Protect College Sports Act of 2026

Summary of Proposed Changes

Note: This amendment would replace the text of S. 4668 after the enacting clause with the Protect College Sports Act of 2026. The summary below describes the substitute amendment's principal provisions rather than a line-by-line comparison with an earlier version.

Student-athlete NIL rights and compensation

- Establishes a federal right for student athletes and prospective student athletes to earn compensation from their name, image, and likeness (NIL).
- Prohibits schools, conferences, and athletic associations from reducing eligibility or scholarships solely because an athlete signs an NIL agreement or receives NIL compensation.
- Requires individual consent before a school, conference, association, collective, or business commercially uses the NIL of a group of athletes.
- Allows schools to restrict NIL activity that violates generally applicable student conduct rules or improperly uses school uniforms, facilities, trademarks, logos, or copyrighted materials.
- Allows institutions, conferences, associations, collectives, associated entities, and third parties to pay or facilitate NIL compensation.
- Protects an athlete's right to retain an agent or attorney without losing eligibility.
- Requires Division I athletes to disclose NIL agreements or compensation exceeding $600, including cumulative payments from the same source exceeding $600 during a 12-month period.
- Requires recruited athletes to disclose qualifying ongoing NIL agreements after enrolling.
- Requires the $600 reporting threshold to be adjusted for inflation.
- Generally protects personally identifiable information in NIL disclosures.

NIL reporting and transparency

- Requires Division I institutions to report anonymized NIL agreement information to their athletic association annually.
- Requires reporting of services provided, compensation amounts, school-paid athlete compensation, and the number, average value, and total value of payments by sport.
- Requires institutions to report athletic-program revenues, expenditures, donations, public funding, personnel compensation, athlete time commitments, academic outcomes, and majors.
- Requires athletic associations to create a public, searchable NIL database designed to help athletes and agents estimate fair-market value.
- Requires privacy protections intended to prevent identification of individual athletes from the database.

Regulation of athlete agents and endorsement contracts

- Expands the federal Sports Agent Responsibility and Trust Act to cover NIL agreements.
- Requires athlete agency agreements to be in writing.
- Caps an agent's fee for an endorsement contract at 5% of the contract's value.
- Prohibits agent contracts extending beyond the athlete's collegiate eligibility.
- Prohibits materially false or fraudulent representations by agents, including claims about NIL opportunities tied to recruitment or transfers.
- Requires athlete agents to be registered with a state or otherwise recognized through specified professional or uniform state systems.
- Requires athletic associations to maintain a public, searchable agent registry and permits fines or decertification for violations.
- Requires endorsement contracts to state services, parties, term, compensation, termination conditions, and the athlete's right to legal or agent representation.

- Generally prohibits endorsement contracts from conditioning payment on attending or remaining at a particular institution, with limited exceptions for school-affiliated agreements signed after enrollment.
- Gives athletes a private right of action for certain agent and contract violations and makes predispute arbitration clauses and class- or joint-action waivers unenforceable for covered disputes.

Academic and scholarship protections

- Prohibits athletic-department personnel from pressuring athletes to select or avoid particular courses or majors and prohibits retaliation based on academic choices.
- Protects athletes' ability to pursue employment, internships, student activities, events, and volunteer work when these do not conflict with required classes or mandatory athletic activities.
- Prohibits marketing, referrals, advertising, and solicitation in financial-literacy or life-skills programming directed to athletes.
- Prohibits revoking or reducing athletic aid because of athletic performance, injury or illness, or roster-management decisions.
- Allows aid reductions for transfers, violations of generally applicable conduct standards, failure to comply with established team policies, or failure to meet academic eligibility requirements.
- Requires timely written notice of scholarship or eligibility sanctions.
- Gives certain former Division I athletes who left within the preceding 10 years without completing a degree an opportunity to return and receive grant-in-aid support to complete their undergraduate degree.

Medical coverage and athlete safety

- Requires Division I institutions, and certain Division II or III institutions for athletes competing at the Division I level, to cover out-of-pocket costs for sports-related injuries or illnesses, an independent second opinion, catastrophic injury insurance above $90,000, and an end-of-college physical.
- Requires five years of post-eligibility coverage for out-of-pocket costs associated with sports-related injuries or illnesses.
- Requires an athletic association to establish a post-eligibility and catastrophic-care fund of at least $60 million, subject to increases and a $100 million cap.
- Requires coverage programs for significant long-term conditions tied to sports participation, including chronic traumatic encephalopathy and cognitive impairment.
- Establishes minimum standards for concussions and brain injuries, heat illness, rhabdomyolysis, sickle-cell trait, and asthma.
- Requires institutions and associations to take reasonable measures against hazing, physical and sexual abuse, sexual assault, misconduct, and harassment.
- Requires every institution to designate an athletic health and safety officer independent of the athletic department.
- Gives medical personnel autonomous authority over medical management and return-to-play decisions and prohibits interference by coaches or nonmedical personnel.

