

**Congress of the United States**  
**Washington, DC 20515**

February 2, 2012

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

Dear Commissioner Goodell:

We write to respectfully request that the National Football League (NFL) re-consider its policy of prohibiting the broadcast in a team's home market of a game that has not sold-out within 72 hours of kickoff.

In 2011 sixteen games were blacked out in their home markets. The burden of these blackouts fell on four communities: Buffalo, Cincinnati, San Diego, and Tampa. Other communities such as Jacksonville, Miami, Charlotte, and Oakland found themselves in danger of having games blacked out this season as well. As Members of Congress who represent constituents directly impacted by this policy, we agree with Federal Communications Commissioner Robert M. McDowell's assertion that "it is appropriate for us to re-examine the (blackout) rule in light of marketplace changes."

As you know, federal law requires broadcasters to abide by the Leagues' blackout policy, and subsequent regulations that require the same of cable and satellite providers have been in effect since 1975. Given the significant changes that have occurred since the adoption of these regulations, including the commitment of substantial tax dollars to the construction and renovation of stadia and the vast diversification and growth of the Leagues' revenue sources, we believe it is time for the NFL to re-consider and end its blackout policy.

Specifically, we are concerned that the policy as currently constituted does not take into account the differing populations and stadium sizes for markets throughout the League. If the League prefers to amend the blackout policy rather than rescind it (as is our preference), we suggest that the League consider a game "sold-out" for the purposes of the blackout policy if the number of tickets sold meets or exceeds the average capacity of stadia in the League. In this way a community that has a larger than average stadium does not face an unfair burden in avoiding a blackout relative to communities with smaller capacity stadia.

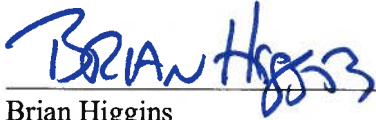
The future of the NFL is dependent on the growth of fan bases and the enthusiasm of local populations. Blackouts run counter to this growth potential frustrating local viewers while not accomplishing the goal of selling more tickets. In these tough economic times families are cutting back and they should not be punished because of policies that are one size fits all and neglect certain populations. Many of these families have supported local stadiums for years with their tax dollars and we believe they are entitled to some return on that public trust.

The NFL changed its blackout policy years ago, from requiring a blackout in a home market even if the game was sold out, to the current 72-hour rule. 37 years later, we believe it is time for the NFL to change its rule again. We

applaud the Federal Communications Commission for its recent decision to review its outdated sports blackout rule, and we respectfully encourage you to take similar action.

Thank you for your time and attention to this matter.

Sincerely,



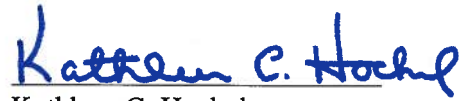
Brian Higgins  
Member of Congress



Dennis Ross  
Member of Congress



Corrine Brown  
Member of Congress



Kathleen C. Hochul  
Member of Congress



Gus Bilirakis  
Member of Congress