

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

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

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

(B) that does not have a preamble;

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

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

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

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

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

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

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

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

(5) **FAST TRACK CONSIDERATION IN HOUSE OF REPRESENTATIVES.**—

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

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

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

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

(5) **FAST TRACK CONSIDERATION IN SENATE.**—

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

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

(3) **FLOOR CONSIDERATION.**—

(A) **IN GENERAL.**—It is in order at any time during the period beginning on the 10th day after the date on which Congress receives the notice under subsection (b) to which the joint resolution relates to move to proceed to the consideration of the joint resolution. The motion to proceed is privileged and not debatable. All points of order against the joint resolution and against consideration of the joint resolution are waived. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business until disposed of.

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

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

(D) **RULINGS OF THE CHAIR ON PROCEDURE.**—Appeals from the decisions of the Chair re-

lating to the application of the rules of the Senate to the procedure relating to a joint resolution shall be decided without debate.

(f) **RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.**—

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

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

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

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

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

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

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

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

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

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

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

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

(a) **COMMISSION ON THE FUTURE OF COLLEGE ATHLETICS.**—

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

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

(b) **MEMBERSHIP.**—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(B) EXECUTIVE DIRECTOR AND STAFF.—The co-chairs of the Commission shall appoint an executive director of the Commission and

such staff as appropriate, with compensation.

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

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

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

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

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

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

(1) To study and develop recommendations regarding—

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

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

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

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

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

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

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

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

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

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

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

(L) any other recommendations regarding intercollegiate athletics.

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

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

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

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

(C) the President.

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

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

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

(C) the President.

(e) STUDENT ATHLETE RETENTION COUNCIL.—

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

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

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

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

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

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

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

(h) PUBLIC HEARINGS.—The Commission shall hold 1 or more public hearings.

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

(j) JOINT RESOLUTION.—Any Member of Congress may introduce a joint resolution

for consideration to adopt any of the recommendations of the Commission, in whole or in part, including any recommendations from the Commission on whether to eliminate, raise, or lower the Pool Benefits Limit.

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

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

SEC. 117. RECRUITMENT AND TAMPERING.

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

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

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

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

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

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

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

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

SEC. 118. LIMITATION ON LIABILITY.

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

- (1) section 114;
- (2) section 115;
- (3) section 113;
- (4) sections 101(a)(3) and 101(b)(1) and subparagraphs (A) and (B) of section 101(b)(2);
- (5) section 117;
- (6) section 112;

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

- (8) section 103; and
- (9) section 110.

(b) **SANCTIONS BY AN INTERCOLLEGIATE ATHLETIC ASSOCIATION.**—It shall not be unlawful under the antitrust laws for an intercollegiate athletic association or conference to, including through rules or bylaws—

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

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

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

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

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

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

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

(c) **REQUIREMENTS FOR AN INTERCOLLEGIATE ATHLETIC ASSOCIATION.**—An intercollegiate athletic association shall not be entitled to the antitrust exemptions set forth in subsections (a) and (b) unless the intercollegiate athletic association has established rules, bylaws, or other regulations implementing paragraphs (1) through (9) of subsection (a) and paragraphs (1) through (4) of subsection (b).

(d) **DESIGNATION OF ENTITY.**—

(1) **IN GENERAL.**—An intercollegiate athletic association or conference may designate an entity under its control pursuant to the Injunctive Relief Settlement Agree-

ment approved by the court in “In Re College Athlete NIL Litigation”, No. 20–cv–03919 (N.D. Cal. June 6, 2025) for which it shall not be unlawful to enforce or comply with section 114.

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

SEC. 119. PRIVATE RIGHT OF ACTION.

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

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

(2) Section 104.

(3) Section 105.

(4) Section 106.

(5) Section 107.

(6) Section 108.

(7) Section 109.

(8) Section 111.

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

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

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

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

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

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

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

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

(11) Section 114(b).

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

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

(1) actual damages; and

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

(d) **LIMITATION ON PRE-DISPUTE AGREEMENTS AND WAIVERS.**—

(1) **PRE-DISPUTE ARBITRATION AGREEMENT.**—

(A) **IN GENERAL.**—Notwithstanding any other provision of law, no intercollegiate athletic association, conference, or institution shall include a pre-dispute arbitration agreement (as defined in section 401 of title 9, United States Code) in an agreement with a student athlete regarding a provision of this title or an amendment made to this title.

(B) **TREATMENT OF CLAIM.**—If a claim for a violation of this title arises, a student athlete has the option to arbitrate the dispute if

the intercollegiate athletic association, conference, or institution agrees to the arbitration.

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

(e) **DISPUTES ARISING FROM ENFORCEMENT OF INJUNCTIVE RELIEF SETTLEMENT.**—Notwithstanding subsection (d)—

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

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

(f) **NOTICE REQUIREMENT FOR CIVIL ACTIONS.**—

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

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

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

SEC. 120. WHISTLEBLOWER PROTECTION.

