

**REMARKS OF DENNIS CURRAN  
SENIOR VICE PRESIDENT, NATIONAL FOOTBALL LEAGUE  
BEFORE THE SUBCOMMITTEE ON  
COMMERCIAL AND ADMINISTRATIVE LAW OF THE  
UNITED STATES CONGRESS HOUSE OF REPRESENTATIVES COMMITTEE ON THE JUDICIARY**

June 26, 2007

Chairwoman Sanchez, Congressman Cannon and Members of the Committee:

Good afternoon. My name is Dennis Curran. I am a Senior Vice President of the National Football League, where I have been employed for the past 27 years. Since 1982 I have been the lead negotiator for the National Football League with respect to player benefits. In that capacity, I have supervised the development and implementation of a comprehensive range of player benefits which were negotiated over a series of Collective Bargaining Agreements. On behalf of Commissioner Goodell and the NFL, I am pleased to have the opportunity to discuss our efforts to provide benefits for our current and former players.

Without question, the NFL is proud of the wide variety of post-career benefits available to our players. Players with as little as three years' service are guaranteed benefits for the remainder of their lives. Looking across any industry, the quality and breadth of this commitment is virtually unmatched.

Additionally, our history shows that new benefits have been added and existing benefits have been improved on a routine basis. As examples, in 1982, when I first began attending meetings for the Bert Bell/Pete Rozelle Retirement Plan ("Retirement Plan"), the trust had approximately \$88 million in funding – it now totals \$1.1 billion. The Retirement Plan is the cornerstone of the League's benefit program for players, providing retirement, disability, and death benefits. Since 1993, the Retirement Plan has been supplemented by other plans that provide additional retirement and disability payments. In 1982, players who played before 1959 had no retirement benefits. They now receive benefits as participants in the Retirement Plan. In addition, the number of years that a player has to play in order to qualify for a retirement benefit has been reduced from five years to three years. Since 1982, the benefit for a player who became totally and permanently disabled because of a football injury within 15 years after he left football has increased from roughly \$9,000 to \$110,000 per year. In 2006 alone, the Clubs contributed \$126 million to the Retirement Plan. Over the next six years, the Clubs' obligation will be in excess of \$700 million. Last year, the plans distributed more than \$55 million in pensions to former players, and approximately \$20 million in disability payments.

Mr. Ell has furnished an informative and detailed description of our benefit plans, so I will not burden the Committee by repeating it, but a listing of some of the post-career benefits available to former players will illustrate the comprehensive structure created by the NFL and the NFLPA:

- Tuition Reimbursement (up to \$15,000 per year through 3 years after leaving the NFL)
- Injury Protection (up to \$275,000 for the season following a significant football injury)
- Severance Pay (a payment of \$12,500 per year of service after leaving the NFL)
- Continuing Family Health Insurance (for five years after retirement)
- Health Reimbursement Account (up to \$300,000 for use after insurance coverage ends)
- Player Annuity Plan (contributions of \$65,000 per year of service payable at age 35)
- Second Career Savings Plan (a 401(k) plan with a 2:1 NFL match payable at age 45)
- Pension (a defined benefit based on years of service, not salary, payable at age 55)
- “88” Plan (up to \$88,000 per year for former players with dementia)
- Disability
  - Active Football (Total & Permanent) \$224,000/yr.
  - Active Nonfootball (Total & Permanent) \$134,000/yr.
  - Football Degenerative (Total & Permanent) \$110,000/yr.
  - Inactive (Total & Permanent) \$21,000/yr. minimum
  - Line of Duty (Partial) \$18,000/yr. minimum

As you can see, many of these benefits are available to a player, either as a result of leaving football or upon reaching a specified age. Others, however, require an application process sufficient to demonstrate eligibility, as required by law, in order to protect the plan’s assets for all participants. With respect to this latter group, some have recently expressed concerns regarding the amount of “red tape” in the disability benefit process. In order to provide the Committee with a clear picture, it is important that such misconceptions be addressed.

Retirement Plan distributions are overseen by six voting members of the Retirement Board, none of whom are current players. The Retirement Board must apply the standards set through collective bargaining and ensure that eligible players receive pension; that qualified players receive disability benefits, and that nonqualified players do not. As fiduciaries, the trustees are obligated to review each application carefully with respect to medical and other information. In accordance with Department of Labor regulations, the initial determination must be made within 45 days of receiving the completed application. If there is an adverse determination, the player then has 6 months to file an appeal to the Retirement Board. On occasion, the Retirement Board may enlist the expertise of one of the Medical Advisory Physicians to review the application and issue a binding medical opinion.

While this process may seem lengthy at times, the review period is absolutely necessary to ensure that the Retirement Plan follows all applicable federal rules and regulations for processing applications and that only those persons who qualify for the benefits receive them. Nevertheless, the length of the process does not result in a loss of any benefits to which the player is entitled. Regardless of when the process is completed, benefits can commence up to 42 months prior to the date the application is received by the Retirement Plan, depending on when the qualifying disability has arisen.

Understanding the necessity of the process, the NFL and the NFLPA all the same continue to search for ways to streamline the application process. For example, we have recently agreed that former players who have qualified for a disability under the Social

Security system will have that determination adopted by the Plan without requiring a new medical review. We will also look to adopt other relevant provisions of the Social Security qualification system that may clarify medical determinations or speed up the process without compromising eligibility or violating Department of Labor regulations. Rest assured, our paramount interest is to ensure that every application, in the fastest manner possible, receives the needed review for a correct decision.

As a final point, it is important to emphasize that the NFL and the NFLPA have not limited their efforts to assist players in need solely to the benefits negotiated through collective bargaining. On the contrary, we have created a number of other resources to aid players who do not fall in to a negotiated disability category or whose needs are not medical in nature. The Players Assistance Trust, the Dire Need Fund, NFL Charities and the Pro Football Hall of Fame Enshrinees Assistance Foundation have helped countless players with a variety of financial needs. To improve coordination of these efforts, we have formed an alliance of these funds to both coordinate distribution and to explore coverage for medical procedures needed by former players not currently receiving medical care. We firmly believe that this alliance will enable us to provide assistance to more players more efficiently.

Thank you again for providing the NFL with the opportunity to address the Committee and I am happy to take any questions you may have.