Documents for the Record

Subcommittee on Commerce, Manufacturing, and Trade Hearing

"Winning Off the Field: Legislative Proposal to Stabilize NIL and College Athletics"

June 12, 2025

1. A letter from Division I Student Athlete Advisory Committee to Congressional Leaders, submitted by the Majority.
2. A letter from Division III Student Athlete Advisory Committee to Chairman Bilirakis, submitted by the Majority.
3. A letter from Commissioners of the Central Intercollegiate Athletic Association (CIAA), Mid-Eastern Athletic Conference (MEAC), Southern Intercollegiate Athletic Conference (SIAC), and Southwestern Athletic Conference (SWAC) to Chairwoman Clarke and Member of the Congressional Black Caucus, submitted by the Majority.
4. A letter from Saving College Sports to Chairman Bilirakis and Ranking Member Schakowsky, submitted by the Majority.
5. A letter from undersigned Coaches Associations to Chairman Bilirakis and Ranking Member Schakowsky, submitted by the Majority and the Minority.
6. A statement from American Association for Justice titled "The NCAA Should Be Subject to More Scrutiny, Not Less, in the Face of Decades of Anti-Trust Violations," submitted by the Minority.
7. A letter from Jim Cavale, President and Co-Founder of Athletes.org, submitted by the Minority.
8. An article from Advance Local titled "Which SEC football program spent the most on severance in FY 2024?" submitted by the Minority.

Division 1 – Student-Athlete Advisory Committee

Dear Congressional Leaders,

I trust you enjoyed a rejuvenating and restful break during the recent festive season.

Serving as the collective voice of Division I student-athletes throughout the country, we the NCAA Division I Student-Athlete Advisory Committee (SAAC) are writing to reiterate the sentiments of former SAAC Chair Cody Shimp and continue to elevate the concerns of current student-athletes throughout the country that we represent. We firmly believe that federal action is imperative to navigating the complex and evolving landscape of name, image, and likeness (NIL) rights and employment status of student-athletes in college sports. Federal action is paramount to maintaining opportunity for the generations of student-athletes to come.

With over 200,000 student-athletes competing at Division I member institutions, the Division I SAAC assumes a pivotal role in representing every single one of those voices. In our previous letter, Shimp detailed that the SAAC is the student-athlete voice that provides a critical platform for us to provide feedback on diverse issues that affect our collegiate experience. The SAAC serves as a middle ground between athletes, administrators, and the NCAA to ensure that the welfare of Division I student-athletes is the top priority. For that reason, we humbly implore your continued attention and unwavering support in this critical matter to safeguard the well-being and equitable treatment of current and future student-athletes nationwide.

First, it is essential to maintain that student-athletes **should not** be employees of their institution. Student-athletes are and always will be students first. The collegiate system prioritizes education and it is crucial that student-athletes receive special status to preserve the traditional collegiate experience. By recognizing the unique relationship between student-athletes and their institutions, Congress can help ensure that the fundamental purpose of college sports is sustained. Non-employee status is vital for preserving collegiate sports because of the following reasons: (1) Educational Focus, (2) Workload and Time Commitments, (3) Amateurism and Fair Play, and (4) Financial Sustainability.

When thinking about the classification of an employee and the expectations and standards that come with that position, student-athletes would have to perform at a certain level to maintain their place on the team. The current Chair of Division I SAAC Ashley Cozad details:

> Having experienced a significant injury where I could not compete for several months, I learned the importance of adversity throughout my recovery. If an employee model were implemented, it is possible I would not have had the same

> support system from my coaches, athletic trainers, and teammates due to the fear of being 'fired.'

Current Duke Basketball player and former Division I SAAC representative for the American Athletic Conference, Sion James, furthers this notion, imploring that:

> Employment status would jeopardize our ability to maintain a traditional college experience. Increased athletic requirements would undermine the academic and social experience that make being a student-athlete special. While many athletes face strong pressure to perform at a high level, college athletics remains an educational experience that shapes young boys and girls into men and women who can handle challenges in the real world. Employment status would ruin that dynamic and make transformational player-coach relationships into transactional employee-employer ones.

An environment where student-athletes are constantly pressured to perform will have serious negative impacts on mental health. Student-athletes are people first, and we must prioritize the well-being of players over performance. The fear of job insecurity will negatively impact the athletic and academic experience of student-athletes and will be consistently detrimental to an ongoing mental health crisis.

The ongoing House vs. NCAA settlement agreement allows for NCAA member institutions to benefit from revenue sharing, or "pool benefits" as referred to in the agreement itself. In short, this benefit allows for the sharing of an Athletic Department's revenue, generated from various sources, such as ticket sales, broadcasting rights, sponsorships, and other forms alike. These funds will be distributed amongst student-athletes, directly compensating them for their participation in sports and recognizing their involvement in revenue generation at the institutional level. This structure provides a share of revenue without a guaranteed salary or wage, acknowledging the economic value that student-athletes bring to their institutions.

The NCAA's ability to prioritize the well-being of student-athletes relies heavily on the establishment of congressional safe harbor protections. Safe harbor protections would provide the NCAA with legal clarity and stability needed to enact consistent reforms that protect college athletics and the generations of student-athletes that are yet to embark on their collegiate experience. This includes addressing critical issues like NIL regulations, enhanced Athlete benefits, and equitable access to resources and opportunities, regardless of institutional or financial disparities. Without these protections, the NCAA risks being driven by legal fears and external pressures rather than prioritizing the holistic development, health, and success of student-athletes.

Meredith Page, the current Division I SAAC Co-Vice Chair shares her thoughts surrounding a safe harbor law for the NCAA:

> As a Division I women's volleyball student-athlete, I've poured my heart into this experience. The long hours in the gym, the sacrifices, and the pride of representing my school—it's all a part of who I am. But the lack of safe harbor protections makes it feel like everything I have worked for could be taken away in an instant. What happens if a law changes, or if the NCAA has to make decisions based on avoiding litigation rather than supporting us? Safe harbor would mean stability—a chance to compete and grow without the fear that everything we have worked for could disappear indefinitely with no recourse. That peace of mind is something every student-athlete deserves.

By granting the NCAA this safeguard, Congress can ensure a unified approach to college athletics that prioritizes fairness, opportunity, and the long term well-being of the nearly 500,000 student-athletes it serves.

Finally, we are continuing to seek federal action that will diminish bad actors in the world of name, image, and likeness (NIL), and urge Congress to codify that federal law preempts state law surrounding NIL activities. Therefore, guaranteeing that student-athlete contracts and obligations are met and student-athletes are able to capitalize on their NIL regardless of what state their institution is located.

On August 1st, 2024, the NCAA launched NIL Assist; a comprehensive digital database where student-athletes are able to disclose NIL activities and NIL providers can apply for the NCAA Service Providers Registry. The robust website has provided transparency for both parties surrounding contracts and dollars made by student-athletes through the use of their NIL. Although implementing NIL Assist has facilitated in mitigating bad actors, there is still a rising concern about protecting student-athletes' interests and upholding contractual obligations. Providing amplified congressional safeguards for student-athletes in the evolving world of NIL would ensure that student-athlete well-being is protected and NIL Service Providers are guaranteed to follow through on financial commitments.

Furthermore, the work of NIL Assist would greatly benefit from a uniform federal law surrounding NIL activities. With there being over 30 different sets of state laws, it is very difficult to keep track of various rules. Additionally, having a patchwork of NIL regulations creates an unlevel playing field where uniformity is nearly impossible. Additionally, Division I SAAC's current Atlantic Coast Conference (ACC) Representative Matthew Dennis describes how NIL has influenced the world of college football:

> As a 5th year graduate student and football player (kicker) at Wake Forest University, I have seen the immense changes in college athletics during my tenure as a student-athlete. NIL has created numerous opportunities for student-athletes nationwide including myself. With federal NIL laws in place, seeking new opportunities at other institutions would be seamless and regulated. That being said, a unified NIL law would make transfer between NCAA institutions seamless

and consistent for student-athletes to partake in NIL deals regardless of geographic location.

Therefore, standardized NIL regulations would provide student-athletes and their institutions with the essential guidelines needed to protect student-athlete well-being.

Congressional leaders, as the elected representatives of student-athletes across the nation, we plead that you take action that would support federal legislation addressing student-athlete employment status, provide a safe harbor for the NCAA and unify regulations surrounding name, image, and likeness (NIL). We, the student-athletes, are ready and enthusiastic to work with you to ensure that the perspectives and concerns of student-athletes nation-wide are effectively represented in the legislative process. We value your focus on this important issue and look forward to continuing the conversation.

Thank you for your public service and your commitment to improving college sports.

Sincerely,

NCAA DIVISION I
SAAC

Dear Chairman Bikirakis,

On behalf of the NCAA Division III Student-Athlete Advisory Committee (SAAC), we urge you to pass legislation that protects opportunities for student-athletes like us now and into the future. The state of college athletics is an ever-changing one, and we look to you to provide stability to this landscape to further protect our experiences and the experiences of those to come after us. Our goal is to leave Division III better than when we arrived, and we need federal legislation to do so. **By passing legislation that ensures student-athletes remain student-athletes and not employees, establishes uniform commonsense rules for schools, conferences, and associations, and stabilizes the NIL landscape, you will not only strengthen our athletic experience but also preserve it for future generations.**

As members of Division III SAAC, we are charged with representing and strengthening the voices of our peers on issues that impact student-athletes across our institution. We recognize the current college sports environment is uncertain and we believe it is important our voices are heard along with our peers at Divisions I and II. With the rising threats against our programs and institutions, we respectfully ask that you support national legislation that protects our uniquely American system of college sports, and **we urge you to pass legislation that would declare a special status for student-athletes so that we do not become employees of our institution.**

Below are individual statements from several of our current and former student-athlete leaders on SAAC, highlighting what it has meant to us to be Division III student-athletes and why federal legislation is needed to protect us and future Division III attendees.

Morgan Shaw
Cross Country, Willamette University (Oregon)
"I chose Division III for the opportunities it provided me, for the focus on academics that it has allowed, while simultaneously pushing me to athletic achievement. Division III has given me the space to learn and grow, to be a person first and foremost, a student, and an athlete, all while driving me to grow in all aspects of who I am. I came out of high school running hoping that any team would take me, as I was not yet ready to give up on my love of competition. However, I also knew I wasn't statistically good enough for a lot of places to want me. Willamette offered me a place where I could thrive through individual competition and create the academic future that I so desired. Yet this would never have been a possibility had the NCAA followed an employment model regarding collegiate athletics. I would have become another number, another statistic, and a drain for a university looking to maximize capital through the employment of athletes."

Tanner Rowland
Tennis, University of California, Santa Cruz

“As a former Division III student-athlete, I highly encourage you to oppose any legislation or policy proposals recognizing student-athletes as employees. Enforcing a mandated employment system on student-athletes fundamentally undermines the academic and student-focused components of the student-athlete experience, while threatening the financial viability of smaller university athletic departments. This change would jeopardize the existence of NCAA Division III athletics and its core philosophy of prioritizing the student-athlete academic experience.”

Zack Durr
Track & Field, Vermont State University Castleton
“I've had the opportunity to thrive as a student leader on my campus largely due to the structure of being a Division III student-athlete. I serve as the Senior Class of 2025 President, the Student Government Association Vice President, and the Student-Athlete Advisory Committee President, along with multiple other roles at VTSU Castleton. I've been able to effectively serve the students on my campus within these roles because of the flexibility and amateur status that being a collegiate student-athlete provides. The NCAA's amateurism model allows for flexibility in the student-athlete experience and is ultimately responsible for my ability to thrive in each domain I've served in on my campus. Simultaneously continuing to compete in my sport while serving the VTSU Castleton community for hundreds of hours each academic year has been unforgettable, and this wouldn't be possible if I was considered an employee of my institution as a student-athlete. I couldn't imagine my experience as a Division III student-athlete any differently, and I believe our elected officials must continue to allow student-athletes to prosper because of our current amateur status. I urge Congress to pass legislation to maintain the amateurism model that exists across intercollegiate athletics, which will allow student-athletes to continue to make an impact on their campuses all across our nation.”