Student Athlete Ombudsman

- Requires each intercollegiate athletic association to establish an independent Office of the Student Athlete Ombudsman.
- Requires the office to provide athletes with free advice about rights, responsibilities, disputes, legal representation, and external resources.
- Requires institutions to display standardized information about athlete rights and access to the Ombudsman.
- Protects confidential communications, work product, notes, and case files from disclosure, discovery, subpoenas, and admission into evidence, subject to limited safety and legally mandated reporting exceptions.
- Prohibits retaliation against athletes for contacting the office and prevents governing bodies from interfering with its duties.

Equality and athlete representation

- Requires comparable standards between similarly situated men's and women's championship programs for medical care, lodging, meals, rest, transportation, publicity and promotion, and facilities.
- Requires at least one-third of the membership and voting power of athletic-association governing boards and rulemaking committees to consist of current athletes or qualifying former athletes.
- Excludes current or former association, conference, or institutional employees from counting toward that one-third requirement.
- Requires adequate representation of conferences with less than $500 million in annual revenue.
- States that the bill does not override or modify Title IX.

Transfers, recruitment, and eligibility

- Guarantees one transfer between four-year institutions without loss or delay of eligibility.
- Generally imposes a one-academic-year loss of eligibility after a second transfer, with exceptions for discontinued sports, a head coach's departure, sexual assault or harassment, and pursuit of a graduate degree.
- Establishes a general maximum eligibility period of five calendar years, with exceptions for pregnancy, religious missions, active-duty military service, serious injury, and other uniformly adopted exceptions.
- Prevents two-year-to-four-year transfer students from being subjected to more stringent academic standards than four-year transfer students.
- Clarifies that certain youth basketball participation and prize money in sports other than football or basketball do not automatically make an athlete a professional.
- Permits eligibility restrictions for illegal or performance-enhancing drug use, sports wagering, event contracts, and generally applicable conduct violations.
- Permits sport-specific recruiting and transfer contact windows of between two and five weeks and prohibits recruiting contact unless the athlete has affirmatively opted in.
- Prohibits institutions, affiliated entities, conferences, and agents from offering compensation in violation of recruitment rules.

Institutional compensation and revenue-sharing limits

- Incorporates the revenue-share cap established by the 2025 settlement in In Re College Athlete NIL Litigation.
- Prohibits schools and associated entities from circumventing the revenue-share cap.
- Requires most third-party NIL agreements to serve a legitimate commercial purpose and provide compensation comparable to similarly situated non-athletes.
- Generally prohibits compensation to prospective athletes before enrollment.
- Creates a temporary retention exception allowing institutions to exceed the revenue-share cap by up to $22.5 million annually to retain athletes who completed at least one full season at the institution.
- Allows up to an additional $5 million annually tied to support for non-revenue, women's, and Olympic sports.
- Limits the retention exception to nine years.
- Permits reasonable education and personal benefits, including certain family travel, lodging, medical expenses, meals, shelter, books, and fees.
- Requires certifications when NIL arrangements involve multimedia rights holders, sponsors, apparel companies, or athletic-department vendors.
- Restricts institutions with more than $80 million in annual athletic revenue from using non-athletic funds to pay a coach or team manager more than $500,000.
- Requires congressional approval to continue the revenue-share cap after the underlying settlement expires or terminates and establishes periodic recalculation and independent public audit requirements.

Preservation of women's, Olympic, and other non-revenue sports

- Requires covered institutions to maintain specified aggregate levels of roster positions and grant-in-aid opportunities for non-revenue sports relative to the 2024-2025 academic year.
- Allows institutions to change which sports they sponsor or how opportunities are distributed, provided aggregate protections are maintained.
- Allows qualified para athletes to participate as walk-ons without counting against roster or scholarship limits.
- Directs the congressional commission to study preservation of non-revenue, women's, and Olympic sports.
- Gives HBCU grant applicants preferential consideration when they commit to producing or distributing coverage of women's and Olympic sports.

Coaching transitions

- Prevents Football Bowl Subdivision head coaches and coordinators from performing head-coach functions for a second institution during the same competitive season.
- Covers recruiting, roster management, NIL activity, staff supervision, practice planning, game preparation, public representation, and related responsibilities.
- Delays the coach's eligibility to serve at the new institution until the later of the two institutions' seasons has concluded and establishes additional penalties for violations.

