

consideration of the Steel nomination; further, that the cloture motions filed during Monday's session of the Senate ripen at 11:45 a.m., and if cloture is invoked on the Steel nomination, the Senate vote on confirmation of the nomination at 2:15 p.m.; finally, that if any nominations are confirmed during Wednesday's session of the Senate, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's actions.

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

ORDER FOR ADJOURNMENT

Mr. THUNE. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order, following the remarks of my colleagues.

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

The PRESIDING OFFICER. The Senator from Alabama.

UNANIMOUS CONSENT REQUEST— S. 4177

Mr. TUBERVILLE. Mr. President, I want to bring up a subject today that is close and dear to my heart. You know, four things that made this country strong—make it the best country in the world—is God, family, military, and sports.

You learn a lot of things out of those four. It makes us strong, and we have kept that pretty much in that order for a long, long time.

But I would like to say today that I think most—even some of my colleagues in here today—college sports is in trouble, not just men but also women. Before I was elected, I spent 40 years coaching. I coached girls basketball. That was a thrill. I coached college football for a long time as assistant and head coach—best job I ever had.

But it is not about championships or packed stadiums or television. It is the best job because you had an opportunity to help people—young people—get them on the right track. And that is what sports does.

As a coach, you are just not calling plays on Saturday. That is just a small part of the job. You are helping young people prepare for life after the whistle. You are teaching discipline, accountability. You are teaching young men and women how to make a good decision under pressure, how to handle success and how to handle failure and how to keep their word when things get bad.

But above all, you are helping them to succeed in the classroom. You are making sure that they go to class, stay academically eligible, and leave school with something more than a letter jacket. That is what college athletics is supposed to be about.

It is supposed to give young people the opportunity to compete at the

highest level and have an ultimate goal. But the ultimate goal that I always taught my players—and I think most coaches have—is not just the sports end of it but get a good education.

College athletics should be a pathway to a degree, a meaningful career, and a better future long after the final whistle blows.

The lessons learned through sports—discipline, accountability, teamwork, perseverance—they really matter. But they are the most valuable when paired with education that prepares young people for life beyond the playing field.

This is why the term “student-athlete,” not “athlete-student,” is spoken in athletics in college sports. Athletics should support education, not replace it. Education must come first.

I retired from coaching 10 years ago, in 2016. A few things have changed in the world of college sports since that time. A series of court decisions, State laws, NCAA rule changes have opened the door for student-athletes to profit from their name, image, and likeness—often called NIL. It has been a popular topic for now 10 years.

And let me be clear about this. I think it is great that students can profit from their name, image, and likeness. I am all for it. I was for them making money when I was coaching. They should be able to benefit from the value that they create.

For years, everyone around college sports made money—schools, conferences, television networks, sponsors, coaches—while the athletes were told they could not make any money. That needed to change, and it did.

NIL is here to stay. No one should be trying to take money away from student-athletes. It is here. But NIL is only one part of what has changed.

The transfer rules changed along with the NIL. Used the right way, the transfer portal is a good thing. It can help a young person find a better fit and a better opportunity and a fresh start. But without any real rules around the transfer portal, it has turned into something else entirely: constant, year-round roster turnover.

The scale of the problem is hard to put into words. I have never seen anything like it. Last year, more than 10,500 college football players entered the transfer portal—10,500—1 year. More than 3,200 of those were in Division 1. Division 1 is the highest level of college football. There are only about 130 Division 1 football teams, and each program can offer up to 105 scholarships.

So those 3,200 players are enough to empty out 30 complete programs of the 131. Think about that. It is amazing. That is like every football program in the ACC and the Big 12 losing its entire roster at the same time.

And this is not just a football problem. In 2025, more than 1,500 men's college basketball players entered the transfer portal. A Division 1 basketball roster typically has 15 scholarship

players. That means the number of Division 1 basketball players entering the portal in a single year is equivalent to more than 100 full basketball teams.

On the women's side, more than 2,500 basketball players entered the portal, including more than 1,000 Division 1 players.

That is not a few students looking for a fresh start. These numbers tell the story. What used to be rare has become routine. When I was coaching, you used to be able to develop a young person over a 4- or 5-year period and send them out in the real world as a man or woman with a degree, an education. And that is what it is about. I think we will all agree to that.

