

NATIONAL SPORTS LAW

NEGOTIATION COMPETITION 2021

FINAL ROUND

“SECession”

GENERAL FACTS FOR BOTH TEAMS

As often unpredictable as it is sudden, changes in conference affiliation for college athletic programs all the way from the major, blue-blood programs down to Division 3 mean new matchups, new rivals, and—of course—dramatic shifts in power and money flows from school to school.

Conference realignment can also lead to a lot of hurt feelings as the remaining schools in each stepping-stone conference often take a dramatic dive in reputation and institutional influence. Particularly in the somewhat rare case when a major, flagship program within a major conference leaves for greener pastures, the schools that are left behind often are forced to quickly identify the best replacements that they can find from lower conferences, continuing the cycle of bruised egos. Moreover, given that the complexity of conference grant of rights agreements often means that it can take several years before a program that has announced its departure actually leaves for those greener pastures, it can create awkward situations well after the dust of cascading announcements settles.

Such is the case with the most recent dramatic set of realignment announcements: the sudden yet foreseeable twin announcements by the University of Texas (Texas) and the University of Oklahoma (Oklahoma) that they will be leaving their longtime home of the Big 12 Conference (Big 12) for the Southeastern Conference (SEC). Texas and Oklahoma had long been among the most prominent of anchors of a Big 12 Conference that had in the past decade been picked apart and noticeably weakened by the withdrawal of other schools, including the University of Colorado to the Pac-12 Conference (Pac-12), the University of Nebraska to the Big Ten Conference (Big Ten), and the University of Missouri and Texas A&M University to the SEC. Making things sting even more for Big 12 administrators and fans of the remaining schools was the fact that Texas and

OU's announced exodus was by no means new; the conference had nearly been split apart when Texas had briefly flirted with membership in the Pac-12 back in 2010, and the conference had bent over backwards with extra money and other concessions—much to the chagrin of other Big 12 schools and their fans—only for Texas and Oklahoma to follow through with their departure just 11 years later.

Despite the July 27 announcement of their impending departure, Texas and Oklahoma will—for now—remain in the Big 12 until June 2025 as their grant of rights agreements with the Big 12 do not expire until that date. A grant of rights agreement¹ is an agreement between a conference and a member institution where the member institution gives up its television broadcast rights to a conference in exchange for a portion of the conference's television rights contract with broadcasters like ESPN/ABC and FOX. Per the Big 12 bylaws,² any withdrawing Member “shall pay to the Conference a commitment buyout fee . . . in an amount equal to the sum of the amount of distributions that otherwise would be paid to the Member during the final two years of its membership in the Conference.”³ As each Big 12 team made about \$38 million in 2020, the projected buyout fee for each of Texas and Oklahoma is approximately \$76 million—a steep sum for each school, but a sum that they are each willing to pay to leave for the higher prestige and much more lucrative media deals of the SEC.

In the meantime, however, the Big 12 has moved on, inviting the University of Central Florida (UCF), Brigham Young University (BYU), the University of Houston (Houston), and the University of Cincinnati (Cincinnati) into their fold to replace UT, OU, and the departure of earlier member institutions that had for years left the Big “12” at just ten schools. These four new members are each slated to officially join the Big 12 in either June 2023 (UCF) or June 2024 (BYU, Houston, and Cincinnati, unless matters change). As such, there is interest among four separate parties in the potential of Texas and Oklahoma leaving before June 2025.⁴ Texas and Oklahoma would like to join the SEC as soon as possible, while the Big 12 feels they may be able to get more money out of Texas and Oklahoma by relaxing the set term of the grant of rights

¹ The Big 12 Grant of Rights Agreement is incorporated by reference into this fact pattern and is available at <https://www.dropbox.com/s/zttu2yt3ww2epdj/Big%2012%20Grant%20of%20Rights%20Agreement.pdf?dl=0>.

² The Big 12 Bylaws are incorporated by reference into this fact pattern and are available at <https://www.dropbox.com/s/qtomadk5iabmvy6/Big%2012%20Bylaws.pdf?dl=0>.

³ *Id.* at § 3.4.

⁴ Logistical concerns require any move to be set for June of a certain year. A move in any other month is not possible.

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agreement. But a final actor—UT and OU’s new home, the SEC—also has much to gain from adding the big-name programs at Texas and Oklahoma earlier than expected. As such, the SEC—which feels that it collectively has much to offer the Big 12 that the two schools do not—has agreed to step in to negotiate for its two new members with the Big 12 for a potential earlier departure date.