John Langan
Baseball, Cornell College (Iowa)
“By providing protections on the sanctity of the “student-athlete” role, you not only save student-athletes the troubles that potential employment brings such as taxes, loss of financial aid, or cutting of programs due to the reality of budgets, you also keep our institutions running and allow them to provide world-class experiences to not only play our sport but grow as people. College athletics have been such an impactful part of my life, from the lifelong relationships to the overall professional and personal development I have undergone as a student-athlete that sets my experience leagues above my peers. College sports is truly one of the most transformative experiences that is nothing shy of world-class. The ability to step onto a campus in Mount Vernon, Iowa from Tucson, Arizona and knowing that I have 60 teammates that will help push me to succeed - working closely with our athletic department to reach my academic and athletic goals, as well as being able to immerse myself in the culture of my college - I wouldn’t trade that for anything. I urge you to pass legislation to further the experiences I’ve had for generations to come.”

Lillian Case
Field Hockey, Juniata College (Pennsylvania)
“Legislation to protect our student-athlete status is imperative at the Division III level because most of our institutions’ enrollment is made up of student-athletes. Many DIII schools have a student body that is over 50% student-athletes, so asking athletic departments to pay their

student-athletes as employees is not feasible. I took advantage of the experience DIII provides and graduated with a 4.0 GPA, was captain of my field hockey team, and was also involved in every aspect of campus from being a tour guide, to working in tutoring, to leading our Digital Media Studio, and beyond. I urge you to pass legislation that protects special status, stabilizes the NIL landscape, and establishes uniform commonsense rules so that future student-athletes continue to have the opportunities I did. Division III is special and so is being a student-athlete, but passing legislation is the way to ensure it is possible for a stable future."

Student-athletes are the biggest stakeholders in collegiate athletics, and Congress is the only body that can stabilize its' legal environment to provide student-athletes with a fair, inclusive, and consistent experience. Division III SAAC represents student-athletes from across the nation, and our members would welcome any conversation with elected representatives to provide additional information.

Kind regards,

Lillian Case
Division III Student-Athlete Advisory Committee Chair
Juniata College

The Honorable Yvette Clarke
U.S. House of Representatives
2058 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Troy Carter
U.S. House of Representatives
442 Cannon House Office Building
Washington, D.C. 20515

The Honorable Lucy McBath
U.S. House of Representatives
2246 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Marilyn Strickland
U.S. House of Representatives
1708 Longworth House Office Building
Washington, D.C. 20515

The Honorable Sydney Kamlager-Dove
U.S. House of Representatives
1419 Longworth House Office Building
Washington, D.C. 20515

February 17, 2025

Dear Chairwoman Clarke & Members of the Congressional Black Caucus:

The Central Intercollegiate Athletic Association (CIAA), Mid-Eastern Athletic Conference (MEAC), Southern Intercollegiate Athletic Conference (SIAC), and Southwestern Athletic Conference (SWAC), represent Historically Black Colleges & Universities within Divisions' I and II of the National Collegiate Athletic Association (NCAA). As members of the NCAA, our four Conferences include 48 institutions spanning nearly twenty states. We serve 15,000 student athletes, and bring together millions of HBCU alumni, fans and communities in celebration of our rich history and traditions.

While there have been historic changes recently in collegiate sports to support student-athletes overall, opportunities for our predominantly Black students at our institutions are at risk. Pending regulatory decisions and litigation threaten to change the face of college sports devoid of our input and, more importantly, without the voices of our student athletes, administrators and us as commissioners leading our conferences being considered. *To ensure that college sports broadly – and HBCU sports especially – can continue to thrive, it's essential that Congress allow for consistent and nimble national governance and affirm that student-athletes are not designated as employees of their universities.*

There continues to be a growing patchwork of state laws impacting college sports and creating disparities and confusion among our prospective and current student-athletes. The disparate laws and increasing court decisions have made it difficult for conferences like ours to continue to provide developmental and competition opportunities for member institutions and student-athletes. Retention is also a challenge within our HBCU student athlete population due to increasing differences in state laws and legal activity that have all but eliminated a level playing field.

At the same time, we are witnessing ongoing efforts to classify student-athletes as employees._Like the majority of our mid-major and Division II peers, most HBCUs do not generate significant revenue and rely heavily on school appropriated funds and donations. Classifying student-athletes as employees would have a devastating impact on our athletic programs and schools, and in some cases lead to the elimination of intercollegiate athletics.

Amid these looming outside threats, there has also been significant internal transformation during President Charlie Baker's first two years leading the NCAA. Recent initiatives and enhancements including membership funded sports injury health coverage for all college athletes for up to two years after graduation, student-athletes' access to mental health services, financial literacy training, health and well-being benefits, scholarship protections, and degree completion funding are bettering the student athlete experience. While we are working tirelessly to advocate for and protect all that we have accomplished with our HBCU campuses, we need your support and understanding in the value of affirming that student-athletes are not employees of their universities and in pre-empting state law and providing limited safe harbor protections to create clear and fair playing fields for HBCU student-athletes.

Over the past few years we have made efforts to meet with members of Congress and the Congressional Black Caucus to share the HBCU sports community's views regarding the passage of federal legislation for intercollegiate athletics. We continue to stand ready to engage as resources and as part of the dialogue on the important issues impacting HBCU intercollegiate athletics. We would like to invite Chair Clarke and/or members of her leadership team to discuss the important role the Congressional Black Caucus can play in protecting future opportunities for HBCU schools and student-athletes. Please let us know if there is a time in February or March that would be convenient to meet in-person or virtually.

Thank you again for your consideration and for your continued support of HBCU communities.

Kind regards,

Commissioner Jacqie McWilliams
Central Intercollegiate Athletic Conference

Commissioner Anthony Holloman
Southern Intercollegiate Athletic Conference

Commissioner Sonja Stills
Mid-Eastern Athletic Conference

Commissioner Charles McClelland
Southwestern Athletic Conference

Cc:

The Honorable Alma Adams
The Honorable Angela Alsobrooks
The Honorable Gabriel Amo
The Honorable Joyce Beatty
The Honorable Wesley Bell
The Honorable Sanford Bishop
The Honorable Lisa Blunt Rochester
The Honorable Cory Booker
The Honorable Shontel Brown
The Honorable Janelle Bynum
The Honorable Andre Carson
The Honorable Troy Carter
The Honorable Sheila Cherfilus-McCormick
The Honorable Yvette Clarke
The Honorable Emanuel Cleaver
The Honorable James Clyburn
The Honorable Herbert Conaway
The Honorable Jasmine Crockett
The Honorable Danny Davis
The Honorable Donald Davis
The Honorable Dwight Evans
The Honorable Cleo Fields
The Honorable Shomari Figures
The Honorable Valerie Foushee
The Honorable Maxwell Frost
The Honorable Al Green
The Honorable Jahana Hayes
The Honorable Glenn Ivey
The Honorable Jonathan Jackson
The Honorable Hakeem Jeffries
The Honorable Henry Johnson
The Honorable Sydney Kamlager-Dove
The Honorable Robin Kelly
The Honorable Summer Lee
The Honorable Lucia McBath
The Honorable Jennifer McClellan
The Honorable Lamonica McIver
The Honorable Gregory Meeks
The Honorable Kweisi Mfume
The Honorable Gwendolynne Moore
The Honorable Joseph Neguse
The Honorable Eleanor Norton
The Honorable Ilhan Omar
The Honorable Stacey Plaskett
The Honorable Ayanna Pressley
The Honorable Robert Scott
The Honorable David Scott
The Honorable Terry Sewell
The Honorable Lateefah Simon
The Honorable Marilyn Strickland
The Honorable Emilia Sykes
The Honorable Bennie Thompson
The Honorable Ritchie Torres
The Honorable Sylvester Turner
The Honorable Lauren Underwood
The Honorable Marc Veasey
The Honorable Raphael Warnock
The Honorable Maxine Waters
The Honorable Bonnie Watson Coleman
The Honorable Nikema Williams
The Honorable Frederica Wilson

SCS SAVING COLLEGE SPORTS

June 12, 2025

The Honorable Gus Bilirakis
Chairman
Commerce, Manufacturing, and Trade Subcommittee
2306 Rayburn House Office Building
Washington, DC 20515

The Honorable Jan Schakowsky
Ranking Member
Commerce, Manufacturing, and Trade Subcommittee
2408 Rayburn House Office Building
Washington, DC 20515

Letter for the Record: Winning Off the Field: Legislative Proposal to Stabilize NIL and College Athletics

Dear Chairman Bilirakis and Ranking Member Schakowsky:

Thank you for holding today's hearing, "Winning Off the Field: Legislative Proposal to Stabilize NIL and College Athletics." This is a pivotal time in the fight to save college sports and student-athlete rights, and we know that this hearing and your draft legislation will help set the stage for the important work that must be done in Congress.

Saving College Sports is an organization dedicated to protecting student athletes and creating a system that is fair, stable, and profitable. Just this week, the long-awaited *House v. NCAA* case reached a settlement. Yet, our college sports system is drawing nearer to the brink of collapse than ever before. Since January of 2025, in anticipation of the *House v. NCAA* settlement, the University of Michigan announced cuts to its athletic program, Grand Canyon University will no longer offer men's volleyball, Cal Poly will discontinue men's and women's swimming and diving, and the legal challenges continue.[1] We consider this a call to action. The time to save college sports is now.

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[1] *See* Aaron McMann, *Michigan to downsize athletic department after House settlement approved*, Michigan Live (June 9, 2025), https://www mlive.com/wolverines/2025/06/michigan-to-downsize-athletic-department-after-house settlement-approval html; Amanda Christovich, *'What Just Happened': Inside the Abrupt End of Grand Canyon Men's Volleyball*, Front Office Sports (May 10, 2025), https://frontofficesports.com/grand-canyon-mens-volleyballdiscontinuation; Jeffrey D. Armstrong, *Letter from President Armstrong on Budget and Organizational Changes*, Cal Poly Athletics (March 7, 2025), https://gopoly.com/news/2025/3/7/swimming-and-diving-cal-poly-discontinuesswimming-diving-effective-immediately.aspx; Dan Murhpy (@danmurphyESPN), X (June 11, 2025, 1:08 PM), https://x.com/danmurphyespn/status/1932847398612832343?s=46&t=pCDTVB3qXISHqcoyfm0SLw

Saving College Sports applauds your efforts to meet the urgency of this moment, and we strongly support the draft legislation that the Committee released earlier this week as a critical first step. While we understand that this is the first stage of an iterative process that will include necessary efforts from the Education & Workforce and Judiciary Committees, our organization is encouraged to see that the following concepts are a part of the initial draft: the right for students to have representation; limited protections for students availing themselves of agents; creating requirements for institutions to provide academic support, career counseling, medical and health benefits, mental health counseling, and insurance; creating transparency for student athletes in the NIL marketplace; and keeping the Federal Trade Commission out of College Sports.

Our organization stands ready to work with the Committee to address other critical issues such as: (1) providing additional protections for students from predatory agents, including a commission cap for any NIL compensation received by student athletes; (2) creating rules on eligibility, transfer, roster size, in and out of season practices and team activities, and recruiting; (3) establishing a new governing body for College Sports; and (4) instituting a ban on collectives.

Saving College Sports also greatly welcomes the opportunity to work with the House Judiciary Committee to help craft an appropriate antitrust exemption and an update to the Sports Broadcasting Act of 1961 to allow for distributing and selling television rights related to college athletics. Central to our mission, we are eager to support the Education & Workforce Committee with potential solutions that keep student athletes *students*, and do not classify them as employees, while fully supporting their mental, physical, and financial wellbeing.