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

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

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

(b) **ENFORCEMENT ACTION.**—

(1) **IN GENERAL.**—An individual aggrieved by a violation of subsection (a) may bring an

action in the appropriate district court of the United States for the relief set forth in paragraph (2).

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

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

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

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

(D) if the prevailing individual is an employee—

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

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

(c) **RIGHTS RETAINED BY INDIVIDUAL.**—Nothing in this section shall be construed to diminish the rights, privileges, or remedies of any individual under any Federal or State law, or under any labor contract.

(d) **NONENFORCEABILITY OF CERTAIN PROVISIONS WAIVING RIGHTS AND REMEDIES OR REQUIRING ARBITRATION OF DISPUTES.**—

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

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

SEC. 121. RELATIONSHIP TO EXISTING LAW.

(a) **IN GENERAL.**—No State or political subdivision of a State may adopt, maintain, enforce, or continue in effect any law, regulation, rule, requirement, or standard that—

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

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

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

(B) transfers of student athletes between institutions; or

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

(b) **PRESERVATION OF STATE LAWS.**—The following State laws, rules, regulations, or requirements, or common law rights or remedies shall not be preempted, displaced, or supplanted:

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

(A) Uniform Athlete Agent Acts.

(B) Civil rights laws.

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

(D) Criminal law.

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

(F) Fraud.

(G) Privacy or data breach.

(H) Contract law.

(I) Trademark law.

(J) Copyright law.

(K) Consumer protection law.

(2) Except to the extent that such law conflicts with subsection (a)(2), any law, wheth-

er statutory or common law, that gives rise to a cause of action for the following:

(A) Personal injury, including psychological injury.

(B) Wrongful death.

(C) Property damage.

(D) Sexual assault.

(E) Injury.

(F) Harassment.

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

(c) **RULES OF CONSTRUCTION.**—

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

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

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

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

SEC. 123. APPLICABILITY.

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

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

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

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

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

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

SEC. 124. SEVERABILITY.

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

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

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

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

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

(b) LARGE-SIZED INSTITUTIONS.—

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

(2) WAIVER.—

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

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

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

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

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

(3) DEFINITIONS.—In this subsection:

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

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

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

(c) TRANSITIONAL PROTECTION FOR WOMEN'S AND OLYMPIC SPORTS AT MID-SIZED INSTITUTIONS.—

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

institution provided during academic year 2024–2025.

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

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

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

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

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

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

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

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

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

(2) as applicable under subsections (b) and (c), offers and maintains at least as many total grant-in-aid opportunities and total roster spots for non-revenue generating intercollegiate sports programs during each academic year as the institution provided during academic year 2024–2025.

(e) CLARIFICATION OF WALK-ON ATHLETE ELIGIBILITY FOR PARA ATHLETES.—

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

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

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

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

(2) DEFINITIONS.—In this subsection:

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

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

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

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

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

SEC. 127. TITLE IX SAVINGS CLAUSE.

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

SEC. 128. PROTECTING OPPORTUNITIES FOR AMERICAN STUDENT ATHLETES.

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

TITLE II—SPORTS BROADCASTING

SEC. 201. DEFINITIONS.

(a) REFERENCES TO SPORTS BROADCASTING ACT OF 1961.—In this Act, the term “Sports Broadcasting Act of 1961” means the Act of September 30, 1961 (15 U.S.C. 1291 et seq.).

(b) AMENDMENTS TO SPORTS BROADCASTING ACT OF 1961.—The Sports Broadcasting Act of 1961 is amended—

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

(2) in section 8, as so redesignated—

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

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

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

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

“(2) 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 competitions.

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

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

“(A) means 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 course of study of the student; and

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

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

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

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

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

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

“(I) are located in different States; or

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

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

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

“(iv) is not a conference;

“(B) includes—

“(i) the National Collegiate Athletic Association; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“(a) PROFESSIONAL SPORTS.—The”; and

(2) by adding at the end the following:

“(b) COLLEGE SPORTS.—The antitrust laws, as defined in subsection (a), shall not apply to any joint agreement, by or among institutions engaging in or conducting organized intercollegiate sports, or conferences that have such institutions as members, to form and operate a covered entity that complies with and enforces the requirements of section 5 and sells or otherwise transfers to a third party all or any part of the rights of the institutions or conferences in the sponsored telecasting of the intercollegiate athletic competitions engaged in or conducted by the institutions or conferences.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The Sports Broadcasting Act of 1961 is amended—

(1) in section 2 (15 U.S.C. 1292)—

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

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

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

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

SEC. 203. REQUIREMENTS FOR ENTITIES SELLING MEDIA RIGHTS.

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

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

“(a) CONDITION ON ANTITRUST EXEMPTION.—Section 1(b) shall not apply to any joint agreement entered into by institutions or conferences to form the covered entity unless the covered entity complies with the requirements under this section and section 6.

“(b) MEMBERSHIP OF THE COVERED ENTITY.—

“(1) ELIGIBLE MEMBERSHIP.—A joint agreement to form the covered entity shall be comprised of a voluntary association of institutions or conferences that includes, at a minimum, as of the date on which the joint agreement is entered into, not 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.