When I was coaching, you used to be able to develop a young person and saw them grow up every day. Now, you are lucky to keep a player one season, and I think that is what we are all talking about today—the relationship between athletes, coaches and teammates and schools are becoming shorter and more transactional.

Too often, short-term financial incentives are driving decisions that should be about education, personal development, and finding the right fit for a student-athlete's future.

Coaches can't build a program when the whole roster turns over from one season to the next, and that is what we are seeing. Schools are now forced to spend more time and resources recruiting their own players than coaching them, developing them, or helping them succeed in the classroom. They are not getting degrees now because of the transfer portal.

And the young people caught in the middle have no idea whether the team they just committed to will even resemble the team that they signed with. Young people are being treated like free agents instead of students.

And while older players bounce from school to school chasing the next paycheck, it is the high school student-athletes—both young men and women—who are paying the price. In other words, these high school students aren't getting the scholarship offers like they used to. The transfer portal is squeezing high school athletes out of opportunities.

We may not know the exact number, but the trend is clear: Thousands of roster spots are now being filled by older transfers instead of high school recruits. A scholarship that used to go to an 18-year-old with their whole future in front of them is now going to a fifth- or sixth-year senior who has already had his shot or her shot two or three times over.

This system is hurting the very people college athletics is supposed to serve. It has created a culture that rewards chasing the next opportunity, instead of honoring commitments, persevering through adversity, and finishing what you started. That is what sports is about.

It is not good for student-athletes; it is not good for schools; and it is certainly not good for college sports.

The NCAA spent years standing on the sidelines while these problems got worse, failing to provide leadership from the NCAA or meaningful reforms needed to protect student-athletes and preserve college sports. They stood around and watched. I saw it personally.

As a result, Congress now is being asked to step in, and that is what we are here today for.

But the Federal Government, if it gets involved, we need to be very clear what our role is and what our role is not. Congress should not run college sports. That is the first thing I want to say. We cannot run college sports.

Congress should not manage television contracts, dictate conference alignments, or write department budgets. We can't do it. Congress should not decide how much money student-athletes can earn. That is not our job.

Our role should be limited to setting clear rules for eligibility, transfers, and scholarships so student-athletes and families, coaches, and schools know what the rules are and can plan accordingly. That is where Congress can help, and that is where Congress should stop.

Two weeks ago, a bunch of colleagues here rolled out a bipartisan bill that aimed to fix some of these problems. I respect the work that they put into it. I know it all too well. I know they are trying to solve a serious and very, very hard problem. It is almost impossible. But I think their bill goes too far. Trust me, if I thought it would work, I would support it.

Unfortunately, it gets too deep into the business of universities, conferences, athletic departments, while doing far too little to give the student-athlete the stability and clarity that actually they need.

It claims to address the transfer portal and eligibility, but it is riddled with loopholes and waivers that gut those rules before the ink is dry.

Let me be clear, you cannot do waivers for eligibility and transfer. You can't do it. It opens the door for endless lawsuits, and they are coming by creating new avenues for student-athletes to sue schools, conferences, and the NCAA. It opens the door to student-athletes being classified as "employees," which leads to unionization and the end of college sports as we know it.

It does not do enough to protect women's sports, which is an issue I have come to this Senate floor to talk about many, many times before.

It also sets a permanent cap on revenue sharing for student-athletes. And worst of all, this bill drags the Federal Government into decisions that should be made by schools and conferences, not up here—the DC bureaucrats—including how conferences are structured, how games are scheduled, how media rights are managed, and how athletic departments are run. We can't do that. We just can't do it.

In other words, their bill is 111 pages. It pulls the Federal Government deep

into the day-to-day operations of college sports. This is not the direction we should be heading. I commend them for working on it, but if we get to go this far, we will be creating more problems than helping.

Congress should focus on fixing eligibility and transfer rules, not inserting itself into matters that universities and conferences and athletic departments are fully capable of handling on their own. That is what they are hired for.

In the years since I came to the Senate, I have heard from student-athletes, coaches, athletic directors, presidents. They have all been in my office: You got to do something. You got to do something.