Our national intercollegiate athletics system is unreplicated and unparalleled anywhere in the world. It now provides an opportunity to more than 532,000 student-athletes annually and has trained the winners of 329 medals in the Paris Olympics. This system remains core to the strength and success of our nation. It develops leadership, work ethic, toughness, and competitive spirit, and provides the promise of education and social mobility to many who otherwise would not enjoy such opportunities.

This isn’t just about the premier and highest-profile programs. All of this must be done in a manner that is maximally inclusive of the 134 Football Bowl Subdivision schools, ensuring that no institution is left behind. We understand that college football and men’s college basketball generate significant revenue, enabling institutions to fund women’s sports and Olympic programs, which we need. We cannot allow the system to fall apart on our watch. It isn’t an option and isn’t in the American spirit.

We can save college sports. But to do so, we must approach the issue, in Teddy Roosevelt's words, "with courage, in a spirit of fair dealing, with sanity and common sense." Once again, we applaud the Subcommittee's leadership on this issue over the past few Congresses under your stewardship. We stand ready to do everything we can to help build a better solution that meets our shared goals: protecting students and enabling them to create a better future through athletics.

Sincerely,

David Polansky
Executive Director
Saving College Sports

Enclosures:

1. Aaron McMann, *Michigan to downsize athletic department after House settlement approved*, Michigan Live (June 9, 2025), https://www.mlive.com/wolverines/2025/06/michigan-todownsize-athletic-department-after-house-settlement-approval.html.
2. Amanda Christovich, *'What Just Happened': Inside the Abrupt End of Grand Canyon Men's Volleyball*, Front Office Sports (May 10, 2025), https://frontofficesports.com/grand-canyon-mensvolleyball-discontinuation.
3. Jeffrey D. Armstrong, *Letter from President Armstrong on Budget and Organizational Changes*, Cal Poly Athletics (March 7, 2025), https://gopoly.com/news/2025/3/7/swimming-and-diving-calpoly-discontinues-swimming-diving-effective-immediately.aspx.

Enclosure 1:

Michigan to downsize athletic department after House settlement approval
Aaron McMann, Michigan Live
June 9, 2025
https://www.mlive.com/wolverines/2025/06/michigan-to-downsize-athletic-department-after-housesettlement-approval.html

The University of Michigan athletic department is planning a 10 percent reduction in staff following the recent House settlement that will allow schools to pay student-athletes.

In a letter to fans, alumni and supporters on Monday, athletic director Warde Manuel detailed the department's plans to rein in its spending and cost-cutting measures to help fund a projected $27 million budget deficit for the 2025-26 academic year.

Of the nearly $27 million in new money, $20.5 million will go to student-athletes under the new settlement approved Friday by Judge Claudia Wilken. Manuel said previously up to 75 percent of that money could go to the football team, with another 5 to 15 percent to men's and women's basketball teams.

The settlement also caps roster limits but allows schools to fund unlimited scholarships, and Michigan plans to add 82.1 new scholarships across 19 sports this fall at a cost of roughly $6.2 million.

"We will support our student-athletes with the full amount allowed each year to remain competitive for Big Ten Conference and National championships," Manuel wrote in the letter.

"Steeping the costs," Manuel wrote, Michigan will only host six home football games this fall, down from the eight in 2024, representing a $19.1 million year-over-year decline in revenue.

As a result, Michigan athletics has committed to $10 million in budget cuts for the coming year, through adjustments to its travel policy and not filling selected jobs when [sic] they become vacant, and worked with the school to reduce its allocation of TV revenue from $8 million to $2 million.

Those measures alone have helped shave $12 million from the deficit, creating a need for only $15 million in the upcoming year.

Over time, Manuel says, the Michigan athletic department "will gradually decline in number through two methods: attrition, with a long-term goal of 10 percent reduction in total staff, and through a stricter approval process for new hires."

Michigan generated $2.25 million in new money in 2024 through alcohol sales at Michigan Stadium, Crisler Center and Yost Ice Arena and will host its first-ever concert in the football stadium this fall, country singer Luke Bryan on Sept. 27. In the letter, Manuel touted past events

at Michigan Stadium, including international soccer matches and the 2014 NHL Winter Classic, as having generated between $750,000 and $3 million each.

“We will continue to evaluate other opportunities to generate additional revenue through the department,” Manuel wrote. “These changes have been a tremendous undertaking for our department, but we know they are just the beginning. We ask for your continued support and understanding, and we welcome your questions, comments, and concerns.”

Enclosure 2:

‘What Just Happened’: Inside the Abrupt End of Grand Canyon Men’s Volleyball
Amanda Christovich, Front Office Sports
May 10, 2025
https://frontofficesports.com/grand-canyon-mens-volleyball-discontinuation

Grand Canyon University boasted one of the nation’s most successful men’s volleyball teams, coming off a Final Four berth in 2024 as well as multiple coach and player accolades. But in a brief, optional meeting called for April 28, the Monday after their season ended, the entire team was abruptly told the program had been cut.

Coaches found out just minutes before the players in a separate meeting and were not allowed to join the player meeting. Players and coaches weren’t just devastated but also confused, they told *Front Office Sports*.

The team’s annual budget was modest, and changes to college sports, like revenue-sharing and conference realignment, weren’t anticipated to dramatically increase the team’s operating costs. What’s more, the program had established a monopoly on Division I men’s volleyball talent in Arizona, one of the hotbeds of the nation’s fastest-growing team sport.

On April 28, the university issued a four-paragraph public statement, which referenced “a rapidly evolving college athletics landscape,” and said “the move will allow GCU to focus on supporting its remaining 20 athletic programs at the highest levels in their respective conferences.” Administrators did not elaborate when asked by coaches and players.

The team appears to be one of the earliest Olympic sports casualties of the upcoming House v. NCAA settlement era, in which athletic departments use the settlement’s new compensation requirements (including sharing revenue with players) as justification to cease funding what they deem “non-revenue sports.” Cutting Olympic sports could have far-reaching consequences, as the NCAA represents one of the world’s strongest Olympic pipelines. GCU’s discontinuation suggests no program is safe.

The threat of sports cuts is “a very serious thing for these smaller programs on campuses, no matter how big or how good they are,” GCU junior men’s volleyball player Jaxon Herr tells *FOS*. “These universities nowadays only care about basketball and football. That’s their main priority.”

But GCU is also an example of how these teams, as well as their fan bases and surrounding sports communities, aren't going down without a fight.

The GCU men's volleyball team meeting was called just a few days before and described by an athletic department administrator as "optional," as many players already had plans to leave campus for the summer.

Players said they lifted weights and ate breakfast together before heading to the meeting that, by all accounts, ended up being the most consequential one of their college careers.

Athletic director Jamie Boggs took just two questions from the players, they said, and then left them with the campus pastor. Herr said: "We were kind of sitting in the room twiddling our thumbs—and wondering what the hell just happened." In a written statement to FOS, the university said athletic department officials stayed to answer all the players' questions.

When the school simultaneously put out its statement, four incoming recruits and two players who had already returned home learned their fate on social media, players say. Herr notes two students were busy taking makeup final exams, and at least one other was listening to the meeting on FaceTime.

Players were left with life-altering choices: Stay at Grand Canyon and play club volleyball or hit the transfer portal. Recruits would have to scramble to find new homes before they even got to freshman orientation. They told *FOS* they felt blindsided and disrespected by Boggs and the GCU administration.

Boggs declined an interview request with *FOS* for this story.

Assistant coach Bryan Dell'Amico, who served as co-interim head coach, is concerned that Grand Canyon is one of the first schools to use a common justification for defunding Olympic sports, and that others could follow suit.

The first question the players asked: Why? Boggs told them there was "no good reason," players say. The university clarified to *FOS* that Boggs meant there was no good reason to provide to the players at that time, and reiterated that the decision was motivated by changes in college sports (likely referencing the upcoming House v. NCAA settlement, which would allow D-I programs to pay players and offer unlimited scholarships, among other things). The university also said the reasoning included a move to a new conference, as well as the desire to direct resources to other teams and the fact that only a small number of programs sponsor varsity men's volleyball.

But coaches and players noted those reasons didn't make much sense to them. "If it is a money thing, I don't understand how it relates to us," Herr says. "If it is a conference thing, I don't understand how it relates to ours." Freshman Connor Oldani agreed the financial justification didn't make sense.

In reality, conference realignment wouldn't have impacted men's volleyball at all. The school is moving from the Western Athletic Conference to the Mountain West—neither of which sponsors

men's volleyball—but the team competes in the Mountain Pacific Sports Federation, which provides a home for myriad high-level Olympic sports teams including power conference programs. That wouldn't have changed.

The financial picture makes the decision more questionable: The team's 2025 budget was only $300,000,
Dell'Amico said—a fraction of the $30 million in revenue the program reported to the Department of Education in 2024. The team contributed major revenue of its own, drawing the second-highest attendance of any sport at GCU behind men's basketball, Dell'Amico says. This year, the Antelopes drew 2,500 for a USC match, selling tickets for $10 a piece—generating a quick $25,000. For BYU, they upped the price to $15 apiece.

The House v. NCAA settlement will undoubtedly raise costs for D-I schools—though likely would not have for GCU men's volleyball. But Dell'Amico said he was told the team wouldn't be receiving any of the extra resources the settlement allows, whether through revenue-sharing dollars or extra scholarships. (In fact, because the team offered only 4.5 scholarships, the vast majority of players on the team were paying their own way through GCU, effectively saving the university money, Dell'Amico notes.)

But by all accounts, GCU was in a good financial position, even by its own admission. In March, the school announced it would participate in the settlement, boasting the school's "successful financial model," and listed half a dozen revenue streams to fund House settlement payments. The athletic department is also expected to earn more money when it joins the Mountain West, a more lucrative conference, in 2026. (GCU men's volleyball was slated to stay in the MPSF.)

Says Dell'Amico: "Why would you do this to these kids when it's literally pennies for them?" Members of the greater volleyball community, especially those in Arizona—one of the sport's hotbeds— are putting up a fight with a social media campaign that includes a Change.org petition, a GoFundMe, and an Instagram account called "saveGCUmvb." Multiple local-media outlets have covered the team's story, prompting the athletic department officials to ask Dell'Amico about the "narrative" that players and coaches have offered to the media, he says. Meanwhile, the petition has garnered more than 20,000 signatures.

"I think it's so cool that we have so many people that are supporting us," Herr says.

Players could have other recourse: There have been rumors of a lawsuit, though nothing has been filed to date. Litigation was, in fact, a successful tactic for many Olympic sports programs that got cut during the COVID-19 pandemic, when athletic departments claimed budget shortfalls made it impossible to fund their sports. Several were filed as Title IX—or gender equity—lawsuits, and in many cases men's sports teams were reinstated alongside the women's sports teams who sued to get their teams back. (Grand Canyon is still fielding a women's volleyball team.)

For now, however, most of them are entering the transfer portal, and coaches are hunting for new jobs. "At this point, we've all kind of realized that the program isn't coming back," Oldani says,

adding he isn't sure any of the players would want to play for GCU after the way they've been treated.

Either way, the GCU situation shows that threats to cut Olympic sports teams—especially because of changes to the college sports business model—may be met with more pushback than administrators ever anticipated.

Enclosure 3:

Letter from President Armstrong on Budget and Organizational Changes
Jeffery D. Armstrong, Cal Poly
March 7, 2025
https://gopoly.com/news/2025/3/7/swimming-and-diving-cal-poly-discontinues-swimming-divingeffective-immediately.aspx

I am writing to follow up on my budget email from earlier this month. As you know, we are living in unprecedented times, which require bold and strategic action. Despite these challenges, I remain incredibly optimistic about the future of Cal Poly and confident in the strength of our students, faculty, staff, alumni and supporters. Our university is well-positioned to fulfill its mission and build upon its success, even in turbulent times.

Cal Poly has long relied upon its Learn by Doing philosophy, and now is the time to double down on that approach. As a residential campus, we must remain committed to hands-on learning while also focusing on operational excellence. To protect the academic mission of the university, we must continually assess our administrative structure to ensure it supports rather than hinders our goals. As Cal Poly evolves, our administrative framework must also adapt to best serve our faculty, staff and students.