“(2) INVITATION REQUIREMENT.—

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

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

“(c) VOTING RIGHTS.—

“(1) IN GENERAL.—

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

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

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

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

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

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

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

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

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

“(2) VOTING THRESHOLDS.—

“(A) MAJOR DECISIONS.—A major decision, as defined by the bylaws of the covered entity, shall require a vote totaling not less than ¾ of the member conferences or member institutions exercising their voting rights.

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

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

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

“(d) REVENUE ALLOCATION FORMULA.—

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

“(A) according to the allocation of collective media rights revenue most recently determined in accordance with subsection (c)(2)(C); and

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

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

“(A) ensure that—

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

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

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

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

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

“(e) PROTECTION OF WOMEN’S AND OLYMPIC SPORTS.—

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

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

“(f) CONTRIBUTION OF MEDIA RIGHTS.—

“(1) CONDITION OF PARTICIPATION.—The covered entity shall require each member institution or member conference, as a condition of receiving a distribution of collective media rights revenue from the covered entity, to contribute to the covered entity, for sale by the covered entity, the media rights of the member institution or member conference, determined by a vote described in subsection (c)(2)(D), with the exception of the rights in the sponsored telecasting of—

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

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

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

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

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

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

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

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

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

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

“(g) PRESERVATION OF CONFERENCE OPPONENTS AND TRADITIONAL RIVALRIES.—

“(1) CONFERENCE OPPONENTS.—If, as of the date of enactment of the Protect College Sports Act of 2026, more than 6 of the top 10 historic opponents in intercollegiate football of a member institution were intra-conference opponents of the member institution in intercollegiate football during the most recently completed season, the covered entity shall require the member institution to preserve, to the maximum extent practicable, intercollegiate athletic competitions within intercollegiate football amongst all of its current conference opponents as of that date of enactment.

“(2) TRADITIONAL RIVALRIES.—

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

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

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

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

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

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

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

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

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

“(h) ENFORCEMENT OF THE ACT; RIGHT TO CURE.—

“(1) PRIVATE RIGHT OF ACTION.—Subject to paragraph (2), a person aggrieved by a violation of section 1(b), this section, section 6, or section 7, including a party to a joint agreement to form the covered entity, may bring a civil action 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 OPERATIONAL.—

“(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.

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

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) VIOLATION OF ANTITRUST LAWS.—It shall be unlawful under the antitrust laws, as defined in section 1(a), for—

“(1) 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—

“(A) merge or consolidate with, or acquire the assets or media rights of, another covered conference or a covered 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; or

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

“(2) any entity to merge with, acquire, or consolidate the assets or media rights of a covered institution, or multiple covered institutions, for the purpose of creating a new conference or intercollegiate 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) NO IMPACT ON COVERED ENTITY.—Nothing in this section shall be construed to prohibit the creation of the covered entity under section 5.

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

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

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

“(f) DEFINITIONS.—In this section:

“(1) COVERED CONFERENCE.—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.

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

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

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

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

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

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 of 1961 (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 of 1961, 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.

TITLE III—HBCU SPORTS MEDIA AND CONNECTIVITY PROGRAM

SEC. 301. SHORT TITLE.

This title may be cited as the “HBCU Sports Media and Connectivity Program”.

SEC. 302. GRANTS FOR IMPROVEMENT OF BROADBAND, TECHNOLOGY, MEDIA, AND SPORTS BROADCAST INFRASTRUCTURE OF HBCUS.

(a) IN GENERAL.—

(1) GRANTS AUTHORIZED.—The Assistant Secretary, in consultation with the Secretary, shall award grants to eligible entities, on a competitive basis, to support long-term improvements to broadband, information technology, media infrastructure, including infrastructure for the production, transmission, and distribution of live coverage of intercollegiate athletic events, and local journalism for student learning.

(2) GRANT PERIOD.—With respect to each eligible entity that is awarded a grant under this section, such grant shall be for a period determined appropriate by the Assistant Secretary based on the information submitted by such entity under subsection (b) that is not less than 2 years and not more than 5 years.

(3) MULTIPLE GRANTS PERMITTED.—An eligible entity may apply for, and be awarded, more than 1 grant under this section.

