

The Advocacy and Corrective Strategies of the National Football League: Addressing Concussions and Player Safety

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Abstract

The issue of player safety in the National Football League (NFL) reached a heightened level of prominence when more than 4500 former players sued the league claiming that football was the cause of their long-term health conditions. Although a settlement was reached in 2013 for a reported \$765 million, the resolution of a legal case does not absolve an organization from public judgment or mean that policies do not need to be implemented to address the problem. A response is necessary because some responsibility for the problem is being attributed to the NFL. This article examines the advocacy role of the NFL in implementing corrective actions to address the problem. The NFL has implemented a comprehensive corrective action strategy in three areas: (1) making the current NFL game safer, (2) investing in research on concussion and brain injury science, and (3) developing and implementing youth football education and training programs.

Introduction

The issue of concussions, traumatic brain injury, and overall player safety in the National Football League (NFL) reached a heightened level of prominence in 2013 when the league settled a lawsuit involving more than 4500 former players for a reported \$765 million (Futterman & Clark, 2013). In the lawsuit the players claimed that football was the cause of their suffering from many long-term health conditions. Accusations toward the NFL included the league minimizing the impact of playing football on long-term health conditions, that the league had faulty policies in diagnosing and treating concussions, that the league produced misleading science to deliberately minimize the scope of the problem, and that the league marketed the game in way that highlighted its physical nature. These accusations along with profiles of former NFL players deteriorating cognitive functions were detailed in 2013 in a PBS' *Frontline* documentary based on reporting in the highly publicized book *League of Denial: The NFL, Concussions, and the Battle for Truth*. Other media outlets, such as HBO's *Real Sports*, ESPN's *Outside the Lines*, and *Sports Illustrated*, have also chronicled former players with failing health conditions.

The conflict has created public relations scrutiny and potential business concerns for the NFL. The resolution of a legal case does not absolve an organization from public judgment or mean that policies do not need to be implemented to address the problem. A response is necessary because some responsibility for the occurrence of the problem is being attributed to the organization (e.g., Benoit, 1995, 2000; Len-Rios & Benoit, 2004), in this instance the NFL. In that light, this article will examine the actions that the NFL is taking to address the issue of concussions and player safety.

The concept of advocacy is for the organization to be proactive in addressing a problem. One advocacy approach identified by several researchers is for an organization to take corrective action, implementing steps to address the problem (e.g., Benoit, 1995, Coombs, 1999, 2006; Dutta & Pullig, 2011). In its advocacy approach the NFL has implemented a comprehensive corrective action strategy in three areas: (1) making the current NFL game safer, including new sideline protocols for when a player has a concussion, (2) investing in research on concussion and brain injury science, and (3) developing and implementing youth football education and training programs designed to ensure kids learn to play football using the proper techniques for blocking and tackling that take the head out of the game.

The implementation of corrective action that addresses the problem allows the organization to communicate a positive message. The advocacy of corrective action emanates from a larger philosophy that the actions of the organization and the communication of these actions can persuade media coverage in the most positive light, which could ultimately positively influence public opinion (e.g., Benoit, 1995; McCombs, Shaw, & Weaver, 1997; Phau & Wan, 2006). From a communication standpoint the importance of advocacy in a conflict management situation is that an information vacuum presents itself, creating a need for the organization to provide its perspective. If the organization is not providing its perspective of the situation others could fill the vacuum with speculation, misinformation, or information that is detrimental to the organization (e.g., Coombs, 2006).

The importance of advocacy and corrective action on the part of the NFL is exacerbated in this specific conflict because the problem of player safety needing to be addressed is at the core of the brand's activities, the impact of the collisions that come from playing football. The problem of player safety is also perpetual and cannot ever be completely solved as football remains a physical, violent sport. The problem still must be managed with scrutiny toward the league that it has not properly addressed the issue and questions of how it will address the issue moving forward potentially creating business concerns. How the NFL addresses the specific risk that its game is contributing to long-term traumatic brain injury and player safety overall thus becomes an interesting area of inquiry. Roger Goodell, NFL Commissioner, stated, "as a league, we have an unwavering commitment to player health and making our game safer at all levels. This is, and will remain, our top priority" (NFL Press Release, October 4, 2013).

Literature Review

Several streams of research enlighten as to the necessity of a strategic approach for the NFL to address the problem of player safety. A response is necessary because some responsibility for the occurrence of the problem is being attributed to the organization (e.g., Benoit, 1995, 2000; Len-Rios & Benoit, 2004). In this case the NFL needs to address the long-term health of its former players that is the result of the impact of collisions that come from playing the game of football.

A response in this instance is heightened because the organization has to deal with a problem that is at the core of the brand's activities (e.g., Fortunato, 2011). Especially in these instances when the problem is at the core of the brand's activities the organization has to make critical strategic policy decisions and develop communication strategies for

addressing the problem. Strategies are necessary to explain not only what are the facts of the situation, but provide a feeling that steps are being taken to help ensure that similar situations will not happen again (e.g., Dutta & Pullig, 2011; Fortunato, 2008). The actions that the organization takes in dealing with the situation and how it communicatively responds during these times could drastically diminish the harm if managed properly or significantly increase the harm if mismanaged (e.g., Benson, 1988). Dutta and Pullig (2011) claim the response will help determine long-term consumer confidence toward the brand.