With that in mind, I am announcing the following organizational changes and efficiencies to create better alignment in many of our business processes across campus. All impacted individuals and divisions have been informed, as it is essential to engage directly with those affected to address questions and concerns.

Organizational Changes

- Student Affairs & Strategic Enrollment Management

The divisions of Student Affairs and Strategic Enrollment Management will be unified under a single vice president, Terrance Harris, effective no later than July 1, 2025. In this new role, Terrance will report directly to me. This alignment will bring together two outstanding divisions that work in tandem to support student success. The change will allow us to fully benefit from having a single division oversee the entire lifecycle from student prospect to graduate. The new division's name will be determined through a collaborative process led by Terrance Harris and Cindy Villa.

I want to express my deep appreciation to Terrance for stepping into this expanded role. I am equally grateful to Cindy for her dedication in delaying her retirement to serve as interim vice president of Student Affairs over the past few months. Additionally, Cindy has agreed to continue in a part-time capacity during the transition, providing critical support to the division and Terrance.

- Research

As we look forward, the Division of Research will be integrated into Academic Affairs no later than July
1, 2025. In addition, Research will no longer be led by a vice president-level position (currently only two CSU campuses have vice presidents for research). These changes are not a reflection of diminished importance, but rather a strategic step to create greater efficiencies, while better aligning research with academic priorities and ensuring its continued growth and impact.

When the Division of Research and Economic Development was established several years ago, it laid the foundation for many successes. Since then, our economic development efforts have expanded significantly, particularly externally, leading much of this work to be incorporated into the Office of the President.

In partnership with Academic Affairs and Administration and Finance, Interim Vice President for Research Dawn Neill will collaborate with Huron Consulting, a management consulting firm specializing in higher education, who will provide a third-party assessment focused on efficient operations while continuing to support and elevate research and the Teacher Scholar Model.

It bears repeating that research remains critical to advancing the Teacher Scholar Model and strengthening Learn by Doing. At the same time, Cal Poly does not aspire to R1 or R2 Carnegie Classification, nor does the university seek to offer PhD programs.

I want to express my gratitude to Dawn Neill for her leadership to the Division of Research and through this transition.

Alignment Initiatives (Efficiency and Effectiveness)

- Housing Operations

Earlier this academic year, Allison Baird-James and Cindy Villa met with our housing team to announce the realignment of operations under the Division of Administration and Finance effective July 1, 2025. While residential life and student success programs will remain within Student Affairs (or the newly named division), operational and financial functions related to housing will shift to Administration and Finance.

- Payroll

In late January, Payroll transitioned to University Personnel's Human Resources unit. This new structure provides more efficient (end-to-end processes) management of day-to-day operations

together within one management team. In addition to improved alignment of objectives and strategies, this change will ensure greater effectiveness and further enhance customer service in addition to supporting the newly created Employee Shared Services Center on campus.

- Maritime Academy & Cal Poly

As we continue integrating the California State University Maritime Academy with Cal Poly, we are expanding our geographical and academic responsibilities across the four Pacific-facing states (Alaska, Hawaii, Washington, Oregon), Guam and Samoa. To strengthen relationships with governmental and private entities associated with the maritime industries, Bill Britton will serve as Executive Director of the Solano Campus and Maritime Academy Initiatives, under the leadership of Vice President Jessica Darin and the soon-to-be-named Vice President/CEO of the Cal Poly Solano campus.

- Noyce School of Applied Computing

The Digital Transformation Hub (DxHub, powered by AWS) and the Cybersecurity Institute (CCI), along with several of their signature programs (e.g. Cleared for Success and the Cal Poly 5G Innovation Lab) will now be administratively housed within the Noyce School of Applied Computing effective July 1, 2025. These are initiatives Bill Britton shepherded, prior to assuming responsibilities associated with the
Maritime Integration. Dustin DeBrum and the teams with DxHub and CCI will transition to the school under the leadership of Chris Lupo. This strategic realignment will allow for greater synergies and efficiency in support of student success.

This strategic realignment will allow for greater synergies with efforts and partnerships already underway in the College of Engineering consistent with our commitment to Learn by Doing, student success and workforce development. This Spring, Provost Jackson-Elmoore will be collaborating with Chris Lupo and Bob Crockett to provide opportunities for engagement on ways in which this more intentional coupling of the DxHub and CCI with the College of Engineering and Noyce School of Applied Computing can continue to drive innovation and provide academic opportunities.

- Athletics

Cal Poly Athletics announced today that Cal Poly’s men’s and women’s swimming and diving programs will be discontinued effective immediately. While this is disappointing news to share, the financial realities made the decision unavoidable.

Cal Poly Director of Athletics Don Oberhelman met with the impacted student-athletes, coaches and staff to share this news. While the Swimming and Diving program is discontinued, student-athletes that were in the program will have their scholarships and commitments honored throughout their time at Cal Poly or have the option to enter the transfer portal. For additional information refer to the Athletic FAQ.

Unfortunately, Cal Poly is not immune to the rapidly evolving and changing NCAA Division I landscape, which presents many challenges and uncertainties for collegiate athletics programs. The House vs. NCAA settlement, which addresses past and future compensation for student athletes related to name, image and likeness (NIL) rights, will have a significant financial impact – resulting in a loss of at least $450,000 per year for our programs. This comes amid additional national class-action lawsuits pending against the NCAA, further compounding financial and operational challenges for collegiate athletics.

I want to be clear that we remain committed to the student-athlete model and excelling both in the classroom and in athletic competitions. However, that requires us to make difficult decisions, such as today's, to maintain and sustain a viable athletics program. At this time, no other Cal Poly sports programs are at risk of being discontinued. However, the university continues to look at roster management to ensure we field the most competitive teams while providing a top-tier experience for our student-athletes.

- Administrative Reductions & Future Goals

The changes I've announced today are designed to enhance efficiency by streamlining administrative roles and business processes. I understand that transitions like this, and the resulting changes, can be difficult and unsettling for some. However, embracing change is healthy and helps safeguard the university's future in uncertain times.

Importantly, we recognize that student success cannot happen without the success of our faculty and staff. It is imperative that we remain focused on the key priorities I outlined for the university's growth and sustainability. Moving forward, we will continue to prioritize:

- Expanding access to hands-on learning opportunities for students and expanding the Teacher Scholar Model for faculty
- Strengthening faculty and staff support through salary equity programs, as well as housing, and childcare
- Enhancing financial sustainability through revenue generating and fundraising opportunities
- Advancing our mission to serve the breadth and diversity of California

By staying committed to these priorities balanced by cost containment, we will ensure Cal Poly remains a leader in higher education into the future.

Closing Thoughts

I am as excited as ever about Cal Poly's future. Our institution's success is driven by our incredible students, faculty and staff who embody Learn by Doing every day.

Thank you for your continued commitment to our students and our mission. Together, we will navigate these challenges and ensure a strong future for Cal Poly.

June 12, 2025

The Honorable Gus Bilirakis
Chairman
Subcommittee on Commerce,
Manufacturing and Trade Washington,
D.C. 20515

The Honorable Jan Schakowsky
Ranking Member
Subcommittee on Commerce,
Manufacturing and Trade
Washington, D.C. 20515

RE: Letter for the Record: "Winning Off the Field: Legislative Proposal to Stabilize NIL and College Athletics"

Dear Chairman Bilirakis, Ranking Member Schakowsky, and Members of the Subcommittee,

On behalf of the American Volleyball Coaches Association, College Swimming and Diving Coaches Association, Collegiate Rifle Coaches Association, Collegiate Rowing Coaches Association, Collegiate Water Polo Coaches Association, Intercollegiate Women's Lacrosse Coaches Association, National Fastpitch Coaches Association, National Field Hockey Coaches Association, National Wrestling Coaches Association, U.S. Fencing Coaches Association, and U.S. Track & Field and Cross-Country Coaches Association, thank you for the opportunity to share our perspective as you consider legislative solutions to address the evolving college sports landscape. The release of the *Student Compensation and Opportunity through Rights and Endorsements (SCORE) Act* discussion draft and today's hearing are important steps forward in providing much-needed stability to college sports, and we applaud you for your leadership.

As representatives of college coaches in broad-based, Olympic sports programs, we understand the importance of addressing the unique challenges faced by our programs. The ability to maintain broad-based sports programs in the transforming world of college sports is increasingly at risk, leaving us gravely concerned about opportunities for present and future student-athletes.

The Importance of Broad-Based Programs

Broad-based sports programs are a cornerstone of college athletics, profoundly benefitting the lives of students, universities, and communities. These programs serve as pathways to higher education, often for individuals who might not have otherwise had access. The core mission of higher education is enhanced by participation in our sports, as they exemplify

excellence in teamwork, leadership, and resilience. Beyond the playing field, our programs play a pivotal role in shaping future leaders, as the majority of student-athletes say that participating in college sports equips them with the skills needed to succeed in life after graduation.

Furthermore, broad-based sports programs at colleges and universities serve as a key pipeline for U.S. Olympic Teams and are critical to maintaining our competitive edge on the global stage. Seventy-five percent of Team USA's 2024 Paris Olympic Team consisted of current or former student-athletes. Unlike our competitors around the world, the United States relies on our schools and universities to produce our Olympic pipeline as opposed to statefunded academies. We lead the world in many Olympic sports precisely because of our college athletics system, and without it, our nation risks losing its global athletic dominance.

House v. NCAA Settlement - A Step Forward for Some

Judge Claudia Wilken's approval of the House v. NCAA settlement marked significant progress in addressing the transforming world of college athletics. However, the settlement falls short in protecting the future of programs outside of football and basketball – programs where 76% of Division I student-athletes participate. The new financial obligations placed on schools will undoubtedly lead to administrators diverting resources away from broad-based sports programs to support football and basketball. This shift is already evident – since the settlement was announced, 36 Division I Olympic sports programs have been eliminated, impacting over 1,000 student-athletes. These decisions occurred before the settlement's approval, and our associations have had direct conversations with administrators who anticipate even more cuts. The approval of the settlement is merely an important step forward for some, and we are concerned that it steers us towards a future of college sports that disproportionately benefits a small fraction of the NCAA student-athlete population while jeopardizing opportunities for others.

Student Compensation and Opportunity through Rights and Endorsements (SCORE) Act

We were encouraged by the release of the *SCORE Act* discussion draft and are grateful for the leadership of Chairman Guthrie and Chairman Bilirakis to bring much-needed clarity and stability to college athletics. We support the bill's efforts to establish clear guidelines, protect the NIL rights of student-athletes, provide medical and health benefits, and preempt state law – policies that are not only necessary but essential to ensuring the long-term sustainability of college athletics. We are particularly supportive of the legislation's provisions to make clear that student-athletes are not classified as employees, as proposals to the contrary would lead to drastic cuts and likely the elimination of most broad-based sports programs altogether. By appropriately addressing the unique relationship between schools and athletes, the *SCORE Act* is taking an important step in protecting the future of broad-based sports programs.

Importantly, a legislative solution must also incorporate two priorities to provide further certainty that broad-based sports programs are not sidelined in the evolving collegiate model:

1. **Maintain current NCAA bylaws on minimum sports sponsorship requirements:** Division I FBS institutions are currently required to sponsor at least 16 varsity sports, while FCS and Division I non-football institutions are required to sponsor a minimum of 14.

2. **Maintain current spending ratios:** Using historical trends, institutions should meet a baseline threshold in allocating their operating budget to sports beyond football and basketball. By codifying proportional spending targets, Congress can safeguard investment in broad-based sports and prevent institutions from eliminating or reducing programs to better serve football and basketball.

These proposals are not new mandates, but rather reaffirmations of the system that schools have voluntarily followed for decades. Congressional support for these provisions would help protect a proven model before it becomes undermined by financial uncertainty. Protecting existing requirements of schools to maintain robust sport sponsorship and a meaningful allocation of resources for non-football and non-basketball programs will ensure a future of college sports that is balanced and equitable for all student-athletes.

