

make the ultimate sacrifice in order to keep the flames of freedom and liberty burning brightly throughout the world. They selflessly dedicate their life to protecting freedom, ensuring liberty, and defending the principles of this country through great personal sacrifice. On behalf of a grateful Nation, we pay tribute to these brave men and women.

Today, as we recognize and commend the actions already taken, we also renew our commitment to ensuring the security of our homeland. We renew our commitment to destroying Al Qaeda and other terrorist organizations that threaten the free world. We do not know what the future holds, however we can say with certainty that because of the men and women we honor with this resolution, we will prevail.

Mr. CASTLE. Mr. Speaker, I thank Chairman HUNTER for introducing this important resolution. Today, we recognize, support, and commend our brave service men and women for their dedication, for their sacrifice, and for their supreme love of country. We thank and honor those, including our allies, who serve on behalf of liberty and freedom, and remember those who have been wounded or died in the line of duty.

Our Nation has committed our military to defend the world from grave danger and to assure the security for all nations. These men and women have risen to the highest level and have succeeded in overthrowing the Taliban in Afghanistan and the regime of Saddam Hussein in Iraq. While they are working diligently to bring peace, stability and prosperity to the people of Afghanistan and Iraq, our men and women of our armed forces continue to face danger each and every day.

In the coming weeks and months, it will be critically important for our Nation to continue our support and pray for the safety of our troops. Their mission may not be completed for a long time, and it is important that we reiterate our strong support. At the same time, I would like to commend the military families, the employers and the communities around the United States for their sacrifices and patriotism.

Our focus must be on working with the world community to fight the war against terrorism, and to rebuild Afghanistan and Iraq following the military actions. As we move forward in Iraq, and in other crisis spots around the world, I am hopeful that the United States will continue to strengthen its unity with the international community and provide hope to those nations that have been trapped under dictatorial regimes.

Today, we stand firmly behind our armed forces and our allies. We thank the brave men and women who risk their lives to keep our Nation free and safe. We offer our respect, our utmost gratitude, and the promise that we shall not forget your bravery and your sacrifice. We are proud of you. May God bless you and keep you safe.

Mr. KIND. Mr. Speaker, I rise today in support of this resolution honoring our brave men and women of the Armed Services. Their duty and sacrifice in Iraq and Afghanistan are appreciated by all Americans.

New challenges facing our Nation demand increased vigilance on the part of our Armed Services. With these increased demands, the role of the National Guard and Reserve Forces is critical in providing the total force necessary to ensure our security. Over the past year, I have had the opportunity to meet

with many National Guard and Reserve members from western Wisconsin who have been called up for service Operation Enduring Freedom in Afghanistan and Operation Iraqi Freedom in Iraq.

Over 2,300 members of the Wisconsin Air and Army National Guard are serving on active duty. The people of western Wisconsin are proud of their service and the service of all the men and women of our Armed Forces during this important time in our Nation's history.

We still have much to do in terms of peacekeeping and rebuilding in Iraq and Afghanistan. In this effort, it is important that we engage our allies to share responsibility and pursue an effective, sustained commitment to peace and stability in the region. If we can do this right, we will not have to again, sometime down the road, send our military forces over to fight.

In addition, we recognize today all of the 'round-the-clock' work put in by the military personnel and DoD civilian employees at military mobilization platforms around our Nation. In western Wisconsin, I represent Fort McCoy, one of the Army Reserves' power projection platforms. Ft. McCoy has been continuously processing and training mobilized members of the National Guard and Reserve for the past six months. Their efforts have been key in getting our forces ready for combat.

It is also important that we recognize the support and sacrifice of the families and employers of our troops. They are the backbone of our fighting forces, and we appreciate their commitment during these challenging times.

The American people and the Congress of the United States stand behind our Armed Service Members and those that support them. As our military effort continues, I and other Members of Congress will continue to work to ensure that our service men and women have all the resources necessary to fulfil their mission.

My thoughts and prayers are with those serving our Country overseas, as well as their families. America is firmly behind our troops, and we're all hoping to see them home safe, secure and soon.

May God continue to bless the United States of America.

