

119TH CONGRESS
1ST SESSION

H. R. 5812

To amend the Higher Education Act of 1965 to cap certain intercollegiate athletics compensation and buyouts as a condition of institutional participation in Federal student aid programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 24, 2025

Mr. BAUMGARTNER introduced the following bill; which was referred to the Committee on Education and Workforce

A BILL

To amend the Higher Education Act of 1965 to cap certain intercollegiate athletics compensation and buyouts as a condition of institutional participation in Federal student aid programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Correcting Oppor-
5 tunity and Accountability in Collegiate Hiring Act
6 (COACH Act)”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

1 (a) Intercollegiate athletics, when properly governed,
2 promote student development and broad-based participa-
3 tion aligned with educational missions.

4 (b) Institutions participating in programs under title
5 IV of the Higher Education Act of 1965 (20 U.S.C. 1070
6 et seq.) receive substantial Federal support and tax advan-
7 tages, creating a heightened obligation to manage athletics
8 in service of educational priorities and equal opportunity.

9 (c) Escalating compensation and buyouts for athletics
10 personnel can divert resources from academic priorities
11 and broad-based opportunities, including women’s and
12 Olympic sports, and warrant reasonable, uniform guard-
13 rails as a condition of title IV participation.

14 (d) Federal courts have held that the National Colle-
15 giate Athletic Association’s caps on coaches’ pay violate
16 antitrust laws—e.g., *Law v. NCAA* (10th Cir. 1998) per-
17 manently enjoining the NCAA’s “restricted-earnings
18 coach” salary cap rule—and have continued to scrutinize
19 coach-compensation restraints (including rules setting
20 compensation to zero); therefore, any statutory cap must
21 be accompanied by a targeted antitrust safe harbor to per-
22 mit collective implementation and enforcement.

1 **SEC. 3. PROGRAM PARTICIPATION AGREEMENTS.**

2 Section 487(a) of the Higher Education Act of 1965
3 (20 U.S.C. 1094(a)) is amended by adding at the end the
4 following:

5 “(30) LIMITATIONS ON INTERCOLLEGIATE ATH-
6 LETICS COMPENSATION AND BUYOUTS.—

7 “(A) COMPENSATION CAP.—As a condition
8 of eligibility under this title, the institution
9 shall ensure that the total annual compensation
10 paid, promised, or provided to any athletics de-
11 partment employee does not exceed 10 times
12 the institution’s tuition and required fees for a
13 first-time, full-time undergraduate for the most
14 recent academic year.

15 “(B) BUYOUTS AND SEPARATION PAY-
16 MENTS.—Any payment to terminate, buy out,
17 or settle an employment agreement with an ath-
18 letics department employee shall be treated as
19 compensation for purposes of subparagraph (A)
20 in the year paid, and may not cause the cap in
21 subparagraph (A) to be exceeded.

22 “(C) CONFERENCE AND AFFILIATE COV-
23 ERAGE.—The institution shall ensure compli-
24 ance with this paragraph for any agreement en-
25 tered by an athletics conference, media-rights
26 consortium, collective, foundation, or other affil-

1 iate that allocates, assigns, or provides com-
2 pensation or buyouts to the institution’s ath-
3 letics department employees.

4 “(D) CERTIFICATION AND DISCLOSURE.—

5 The Secretary shall require annual program
6 participation agreement certification that the
7 institution and its affiliates are in compliance
8 with this paragraph and shall require public
9 disclosure of the cap amount for the year and
10 the tuition and required fees figure used to cal-
11 culate it and the number of covered employees
12 whose total annual compensation is within 10
13 percent of the cap.

14 “(E) TRANSITION.—

15 “(i) Written employment agreements
16 executed before the date of this Act may
17 continue for their remaining original term
18 (excluding extensions or renewals), pro-
19 vided that the agreement and scheduled
20 payments are disclosed under subpara-
21 graph (D); and no amendment increases
22 compensation above amounts stated in the
23 agreement as of the date of this Act.

24 “(ii) PROSPECTIVE COMPLIANCE.—

25 Agreements executed on or after the date

1 of this Act shall comply with this para-
2 graph.

3 “(F) DEFINITIONS.—In this paragraph,
4 the term:

5 “(i) Athletics department employee—
6 means any employee of the institution (or
7 of a related organization acting for the in-
8 stitution) whose primary duties relate to
9 intercollegiate athletics, including head and
10 assistant coaches, the director of athletics,
11 associate or assistant athletic directors,
12 and senior athletics administrators.

13 “(ii) Tuition and required fees—
14 means the published undergraduate tuition
15 and required fees for a first-time, full-time
16 undergraduate student at the institution,
17 as reported to the Integrated Postsec-
18 ondary Education Data System pursuant
19 to section 487(a)(17) of the Higher Edu-
20 cation Act of 1965 (20 U.S.C.
21 1094(a)(17)). For public institutions with
22 differential resident and nonresident rates,
23 the in-state figure applies.

24 “(iii) Athletics conference—means a
25 voluntary association of institutions of

1 higher education formed to organize, regu-
2 late, or commercialize intercollegiate var-
3 sity athletics competition, including any
4 media-rights or data-rights affiliate.

5 “(iv) ‘Total annual compensation’—
6 means wages, salaries, stipends, allow-
7 ances, incentive or performance bonuses,
8 signing or retention bonuses, deferred com-
9 pensation, employer retirement contribu-
10 tions above standard plan matches, sever-
11 ance, buyouts, cancellation or mitigation
12 payments, in-kind compensation, appear-
13 ance fees, debt servicing, debt relief, and
14 any other compensation paid by or through
15 a related organization (including a founda-
16 tion, booster organization, media arm, or
17 affiliate) or a third party under an ar-
18 rangement to perform services for the in-
19 stitution.”.

20 **SEC. 4. LIABILITY LIMITATION.**

21 (a) IN GENERAL.—Adoption of, agreement to, com-
22 pliance with, or enforcement of any rule, regulation, re-
23 quirement, standard, or other provision established pursu-
24 ant to, or in compliance with, section 3 of this Act shall

1 be treated as lawful under the antitrust laws and any simi-
2 lar State provision having the force and effect of law.

3 (b) ANTITRUST LAWS.—The term “antitrust laws”
4 in sub-paragraph (a) has the meaning given such term in
5 the 1st section of the Clayton Act (15 U.S.C. 12) and in-
6 cludes section 5 of the Federal Trade Commission Act (15
7 U.S.C. 45) to the extent that such section 5 applies to
8 unfair methods of competition.

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