(b) APPLICATION.—To be considered for a grant under this section, an eligible entity shall submit an application to the Assistant Secretary that includes—

(1) to the extent possible, the information necessary for the Assistant Secretary, in consultation with the Secretary, to make the determinations under subsection (c);

(2) a description of the projects that such eligible entity plans to carry out with the grant and how such projects will advance the long-term goals of the entity;

(3) an assessment of the broadband service available on the campus of the eligible entity, and to the students of the eligible entity, as of the date of the application;

(4) an explanation of—

(A) how such investments in broadband, information technology, and media production, including sports media and live coverage of intercollegiate athletic events, and local journalism at such eligible entity will promote and advance educational opportunities; and

(B) the anticipated number of years that any facilities constructed, improved, or re-

placed under such projects may be used to facilitate the opportunities and investments described in subparagraph (A);

(5) the median age of the facilities that such entity plans to improve or replace under such projects, if existing and applicable;

(6) if the eligible entity proposes a project described in paragraph (2) or (4) of section 303(a), a description of how the project will expand the capacity of the eligible entity to produce, transmit, or distribute live coverage of intercollegiate athletic events, including events in women's sports and Olympic sports, and, as applicable, to make such live coverage available in the local market of the entity as well as for digital distribution; and

(7) if relevant to the application—

(A) baseline measurements as of the date of the application, in the form prescribed by the Assistant Secretary, of—

(i) available network capacity and average and peak utilization over the preceding 12 months; and

(ii) the number and percentage of enrolled students who lack access to broadband, and the methodology used to determine that figure; and

(B) for each baseline measurement submitted under subparagraph (A), a specific, numerical target the entity commits to achieve by the end of the grant period, and the date by which each target will be met.

(c) PRIORITY.—In awarding grants under this section, the Assistant Secretary, in consultation with the Secretary—

(1) shall give priority to an eligible entity that—

(A) demonstrates the greatest need to improve campus broadband and information technology infrastructure, as determined by a comparison of factors identified by the Assistant Secretary, which may include—

(i) the availability, capacity, and condition of broadband service and network infrastructure on the campus of the eligible entity;

(ii) the median age of the network and information technology infrastructure that the entity will use grant funds to improve;

(iii) the extent to which student enrollment and instructional demands exceed existing network capacity; and

(iv) the total amount of deferred maintenance of the network and information technology infrastructure of the entity;

(B) demonstrates the most limited capacity to raise funds for the long-term improvement of campus broadband and information technology infrastructure, as determined by an assessment of—

(i) the current and historic ability of the eligible entity to raise funds for construction, renovation, modernization, and major repair projects for campus;

(ii) whether the eligible entity has been able to issue bonds or receive other funds to support school construction projects;

(iii) the bond rating of the eligible entity;

(iv) the number of students enrolled as of the date on which the application is submitted;

(v) the total value of the endowment of the eligible entity as of the date on which the application is submitted;

(vi) the total amount of deferred maintenance of such infrastructure; and

(vii) the amount and sources of institutional revenue;

(C) enrolls the highest percentages of students who are eligible to receive a Federal Pell Grant under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.), and whose families qualify for other Federal need-based aid;

(D) is a public institution that—

(i) faces declining State support or investment; and

(ii) demonstrates limited ability to generate revenue, as determined by assessing—

(I) the total value of the endowment of the institution as of the date on which the application is submitted; and

(II) the costs of the deferred maintenance of the institution relative to the total revenue of the institution;

(E) demonstrates an effort to seek support from public and private entities for projects carried out with a grant awarded under this title; and

(F) proposes a project with the lowest total cost per student projected to be served, taking into account short-term and long-term costs of the project, cost differentials between geographical regions, and other key cost drivers over the lifetime of the project, and demonstrates how those factors contribute to overall cost efficiency; and

(2) may give priority to an eligible entity—

(A) that did not receive a grant under this title in the preceding fiscal year;

(B) that proposes projects aligned with long-term infrastructure priorities that—

(i) serve as regional models, as determined by the Secretary;

(ii) address multiple needs on the campus of the entity; or

(iii) address the needs of at least 1 eligible entity in addition to the entity receiving the grant;

(C) that is a member of an HBCU athletic conference;

(D) that commits to using the facilities and equipment funded under the grant to produce or distribute live coverage of intercollegiate athletic events in women's sports and Olympic sports; or

(E) that has entered into, or demonstrates plans to enter into, a partnership, licensing arrangement, or distribution agreement with a covered entity, a conference, an intercollegiate athletic association, or a video programming distributor with respect to media rights to intercollegiate athletic events of the eligible entity.

(d) GEOGRAPHIC DISTRIBUTION.—In evaluating applications receiving equivalent scores under the criteria published under subsection (f)(2), the Assistant Secretary may consider the geographic distribution of eligible entities in the United States.

(e) TECHNICAL ASSISTANCE.—The Assistant Secretary, in consultation with the Secretary, shall provide technical assistance to eligible entities to prepare the entities to qualify for, apply for, and maintain a grant under this title.

(f) PROGRAM ACCOUNTABILITY.—

(1) PUBLIC INPUT.—Not later than 120 days after the date on which amounts are first appropriated to carry out this title, the Assistant Secretary shall publish in the Federal Register a request for public comment on the design and administration of the grant program under this title, with a comment period of not less than 45 days.

(2) PROGRAM GUIDANCE.—Not later than 120 days after the close of the comment period under paragraph (1), and before accepting any application, the Assistant Secretary shall publish—

(A) guidance for the grant program under this title, including all application requirements;

(B) the criteria the Assistant Secretary will use to evaluate applications, including the numerical weight assigned to each criterion; and

(C) the process and timeline for awarding grants.