But we have got to do the right thing, and the concern I hear more than any other is simple: College sports needs a clear, consistent rule for the transfer portal and eligibility. That is where the problem is. And that—and only that—is where the Federal Government should get involved in.

College athletics has thrived for more than a century without folks from DC trying to call the plays. It does not need a Federal takeover. It needs a few clear, commonsense rules that restore stability and predictability, and then Congress needs to step aside.

That is why I have concerns about the approach that my colleagues have here today. That is the standard I use when I read the Protect College Sports Act. I respect what my colleagues are trying to do. I know they are trying to do the right thing and trying to solve a problem.

We have all heard it. My phone rings all the time, and I am sure theirs does, too, being as they are from the Commerce Department, which it usually goes through their committee.

But their bill tries to do too much. We are way too much in the weeds—way too much in the weeds. We are making it too complicated. We are talking about college sports here. We are not talking about the NFL or the NBA.

You know, I am not the only one with concerns. Dozens of athletic directors, coaches, commissioners, university leaders—they are all stepping in and talking about this and the bill in its current form.

Congress should try not to manage every part of college athletics. It should focus on the issues that need clear national rules: eligibility and scholarship protection. That is exactly why a few months ago I introduced the Student Athlete Act. My bill is simple. You get 5 consecutive years to play five seasons. We don't need 30-year-olds playing against 18-year-olds. That is a disaster.

You need one penalty-free transfer, no questions asked. And after that, if you want to transfer again, you can transfer, but you go back to the old rule: You sit out a year, and then you get to play at that school you transferred to.

So save it for where you really need it in a transfer. People say: Well, when the coaches leave, they should be able to leave.

Yes, they can. That is the reason you got one transfer. Don't use it to make \$50,000 more. Use it when you need to use it, if you ever need to use it, because if you transfer, your chance of getting a degree goes down 50 percent.

And, again, what we talked about earlier: It is about academics first. Before the NIL, if you transferred, you sat out a season, and that is the reason we should do that again. One free transfer, sit out a season. You go No. 2 or No. 3 and so forth on down the line.

More athletes—they will stay in school and they will go to class and they will work towards a degree.

My bill also protects student-athletes by making sure that scholarship commitments made to them are honored. They are honored as long as they remain in good academic standing.

You know, the Student Athlete Act follows the same basic direction President Trump laid out in his eligibility to transfer Executive orders, but we all know that Executive orders only last as long as the President is in office.

This is not a partisan or controversial bill. It is very simple, common sense. Let's make this happen.

So unlike the 111-page bill my colleagues are pushing, mine is short, simple, does not involve a Federal takeover of college sports. My colleagues intend to object to this today. I understand that.

If they do, I want to ask them just one question: Why is a simple fix on eligibility and the transfer portal something all of us can't do? And then after that, we either try to help or we give them direction—the NCAA—to do it on their own.

College sports are facing a five-alarm fire. It is getting ready to be over with as we know it. We do not have time to waste.

So, Mr. President, I move today to ask unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from further consideration of S. 4177, the Student Athlete Act of 2026; that the Senate proceed to its immediate consideration; that the bill be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

THE PRESIDING OFFICER. Is there objection?

The Senator from Washington.

Ms. CANTWELL. Mr. President, the Senator from Alabama is right about one thing, and that is that college sports is facing a crisis.

Today, we see a free-for-all driven by ever-increasing spending on football and basketball. Non-revenue sports are paying the price, with more than 100 programs cut since 2024. Women's and Olympic sports are paying so dearly that it is hard for them to continue to compete.

We are well aware of this in the State of Washington. Conferences have been

realigned in such a way that athletes are traveling across the country every week just to play one another.

But we cannot solve this problem facing college sports' ecosystem by just addressing transfers and eligibility. We need a solution. I believe we need a Federal law on the NIL rights for athletes, for their health and their safety. And we need a solution that will create more opportunities for future collegiate athletes, and we need a solution that will grow a bigger pie for those non-revenue sports, so they too can keep their teams competitive.