Representatives for the Big 12 and the SEC have agreed to meet today in an attempt to negotiate the terms of Texas and OU’s exit from the Big 12. Both teams have given their representatives full authorization to be creative and—if possible—craft a mutually beneficial agreement that will both resolve this conflict and hopefully advance each side’s interests.

Note: *The use of a calculator is permitted for this round.*

CONFIDENTIAL FACTS FOR THE BIG 12 CONFERENCE

The Big 12 finds itself in a somewhat usual situation entering this negotiation. On one hand, their membership and executives are all furious at Texas and Oklahoma for withdrawing from the conference. While the move was certainly not unforeseen by anyone remotely involved with the Big 12—the two schools have threatened withdrawal on numerous occasions over the years—the conference had for years bent over backwards to accommodate Texas and Oklahoma and ensure that they stay within their ranks. Keeping them in the conference as long as possible to continue to reap the benefits of their prestige value would be advantageous—at least if the conference cannot force them to essentially humiliate themselves in their effort to get out as quickly as they can. As the other power conferences lurk over the Big 12 like vultures hoping that the conference falls apart, the Big 12 knows that this deal will set a precedent in case any of their remaining members also try to jump ship.

At the same time, however, the Big 12 does share Texas and Oklahoma's hope that the two schools will leave much sooner than the contractual exit date in June 2025. Having Texas and Oklahoma remain when BYU, Houston, and Cincinnati join the conference in June 2024 would create significant scheduling problems and would create awkward and untenable situations as the new members compete for power on even a temporary basis with the former flagship programs of the conference. Having Texas in particular remain would also present issues about whether to continue to grant them disproportionate media revenue and scheduling favors, as the conference has been contractually obligated to do dating back to Texas's flirtation with the Pac-12.

In fact, it would be even better for logistics if Texas and Oklahoma were to leave in June 2023. There is mutual interest between the Big 12 and BYU, Houston, and Cincinnati to have those three schools enter the conference in June 2023, instead of June 2024. The three schools have already secured their own exits from their current conferences at that point in time, conditional on the Big 12's ability to accommodate them, and they are all eager to join a Power Five conference sooner rather than later. And having UCF join by themselves in June 2023 and creating a nine- or 11-team conference for a year would be even messier than the too big conference that would exist if the four new schools and Texas and Oklahoma ended up in the conference together—especially given the Big 12's plans to expand further (i.e. with Boise State)

in the near future. For all of these reasons, the Big 12 would strongly prefer to have their new alignment set as soon as possible—though having Texas and Oklahoma leave as early as June 2022 is a nonstarter; allowing this would lead to a year with just eight programs in the conference.

To balance these competing factors, the conference is generally unanimous that they are perfectly willing to allow Texas and Oklahoma to leave early, but only if the two schools are willing to provide significant concessions to do so. These concessions must center around the buyout fee of \$76 million per school as set by the Big 12 bylaws. Big 12 commissioner Bob Bowlsby was intrigued when he was asked by SEC commissioner Greg Sankey whether the SEC could represent Texas and Oklahoma in these negotiations, as Bowlsby felt that the SEC could not only offer significantly more money than what Texas and Oklahoma could offer on their own but could offer other perks as well.

One major perk that the SEC can offer that Texas and Oklahoma could not is to lobby on the Big 12's behalf among the NCAA and CFP. College sports is in the middle of substantial and fundamental change, both due to the recent Supreme Court decision in *NCAA v. Alston* (and its likely cascading effects on player compensation) and due to impending changes to the governance of the College Football Playoff (CFP). The Big 12 is tremendously wary of the recent move by the Atlantic Coast Conference (ACC), Big 10, and Pac-12 to consolidate their power into an “Alliance” and is even more suspicious of those conferences’ refusal to include the Big 12 in those conversations.

There are two powerful uncertainties created by the Alliance that the SEC can fulfill with their lobbying power. First, the Big 12 desperately wants to keep the “Power Five” conference label that it currently shares with the ACC, Big 10, Pac-12, and SEC. This status is important to the Big 12 not only because to the influence that this status provides them but also because of the autonomy in running their football programs: the NCAA voted in 2015 under threat of mass withdrawal to allow the Power Five conferences autonomy to make come up with their own compensation and safety rules that are far more athlete-friendly than the base NCAA rules. These rules help dramatically with recruiting, and the added autonomy in general gives the Big 12 a more powerful voice in NCAA affairs while providing something of a cushion against the uncertainty that is set to come in the post-*Alston* college sports environment.

