



After the Buzzer

Episode 18: Bob Wallace's interview with Tom McMillen,
President and CEO of LEAD1 Association

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- Bob Wallace: Welcome to After the Buzzer. I'm Bob Wallace coming from the chair of the Sports Law Practice at Thompson Coburn, coming from our Firm headquarter office in St. Louis. And thanks for joining us for another episode of our podcast. The pandemic has affected everyone. Every business and most normal activity, including our sports world. Games have been rescheduled and seasons and games even cancelled. However, it looks like we are coming out from this pandemic and we are looking forward to a return to more normal times. Colleges and their athletic programs have been right in the middle and greatly affected by this changed behavior. Our guest today is Tom McMillen, President and CEO of LEAD1 Association, an organization comprising 130 of the premier athletic programs representing over eight billion dollars in revenue and represented by their athletic directors. However, Tom is no stranger, either as an athlete or a well-known public figure, as Tom was an Olympian, Rhodes Scholar, professional basketball player, United States Congressman, an author, and businessman. He is a graduate of the University of Maryland where he went to play basketball after receiving acclaim from Sports Illustrated as the best player in high school. After a successful career, he was first a Rhodes Scholar, a 1972 Olympic team member, before becoming an 11-year NBA player. Basketball he served three terms in the U.S. House of Representatives and was co-chair of the President's Council on Fitness and Sports. He has served on the Board of Regents of the University of Maryland, his alma mater, and is the author of *Out of Bounds*, a book which examines conflicts between sports and ethics. Tom is now immersed in challenges in the changing landscape of college athletics. It was a great pleasure that I introduce Tom McMillen. Tom, shall I refer to you as Congressman or just Tom?
- Tom McMillen: Oh, please call me Tom. That's fine.
- Bob: Tom, I mentioned your book, *Out of Bounds*, and I felt like a real reporter here, because I read the book over the last few days. I found it very interesting. And it sort of goes, at the beginning of the book you talk about your career as a student athlete being recruited, NBA. Tell us a little bit about your beginnings.
- Tom: Well I grew up in a very small town, Bob, in Mansfield, Pennsylvania, and my family was very much into basketball. My brother was a great player. He went on to Maryland and played. At the time he was Maryland's first and second highest scorer. And so I think a lot of my recruiting was kind of crystalized by his success, my brother's success. And so they looked at the younger brother and said, wow. And so I had this enormous recruiting experience that I went

through where literally every school in America was pounding on my door. Of course that was compounded by being on the cover of Sports Illustrated. So, I went to the University of Maryland. That was a very difficult decision. Originally I had committed with Carolina. Then I went to Maryland for a number of reasons. One was my father was not in great health but he wanted to see me play, so it was closer to my home. Secondly I wanted to be near Washington. I had been appointed as the youngest presidential appointee ever at 17 years old, to a president's council on physical fitness. I still am, I think, the youngest presidential appointee ever. And that was kind of fun, being around the White House and working with the President and staff and everything else. And then of course going to Maryland was an opportunity to take a program that really had never succeeded to any great extent and to really help put it on the map. And so all those three things were really pivotal in my choice to go to school, and just being around our nation's capital. Remember, all this occurred sort of pre-Watergate. There was just a lot of stuff going on – the Cold War. It was just a very turbulent period in American History. So it was neat to be near our nation's capital.

Bob: How did you at 17 become a member of the President's council?

Tom: Well what happened was, I was on the cover of Sports Illustrated, second high school athlete ever, and I guess the White House saw it, you know, we talked in the article a couple of comments politically, that people there thought I was kind of an interesting young man. And so the White House personnel office called me and that's how it happened. It's pretty heady stuff.

Bob: Who was the President then?

Tom: President Nixon.

Bob: President Nixon. Okay.

Tom: No, the irony of it was not, I had served as a council member under President Nixon, but I co-chaired the President's council under President Clinton, so I had quite a stand in that agency. And anyway, that was sort of my high school experience, high school and college experience.

Bob: I mean, when you got a phone call from the White House, what was your reaction as a 17-year-old?

Tom: It was pretty surreal. I do remember though, Maryland was going through enormous riots because of the Vietnam War. I remember my freshman year, there was tear gas on the campus and National Guard and it was pretty crazy. And I had a speech teacher who didn't like the fact that I was on the cover of The Washington Post meeting President Nixon. And I think she gave me my only B my freshman year in speech. And so, although it was nice to be on a Presidential commission, President Nixon was not very popular on college campuses.