The good news is that the Protect College Sports Act that Senator CRUZ and I introduced does those things. Most importantly, it enshrines into Federal law student-athlete rights to earn compensation for their name, image, and likeness, and for student-athletes to receive a share of revenues from their school's media and advertising and sponsorship and tickets.

Athletes will also be protected from unscrupulous agents and deceptive or predatory contracts, and believe me, that is going on right now. You could pass our bill just for that alone. And the bill establishes scholarship protections for athletes, healthcare requirements for athletes for playing, and the health and safety standards that I mentioned. All of these are important tools.

On the other hand, my colleague from Alabama's Student Athlete Act seeks only to address eligibility rules and the transfer portal. It does nothing to address these larger issues of athletes' rights, of women's and Olympic sports, and the need for revenue. In fact, this bill simply gives the NCAA the ability to make rules in these two subject areas without the broader health and safety protections that we seek in our legislation.

If enacted, it would leave athletes more vulnerable for the future. For eligibility, it calls for 5 years from a date certain with absolutely no exceptions. Should we not grant athletes exceptions for pregnancy if a student-athlete gets pregnant and needs to take time off? Should they lose their eligibility for that? For religious missions? If an athlete decides to go on a religious mission, should they lose their eligibility for that? Or should they lose their eligibility if they stand up to defend our Nation and want to come back and play? Should they lose their eligibility for that? Are we really going to punish student athletes because of these issues—because of parenthood, because of church or country? I don't think so. I cannot support a rule that would punish student athletes for this.

And for the transfer rule under this bill, I have the same concerns. Again, we see that there are no exceptions, no exceptions for things like if the athlete's sport is cut—it is impossible for them to compete in the next season. Or if athletes suffer from sexual assault or harassment. As if that hasn't happened in college sports, trust me, it has hap-

pened. I do not believe a woman facing sexual assault should have to play for the same people, and she deserves to get transferred out of that school.

So I know my colleague from Alabama is trying to be well-meaning. He has said several times tonight that my colleague and I have worked hard on this legislation. We have. We have because we believe, just like he does, that it is preserving college sports that is critical—not just for those, the 2 percent of the system, or 3 percent, that might play in a sport that does generate revenue, but for the 500,000 athletes that are part of our collegiate system.

We cannot continue to see these athlete numbers diminish. We can't wake up and be in the next Olympics and wonder what happened to the training of our athletes, only to find out they got cut because we couldn't end an arms race in the football spree that we are seeing today.

So I think that we are going to continue to push ahead on a more broad issue, and for that reason, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Texas.

Mr. CRUZ. Mr. President, in a time of great division in our country, college sports are one of the last institutions in America that still bring people together.

But across the country, fans see that institution falling apart. Rosters are being rebuilt every year through an unrestricted transfer market. Schools are locked in an arms race of ever-increasing NIL spending. Coaches spend as much time recruiting their own players as they do preparing for opponents. Eligibility rules are no longer determined by clear standards, but instead by lawsuits, court orders, and last-minute injunctions.

Historic rivalries are disappearing. Athletes who have already competed professionally are seeking to return and play college sports instead.

The wealthiest conferences continue to consolidate power and resources, while many mid-major programs increasingly serve as feeder systems for the sport's biggest brands.

What makes college sports special is not simply the games themselves. It is the connection between schools, athletes, students, alumni, and communities. Yet without clear rules and a sustainable framework, the very tradition that generations of Americans have cherished is at risk of being lost.

I did not come looking to insert Congress into college sports. College sports came to Congress begging for Congress to act because changing the law is the only way to fix the legal chaos.

Congress, unfortunately, helped create the legal environment in which college sports operate now. Federal anti-trust, broadcasting, and interstate commerce laws shape what schools, conferences, and governing bodies can do.

If college sports are not allowed to enforce basic rules because of laws that

Congress has already written, then Congress has a responsibility to fix the problem.

We need Congress to act. If we do nothing, the current trajectory will concentrate more and more power in fewer and fewer hands and will widen the gap between the richest programs and everybody else.

In a few years, we will likely lose dozens of historic football and basketball programs, not to mention thousands of Olympic sports at colleges dependent on revenue from football and basketball.