The SPEAKER pro tempore (Mr. BASS). The question is on the motion offered by the gentleman from California (Mr. HUNTER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 177, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. HUNTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 2180

Mr. GORDON. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 2180.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

SENSE OF THE HOUSE COM-  
MENDING NATION'S BUSINESSES  
AND BUSINESS OWNERS FOR  
SUPPORT OF OUR TROOPS AND  
THEIR FAMILIES

Mr. STEARNS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 201) expressing the sense of the House of Representatives that our Nation's businesses and business owners should be commended for their support of our troops and their families as they serve our country in many ways, especially in these days of increased engagement of our military in strategic locations around our Nation and around the world.

The Clerk read as follows:

H. RES. 201

Whereas over 216,931 members of the reserve components of the Armed Forces have been called to leave their families and their jobs, in service to this country and her citizens;

Whereas businesses of every size and scope have been impacted as their employees who are members of the reserve components of the Armed Forces have been called away from their employment in local business and industry;

Whereas businesses across the Nation have been exceptionally accommodating to the unique demands on the time, resources, and responsibilities of employee spouses and families of active duty military personnel who have been deployed for service; and

Whereas business owners have made sacrifices so that they might ensure observance of the letter and the spirit of the Uniformed Services Employment and Reemployment Rights Act in many ways including: restoring employment status after military service obligation has been fulfilled, providing continuation of health benefits to active duty employees and their dependents, and committing uninterrupted pension and retirement benefits: Now, therefore, be it

*Resolved*, That it is the sense of the House of Representatives that—

(1) the businesses that establish the backbone of our Nation in times of peace and rise to a greater standard of resolve in times of challenge do so by—

(A) carrying on the good work of commerce, industry, and innovation; and

(B) steadfastly supporting the members of our military and their families; and

(2) the business owners of our Nation deserve our commendation and sincere expression of gratitude.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. STEARNS) and the gentleman from Tennessee (Mr. GORDON) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. STEARNS).

GENERAL LEAVE

Mr. STEARNS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Res. 201.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. STEARNS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H. Res. 201, authored by the gentleman from Michigan (Mr. ROGERS). The resolution commends America's businesses and business owners for their support of our troops and their families, in particular their support for the Reservists and National Guardsmen called into active duty.

As of today, nearly 220,000 members of the Reserve component of our Armed Forces have been called to active duty, leaving their families, homes, and their jobs to serve their country. Over 5,300 of those brave, part-time soldiers are from my home State of Florida. These men and women have volunteered to lay down their lives in defense of our country and the principles for which it stands, and have done so in their capacity as ordinary citizens, not professional soldiers.

They are extraordinary citizens with ordinary jobs. They are cooks, teachers, mechanics, doctors, salesmen, truckers, secretaries, lawyers, technicians and so forth, that when called to serve their country, became extraordinary citizens and full-time warriors sacrificing greatly, both personally and, of course, financially.

Our military today is dependent on these extraordinary citizens and of course these part-time soldiers. The 1.2 million Guard and Reserve personnel now make up nearly 46 percent of all U.S. military forces. When activated, Reservists and National Guardsmen have to leave their jobs abruptly, forcing their employers to face the serious challenge of losing a very valuable employee.

American businesses have stood by their employees called to serve their country. H. Res. 201 aptly states American businesses "have made sacrifices so that they might ensure observance of the letter and the spirit of the Uniformed Services Employment and Reemployment Rights Act in many ways including: restoring employment status after military service obligation has been fulfilled, providing continuation of health benefits to active duty employees and their dependents, and committing uninterrupted pension and retirement benefits."

□ 1400

Indeed, Mr. Speaker, many American businesses, recognizing the hardship placed on the families of these servicemen due to the differential in their civilian and military incomes while on active duty, make up that difference for a period of between several days and a year or more. A recent survey by the Reserve Officers Association of the United States found that of the 154 Fortune 500 corporations that responded to the survey, 105 companies, or 68 percent, make up the difference in that pay. Last year, just 75 of the 132 responding companies, or 56 percent, did so. And in the year 2001, the num-

ber was 53 of 119, or 45 percent of the responding companies.

Mr. Speaker, I conclude by wishing our men and women of the Armed Forces Godspeed and commending American businesses that have supported them, especially our Reservists and National Guardsmen, the extraordinary citizen. I urge my colleagues to support this piece of legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. GORDON. Mr. Speaker, I yield myself such time as I may consume to make a few brief comments in support of H. Res. 201.

