

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

Majority (202) 225-2927
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August 25, 2011

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:

As a football fan, I was gratified to see that the National Football League (NFL) and the players were able to reach a successful collective bargaining agreement in time for a full 2011 season.

While I have been clear that Congress should play no role in a private-sector negotiation like the one you recently completed, there is one policy area where the public interest is uniquely impacted. Performance enhancing drugs concern all sports. Given the importance of the example that the professional leagues set for all athletes, especially our youngest ones, Congress has played an historically relevant role in encouraging the leagues to police themselves.

The NFL and the players deserve great credit for becoming the first professional sports league to agree to random testing for human growth hormone in your collective bargaining agreement. This sets the right example for young athletes who idolize the professionals, as well as demonstrates your joint commitment to the integrity of the game you serve. The image of the league is at stake. Even one player cheating tarnishes the whole game and sets the wrong example for high school and college athletes.

According to recent news reports, it appears that the testing regimen that sounded so promising may not be agreed upon to start the regular season. Latent concerns over the reliability and soundness of testing are suddenly reappearing at a time when the league and the players need to begin implementing the test. This is ironic since just last week, a minor league baseball player who tested positive for human growth hormone admitted his guilt.

The Energy and Commerce Committee has played, and will continue to play, a prominent role on drug testing in professional sports. As its Chairman, I encourage the parties to quickly resolve any remaining issues and begin human growth hormone testing in time for the season's kickoff.

My best on a great 2011 season.

Sincerely,



Fred Upton
Chairman

cc: The Honorable Henry A. Waxman, Ranking Member