(3) NO POST HOC CHANGES.—The Assistant Secretary shall endeavor to evaluate an application on the basis of the criteria and weights published under paragraph (2) that were in effect on the date on which the application window opened.

(4) PUBLICATION OF SCORES.—Not later than 30 days after awarding grants for a fiscal year, the Assistant Secretary shall make available to the appropriate congressional committees, for each grant awarded, the name of the recipient, the amount of the grant, and the score assigned to the recipient's application under each criterion published under paragraph (2).

SEC. 303. GRANT USES.

(a) PERMITTED USES.—Except as provided in subsection (c), an eligible entity that receives a grant under this title shall use the grant funds to carry out at least one of the following activities:

(1)(A) Install, upgrade, or extend the life of—

(i) high-speed broadband internet infrastructure sufficient to support digital and technology-based learning, except that no funds may be used for broadband infrastructure deployment to any location that is already served by qualifying broadband service or is subject to enforceable deployment obligations, as determined by the Assistant Secretary;

(ii) campus-wide broadband networks, including adjacent infrastructure and 5G and future network generations; and

(iii) other broadband infrastructure that provides support for teaching, learning and research.

(B) Modernize, renovate, or retrofit campus facilities, including preserving facilities with historic significance, to facilitate projects under this paragraph.

(2)(A) Construct, install, maintain, or facilitate—

(i) equipment or infrastructure used for training and education in digital media production and distribution facilities, including tools and equipment that support instruction in television or radio broadcasting on stations located on the campus of or affiliated with the eligible entity; and

(ii) facilities, equipment, or services for the studio of digital media production or production for television or radio broadcast stations located on the campus of or affiliated with the eligible entity.

(B) Support technology, broadcast engineering, and journalism instruction through existing courses and supervised training programs that are—

(i) operated by or affiliated with the eligible entity; and

(ii) used primarily for instructional and experiential learning purposes.

(3) Establish new, or improve existing, laboratories or research facilities relating to the fields of communications technology, broadcast engineering, media, journalism, and other disciplines, as determined by the Assistant Secretary in consultation with the Secretary.

(4) Construct, install, upgrade, or operate—

(A) media production facilities, including production control rooms, master control facilities, and mobile or remote production units, for the coverage of intercollegiate athletic events;

(B) cameras, replay, graphics, audio, and other production equipment, and transmission infrastructure, including fiber, satellite, and internet protocol transmission, sufficient to produce live coverage of intercollegiate athletic events at the technical standards of national and regional video programming distributors;

(C) streaming and digital distribution infrastructure enabling the eligible entity to distribute live coverage of intercollegiate athletic events directly to the public, including in the local market of the eligible entity; and

(D) programs that train students of the eligible entity in sports programming, includ-

ing coverage, production, distribution, and all other aspects of media operations, integrated where practicable with the journalism and media programs of the entity.

(b) ADDITIONAL RESOURCES.—An eligible entity that receives a grant under this title may use the grant funds to—

(1) purchase or lease eligible equipment, excluding personal devices, for shared instructional and research use by students, faculty, and other designated instructional and research personnel of the eligible entity, provided that equipment is relevant to uses described in subsection (a);

(2) establish, expand, or operate information technology and network operations capacity, including hiring and training information technology personnel to support student learning;

(3) strengthen the cybersecurity posture of the networks and information systems of the eligible entity, including through network monitoring, endpoint protection, and cybersecurity workforce training to support student learning;

(4) provide digital skills and relevant occupational training to students;

(5) subscribe to broadband internet access service, for each eligible student through a single broadband connection that provides sufficient speed, reliability, and data capacity to support online learning for enrolled students of the eligible entity who individually demonstrate financial need through information submitted through the Free Application for Federal Student Aid (commonly known as the “FAFSA”) and lack access to broadband for learning; or

(6) acquire and install research-related equipment and technology in the campus facilities of the eligible entity related to telecommunications, journalism, media, and cybersecurity.

(c) PROHIBITED USES.—An eligible entity that receives a grant under this title may not use the grant funds for—

(1) payment of routine and predictable maintenance costs or minor repairs;

(2) the purchase or support of any communications equipment or service (as defined in section 9 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1608)) that poses a risk to national security;

(3) activities that are funded, in whole or in part, under part B of title III of the Higher Education Act of 1965 (20 U.S.C. 1060 et seq.), unless the Secretary approves such use;

(4) last-mile deployment of broadband service to a campus of an eligible entity—

(A) that already has access to broadband service at a download speed of not less than 1 gigabit per second at the eligible entity's primary network aggregation point; or

(B) where there is a legally enforceable obligation to deploy broadband service at the speed described in subparagraph (A); or

(5) technology whose primary purpose is fundraising or the conduct of ceremonial events.

(d) ENCOURAGING PARTNERSHIPS.—The Assistant Secretary and the Secretary shall encourage partnerships between eligible entities and public and private entities to—

(1) provide funding in addition to the grants provided under this title; and

(2) assist in carrying out the activities funded by grants awarded under this title.

