

I may pay that amount. It doesn't say that I should pay that amount. It is not optional. Just like every other bill-paying American family out there, I open that bill, and I have to pay it. The same needs to be true for AI data centers. If hyperscalers and other Big Tech developers need expensive new facilities and more energy, they should pay for it, not our hard-working families and small businesses.

I think the Senator from Ohio and I agree on that principle, and plenty of Big Tech companies have said that that is their plan. But I don't think it is enough to just take their word for it. It is not enough for us to tell States to consider making data centers pay for grid updates. Rather than voluntary pledges or suggestions to States, Congress needs to pass real legislation with real teeth.

That is why I introduced the GRID Savings Act—not a voluntary agreement—to require large load customers like data centers to pay for the facilities needed to connect them to the grid—not to consider it, not to make pledges, but to actually do it; to pay for the upgrades they need. That way, we can ensure reliable, low-cost energy to power everyday lives. My bill is what is needed to start to bring down energy prices.

We also need to do more to get data centers to actually engage with communities from the beginning to the very end. We need to conserve local resources, especially water. And we need to protect communities from air pollution by using clean energy and battery storage. But we are not going to get there with the bill that the Senator from Ohio has proposed.

Therefore, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from New Mexico.

Mr. HEINRICH. Mr. President, as if in legislative session and notwithstanding rule XXII, I ask unanimous consent that the Committee on Energy and Natural Resources be discharged from further consideration of S. 5199, the GRID Savings Act, and that the Senate proceed to its immediate consideration; further, that the bill be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there an objection?

The Senator from Ohio.

Mr. MORENO. Mr. President, reserving my right to object, I just want to make it crystal clear for everybody as to what just happened.

If we had passed my colleague from Ohio's bill—the one he spent an enormous amount of time writing, the bill that he spent enormous time in lobbying support for from the House of Representatives—all we had to do was not have an objection from a Democrat Senator. That bill would have become law today, and taxpayers all over America and electricity users all over

this country would have seen immediate relief. We would have advanced the ball.

The term “do-nothing Congress” exists for a reason. We absolutely accomplished that right now. We did nothing here in the Senate because of, again, Democrat obstruction. This bill would have done something. That is not nothing.

So I applaud my colleague from Ohio for putting the work in and for having a massive, bipartisan win.

By the way, just on policy alone in comparing the two solutions, the last thing we need is a new Federal interconnection queue to make Google pay for a transformer. My colleague from Ohio's bill would have actually required a deposit before steel is put in the ground for a new data center. The other would have required a FERC NOPR. Look that up. It is a bunch of bureaucratic nonsense.

What you saw now is just, over and over again, Democrat obstruction after Democrat obstruction so they can just put up another TV ad saying that electricity prices are high so that they can win an election. Instead, the victim of all of this is the taxpayer of the United States of America, who is going to see electricity prices continue to go up, when we could have passed a law to have solved it. Instead, it is more games after more games. Like the American people, I am sick of it, and I know they are.

For that reason, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Ohio.

Mr. HUSTED. Mr. President, I ask unanimous consent to speak for an additional 1 minute.

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

Mr. HUSTED. Mr. President, I would just say this: I accept the Senator from New Mexico's concerns, but the reason I am proposing that we pass this piece of legislation is that it passed the House, 417 to 3. If the Senator from New Mexico's provision had passed the House 417 to 3, he would have had every right to stand up and ask that we do this.

Before we leave here, we ought to do something on a matter that the American people have asked us to do something about, and we have the opportunity to do that with the Ratepayer Protection Act. It is a shame that this opportunity has been missed today, but I will be back to push this issue forward. We have a bipartisan opportunity to get this done, and we should do it immediately.

NOMINATION OF KASDIN MILLER MITCHELL

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Kasdin Mitchell to the U.S. District Court for the Northern District of Texas.

Ms. Mitchell's record demonstrates that she prioritizes corporate interests over people. In private practice, she has represented Big Tech companies

and industrial polluters. She also represented the New York State Rifle & Pistol Association in the 2022 Supreme Court case *New York State Rifle & Pistol Association v. Bruen*, which led to gun safety laws across the country being struck down.

Ms. Mitchell previously litigated against reproductive rights, and she argued for gutting the Voting Rights Act in a brief she submitted in Shelby County v. Holder. In addition to her professional record, she has strong ties to the Federalist Society and other rightwing organizations.

I oppose her nomination and ask my colleagues to join me.

VOTE ON MITCHELL NOMINATION

The PRESIDING OFFICER (Mr. MORENO). The question is, Will the Senate advise and consent to the Mitchell nomination?

Mr. RICKETTS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from Kansas (Mr. MARSHALL), the Senator from Kentucky (Mr. McCONNELL), the Senator from Kansas (Mr. MORAN), and the Senator from Alabama (Mr. TUBERVILLE).