Bob: Right. No, he wasn't. So, after a successful college career, and you mention in the book that Bill Bradley was one of your heroes, sort of role models, you had a chance obviously after a very successful college career to be a high NBA draft choice, and you decided to take a Rhodes Scholarship instead. What went into that decision?

Tom: Well, the University of Maryland had never had a Rhodes Scholar, and it was obviously the most, the oldest and most prestigious scholarship in the world. I had gotten to know Bill (Bradley), who had won Rhodes Scholar, and I thought it was pretty interesting what he did. He went over and played in Italy while he was accepting the Rhodes Scholarship. He did that for two years and didn't come back to the NBA until after that. It's just amazing how small a world it is. I was drafted by the Buffalo Braves and the owner of the Buffalo Braves was from my hometown of Mansfield, Pennsylvania. He made his money in Buffalo and he drafted me. He was happy to have me one year I took the Rhodes. I originally was going to stay there two years but I ended up coming back after one year. I played in Italy; I played fifty-some games in Italy. And I came back after one year. And then I finished my Rhodes Scholarship in three summer terms. So as soon as the NBA season is over I began on planning to go to Oxford, and spend a month or two there, finishing up the three terms that I had to do for the second year to get my degree and after three years, four years in total, one year full-time and two part-time, I ended up getting my degree from Oxford, so it was a juggling act. The year when I was at Oxford and commuting to Italy twice a week was just incredible because I was flying all night long and I was playing basketball. A very competitive time in life. And then I had to keep my schoolwork up. I was a student athlete at a university. It's very integrated, I mean when you have games everybody knows it, and you know your academic and schoolwork and your sports, are more aligned. When you're living in two different countries, U.K. and Italy and you're doing two separate activities, one you could care less about, the other. It was a very, very challenging experience. Because I went to Italy, and Oxford could care less about that, and when I was in Italy didn't want me, you know, they want me for basketball not education. So it was a stark example of how difficult it can be to juggle those things.

Bob: Tell us about being sort of the intellectual type and then going back into the NBA, and turn of that transition.

Tom: Yeah, I went to the NBA. Did my grades. Yeah, it was always a struggle your rookie year. And then I was traded to the Knicks the second year and here I'm playing with Bill Bradley and Phil Jackson, all these legends running around Earl Monroe, Fraser. And Bill, here we are Rhodes Scholars, the only two Rhodes Scholars in pro basketball, we're on the same team, so, of course Phil was a very intelligent player. You know, and Earl Monroe and all the guys that they had, Walt Frazier, were very quality group of players. They were older and they were more experienced Spencer Haywood, George Beard, we had a lot of players, Dean Manniger, really a lot of great players on that team. Jim McMillen. And it was an experience playing there. Bob was training with me, from Buffalo to New York And we had a large talent and we worked as good as we, we just really weren't that good a team. And so then I ended up getting

traded to Atlanta and playing for Ted Turner, and that was a real thrill to play with Ted for six years. Because Ted was doing some things in some exciting areas on televisions that it was just a thrill to be with him and I actually got very involved in business when I was with Ted. Ted's chief financial officer left and we started to invest in different ventures. I was one of the earliest investors in cellular telephone. You know, cellular was just started and so I got experience in Atlanta. It was very, very fundamental for me to learn how to be a business person and to see opportunities. But I really enjoyed playing for Ted Turner. It was surreal. And then one day I went to Ted and said, Ted, I want to go play in Washington. I want to run for Congress. I had bought a house up there near Annapolis, and lo and behold, Ted ends up trading me to Washington so I could run for Congress. I ended up playing in Washington for three years. I announced for Congress before I started my third year with the Washington Bullets. I announced before the season. And I played the whole NBA season as a candidate for Congress, which has never been done, probably never be done again. And I ended up winning by a very close margin, the closest race in the country that year. But nevertheless it all worked out.

Bob: What made you decide that you wanted to be a politician?

Tom: Well again, what happened was when I was playing with the Knicks, Bill had retired the next year and he sat out a year, and then he ran for the Senate. Matter of fact, I did a fundraiser for him in Washington when he ran. And he actually pulled it off. He became a United States Senator. So I said, well, if he can do it, I can do it. And that's kind of how all that occurred.

