

ONE HUNDRED THIRTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**

COMMITTEE ON ENERGY AND COMMERCE

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December 19, 2014

Mr. William L. Daly III  
Deputy Commissioner  
National Hockey League  
1185 Avenue of the Americas  
New York, NY 10036

Dear Mr. Daly,

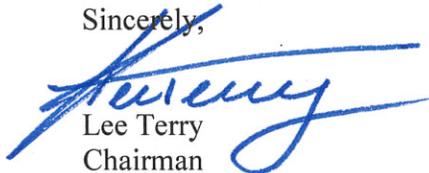
Thank you for appearing before the Subcommittee on Commerce, Manufacturing, and Trade on Thursday, March 13, 2014 to testify at the hearing entitled "Improving Sports Safety: A Multifaceted Approach."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions by the close of business on Monday, January 5, 2015. Your responses should be e-mailed to the Legislative Clerk in Word format at [Kirby.Howard@mail.house.gov](mailto:Kirby.Howard@mail.house.gov) and mailed to Kirby Howard, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, D.C. 20515.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Lee Terry  
Chairman  
Subcommittee on Commerce,  
Manufacturing, and Trade

cc: Jan Schakowsky, Ranking Member, Subcommittee on Commerce, Manufacturing, and Trade  
Attachment

## Additional Questions for the Record

### **The Honorable Lee Terry**

1. You described the baseline testing initiated in 1997 for all players prior to each season. That information is used to help diagnose potential concussions and provide a standard measurement of when a player may return to play after a concussion (when their cognitive testing score returns to baseline). Has the NHL performed any longitudinal analysis to monitor players' baseline scores over the course of multiple seasons – for either all players or the subset who had suffered a concussion?
  - a. If so, what does the data indicate and can that information be used to inform changes to further enhance player safety?
2. During the hearing you described the changes the NHL has made to improve safety, include rules changes to reduce the number of unnecessary hits and fights. Have the players embraced the changes and the long history associated with the physical nature of the game? Have you seen a change in playing style for the better?
3. The NHL's Department of Player Safety is comprised of former world class players. Does that help "legitimize" its role and functions with the players and public? How many supplementary fines have they assessed players each year?
4. You stated that since 1997, all helmets have to be certified. Yet the league advises players to replace their helmets frequently to avoid the effects of degradations of aging helmets. Is that decision to replace determined only by the player? Is there a standard or limit to the age of helmets players can wear?

### **The Honorable Jan Schakowsky**

1. The National Hockey League (NHL) has taken important steps to address head injuries in professional hockey, but there is still room to make the game safer. I understand one area that the league has examined is equipment safety.
  - a. Over the last decade, rules have been adopted requiring smaller and softer shoulder and elbow pads. What sort of results have these requirements produced?
  - b. Has the league or have individual NHL officials investigated expanding these rules or making any further changes to shoulder, elbow or shin pads?
2. There tend to be a lot of collisions in the sport of ice hockey. There is no "out of bounds" – only boards and glass. It is intentionally played on a slippery surface. And all skaters are trying to gain and keep control of a very active, three-inch-wide disk made of vulcanized rubber. So there are lots of collisions. What I would like to address in this series of questions is how to prevent these collisions from resulting in brain injury to players.

- a. In written testimony submitted for the Subcommittee hearing on March 13, 2014, you stated that “the League has supported federal and state legislative efforts aimed at the establishment of concussion safety guidelines.” Do you support making state concussion laws more protective of player health than those state laws recently enacted, and if so, in what ways? What specific federal legislation do you support?
- b. There are several states where youth concussion laws cover only high school athletes, not those in younger grades or in extracurricular recreational leagues. Do you support the expansion of these laws to cover youth sports regardless of whether the athlete is participating on a high school team or another kind of team?
- c. I understand the NHL has partnered with Canadian junior hockey leagues to develop comprehensive new concussion education programs for its players. Will you, or have you, done the same with U.S. junior leagues, such as the USHL and Tier 2 and 3 leagues?
- d. In your written testimony, you mentioned that “a defining characteristic of the NHL/NHLPA Concussion Program is that it has functioned in a centralized manner since its inception.” What drawbacks would you expect to see in programs that are not centralized like this?
- e. A January 2014 study released by St. Michael’s Hospital in Toronto found that over three recent seasons, the NHL’s teams collectively paid an average of \$218 million per season to players sidelined by injury. The author of the study said that “N.H.L. owners need to do a better job of protecting their athletes — if not for their players, then for their own pocketbooks.” The study’s researchers estimated that concussions were among the most financially costly injuries, totaling almost \$43 million of the \$218 million average total. The medical and personal well-being of players should come first, of course. But I found it interesting that it may make good financial sense for the NHL to reduce concussions as well. Does the NHL believe that reducing concussions is in its best financial interests?