Is that what our country wants, to allow Federal law to kill off everyone but the 30 to 40 universities with football programs that will basically become a mini NFL, and everyone else gets left behind?

To save college sports, we need a bipartisan solution that will be able to garner 60 votes here in the Senate and pass the House. Unfortunately, the bill from Senator TUBERVILLE is not able to achieve 60 votes.

Senator TUBERVILLE is a friend. He loves college sports. He cares about it deeply. He spent a lifetime inspiring, coaching, teaching young men and women athletes.

The provisions in his bill are, in significant respect, reflected in the bipartisan bill that Senator CANTWELL and I have negotiated. The bipartisan bill we have negotiated limits, as a general rule, one transfer per athlete. It does create exceptions: if a coach leaves, a program is canceled, or a student-athlete is the victim of sexual assault or sexual harassment.

Likewise, Senator TUBERVILLE's proposed 5 years of eligibility is in the bipartisan bill.

The difference is that there are no Democrats supporting Senator TUBERVILLE's bill. We have just seen a leading Democrat, the ranking Democrat on the Commerce Committee, object to Senator TUBERVILLE's bill.

The way the Senate operates, you have got to get 60 votes. If you can't get 60 votes, your bill can't pass. That means, even though I support many of the elements of Senator TUBERVILLE's bill—and they are included in our bill—Senator TUBERVILLE's bill is not going to become law.

The question then is: Do you want any Federal solution?

I will say, when Senator CANTWELL and I rolled out a bipartisan bill, many observers were shocked. They didn't believe this place could operate. That was the result of 3 years of negotiation. The last several months Senator CANTWELL and I sat in a conference room 6 to 8 hours a day negotiating provision by provision.

You know, many of the criticisms Senator TUBERVILLE put of the bill, I agree with. It is not perfect. I had to make concessions that I didn't like making. And, you know what, Senator CANTWELL made concessions that she didn't like making. And that is the only way to get a bipartisan bill that

can actually pass this body and become law.

I will say the bipartisan bill that we filed has seen overwhelming support, virtually every conference in America has publicly supported the bill. The bill is supported by: the ACC, the Big 12, the American Conference, Conference USA, the Sun Belt Conference, the Missouri Valley Conference, the SWAC, the MAC, the Pac-12, the Patriot League, the MEAC, Big Sky, the Horizon League, the Ohio Valley Conference, the Western Athletic Conference, the Big West, Metro Atlantic Athletic, Summit League, the West Coast Conference, and the Mountain West all have endorsed this bill. The NFL, the National Football League, has endorsed this bill. The NFL Players Association has endorsed this bill. The NBA Players Association has endorsed this bill. The U.S. Olympic Committee has endorsed this bill.

Coach Nick Saban, probably the most legendary college football coach in America, has explicitly endorsed this bill. Coach John Calipari, one of the most legendary basketball coaches, has endorsed this bill. Coaches all across the country have endorsed this bill. The American Football Coaches Association has endorsed this bill.

Why have we seen such broad support? Because this bill is the only train that is leaving the station. Senator TUBERVILLE said, and I wrote this down: College sports is facing a five-alarm fire.

I agree with him. It is. So the choice this body has—if it were up to me, I would happily pass Senator TUBERVILLE's bill, but it is not up to me. To pass this body, you have to get at least 60 votes. And the only bill that has any prospect of passing into law and fixing the problem is the bipartisan bill that has been negotiated with Senator CANTWELL and myself and also with Senator SCHMITT, another Republican, and Senator COONS, another Democrat.

If it is a five-alarm fire, we are all faced with a choice: Do we do nothing or do we accept an imperfect solution, a compromise that nonetheless gives the certainty that the conferences, the commissioners, the coaches are desperately asking for?

Right now across America, there are more than 500,000 college athletes who compete. If we don't act, hundreds of thousands of those college athletes will lose scholarships and lose the opportunity to go to college. That would be tragic.

So I invite my friend Senator TUBERVILLE, who, as I said, cares deeply and passionately about college sports, to join with us in trying to find a way that Congress can actually for once address and fix a problem.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. TUBERVILLE. I agree with a lot of the things my colleagues are talking about—especially about the five-alarm fire. It is in trouble.