Bob: Right. It's funny, in your book there's a picture of you and Bradley and Jim Bunning and Jack. You were called the, what is it a jock caucus?

Tom: Yeah, the jock caucus. They had Moe Udall, basketball player, Jack Kemp, great football player. They had Jim Brian, of course world-class baseball player, myself, Bradley. It was called – we had a lot of athletes in Congress at that time. We were – we ended up getting along very well working together. I worked with Kemp on a lot of things, even though he's a republican. You know, different time, different era.

Bob: One of the things that you talk about in your book and that you accomplished while you were there was the Athlete's Right to Know Act. Tell us a little bit about that. Is that still in effect?

Tom: Absolutely. Well, at the time, you know when you were going to go to a school whether you're an athlete or not, you couldn't determine the graduation rates on how that institution was doing, either student athletes or otherwise. And so, we thought as a consumer item, schools ought to disclose that. And we put that bill up then, Bradley, myself and Congressman Ed Tallens. And they fought it a great deal. Now it's like, it's so standard that it's hard to imagine college sports without graduation rates. They now go into APR and all those kinds of numbers. but the original idea of disclosing graduation rates was always fundamental to that bill, and I recall the NCLA fought that. They were opposed

to it, which I guess is pretty standard for organizations that are very hard to move, that are quite bureaucratic. And so they opposed that. We passed it into law and it's really been a very fundamental part of college sports.

Bob: Tell us a little bit about your new role at LEAD1 Association, I guess it's not new anymore, which may put you sort of on the NTA side than you were back when you were a Congressman and trying to get them to be more transparent. Talk about LEAD1 Association and what your role is there.

Tom: Well, my role, I was recruited into LEAD1 Association by Jack Sandburg who took the organization. It had been created in 1986 and was very sleepy. And he wanted to see, you know, to rejuvenate it and be sort of a voice for the ADs and also kind of a thought meter for the ADs. And that's really what we had become. We work with the NCAA quite a bit. We also, we don't always agree with them. We don't pull our punches when it comes to being sweet and truthful. Truth about issues that affect our sports. But we work on every issues that is significant. NIL transfers, academics, sports betting, you name it, we work on it. A lot of times when you feel like that voices are not often heard. It's a very fragmented environment cause sports conferences, you have the NCAA and it's oftentimes hard to get anything done because of the whole fragmented structure. It's not like you have a commissioner in the NFL or a commissioner in the NBA that can really push the levers of power. It's probably worst if they have that and it's really hard to – it's like moving a big ocean liner and it's very hard, very slow, laborious and we're here to try to move that process along if we can.

Bob: Is your organization comprised mainly of Division 1 athletic directors?

Tom: No it's only the FBS, the Football Bowl Subdivision. It's 130 right now. It's going to go up and a couple of schools joined earlier this year but we are the FBS schools.

Bob: [inaudible] more aligned, although within that 130, you have schools like Alabama that have a surplus of dollars and you may have another school that's operating in a deficit. How do you map – what is the role of an athletic director in 2022?

Tom: Well there is tremendous stratification between the richest of schools and the ones that are less resourced. I think the discrepancy somewhere in the FBS. I think our big school is 200 million. Our smallest around 20, 25. That's hard to compete. Those schools are aspirational. They want to see if they can compete and occasionally they do. Occasionally, you have a Cincinnati breakout or a Gonzaga breakout in basketball or whatever. But there's no question that the more resources you have the better it is. The other thing that's tricky is there are a lot of our smaller resourced schools get their money from not only the schools but student fees, sort of external financing. While our biggest schools get most of their money from television contact. So that creates some differences in stratification as well. There's no question it's a motley crew of schools and it's hard to keep them on the same plane. They all are aspirational when it comes to big time football; that's what define those 130 FBS school but

there's no question that resources play a big part in who succeed and who doesn't.

Bob: Just in the last couple of months we've kind of had even a split among those schools in terms of the playoff expansion in college football. How do you manage, you know, when you a meeting and you have the people from the big 10 versus the SCC and those kind of relationships?