Sincerely,

American Volleyball Coaches Association
College Swimming and Diving Coaches Association
Collegiate Rifle Coaches Association
Collegiate Rowing Coaches Association
Collegiate Water Polo Coaches Association
Intercollegiate Women's Lacrosse Coaches Association
National Fastpitch Coaches Association
National Field Hockey Coaches Association
National Wrestling Coaches Association
U.S. Fencing Coaches Association
U.S. Track & Field and Cross-Country Coaches Association

The NCAA Should Be Subject to More Scrutiny, Not Less, in the Face of Decades of Anti-Trust Violations

In the 2021 case *National Collegiate Athletic Association v. Alston*,[1] the Supreme Court unanimously upheld the 9th Circuit's ruling that the National Collegiate Athletic Association's (NCAA) restrictions on "education-related benefits" for college athletes violated antitrust law. This landmark decision led the NCAA to lift its longstanding prohibition on college athletes monetizing their name, image, and likeness (NIL) rights, finally allowing them to receive the fair and equitable compensation that had been denied to them for decades.[2]

For decades, the name, image, and likeness of college athletes have been exploited, leaving them unpaid while schools and large corporations raked in billions of dollars marketing their NIL.

In June 2025, a federal judge granted a settlement between lawyers representing classes of student-athletes worth 2.8-billion-dollars.[3] This settlement compensates athletes for past restrictions on their ability to profit from their NIL, by awarding back damages from 2016 to 2024. Additionally, it establishes a system that ensures that college athletes are paid for their NIL over the next decade.

According to the settlement, the NCAA and its member schools will be protected from future NIL-related lawsuits for the next ten years, unless they violate the provisions outlined in the settlement agreement. If that occurs, the NCAA would once again be subject to NIL-related liability, reaffirming the principle that no institution should be unaccountable to the athletes it profits from.

The Guthrie-Bilirakis SCORE Act discussion draft gives far too much leeway to the NCAA in the face of decades of misconduct and anticompetitive behavior. More specifically, the SCORE Act contains overly broad preemption language and contains a placeholder for a broad liability exemption. The settlement already grants the NCAA and its member schools ten years of immunity from NIL-related lawsuits. Both of these provisions are seemingly intended to allow the NCAA and its member schools to escape accountability in perpetuity.

No Preemption of State or Federal Remedies

Legislation must not preempt student-athletes' ability to bring lawsuits under state or federal laws to protect all of the rights and remedies currently available to them. With the broad language in the SCORE Act, any state or local law related to this legislation would be wiped out. Moreover, the draft removes any protections that "govern[s] or regulate[s] the compensation, payment, benefits, employment status, or eligibility of a **prospective student athlete or student athlete in intercollegiate athletics**". This means any potential claim, beyond those related to

[1] Nat'l Collegiate Athletic Ass'n v. Alston, 141 S.Ct. 2141 (2021)
[2] https://www.ncsasports.org/name-image-likeness#:~:text=Name%2C%20image%20and%20likeness%20(or,promote%20a%20product%20or%20service.
[3] https://www.cbssports.com/college-football/news/house-v-ncaa-settlement-approved-landmark-decision-opens-door-for-revenue-sharing-in-college-athletics/

NIL, by current or future student-athletes would likely be preempted, including those by high school students simply considering the opportunity to play college sports.
Lawsuits brought by student-athletes are the only reason why the Supreme Court ruled, and student-athletes' NIL rights were changed. To ensure continued protection, student-athletes must continue to be able to use state and federal laws to safeguard their rights in the future.

Student-athletes must also be allowed to pursue private civil actions for any NCAA or its member schools' violations related to NIL, antitrust or other issues. Attorneys general must continue to have the authority to hire private counsel to help with any enforcement efforts, ensuring that violations are properly addressed.

No Liability Exemptions

Historically, antitrust was the only way student-athletes could challenge the NCAA rules, which had previously denied them NIL while allowing the NCAA and its members to profit. The NCAA should not be granted any special immunity or exceptions from antitrust or other laws that apply to every other American business. Additionally, any legislation aimed at standardizing state regulations must not be used to immunize the NCAA from antitrust liability or prevent the NIL market from operating freely like any other competitive market.

As Supreme Court Justice Kavanaugh observed in *NCAA v. Alston*: "Nowhere else in America can businesses get away with agreeing not to pay their workers a fair market rate on the theory that their product is defined by not paying their workers a fair market rate. And under ordinary principles of antitrust law, it is not evident why college sports should be any different. The NCAA is not above the law."[4]

[4] Nat'l Collegiate Athletic Ass'n v. Alston, 141 S.Ct. 2141 (2021)

June 11, 2025

Giulia Leganski, Chief Counsel
Subcommittee on Commerce, Manufacturing, & Trade
House Committee on Energy & Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515

Athletes.org's Comments and Feedback Regarding the "Student Compensation and Opportunity through Rights and Endorsements Act of 2025" or "SCORE Act"

Dear Chairman Guthrie, Members of the Committee, and Committee Staff:

On behalf of Athletes.org, and the thousands of college athletes across the nation, I want to thank you for the opportunity to provide feedback on the Student Compensation and Opportunity through Rights and Endorsements (SCORE) Act.

Athletes.org (AO) is the leading players association for college athletes. We represent over 4,000 active Division I athletes. We empower AO member-athletes by amplifying their voices through member education and advocacy, and providing them with free, on-demand support for the key decisions in their lives.

Athletes.org (AO) supports the overarching goal of establishing a national standard for college athlete rights and protections, and we appreciate the Committee's thoughtful approach in presenting this legislation as a framework and a coordinated tri-committee effort. However, we have significant concerns with the current draft of the SCORE Act. Our feedback is informed by the practical experiences of our members and reflects our commitment to ensuring that any federal legislation meaningfully advances the welfare, equity, and voice of college athletes.

Nevertheless, while we recognize the importance of this Thursday's legislative hearing as a venue for open discussion rather than immediate markup, we believe it is essential to provide substantive feedback to help guide and shape a more equitable and effective policy for college athletes. Please see below for our comments and thoughts on the current draft of the SCORE Act relative to most relevant provisions of the discussion draft that AO has circulated, the "Save College Athletics Act."

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1. **Lack of Collective Bargaining and Athlete Representation.** One of the most critical shortcomings of the SCORE Act is its failure to recognize or provide for collective bargaining rights for college athletes. The bill does not acknowledge players associations or any formal

mechanism for athletes to collectively negotiate the terms of their participation, compensation, or working conditions. This omission is particularly concerning given the increasing recognition—both in public discourse, by industry professionals, and legal precedent—that college athletes deserve a voice in shaping their athletic and academic environments. The absence of collective bargaining rights will likely lead to continued litigation and instability in the collegiate athletics landscape. We strongly recommend that the Committee incorporate the non-employment collective bargaining provisions from the "Save College Sports Act," which offer a balanced approach that preserves the amateurism model while granting athletes meaningful representation.

2. **Support for Preemption and Agent Standards.** We support the SCORE Act's preemption provisions, which aim to create a uniform national framework and eliminate the patchwork of state laws that currently govern name, image, and likeness (NIL) rights and athlete compensation. A consistent federal standard is essential for ensuring fairness and clarity for athletes, institutions, and third-party stakeholders. Additionally, we agree with the bill's provisions regarding agent registration and oversight. The establishment of the College Athletics Corporation (CAC) as a certifying and regulatory body for athlete representatives is a positive step. However, we believe these provisions could be strengthened by aligning them more closely with the standards and enforcement mechanisms outlined in the "Save College Sports Act," particularly with respect to ethical conduct, transparency, and accountability.

3. **International Athlete NIL Rights.** We commend the inclusion of provisions that extend NIL rights to international student-athletes. These athletes have historically been excluded from NIL opportunities due to visa restrictions and regulatory uncertainty. By amending the Immigration and Nationality Act to explicitly permit international student-athletes to engage in NIL activities, the SCORE Act takes an important step toward equity and inclusion. We support this provision and encourage its retention in any final version of the legislation.

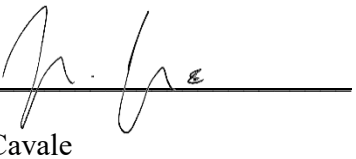
4. **Concerns with "Special Non-Employee" Status.** While we understand the intent behind the creation of a "Special Athlete Non-Employee" designation, we are concerned that this status may introduce ambiguity and fail to provide adequate protections for athletes. The bill exempts these athletes from key provisions of the Fair Labor Standards Act and relies on collective bargaining to determine their rights and benefits—yet, as noted above, the bill does not establish a clear path for such bargaining to occur. Without formal recognition of players associations or enforceable bargaining rights, the "Special Non-Employee" status risks becoming a hollow designation that offers neither the protections of employment nor the autonomy of true amateurism. We urge the Committee to clarify this status and ensure that it is accompanied by enforceable rights and representation.

5. **Additional Concerns:** We also have concerns about other provisions in the bill that may warrant further scrutiny. For example, the bill grants significant authority to interstate intercollegiate athletic associations to regulate athlete eligibility, recruitment, and compensation-sharing agreements. While some oversight is necessary, we caution against granting these associations unchecked power without robust safeguards and athlete input. We also recommend reviewing the bill's liability and antitrust exemption provisions to ensure they do not unduly shield institutions or associations from accountability.

Athletes.org is committed to working collaboratively with Congress to ensure that college athletes are treated fairly, protected from exploitation, and empowered to shape their futures. While we oppose the SCORE Act in its current form, we believe it provides a valuable starting point for dialogue and improvement.

We respectfully urge the Committee to revise the bill to include collective bargaining rights, strengthen agent oversight, clarify the status of compensated athletes, and ensure that all provisions are designed with athlete welfare and equity at the forefront. We welcome the opportunity to continue this dialogue and provide further input as the legislative process moves forward.

Sincerely,

/x/ 

Jim Cavale
President and Co-Founder
Athletes.org (AO)

SEC. 3. PROTECTION OF NAME, IMAGE, AND LIKENESS RIGHTS OF STUDENT ATHLETES.		
The "SCORE Act"	**Athletes.Org's "Save College Athletics Act"**	**Notes, Comments, and Feedback**
SEC. 3. PROTECTION OF NAME, IMAGE, AND LIKENESS RIGHTS OF STUDENT ATHLETES. (a) RIGHT TO ENTER INTO NAME, IMAGE, AND LIKENESS AGREEMENTS — (1) IN GENERAL — Except as provided in paragraph (2), an institution, interstate intercollegiate athletic association, or conference may not restrict the ability of a student athlete to enter into a name, image, and likeness agreement. (2) EXCEPTIONS. — An institution may restrict the ability of a student athlete to enter into a name, image, and likeness agreement that, with respect to the institution at which the student athlete is enrolled or the interstate intercollegiate athletic association or conference of which such institution is a member— (A) violates the institution's code of student conduct; or (B) conflicts with the terms of an agreement or a contract to which the institution is a party. (3) DISCLOSURE — (A) IN GENERAL— Not later than 30 business days after the date on which a student athlete executes or agrees to the terms of payment for a name, image, and likeness agreement, the student athlete shall disclose the terms of such agreement— (i) to the institution at which the student athlete is enrolled; and (ii) if required by an interstate intercollegiate athletic association's rule, to an interstate intercollegiate athletic association of which the institution that the student athlete is enrolled or will be enrolled is a	**SEC. 3. NAME, IMAGE, AND LIKENESS.** (a) In general. An institution of higher education, conference, or intercollegiate athletic association may not punish or prohibit the participation of a college athlete in a college athletic event or college athletic competition based on the college athlete having entered an endorsement contract with a third party. **SEC. 4. SPECIAL NON-EMPLOYEE STATUS FOR SELECT COLLEGE ATHLETES.** **(1) DEFINITIONS.** —Section 203 of the Fair Labor Standards Act (29 U.S.C. § 201) is amended— (A) "Special Athlete Non-Employee" means an athlete at a Division I college or university that receives direct compensation from an institution of higher education. **(2) EXEMPTIONS.** –Section 213 of the Fair Labor Standards Act is amended – (A) The provisions of section 206 and 207 of this title shall not apply with respect to Special Athlete Non-Employees. Without limitation, all matters involving wages, compensation, educational benefits, working conditions, protections, support, training, travel, injury management, discipline and grievances, and any other matters pertaining to their participation in college athletic events shall be determined through collective bargaining pursuant to Section 5 of this Act. **(3) RECOGNITION OF PLAYERS ASSOCIATION.** The Fair Labor Standard is amended – (A) Special Athlete Non-Employees may choose to be represented by a players association certified by the CAC to collectively represent their interests. Only	**Relevant Differences:** • The E&C version permits institutions to restrict NIL agreements that conflict with institutional contracts or codes of conduct, whereas AO's version offers broader protections by prohibiting any punishment or restriction based on NIL participation. • E&C also includes a detailed disclosure framework, including a $600 threshold for mandatory reporting, which AO does not mirror. • AO's approach is more athlete-centric instead of supporting arbitrary mandatory reporting thresholds AO focuses more on a system that enables compensation for athletic performance which, because of the current model, has diluted 'true NIL' deal reporting. • Additionally, E&C allows associations to access NIL data under certain conditions, while AO emphasizes athlete privacy and autonomy. **Practical Concerns.** • The E&C disclosure requirement, especially the $600 threshold, may create unnecessary administrative burdens for athletes with small or one-time deals, potentially discouraging participation in NIL opportunities. • The institutional veto power over NIL deals could be used to suppress deals that are disfavored for non-transparent reasons, undermining athlete autonomy.

