

against the covered entity in an appropriate district court of the United States.

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

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

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

“(i) PARTICIPATION IN COVERED ENTITY OPTIONAL.—

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

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

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

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

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

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

“(a) DEFINITIONS.—In this section:

“(1) DESIGNATED MARKET AREA.—The term ‘designated market area’ has the meaning given the term in section 122(j)(2)(C) of title 17, United States Code.

“(2) LOCAL DESIGNATED MARKET AREA.—

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

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

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

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

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

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

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

“(b) REQUIREMENT OF LOCAL OUTLET OPTION.—

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

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

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

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

“(c) GOOD FAITH NEGOTIATION.—

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

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

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

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

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

“(a) IN GENERAL.—It shall be unlawful under the antitrust laws, as defined in section 1(a), for any covered conference that reported more than \$700,000,000 in revenue on its fiscal year 2025 tax return or any subsequent tax return to merge or consolidate with, or to acquire the assets, media rights (including media rights of an institution), or membership of, another covered conference or of an independent institution, if as a result of the transaction, the number of institutions that are members of the covered conference would be less than 75 percent of the institutions participating in the Football Bowl Subdivision, as defined by Bylaw 20.9.9 of the National Collegiate Athletic Association.

“(b) DEFENSES NOT APPLICABLE.—A transaction prohibited under subsection (a) may not be justified by efficiencies, procompetitive effects, or any other defense under the antitrust laws, as defined in section 1(a).

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

“(d) DEFINITION.—In this section, the term ‘covered conference’ means a conference, the primary athletic revenue of which is derived from the sale or transfer of media rights relating to intercollegiate football.”.

SEC. 206. AMENDMENTS TO INTERCOLLEGIATE AND INTERSCHOLASTIC FOOTBALL CONTEST LIMITATIONS.

(a) IN GENERAL.—Section 3 of the Sports Broadcasting Act of 1961 (15 U.S.C. 1293) is amended—

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

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

(3) by adding at the end the following:

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

(b) PROTECTION OF ARMY-NAVY GAME.—Section 3 of the Sports Broadcasting Act (15 U.S.C. 1293) is amended—

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

(2) by adding at the end the following:

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

“(2) For purposes of this subsection, the term ‘protected Army-Navy Game broadcast window’ means the period beginning 1 hour before scheduled kickoff and ending 30 minutes after the official conclusion of the telecast of the annual football game between the United States Military Academy and the United States Naval Academy occurring on the second Saturday in December in any year.”.

SEC. 207. MEDIA RIGHTS UTILIZATION REQUIREMENT FOR COLLEGE SPORTS OTHER THAN FOOTBALL AND BASKETBALL.

(a) DEFINITIONS.—In this section, the terms “covered entity”, “intercollegiate athletic competition”, “member conference”, and “member institution” have the meanings given those terms in section 8 of the Sports Broadcasting Act, as redesignated by section 201(b)(1) of this Act.

(b) REQUIREMENT OF USE.—A distributor to which any media rights for intercollegiate athletic competitions in a sport other than football or basketball are sold, licensed, or otherwise conveyed by the covered entity or its member institutions or member conferences after the date of enactment of this Act shall affirmatively use those rights by making the competitions reasonably available to the public not later than 1 year after the effective date of the agreement under which the rights are sold, licensed, or otherwise conveyed.

(c) REVERSION OF RIGHTS.—

(1) FAILURE TO USE RIGHTS; OPPORTUNITY TO CURE.—If a distributor to which media rights for intercollegiate athletic competitions in a sport other than football or basketball are sold, licensed, or otherwise conveyed as described in subsection (b) does not use the rights during the 1-year period beginning on the effective date of the agreement under which the rights are sold, licensed, or otherwise conveyed, the covered entity, member institution, or member conference notifies the distributor after the expiration of that 1-year period of the distributor’s failure to use the rights, and the distributor does not use the rights during the 180-day period beginning on the date of the notification, the rights for that sport shall revert to the originating covered entity, member institution, or member conference.