Tom: I will say that we had our annual meeting in September. There are hard feelings about conference realignment and so forth. It's not easy because it's a strained relationship. ADs are family with each other. They're competitors and yet they have to work together in conferences and the like. It's not unlike being in politics. Sometimes you're opposed to someone, sometimes you're working with them. That's not unusual. I do think though the commercialism, the rising out of commercialism has made it tricky because schools are always looking to go to where it's the best financial environment for not only their students, athletes but the school as well and that creates a lot of tension. There's no question about it. So we've had meetings, sometimes they're really good because what happens is rarely do schools have a chance to talk about issues of cross conferences. They may the NCC talks about their issues in their conferences and the NCC in theirs and Big 10 in theirs. But rarely do they have a platform where they can talk cross conferences and I think that is really one of the high points of what we wanted that we try to facilitate those conversations.

Bob: I'm going to get to some of the topics like transfers and cost of attendance and paying college athletes. But all of those are now in the athletic director's world. A lot of them are new. So what changes in hill sets do athletic directors need to have now as opposed to when you were a student athlete?

Tom: Well the quality of credential for AD's is just really remarkable. Many of them are lawyers. Some have finance degrees. They all have fundraising, marketing skills. They got to understand the digital world we live in. It's a much more complicated enterprise then it was when I went to school. I think as a result, the requisite needs or requirements to be an AD has – some of them are – they remind me of, they have to have political skills, they have to have good external skills but then they have to be able to run a business. Today if it's a \$200 million business, Texas A&M, the magnitude of that business is much greater than running a \$200 million business. You've got a multiplier effect probably in the billions of dollars. They are true CEOs of major enterprises and like I said, the requirements have risen as the jobs have become more complicated.

Bob: When you at the annual meetings or one of the ADs picks up the phone and call you, what's the number 1 issue that they have, that they see on their horizon that they want to deal with?

Tom: It depends but generally in a macro level I think the NIL has been a big issue this year. I think how do you not pull your hair out with all the changes going on. Basically the NCAA kind of left it to the schools and the states. They were

very deregulatory requirement and so everybody is kind of chasing their own thing and that creates a lot of challenges. You don't want to be left behind. You certainly want to be competitive. So I would say NIL is the more immediate one. In the long term, I think it's the whole employment issue. The evolution that we're heading towards, towards full employment rights for student athletics. I think that is a major concern because that will really change the model dramatically. It's not a surprise back 30 years ago when I was in Congress, I said we met our first million dollar coach then. I said if you don't swallow their coaching escalations of salaries then expect to have a million dollar player. That's all we have right there. I think that's the longer issue, that's the longer term issue that is of concern.

Bob: You mentioned even when you were in Congress you talked about the Right to Know Act and you got some pushback from the NCAA. It seems with NIL and cost of attendance, we still have the same pushback from the powers-that-be. Do you think that the NCAA is always one step behind and as I look at the NIL which has been in effect since, what, July of this year, or last year, it didn't turn the world upside down. Is an NIL a bigger problem or a smaller problem than what we anticipated?

Tom: To the first part of your question, any organization that so membership driven is going to be reactive. There's no question about that. It's hard for them to be offensive. That just sort how the whole soup is made. I will say the NIL issue, I think the verdicts out. Originally the ideal about NIL was that you were going to have it based on some market value in that it was going to not be used for recruiting and it wasn't going to be used for pay-for-play. I think all those three things have really, maybe, obviously less in effect today. The three points of concern have really pretty much been thrown out the window. Now you have a much, much more deregulated environment and you really don't know what's going to happen, A – on the recruiting side, B – on the pay-for-play side or just the whole idea that if you're on a team you may get a check that probably could be quite sizeable and probably irrespective of your market power as an athlete. That seems to be heading down that way. The collectives and how they're being created. There's a lot of innovation going on but the traditional model of college sports is kind of deemed lost in the trash can. Can you put the genie back, can you put the humpty-dumpty back together again? Or in some fashion. That's going to be the question that remains and whether college sports look like a mirror image of the NFL and NBA. Those are questions that a lot of our ADs ask.

Bob: You mentioned as the coaching salaries dries. That seems to have risen much more than any other salaries. The ADs are not doing bad these days in general. Is the problem that the college model, or the amateur model just does not work when television and dollars are so prevalent in college athletics? You know if the Big 10 and the Big 12 were writing millions of dollars of check or their tv rights can you expect a student athletic to not what to share in that largess?

Tom: That obviously.

Bob: Should we have a discussion about changing the model? Maybe the model just doesn't work in the 21st century.