Response Strategies

Researchers have provided strategic response possibilities and have explained the importance of an organization implementing corrective action measures (e.g., Benoit, 1995; Coombs, 1999, 2006; Dutta & Pullig, 2011, Reid, 2013; Robitaille, 2011; Ulmer, Sellnow, & Seeger, 2011). Robitaille (2011) explains that although corrective action involves a commitment of money, time, and effort, through thoughtful deliberation and responsible planning these investments can lead to positive market outcomes. Reid (2013) does acknowledge that a lack of resources could be problematic for the organization trying to overcome the situation. He states, “the right solution is usually determined by considering the cost and resources required, and the time available to find the best solution” (p. 46). Reid (2013) makes a critical distinction between containment, implementing temporary measures that curtail the situation but do not necessarily completely solve the problem, and corrective action, the purpose of which is to “prevent the recurrence of the problem” with actions “ranging from incremental changes to innovative solutions” (p. 46). He adds that it is imperative to verify the effectiveness of corrective actions implemented.

The theory of image restoration attributed to Benoit (1995) focuses on corrective action as one of the most beneficial strategic options to address a crisis. Benoit (1995) posits that communication is goal driven and designed to maintain a positive reputation and repair a tattered image. Through the theory of image restoration he identifies a series of general defense strategies that the organization can implement. An organization can engage in corrective action by implementing steps to solve the problem and prevent a repeat of the crisis (e.g., Benoit, 1995; Len-Rios & Benoit, 2004). An organization can also implement a mortification strategy, where the organization accepts responsibility for the act and apologizes (e.g., Benoit, 1995; Len-Rios & Benoit, 2004).

Other strategies identified by Benoit (1995) include a denial strategy that the crisis even occurred, an evasion of responsibility strategy, where the organization attempts to reduce responsibility for the crisis by claiming it did not have the ability to prevent the crisis, or an ingratiation strategy where the organization tries to reduce the offensiveness of the act by reinforcing its good traits. The ingratiation strategy tries to create a more complete context with which the organization should be evaluated. It is important to point out often not one singular strategy is implemented, but several response actions and communication initiatives occur simultaneously (e.g., Fortunato, 2008).

Coombs (1999, 2006) characterizes crisis response strategies by their level of acceptance by critical stakeholders. He identifies a full apology, where the organization takes responsibility for the crisis and requests forgiveness, as having very high

acceptance. According to Coombs (1999, 2006) there is high acceptance for corrective action, where the organization conveys a notion that actions are being taken to prevent a recurrence of the crisis. Coombs (2011) clearly emphasizes the need for corrective action as part of the overall response strategy, stating, “organizations have been considered negligent if they did not take reasonable action to reduce or eliminate known or reasonably foreseeable risks that could result in harm” (p. 16). Denial that the crisis even occurred or attacking the accuser, where the organization confronts the entity that is claiming there is a crisis, both have no acceptance. All other responses have mild acceptance according to Coombs (1999, 2006).

In stressing the need for corrective action Dutta and Pullig (2011) claim that organizational conflicts can be either performance-related, reducing the brand’s ability to deliver its functional benefits, or values-related, involving social or ethical issues confronting the organization rather than directly involving the product itself. They indicate that “functional benefits are more important to brand satisfaction than symbolic benefits” (p. 1282). Keller (2005) contends that functional benefits place the brand among the competition as it is difficult for a brand to overcome poor product performance. He does point out that values-related benefits can be helpful in brand positioning and differentiation. Dutta and Pullig (2011) are unequivocal that corrective action is the most effective response for performance-related issues. They explain that “in corrective action, a firm accepts responsibility and promises remedial and possibly preventive action” (p. 1282). They claim for a values-related issue there is benefit for both corrective action and reduction-of-offensiveness response strategies.

Ulmer, Sellnow, and Seeger (2011) stress that crisis situations present threats to an organization’s goals, while simultaneously offering the organization growth and learning opportunities. They argue that organizations must have a prospective versus retrospective vision, emphasizing that they “learn from their mistakes, infuse their communication with bold optimism, and stress rebuilding rather than issues of blame or fault” (p. 18). This learning ideally will help the organization “ensure that it will not experience a similar crisis in the future” (p. 18). Through corrective action some argue that a crisis presents an opportunity for the organization to emerge as a leader on the issue (e.g., Fortunato, 2008; Reid, 2013; Robitaille, 2011; Ulmer, et. al., 2011).

The implementation of corrective action allows for the organization to communicate a positive message (e.g., Fortunato, 2008; Reid, 2013). The advocacy of corrective action emanates from a larger philosophy that the actions of the organization and the communication of these actions can persuade media coverage in the most positive light, which could ultimately positively influence public opinion (e.g., Benoit, 1995; McCombs, et. al., 1997; Phau & Wan, 2006).

