



February 13, 2018

Honorable Jerry Moran
Chairman

Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security
Dirksen Senate Office Building, Room 521
Washington, DC 20510

Honorable Richard Blumenthal
Ranking Member

Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security
706 Hart Senate Office Building
Washington, DC 20510

Re: USOC & Protection of Athletes

Dear Senators Moran and Blumenthal:

This will acknowledge receipt of your letter dated February 2, 2018 wherein you pose questions to the United States Equestrian Federation, Inc. ("USEF"), the national governing body for equestrian sports, in light of the serious allegations against the USOC's treatment of past reports of sexual misconduct toward athletes. On behalf of USEF, please find below responses to those inquiries in the order that they were presented in your February 2nd letter:

1. USEF has a Safe Sport Policy (the "Policy") in effect that contains a reporting policy for allegations of misconduct, including sexual abuse, sexual misconduct, harassment, physical misconduct, emotional misconduct, bullying, and hazing. For your convenience, it's attached hereto. In order to remove as many barriers to reporting as possible, the Policy identifies different reporting mechanisms available to the reporting party whether the report is anonymous or not (see pp. 1, 8, 9). The reporting party is encouraged to report allegations of sexual misconduct directly to the U.S. Center for Safe Sport via telephone or electronically. In the alternative, the reporting party may report to any member of a three-person Athlete Protection Team via telephone, email, or mail. Should the reporting party wish to report directly to USEF but not to any of the three individuals on the Athlete Protection Team, then s/he may email safesport@usef.org.

USEF's Policy describes how reports will be handled and expressly discloses that allegations of child physical or sexual abuse will be reported to law enforcement authorities (see pp. 8, 9-10).

2. USEF makes no special accommodations for anyone under the Safe Sport Policy. If USEF receives a report that a "Covered Individual" violated the Safe Sport Policy and the conduct falls within the U.S. Center for Safe Sport's jurisdiction, then

USEF will report it regardless of where the misconduct occurred and regardless of whether or not the victim is a participant in equestrian sport. USEF's aim is to rid our sport of dangerous characters.

3. The undersigned is not aware of USEF ever utilizing a NDA to enforce confidentiality against an athlete, employee, or volunteer related to any sexual misconduct allegations. USEF does use confidentiality agreements as they relate to committee meetings surrounding the selection of athletes and horses to represent the United States in international competition; however, as noted in the letter from NGB Council Chair Max Cobb's letter to you, this latter point is not covered by your inquiry.
4. The undersigned is not aware of USEF ever utilizing any additional binding agreements with athletes under USEF's purview as it relates to allegations of sexualized misconduct or abuse. Further, USEF has never required athletes to participate in forced binding arbitration. Under the Ted Stevens Amateur and Olympic Sports Act (the "Sports Act"), USEF is required to participate in binding arbitration where an athlete alleges that USEF has denied him or her an opportunity to participate in certain competitions, and where a member alleges that USEF has violated certain provisions of the Sports Act or USOC Bylaws. In these cases, it is the athlete who chooses whether or not to require USEF to participate in binding arbitration, and the athlete is in no way obligated to participate. In fact, USEF also gives the athlete the opportunity to file a grievance against USEF outside of arbitration. With that as background, in response to the request that USEF describe the cases in which it might have required an athlete to participate in forced binding arbitration, USEF reports that no such cases exist.
5. USEF has taken additional measures to ensure that matters reported to USEF are in turn reported to appropriate authorities. There will be four people who can access the repository where the complaints are held. Each person will check for new matters on a regular basis. A checklist approach designed through our database by our IT team will indicate when and by whom the report to authorities occurred. If the box is not checked then it should be caught by one of the four employees with access to the files. Internal audits are scheduled to occur on a monthly basis, and will alert appropriate USEF officials in case a criminal report has not been filed, which serves as an additional check and balance to make sure that matters are reported promptly to the authorities.
6. USEF has not reported any criminal behavior to the USOC to which the USOC did not take action. Indeed, no such reports have been made to the USOC that can be recalled.
7. The third-party consultant engaged by the USOC to assess compliance with Safe Sport policies and procedures recommended that USEF consistently track and verify that criminal background checks and education and training requirements are met for all required individuals. They recommended that USEF review the testing results and require all necessary individuals to complete the necessary requirements (i.e., criminal background check and/or education and training). This recommendation was

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based on the fact that one person was discovered to have a lapse between her initial on-line training and required on-line refresher course. No other recommendations were made.

In response to these recommendations, USEF has undertaken the following actions:

- Created a Safe Sport Program Coordinator position that is dedicated to Safe Sport, including compliance with the Policy;
- Initiated integration directly between the criminal background check vendor and USEF's membership database as well as the U.S. Center for Safe Sport's learning management system and USEF's membership database to remove any potential human error in recording compliance in the database.
- Written a program that will generate automated reports listing individuals required to undergo background checks and training as well as the dates of compliance.
- Created a Safe Sport Committee that will regularly review the Policy, make recommendations as to education, awareness opportunities, and changes where needed.

If you have any additional questions or need clarification, feel free to contact me at (859) 225-2045 or email me at skeating@usef.org.

Kind Regards,



Sonja S. Keating
Senior Vice-President & General Counsel