THE DRAKE GROUP
Advancing Positive Legislative Change In College Athletics

TO: The Honorable Mike Johnson, Speaker
U.S. House of Representatives

The Honorable Hakeem Jeffries, Minority Leader
U.S. House of Representatives

FROM: Kassandra Ramsey, Esq., President
The Drake Group
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RE: **Request To Oppose S.4668, *the Protect College Sports Act* as Written, and Support a Substitute Amendment Keeping all of its Provisions, Bifurcated into a "Relief Now" and "Commission Consideration of Fiscal/Athlete Employment Issues" Approach**

The Drake Group is a respected national organization and academic think tank that works to further educate the U.S. Congress and higher education policymakers about critical issues in intercollegiate athletics. We ask you to consider the information included herein and take a more considered approach to S. 4668, the *Protect College Sports Act of 2026* ("PCSA").

Railroading a Flawed Bill in a Lame Duck Session is Unwise. Clear 'red flags' should not be ignored by House members:

1. It should not be the responsibility of Congress to promulgate athletic association rules or codify into law the *House v. NCAA* settlement, the latter of which is still under appeal in the 9th Circuit. S.4668 does both.
2. The bill was "muscled" through the Senate with the NCAA, the top four conferences, and rich boosters spending over $40 million on television advertising and lobbying.
3. The bill as written allows the 68 schools in the top four athletic conferences to spend $48 million more per year on athlete recruiting and retention than they are currently spending on scholarships based on educational expenses and gives them an antitrust exemption to do so.
4. None of the $48 million is tethered to education expenses. S.4668 does not implement any fiscal constraints on coaches or administrative staff salaries.

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Title of the Bill Misrepresents Its Impact. S.4668 does not "protect college sports." It protects the 68 institutions in the SEC, Big Ten, Big 12, and ACC from antitrust lawsuits. The remaining 293 schools in Division I, all subsidized with significant institutional funds, have the option to join an arms race they cannot afford. All but a handful of these Division I institutions have opted into the "pay-for-play" cash transaction system in order to have any chance recruiting athletes that might help them win at-large berths in the two Division I football championships or the coveted March Madness basketball championship.

These schools will continue to experience enormous pressure to secure this money from:

- strained institutional subsidies and student activity fees, damaging support of the greater academic enterprise;
- increased ticket prices, more sponsorships, including plastering team uniforms with advertising patches, and donors asked to choose athletics giving over institutional giving;
- private equity being invited to profit from tax-subsidized athletics operations;
- fatigued athletics donors being asked to increase and sustain their substantial athletics gifts over the long term; and
- reduction of women's sports, Olympic sports, and non-revenue sports budgets when these funding efforts don't materialize.

While doing so, all Division I institutions will put themselves at greater risk for Title IX lawsuits because 93 percent were not in compliance with Title IX before the *House v. NCAA* settlement.

Congress is Urged to Consider a Bipartisan Alternative Approach

Congress can and must do better. We believe there is agreement on both sides of the aisle to address the most pressing athlete protection issues in college sports: the regulation of sports agents, the assurance of athletes' NIL rights, and fixing the currently broken NCAA eligibility, waiver, enforcement, and transfer portal systems. Congress can take these elements of S. 4668 and adopt them for immediate implementation. S. 4668 already includes a provision for a Commission which should be adopted but whose duties should be expanded to address the remaining portions of the bill with a 30-month deadline for returning amendment and implementation recommendations to Congress.

Thank you for considering these views.

cc: Members of the U.S. House of Representatives