

ONE HUNDRED TWELFTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
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WASHINGTON, DC 20515-6115

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July 27, 2012

Mr. Roger Goodell
Commissioner
National Football League
280 Park Avenue, 17th Floor
New York, NY 10017

Mr. DeMaurice Smith
Executive Director
NFL Players Association
1133 20th Street, 8th Floor
Washington, D.C. 20036

Dear Commissioner Goodell and Executive Director Smith:

It has been nearly one year since the National Football League and its Players Association ratified their collective bargaining accord August 4, 2011. At that time, we were especially encouraged that agreement had been reached on testing for human growth hormone (HGH). Like many in Congress, we believed such testing was overdue. We expected implementation prior to the start of the 2011 season, but that milestone came and went with the agreement unfulfilled. To our dismay, the entire 2011 season was played without implementation of any form of HGH testing whatsoever.

Fast forward to today: players are beginning to report to training camps for the start of a new season, yet it seems that we are no closer to testing for HGH. Despite occasional suggestions in the media that progress is being made, the optimistic reports are difficult to believe when the Players Association continues to publicly challenge the efficacy of the test itself. These challenges are inexplicable because the blood test for HGH has been in use for almost a decade. Today it is used by numerous domestic and international leagues and sports associations, including the Olympic Games and Major League Baseball.

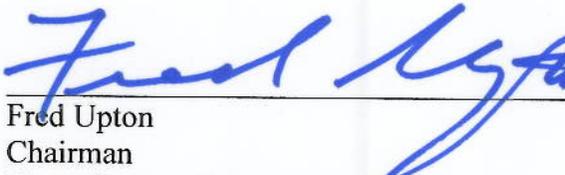
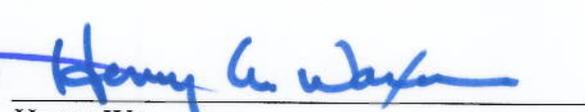
Without HGH testing, the performance enhancing drug provisions in your collective bargaining agreement will not be able to effectively deter the use of this drug. And this failure sends a terrible message to young athletes and fans that player safety and a level playing field are not priorities.

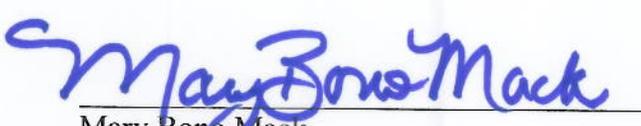
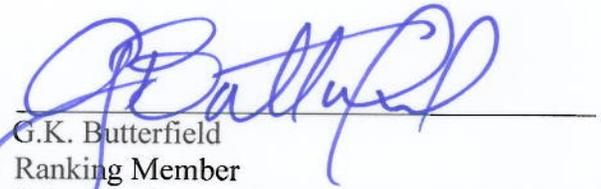
As Chairs and Ranking Members of the Committee and Subcommittee of jurisdiction, we have long been concerned about the use of performance-enhancing substances in sports. We have been reluctant to engage more deeply in this matter, believing this is a problem best solved by allowing labor and management to follow through on their agreement. But as the upcoming Olympics reminds us, performance enhancing drug testing is a critical tool for protecting athletes, the integrity of the games they play, and the health and safety aspiring athletes. It is time for the NFL to follow the Olympic model and start testing for HGH. Until you do, questions will remain about the commitment of the athletes and owners of the NFL to health, safety, and fair play.

The Committee has an ongoing jurisdictional interest in the health and safety of young athletes and the behavior of your multi-billion dollar interstate industry. We therefore request your immediate written assurances that comprehensive testing will be in place prior to the start of the 2012 season. It is well past time to fulfill last year's agreement, protect the health and safety of your players and their youngest fans and guarantee the integrity of the National Football League that is beloved by millions of Americans.

We look forward to your timely reply.

Sincerely,

 _____ Fred Upton Chairman Committee on Energy and Commerce	 _____ Henry Waxman Ranking Member Committee on Energy and Commerce
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 _____ Mary Bono Mack Chairman Subcommittee on Commerce, Manufacturing, and Trade	 _____ G.K. Butterfield Ranking Member Subcommittee on Commerce, Manufacturing, and Trade
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