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February 14, 2018

Senator Jerry Moran, Chairman
Senator Richard Blumenthal, Ranking Member
Subcommittee on Consumer Protection, Product Safety,
Insurance, and Data Security
United States Senate
Washington, DC 20510

Dear Senator Moran and Senator Blumenthal,

The United States Curling Association (d/b/a USA Curling) is committed to encouraging participation and the pursuit of excellence at all levels of the sport. This includes creating a safe environment in which curlers can excel. The organization's policy regarding prevention of and response to reports of abuse and harassment is detailed in the [USA Curling SafeSport Handbook](#). Additional resources, including a recent letter reaffirming the organization's commitment to providing safeguards for participants in the sport, can be found on the [USA Curling website](#).

The information below is provided in response to questions presented in your letter dated February 2, 2018.

1. All NGBs are required to abide by the *SafeSport Code for the Olympic and Paralympic Movement*. As the U.S. Center for SafeSport has exclusive authority to investigate cases involving potential sexual misconduct, the *USA Curling SafeSport Handbook* directs individuals to report such cases to the Center. Should USA Curling receive information that falls under the definition of sexual misconduct in the Code, the details would be promptly reported to the Center and to the appropriate authorities.
2. As noted on page 2 of the *USA Curling SafeSport Handbook*, "All individuals participating in USA Curling programs and events must comply with the policy and procedures outlined in this document including investigation and resolution procedures under the auspices of the US Center for SafeSport, as applicable." The definition of *Covered Individuals*, as found on page 3 of the handbook, specifically addresses volunteers and employees of contractors engaged by USA Curling for events, camps, and other programs sponsored by the national organization.
3. To my knowledge, USA Curling has never used non-disclosure agreements (NDAs) in cases involving claims of abuse or harassment. NDAs are used in contracts with sponsors and other business arrangements.
4. In response to the question regarding past use of binding agreements other than NDAs with athletes under USA Curling's purview, I am not aware of the use of any such agreements.



MEMBER: UNITED STATES OLYMPIC COMMITTEE ■ WORLD CURLING FEDERATION



The following is noted in response to the additional question posed by Anna Yu on February 7, 2018, regarding all cases in which an NGB might have required athletes to participate in forced binding arbitration. Under the *Ted Stevens Olympic and Amateur Sports Act*, NGBs are required to participate in binding arbitration where an athlete alleges that the NGB has denied that athlete an opportunity to participate in certain competitions and/or where a member alleges that the NGB 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 the NGB to participate in binding arbitration. Section 5(5) (page 19) of the *USA Curling SafeSport Handbook* discusses the right to appeal a decision made by a Hearing Panel to the American Arbitration Association. To date, this option has not been utilized.

5. Following the recent sentencing of Dr. Nassar, USA Curling took steps to reaffirm its commitment to providing a safe and positive environment in which curlers can excel. On February 2, 2018, a letter from the Board of Directors of the U.S. Curling Association was sent to membership. The letter reiterated the safeguards the national organization put in place to protect athletes and others in the curling community. Additional reminders about the methods for reporting incidents of abuse and/or harassment have been and will continue to be sent to all athletes competing in USA Curling national championship events.

6. I am not aware of any circumstance that falls under the purview of this item.

7. During the second and third quarter of 2017, Baker Tilly Virchow Krause performed a SafeSport audit of USA Curling. The auditors concluded USA Curling's program was in full compliance. The final report stated, "Based on this review of USA Curling's SafeSport-related documentation and administrative materials, USA Curling's policies and procedures met the requirements of the Athlete Safety Standards. Therefore, there were no observations noted during this audit."

Please feel free to contact Rick Patzke, Chief Executive Officer, or me for clarification or with any additional questions at 715-344-1199. We can also be reached through email at rick.patzke@usacurl.org and kim.nawyn@usacurl.org.

Sincerely,



Kim Nawyn
Director of Growth & Development
USA Curling

cc: Rick Patzke, Chief Executive Officer
Richard Lepping, Chairman of the Board