House Resolution 201 honors businesses and business owners across our great Nation for their unwavering support for the men and women of the Reserves who have been called into service in unprecedented numbers to fight the war against terrorism at home and abroad. Businesses large and small have been exceptional in their commitment to supporting active duty Reservists and their families. Because of their support, the men and women of the Reserves can be secure in knowing that their job will be waiting for them when their service is fulfilled, with no loss of pension and retirement benefits or promotion opportunities, and that their families' needs were provided for in their absence.

These businesses embody the true spirit of America. For these reasons I urge adoption of House Resolution 201.

Mr. Speaker, I reserve the balance of my time.

Mr. STEARNS. Mr. Speaker, I yield 4½ minutes to the gentleman from California (Mr. COX).

Mr. COX. Mr. Speaker, I am very, very pleased that we are here commending America's businesses and, more specifically, American business men and women for what they have done in their places of work to help support our war effort in the war in Iraq, the war in Afghanistan, and the war against terror, because, frankly, the war against terror has placed an enormous burden on our economy.

According to the United States Chamber of Commerce, fear of terrorism since September 11, fear of the war in Iraq and now a mysterious respiratory disease called SARS have disrupted both business and leisure travel to the extent that half of all jobs lost since September 11 have been in the travel and tourism industry. One out of every seven people in the U.S. private sector workforce—or 18 million people—are employed directly or indirectly in travel and tourism jobs. This industry is a big industry. It is a \$100 billion industry, not in revenue, not in assets, but in taxes paid to Federal, State and local governments.

Losing so many jobs in this industry is obviously a victory for the terrorists, but it is a victory that will be short-lived. Obviously, when people stop flying, when they stop traveling, they obviously stop staying in hotels, stop going to restaurants, visiting mu-

seums or theme parks, renting cars or shopping. This economic toll is precisely what the terrorists had in mind.

If the damage on September 11 had been limited to the thousands of lives lost and the property damage suffered, as horrible as that would have been, we would not be experiencing these downstream victories for the war waged by terrorists against the United States. I do not think we can make any mistake about this. Beyond murdering Americans, the terrorists wish to destroy America's economy.

The way for America to fight back is for working men and women, for small business owners, for entrepreneurs, for businesses of all sizes to go about their business, to show up for work early, to do a little more, to take the family vacation, to do those things that make us Americans and to keep our life normal because it is the disruption of normalcy that the terrorists seek to accomplish.

As chairman of the Select Committee on Homeland Security in the Congress, I can tell Members that 50 of our colleagues, including eight chairmen of standing committees in this House of Representatives, are working diligently with the Department of Homeland Security to ensure Americans' safety. We are engaged in oversight to ensure that Secretary Ridge and his new department succeed.

Secretary Ridge testified before the Select Committee on Homeland Security at a recent hearing on what we have accomplished in a few short months. We have orchestrated and launched Operation Liberty Shield, the first comprehensive, national plan to increase protection of America's citizens and infrastructure. We have deployed new technologies and tools at land, air and sea borders. We have established the Homeland Security Command Center, a national 24/7 watch operation. We have initiated a comprehensive reorganization of the border agencies, as well as other administrative measures to enhance departmental services and capabilities. We have completed the transition of 21 out of 22 component agencies of the Department of Homeland Security, none of which were previously focused primarily on preventing domestic terrorism.

We have conducted hearings, and the department itself has conducted on-site visits at strategic ports throughout the United States and begun the development of security measures and plans for vessels, facilities and ports that we put in place in the Maritime Security Act of 2002. And, of course, the department has completed TOPOFF II, the largest terrorist response exercise in our Nation's history.

Mr. Speaker, American workers and consumers are safer today than we were before September 11, but we are still threatened by terrorists who seek to destroy American lives and our economy, the very basis of American power. We must work together as consumers, as workers, as business proprietors to make sure that the terrorists

do not succeed. Keeping America at work is job one in that effort. I thank American business for what they have done in these wars.

Mr. STEARNS. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. ROGERS), the author of the bill.

Mr. ROGERS of Michigan. Mr. Speaker, I thank my colleagues on both sides of the aisle at what I think is an important moment to recognize some other unsung heroes.

Earlier today we recognized those very brave men and women who wear the uniform of the United States military and all of their sacrifices, and certainly rightly so. We have also discovered, I think recently, the many forms that patriotism can take. Maybe it is the spouse of a soldier who keeps the home fires burning. It is every American who believes in liberty's blessings and who cares to pursue every opportunity and every challenge that democracy offers. But during Iraqi Freedom and Enduring Freedom, both of those operations, we have seen a new patriot emerge.