From a communication standpoint the importance of proactive advocacy in a conflict management situation is that an information vacuum presents itself. With this vacuum formed there is a need for the organization to provide a quick response to the situation and present its perspective (e.g., Coombs, 2006). If the organization is not providing its perspective of the situation others could fill the vacuum with speculation, misinformation, or information that is detrimental to the organization. Coombs (2006) explains, “a quick response is an active response because it tries to fill the vacuum with facts. A slow response allows others to fill the vacuum with speculation and/or

misinformation. Those others could be ill informed or could use the opportunity to attack the organization” (p. 172).

One of the mitigating factors in evaluating the public response to a conflict situation is the popularity of the brand and its products. Ahluwalia, Burnkrant, and Rao (2000) point out that consumer commitment to the brand is an important concept in evaluating the success of a crisis response. In this case the popularity of the NFL is certainly a factor in how people will respond to the league’s handling of the issue of player safety. Several researchers explain that experiencing sports has been shown to provide emotional satisfaction (e.g., Earnheart, Haridakis, & Hugenberg, 2012; Tutko, 1989; Wann, Royalty, & Roberts, 2000). Because experiencing sports can satisfy emotional needs, the sports audience has been described as very loyal which results in consistent and enduring behaviors, including attendance, watching games on television, and participation in other media forms (e.g., Funk & James, 2001; Wann, et. al., 2000). Because of their emotional satisfaction and loyalty fans tend to react differently to sports scandals (e.g., Fink, Parker, Brett, & Higgins, 2009; Lee, Bang, & Lee, 2013).

Method

To learn of the NFL’s perspective on how it is handling the issue of concussions, traumatic brain injury, and overall player safety the actions and communication emanating from the league are examined. Studying the actions and communication emanating from the organization to ascertain its perspective of an issue has been done in previous research (e.g., Basil & Erlandson, 2008; Cho & Benoit, 2005; Choi, 2012; Dawkins, 2004; Deri, 2006; Fortunato, 2008; Golob & Bartlett, 2007; Reber & Berger, 2005). Several of these researchers use a singular document put forth by an organization that explains how it is handling a certain issue as the primary focus of analysis. For example, researchers have used the corporate social responsibility report of a company as the focus of analysis (e.g., Basil & Erlandson, 2008; Dawkins, 2004; Deri, 2006; Golob & Bartlett, 2007). Deri (2006) highlights that the company reports respond to desires for greater transparency in the interest of gaining trust and reducing criticism about the company’s conduct.

The primary communication from the NFL detailing all that the league is doing regarding player safety is its annual Health and Safety Report. This report will be a focus of analysis for this article. Jeff Miller, NFL senior vice president of health and safety policy, explained the goal of the report is to “inform the public about the work that is being done at the league level and to make our game and sport safer” (NFL Press Release, September 25, 2013). The Health and Safety Report is available on the NFL’s web site dedicated to football safety, www.nflevolution.com/healthandsafetyreport/.

The rationale behind this research approach is that studying the actions and communication emanating from the NFL itself allows for best learning the league’s strategic perspective. If implementation and communication of corrective action measures are needed in addressing a conflict as argued by several researchers (e.g., Benoit, 1995; Coombs, 1999, 2006; Dutta & Pullig, 2011, Reid, 2013; Robitaille, 2011; Ulmer, et. al., 2011), there must be some description of the NFL’s strategy. These corrective action strategies of the NFL can then be analyzed in comparison to the best practices identified in the literature. In this study describing the actions and

communication of the NFL is important because it helps align theoretical claims with practical techniques and lends insight into several areas of study, such as advocacy strategies, corrective strategies, image repair strategies, conflict management, and brand management.

Findings

The Lawsuit

In 2012, more than 4500 former players initiated a lawsuit against the NFL claiming that football was the cause of their long-term health conditions. The long-form complaint filed in the Eastern District Court in Philadelphia on July 17, 2012, explained that the lawsuit “arises from the pathological and debilitating effects of mild traumatic brain injuries (MTBI) caused by the concussive and sub-concussive impacts that have affected former professional football players in the NFL” (Complaint, p. 1). The complaint accused the league of having a role in minimizing the impact of playing football on these health conditions. The complaint alleged “the NFL, as the organizer, marketer, and face of the most popular sport in the United States, in which MTBI is a regular occurrence and in which players are at risk for MTBI, was aware of the evidence and the risks associated with repetitive traumatic brain injuries virtually at the inception, but deliberately ignored and actively concealed the information” (Complaint, p. 1). The complaint noted that the NFL’s marketing highlighted “the ferocity and brutality of the sport” (Complaint, p. 5). Finally, the players alleged that the NFL’s research and the promotion of its findings was misleading, arguing, “the NFL made its biased and falsified position known by way of gratuitous press releases, publications in scientific literature, and other communications” (Complaint, p. 5).