member, in accordance with the interstate intercollegiate athletic association's rules and procedures. (B) EXCEPTION — Subparagraph (A) shall not apply to a student athlete who receives less than $600 annually (to be annually adjusted for inflation using the Consumer Price Index for all-urban consumers published by the Bureau of Labor Statistics) in compensation under the name, image, and likeness agreement into which the student athlete has entered. (C) RELEASE OF INFORMATION — (i) An institution may not release any information disclosed by a student athlete pursuant to subparagraph (A) without the express written consent of the student athlete or the agent of the student athlete. (ii) An interstate intercollegiate athletic association may release information disclosed by a student athlete in accordance with section 5(2) of this Act. (b) RIGHT TO REPRESENTATION — An institution, interstate intercollegiate athletic association, or conference may not restrict the eligibility for intercollegiate athletics, or any event or activity relating to intercollegiate athletics, of a student athlete based on the student athlete having obtained an agent.	entities that qualify as "players associations" pursuant to Section 2 of this Act shall be allowed to collectively bargain pursuant to Section 5 of this Act on Special Athlete Non-Employees' behalf. **SEC. 6. NIL FOR INTERNATIONAL COLLEGIATE ATHLETES.** **(1) Definitions.** Section 101(a)(15)(F) of the *Immigration and Nationality Act* (INA) is amended to include student athletes who intend to enter name, image, likeness endorsement contracts for compensation under the definition of nonimmigrant students. **(2) Employment Authorization.** Section 214(m) of the INA is amended to allow nonimmigrant student athletes who are eligible for employment authorization to engage in endorsement contracts and may receive oversight from their institution's school official designated by the Secretary of Homeland Security to ensure compliance.	• There is also a risk that institutions could use vague conduct codes to block legitimate NIL activity. • AO's simpler and more protective framework avoids these pitfalls by focusing on athlete rights and limiting institutional interference. **AO Recommendation:** We believe that college athletes must be free to engage in name, image, and likeness (NIL) activities without fear of institutional retaliation or interference. • Therefore, we recommend adopting our language that prohibits any institution, conference, or intercollegiate athletic association from punishing or restricting an athlete's participation in athletics based on their NIL activity. • We also oppose arbitrary disclosure thresholds like the $600 limit, which create unnecessary burdens and privacy concerns for athletes. • Lastly, institutions should not have veto power over NIL deals; instead, athletes should retain full autonomy over their commercial rights.

SEC. 4. AMENDING SPORTS AGENT RESPONSIBILITY AND TRUST ACT.		
The "SCORE Act"	**Athletes.Org's "Save College Athletics Act"**	**Notes, Comments, and Feedback**
SEC. 4. AMENDING SPORTS AGENT RESPONSIBILITY AND TRUST ACT. The Sports Agent Responsibility and Trust Act (15 U.S.C. 7801 note) is amended— (1) in section 3(b)(3), by striking "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." and inserting "Notice to Student Athlete:"; and (2) by adding at the end the following: "SEC. 9. REGISTRATION REQUIREMENT. (a) REQUIREMENT — An athlete agent who assists a student athlete with an endorsement contract or other agreement for compensation shall register with an interstate intercollegiate athletic association as described in section 5(1) of the Student Compensation and Opportunity through Rights and Endorsements Act of 2025. (b) INTERSTATE INTERCOLLEGIATE ATHLETIC ASSOCIATION DEFINED — In this section, the term 'interstate intercollegiate athletic association' has the meaning given the term in section 2 of the Student Compensation and Opportunity through Rights and Endorsements Act of 2025."	**SEC. 2. DEFINITIONS** **(1) Agency Contract.** The contract which authorizes a person to be an agent for a college athlete. **(2) Athlete Representative.** (A) IN GENERAL ¬ The term "athlete representative" means an individual who (i) enters into an agency contract with a college athlete; or (ii) directly or indirectly recruits or solicits a college athlete for the purpose of (I) entering into an agency contract with the college athlete; (II) representing or attempting to represent the college athlete for the purpose of marketing his or her athletics ability or reputation for financial gain; or (III) seeking to obtain any type of agreement for financial gain or benefit from the potential earnings of the college athlete as a professional athlete. (B) INCLUSIONS. ¬ The term "athlete representative" includes (i) a certified contract advisor; (ii) a financial advisor; (iii) a marketing representative; (iv) a brand manager; (v) a players association; and (vi) any individual employed by an individual described in any of clauses (i) through (iv).	**Relevant Differences.** • E&C proposes a modest change to the warning language and introduces a registration requirement for athlete agents with interstate athletic associations. • In contrast, AO introduces a comprehensive definition of "athlete representative" and mandates certification through the College Athletics Corporation (CAC), which includes ethical standards and enforcement mechanisms. • AO's framework is broader and more robust, encompassing not just traditional agents but also financial advisors, brand managers, and others who may influence athlete decisions. This ensures a more holistic and protective regulatory environment for athletes. **Practical Concerns.** • The E&C registration requirement lacks meaningful oversight or enforcement, potentially allowing bad actors to operate with minimal accountability. • Without a certification process, there is no mechanism to ensure that athlete representatives meet ethical or professional standards. AO's CAC model addresses this gap by establishing a formal vetting and disciplinary process, which is essential for protecting young athletes from exploitation. • The broader definition of athlete representatives also ensures that all

	(C) EXCLUSIONS. ¬ The term "athlete representative" does not include (i) the spouse, parent, sibling, grandparent, or legal guardian of a college athlete; (ii) an individual acting solely on behalf of a professional sports team or a professional sports organization.; (iii) an attorney authorized to practice law in any state in the United States, the District of Columbia, or the U.S. territories. **(16) Intercollegiate Athletic Association.** Any group, including the NCAA, that governs intercollegiate athletics and engages in commerce in any industry or activity affecting commerce. **(20) Players Association.** An independent nonprofit that represents at least 4,000 college athletes, which does not have a relationship with any intercollegiate athletic association and complies guidance to be certified by the CAC. **SEC. 7. ESTABLISHMENT OF THE COLLEGE ATHLETICS CORPORATION (CAC)** (a) ESTABLISHMENT. ¬ There is established a corporation, to be known as the "College Athletics Corporation." (b) PURPOSES. ¬ The purposes of the CAC are as follows: (1) To serve as a clearinghouse for best practices with respect to the rights and protections of college athletes who enter into agency contracts and endorsement contracts, including by providing guidance to college athletes concerning such contracts.	influential parties are held to the same standards. **AO Recommendation:** To protect college athletes from exploitation and ensure professional standards, we recommend replacing the E&C's limited registration requirement with our comprehensive certification framework administered by the College Athletics Corporation (CAC). All athlete representatives—including agents, financial advisors, brand managers, and others—must be certified by the CAC and subject to ongoing compliance checks and ethical standards. Our broader definition of "athlete representative" ensures that all individuals who influence or profit from athlete decisions are held accountable. This approach provides athletes with the transparency and protection they deserve.

	(3) To establish a formal certification process for athlete representatives and players associations, by which the CAC shall— (A) determine the eligibility of an individual to serve as an athlete representative; (B) periodically verify an athlete representative's continued eligibility and compliance with this Act and the best practices, rules, and competency and ethical standards established under this subsection; and (C) in the case of noncompliance with this Act or any such best practice, rule, collective bargaining agreement(s), or competency or ethical standard, revoke a certification issued in accordance with this paragraph. (4) To provide recommendations to institutions of higher education, conferences, and intercollegiate athletic associations on how to protect college athletes from unfair or deceptive business practices undertaken by athlete representatives. (5) Subject to final approval from the Commission, investigate disputes with respect to agency contracts and endorsement contracts entered into by college athletes, including (A) verifying that athlete representatives involved in the endorsement contract process have acted in the best interests of college athletes; and (B) monitoring compliance with, and making determinations and findings concerning violations of, this Act. (6) To provide college athletes with a process for the resolution of conflicts concerning agency contracts and endorsement contracts, or any other agreements governed by this Act, including by providing a neutral arbitrator for any case in which a college athlete is the complaining party if requested by both parties. (7) To ensure institutions of higher education and are complying with agency contract and endorsement contract	

	rules set forth by the CAC in consultation with certified players associations in accordance with this section.	
SEC. 5. REQUIREMENTS APPLICABLE TO CERTAIN INSTITUTIONS.		
The "SCORE Act"	**Athletes.Org's "Save College Athletics Act"**	**Notes, Comments, and Feedback**
SEC. 5. REQUIREMENTS APPLICABLE TO CERTAIN INSTITUTIONS. (a) INSTITUTIONS — An institution shall fulfill the requirements described in subsection (b) if the institution— (1) provides the equivalent of at least 50 full grants-in-aid to student athletes in sports other than football and basketball, as determined by the ratio of athletically related financial aid received to the student athlete's cost of attendance; and (2) competes in intercollegiate athletics such that at least 50 percent of the competitions in a given sport and season are against institutions that satisfy the criterion described in paragraph (1). (b) REQUIREMENTS — The requirements described in this subsection are— (1) provide comprehensive academic support and career counseling services to student athletes, including life skills development programs covering mental health, strength and conditioning, nutrition, name, image, and likeness (NIL) education, financial literacy, career readiness, transfer processes, and sexual violence prevention; (2) provide medical and health benefits to student athletes including— (A) provision of medical care, including payment of out-of-pocket expenses, for an athletically related injury incurred during the student athlete's	**SEC. 4. SPECIAL NON-EMPLOYEE STATUS FOR SELECT COLLEGE ATHLETES.** **(1) DEFINITIONS.** —Section 203 of the Fair Labor Standards Act (29 U.S.C. § 201) is amended— (A) "Special Athlete Non-Employee" means an athlete at a Division I college or university that receives direct compensation from an institution of higher education. **(2) EXEMPTIONS.** –Section 213 of the Fair Labor Standards Act is amended – **(A)** The provisions of section 206 and 207 of this title shall not apply with respect to Special Athlete Non-Employees. Without limitation, all matters ***involving wages, compensation, educational benefits, working conditions, protections, support, training, travel, injury management, discipline and grievances, and any other matters pertaining to their participation in college athletic events*** shall be determined through collective bargaining pursuant to Section 5 of this Act. **(3) RECOGNITION OF PLAYERS ASSOCIATION.** The Fair Labor Standard is amended – (A) Special Athlete Non-Employees may choose to be represented by a players association certified by the CAC to collectively represent their interests. Only entities that qualify as "players associations" pursuant to Section 2 of this Act shall be allowed to collectively bargain pursuant to Section 5 of this Act on Special Athlete Non-Employees' behalf	**Relevant Differences.** • E&C outlines specific benefits institutions must provide, such as medical care, academic support, and degree completion programs, but only for institutions meeting certain thresholds. • AO, on the other hand, reframes the issue by recognizing athletes as "Special Athlete Non-Employees" with collective bargaining rights, allowing them to negotiate for these benefits directly. • This shift from a top-down mandate to a labor rights framework empowers athletes to shape their own conditions. • AO's model also includes representation through certified players associations, ensuring athlete voices are central in decision-making. **Practical Concerns.** • While E&C's benefit mandates are well-intentioned, they may be inconsistently applied and lack enforceability, especially for athletes at institutions that fall below the threshold. • The conditional nature of benefits, such as tying aid to academic eligibility or team participation, can be used to pressure athletes or deny support unfairly.

