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3 STEPS YOUR ATHLETIC DEPARTMENT CAN TAKE AFTER WHITE HOUSE RELEASES SECOND COLLEGE SPORTS EXECUTIVE ORDER

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3 Steps Your Athletic Department Can Take After White House Releases Second College Sports Executive Order

President Trump's April 3 Executive Order seeks to mandate new eligibility, transfer, and athlete agent regulations for college athletics by August 1 – and should cause your athletic department to consider preparations. The much-anticipated "Urgent National Action to Save College Sports" Order, released just weeks after a White House roundtable on the subject, marks the president's second Executive Order on college athletics in the last year. What does your athletic department need to know about the latest federal involvement into college sports, and what three steps should you consider?

What is the President's Continued Interest in College Athletics?

While President Trump's [July Executive Order](#) did little to stabilize the landscape, it signaled the White House's active involvement in college sports. The President recently hosted a White House roundtable titled "Saving College Sports" that brought together some of the most influential figures in professional sports, college athletics, media, and politics. The discussion addressed current challenges facing colleges and universities, the [House v. NCAA settlement](#), and the perceived need for uniform federal legislation.

Where Do We Stand With Federal Legislation?

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While members of Congress from both sides of the aisle have introduced [legislation](#) aimed at creating national standards, none of these efforts have been enacted into law. During the President's roundtable, much of the discussion centered around the July 2025 Student Compensation and Opportunity through Rights and Endorsement (SCORE) Act, which aims to codify the *House* settlement. The SCORE Act remains stalled in the House. It passed committees in July, but was pulled from the House floor twice. The President expressed support for the SCORE Act during the roundtable, and the new Executive Order covers some of the same components.

What Does the Executive Order Say?

Similar to the July Executive Order, it begins with an assessment of the current college athletics landscape. It specifically addresses the challenges colleges and universities face now that they can share revenue directly with student-athletes, as set forth in the *House* settlement. It also emphasizes the need for consistent rules governing eligibility and transfers, which have recently been the subject of frequent litigation. In addition, it expresses an intent to stabilize and preserve the landscape for all sports, particularly women's and Olympic sports.

To that end, the Order directs the interstate intercollegiate athletic governing body for higher education to update or adopt rules by August 1, 2026, addressing the following:

- **Modify eligibility rules** to allow student-athletes to participate in college athletics for five years, with exceptions for military service, missionary service, and other services that are in the public interest;
- **Implement rules regarding transferring** so that student-athletes can transfer one time during the five-year window, and an additional transfer if the student-athlete obtains a college degree;
- **Provide medical care** for student-athletes who suffered athletics-related injuries during their eligibility and for a reasonable period thereafter.;
- **Revise revenue-sharing programs** to ensure preservation and expansion of scholarships and opportunities for women's and Olympic sports and prevent revenue-sharing

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from being the basis for reduction of scholarships and opportunities for women's and Olympic sports;

- **Prohibit the use of Federal funds** for NIL or revenue-sharing payments or coaching or athletic compensation;
- **Prohibit pay-for-play NIL deals;** and
- **Establish a national student-athlete agent registry.**

Additionally, the Order calls for the Secretary of Education, the Chairman of the Federal Trade Commission, and the Attorney General to undertake various responsibilities. Prior to this Order, the [FTC announced that it started an investigation into athlete agents](#).

What are 3 Key Steps Athletic Departments Should Take Next?

It is clear that the President is keeping a close eye on college athletics, and is pushing for national legislation. As a result, institutions should ensure their athletic departments are preparing for possible change. Here are three changes to consider:

1. Evaluate Collective Relationships and Methods for Helping Student-Athletes Develop Their Marketability

Both the White House roundtable and the Executive Order took aim at collectives, which have been a vehicle to circumvent the cap outlined in the House settlement on the amount schools can directly share with their student-athletes. Athletic departments should consider finding ways to help student-athletes develop their marketability so they can earn NIL deals without having to rely on collectives. This can be done by partnering with third-party marketing agencies that assist with brand-building and story-telling, and could ultimately assist student-athletes with career development.

2. Monitor Athlete-Agent Interactions

This has been a recent focus of federal agencies and the White House, and it is important for athletic departments to inventory and standardize policies and documentation relating to agents' compliance with 2004 Sports Agent Responsibility and Trust Act (SPARTA). Confirm that you are tracking and retaining all required agent disclosures and notifications, that your athletic compliance office

understands the 72-hour notification requirements and has documented procedures for escalating and reporting issues, and that you have identified and logged any complaints of problematic agent conduct.

3. Conduct Internal Audits Regarding Forms of Revenue

The Executive Order calls for the protection of women's and Olympic sports and to ensure that costs of revenue-sharing does not result in the elimination of these programs. Athletic departments should conduct internal audits of their books and look to develop alternate methods of revenue to maintain their full complement of programs. Private equity and mixed-use real estate projects have been discussed as alternate revenue streams.

Conclusion

While the enforceability of the Executive order will likely be subject to challenge, please feel free to reach out to your Fisher Phillips attorney, the authors of this Insight, or any member of our [Sports Industry Group](#) or [Higher Education Team](#) with any questions regarding NIL and college athletics. We'll continue to monitor the status of developing NIL and college athletics legislation and will provide updates as warranted, so make sure you are signed up for [Fisher Phillips Insight service](#).