The NFL attempted to get the case dismissed by arguing that issues of player safety were covered in the collective-bargaining agreement between the league and its players (Kaplan, 2012). United States District Court Judge Anita Brody, however, ordered mediation between the league and the players involved in the lawsuit. In ordering the mediation process, journalists Steve Fainaru and Mark Fainaru-Wada (2013) detailed how the judge pressured both sides to reach a settlement. They reported that Judge Brody pressured the players by indicating that the bulk of their case was in danger of being dismissed. She simultaneously pressured the NFL that continuing with the lawsuit could involve the league having to disclose information regarding what it knew about concussions and the continuing public relations damage that would occur throughout the duration of a trial. Fainaru and Fainaru-Wada (2013) claimed that the players initially requested a settlement of more than \$2 billion.

On August 29, 2013, the NFL and the players settled the lawsuit for a reported \$765 million. The settlement included \$75 million for baseline medical exams for former players and \$10 million for medical research (Futterman & Clark, 2013; NFL press release, August 30, 2013). The settlement made all former players, not only those who were part of the lawsuit, eligible for money. Payments would be capped at \$5 million for the players suffering from Alzheimer’s disease, \$4 million for those diagnosed after their death with a brain condition, and \$3 million for players suffering from dementia (NFL press release, August 30, 2013). The NFL did not have to admit any guilt in the settlement (Futterman & Clark, 2013).

Layn Phillips, former U.S. District Court judge who served as the mediator in the case, commented that the settlement provided “relief and support where it is needed at a time when it is most needed” (Futterman & Clark, 2013). Christopher Seeger, the players’ lead attorney, added the settlement provided “help quickly to the men who suffered neurological injuries. It will do so faster and at far less cost, both financially and emotionally, than could have ever been accomplished by continuing to litigate” (Futterman & Clark, 2013). Kevin Mawae, a 12-year veteran offensive lineman and former president of the NFL Players’ Association, however, argued that “basically for the cost of its least valuable team, the NFL was able to remove a huge monkey off its back. But even worse than the money, it’s that they don’t have to admit guilt and the players will never be able to know the information that the league knew about the issue” (Futterman & Clark, 2013). Roger Goodell, NFL Commissioner, commented on the settlement, stating, “we were able to find a common ground to be able to get the relief to the players and their families now rather than spending years litigating when those benefits wouldn’t go the players.” Goodell added, “this is a significant amount of money and the plaintiffs also believed it was an appropriate amount. The mediator felt it was an appropriate amount. It’s a tremendous amount of money that we think is going to go to the right purpose, which is helping players and their families” (Begley, 2013).

In the settlement the NFL will pay half the total amount within the first three years, but then has seventeen years to pay off the rest of the settlement. The total cost of the settlement amounts to approximately \$24 million for each franchise, or \$1.2 million per year. In comparison to the NFL’s revenues this monetary settlement amount is not significant. Some reports estimate that the NFL earned \$10 billion in 2013 (Futterman & Clark, 2013; Kaplan, 2013). To further illustrate the prosperous economic future for the NFL, in 2011 the league reached an extension of its broadcast contracts that will pay the league close to \$6 billion annually through 2022 (*Street & Smith’s Sports Business Journal*, 2012). The league has also been strategizing to have the teams, and not the league itself, make the settlement payments so that each team could account for the payment as a tax-deductible business expense (Kaplan, 2013). Finally, any players receiving payment as part of the NFL case settlement would give up their rights to sue the NCAA regarding culpability on issues of player safety (Kaplan, 2014).

Media Scrutiny

Hopwood (2007) states, “the attention of today’s media is always drawn towards anything controversial and negative” (p. 295). The lawsuit settlement did not end the issue for the NFL. The issue of player safety continued to receive intense media scrutiny. The NFL’s role in minimizing the impact of playing football on these health conditions was most notably highlighted in 2013 in a PBS’ *Frontline* documentary based on reporting in the highly publicized book *League of Denial: The NFL, Concussions, and the Battle for Truth* by authors Steve Fainaru and Mark Fainaru-Wada.

The *Frontline* documentary aired on October 8, 2013, but without the cooperation of the NFL or an appearance by Roger Goodell and other NFL executives. Doctors who had advised the league on the issue of concussions were allowed to decide for themselves if they wanted to participate in the documentary (Sandomir, 2013). Jeff Miller, NFL senior vice president of health and safety, commented in a statement in response to the media

scrutiny that the league is a “leader in addressing the issue of head injuries” and “by any standard the NFL has made a profound commitment to the health and safety of its players that can be seen in every aspect of the game, and the results have been both meaningful and measurable” (Mihoces, 2013b).

The *Frontline* investigation was originally through a partnership with ESPN. The NFL faced further scrutiny when ESPN pulled itself out of the production of the *Frontline* documentary (Miller & Belson, 2013; Sandomir, 2013). As a major broadcast rights holder for the NFL, paying the league an estimated \$1.9 billion per year (*Street & Smith's Sports Business Journal*, 2012), speculation was that the NFL pressured ESPN into opting out of the project. At the very least speculation was that ESPN chose to pull out as to not jeopardize a relationship with the most prominent sports league in America (Miller & Belson, 2013; Sandomir, 2013).

