7 subject to any manner of claim or cause of action, whether
8 class, individual or otherwise, or any liabilities
9 whatsoever, including under any Federal or State law
10 for—

11 (A) the adoption of, agreement to,
12 enforcement of, or compliance with any rule or
13 bylaw of an intercollegiate athletic association,
14 conference, or institution that limited or prohibited
15 a college athlete from receiving compensation in
16 connection with having entered into an endorsement
17 contract with a third party;

1 **SEC. 17. PREEMPTION OF STATE NAME, IMAGE,**
2 **AND LIKENESS LAWS AND**
3 **REGULATIONS.**

4 No State or political subdivision of a State may establish
5 or continue in effect any law or regulation that governs or
6 regulates-

7 (1) the freedom of a college athlete to transfer
8 from one institution of higher education to another
9 institution of higher education;

10 (2) the commercial use of, and the provision of
11 covered compensation for such use of, the name, image, or
12 likeness of a college athlete;

13 (3) the certification of athlete representatives
14 associated with intercollegiate athletics; or

15 (4) Any other matters governed by this Act.

16 **SEC. 18. SEVERABILITY.**

17 If any provision of this Act or the application of such
18 provision to any person or circumstance is held to be
19 unconstitutional, the remainder of this Act, and the application

- 1 of the provision to any other person or circumstance, shall not be
- 2 affected.