involvement in intercollegiate athletics for the institution, including for a period of at least two years following graduation or separation with the institution or coverage under a catastrophic injury insurance program offered by an interstate intercollegiate athletic association; (B) provision of mental health services and support, including mental health educational materials and resources; (C) an administrative structure that provides independent medical care and affirms the unchallengeable autonomous authority of primary athletics health care providers (team physicians and athletic trainers) to determine medical management and return-to-play decisions related to student athletes; and (D) a requirement that member institutions certify insurance coverage for medical expenses resulting from athletically related injuries sustained by student athletes; (3) maintain an athletics grant-in-aid during the period of that grant-in-aid (contingent on the student athlete's academic eligibility, continued participation as a member of a varsity sports team and compliance with additional non-athletically related conditions set by the institution) regardless of a student athlete's— (A) athletic performance; (B) contribution to a team's success; (C) injury, illness, or physical or mental condition; or (D) receipt of compensation pursuant to a name, image and likeness contract; and	**SEC. 5. COLLECTIVE BARGAINING RIGHTS FOR COLLEGE ATHLETES WITH SPECIAL ATHLETE NON-EMPLOYEE STATUS.** (1) DEFINITIONS.—Section 2 of the National Labor Relations Act (29 U.S.C. 152) is amended— (A) in paragraph (2), by adding at the end the following: "Notwithstanding the previous sentence, the term 'employer' includes a public institution of higher education with respect to any individual designated as "Special Athlete Non-Employees" pursuant to Section 4 of this Act; (B) in paragraph (3), by adding at the end the following: "Any individual designated as a "Special Non-Employee", and is a student enrolled in the institution of higher education, shall be allowed to collectively bargain if— "(A) the individual is a Division I athlete that receives direct compensation pursuant to Grant House and Sedona Prince v. National Collegiate Athletic Association, et al.; "(B) any terms or conditions of such compensation require participation in an intercollegiate sport."; and (3) by adding at the end the following: "(15) The term 'institution of higher education' has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002). **(2) MULTIEMPLOYER BARGAINING UNIT** — Section 9(b) of the National Labor Relations Act (29 U.S.C. 159(b)) is amended by striking the period at the end and inserting the following: "Provided, that, for the purpose of establishing an appropriate bargaining unit for "Special Athlete Non-Employees" at institutions of higher education in an intercollegiate athletic association, the Board shall recognize multiple institutions of higher education within an intercollegiate athletic conference, or	• AO's collective bargaining model provides a more equitable and enforceable structure, allowing athletes to negotiate protections that reflect their needs and realities. • It also ensures that benefits are not arbitrarily withdrawn or conditioned on performance. **AO Recommendation:** • Rather than relying on conditional mandates that may be inconsistently applied, we recommend recognizing college athletes as "Special Athlete Non-Employees" with the right to collectively bargain for their compensation, benefits, and protections. • Institutions should be required to negotiate directly with certified players associations to determine matters such as medical coverage, academic support, and degree completion. • This framework ensures that athletes have a meaningful voice in shaping their conditions and that their rights are enforceable through legally binding agreements. • We also urge the removal of arbitrary thresholds that limit access to these essential protections.

(4) provide degree completion programs that provide financial aid, at a minimum tuition and fees, and course-related books to a former student athlete to complete their first baccalaureate degree in accordance with the policies of an IIAA. (c) BENEFITS — An institution may provide the required benefits in conjunction with a conference or intercollegiate athletic association of which it is a member.	an intercollegiate athletic conference, as a multiemployer bargaining unit, but only if consented to by the "Special Athlete Non-Employee" representatives for the intercollegiate sports bargaining units at the institutions of higher education that will be included in the multiemployer bargaining unit." **(3) JURISDICTION RELATED TO INTERCOLLEGIATE SPORTS** — Section 14(c)(1) of the National Labor Relations Act (29 U.S.C. 164(c)(1)) is amended by striking "Provided," and inserting the following: "Provided, That the Board shall exercise jurisdiction over institutions of higher education and "Special Athlete Non-Employees" of such institutions in relation to all collective bargaining matters under this Act pertaining to such "Special Athlete Non-Employees", including any representation matter, such as recognizing or establishing a bargaining unit for such "Special Athlete Non-Employees" and any labor dispute involving such institutions and "Special Athlete Non-Employees": Provided further,". **(4) PROHIBITION ON WAIVE** — A "Special Athlete Non-Employee" may not enter into any agreement (including an agreement for grant-in-aid, as defined in section 3(15) of the National Labor Relations Act (29 U.S.C. 152(15))) or legal settlement that waives or permits noncompliance with this Act or the amendments made by this Act. **(5) PARITY WITH EMPLOYEE MEMBERS** —Any collective bargaining pursuant to this amendment shall grant the negotiating parties the same protections as set forth in the non-statutory labor exemption to federal antitrust laws which apply to labor organizations that collective bargain on behalf of their employee members. **(6) MANDATORY BARGAINING SUBJECTS** — With respect to bargaining, parties to a collective bargaining agreement shall be required to bargain on the following subjects: health and safety standards, medical coverage during a college athlete's time performing for an	

	institution of higher education, medical coverage after a college athlete's time performing for an institution of higher education, revenue sharing, practice time, the movement of college athletes to-and-from institutions of higher education, and time spent on team-related activities. **SEC. 10. REPORTING** **(a) Biennial Report**. Not later than 180 days after the date of the enactment and every two years after, the head of each national intercollegiate athletic association must report to Senate and House committees on systemic issues, trends, and recommendations for improving the health, safety, and educational opportunities of college athletes. **(b) Investigation and Report**. Every five years, the Comptroller General will investigate compliance with the Act and report to Congress, summarizing the investigation and providing recommendations for improving intercollegiate athletics and the health, safety, and educational opportunities of college athletes.	

SEC. 6. ROLES OF INTERSTATE INTERCOLLEGIATE ATHLETIC ASSOCIATIONS.		
The "SCORE Act"	**Athletes.Org's "Save College Athletics Act"**	**Notes, Comments, and Feedback**
SEC. 6. ROLES OF INTERSTATE INTERCOLLEGIATE ATHLETIC ASSOCIATIONS. An interstate intercollegiate athletic association may— (1) establish a process to collect and publicly share aggregated and anonymized data related to name, image, and likeness agreements submitted by student athletes pursuant to section 3(a)(3)(A); (2) establish and enforce rules relating to— (A) the manner in which and the time period during which student athletes may be recruited for intercollegiate athletics; (B) prohibiting a student athlete from receiving prohibited compensation; (C) the transfer of a student athlete between institutions; (D) the eligibility of a student athlete to participate in intercollegiate athletics, such as rules establishing the number of seasons or length of time for which a student athlete is eligible to compete, academic standards, and code of conduct; (E) the membership of the interstate intercollegiate athletic association, under which such interstate intercollegiate athletic association may— (i) remove member; and	**SEC. 7. ESTABLISHMENT OF THE COLLEGE ATHLETICS CORPORATION (CAC)** (a) ESTABLISHMENT ¬ There is established a corporation, to be known as the "College Athletics Corporation." (b) PURPOSES ¬ The purposes of the CAC are as follows: (1) To serve as a clearinghouse for best practices with respect to the rights and protections of college athletes who enter into agency contracts and endorsement contracts, including by providing guidance to college athletes concerning such contracts. (3) To establish a formal certification process for athlete representatives and players associations, by which the CAC shall — (A) determine the eligibility of an individual to serve as an athlete representative; (B) periodically verify an athlete representative's continued eligibility and compliance with this Act and the best practices, rules, and competency and ethical standards established under this subsection; and (C) in the case of noncompliance with this Act or any such best practice, rule, collective bargaining agreement(s), or competency or ethical standard, revoke a certification issued in accordance with this paragraph. (4) To provide recommendations to institutions of higher education, conferences, and intercollegiate athletic associations on how to protect college athletes from unfair or deceptive business practices undertaken by athlete representatives. (5) Subject to final approval from the Commission, investigate disputes with respect to agency contracts and	**Relevant Differences.** • E&C grants broad authority to athletic associations to regulate recruitment, transfers, eligibility, and revenue-sharing agreements. • AO, by contrast, limits the role of associations and establishes the CAC as the central regulatory body, with oversight and enforcement powers shared with certified players associations. • AO's model ensures that athlete interests are represented in rulemaking and enforcement, whereas E&C risks reinforcing the status quo of unilateral control by associations like the NCAA. • AO also introduces mechanisms for dispute resolution and ethical oversight that are absent in E&C. **Practical Concerns.** • The expansive powers granted to associations under E&C could be used to restrict athlete mobility, suppress NIL activity, or enforce arbitrary eligibility rules. • Without athlete representation in governance, these rules may not reflect athlete interests or realities. • AO's CAC model addresses these concerns by ensuring that rules are developed in

(ii) set rules and regulations for membership qualifications and participation; and (F) agreements between a student athlete and an institution under which the institution provides a percentage of college sports revenue, in accordance with the pool limit, to student athletes on an annual basis; and (3) organize championships for intercollegiate athletic competitions.	endorsement contracts entered into by college athletes, including (A) verifying that athlete representatives involved in the endorsement contract process have acted in the best interests of college athletes; and (B) monitoring compliance with, and making determinations and findings concerning violations of, this Act. (6) To provide college athletes with a process for the resolution of conflicts concerning agency contracts and endorsement contracts, or any other agreements governed by this Act, including by providing a neutral arbitrator for any case in which a college athlete is the complaining party if requested by both parties. (7) To ensure institutions of higher education and are complying with agency contract and endorsement contract rules set forth by the CAC in consultation with certified players associations in accordance with this section. **SEC. 9. ROLE OF INTERCOLLEGIATE ATHLETIC ASSOCIATIONS.** An intercollegiate athletic association may- (1) establish titles to enforce the provisions of this Act and the standards issued under section 12(b)(2); and (2) enforce such rules, including by, depending on the severity of the violation (A) declaring ineligible for college athlete competition a college athlete who violates an established collective bargaining agreement; and (B) suspending or permanently removing from involvement in intercollegiate athletics any athletic personnel or volunteer who violate this Act. **SEC. 11. ROLE OF PLAYERS ASSOCIATIONS** Any players association certified by the CAC may -	consultation with players associations and subject to independent oversight. • This creates a more balanced and transparent regulatory environment that prioritizes athlete welfare. **AO Recommendations** • We strongly believe that intercollegiate athletic associations should not have unilateral authority to regulate athlete eligibility, transfers, or NIL activity. • Instead, we recommend that any rules enforced by such associations be developed in consultation with certified players associations and approved by the CAC. • This ensures that athletes are represented in all governance processes and that rules reflect their interests and rights. • Associations should serve a supportive role—not a regulatory one—under the oversight of athlete-led institutions like the CAC.