The decision by ESPN to remove its name, logo, and credit from the PBS documentary came after a lunch that included Roger Goodell, John Skipper, ESPN president, and John Wildhack, ESPN executive vice president for production (Miller & Belson, 2013). ESPN claimed its decision to remove itself from the *Frontline* program was due to a lack of editorial control. ESPN released a statement that explained “because ESPN is neither producing nor exercising editorial control over the *Frontline* documentaries, there will be no co-branding involving ESPN on the documentaries or their marketing materials. The use of ESPN’s marks could incorrectly imply that we have editorial control” (Sandomir, 2013). Raney Aronson-Rath, deputy executive producer of *Frontline*, claimed that ESPN was aware that *Frontline* would have editorial control over the content in the documentary and its web site, while ESPN would maintain control of the content put on its network and its web site (Sandomir, 2013).

ESPN did point out that its *Outside the Lines* program had featured the issue of concussions and player safety on nine occasions, including the August 18, 2013, program that strongly questioned the qualifications and the research of Dr. Elliot Pellman, former chairman of the NFL’s Traumatic Brain Injury Committee. ESPN also cited that Steve Fainaru and Mark Fainaru-Wada, the authors of the book in which the *Frontline* documentary was based, were both ESPN employees. The authors did state that they had never been asked to alter their reporting (Miller & Belson, 2013). They also appeared on several ESPN platforms to promote the book and the *Frontline* documentary in the week of its airing.

NFL Strategy: Corrective Action Policies and Initiatives

The resolution of a legal case does not absolve an organization from public judgment or mean that policies do not need to be implemented to address the problem. As several researchers indicate corrective action steps must be taken (e.g., Benoit, 1995; Coombs, 1999, 2006; Dutta & Pullig, 2011; Reid, 2013; Robitaille, 2011; Ulmer, et. al., 2011). The NFL has undertaken a comprehensive corrective action strategy that involves three areas: (1) making the current NFL game safer, (2) investing in research on concussion and brain injury science, and (3) developing and implementing youth football education and training programs.

NFL Game Safety

The NFL has changed several rules to enhance player safety as well as its sideline protocols for evaluating concussions. The kickoff was moved from the 30 yard line to the 35 yard line to increase touchbacks and decrease high speed collisions. In 2011, the first year that the kickoff was moved, kickoff returns fell by 32 percent. Rich McKay, president of the Atlanta Falcons and chairman of the NFL's competition committee, stated, "that rule change was 100 percent focused on safety" (Mihoces, 2012). Largely due to this one rule change in 2011, according to the NFL, total concussions in the game dropped 12.5 percent (Mihoces, 2012). Reid (2013) emphasizes the importance of verifying that corrective actions are proving to be effective.

The identification of a "defenseless player" has been expanded. Defenseless players included kickers, punters, and long-snappers. Under the expanded definition a wide receiver who has made a catch is considered a defenseless player until he has time to protect himself. Quarterbacks are protected against any hits to the head or neck area. Hits delivered to defenseless players or quarterbacks result in penalties and fines. These fines are more extensive for hits to the player's head and neck area. For the 2013 season it became a penalty for players, including running backs, to initiate contact with the crown of their helmet outside of the tackle box. In 2013, wearing protective thigh pads and knee equipment became mandatory (www.nflevolution.com/healthandsafetyreport, p. 42).

Although these rules were meant to protect players, several of them disapproved of the changes. Regarding moving the kickoff, New York Giants return specialist Jerrel Jernigan stated, "you can understand where they're coming from; they're trying to prevent injuries, but it's football. We need to move it back and bring the excitement back to the game" (Mihoces, 2012). Matt Forte, Chicago Bears running back, offered his opinion on not being able to use the crown of the helmet, commenting "it might be the most absurd suggestion for a rule change that I've ever heard" (Bell, 2013). Retired running back Jerome Bettis stated, "the problem is that you lower your head when you lower your shoulder. That's how you protect yourself. If you run exposed, you're going to get hurt." He added, "I applaud trying to make the game safer, but at some point, the game's got to be the game" (Bell, 2013).

Finally, through the Collective Bargaining Agreement changes were made regarding how concussions are diagnosed, treated, and how determinations are made as to when a player can return to the field. Players will have to pass a series of tests on the sideline during a game or during the week after leaving the game because of a concussion diagnosis before being cleared to play. Teams are required to use an electronic tablet with an application that has a step-by-step checklist of protocols and the injured player's baseline concussion tests. In 2013, each team would have its medical staff supported by an independent neuro-trauma consultant on the sideline. Additional trainers also now view the game from an in-stadium booth to try to detect player behavior which might signify he has concussion symptoms. Even NFL referees are encouraged to notice if a player needs to be medically evaluated (www.nflevolution.com/healthandsafetyreport, pp. 42-43).

