

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
Minority (202) 225-3641
September 8, 2011

Mr. Roger Goodell
Commissioner
National Football League
280 Park Avenue
New York, New York, 10017

Mr. DeMaurice Smith
Executive Director
National Football League Players' Association
1133 20th Street, NW
Washington, DC 20036

Dear Mr. Goodell and Mr. Smith:

I am writing regarding testing for human growth hormone (HGH) under the NFL's revised drug testing program.

I commend you for agreeing to begin conducting blood tests for HGH and imposing penalties on players who test positive for this illegal performance enhancing drug. I have long believed that without some form of testing, there is little disincentive for players to use HGH. According to some reports, as many as 20% of NFL players may be using this drug.¹

I am concerned, however, that with the start of the season tonight, the NFL and the Players Association have yet to resolve this issue and finalize HGH testing procedures. I urge you to work together to put in place an independent and effective testing regime without further delay, so that testing may begin as soon as possible during the 2011 season.

¹ CBSSports.com, Breakthrough HGH Testing Still in Play With Hurdles to Clear (Aug. 7, 2011) (online at <http://www.cbssports.com/nfl/story/15409023/hgh-testing-still-in-play-with-hurdles-to-clear>)

Mr. Roger Goodell
Mr. DeMaurice Smith
September 8, 2011
Page 2

While blood testing for HGH involves a relatively new technique, there are virtually no questions about the scientific credibility of this testing methodology. The test is approved and used by the World Anti-Doping Agency, has been used for Olympic testing, and earlier this month was used in the United States to identify a professional athlete using the drug.²

The NFL and the NFLPA have worked together to implement a league-wide drug testing policy that was, for many years, the toughest in professional sports. When the NFL and the NFL Players Association testified before the House Committee on Government Reform in April 2005, Gene Upshaw, then-Executive Director of the NFLPA, described a “a common consensus that these [performance enhancing] substances had to get out of the game, and that testing and tough discipline for violators were the key elements of an effective program.”³

I hope that this consensus continues to hold, and I urge the NFL and the Players Association to resolve any outstanding questions and implement HGH testing in the NFL during the 2011 season.

Sincerely,



Henry A. Waxman
Ranking Member

cc: The Honorable Fred Upton
Chairman
Committee on Energy and Commerce

² See, e.g., New York Times, Former Met Is First Player to Test Positive for H.G.H. (Aug. 18, 2011).

³ Testimony of Gene Upshaw, Hearing on the National Football League’s Policy on Steroids, House Committee on Government Reform (Apr. 27, 2005).