	(1) establish titles to enforce the provisions of this Act and the standards issued under section 7(b)(2) in consultant with the CAC; and (2) draft and negotiate such CAC rules, including by, depending on the severity of the violation in consultant with the CAC (A) declaring ineligible for college athlete competition a college athlete in violation of any established collective bargaining agreement(s); and (B) suspending or permanently removing from involvement in intercollegiate athletics any athletic personnel or volunteer who violate this Act.	
SEC. 7. LIMITATION ON LIABILITY.		
The "SCORE Act"	**Athletes.Org's "Save College Athletics Act"**	**Notes, Comments, and Feedback**
SEC. 7. LIMITATION ON LIABILITY. [text placeholder]	**N/A**	**N/A**

SEC. 8. PREEMPTION.		
The "SCORE Act"	**Athletes.Org's "Save College Athletics Act"**	**Notes, Comments, and Feedback**
SEC. 8. PREEMPTION. **(a) IN GENERAL.**— A State, or political subdivision of a State, may not maintain, enforce, prescribe, or continue in effect any law, rule, regulation, requirement, standard, or other provision having the force and effect of law of the State, or political subdivision of the State, that— 1. is related to this Act; 2. governs or regulates the compensation, payment, benefits, employment status, or eligibility of a prospective student athlete or student athlete in intercollegiate athletics; 3. limits or restricts a right provided to a conference, an institution, or an interstate intercollegiate athletic association under this Act; 4. concerns a right of a student athlete to receive compensation or other payments or benefits directly or indirectly from any institution, associated entity or individual, conference, or interstate intercollegiate athletic association; or 5. requires a release of or license to use the name, image, and likeness rights (or requires a name, image, and likeness agreement) from or with any individual or group of participants in an intercollegiate athletic competition (or a spectator at an intercollegiate athletic competition) for audio-visual, audio, or visual	**SEC. 15. ANTITRUST EXEMPTION** — Institutions, interstate intercollegiate athletic associations, or conferences are not liable under any state or federal law for adopting, agreeing to, enforcing, or complying with rules or bylaws of an interstate intercollegiate athletic association that limits or prohibits student athletes from receiving compensation. This includes compensation from the association, conference, institution, or third parties. **SEC. 16. PREEMPTION OF STATE NAME, IMAGE, AND LIKENESS LAWS AND REGULATIONS** No State or political subdivision of a state may establish or continue in effect any law or regulation that governs or regulates (1) the freedom of a college athlete to transfer from one institution of higher education to another institution of higher education; (2) the commercial use of, and the provision of covered compensation for such use of, the name, image, or likeness of a college athlete; (3) the certification of athlete representatives associated with intercollegiate athletics; or (4) Any other matters governed by this Act. **SEC. 17. SEVERABILITY** If any part of the Act is found unconstitutional, the rest of the act remains effective. **SEC. 4. SPECIAL NON-EMPLOYEE STATUS FOR SELECT COLLEGE ATHLETES.**	**Relevant Differences:** • E&C broadly preempts state laws and denies student athletes employee status under any federal or state law. • AO also preempts state NIL laws but preserves the ability of athletes to collectively bargain and be recognized as "Special Athlete Non-Employees." AO's approach respects federal uniformity while safeguarding labor rights and athlete protections. • It also avoids blanket denials of employment status, which could undermine future legal recognition of athlete rights. **Practical Concerns.** • E&C's sweeping preemption could invalidate progressive state laws that offer stronger protections for athletes, creating a race to the bottom in terms of rights and benefits. • The categorical denial of employment status may also conflict with ongoing legal developments and court rulings recognizing athlete labor rights. • AO's more nuanced approach allows for federal consistency while preserving pathways for athlete empowerment.

broadcasts or other distributions of such intercollegiate athletic competition.

(b) STUDENT ATHLETES NOT EMPLOYEES.— Notwithstanding any other provision of Federal or State law, a student athlete may not be considered an employee of an institution, conference, or interstate intercollegiate athletic association for purposes of (or as a basis for imposing liability or awarding damages or other monetary relief under) any Federal or State law based on the student athlete's receipt of compensation, or of any payments or benefits excluded from the definition of compensation pursuant to section 2 of this Act, or and 1 or more of the following:

1. Receipt by the student athlete of— (A) compensation; or (B) anything listed in section 2(3)(B).
2. Membership of the student athlete on any varsity sports team.
3. Participation by the student athlete in intercollegiate athletics.
4. Imposition of requirements, controls, or restrictions on the student athlete by the institution at which such student athlete is enrolled related to the participation of the student athlete in intercollegiate athletics.

(c) STATE OR POLITICAL SUBDIVISION OF A STATE.— In this section, the term "State or political subdivision of a State" does not include an institution.

(1) DEFINITIONS. —Section 203 of the Fair Labor Standards Act (29 U.S.C. § 201) is amended—

(A) "Special Athlete Non-Employee" means an athlete at a Division I college or university that receives direct compensation from an institution of higher education.

(2) EXEMPTIONS. –Section 213 of the Fair Labor Standards Act is amended –

(A) The provisions of section 206 and 207 of this title shall not apply with respect to Special Athlete Non-Employees. Without limitation, all matters ***involving wages, compensation, educational benefits, working conditions, protections, support, training, travel, injury management, discipline and grievances, and any other matters pertaining to their participation in college athletic events*** shall be determined through collective bargaining pursuant to Section 5 of this Act.

(3) RECOGNITION OF PLAYERS ASSOCIATION. The Fair Labor Standard is amended –

(A) Special Athlete Non-Employees may choose to be represented by a players association certified by the CAC to collectively represent their interests. Only entities that qualify as "players associations" pursuant to Section 2 of this Act shall be allowed to collectively bargain pursuant to Section 5 of this Act on Special Athlete Non-Employees' behalf

- It also aligns with broader labor law principles and evolving jurisprudence.

AO Recommendation:

- We support federal preemption of inconsistent state NIL laws to ensure uniformity, but we oppose any provision that categorically denies athletes the right to be recognized as employees or to collectively bargain.
- Our recommendation is to adopt our preemption language, which preserves federal labor rights and ensures that college athletes can organize and negotiate for fair treatment.
- States should not be allowed to interfere with NIL rights, athlete mobility, or the certification of athlete representatives—but federal law must also protect the evolving labor rights of athletes. Our approach ensures both consistency and justice.

Which SEC football program spent the most on severance in FY 2024?

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AJ McCarron's forgotten masterpiece. How Bama got vengeance against Johnny Football

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The buyout money Texas A&M paid former football coach Jimbo Fisher when it fired him in November of 2023 dwarfed the severance spending any other public SEC school reported to the NCAA for Fiscal Year 2024. According to the 15 financial reports, obtained by AL.com via a series of open records requests, TAMU athletics spent $27.5 million in that category during the fiscal year, which ran from July 1, 2023 through June 30, 2024.

According to ESPN, Fisher's contract stated he would receive $19.2 million within 60 days of his firing, and will continue to be paid $7.2 million annually through 2031, a total cost of over $76 million. It was by far the most expensive firing in college football history, at least among publicly known numbers.

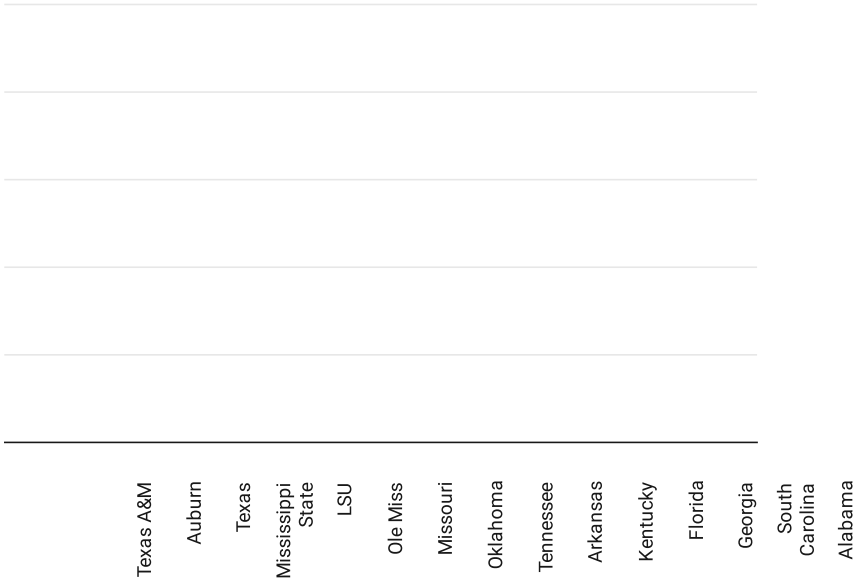
The Aggies were one of just two athletics departments to spend more than $10 million in the category, joining Auburn, which reported $10.8 million department-wide. The buyout spending came during a year where TAMU's athletics contributions fell from $115.4 million in FY 2023 to $88.6 million in FY 2024, and donations to its fundraising organization fell by over $25 million year-over-year according to a Sportico report.

Besides Texas A&M and Auburn, Texas and Mississippi State were the only schools to report over $5 million for the category in FY 2024. The Longhorns shelled out $7.2 million in severance, while the Bulldogs spent just over $5 million.

Alabama spent the least on severance throughout the department, shelling out just $69,911 during FY 2024. South Carolina was the only other public SEC school under $1 million in severance spending, at $440,486.

Vanderbilt is not included, as VU is a private school and not subject to open records requests.

SEC athletics department severance spending FY 2024



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As usual, football drove the most severance spending. All but $281,666 of TAMU's massive number came from the SEC's most important sport.

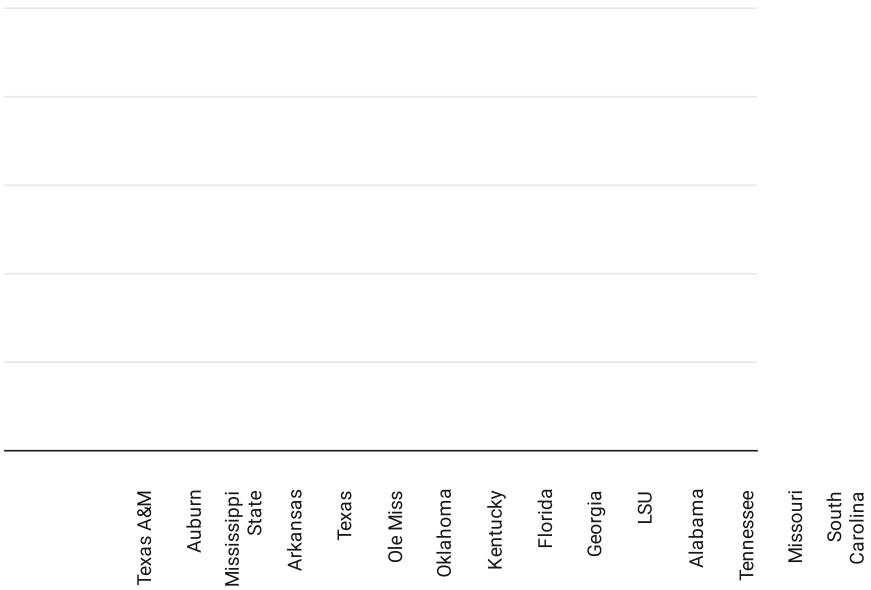
Despite being second on the list, Auburn actually improved its standing in the category. The Tigers had spent $19.9 million on severance department-wide in FY 2023, $18.6 million on football alone, after firing Bryan Harsin while still on the hook for part of Gus Malzahn's buyout.

AU spent $6.3 million on football severance in FY 2024. The Tigers were one of four SEC schools over $2 million in that category, with Mississippi State shelling out $3.7 million after firing Zach Arnett after just one season, and Arkansas reporting $2.1 million despite not firing Sam Pittman.

Alabama reported $6,874 in football severance during FY 2024, a drop from $491,715 in FY 2023. Three schools did not report any spending in the category this past fiscal year, including Missouri, Tennessee and South Carolina.

Missouri joined the $0 club after spending $511,871 on football severance in FY 2023. Georgia hadn't spent any money in the category during FY 2023, but reported $195,600 for FY 2024.

SEC football severance spending FY 2024



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