Investments in Concussion and Brain Injury Science Research

The NFL has invested millions of dollars in research initiatives to study concussion and brain injury science. The NFL in partnership with General Electric, a leader in medical imaging, and Under Armour, an innovator of performance equipment, created the Head Health Initiative. The program has two components. The first is a four-year, \$40 million research grant to develop imaging technologies that will improve diagnosis, outcome prediction, and targeted therapy treatment for patients with traumatic brain injury. The research will be guided by an independent advisory board consisting of medical specialists from sports leagues, universities, and the military (www.nflevolution.com/healthandsafetyreport, p. 18).

The second component is the Head Health Challenge. This program is a two-year, \$20 million commitment. Two challenges were created in which proposals were submitted to win part of the total \$10 million annual award. The first challenge launched in March 2013 focused on methods of diagnosing traumatic brain injury. In January, 2014, sixteen organizations received a \$300,000 award out of more than 400 entries from 27 countries. The second challenge launched in September 2013 focused on innovative approaches for better protecting the brain from injury and tracking head impacts in real time (www.nflevolution.com/healthandsafetyreport, p. 18). NFL Commissioner Roger Goodell explained, "we are very pleased to have Under Armour join our work with GE to help accelerate progress and find better ways to protect the brain from injury. This is a perfect example of our shared commitment to making the culture of sports better and safer -- especially for young athletes" (NFL Press Release, September 6, 2013).

The NFL also gave the league's largest ever single donation through a five-year, \$30 million grant to the National Institutes of Health for independent research on concussion and brain injury science. The focus of this research is to develop a better understanding of chronic traumatic encephalopathy and traumatic brain injury through the development of enhanced neuro-imaging tools as well as comparing the effects of repetitive traumatic events and single events (www.nflevolution.com/healthandsafetyreport, p. 23).

Youth Football Education and Training Programs

The NFL is concerned that there has been a drop in youth football participation (D'Allesandro, 2013; Maese, 2012; Mihoces, 2013a). This is especially important in light of research indicating that playing the sport helps increase the interest in that sport (e.g., Rein, Kotler, & Shields, 2006; Tutko, 1989). These youths are not only the NFL's future players, they are very much the NFL's future customers. Educational and training programs have been developed and implemented for youth football leagues designed to teach kids the proper techniques for blocking and tackling. Roger Goodell, NFL Commissioner, stated, "it's important to teach the right fundamentals at the earliest ages. That stays with them throughout their careers, whether it ends in the NFL or whether it ends in college or high school. It's important for what we do on the NFL level to do it right, to have the proper techniques" (Maese, 2012).

The largest educational and training initiative is in collaboration with USA Football, the official youth development partner of the NFL. The "Heads Up Football" initiative was launched in April 2013 with the main objective "to improve player safety at the

youth level by focusing on proper tackling technique and taking the head out of the game” (www.nflevolution.com/healthandsafetyreport, p. 34). The elements of the program are to teach players to keep their heads up and out of the line of contact, train coaches to properly teach the game’s fundamentals, train coaches on concussion-related protocols, train coaches about proper helmet and shoulder pad fitting, and teach coaches and players about proper hydration.

The program is explained on the web site, www.usafootball.com. At the web site youth leagues could sign up to participate. In its first year, the program had more than 2,800 youth leagues and 90,000 coaches participate. The Heads Up Football program has been endorsed by the Pop Warner organization, the country’s largest running youth football organization. All 1,300 Pop Warner leagues will participate in the Heads Up Football Program reaching almost 600,000 youth players.

Finally, the NFL supported legislation that has been adopted in 48 states that governs when kids can return to play after having a concussion. The movement has been led by the family of Zackery Lystedt, a youth player who suffered significant brain injury when returning to play in a middle-school football game after sustaining a concussion. The laws have three components that focus on a simple concept, “when in doubt, sit them out”: (1) athletes, parents, and coaches must be educated about the danger of concussions every year, (2) if a player is suspected of having a concussion, he or she must be removed from the game or practice, and (3) a licensed health care professional must clear the player to return (www.nflevolution.com/healthandsafetyreport, p. 32).

Discussion

The NFL remains incredibly popular and its annual revenue exceeds \$10 billion (Futterman & Clark, 2013). Still there are certainly potential business implications surrounding the issue of concussions and player safety. The NFL is concerned about the decline in youth football participation and the public relations scrutiny of several former players publicly disclosing some of the severe health problems they are confronting. Although the NFL reached a settlement with its former players for a reported \$765 million, the resolution of a legal case does not absolve an organization from public judgment or mean that policies do not need to be implemented to address the problem. New policies are especially important in this instance because the problem is at the core of the brand’s activities, the physical nature of playing football. A response is also necessary because some responsibility for the occurrence of the problem is being attributed to the organization (e.g., Benoit, 1995, 2000; Len-Rios & Benoit, 2004), in this instance the NFL.