Tom: That's the question that I think has to be asked is what does the collegiate model look like. The collegiate model is always been based on the primacy that they kids are going to go get an education. College sports have always been a tug of war between commercial forces and educational forces. Oftentimes the commercial forces have prevailed and that's what you see happening right now. It's a big question about higher education. Do you want mirror images of the NFL or NBA on your campuses? Sports betting and all the other things that belong to that. Or is there another mark? I think the commercial cat is let out of the bag when we started paying coaches the extraordinary sums that we pay. The half a billion dollars in buyout money that's going to coaches that have been fired. We just, the coach of Maryland just left. We have multi-million dollar buyout and that's endemic across the system. We call that term, Meg-money. What we see happening on the other hand are sports, other sports being cut like Olympic sports and so forth. I think it's an issue. We ought to be expanding opportunities not diminishing them. When a lot goes to a few and many do not benefit I think it raises societal issues that we have to look at. I don't want to get too much in the weeds here but I think most of our ADs would like to see more of a higher ed model where kids go to school and they provide broad-based opportunities. Next they can have NIL. Next title 9 complied with and their kids are there to get an education; as opposed to looking like the NBA and the NFL. But having said that, I'm sure a few of our ADs are okay with these NFL, NBA models. It's going to be a debate probably for you as the columnist as to what that model should look like. We hope that everyone can have a voice in that.

Bob: It is interesting that – you mentioned that when you were at Oxford, that Oxford didn't really care about your playing basketball in Italy and Italy didn't really care about your option; the same dynamic. As I look at college athletics, and I'm a big basketball fan and football fan, but we're playing games on Tuesday, Wednesday, Thursday nights. I don't understand how kids can go to college and study if they're flying across the nation to play in a basketball game. Is that not a contradiction in that?

Tom: I mean those are core values that have sometimes been observed in the breach. There's no question about it. We talked a game of primacy of education and don't always abide by it. I know my alma mater, University of Auburn, go play in Nebraska. They get home at 5 o'clock in the morning and it's pretty hard to be a student under those environments. What happens in those circumstances is that money talks and the Big 10 puts a big check out there to those schools and they expect them to schedule accordingly. Even though some of that may be hurting the core principles of education and academics that everybody espouses. Those are the conflicts or they were but it's getting harder and harder when a student athlete becomes employed, who's the boss? Is it the person writing the check or is it their school teacher, their professors? Those are some of the conflicts that are coming down the road.

Bob: One of the big issues now in that we've seen is the college transfer rule. What are you ADs saying about that? It seems to be wild, wild west now.

Tom: Well they understood and had to come to some sort of a compromise because you know a number of teams could transfer immediately and then you weigh in some of the core sports couldn't, and that's where football or baseball, they had to harmonize all that. But it resulted in the confluence of NIL and the transfer portal it's only been kids jumping in the portal to see what's the bigger and better deal. That's disconcerting for a lot of coaches. I think what they're calling for are some windows so that you don't such an open environment of transfers that maybe it's limited to windows which probably made some sense. There's a loss in management today. It's almost impossible for coaching and athletic directors normally compounded by the trans reporter but compounded by the requirements of Title IX that you've got to keep equitable distribution in your female and male sports. It becomes much harder to do that when your roster is stinging like it is right now.

Bob: You talk about Title IX and the effectiveness of that. Part of the difficulties in roster management but also the difficulties in balancing out the football program which could have 90 players with scholarships as opposed to there's no women's sport that has that kind of problem. Do you see some conflict or a look at Title IX and how it applies to athletics?

Tom: No, I don't. I really think Title IX we're coming 50th anniversary, we're planning a big event on June 23rd which is the 50th anniversary. I think Title IX is probably the strongest force in college sports. I think some of it's getting stronger. I think you have 121 members of Congress who are women. That's the highest ever. I think that Title IX is only going to get stronger in the future. And it's going to, I think, be an issue for possibility some of these collectives. Went from school to line in the collective. I'm sure there could be some Title IX claims there. Title IX has done amazing things for women and girls in sports but it is a complicated factor when you're an Athletic Director to how to balance all those equities.

Bob: I'm a firm supporter of Title IX. I think it has changed the landscape of college athletics to provide more equal opportunities. Speaking of equal opportunities on the playing field. How about in the athletic directors' ranks, we do not have a lot of women athletic directors or African-American athletic directors. How do you address that in your group?

