

# United States Senate

WASHINGTON, DC 20510

October 1, 2014

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

Dear Commissioner Goodell,

As you know, the Federal Communications Commission voted unanimously yesterday to eliminate the agency's sports blackout rule, which is something we have devoted substantial effort to over the past several years. As you are well aware, the elimination of the FCC rule won't end all blackouts. Rather, it only removes the regulation that has acted as a government backstop to the NFL's private blackout policy. As Chairman Wheeler pointed out shortly after the vote occurred, "[e]veryone needs to be aware of who allows blackouts to exist, and it is not the Federal Communications Commission."

With this in mind, we write to urge the NFL to view this as an opportunity to recognize that unpopular blackouts are no longer justified in today's environment. We ask that you capitalize on the FCC's vote this week and voluntarily rescind your requirement that local television stations blackout games that fail to sell-out. The NFL has received substantial benefits from the public in the form of antitrust exemptions, a specialized tax status, and direct taxpayer dollars that subsidize football arenas and stadiums. These generous benefits were extended to leagues like the NFL in part based on recognition that sports leagues play a central role in our national culture, promote teamwork, and generate jobs and economic activity across the country. But, the provision of these substantial public benefits requires that the NFL meet basic obligations to the American public and loyal fans, and this includes abandoning rules that punish those same fans.

Last year, we introduced the Furthering Access and Networks for Sports ("FANS") Act as a legislative answer to the various causes of sports blackouts. Specifically, this bill would condition the antitrust exemption the league enjoys through the Sports Broadcasting Act on ending sports blackouts.

If the NFL fails to show leadership to finally end blackouts once and for all, Congress will be forced to act.

We urge you to proactively rescind NFL policies that prevent loyal fans from enjoying the game and reform those practices that cause the league to fall short of the obligation it has to the American public. Thank you for your consideration.

Sincerely,



Richard Blumenthal  
United States Senator



John McCain  
United States Senator