Antitrust protections and enforcement

- Provides limited antitrust protection for associations, conferences, and institutions enforcing the bill's rules on compensation, revenue sharing, eligibility, transfers, recruiting, tampering, agent registration, and midseason coaching transitions.
- Conditions these protections on the athletic association actually adopting and enforcing the required rules.
- Authorizes fines, participation restrictions, eligibility sanctions, and agent decertification.
- Allows private civil actions for violations of many athlete-protection provisions and permits actual damages, equitable relief, declaratory relief, and, where otherwise allowed, attorney fees.
- Generally requires 30 days' notice before filing suit and bars the action if the violation is cured during that period.
- Limits enforcement of predispute arbitration and joint-action waivers.
- Requires certain disputes involving enforcement of the 2025 NIL settlement to follow the settlement's dispute-resolution process.

Whistleblower protections

- Prohibits retaliation against athletes, former athletes, prospective athletes, employees, contractors, service providers, and others who report suspected violations of the bill or Title IX.
- Protects participation in investigations and proceedings.
- Authorizes compensatory damages, attorney fees, equitable relief, temporary relief, reinstatement, and back pay.
- Makes waivers and predispute arbitration requirements unenforceable for whistleblower claims.

Federal and state-law relationship

- Preempts state or local laws that conflict with the federal requirements or regulate institutional and association rules in covered areas.
- Preserves generally applicable state laws dealing with contracts, fraud, taxation, privacy, publicity rights, criminal conduct, and other matters not specifically displaced.
- States that the bill itself does not determine whether student athletes are employees or nonemployees under federal or state law.
- Includes a severability provision.

- States a federal policy that institutions should prioritize domestic students when awarding athletic roster positions and grant-in-aid.

Sports broadcasting and media rights

- Expands the Sports Broadcasting Act's antitrust exemption to permit qualifying institutions and conferences to pool and collectively sell collegiate media rights.
- Requires a qualifying collective media-rights entity to include at least 75% of Football Bowl Subdivision institutions when formed.
- Requires fair and nondiscriminatory membership for all Division I institutions and conferences, while keeping participation voluntary.
- Requires governance and revenue-distribution rules for the collective entity.
- Requires reasonable efforts to preserve carriage and promotion of women's, Olympic, and other non-revenue sports, as well as conference opponents and traditional football rivalries.
- Provides a private right of action against the collective entity after notice and a one-year opportunity to cure.
- Protects schools and conferences from liability merely for declining to join and preserves existing media contracts.

Local broadcast access and conference consolidation

- Requires at least one free-to-view local broadcast option for each football or basketball game in the local media market of each participating institution.
- Allows a national rights holder to satisfy the requirement through a freely available affiliated service and requires good-faith negotiations over local rights.
- Gives the Federal Communications Commission jurisdiction over complaints involving good-faith negotiation requirements.
- Prohibits certain high-revenue football conference mergers, acquisitions, or media-rights transactions that would result in conferences exceeding 19 institutions.
- Exempts conferences reporting no more than $700 million in annual revenue.
- Provides that the football regular season and postseason should conclude by January 8, to the extent practicable.
- Protects the traditional Army-Navy game broadcast window from competing Football Bowl Subdivision postseason broadcasts.

Media rights for sports other than football and basketball

- Requires entities acquiring media rights for other college sports to make meaningful use of those rights.
- Provides for rights to revert to the school, conference, or collective entity when a distributor fails to use them for one year and does not cure the failure within an additional 180 days.
- Allows reverted rights to be resold or relicensed without liability for breach of the original agreement.

Congressional Commission on the Future of College Athletics

- Creates a 24-member bipartisan congressional commission including athlete and former-athlete members, HBCU representatives, mid-sized conference representatives, and subject-matter experts.
- Gives the commission subpoena authority.
- Directs it to study athlete compensation, employment and collective bargaining, revenue-sharing limits, retention payments, spending limits, athlete health and safety, abuse and mistreatment, agent regulation, and preservation of women's, Olympic, and non-revenue sports.
- Creates a 16-member Student Athlete Retention Council split evenly between Division I institutions and athletes elected by Division I athletes.
- Requires a preliminary report within 30 months and a final report within five years.

HBCU Sports Media and Connectivity Program

- Creates a competitive federal grant program for HBCUs and other specified eligible institutions.
- Supports broadband and campus network infrastructure, information technology, journalism and media facilities, live sports production and distribution, cybersecurity, digital-skills training, research equipment, and broadband access for financially needy students.
- Permits grants lasting between two and five years and allows institutions to receive multiple grants.
- Encourages partnerships with private entities, conferences, athletic associations, distributors, and the collective media-rights entity.
- Prohibits funding for routine maintenance, certain insecure communications equipment, duplicative programs, unnecessary last-mile deployment, and technology primarily intended for fundraising or ceremonial uses.
- Requires public input, published evaluation criteria, scoring transparency, technical assistance, coordination, and reporting.
- Authorizes $180 million annually for fiscal years 2027 through 2032, or $1.08 billion in total authorized funding.