Researchers are unequivocal that corrective action measures that address the problem need to be implemented and communicated (e.g., Benoit, 1995; Coombs, 1999, 2006; Dutta & Pullig, 2011, Reid, 2013; Robitaille, 2011; Ulmer, et. al., 2011). In that light, the NFL implemented a comprehensive corrective action strategy in three areas: (1) making the current NFL game safer, (2) investing in research on concussion and brain injury science, and (3) developing and implementing youth football educational and training programs. This advocacy approach of the NFL engaging and investing in corrective action does align with best practices as defined in the academic literature for an organization confronted with a conflict.

By implementing and investing in corrective action measures the NFL has a positive message to communicate. As the literature indicates, during a crisis an information vacuum forms (e.g., Coombs, 2006). By communicating about its new policies the NFL is able to fill that information vacuum and convey the notion that it understands the magnitude of the problem and that corrective actions are being taken to address the problem. To facilitate communication about its actions the NFL makes its annual Health and Safety Report available online. In communicating about its efforts the NFL creates a more complete context in which it should be evaluated in terms of the issue of concussions, traumatic brain injury, and overall player safety. The NFL is thus also implementing an ingratiation strategy as defined by Benoit. In fact, through the implementation of these initiatives the NFL is very much trying to emerge as a leader in addressing the problem. This strategy has been used by other organizations when responding to a conflict (e.g., Fortunato, 2008; Reid, 2013; Robitaille, 2011; Ulmer, et. al., 2011).

Studying the NFL's response to the issue of concussions and player safety provides an example of an organization executing theoretical concepts in a practical situation. While there might be some variation as to how to respond to a particular crisis, there is consensus about the importance of some response during these situations with an emphasis that the response includes corrective action measures. It must be noted that the corrective action measures of an organization are only one of the variables that determine consumer behavior. Ahluwalia et. al. (2000) point out that audience loyalty toward a brand remains a factor in determining consumer behavior. In this specific case many fans are still going to watch and attend NFL games regardless of the league's actions. However, an organization such as the NFL not contributing some of its resources to address the problem of player safety would certainly be reason for criticism.

References

- Ahluwalia, R., Burnkrant, R.E., & Rao, U.H. (2000). Consumer response to negative publicity: The moderating role of commitment. *Journal of Marketing Research*, 37(2), 203-215.
- Basil, D.Z., & Erlandson, J. (2008). Corporate social responsibility website representations: A longitudinal study of internal and external self-presentations. *Journal of Marketing Communications*, 14(2), 125-137.
- Begley, I. (2013, September 4). Roger Goodell defends settlement. <http://espn.go.com/nfl/story>.
- Bell, J. (2013, March 18). Helmet rule fuels debate: Running backs take offense to proposed change. *USA Today*, 4C.
- Benoit, W.L. (1995). *Accounts, excuses, and apologies: A theory of image restoration strategies*. Albany, NY: State University of New York Press.
- Benoit, W.L. (2000). Another visit to the theory of image restoration strategies. *Communication Quarterly*, 48(1), 40-44.
- Benson, J.A. (1988). Crisis revisited: An analysis of the strategies used by Tylenol in the second tampering episode. *Central States Speech Journal*, 39, 49-66.

- Cho, S., & Benoit, W.L. (2005). 2004 primary presidential election campaign messages: A functional analysis of candidates' news releases. *Public Relations Review*, 31(2), 175-183.
- Choi, J. (2012). A content analysis of BP's press releases dealing with crisis. *Public Relations Review*, 38, 422-429.
- Coombs, W.T. (1999). *Ongoing crisis communication: Planning, managing, and responding*. Thousand Oaks, CA: Sage.
- Coombs, W.T. (2006). Crisis management: A communicative approach. In C.H. Botan & V. Hazleton (Eds.). *Public relations theory II* (pp. 171-197). Mahwah, NJ: Lawrence Erlbaum Associates.
- Coombs, W.T. (2011). *Ongoing crisis communication: Planning, managing, and responding 3rd ed.* Thousand Oaks, CA: Sage.
- D'Allessandro, D. (2013, November 24). Kid stuff turns serious: Sobering questions raised as participation declines. *Newark Star-Ledger*, Section 5, 1, 12.
- Dawkins, J. (2004). Corporate responsibility: The communication challenge. *Journal of Communication Management*, 9(2), 108-119.
- Deri, C. (2006). Can a CSR report help your company set strategy and reach peak performance? *The Strategist*, winter, 28-30.
- Dutta, S., & Pullig, C. (2011). Effectiveness of corporate responses to brand crisis: The role of crisis type and response strategies. *Journal of Business Research*, 64, 1281-1287.
- Earnhardt, A.C., Haridakis, P.M., & Hugenberg, B.S. (2012). Sports fans, identity, and socialization: Exploring the Fandemonium. Lanham, MD: Lexington Books.
- Fainaru, S., & Fainaru-Wada, M. (2013, September 1). Players sought \$2 billion from NFL. <http://espn.go.com/espn/otl/story>.
- Fink, J., Parker, H., Brett, M., & Higgins, J. (2009). Off-field behavior of athletes and team identification: Using social identity theory and balance theory to explain fan reactions. *Journal of Sport Management*, 23, 142-155.
- Fortunato, J.A. (2008). Restoring a reputation: The Duke University lacrosse scandal. *Public Relations Review*, 34, 116-123.
- Fortunato, J.A. (2011). Confronting obesity: A case study of the corporate social responsibility of McDonald's. *Advances in Management*, 4(11), 20-23.
- Funk, D., & James, J. (2001). The psychological continuum model: A conceptual framework for understanding an individual's psychological connection to sport. *Sport Management Review*, 4(2), 119-150.
- Futterman, M. & Clark, K. (2013, August 30). Deal in concussion suit gives NFL a big victory. *Wall Street Journal*, p. A1, A5.
- Golob, U., & Bartlett, J.L. (2007). Communicating about corporate social responsibility: A comparative study of CSR reporting in Australia and Slovenia. *Public Relations Review*, 33, 1-9.
- Hopwood, M. (2007). Sports public relations. In S. Chadwick & J. Beech (Eds.), *Marketing of sport* (pp. 292-317). Upper Saddle River, NJ: Prentice Hall
- Kaplan, D. (2012, May 7-13). The NFL's concussion conundrum: As number of lawsuits rises, league runs risk of massive judgment. *Street & Smith's Sports Business Journal*, 15(4), p. 1, 26.

