



THE DRAKE GROUP

Advancing Positive Legislative
Change In College Athletics



The Drake Group Calls for Congress to Put Higher Education—Not Commercial Athletics —at the Center of College Sports Reform

**Statement on the U.S. Senate's proposed amendments to the proposed S.4668,
the *Protect College Sports Act of 2026***

WESTPORT, CT — August 6, 2026 —

The Drake Group applauds the United States Senate for recognizing the need for comprehensive federal legislation governing intercollegiate athletics. The legislation contains numerous provisions that provide important protections for college-athletes, including enhanced medical coverage, stronger academic safeguards, scholarship protections, improved health and safety standards, greater transparency in Name, Image, and Likeness (NIL) transactions, and the establishment of an independent Student-Athlete Ombudsman.

Nevertheless, The Drake Group believes the legislation ultimately falls short of addressing the fundamental problem confronting higher education: a financially unsustainable cash transaction-based system of intercollegiate athletics that increasingly operates independent of—and often in conflict with—the educational mission of colleges and universities.

"The legislation seeks to regulate the commercialization of college sports rather than restore the educational values that should define intercollegiate athletics," said Kassandra Ramsey, President of The Drake Group. "Congress has an historic opportunity not simply to manage today's marketplace but to realign college athletics with the educational purposes for which it was created."

For more than two decades, The Drake Group's vision has been to preserve the integrity of higher education while protecting college-athletes, importantly including women's and Olympic sports. Although the Senate proposal strengthens important protections for athletes, it largely accepts as permanent a commercial model driven by escalating financial competition among institutions.

The legislation's principal shortcomings include:

- It does not restore the primacy of education as the governing purpose of intercollegiate athletics.
- It more than doubles the “pay-for-play” pro sports model of the *NCAA vs. House* settlement, increasing the cost of college athletics programs without expenditure restraints, knowing that:

(i) 93% of colleges and universities are still not complying with Title IX,

(ii) all but roughly 2% of athletics programs are heavily subsidized by student tuition and fees, and

(iii) only about a half-dozen to a dozen FBS athletic departments generate a true economic surplus after accounting for all costs, including capital expenditures, debt service, facility maintenance, administrative overhead, and institutional subsidies, all while institutions of higher education are facing huge financial challenges caused by the enrollment cliff.

The economic system underlying the proposed Act will produce an unsustainable financial system that will weaken U.S. higher education.

- It institutionalizes the commercialization of college athletics through extensive regulation rather than addressing the underlying incentives driving commercialization.
- It requires some financial disclosure but does not require *public* disclosure of NIL or other payments by sport.
- It does little to curb the escalating athletics spending arms race that diverts institutional resources from teaching, research, and student success.
- It provides insufficient protections for Olympic and broad-based sports programs that face increasing financial pressure under today's revenue-driven model.
- It does not meaningfully strengthen institutional accountability for gender equity or address emerging gender disparities associated with revenue sharing and commercial compensation.
- It leaves governance primarily within athletic departments and organizations instead of restoring greater oversight by faculty, academic leadership, and governing boards responsible for institutional educational missions.
- It emphasizes regulation of the existing system rather than structural reforms that would better align athletics with higher education's core academic values.

“Given the release within the last 48 hours of the latest proposed amendments to the *Protect College Sports Act of 2026*, the proposed Act is now the second-best way to proceed. At this time, the best way for Congress to proceed is to empower a 180-day Congressional Commission to comprehensively consider all stakeholder issues and report back with a specific, foundational basis upon which a bipartisan legislative proposal can be achieved,” said President Ramsey.

As Congress continues to consider this legislation, The Drake Group urges lawmakers to adopt reforms that preserve educational integrity, demonstrate financial responsibility, promote broad-based participation opportunities, strengthen institutional accountability, advance genuine gender equity, and reaffirm that intercollegiate athletics exists to serve the educational mission of America's colleges and universities.

Media Contact:

Donna Lopiano, The Drake Group Government Relations Committee
Donna.Lopiano@gmail.com

The Drake Group is a 501(c)(4) nonprofit advocacy organization working to better educate the U.S.

Congress and higher education policymakers about critical issues in college athletics. We are an academic think tank consisting of experts in sports management, sports economics, and sports law. We disseminate fact-based research and recommendations that enable policymakers to advance legislation to make college sports a better place by ensuring that there is academic and ethical integrity in the conduct of college athletics programs. Visit [The Drake Group web site](#) to volunteer or support our Congressional advocacy work. Visit our sister organization, [The Drake Group Education Fund](#), for position papers, research, a video library and other educational resources. The Drake Group Education Fund accepts tax deductible donations to support its work.

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