(2) RECONVEYANCE.—Upon the reversion of rights under paragraph (1), the covered entity, member institution, or member conference may resell, relicense, or otherwise reconvey the rights to another entity without penalty or liability for breach of the original agreement described in that paragraph.

(d) SAVINGS.—Nothing in this section shall be construed to modify the Sports Broadcasting Act of 1961, as amended by this title.

The PRESIDING OFFICER. The majority leader.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. THUNE. Madam President, I move to proceed to executive session to consider Calendar No. 828.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Angela Veronica Colmenero, of Texas, to be United States District Judge for the Southern District of Texas.

CLOTURE MOTION

Mr. THUNE. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 828, Angela Veronica Colmenero, of Texas, to be United States District Judge for the Southern District of Texas.

John Thune, Tim Sheehy, John Barrasso, Pete Ricketts, Thom Tillis, Rick Scott of Florida, John Cornyn, Steve Daines, Bernie Moreno, John R. Curtis, Chuck Grassley, Jim Banks, Mike Crapo, James Lankford, Kevin Cramer, Mike Rounds, Ted Budd.

LEGISLATIVE SESSION

Mr. THUNE. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

AMENDMENT NO. 6776

(Purpose: In the nature of a substitute.)

Mr. THUNE. Madam President, I call up Cruz-Cantwell substitute amendment No. 6776.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE], for Mr. CRUZ, proposes an amendment numbered 6776.

Mr. THUNE. Madam President, I ask the reading be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. THUNE. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

AMENDMENT NO. 6777 TO AMENDMENT NO. 6776

Mr. THUNE. Madam President, I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE] proposes an amendment numbered 6777 to amendment No. 6776.

Mr. THUNE. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To improve the bill)

At the end add the following.

"This Act shall take effect 1 day after the date of enactment."

Mr. THUNE. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

AMENDMENT NO. 6778 TO AMENDMENT NO. 6777

Mr. THUNE. Madam President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE] proposes an amendment numbered 6778 to amendment No. 6777.

Mr. THUNE. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To improve the bill)

Strike "1 day" and insert "2 days".

AMENDMENT NO. 6779

Mr. THUNE. I have an amendment to the text of the underlying bill.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE] proposes an amendment numbered 6779 to the language proposed to be stricken by amendment No. 6776.

Mr. THUNE. I ask the reading be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To improve the bill)

At the end add the following.

"This Act shall take effect 3 days after the date of enactment."

Mr. THUNE. I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

AMENDMENT NO. 6780 TO AMENDMENT NO. 6779

Mr. THUNE. Madam President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE] proposes an amendment numbered 6780 to amendment No. 6779.

The amendment is as follows:

(Purpose: To improve the bill)

Strike "3 days" and insert "4 days".

MOTION TO RECOMMIT WITH AMENDMENT NO. 6781

Mr. THUNE. Madam President, I move to recommit the bill to the Com-

mittee on Commerce, Science, and Transportation with instructions.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE] moves to recommit the bill to the Committee on Commerce, Science, and Transportation with instructions to report back forthwith with an amendment numbered 6781.

Mr. THUNE. I ask the reading be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To improve the bill)

At the end add the following.

"This Act shall take effect 5 days after the date of enactment."

Mr. THUNE. Madam President, I ask for the yeas and nays on the motion to recommit with instructions.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

AMENDMENT NO. 6782

Mr. THUNE. Madam President, I have an amendment to the instructions.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE] proposes amendment No. 6782 to the instructions of the motion to recommit.

Mr. THUNE. Madam President, I ask consent the reading be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To improve the bill)

Strike "5 days" and insert "6 days".

Mr. THUNE. I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

AMENDMENT NO. 6783 TO AMENDMENT NO. 6782

Mr. THUNE. Madam President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE] proposes an amendment numbered 6783 to amendment No. 6782.

Mr. THUNE. I ask consent the reading be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To improve the bill)

Strike "6 days" and insert "7 days".

CLOTURE MOTION

Mr. THUNE. Madam President, I send a cloture motion to the desk for the Cruz-Cantwell substitute amendment No. 6776.