- Kaplan, D. (2013, September 9-15). For tax purposes, NFL to have teams make settlement payments. *Street & Smith's Sports Business Journal*, 16(21), 4.
- Kaplan, D. (2014, January 13-19). NFL settlement blocks lawsuits against NCAA. *Street & Smith's Sports Business Journal*, 16(37), 6.
- Keller, K.L. (2005). *Strategic brand management: Building, measuring, and managing brand equity*. Prentice Hall, NJ.
- Lee, C., Bang, H., & Lee, D. (2013). Regaining fans' trust after negative incidents: Fit between responses and nature of incidents. *Sport Marketing Quarterly*, 22(4), 235-245.
- Len-Rios, M.E., & Benoit, W.L. (2004). Gary Condit's image repair strategies: Determined, denial and differentiation. *Public Relations Review*, 30, 95-106.
- Maese, R. (2012, October 25). A worried NFL confronts its future. *Washington Post*, A1.
- McCombs, M.E., Shaw, D.L., & Weaver, D. (1997). *Communication and democracy: Exploring the intellectual frontiers in agenda-setting theory*. Mahwah, NJ: Lawrence Erlbaum Associates.
- Mihoces, G. (2012, February 2). Kickoff returns, concussions drop in 2011 after rule changes. *USA Today*, C8.
- Mihoces, G. (2013a, August 28). NFL keeps heads up on youth: League says safety, not business, key to support of youth tackling program. *USA Today*, C1.
- Mihoces, G. (2013b, October 8). Documentary says NFL is a "League of Denial." *USA Today*, C3
- Miller, J.A., & Belson, K. (2013, August 24). N.F.L. pressure said to lead ESPN to quit film project. *New York Times*, D1.
- Phau, M. & Wan, H.H. (2006). Persuasion: An intrinsic function of public relations. In C.H. Botan & V. Hazleton (Ed.). *Public relations theory II* (pp. 101-136). Mahwah, NJ: Lawrence Erlbaum Associates.
- Reber, B.H., & Berger, B.K. (2005). Framing analysis of activist rhetoric: How the Sierra Club succeeds or fails at creating salient messages. *Public Relations Review*, 35, 185-195.
- Reid, D. (2013). Corrective action challenge: How to construct a robust problem-solving process. *Quality Progress*, 46(1), 45-47.
- Rein, I., Kotler, P., & Shields, B. (2006). *The elusive fan: Reinventing sports in a crowded marketplace*. NY: McGraw-Hill.
- Robitaille, D. (2011). Making the financial case for corrective action to management. *Global Business and Organizational Excellence*, 31(1), 20-26.
- Sandomir, R. (2013, August 23). ESPN quits film project on concussion in N.F.L. *New York Times*, B13.
- Street & Smith's Sports Business Journal* (2012, January 30-February 5). The season that was: Looking back on some of the business highlights of the 2011-2012 NFL season, 14(39), 22-23.
- Tutko, T.A. (1989). Personality change in the American sport scene. In J.H. Goldstein (Ed.), *Sports, games, and play: Social and psychological viewpoints* (pp. 111-127). Hillsdale, NJ: Erlbaum.
- Ulmer, R.R., Sellnow, T.L., Seeger, M.W. (2011). *Effective crisis communication: Moving from crisis to opportunity 2nd ed.* Thousand Oaks, CA: Sage.

Wann, D.L., Royalty, J., & Roberts, A. (2000). The self-presentation of sports fans: Investigating the importance of team identification and self-esteem. *Journal of Sport Behavior*, 23(2), 198-206.