SEC. 304. COORDINATION.

(a) IN GENERAL.—In carrying out this title, the Assistant Secretary, in consultation with the Secretary, shall coordinate with the following entities to ensure efficient administration, avoid duplication of funding and efforts, and maximize student achievement:

(1) The Federal Communications Commis-

sion, including with respect to—

(A) the E-Rate program set forth in subpart F of part 54 of title 47, Code of Federal Regulations;

(B) broadband availability data collected under title VIII of the Communications Act of 1934 (47 U.S.C. 641 et seq.);

(C) the broadcast licensing of noncommercial educational broadcast stations operated by eligible entities; and

(D) the local broadcast availability of intercollegiate athletic events.

(2) State broadband offices, with respect to funds made available under the Broadband Equity, Access, and Deployment Program established under section 60102 of the Infrastructure Investment and Jobs Act (47 U.S.C. 1702).

(3) Other Federal agencies, including the Department of Agriculture, that fund Federal broadband deployment programs.

(4) Intercollegiate athletic associations and any covered entity, with respect to production standards, media rights, and distribution arrangements relevant to projects funded under this title.

(5) The Director of the Office of Minority Broadband Initiatives.

(b) STREAMLINED APPLICATIONS.—The Assistant Secretary shall, to the extent practicable, align the application requirements under this title with the requirements of other Federal broadband programs in order to reduce administrative burdens on eligible entities.

(c) NONDUPLICATION.—In carrying out coordination activities under subsection (a), the Assistant Secretary shall ensure that any grant or other funds provided under this title avoid duplication with a project that has received Federal funds from a Federal entity described in that subsection.

SEC. 305. REPORTS AND EVALUATION.

(a) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 2 years after the first award of a grant under this title, and annually thereafter, the Assistant Secretary, in consultation with the Secretary, shall submit to the appropriate congressional committees a report on the projects carried out with grant funds awarded under this title.

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) with respect to projects carried out by eligible entities with grant funds awarded under this title, an assessment of—

(i) the types of such projects;

(ii) the total cost of each such project;

(iii) the geographic distribution of such projects; and

(iv) the demographic and socioeconomic composition of the student population served by such projects;

(B) an evaluation of a sample of grant recipients, selected by the Assistant Secretary taking into account size and geographic location of each grantee, to determine how such recipients are using the grant and the effectiveness of the activities carried out with the grant in improving student achievement;

(C) with respect to projects described in paragraphs (2) and (4) of section 303(a), the number of intercollegiate athletic events and other campus media productions produced, transmitted, or distributed using facilities or equipment funded under this title, disaggregated by sport and including events in women's sports and Olympic sports; and

(D) the number of students receiving training in journalism, broadcasting, or media production supported under this title.

(b) GRANTEE REPORTING REQUIREMENTS.—Not later than 90 days after the end of the grant period for a grant awarded under this title, the grantee shall submit to the Assistant Secretary a final report that—

(1) describes the use of grant funds, the status of each funded asset, and the grantee's performance against each target submitted under section 302(b)(7)(B); and

(2) meets any additional requirements established by the Assistant Secretary in accordance with part 200 of title 2, Code of Federal Regulations.

(c) MEASURES OF USAGE AND ENGAGEMENT.—Device utilization, log-in counts, bandwidth consumed, platform hours, or any other measure of usage or engagement may not be—

(1) used to fully satisfy any performance metric under this title; or

(2) reported as evidence of the effectiveness of a program carried out using grant funds awarded under this title.

SEC. 306. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

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

(B) the Committee on Health, Education, Labor, and Pensions of the Senate;

(C) the Committee on Education and Workforce of the House of Representatives; and

(D) the Committee on Energy and Commerce of the House of Representatives.

(2) ASSISTANT SECRETARY.—The term “Assistant Secretary” means the Assistant Secretary of Commerce for Telecommunications and Information.

(3) COVERED ENTITY.—The term “covered entity” has the meaning given the term in the Act of September 30, 1961 (commonly known as the “Sports Broadcasting Act of 1961”) (15 U.S.C. 1291 et seq.), as amended by title II of this Act.

(4) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) a part B institution; or

(B) an institution or program listed under section 326(e)(1) of the Higher Education Act of 1965 (20 U.S.C. 1063b(e)(1)).

(5) HBCU ATHLETIC CONFERENCE.—The term “HBCU athletic conference” means a conference the membership of which consists predominantly of part B institutions.

(6) INTERCOLLEGIATE ATHLETIC ASSOCIATION; CONFERENCE.—The terms “intercollegiate athletic association” and “conference” have the meanings given those terms in section 100 of this Act.

(7) PART B INSTITUTION.—The term “Part B institution” has the meaning given the term in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(8) SECRETARY.—The term “Secretary” means the Secretary of Education.

(9) STATE.—The term “State” has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

SEC. 307. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this title \$180,000,000 for each of fiscal years 2027 through 2032.