The second need is specific to the CFP. As the CFP moves from a four-team playoff to an eight- or 12-team playoff with automatic bids for the top conferences, the Big 12 suspects that the

ACC/Big 10/Pac-12 Alliance may move towards only have themselves and the SEC receive automatic bids in this new arrangement, leaving the Big 12 to fight over the remaining spots with the lower-tier champions and at large teams from the then-four remaining power conferences. The Big 12 would feel much more confident that it can receive an automatic bid in the new system with the SEC backing it within these still nascent conversations.

For these reasons, the Big 12 would be both furious and publicly humiliated if they were kicked from “Power Five” status and want to do everything they can to ensure that does not happen. A competing alliance between the Big 12 and SEC would be ideal to mitigate the likelihood of that disaster scenario. It may be difficult to convince Big 12’s membership to sign off on such an alliance given their still sore feelings about Texas and Oklahoma leaving, but if the conference can get the SEC on board while also extracting numerous concessions for Texas and Oklahoma’s early departure, conference leadership is confident that the member institutions will come around. At the very least, the SEC should commit to both lobby on the Big 12’s behalf in any of these discussions and to vote on their behalf in any resulting votes in order for the Big 12 to be comfortable working with them to allow Texas and Oklahoma any special treatment that deviates from the set departure procedure outlined in the Big 12 bylaws.

Another one of these perks is in scheduling nonconference football games. Of the remaining or incoming Big 12 membership, there are only a few programs that have reached out to Bowersby to express interest in using these negotiations to continue this type of relationship with either Texas or Oklahoma. Each remaining school has signaled to the Big 12 that they would strongly prefer to negotiate games and series with Texas and Oklahoma on their own (if at all), though they did indicate that they would be receptive to the Big 12 at least starting that conversation if it is in the best interests of the conference as a whole.

The strongest interest in this regard clearly comes from Oklahoma State, who’s in-state rivalry with Oklahoma is a major highlight of their schedule for their fans and boosters. Oklahoma State has a strong interest in continuing this relationship, not only for their own direct interests but also because they feel they might be forced into it anyway. Oklahoma State’s leadership has spoken with Oklahoma state legislators who are furious about Oklahoma’s move to the SEC and the resulting loss of what is arguably the most important annual event in the state. Some of these legislators have signaled to Oklahoma State’s leadership that they are working towards potentially offering a bill that would require Oklahoma and Oklahoma State to play each other each year, not

only in football but in every varsity sport where both schools have teams. Such a tactic already worked in Florida, where several decades ago the Florida legislature successfully pressured University of Florida (Florida) and Florida State University (FSU) to agree on their own to an annual series against each other.

Oklahoma State wants to be seen as receptive up-front to this sort of arrangement in the interests of maintaining a good relationship with the Oklahoma legislature. If they are the school seen as unwilling to enter into this seemingly inevitable arrangement, it would not only hurt their leverage with the legislature in creating this series but may also hurt their political standing with the legislature in general. If the Big 12 could use this inevitability as a bargaining chip to get more from Texas, Oklahoma, and the SEC in general, all the better, though Oklahoma State would prefer to keep any series with Oklahoma created by this relationship limited to just a few games if possible—with the more games scheduled at their home stadium in Stillwater, the better.

Beyond Oklahoma State, the only Big 12 programs that have been receptive towards the Big 12 scheduling nonconference matchups with SEC opponents for them are among the four incoming schools. The strongest interest among these programs by far comes from Houston. As they work towards joining a Power Five conference for the first time, Houston wants to be seen as a power within the state on par with not only Texas-based Big 12 members Texas Christian, Texas Tech, and Baylor, but also Texas. Any games between Houston and Texas would be a major win not only for Houston itself but also for the Big 12 as it looks to position Houston as one of the power programs within the state. Having Houston host Texas for a game would be strongly favored, as would any multi-game series that favors Houston home games or neutral site matchups.

But where the SEC's presence in these negotiations (instead of Texas and Oklahoma on their own) can really help the Big 12 is in scheduling nonconference games with other SEC schools. Indeed, Houston has not only targeted Texas as a potential in-state opponent to establish itself but also has eyes on a matchup with SEC member Texas A&M. In fact, Texas A&M would be an even better matchup for Houston to establish itself given the geographic proximity between the two schools. The Big 12 could convince the SEC to cajole Texas A&M into playing a football game or two at Houston would be major win for not only Houston but for the conference to affirm their place alongside the SEC and Texas A&M within East Texas.