Tom: We had a diversity inclusion task group and we worked very hard on that. We made some recommendations on how to improve diversity and athletic departments. It is an issue. We saw Richard report the other day and still college sports lags behind what it should be doing. It's not just on the hiring side. I also look at across the country, creating opportunities for disadvantaged kids in the sports arena. It's becoming more and more expensive when you grow up in a disadvantaged neighborhood to even play basketball or play football. It costs money. It's no longer a school based as much as it used to be and it's very

discriminatory in that in college sports we ought to be a beacon of hope and we ought to be creating lots of opportunities scholarship-wise for underprivileged kids and we ought to be bringing much more inclusion in our hiring practices. It's a double challenge and much needs to be done. As I said, we spend a lot of time on this diversity and inclusion task force and we are going to continue to do that. We have a fellowship of diversity we do a lot of programs to try to get, we'll attract diverse candidates ready for the chair. And we're going to continue to do that because we think it's a priority.

Bob: I worked a little bit with your group on your task force report which I thought was a very good report. But as I also, as I look at the NFL where I spent some time. The Reely[?] rule has a good basis in what it's trying to accomplish. The problem is that the people implementing the rule aren't doing their job. Do you have any criticism, and I know this is a hard question to ask you, of the college presidents and the way they're looking at their hires? How can we get their mindset to change so that they open it up to a more diverse group?

Tom: I think it's also get to board of directors, board of regents, board of trustees, they have to be demanding of diversity in their ranks. I would say most all, I've served on the University of Maryland board. I served on the Naval Academy board. I do they are, they make it, it's very intentional. Those are places that clearly there needs to be some emphasis on raising that bar to at the trustee level and certainly at the president's level. But I do also see progress being made. It's slow but I see more diversity in the ranks of just the people I deal with in our AD group then was the case when I came aboard a few years ago. It's not as fast as it should be and clearly the programs that we're doing and other's are doing are very important towards canalizing that kind of change.

Bob: As I said I worked a little bit with Shaun Frazier who was your chair of that group and some of the people on your staff. I do think that you guys are moving in the right direction. I also agree that it's not moving as fast as it should or needs to be. One of the things and Tom, you probably have a few unique perspective on this having been a Congressman and now leading LEAD1 Association. When we talk about NIL, the sort of thing that you hear most is that we need federal legislation laws. I'm not sure we can get legislation on anything that's bipartisan and is agreed upon in these days and times. Do you think federal legislation is necessary for NIL or are we finding out that it's working on its own?

Tom: I think federal legislation will be probably needed for a much broader set of issues down the road, NIL being one of them. It's all being integrated in what the student athlete model is going to look like. Whether NIL is going to be largely unregulated, pay-for-play is going to be allowed, your recruiting inducements are going to be allowed. Nonmarket value payments are going to allowed. Is that the system or is there going to have to be – and we go further than that, employment-wise collective bargaining. There's a whole host of issues that I think just a whole arm's rate in college sports. Why do the do policy makers want college sports to look like the NFL and the NBA. Some do and some don't. So there's a lot more issues in the mix than just a pure and simple

NIL deal. Although I know the Republicans in the Congress, that's exactly what they want. Senator Morentz bill or Congressman in Dallas, they're pretty straight forward on that. And there's a chance that obviously if the politics in Washington changes that something very much streamline can get done. But I do think it's really hard as you said to get things done through Congress. Congress reacts to crisis. That's just how they are. Some of the issues on the plate of an average member of Congress are things that sometimes are percolator and the ones that are really the issues on fire until – we can very well see in college sports how a lot of issue, much more issues than just NIL down the road. I think that's probably not, we're not going to see anything until at the earliest late 2023. Just because you've got a war going on. You've got an election coming up and by then touring could be very different. You could have courts that have class right, student athletes as employees you could have pretty much overt NIL arrangements. I think at that point and time I think that will be – there may be many more issues out of Congress' college sports agenda than just NIL.

Bob: Some of my friends in your industry is that what we keep trying to do is put a band-aid over a fissure. Instead of really, my view is that we need to put everything on the table and sort of look at how do we work a system that now works in their period of time as opposed to trying to say well we've got to deal with NIL. We need to look at the whole system at once and see how can we make it better. And I'm not sure we can wait if we want college athletics to exist for it to be on fire. For us to make the changes that we need.