SA 6777. Mr. THUNE proposed an amendment to amendment SA 6776 proposed by Mr. THUNE (for Mr. CRUZ) to the 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; as follows:

At the end add the following.

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

SA 6778. Mr. THUNE proposed an amendment to amendment SA 6777 proposed by Mr. THUNE to the amendment

SA 6776 proposed by Mr. THUNE (for Mr. CRUZ) to the 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; as follows:

Strike “1 day” and insert “2 days”.

SA 6779. Mr. THUNE proposed an amendment to the 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; as follows:

At the end add the following.

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

SA 6780. Mr. THUNE proposed an amendment to amendment SA 6779 proposed by Mr. THUNE to the 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; as follows:

Strike “3 days” and insert “4 days”.

SA 6781. Mr. THUNE proposed an amendment to the 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; as follows:

At the end add the following.

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

SA 6782. Mr. THUNE proposed an amendment to amendment SA 6781 proposed by Mr. THUNE to the 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; as follows:

Strike “5 days” and insert “6 days”.

SA 6783. Mr. THUNE proposed an amendment to amendment SA 6782 proposed by Mr. THUNE to the amendment SA 6781 proposed by Mr. THUNE to the 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; as follows:

Strike “6 days” and insert “7 days”.

SA 6784. Ms. BALDWIN submitted an amendment intended to be proposed by her to the 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 was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ACCESS TO STREAMING OF LIVE GAMES.

(a) DEFINITIONS.—In this section:

(1) LEAGUE.—The term “league” means a professional sports team organization in the United States for any of the following sports:

- (A) Baseball.
- (B) Basketball.
- (C) Football.
- (D) Hockey.
- (E) Soccer.

(F) Any other sport determined by the Federal Trade Commission, pursuant to a rule promulgated in accordance with section 553 of title 5, United States Code.

(2) LEAGUE STREAMER.—The term “league streamer” means a streaming subscription service streaming the games of a league that—

(A) has the name of the league in the title of the streaming subscription service;

(B) is promoted by the league;

(C) has an agreement with the league to receive a portion of proceeds from streaming the majority of the games of the league; or

(D) meets any other requirement, as determined by the Federal Trade Commission, pursuant to a rule promulgated in accordance with section 553 of title 5, United States Code.

(3) LOCAL FAN.—The term “local fan”, with respect to a league team, means an individual located in the same State as the league team team, or in any other locality determined by the Federal Communications Commission.

(b) NO BLACKOUTS.—

(1) IN GENERAL.—A league streamer shall provide to customers of the league streamer access to view live every game of the league without implementing any kind of blackout for consumers, including a geographic blackout.

(2) ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.—

(A) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of paragraph (1), or a regulation promulgated thereunder, shall be treated as a violation of a rule defining an unfair or deceptive act or practice under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)) and as a violation of section 5(a) of the Federal Trade Commission Act (15 U.S.C. 45(a)) relating to unfair methods of competition.

(B) POWERS OF THE COMMISSION.—

(i) IN GENERAL.—The Federal Trade Commission shall enforce paragraph (1), and any regulation promulgated thereunder, in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(ii) PRIVILEGES AND IMMUNITIES.—Any person who violates paragraph (1), or a regulation promulgated thereunder, shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act.

(iii) AUTHORITY PRESERVED.—Nothing in this section shall be construed to limit the authority of the Commission under any other provision of law.

(iv) RULEMAKING.—The Commission may promulgate in accordance with section 553 of title 5, United States Code, such rules as may be necessary to carry out this subsection, including with respect to how to comply with paragraph (1).

(c) FREE ACCESS FOR LOCAL FANS.—

(1) IN GENERAL.—A league shall provide to each local fan access to view live all games of the league team at no cost to the local fan and at a quality of service not less than that which is the best available, through a singular method of viewing for all games, which may be—

(A) by local telecast or by streaming on a single streaming service; and

(B) supported by advertisements.

(2) EXCEPTION.—Paragraph (1) shall not apply to—

- (A) a minor league team; or
- (B) a league with fewer than 8 teams.

(3) ENFORCEMENT.—

(A) ENFORCEMENT BY THE FEDERAL COMMUNICATIONS COMMISSION.—The Federal Communications Commission shall have jurisdiction over complaints alleging a violation of paragraph (1).

(B) ENFORCEMENT BY STATE ATTORNEYS GENERAL.—

(i) IN GENERAL.—In any case in which an attorney general of a State has reason to believe that an interest of the residents of that State has been or is threatened or adversely affected by the engagement of any person in an act or practice that violates this section or a regulation promulgated under this section, the attorney general of the State may, as parens patriae, bring a civil action on behalf of the residents of the State in an appropriate district court of the United States to—

(I) enjoin that act or practice;

(II) enforce compliance with this section or the regulation;

(III) on behalf of residents of the State, obtain damages, restitution, or other compensation, each of which shall be distributed in accordance with State law; or

(IV) obtain such other relief as the court may consider to be appropriate.