An additional nonconference matchup could be scheduled with incoming member UCF. For years, UCF has both privately and publicly tried to coax Florida into scheduling a

nonconference series with them as UCF looked to position their way both into an influential position within the state of Florida and with the CFP. These efforts recently bore fruit as UCF was able to schedule a 2-for-1 series with Florida with two home games for Florida in Gainesville in exchange for one home game for UCF in Orlando. This series—scheduled before the Big 12 extended a membership invitation to UCF—is seen as somewhat embarrassing for the Big 12, the unbalanced nature of the series in favor of the SEC school makes the Big 12 and UCF seem as below the SEC in terms of scheduling power and prestige.

The Big 12 wants very much to use this negotiation as means to balance out the UCF/Florida series or preferably even add multiple UCF home games to unbalance the series in favor of UCF. UCF has agreed to allow the Big 12 to work towards such an arrangement, though they do not want to subtract games from the series (e.g. turn the series into a balanced 1-for-1) or do anything that would cause Florida to back out altogether. Adding neutral site games would be fine, though UCF sees any neutral site game located in Jacksonville as essentially a home game for Florida, given that Gainesville is much closer to Jacksonville than Orlando.

Regardless of how receptive the SEC is to scheduling nonconference matchups, the prospect of setting a bad precedent for future negotiations is still a major fear for the Big 12. If the remaining members know that they can buy out of their commitment to their conference without having to pay the full fare that they agreed to pay to leave, more schools might be incentivized to leave, and the conference cannot have that. Moreover, the conference must come out of these negotiations looking strong, and any agreement that dips below the publicly known buyout fee would signal to the public that they were simply bullied by their former flagship programs into an adverse agreement. For this reason, the Big 12 would strongly disfavor any agreement that has either Texas or Oklahoma pay less than the \$76 million owed under the bylaws.

Ultimately, however, the Big 12 wants it to be known that they are willing to work the SEC, particularly given the power that they do continue to wield within college sports. Still, however, the Big 12 wants to ensure that any deal reached today puts the industry on notice that the Big 12 is still a power player and will not tolerate continued secession from their ranks. They are willing to consider any and all creative solutions that you and/or the SEC might offer that can help all sides resolve this conflict and get Texas and Oklahoma out of the Big 12 quickly, but such solutions should be sufficiently public and embarrassing for Texas, Oklahoma, or the SEC as a whole (or preferably all three) in order to fit the best interests of the Big 12 moving forward.

CONFIDENTIAL FACTS FOR THE SOUTHEASTERN CONFERENCE

The SEC leadership would normally not get involved in such a negotiation and would prefer to simply have Texas and Oklahoma work out this matter with the Big 12 on their own. However, the SEC sees three reasons why it is in their best interest to facilitate this conversation.

First, the conference has a strong interest in having Texas and Oklahoma join the conference as soon and painlessly as possible. The Big 12 radically increased the term and buyout required to leave the conference after Missouri and Texas A&M left for the SEC in 2012, making these negotiations significantly more complex than what had transpired then—and those negotiations had led to threatened legal action by the Big 12 against the SEC. And Texas and Oklahoma are significantly more valued as conference members than Texas A&M and (especially) Missouri were, leading the SEC to believe that the Big 12 will work even harder to ensure that they receive as much as they can from Texas and Oklahoma before allowing them to leave—assuming they are not content to simply letting Texas and Oklahoma wait it out until June 2025 out of sheer spite.

Second, the SEC feels that they have much more to offer as a whole than Texas and Oklahoma can offer on their own. By exploiting the resources and political power of the strongest conference in college sports, the SEC feels confident that they can reach a resolution with the Big 12 much more efficiently than Texas and Oklahoma can ever do in more singular negotiations. Indeed, the SEC also feels that they can gain substantially from these negotiations as well, and in ways that they would not be able to do if they were to stay out of the talks.

All of that leads to the third, and perhaps most important reason why the SEC feels that they need to get involved. Significant change is coming to college football, both due to the *Alston* decision's impact on college athlete compensation and college sports governance as a whole as well as due to impending changes to the governance of the College Football Playoff (CFP).

While the SEC is immensely confident in its own political muscle within the NCAA and CFP, they see the recent move by the Atlantic Coast Conference (ACC), Big 10, and Pac-12 to consolidate their power into an “Alliance” as specifically targeting their own disproportional weight among the Power Five conferences (i.e. the ACC, Big 10, Big 12, Pac 12, and SEC). If the Big 12 remains furious about the SEC's actions in convincing Texas and Oklahoma to jump ship

it could cause trouble for the SEC down the road on critical votes. At the same time, having the Big 12 on their side as much as possible would be of strong interest to the SEC as challenges to the fundamental makeup of college sports continue to manifest and turn into crucial votes.

