

July 22, 2025

The Honorable Brett Guthrie
Chairman
House Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, DC 20515

The Honorable Jim Jordan
Chairman
House Judiciary Committee
2138 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Tim Walberg
Chairman
House Committee on Education and Workforce
2176 Rayburn House Office Building
Washington, D.C. 20515

Sent via email

Dear Chairman Guthrie, Jordan, and Walberg,

I write to you today from the Women's Sports Foundation (WSF®) with concerns and comments we urge you to consider in your upcoming markup of the H.R.4312 "Student Compensation and Opportunity Through Rights and Endorsements (SCORE) Act." WSF has been a fierce protector of Title IX for more than 50 years because we know that participation in sports leads to better health, stronger leadership, and broader social and economic benefits for all. As a national nonprofit founded by Billie Jean King, we empower women and girls in sports through research-informed advocacy, data-driven grantmaking, and community programming.

We implore you to reexamine the SCORE Act for its potential to undermine broad-based sports for women and men and progress gained for women athletes since the passage of Title IX. While we appreciate the effort to stabilize the current Name, Image, and Likeness (NIL) marketplace, we feel the SCORE Act requires improvement to safeguard opportunities for women's and Olympic sports. As currently drafted, the SCORE Act risks codifying the current imbalanced and broken system with the potential to set women back decades. **College sports need reform, but rather than rushing a proposed legislative solution, we must approach with intention to ensure that policy solutions increase Title IX compliance, investment in women's sports, and protect broad-based sports.**

We encourage you to reexamine the SCORE Act to ensure:

- Women's sports opportunities are protected,
- It is clear that NIL and revenue share payments are subject to Title IX,
- Women's and Olympic sport participation opportunities are able to maintain or expand current levels, and
- Opportunities to invest in women's and broad-based sports are encouraged and incentivized.

Protecting Women's Sports

Despite the vast opportunities for girls and women in sports ushered in by Title IX, far too many schools remain out of compliance. A Government Accountability Office (GAO) 2024 report shows 93%

of colleges offered higher rates of athletic opportunities to men athletes disproportionate to their enrollment.¹ For too long, the collegiate sports system has seen unchecked growth in football and men's basketball, creating an "arms race" among many schools, while women's sports and men's Olympic sports are often an afterthought.

Despite historically being underfunded, underpromoted, and undervalued, women's collegiate and professional sports are currently experiencing tremendous growth and investment in the U.S.² It is imperative that any policy changes, such as the SCORE Act, continue this progress rather than cause it to stall. We fear that in the absence of intentional provisions that insist on the equal prioritization of women's sports, the SCORE Act will exacerbate the gaps between women and men. **In its current form, the SCORE Act has the potential to set women's sports back decades.**

Moreover, we share concerns raised during the July 15, 2025 House Committee on Energy & Commerce mark-up hearing regarding the potential for the SCORE Act's preemption clause to impact athletes' ability to seek legal remedy under state law (for instance, gender equity and sexual harassment claims). Based on the exchange during the hearing and comments made by Rep. Bilirakis, we are hopeful that these concerns will be properly addressed.

Revenue Distribution and Name, Image, and Likeness (NIL)

The approval of the *House v. NCAA* settlement has placed schools under increased pressure to navigate budget changes and remain competitive in the collegiate landscape. We know from history that when schools face a budget shortfall, women's sports and broad-based Olympic sports are the first to be cut. Predictably, some schools have already begun announcing program and roster cuts to adjust for revenue distribution plans in a post-*House v. NCAA* settlement reality.³ Furthermore, as schools begin sharing their revenue distribution plans, many have expressed intent to allocate funds in a way that mirrors the *House* settlement damages formula by distributing as much as 75% to men's football players and 18% to men's basketball players.⁴ **WSF sees this skewed distribution as a clear violation of Title IX.**

Unfortunately, we often see that inequitable treatment, investment and promotion of women athletes (often a violation of Title IX) impacts more than just the visibility and popularity of their sport, it has far reaching consequences by further increasing the existing gaps. **We urge you to clarify within the SCORE Act that NIL and revenue distribution payments are subject to Title IX. Title IX very clearly**

¹ United States Government Accountability Office. "Education Should Improve its Title IX Enforcement Efforts." Release Date: 5/9/2024. Retrieved from: <https://www.gao.gov/assets/gao-24-105994.pdf>

² Deloitte.com (March 17, 2025). Beyond the billion-dollar barrier: Charting the next phase of growth. Retrieved from: <https://www.deloitte.com/content/dam/assets-shared/docs/industries/technology-media-telecommunications/2025/deloitte-womens-sports-2025-v5.pdf>

³ Bloomberglaw.com (July 7, 2025). NCAA Settlement Forcing Cuts to College Teams in Olympic Sports. Retrieved from: <https://news.bloomberglaw.com/antitrust/ncaa-settlement-forcing-cuts-to-college-teams-in-olympic-sports>

⁴ Atozsports.com. (December 17, 2024). Texas Athletics' revenue sharing model likely similar to what Texas Tech is planning for Red Raiders' athletes. Retrieved from: <https://atozsports.com/college-football/texas-longhorns-news/texas-athletics-revenue-sharing-model-likely-similar-to-what-texas-tech-is-planning-for-red-raiders-athletes/>

states that schools must provide equitable athletic financial aid to their athletes, and treat them equally with respect to benefits, services, and recruitment.

Protecting Broad-Based Sports Offerings

The current lawsuits, labor disputes, and proposed legislation winding their way through the courts and legislative process present very real concerns about broad-based sports offerings. WSF believes in the transformative power of sports and the lifelong benefits they provide to all who participate, and we hope to see more athletes participate, not fewer. While we appreciate the intention of the SCORE Act to protect Olympic sports by mandating a 16-sport minimum, the reality is that many NCAA Division I schools currently sponsor *more* than 16. We encourage you to find ways to ensure that we do not lose the current robust broad-based sport offerings present at many colleges and universities. The potential elimination of roster and program spots across broad-based Olympic sports would sever the unique and successful development pipeline that has allowed the unprecedented success of Team USA. With the 2028 Olympic and Paralympic Games being held in Los Angeles, it is imperative that **we provide a vehicle through which sports participation opportunities can expand, not shrink.**

The growth of college football and men's basketball into the multi-billion-dollar business seen today, shows the impact of long-term investment and prioritization. The reality is that *all* sports have the ability to generate revenue, but only if they receive proper investment. **The SCORE Act should offer solutions that encourage investment in women's sports and broad-based sports.**

Though there are many points of view on the future of college sports, change and evolution must be attained through thoughtful and holistic policy change. WSF believes that any Federal legislation, including the SCORE Act, must keep gender equity and existing federal laws and protections at the forefront.

We encourage you to reach out should you wish to discuss the contents of this letter more thoroughly.

Sincerely,



Danette Leighton
Chief Executive Officer, Women's Sports Foundation