(ii) REASONABLE ATTORNEY'S FEES.—In a civil action brought under clause (i) in which the plaintiff prevails, the court may award reasonable attorney's fees, including litigation expenses, and costs reasonably incurred.

SA 6785. Ms. BALDWIN (for herself, Mr. DURBIN, Mr. WELCH, Mr. WHITEHOUSE, Mr. SCHIFF, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the 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 was ordered to lie on the table; as follows:

Strike section 121 and insert the following:
SEC. 121. RELATIONSHIP TO EXISTING LAW.

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

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

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

(B) transfers of student athletes between institutions; or

(C) any provision described in subsection (a)(1)–(3) or (b) of section 113 with respect to the eligibility of a student athlete to participate in intercollegiate athletics; or

(2) has the primary purpose and effect of directly governing, regulating, or invalidating policies or rules of an institution, a conference, or an intercollegiate athletic association with respect to anything described in subparagraph (A), (B), or (C) of paragraph (1).

(b) PRESERVATION OF STATE LAWS.—Subject to subsection (a), nothing in this Act shall preempt any State law, regulation, rule, requirement, or standard with respect to the following:

- (1) Uniform Athlete Agent Acts.
- (2) Civil rights laws.

(3) Tort law.

(4) Criminal law.

(5) Laws that relate to student or campus safety.

(6) Fraud.

(7) Privacy or data breach.

(8) Contract law.

(9) Trademark law.

(10) Copyright law.

(11) Consumer protection law.

(12) Personal injury, including psychological injury.

(13) Wrongful death.

(14) Property damage.

(15) Sexual assault.

(16) Injury.

(17) Harassment.

(18) Any cause of action derivative of any of paragraphs (12) through (17).

(c) RULES OF CONSTRUCTION.—

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

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

SA 6786. Ms. BALDWIN submitted an amendment intended to be proposed by her to the 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 was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2. PROHIBITION ON PARTICIPATION WITH PRIVATE EQUITY FIRMS.

(a) DEFINITIONS.—In this section:

(1) COVERED FIRM.—The term “covered firm” means an entity that would be considered an investment company under section 3 of the Investment Company Act of 1940 (15 U.S.C. 80a-3) but for the application of paragraph (1) or (7) of subsection (c) of such section 3.

(2) INSTITUTION; INTERCOLLEGIATE ATHLETIC COMPETITION; STUDENT ATHLETE.—The terms “institution”, “intercollegiate athletic competition”, and “student athlete” have the meanings given those terms in section 8 of the Sports Broadcasting Act of 1961, as redesignated by section 201(b)(1) of this Act.

(b) PROHIBITION.—Notwithstanding any other provision of this title, or any amendment made by this title, an institution may not participate with a covered firm in any capacity with respect to—

(1) the sale, licensing, or other conveyance of media rights for intercollegiate athletic competitions; or

(2) the operation of an intercollegiate sports program at the institution, including with respect to coaching, recruiting, scheduling, or the support of student athletes.

SA 6787. Mr. MERKLEY submitted an amendment intended to be proposed by him to the 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 was ordered to lie on the table; as follows:

In section 125(c)(4), strike “4” and insert “9”.

SA 6788. Mr. MERKLEY submitted an amendment intended to be proposed by

him to the 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 was ordered to lie on the table; as follows:

In section 119, strike subsection (c) and insert the following:

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

(1) threefold the damages sustained by the plaintiff;

(2) the costs to the plaintiff of bringing the civil action, including a reasonable attorney's fee; and

(3) any other relief, including equitable relief or declaratory relief, that the court determines appropriate.

SA 6789. Mr. MERKLEY submitted an amendment intended to be proposed by him to the 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 was ordered to lie on the table; as follows:

In title III, strike section 306(4) and all that follows through the end of the title and insert the following:

(4) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) a part B institution;

(B) an institution or program listed under section 326(e)(1) of the Higher Education Act of 1965 (20 U.S.C. 1063b(e)(1)); or

(C) any other institution described in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

(5) HBCU ATHLETIC CONFERENCE.—The term “HBCU athletic conference” means a conference the membership of which consists predominantly of part B institutions.

(6) INTERCOLLEGIATE ATHLETIC ASSOCIATION; CONFERENCE.—The terms “intercollegiate athletic association” and “conference” have the meanings given those terms in section 100 of this Act.

(7) PART B INSTITUTION.—The term “Part B institution” has the meaning given the term in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(8) SECRETARY.—The term “Secretary” means the Secretary of Education.

(9) STATE.—The term “State” has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

SEC. 307. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this title \$360,000,000 for each of fiscal years 2027 through 2032.

SA 6790. Mr. MERKLEY submitted an amendment intended to be proposed by him to the 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 was ordered to lie on the table; as follows:

In section 118(a), strike paragraphs (1) and (2) and insert the following:

(1) section 114, except, if the covered settlement agreement (as defined in section 115(g)) expires or terminates but no joint resolution of approval relating to the notice of that expiration or termination is enacted into law during the applicable congressional approval period under section 115, the provisions relating to the revenue share cap and the retention fund;