



EXECUTIVE ORDER

14400

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URGENT NATIONAL ACTION TO SAVE COLLEGE SPORTS

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

Section 1. Purpose and Policy. America's system of college sports has long provided scholarships and life-changing educational, athletic, and leadership opportunities to millions of America's future leaders and formed an important part of our national fabric. In July, I signed an Executive Order to protect college sports from endless lawsuits and destabilizing financial obligations that could jeopardize women's and Olympic sports, but it has become clear that more comprehensive executive action is required before college sports are lost forever.

College football is the primary revenue generator for university athletic departments, including revenue to support women's and Olympic sports, and is used by many universities to attract students, donations, and goodwill as millions of Americans gather with families and friends to watch each Saturday. These factors place enormous pressure on many universities to be competitive in football. The same dynamic exists for basketball to a lesser degree. Amid this pressure, the rules governing pay-for-play, eligibility, and other aspects of college athletics have been substantially loosened through a number of judicial rulings. Additional rules that could institute order and consistency in these systems have been nullified by some State legislatures that are incentivized to advantage their own State's universities in the competitive

market for student-athletes by minimizing barriers to recruitment. This chaotic state of affairs has undermined competition, reduced opportunities for student-athletes, and jeopardized support for the current range of college athletics, particularly women's and Olympic sports. Fair competition cannot occur without a consistent set of rules concerning pay-for-play or player eligibility that cannot be endlessly relitigated in court.

The convergence of enormous pressure to win in football and basketball and the loosening, both by litigation and by State legislation, of consistent rules or limits concerning eligibility, transfers, and pay-for-play schemes has created an out-of-control financial arms race in these sports that is driving universities into debt, threatening to siphon resources from other sports, and damaging student-athletes' educational and graduation opportunities. The athletics-related financial threats these crucial universities face are substantial: Already, one major athletic program closed fiscal year 2025 with \$535 million in athletics-related debt, and another has \$437 million in such debt, while others face enormous annual athletics-related deficits. These financial perils will inevitably siphon funds from universities' educational and research purposes, which could impact their capabilities and responsibilities as Federal contractors and grantees.

Absent a comprehensive national solution, therefore, the escalating financial demands to succeed in football and basketball combined with the significantly loosened rules governing eligibility, transfers, and pay-for-play schemes may force curtailment of women's and Olympics sports, and may even jeopardize the overall financial well-being of universities with which the Federal Government has important financial

relationships. Universities are important defense research contractors for the Department of War, important medical research contractors for the Department of Health and Human Services, and important scientific research contractors for the National Science Foundation. The health of the university system is integral to the Federal Government's basic functioning.

Further, without a national solution to protect the future of competition and opportunity in all college sports, it is possible that the largest college football programs will be forced to seek stability through a negotiated solution that may result in the withdrawal of financial and other resources from women's and Olympic sports.

The Congress is strongly encouraged to expeditiously pass legislation that satisfactorily addresses these issues. But further delay is not an option given what is at stake -- the 500,000 annual educational, athletic, and leadership-development opportunities that provide almost \$4 billion in scholarships. This executive action will preserve college sports for future generations.

Sec. 2. Effective Date. Sections 3 through 6 of this order shall be effective on August 1, 2026. Agencies shall immediately begin work to ensure that appropriate regulatory or policymaking measures will be in place by the effective date so that the requirements of the operative sections can be implemented as soon after the effective date as possible.

Sec. 3. Definitions. For the purposes of this order:

(a) "Improper financial activities" means the following actions taken by a federally-funded higher education institution, including its officers, agents, affiliates, or representatives:

- (i) intentionally devising or participating in a fraudulent name, image, and likeness (NIL) scheme;
- (ii) knowingly accepting contributions, financial or otherwise, from persons who intentionally devise or participate in a fraudulent NIL scheme;
- (iii) using Federal funds for NIL or revenue-sharing payments or for any type of payment or benefit to a coach, assistant coach, general manager, recruiter, or other person engaged in coaching or managing an athletic team; and
- (iv) tortiously interfering with a contract between a student-athlete and another federally-funded higher education institution, including a scholarship agreement;

(b) "Fraudulent NIL scheme" means a scheme to pay for goods or services, including NIL services, above the actual fair market value of those goods or services in connection with a student-athlete's participation in intercollegiate athletics, including through the use of collectives or similar entities. The term does not include:

- (i) revenue sharing between a higher education institution and a student-athlete that is consistent with interstate intercollegiate athletic governing body rules; or
- (ii) fair market value compensation provided for the NIL rights of a student-athlete by a third-party not affiliated with the athletic department of a higher education institution for a valid business purpose that is related to the promotion or endorsement of goods or services provided to the general public for profit and that is not tied to participation in the

athletics program of a particular higher education institution, at rates and terms commensurate with compensation paid to individuals with NIL rights of comparable value who are not student-athletes at the applicable higher education institution;

(c) "Higher education institution" has the meaning given the term "institution of higher education" in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001), provided that this term only includes an institution that reports (as required under section 485(g) of the Higher Education Act of 1965 (20 U.S.C. 1092(g))) having generated not less than \$20,000,000 in total revenue (as adjusted on July 1 each year by the percentage increase, if any, during the preceding 12-month period, in the Consumer Price Index for All Urban Consumers published by the U.S. Bureau of Labor Statistics) derived by the institution from the institution's intercollegiate athletics activities during the preceding academic year, as determined in accordance with paragraph (1)(I) of section 485(g) of the Higher Education Act of 1965 (20 U.S.C. 1092(g)); and

(d) "Interstate intercollegiate athletic governing body" means the entity that sets common rules, standards, procedures, or guidelines for the administration and regulation of varsity sports teams and intercollegiate athletic competitions, but that is not an intercollegiate athletic conference, provided that the governing body may include persons affiliated with an intercollegiate athletic conference.