Mr. DURBIN. I announce that the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Maryland (Mr. VAN HOLLEN), are necessarily absent.

The result was announced—yeas 49, nays 45, as follows:

[Rollcall Vote No. 238 Ex.]

YEAS—49

Armstrong	Ernst	Moreno
Banks	Fischer	Murkowski
Barrasso	Graham	Paul
Blackburn	Grassley	Ricketts
Boozman	Hagerty	Risch
Britt	Hawley	Rounds
Budd	Hoeven	Schmitt
Capito	Husted	Scott (FL)
Cassidy	Hyde-Smith	Scott (SC)
Collins	Johnson	Sheehy
Cornyn	Justice	Sullivan
Cotton	Kennedy	Thune
Cramer	Lankford	Tillis
Crapo	Lee	Wicker
Cruz	Lummis	Young
Curtis	McCormick	
Daines	Moody	

NAYS—45

Alsobrooks	Heinrich	Peters
Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Blunt Rochester	Kelly	Schatz
Booker	Kim	Schiff
Cantwell	King	Schumer
Coons	Klobuchar	Slotkin
Cortez Masto	Lujan	Smith
Duckworth	Markey	Warner
Durbin	Merkley	Warnock
Fetterman	Murphy	Warren
Gallego	Murray	Welch
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden

NOT VOTING—6

Marshall	Moran	Tuberville
McConnell	Shaheen	Van Hollen

The nomination was confirmed.

The PRESIDING OFFICER (Ms. GRAHAM). The yeas are 49, the nays are 45.

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

PROTECT COLLEGE SPORTS ACT OF 2026

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

Cloture having been invoked, the clerk will report the bill.

The senior assistant legislative clerk read the bill as follows:

A bill (S. 4668) to protect the name, image, and likeness rights of, and provide protections for, student athletes and to promote fair competition among intercollegiate athletics, and for other purposes, which had been reported from the Committee on Commerce, Science, and Transportation with an amendment to strike all after the enacting clause and insert the part printed in italic, as follows:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Protect College Sports Act of 2026”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—PROTECTIONS OF STUDENT ATHLETES AND FAIR COMPETITION

Sec. 100. Definitions.

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

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

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

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

Sec. 105. Academic protections.

Sec. 106. Medical coverage requirements.

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

Sec. 108. Office of the Student Athlete Ombudsman.

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

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

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

Sec. 112. Transfer protections.

Sec. 113. Eligibility to participate in intercollegiate sports.

Sec. 114. Prohibited compensation and agreements.

Sec. 115. Extension of the revenue share cap.

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

Sec. 117. Recruitment and tampering.

Sec. 118. Limitation on liability.

Sec. 119. Private right of action.

Sec. 120. Whistleblower protection.

Sec. 121. Relationship to existing law.

Sec. 122. Neutrality on employee or non-employee status.

Sec. 123. Applicability.

Sec. 124. Severability.

Sec. 125. Protection of women's sports and Olympic sports.

Sec. 126. Mid-sized conference representation on intercollegiate athletic association governing boards.

TITLE II—SPORTS BROADCASTING

Sec. 201. Definitions.

Sec. 202. Limitation on liability for transmission of collegiate sports competitions.

Sec. 203. Requirements for entities selling media rights.

Sec. 204. Market level broadcast access for college football and basketball.

Sec. 205. Prohibition on certain conference mergers or acquisition.

Sec. 206. Amendments to intercollegiate and interscholastic football contest limitations.

Sec. 207. Media rights utilization requirement for college sports other than football and basketball.

TITLE I—PROTECTIONS OF STUDENT ATHLETES AND FAIR COMPETITION

SEC. 100. DEFINITIONS.

In this title:

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

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

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

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

(A) known, or should have been known, to exist for or act for the benefit of, in coordination with, or at the direction of an institution to promote or support an institution's athletics program or student athletes, including by creating or identifying name, image, and likeness compensation opportunities for an institution's student athletes;

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

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

(D) an individual or entity that has directly or indirectly been directed or requested by an institution or third party acting on behalf of, for the benefit of, in coordination with, or at the direction of an institution to assist in the recruitment or retention of student athletes or prospective student athletes, or otherwise has assisted in the recruitment or retention of student athletes or prospective student athletes; or

(E) an individual or entity owned, controlled, or operated by, or otherwise affiliated with the individuals or entities described in subparagraph (A).

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

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

(A) means a person, corporation, booster organization, tax-exempt organization, or other entity that provides donations or other support directly or indirectly to or for the 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 particular institution.

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

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

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

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

(A) has the meaning given that term in section 472 of the Higher Education Act of 1965 (20 U.S.C. 10871l); and

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

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

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

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

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

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

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

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

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