At the same time, if the Big 12 proves more willing to work with the SEC as the schools anticipate, the conference would be willing to work to protect the Big 12's status as a Power Five conference against attack by the ACC/Big 10/Pac-12 Alliance. Still, if possible, the SEC would prefer to not make any promises regarding a potential automatic bid for the Big 12 in the new CFP system. After all, one less automatic bid for a conference means one more at-large bid for the powerhouses of the SEC to snatch up.

To the SEC, Texas and OU's decision to leave the Big 12 for the SEC makes perfect financial sense—even disregarding the significantly higher prestige value that comes from being part of the SEC. In December 2020, the SEC inked a 10-year, \$3 billion deal with Disney (i.e. ESPN/ABC) for exclusive rights to SEC football and basketball games starting in June 2024, representing a more than five-times increase from their previous flagship rights deal with CBS which paid the conference \$55 million per year alongside a junior agreement with Disney. It is no contest that the SEC offers a much more lucrative arrangement for each school than the Big 12's media rights package with Fox and Disney. While after adding Texas and Oklahoma the current per school distribution of the SEC media rights package will be just a little bit more than the Big 12's distribution at \$40 million per year (as opposed to the Big 12's \$38 million per year), the SEC's per school distribution will jump to \$70 million per year once the new Disney deal starts in June 2024—a \$30 million increase from the Big 12's per school distribution.

In conversations with the presidents of Texas and Oklahoma about these pending negotiations, SEC commissioner Greg Sankey suggested that Texas and Oklahoma can use that increase as additional financial incentive (beyond the \$76 million per school already raised) towards convincing the Big 12 to let them leave early, and both presidents tentatively agreed with that proposal. This means that Texas and Oklahoma could each offer up to \$30 million extra if the Big 12 lets them leave in June 2024 and up to \$2 million extra for each year the Big 12 lets them leave early before that. However, each school has communicated to Sankey that if this is necessary, they would strongly prefer to wait to make these additional buyout payments until after they receive the money from the SEC. If the Big 12 requires up-front payment of all buyout

money, the two schools have strict budgets to consider: Texas can pay up to \$100 million up-front while Oklahoma can only pay up to \$80 million up-front.

The schools have also communicated to Sankey that they would like to make the move as quickly as possible. They are eager to join the SEC's greener pastures as soon as possible, particularly given the changes coming to college football that may serve to decrease the Big 12's stature within the CFP and college sports as a whole. If they can make the move as soon as June 2022 it would represent a best-case scenario, but they acknowledge that it is difficult to imagine that the Big 12 would be willing to play even one season with only eight teams, given that their new members will not be making the move until June 2023. At minimum, however, they refuse to make any additional concessions to the Big 12 beyond the required \$76 million buyout payment if they cannot make the move as soon as June 2024, regardless of any legal threats or intimidation tactics that their old conference may devise.

The SEC is unwilling and unable to make any payments on their own to help ease the transition, refusing to set a precedent in this regard in case they decide to expand further at a later date. However, one area where the SEC feels that it can contribute to the conversation is in exerting its influence, both over its own members and over the CFP and NCAA. The SEC feels that it is likely that the Big 12 would like to retain some key rivalries between Texas and Oklahoma and some of their regional Big 12 counterparts, both for the interests of their schools (in wanting to attract big-name schools in the region) and in their own interests (in wanting to seem to be at a similar level in prestige as the SEC).

For their part, Oklahoma has been the most receptive to this idea, as they feel that it is well within their own interests to continue playing Big 12 member and state rival Oklahoma State on a regular basis. The Bedlam Series is one that never fails to get Oklahoma fans riled up and excited, and season ticket holders have already communicated to the Oklahoma ticket office that they would be disappointed if that series was discontinued. More importantly, Oklahoma has heard rumblings from state politicians of a bill that would mandate a yearly matchup between the two schools if the schools cannot agree to do so on their own, in the same way that the Florida legislature once introduced that would have required the University of Florida (Florida) and Florida State University (FSU) to play each other annually. In Florida's case, legislative pressure causes the two sides to agree to such an arrangement on their own and Oklahoma feels the Oklahoma legislature may look to their Florida counterparts' actions as a model.