You can imagine, Mr. Speaker, at the time of your notice as a Reservist or a National Guardsman or -woman all across this country when that notice comes in and your country calls. You have trained for it, you have prepared for it, you are willing to serve. But there is always in the back of your mind that great concern about the family that you leave behind. Will they be taken care of? Will my employment be there when I get home? The law requires that at least your employment be there when you get home, but really nothing more. What we saw is that when those soldiers gathered up their family and kissed and hugged them good-bye and went off to do America's good service, our employers, from smaller companies to large companies, stood tall. Because the people who were called up were building cars for GM and Ford, they were delivering packages for United Parcel Service, they were mechanics, they were nurses, they were doctors, they were paramedics, police officers; they were machinists in small shops all across America. Maybe they were working retail. Maybe they were financial advisers.

In all of those cases, in many, many cases all across this country these companies stood up and have gone beyond the call of duty in an effort to maintain their aid and comfort to the soldiers who serve our great Nation. In many cases, they provided differential pay for these soldiers and sailors and Marines and airmen and women, those in the Coast Guard. They provided continued health care for those families. They continued insurance, all on their own accord. Some even offered full payment of their services even though they were not working. We had a smaller company, a fourth-generation company, Magnolia Marketing Company in Louisiana, who offered its employees when they were notified that

they would leave, that upon their departure they would be paid in full in addition to their military salaries, and stepped up even further by setting up a fund with the United Way and challenged everybody on a matching grant of \$35,000 for those companies who could not afford those kinds of things to provide some help to those families who were left behind when their country called. This happened again and again and again, from Michigan to California, from Maine to Florida, and everybody in between.

Mr. Speaker, there is a new breed of patriot in America, somebody that understands that the war on terror is fought by every one of us, not just those who wear the uniform so proudly and so bravely, but those of us at home who need to stand tall and make sure that the home fires are burning, that they know that our love and compassion for them usurps our sole concern for the bottom line.

We need to stand tall today together supporting H. Res. 201, to stand tall for every business who went beyond the call of duty and stood firm for the men and women who serve so that their families would not have to worry when they got home. Mr. Speaker, they deserve our praise and our admiration. They deserve the call of patriot as we stand here and recognize them today with the passage of H. Res. 201.

Mr. GORDON. Mr. Speaker, I reserve the balance of my time.

Mr. STEARNS. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, I am proud today to rise to support this resolution honoring our Nation's business owners for their very strong support of our employees who are members of the National Guard and Reserve.

The world really witnessed the capability of our troops as they brought down the repressive Taliban regime in Afghanistan and, of course, brought freedom to the Afghan people. We again saw recently the brilliant performance of our troops as they drove out the brutal regime of Saddam Hussein and freed the Iraqi people. A major component of both of those efforts was the contribution of the members of the National Guard and Reserve.

I come from Macomb County, Michigan, very proud home to Selfridge Air National Guard Base. In fact, Selfridge is somewhat unique in the inventory, I think nationally, because almost every facet, in fact every facet of the military is represented there. As I say, it is a Guard and Reserve base and it became sort of a staging area almost in the region, and we watched so many of those very brave citizen-soldiers mobilizing to defend our Nation. They left behind their jobs, they left behind their families to unselfishly serve to protect our freedom at home and abroad.

This service absolutely could not have been possible without the commitment, without the support of the

business owners who do their patriotic duty and support their employees who are called upon by their Nation.

This, of course, is some hardship to many of these employers. And oftentimes we see that the Guard and Reserve, many members of them are members of their local fire fighting force, members of their local police agency or law enforcement; yet they have the full support of their employers. The Guard and Reserve are such an important component of our national defense, as many times has been said, a critical component of the total force concept. We must continue to fully support them in their vital mission.

I certainly join my distinguished colleague from Michigan. Both of us are so proud of having Selfridge. Of course it is in my district, but MIKE ROGERS is almost right next door there. He is very familiar, as I am, with the incredible mission of Selfridge Air National Guard Base as we see what is happening in our Great Lakes State of Michigan and throughout our Nation with our Guard and Reserve. I join him in recognizing the commitment of our Nation's employers because without their continuing support, none of the service of the outstanding Guard and Reserve members would be possible.

