

Bob Gilbert Column (765)

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## **A Report on Congressional Interest in College Sports Reform**

With big-time college sports commercialism spinning out of control, it's only a matter of time until Congress intervenes once again to force some sanity into the behavior of people with the potential to destroy higher education. In short, Congress must come down hard on cowardly university presidents, chancellors and athletics directors, whose leadership is driven by greed, not institutional integrity or student welfare.

It took congressional hearings to force major league baseball to impose harsh penalties, including permanent suspension from the game, for steroid abuse. Baseball didn't like its options, but it had no choice in the face of threatened federal legislation.

Now, for the past four years, leaders in the college sports reform movement have been taking their case to four congressional committees.

The target of reform is the tax-exempt status of the "NCAA cartel," said Dr. Frank G. Splitt, engineering professor at Northwestern. Splitt and Dr. James Duderstadt, president emeritus of the University of Michigan, are leading a growing group of reformers, mainly faculty but including a few athletics administrators.

In a June 15 letter to California congressman Henry Waxman, ranking minority member of the House Committee on Government Reform, Splitt referred to the "symbiotic relationships between the NCAA cartel, conference commissioners, the media, wealthy boosters, rabid fans, gamblers, sports promoters and members of government."

The NCAA and its member colleges and universities work hard to retain their tax-exempt status by creating the illusion that their athletes are bona fide, degree-seeking students, Splitt said.

"Evidence indicates a quite different reality. Many, if not most, athletes that actually play are not bona fide, degree-seeking students, but rather athletes pretending to be students.

"The athletes participating in this ruse are aided and abetted by the schools that have become dependent on the revenues these athletes generate. Academic corruption and just plain cheating abound; however, lofty sounding speeches and press releases, as well as secrecy, mask the need for accountability."

"Greed, fanatic sports fans, an apathetic public, and inconsistent government policies allow this commercially driven enterprise to grow unchecked," Duderstadt said in a document forwarded by Splitt to Waxman.

"Working through athletic organizations such as the NCAA, the conferences or the athletic departments is futile," Duderstadt wrote. Rather than reining in the excesses of college sports, Duderstadt said, "higher education and government alike continue to treat intercollegiate athletics as a special case, shielding coaches from the personnel and conflict of interest policies governing other university staff, ignoring the all-too-frequent misbehavior of college athletes, and providing generous (and

questionable) tax policies that fuel further commercialization."

Splitt asked Waxman to request the Department of Education to collect aggregated academic data relating to big-time football and basketball teams, the big money-makers. The information would enable Congress to determine whether athletes are legitimate students.

University officials say releasing such data would violate the federal laws protecting the privacy of students. But the law does not prohibit releasing data in aggregate for a 70-man football squad because no single athlete could be identified.

Congress should ask for attendance records and the names of the faculty who teach athletes, the courses the athletes take and the athletes' grades.

In their book titled "College Athletes for Hire: The Evolution and Legacy of the NCAA's Amateur Myth," former Notre Dame defensive end Allen Sack and colleague Ellen Staurowsky said the Dallas office of the International Revenue Service in 1977 threatened to tax television and radio broadcast revenue generated by sports. The NCAA cartel blocked that IRS action, they said.

"The college sports tax scam will continue to help fuel the seemingly uncontrolled growth of the college sports business unless and until the proliferation of phony 'student-athletes' prompts congressional scrutiny along with a credible threat to remove the tax-exempt status of the entire college sports entertainment business," Splitt wrote in a commentary he sent to Waxman.

Duderstadt says it's time to challenge university faculties to accept responsibility to defend the academic integrity of their institutions by demanding substantive reform of college sports.

"The admission of college athletes, their academic standing, and their eligibility for athletic competition must be controlled by the faculty and be open to public view," Duderstadt wrote.

Dr. John Gerdy, former associate commissioner of the Southeastern Conference, says the time is right for university administrators and faculty to force a return of college sports to the mainstream of campus life and academic integrity. But, warns Gerdy, it'll require action by people of courage. Which begs the question: Do members of Congress have the courage Gerdy demands of university presidents, chancellors, trustees and athletics directors? Rep. Waxman and his colleagues have the answer.

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