Sec. 4. Protecting Women's and Olympic Sports and Preserving Higher Education Financial Responsibility. (a) (i) Agency heads that contract with or provide grants to higher education institutions, shall, as appropriate, evaluate violations of the applicable, lawful, and operative interstate

intercollegiate athletic governing body rules in effect as of August 1, 2026, concerning the following, to determine whether they are a cause so serious or compelling in nature to affect the present responsibility of the recipient:

- (A) eligibility limits;
- (B) transfers between institutions;
- (C) revenue-sharing permitted between higher education institutions and student-athletes; and
- (D) permissible and improper financial activities.

(ii) The Director of the Office of Management and Budget, in consultation with the Administrator of General Services, shall issue guidance to contracting and grantmaking agencies to ensure compliance with this order and to reinforce the suspension and debarment policy regarding violations of the rules described in subsection 4(a)(i) of this section.

(b) The interstate intercollegiate athletic governing body for higher education institutions should, in consultation with student-athletes and in its discretion, update or clarify its rules before August 1, 2026, as appropriate, to adequately protect opportunities for scholarships and collegiate athletic competition in women's and Olympic sports and ensure the financial stability of higher education institutions, including by establishing the following, to the extent permitted by law and applicable court orders:

(i) age-based eligibility limits to promote fairness, consistency, safety, and opportunities for student-athletes under which:

- (A) participation in college athletics is permitted for no more than a five-year period,

with limited exceptions for military service, missionary service, and other periods of absence from participation that are in the public interest; and

(B) professional athletes cannot return to college athletics;

(ii) transfer-related rules that:

(A) provide for the ability to transfer one time during the five-year period with immediate playing eligibility, and one additional such time if the student-athlete obtains a four-year degree;

(B) prioritize the academic development, success, graduation, and long-term well-being of student-athletes; and

(C) ensure that the transfer window does not incentivize interference with athletic seasons or the academic year, or otherwise undermine the integrity of participation and competition in college athletics;

(iii) medical care for student-athletes for intercollegiate-athletics-related injuries during their period of enrollment and for a reasonable period of time thereafter;

(iv) the implementation of revenue-sharing between higher education institutions and student-athletes in a manner that preserves or expands scholarships and collegiate athletic opportunities in women's and Olympic sports, including through provisions to prevent revenue-sharing from being allocated in a

manner that results in a reduction in scholarships and opportunities in women's and Olympic sports;

(v) a prohibition on the use of Federal funds by higher education institutions for NIL or revenue-sharing payments or coaching or athletic compensation, in accordance with any applicable Federal law and Federal contract terms;

(vi) a prohibition on improper financial activities regarding student-athletes, including collectives or other entities or methods used to facilitate third-party, pay-for-play payments; and

(vii) a national student-athlete agent registry and reasonable protections for student-athletes from excessive agent commissions.

(c) To aid contracting and grantmaking agencies' compliance with subsection 4(a) of this section, the Administrator of General Services shall propose, consistent with law, an appropriate, regular collection of information to evaluate compliance with the rules covered by subsection (a) (i) (A)-(D) of this section for completion by appropriate higher education institution officials.

(d) The Secretary of Education shall consider taking appropriate action, including through rulemaking where necessary, to require regular reporting by higher education institutions that includes:

(i) the total number of roster spots by varsity team, as of the day of the first scheduled contest for the team; and

(ii) the total amount of money spent on athletically related student aid or other payments, separately for men's and women's teams overall.

(e) The Chairman of the Federal Trade Commission shall take appropriate action to enforce 15 U.S.C. 45 and 15 U.S.C. 7801-7807 with respect to violations by student-athlete agents and related individuals or entities.

Sec. 5. Legal Actions to Invalidate Certain State Laws.

(a) The Attorney General shall take appropriate measures to further meritorious actions to invalidate State laws that conflict with interstate intercollegiate athletic governing body rules and:

(i) discriminate against out-of-state commerce or unduly burden or impede interstate commerce in violation of Article I, Section 8, Clause 3 of the Constitution of the United States;

(ii) impair a contractual relationship in violation of Article I, Section 10, Clause 1 of the Constitution of the United States; or

(iii) are otherwise invalid under Federal law.

Sec. 6. Consultation. Relevant White House components and executive departments and agencies are encouraged to, as appropriate and consistent with applicable law, consider input from appropriate leaders in collegiate athletics and administration and other experts regarding effective implementation of this order.

Sec. 7. Severability. If any provision of this order, or the application of any provision to any person or circumstance, is held to be invalid, the remainder of this order and the application of its provisions to any other persons or circumstances shall not be affected thereby.

Sec. 8. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(d) The costs for publication of this order shall be borne by the Department of Education.

THE WHITE HOUSE,

April 3, 2026.

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