



February 16, 2018

The Honorable Jerry Moran
United States Senate
Washington, DC 02051

1 Roger Williams
University Way
Bristol, RI 02809

The Honorable Richard Blumenthal
United States Senate
Washington, DC 02051

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Dear Senators Moran and Blumenthal:

Thank you for your letter of February 2, 2018 and for the attention and concern you and your colleagues in Congress are directing to the safety of our athletes. At US Sailing we are committed to supporting the efforts of all involved to better protect our athletes. To that end, please find our answers to the seven questions you presented in your February 2 correspondence.

1. We have implemented the requirements as defined by the U.S. Center for SafeSport with regards to reporting of child and sexual abuse and misconduct allegations. Our primary obligation is to immediately file a report to the Center of any alleged sexual misconduct or assault violation we receive. We have amended our Bylaws and Regulations (attached to the email – Bylaw 215, Regulations 13.04, 13.05, 13.06, 15.02) to incorporate the SafeSport protocols, and published a SafeSport Handbook (attached to the email) and website (<http://www.ussailing.org/safety/safesport/>). All of our policies and procedures are defined in these governing documents.
2. We do not have any separate accommodations to account for volunteers separately employed by non-NGB institutions.
3. We do not utilize NDA agreements to enforce confidentiality against athletes. The only conditions under which we utilize NDA's that involve employees or possibly volunteers (acting on behalf of US Sailing) relate to contracts and partnerships we have with commercial partners (sponsors) and technology partners to protect business terms, trade secrets and Intellectual Property.
4. We do utilize agreements with our US Sailing Team athletes that require certain obligations from them relating to our sponsor agreements if they wish to participate. These commercial agreements are voluntary and provide compensation/benefit to the athlete for participation. We also enforce a code of conduct with each team athlete and an athlete agreement – obligations they have as members of the team. Copies of these are attached to the email.
5. Since the incidents involving USA Gymnastics and Dr. Nasser surfaced, we have continued to diligently review our policies and procedures. Please understand that as these incidents came to light publicly, US Sailing was in the midst of implementing the SafeSport protocols and procedures, so our attention was already focused on these issues. The Center for SafeSport has been under development for the past four to five years during which, as an NGB, US Sailing has been involved in providing input and feedback and also phasing in new policies to prepare our organization for the official launch of the Center in the Spring of 2017. This topic has been front of mind for our organization.





6. We have not been involved in any circumstances where the USOC has failed to take action following a report of criminal behavior from US Sailing. We have had made no reports of criminal behavior to the USOC.
7. US Sailing participated in a SafeSport audit conducted by Baker Tilly. The audit identified 2 areas that required a response: 1) individuals that had not completed background checks, which US Sailing provided evidence that the checks were complete prior to the issuance of the report: and 2) inconsistencies between the US Sailing SafeSport Handbook and our application of this policy with the requirements listed in the Athlete Safety Standards. These inconsistencies have been corrected and US Sailing has received notification that the recommendations of the auditors in both cases have been implemented and are considered closed. Please find attached in the email the original audit report, and confirmation of closure by the auditors and USOC.

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I hope these responses answer your questions satisfactorily. If you have any further questions, please do not hesitate to contact me.

Thank you again for your attention to this important matter.

Sincerely

A handwritten signature in black ink, appearing to read "Jack Gierhart".

Jack Gierhart
CEO, US Sailing

