



Contentious campaign, critical vote for NFLPA's top job

By Jarrett Bell, USA TODAY

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One candidate has been dogged repeatedly by allegations stemming from sources. An alternative candidate has close ties to a major power broker. There is a write-in choice who emerged in the 11th hour, using Constitutional privilege. The other option has made a mark with his roles in Congressional inquiries on Capitol Hill.

Another political drama to be decided by voters at the ballot box?

Check. But with an undeniable football twist.

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The NFL Players Association will select the successor to the late Gene Upshaw as the union's executive director during meetings in Maui on Sunday, and the momentous decision will not only anoint the leader for players who compete in the nation's most popular sports league but culminate the end of a rugged campaign trail littered with controversy.

Player representatives from each of the NFL's 32 teams will decide the issue, which will weigh heavily on the players' high-stakes negotiations with the league for a new collective bargaining agreement. They'll choose between two former players who served as union presidents — Trace Armstrong and Troy Vincent — and attorneys David Cornwell and DeMaurice Smith.

The significance of the election is crystal clear. After Upshaw's 25-year reign, the union's new leader must try to maintain labor peace — longest among any of the major team sports leagues — that has existed since 1993 after players used a pivotal antitrust lawsuit to gain liberalized free agency tied to a salary cap.

"I need to hear from the candidates," says free agent kicker Matt Stover, entering his 17th year as a player rep. "I'm going to go into the room objectively, to best represent the teammates who put me in this position.

"But I've been in that room for so long, I know who's spouting out things they can do and things they can't do. My main concern is to pick someone with the ability to negotiate and work with the owners for a new CBA. That, and the ability to work with players. Those things go hand in hand."

To get to this point, the politics have not been unlike those typical in campaigns for elected government officials, with numerous leaks and mud-slinging. Even Congress has been involved,

with four U.S. Representatives urging monitoring of the election process that began shortly after Upshaw's death in August from pancreatic cancer.

"It has been like a political campaign, with so many selfish interests at work," said Roman Oben, a former offensive lineman who served as a player's union rep for three teams before retiring in 2008 after a 12-year career. "But when they get into the room, there will be no more articles. No more leaks. No annoying posts on Internet blogs. That's the beauty of the process. It comes down to the players in that room to make the decision."

'Smear campaign'

Oben supports Vincent, who during his presidency from 2004-2008 was viewed by many connected to the game as Upshaw's eventual heir, but has been the subject of numerous allegations that he believes were designed to derail his candidacy.

The union has hired D.C. attorney Joseph Yablonski to investigate the impact of e-mails that Vincent says he inadvertently sent to his private company in December 2007, which contained sensitive personal and financial information of prominent agents.

Last week, *SI.com* reported that Upshaw's widow Terri found files in Upshaw's office that union sources allege contain proof Vincent attempted to overthrow Upshaw. In January, charges that Vincent initiated the request by the Congressmen to look into the integrity of the election process, which he denied, were refuted by the lawmakers.

"For 15 years, I was a poster boy for how an NFL player should conduct himself," Vincent told USA TODAY on Monday night, alluding to off-the-field business ventures and humanitarian projects. "And immediately when my career ended, someone suddenly painted me as a villain.

"I understand it's politics and the rules of engagement. But all of a sudden, there's been this smear campaign and all of these allegations ... It's easy to overlook the issues when there's so much mud and cloudiness."

Stover said the fact that Vincent, 38, remains a candidate is telling.

"The executive committee left no stone unturned," Stover said. "If they felt there was something there, he would not still be in the process."

United front

In May, NFL owners voted unanimously to exercise an early opt-out clause contained in the existing CBA that pays players nearly 60% of football revenues that exceed \$6 billion per year. The deal is now set to expire after an uncapped 2010 season.

The union's tone and strategy for the CBA talks will depend on its new leader, who will also be charged with building unity after a bitter election.

"Whoever gets elected may not have the full support of the rank-and-file," says labor lawyer Joshua Zuckerberg, a partner for Pryor Cashman. "That can certainly be an issue going into

negotiations. You want a union to at least have the appearance of a united front, where the leader has the backing of the majority.

"If that's not the case, you'll see management push the envelope on certain issues and test the strength of that leader. That, to me, is what this election is all about: Whether the rank and file can be united."

Veteran center Jeff Saturday, the Indianapolis Colts' player rep, recognizes that challenge, but is hopeful.

"I think this process," Saturday says, "is going to make us the most united we've ever been."

Where they stand

All four finalists conducted interviews this week with USA TODAY, and all are apparently in peak campaign mode. When the meetings begin Saturday, the candidates will make formal presentations to player reps as a whole, in addition to informal discussions and opportunities at breakout sessions. Excerpts:

- Armstrong: "It's a critical time, no question about that. It's the most significant time that this organization has had in 16 years. It's a time for leadership. But this union is very well positioned right now. It has never been in a better position to bargain with management than right now."

- Cornwell: "I think Issue One is to make sure our house is in order. That we have the structure in place ... a clear understanding of everybody's point of view. It's only then that we'll have the strength and unity to confront the next issue, which is the CBA."

- Smith: "To say that it is purely a labor and management play is to miss about six or seven dominant issues that make up the business of the NFL each and every day."

- Vincent: "If you don't love them, you can't lead them. This is not a job, it's a mission and a challenge. And to do it, you have to have a servant's heart."

Armstrong, 43, preceded Vincent as union president, then after retiring re-emerged last year when he says Upshaw called to rally support in battling CBA issues. But Armstrong's close ties as an agent with Creative Artists Agency and Tom Condon, who was Upshaw's agent, fuels questions from interested parties, including Oben, about potential conflicts.

"My guess is that they want Trace Armstrong, who is Condon's partner, to get it because it would pose less of a threat to the current structure," says Hall of Fame guard Joe DeLamielleure, who was an intense Upshaw critic. "And the way they've been trashing Vincent, that makes me think he's the best man."

Each candidate has pledged to bridge the gap with retirees, many of whom have waged public campaigns in recent years to improve their pensions and benefits — and publicly sparred with Upshaw.

Cornwell, whose 21-year career as a sports attorney included a stint in the NFL office, proposes creating a special adviser's position within the union to improve the relationship with retirees.

"We need to bring that issue up to the highest level," says Cornwell, 48.

A little more than a week ago, Cornwell — often tapped to represent individual players in grievances against the NFL, including many cases revolving around drug-policy disputes — wasn't in the running. He was surprisingly eliminated from the process in January. He was re-admitted last Wednesday. To win election, Cornwell and Smith — a partner at Patton Boggs with a broad legal background — will have to convince players that the union should not follow the model of Upshaw and enlist a former player as its key leader.

It is not far-fetched. The heads for the NBA, NHL and Major League Baseball players unions are all attorneys who were not former players.

"I've never been in a locker room," says Smith, 45, "but I've represented some of the biggest corporations in the world."

Oben isn't sure that position will carry with players.

"You've got to have someone who put on a jockstrap," Oben said. "Someone who can command respect from Pacman Jones and Roger Goodell at the same time. Troy and Trace deserve that respect."

Armstrong and Vincent can draw on previous CBA talks. "We were always in a bargaining mode," said Armstrong, who then rattled off 1995, 1998, 2000 and 2002 as years when extensions were completed.

Vincent says that in light of recent controversies, he relishes the pending opportunity to sell himself on the issues.

"I'll have my chance this weekend to share them with the people who matter the most."

More critical for the union is whether there's another giant of a leader like Upshaw in the midst.