April 14, 2016

The Honorable Fred Upton  
Chairman  
House Energy & Commerce Committee  
2125 Rayburn House Office Building  
Washington DC 20515  

The Honorable Frank Pallone  
Ranking Member  
House Energy & Commerce Committee  
2322A Rayburn House Office Building  
Washington DC 20515  

Dear Chairman Upton and Ranking Member Pallone:

As the committee prepares to consider legislation for the next executive session, the below organizations seek your leadership in advancing the Youth Sports Concussion Act, HR 4460, sponsored by Representatives Bill Pascrell, Jr. (D-N.J.) and Thomas J. Rooney (R-Fla.), co-chairs of the Congressional Brain Injury Task Force. Senator Tom Udall (D-N.M.) has introduced companion legislation in the United States Senate, S. 2508. The undersigned organizations are appreciative of your leadership in promoting a conversation around concussion with your recently held Concussion Roundtable.

The Youth Sports Concussion Act expressed the sense of Congress that the Consumer Product Safety Commission (CPSC) and the Federal Trade Commission (FTC) should review the National Academies’ report on sports-related concussions and future research in such area for any matter that may impact products under the CPSC’s jurisdiction or inform the FTC’s efforts to protect consumers.

The bill makes it unlawful to sell or offer for sale in interstate commerce, or import into the United States for such purposes, athletic sporting equipment for which the seller or importer makes any deceptive claim with respect to the safety benefits of such an item. Violations shall be treated as unfair or deceptive acts or practices under the Federal Trade Commission Act. The bill sets forth the enforcement authority of the FTC. States may bring civil actions in federal court to obtain injunctive relief on behalf of state residents unless a civil or administrative action has already been instituted by the FTC. The FTC may intervene and appeal in state actions.

The Youth Sports Concussion Act is an important piece of legislation because it will protect our nation’s youth who participate in sports related activities from concussions and other injuries by discouraging false advertising claims regarding protective equipment used in competitive sports. Your efforts to prevent mild traumatic brain injury in our nation’s youth are needed and welcomed. We request the committee acts swiftly to move this legislation forward.
Sincerely,

ACCSES
Academy of Spinal Cord Injury Professionals
Advance CLASS, Inc.
American Academy of Neurology
American Academy of Pediatrics
American Academy of Physical Medicine and Rehabilitation
American Association on Health and Disability
American Congress of Rehabilitation Medicine
American Dance Therapy Association
American Foundation for the Blind
American Medical Rehabilitation Providers Association
American Music Therapy Association
American Occupational Therapy Association
American Therapeutic Recreation Association
Amputee Coalition
Association of Academic Physiatrists
Association of Rehabilitation Nurses
Brain Injury Association of America
Child Neurology Foundation
Christopher & Dana Reeve Foundation
Center for Medicare Advocacy
Disability Rights Education & Defense Fund
Easter Seals
Falling Forward
Friends of the TBI Model Systems
Lakeshore Foundation
Learning Disabilities Association of America
National Association of Advancement of Orthotics and Prosthetics
NARRTC, formally the National Association of Rehabilitation Research and Training Centers
National Association of State Directors of Special Education
National Association of State Head Injury Administrators
National Disability Rights Network
Safe States Alliance
School Social Work Association of America
The Advocacy Institute
United States Brain Injury Alliance