Tom: My own personal experience is this, you know, I played in '72 Olympics and that was just a catastrophic Olympic, tennis events, our basketball game was crazy. And then Congress came back after that. It was a mess. The AU, NCAA and all of them were fighting and they formed a presidential commission and then they cleaned up the Olympics through the Amateur Sports Act. Sometimes policymakers have to get involved to rationalize big enterprises. They are important to the country. It's really hard for college sports to do this itself because it's fragmented. You've got 32 conferences in Division 1. You've got NCAA. You've got the college football playoffs. It's hard to self-reform. So we just may have to let this play out a little bit. I'm not surprised by that. I think it was maybe 30 years I said that what would cause Congress to get involved. One of them would be if school's athletic programs went bankrupt. If you had a number of insolvencies. It's not out of the question by any means. Another one would be sports gambling scandals. Another one would be sort of a multi-school scandal. It could be NIL. It could be payola. Payola has always been one of those scandals. In reference to areas which cause heartburn. There are issues that can come down the pike that can galvanize sort of a national attention. You know just the same way the NCAA was formed when Teddy Roosevelt had to pull everybody in the White House and say you've got to stop this violence killing football players. That's sort of how it works. I wish we could say that it's in the plan but sometimes it just takes that kind of national focus to get anything done.

Bob: You see a big issue on the horizon that may be an igniter as you look at what's going on? You just listed several, several things that are right in the middle of what's going on right now. Do you see anything in the future that's going to add to those issues or create new ones?

Tom: I think the move to employment status could really be significant. Schools could lose their charitable status. Colleges could lose that as well. You could lose a lot of philanthropy. You could lose student fees. You could lose institutional support. You lose billions of dollars in college sports. Certainly it will affect smaller schools and less resourced schools the most. You've got sports betting which is pretty much across the country. What's the say, it's very sophisticated and unlikely that you could have a crisis there but you never know. It happens all the time in Europe in soccer and so forth. We're not immune. I mean there's a lot of issues that I can see percolating and causing some anx but you can't – it's hard to predict the future. It's also – you can't discount the national environment. Who knows what the next three months are going to bring to this country. We are in the middle of a crisis, internationally. All these things have impact on all of our institutions. Who knows? There are so many issues that you can't really – it's hard to predict.

Bob: It's a very tough question and so if you look 10 years from now what do you think you'd like to see – where would you like to see college athletics?

Tom: I would like to see college athletic, a couple of things, one is I'd like to see it stay true to its original mission of creating opportunities for thousands and thousands of kids across the country. Second to the GI bill, I think that's extraordinarily important. Honestly, I would like to broader opportunities. I always tell people a half of million go through NCAA sports and it would be great if it's a million. And many of those opportunities could go to kids that don't have opportunities. I would like to talk about broad-based opportunities. I think that's extremely important. It's important for our country. It's important for our Olympics. It's important for the fitness of our land. A starch statistics most people don't realize is that 70% of young kids today, 17 to 18 years old are unfit for the military. They could not get into the military because their state of fitness. Big things happen in nations when you can't fill an army. Military defense issues are oftentimes drive change. The fact that our kids are so out of shape and really unable to serve is really disconcerting to me and I think colleges have a role to play in that. Not only as an inspirational source but also with the opportunity for kids to get an education and to learn to play a sport. The model college sport has to reassemble the access. There's no question about it. When you play a half a billion dollars for coaches that are no longer coaching I think your system is not as balanced as it should be. So all those things have to be looked at. More opportunities you still want a whole truce of the primacy of education. You want to help the Olympic effort. You want to make sure the system is really connected to higher education and not just sort of mirror images. All those are big issues. I don't have the answers for them but if I had a crystal ball I'd like to see a college system really modernize and, yes, give these kids more opportunities. NIL has been one of those opportunities. But I'm thinking it has to be under some framework. Even the pros have frameworks

around NIL for pro athletes and they have collective bargains. I don't know what the new models are going to look like but it should be better for all student athletes. It should be better for more student athletes. I'll start there. Better for all and better for more.

Bob: I understand that having you in one of the leadership roles as we go forward gives us a chance to provide those opportunities in that. Tom, I really want to thank you for joining us today. Your experiences from an athlete to legislator to now a leader in college athletics is very important and I thank you very much for taking the time and I'm sure our listeners will enjoy that. Thank you, Tom.

Tom: Thanks, Bob. Look forward to seeing you on the trail.