THE DRAKE GROUP
Advancing Positive Legislative Change In College Athletics

The Drake Group Urges Senate to Reject S.4668 and Protect the Educational Mission of College Sports

Calls for Immediate Passage of a "Skinny Bill" Addressing Eligibility, Transfer Portal, and Agent Issues While Delaying Sweeping Economic Changes to College Athletics

"There Are 363 Division I Institutions. Federal Law Should Not Be Written for the Wealthiest 10 to 15."

WESTPORT, CT — September 8, 2026 — The Drake Group today urged the United States Senate to reject S.4668, the *Protect College Sports Act of 2026*, warning that the legislation would codify into federal law an economically unsustainable model of college athletics while exposing institutions, students, taxpayers, and Olympic and women's sports to significant long-term risks.

The organization observed that the proposed Bill is "not ready for prime time" and called instead for immediate consideration of a narrowly tailored "skinny bill" addressing the most urgent and widely supported issues in college athletics: eligibility rules, transfer portal reform, regulation of athlete agents, tampering, and the participation of professional athletes in college competition.

The Proposed Bill Is Built Around Revenue, Not Sustainability

The Drake Group believes Congress is being asked to make a historic mistake: focusing almost entirely on expanding revenues and compensation mechanisms while ignoring whether the resulting system can be economically sustained.

The legislation would authorize unprecedented levels of athlete compensation and retention spending that could exceed $48 million annually per institution at the highest levels of Division I competition.

"The central question is not whether a handful of wealthy institutions can afford this model," said Kassandra Ramsey, President of The Drake Group. "The question is whether Congress should establish an unattainable "arms race" spending ecosystem and then impose it, although legally voluntary but in practical terms mandatory, on more than 350 other Division I institutions that cannot afford it, all of whom are competing for the Final Four, every other championship (except football), and the same pool of exceptional athletes.

There are 363 NCAA Division I institutions in the United States. The Drake Group urges each Senator to **look at the publicly available data here** concerning the Division I schools in their State. The data reveals that only a small number possess the media rights revenues, donor capacity and institutional resources necessary to support this escalating financial structure without harming their broader educational mission.

Congress Is Being Asked to Act Without Transparency

The Drake Group expresses particular concern that certain institutions have denied public records requests seeking information concerning NIL and revenue-sharing expenditures under the *House v. NCAA* settlement framework. As a result, Congress is being asked to legislate the future of college athletics *before* comprehensive Year One financial data becomes publicly available.

“This is backwards,” said Ms. Ramsey. “Before Congress authorizes additional financial obligations and grants antitrust protections, the public deserves transparency regarding who is paying, how much is being spent, and what educational tradeoffs are being made.”

Who Ultimately Pays?

New spending obligations do not emerge without consequences. The pressure to finance this escalating athletics arms race is likely to fall upon:

- Institutional subsidies drawn from broader university resources;
- Students through fees and increased costs;
- Donors already experiencing fundraising fatigue;
- Taxpayers supporting public institutions;
- Commercialization through increased advertising and sponsorships;
- Private investment interests seeking returns from tax-subsidized athletics enterprises; and
- Women’s sports, Olympic sports and non-revenue programs when revenues fail to keep pace.

Approximately 98% of athletics programs currently rely upon institutional subsidies, meaning most athletic departments do not operate independently of their universities’ educational resources. “Congress should ask a simple question.” “How much additional spending can colleges absorb before athletics begins to crowd out educational priorities?”

Women’s Sports and Olympic Sports Must Not Become the Fiscal Shock Absorber

The Drake Group also warns that current spending patterns raise significant concerns regarding gender equity and the future of broad-based athletics opportunities. Public comments from athletics administrators indicate that the overwhelming majority of early NIL and revenue-sharing expenditures are concentrated in football and men’s basketball. At the same time, federal reports have shown substantial existing Title IX compliance challenges across collegiate athletics.

“The danger is clear,” said The Drake Group’s President. “If projected revenues fail to materialize, women’s sports, Olympic sports and other educationally valuable programs may become the easiest targets for cost reductions.” Congress should not enact legislation that unintentionally creates stronger financial incentives to reduce participation opportunities.

The Best Path Forward

The Drake Group supports immediate congressional action to address legitimate problems in college athletics upon which all stakeholders agree, including:

- Eligibility reform;
- Rights to compensation for NIL services rendered;
- Transfer portal regulation;
- Agent registration and accountability;
- Anti-tampering provisions;
- Protection against athlete exploitation; and
- Improved health and welfare safeguards.

These issues can and should be addressed now.

“The current legislation attempts to settle, in a matter of months, questions that will shape higher education athletics for decades,” The Drake Group stated. “Congress should take the time to determine whether the model is educationally sound, fiscally sustainable, and equitable for all institutions.”

The Drake Group Calls Upon the Senate To:

- Reject S.4668 in its present form;
- Advance a focused “skinny bill” addressing urgent administrative reforms;
- Require full financial transparency regarding NIL and revenue-sharing expenditures;
- Evaluate both revenues and expenses in determining long-term sustainability;
- Protect women’s, Olympic and non-revenue sports; and
- Ensure that federal policy strengthens, rather than weakens, the educational mission of higher education.

“The question before Congress is larger than college sports,” Ms. Ramsey concluded. “It is whether higher education institutions will continue to be governed by educational values—or by an increasingly expensive professional sports marketplace that only a few institutions can sustain.”

About The Drake Group - The Drake Group is a 501(c)(4) nonpartisan non-profit academic think tank working to further the education of the U.S. Congress and higher education policymakers about critical issues in intercollegiate athletics.

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