□ 1415

Mr. GORDON. Mr. Speaker, I yield back the balance of my time.

Mr. STEARNS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in my home congressional district, I have the headquarters for the National Guard at Camp Blanding in North Central Florida; so I am well aware of the sacrifices these folks make when they go off to war. Interestingly enough, a lot of Americans do not realize this, so I think it is altogether appropriate today that we recognize the businesses and National Guard, because prior to this we had the resolution honoring the military who participated over in the war in Iraq, and we mentioned the National Guard. But, of course, this resolution is concentrating on the businesses.

There are 216,931 members of the Reserve components of the Armed Forces. When you think about each one of these people leaving their families and jobs in service to their country to go off to the war in Iraq, of course they leave behind employment.

We are talking about hundreds of thousands of employers that had these people employed. It might be a small business of five people, and it might be a business of 5,000 or 6,000 employees. But if you take a small business and you have one individual that leaves it, he represents 20 percent of the employees of the business. That is a major sacrifice.

So I think it is altogether fitting this afternoon that we take this time to recognize these businesses for their exceptional accommodation for these men and women and to honor them for what they are trying to do. Of course,

under the Uniformed Service Employment and Reemployment Rights Act, they have many responsibilities. Again, these responsibilities are mandated by Congress, but in many ways most of these businesses, almost all of them, are obligated through patriotism and a sense of resolve to the war in Iraq to take these people back, to care for them and, in many cases, give them their back pay. So I think it is altogether fitting that we this afternoon honor the businesses.

Mr. Speaker, I urge my colleagues to support this resolution.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BASS). The question is on the motion offered by the gentleman from Florida (Mr. STEARNS) that the House suspend the rules and agree to the resolution, H. Res. 201.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. STEARNS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### SPORTS AGENT RESPONSIBILITY AND TRUST ACT

Mr. STEARNS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 361) to designate certain conduct by sports agents relating to the signing of contracts with student athletes as unfair and deceptive acts or practices to be regulated by the Federal Trade Commission, as amended.

The Clerk read as follows:

H.R. 361

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

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Sports Agent Responsibility and Trust Act".

##### SEC. 2. DEFINITIONS.

As used in this Act, the following definitions apply:

(1) **AGENCY CONTRACT.**—The term "agency contract" means an oral or written agreement in which a student athlete authorizes a person to negotiate or solicit on behalf of the student athlete a professional sports contract or an endorsement contract.

(2) **ATHLETE AGENT.**—The term "athlete agent" means an individual who enters into an agency contract with a student athlete, or directly or indirectly recruits or solicits a student athlete to enter into an agency contract, and does not include a spouse, parent, sibling, grandparent, or guardian of such student athlete, any legal counsel for purposes other than that of representative agency, or an individual acting solely on behalf of a professional sports team or professional sports organization.

(3) **ATHLETIC DIRECTOR.**—The term "athletic director" means an individual responsible for administering the athletic program of an educational institution or, in the case that such

program is administered separately, the athletic program for male students or the athletic program for female students, as appropriate.

(4) **COMMISSION.**—The term "Commission" means the Federal Trade Commission.

(5) **ENDORSEMENT CONTRACT.**—The term "endorsement contract" means an agreement under which a student athlete is employed or receives consideration for the use by the other party of that individual's person, name, image, or likeness in the promotion of any product, service, or event.

(6) **INTERCOLLEGIATE SPORT.**—The term "intercollegiate sport" means a sport played at the collegiate level for which eligibility requirements for participation by a student athlete are established by a national association for the promotion or regulation of college athletics.

(7) **PROFESSIONAL SPORTS CONTRACT.**—The term "professional sports contract" means an agreement under which an individual is employed, or agrees to render services, as a player on a professional sports team, with a professional sports organization, or as a professional athlete.

(8) **STATE.**—The term "State" includes a State of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(9) **STUDENT ATHLETE.**—The term "student athlete" means an individual who engages in, is eligible to engage in, or may be eligible in the future to engage in, any intercollegiate sport. An individual who is permanently ineligible to participate in a particular intercollegiate sport is not a student athlete for purposes of that sport.

##### SEC. 3. REGULATION OF UNFAIR AND DECEPTIVE ACTS AND PRACTICES IN CONNECTION WITH THE CONTACT BETWEEN AN ATHLETE AGENT AND A STUDENT ATHLETE.

