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June 23, 2016

Mr. Gary Bettman
Commissioner
National Hockey League
1185 Avenue of the Americas
New York, NY 10021

Dear Mr. Bettman:

As Ranking Member of the Senate Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security, which has jurisdiction over sports, I write to seek clarification regarding recent comments made by top officials in the National Hockey League (NHL) that appear dismissive about the link between head trauma and chronic traumatic encephalopathy (CTE) in the game of hockey.

Earlier this year, the National Football League (NFL) admitted for the first time that there is a link between playing football and CTE. This was a significant admission from a league whose sport has a high frequency of concussive and sub-concussive hits to its players. Unfortunately, the NHL's response following the NFL's admission has been dismissive and disappointing.

In fact, you recently stated, "I think it's fairly clear that playing hockey isn't the same as football. And as we've said all along, we're not going to get into a public debate on this." The *New York Times* recently published emails from top officials in your league discussing concussions and the NHL's abstention from working to ensuring safety in the game.¹ In one e-mail, a top official said, on the topic of fighting in the sport: "Fighting raises the incidence of head injuries/concussions, which raises the incidence of depression onset, which raises the incidence of personal tragedies." Those emails demonstrated that the NHL understands the prevalence and danger of concussions in the sport but has chosen not to take them seriously.

While hockey and football are certainly different, both are full-contact sports that likely present risks to their participants. Furthermore, it is clear from the deaths of six former NHL players—Derek Boogaard, Reg Fleming, Bob Probert, Rick Martin, Steve Montador, and now Larry Zeidel—whose brains have been determined to contain evidence of CTE, that the risks are certainly real.

As the premier professional hockey league in the world, the NHL has an obligation not only to ensure the safety of your players, but to also engage in a productive dialogue about the safety of your sport at all levels—from youth to professional. Furthermore, given the number of

¹ John Branch, *In Emails, N.H.L. Officials Conceded Concussion Risks of Fights*, N.Y. TIMES, Mar. 28, 2016, <http://www.nytimes.com/2016/03/29/sports/hockey/nhl-emails-link-concussions-fighting-bettman.html>.

NHL teams who play in arenas financed in part or in whole by taxpayer funds and the hundreds of thousands of American children playing hockey, government oversight into the safety of your sport is appropriate, and a matter of public health. Accordingly, I respectfully request answers to the following questions:

1. Do you believe there is a link between CTE and hockey? If you do not, please explain how head trauma in hockey differs from head trauma in football.
2. Do you dispute that the documented CTE of former NHL players, like Derek Boogaard, is linked to injuries sustained while playing in the NHL?
3. What changes could be made to the game to better protect athletes' long-term health? Has the NHL considered eliminating fighting from the game? How can the league reduce fighting?
4. Have you considered adopting changes to the game similar to those recently implemented by the International Ice Hockey Federation, such as establishing penalties that more seriously aim at eliminating fighting? Why or why not?
5. Can you outline the process by which a player is disciplined for an illegal headshot, starting immediately after the incident occurs?
6. Can you speak to any education the league has provided for officials to be better equipped to call illegal plays that often end up with players getting hurt?
7. Do you believe players are adequately informed about the risks of concussions in the league when they join? What could the league do to ensure that players understand this risk?
8. Do you believe that if there was more information about how players would be disciplined for illegally hitting another player that it would reduce the incidence of head trauma in the NHL?
9. What is the current protocol for diagnosing and treating concussions? Will the NHL commit to using the latest concussion diagnosing standard, as recommended by the Centers for Disease Control and Prevention?

Thank you for your attention to this critical matter. I respectfully request a response by July 23, 2016.

Sincerely,



Richard Blumenthal
United States Senate