He just brought up a lot of names of people supporting this bill. They don't understand how this place works. They don't understand the significance of when you add those rules, it is a Federal law, and when we get involved in it, if you look at everything else we do, most of the time, it doesn't work.

We are only going to have one chance here, and I brought this 5 for 5, one-time transfer, no waivers. If you don't do it that way, it ain't going to work. If you give waivers to people, you have problems. We are giving one transfer. If you give waivers for everything—"My grandmother had a cold when I was a sophomore"—and they are going to hear it. If they don't get a waiver on that, they are going to go to a Federal judge, and it is going to end up the same way we are doing it today. It is a god-awful mess.

If we want to fix 80 percent of the problems without the Federal Government getting into it, you have 5 years to play, 5, and one transfer. No waivers. No Federal judge can get involved. But if you give waivers, there are going to be more lawsuits than you can ever imagine. It is going to be a disaster.

Senator CANTWELL said something about revenue sharing. You know, they passed a rule a couple years ago that there is \$20 million of revenue that goes to the college athletes. OK, \$20 million a year. That is revenue sharing. Do you know who gets the money? Football players at every university. It doesn't go to women. It doesn't go to basketball or softball or baseball. It goes to the men's football team. It is a disaster.

All I am saying is watch what you are doing, and I am telling my friends calling me that are in coaching and conference commissioners: Read this well. If you are for this, then it is going to be your last chance.

I hope it works. If it passes, I hope it works. I go to a college football game every week. It is my life. I hope it works. But we damn sure better know that it is going to work if we pass it because you are not going to be able to retract it. It is going to be the law of the land—the law of the land. And it is not going to change, I am telling you right now.

I would consider voting for this if there were no waivers and 5 years' eligibility because I know what that affects. I know how that is going to work. I have seen it. These kids are going to run straight to a Federal judge, and they are going to give them leeway, and they are going to give them that extra year, and then you don't have a law.

The only way you can fix this bill, the only way you can fix college sports is 5 for 5, one transfer, no exceptions, and let's go play. But you start giving exceptions and waivers, it is going to be a madhouse, and lawyers are going to make a ton of money. That is who is going to get rich here—not the athletes but the lawyers.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

TRIBUTE TO SHANNON SMITH

Ms. CANTWELL. Mr. President, I rise to recognize the recent retirement of one of my most respected staff members: Shannon Smith. Shannon is a native of Washington and is returning home to be in Seattle.

I am not sure Shannon ever imagined she would be living in Washington, DC, serving on the Senate Commerce Committee, especially after a long, successful career with the Washington State attorney general's office, where she led the consumer product division, investigating fraud and deceptive practice and holding bad actors accountable for their actions.

The pull to service was clearly still strong, and she once told me that she expected that Washington, DC, would be a good place for her to continue that growth. She lasted here 5 years, and we are so grateful for that because, during that time, she led an impressive effort on the Consumer Protection, Technology, and Data Privacy Committee.

Her time on the committee during the Covid crisis helped us fashion legislation that was important in stopping bad actors from hawking online products that clearly had no solutions to the impacts of Covid. She worked very hard, especially on children's online privacy, and working hard on college sports issues.

She did a very important task for us in the legislation that we are talking about now, but it was really her real world experience that was so valuable on the consumer product and safety issues of our committee. I think it is very important tonight to thank her for that work. And while I wish that our consumer products organization was a better organization than today, I know she helped stop some very bad cases from moving forward.

She also led the 2021 reauthorization of the Minority Business Development Agency, which was for the first time established as a permanent Agency—a very important organization to help deliver resources to communities and grow minority businesses, a great victory for them.

She was also instrumental in drafting the American Privacy Rights Act that I introduced with then-Representative Cathy McMorris Rodgers who served as the chair of the House Committee on Energy and Commerce. So we worked very hard, so when the Trump administration and Republicans sought to override State laws protecting consumers from the harms of AI, Shannon understood exactly what that would mean for our State and attorneys general across the Nation.

She helped rally those voices against preemption of these most important consumer issues. Most recently, as I mentioned, Shannon led the drafting of the Protect College Sports Act. Actually, before that, she led the drafting of