(a) **CONDUCT PROHIBITED.**—It is unlawful for an athlete agent to—

(1) directly or indirectly recruit or solicit a student athlete to enter into an agency contract, by—

(A) giving any false or misleading information or making a false promise or representation; or

(B) providing anything of value to a student athlete or anyone associated with the student athlete before the student athlete enters into an agency contract, including any consideration in the form of a loan, or acting in the capacity of a guarantor or co-guarantor for any debt;

(2) enter into an agency contract with a student athlete without providing the student athlete with the disclosure document described in subsection (b); or

(3) predate or postdate an agency contract.

(b) **REQUIRED DISCLOSURE BY ATHLETE AGENTS TO STUDENT ATHLETES.**—

(1) **IN GENERAL.**—In conjunction with the entering into of an agency contract, an athlete agent shall provide to the student athlete, or, if the student athlete is under the age of 18, to such student athlete's parent or legal guardian, a disclosure document that meets the requirements of this subsection. Such disclosure document is separate from and in addition to any disclosure which may be required under State law.

(2) **SIGNATURE OF STUDENT ATHLETE.**—The disclosure document must be signed by the student athlete, or, if the student athlete is under the age of 18, by such student athlete's parent or legal guardian, prior to entering into the agency contract.

(3) **REQUIRED LANGUAGE.**—The disclosure document must contain, in close proximity to the signature of the student athlete, or, if the student athlete is under the age of 18, the signature of such student athlete's parent or legal guardian, a conspicuous notice in boldface type stating: "Warning to Student Athlete: If you agree orally or in writing to be represented by an agent now or in the future you may lose your

eligibility to compete as a student athlete in your sport. Within 72 hours after entering into this contract or before the next athletic event in which you are eligible to participate, whichever occurs first, both you and the agent by whom you are agreeing to be represented must notify the athletic director of the educational institution at which you are enrolled, or other individual responsible for athletic programs at such educational institution, that you have entered into an agency contract."

##### SEC. 4. ENFORCEMENT.

(a) **UNFAIR OR DECEPTIVE ACT OR PRACTICE.**—A violation of this Act shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(b) **ACTIONS BY THE COMMISSION.**—The Commission shall enforce this Act 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 Act.

##### SEC. 5. ACTIONS BY STATES.

(a) **IN GENERAL.**—

(1) **CIVIL ACTIONS.**—In any case in which the 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 athlete agent in a practice that violates section 3 of this Act, the State may bring a civil action on behalf of the residents of the State in a district court of the United States of appropriate jurisdiction to—

(A) enjoin that practice;

(B) enforce compliance with this Act; or

(C) obtain damage, restitution, or other compensation on behalf of residents of the State.

(2) **NOTICE.**—

(A) **IN GENERAL.**—Before filing an action under paragraph (1), the attorney general of the State involved shall provide to the Commission—

(i) written notice of that action; and

(ii) a copy of the complaint for that action.

(B) **EXEMPTION.**—Subparagraph (A) shall not apply with respect to the filing of an action by an attorney general of a State under this subsection, if the attorney general determines that it is not feasible to provide the notice described in that subparagraph before filing of the action. In such case, the attorney general of a State shall provide notice and a copy of the complaint to the Commission at the same time as the attorney general files the action.

(b) **INTERVENTION.**—

(1) **IN GENERAL.**—On receiving notice under subsection (a)(2), the Commission shall have the right to intervene in the action that is the subject of the notice.

(2) **EFFECT OF INTERVENTION.**—If the Commission intervenes in an action under subsection (a), it shall have the right—

(A) to be heard with respect to any matter that arises in that action; and

(B) to file a petition for appeal.

(c) **CONSTRUCTION.**—For purposes of bringing any civil action under subsection (a), nothing in this title shall be construed to prevent an attorney general of a State from exercising the powers conferred on the attorney general by the laws of that State to—

(1) conduct investigations;

(2) administer oaths or affirmations; or

(3) compel the attendance of witnesses or the production of documentary and other evidence.

(d) **ACTIONS BY THE COMMISSION.**—In any case in which an action is instituted by or on behalf of the Commission for a violation of section 3, no State may, during the pendency of that action, institute an action under subsection (a) against any defendant named in the complaint in that action.

(e) **VENUE.**—Any action brought under subsection (a) may be brought in the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code.