In the interests of their in-state political standing, Oklahoma would much rather be seen as receptive up-front to such an arrangement than to be seen having it thrust upon them kicking and screaming. However, they would rather wait and make a yearly arrangement with Oklahoma State directly instead of agreeing to an indefinite annual series now. Agreeing to a simple home-and-home instead (or preferably just one game—ideally at home in Norman) would be plenty to get the state legislature to wait while still giving Oklahoma the ability to negotiate a better deal with Oklahoma State later. Oklahoma would have all the more reason to agree to this if agreeing such a series can be leveraged into lowering the buyout payment down below the required \$76 million.

The nonconference calculus is more complicated for Texas. Unlike the state of Oklahoma—which counts only Oklahoma State among the remaining Big 12 schools—the state of Texas has several schools remaining in the Big 12: Baylor, Texas Christian (TCU), and Texas Tech. Furthermore, one of the schools that the Big 12 will be added in 2023-24—Houston—is located within the state, making for four total schools that Texas would hypothetically have to accommodate if they were compelled to do so by the Big 12.

Given that the SEC only allows for four nonconference games per year (which may drop to three once Texas and Oklahoma are added), having Texas play each of these four teams every year is obviously a nonstarter. Texas would begrudgingly be willing to schedule one-for-one series with these teams it would get the Big 12 to lower the buyout to under \$80 million and let them leave in June 2024. In fact, Texas would even be willing to just play each team at their home stadium once if it would get the Big 12 to lower the buyout to under \$70 million—though such humiliation would require a concession by the Big 12 to let them leave in June 2023. If negotiations get more specific than one game or series per Texas team, Texas would be much more willing to schedule more games (and more away games) with Texas Christian and Texas Tech than they would with Baylor and Houston due to geographic proximity to Austin and the fact that Houston is seen as a much less prestigious program.

The SEC would prefer to keep these conversations limited to Texas and OU but would also be willing to put games between Big 12 schools and some of its other members on the table, if necessary. However, the two most likely targets of the Big 12 for nonconference games would be difficult to reach. The first of these targets is Florida—a publicly known longtime nonconference target for incoming Big 12 member UCF. UCF has for years publicly challenged Florida to a nonconference matchup with little reciprocal interest from Florida. After much cajoling and

negotiation, the two schools did finally recently agree to a series with two home games at Florida in Gainesville for one home game for UCF in Orlando, but Florida was only willing to agree due to that imbalance in home games. Florida is extremely reluctant to disturb that well-fought victory and would certainly not be willing to make the matchup a regular event given that they already such an arrangement with FSU. The SEC is confident that under pressure from the conference Florida would begrudgingly agree to add additional a home game or a neutral site game in Jacksonville (which would effectively be a home game for them), but only if Texas and Oklahoma would agree to give them at least \$5 million of their 2024 media revenue from either Texas or Oklahoma, or a combination of the two. This would lower the amount of media revenue that Texas and Oklahoma would have to be able to increase their buyout payment to the Big 12 to leave early, thus decreasing their overall budgets in these negotiations.

The other likely target of the Big 12 for nonconference scheduling, Texas A&M, is unlikely, to say the least. Texas A&M was persuaded by the SEC to leave the Big 12 in 2012 mostly due to their desire to leave Texas's shadow in the Big 12. The SEC turning around and adding Texas led to significant uproar from Texas A&M and the conference exhausted just about all of their political capital with the school to convince them to sign off in the first place. So unlike with Florida, the SEC has not even bothered approaching Texas A&M about this possibility yet as asking them to now *facilitate* Texas's move by giving up nonconference games would only serve to exacerbate the tension in a significant way. The SEC feels that it would need at least \$20 million in 2024 media revenue (from either Texas or Oklahoma, or a combination of the two) to dangle in front of Texas A&M before they would even think about approaching them. Moreover, the SEC knows that asking Texas A&M to play at nearby Houston—regardless of whether the away game is part of a one-for-one, two-for-one, or twenty-for-one series—is a complete nonstarter.

Ultimately, the SEC would prefer to have this dispute be resolved quietly and efficiently with as little rancor between the two conferences as possible. The SEC does see itself as firmly above the Big 12 in prestige and political prowess, so any arrangement where the two conferences are seen on equal footing would not go over well with Commissioner Sankey and the SEC member schools. Within these parameters, the SEC is willing to consider any and all creative solutions that you and/or the Big 12 might offer that can help all sides resolve this conflict and get Texas and Oklahoma into the SEC as quickly as possible.