

ONE HUNDRED NINETEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

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July 21, 2025

MEMORANDUM

To: Committee on Energy and Commerce, Members and Staff
From: Committee on Energy and Commerce Majority Staff
Re: Full Committee Markup on July 23, 2025

I. INTRODUCTION

The Committee on Energy and Commerce has scheduled a markup on Wednesday, July 23, 2025, at 10:00 a.m. (ET) in 2123 Rayburn House Office Building, and subsequent days as necessary, to consider the following legislation:

- **H.R. 4312, Student Compensation and Opportunity through Rights and Endorsements (SCORE) Act (Reps. Bilirakis, Bynum, Guthrie, Walberg, Jordan, Figures, McClain, Fitzgerald, and Fry)**
- **H.R. 4273, Over-the-Counter Monograph Drug User Fee Amendments (Reps. Latta and DeGette)**

II. EXPLANATION OF LEGISLATION

H.R. 4312, Student Compensation and Opportunity through Rights and Endorsements (SCORE) Act (Reps. Bilirakis, Bynum, Guthrie, Walberg, Jordan, Figures, McClain, Fitzgerald, and Fry)

H.R. 4312 establishes a federal framework governing Name, Image, and Likeness (NIL) rights for college student-athletes. It defines key terms used throughout the legislation, including associated entity or individual, college sports revenue, Interstate Intercollegiate Athletic Associations (IIAA), pool limit, and prohibited compensation. It affirms the rights of student-athletes to enter into NIL agreements, prohibiting colleges, conferences, and IIAAs from restricting those rights or penalizing athletes for engaging in NIL deals.

H.R. 4312 modifies the Sports Agent Responsibility and Trust Act (SPARTA) to reflect the new NIL environment. It requires agents involved in NIL deals to disclose if they are

registered with an IIAA and removes outdated provisions in SPARTA related to eligibility risk when hiring agents.

The legislation also codifies the National Collegiate Athletic Association's (NCAA) core guarantees, which include continued access to medical coverage, academic support services, and scholarship protections. It authorizes IIAs to establish and enforce rules related to collecting and sharing NIL data, prohibited compensation, recruitment of student athletes, the revenue sharing pool limit, transferring between schools, student-athlete eligibility, and competition and championship management.

Further, the legislation includes limits on liability conditioned on compliance with the Act. H.R. 4312 affirms student-athletes are student-athletes, and the bill clarifies employment-related obligations for academic institutions under state and federal labor laws. The legislation requires public reporting of the use of student fees to fund athletic programs and prohibits top-revenue programs from using student fees to cover intercollegiate athletics costs. Finally, it preempts any state or local laws related to NIL.

H.R. 4273, Over-the-Counter Monograph Drug User Fee Amendments (Reps. Latta and DeGette)

H.R. 4273 would reauthorize the Over-the-Counter Monograph Drug User Fee Program (referred to as "OMUFA") for fiscal years 2026 to 2030. Reauthorization of this program would include the negotiated agreement on performance goals and procedures between the Food and Drug Administration and industry for the upcoming five-year period. This would be the first reauthorization of OMUFA.

III. STAFF CONTACTS

If you have any questions regarding legislation from the Subcommittee on Commerce, Manufacturing, and Trade or other questions regarding this markup, please contact Alex Khlopin of the Committee Staff at (202) 225-3641.

If you have any questions regarding legislation from the Subcommittee on Health, please contact Annabelle Huffman of the Committee Staff at (202) 225-3641.