



USA WRESTLING  
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February 15, 2018

Mr. Jerry Moran  
Chairman  
Consumer Protection, Product Safety, Insurance and Data Security

Mr. Richard Blumenthal  
Ranking Member  
Subcommittee on Consumer Protection, Product Safety, Insurance and Data Security

Dear Senators Moran And Blumenthal:

Thank you for your inquiry concerning USA Wrestling's athlete protection procedures and policies.

1. What reporting protocols for child and sexual abuse allegations are currently in place to ensure that all reports receive fair, timely, and thorough review by all appropriate parties, including law enforcement?

Response: USA Wrestling has adopted reporting and adjudication procedures set out in its Bylaws and Safe Sport Policy. As described in those documents, allegations of misconduct are reviewed at the highest administrative levels of the organization (we are revisiting our procedures, however, to provide additional resources to review complaints because of an expected increase in complaints based on the national attention being given to these issues). Appeals are heard by the board of directors or, where necessary, by its executive committee.

All allegations involving sexual assault are automatically referred to both the law enforcement authority with jurisdiction and to the US Center for Safe Sport. Under the Safe Sport rules, USA Wrestling loses jurisdiction with respect to the full investigation and sanctioning of certain types of Safe Sport violations, and does not have the ability to "ensure" that the Center for Safe Sport act in any particular manner.

2. Are there special accommodations to account for volunteers that are separately employed by non-NGB institutions, like the case of Dr. Nassar who was employed by MSU, in these reporting practices?

Response: USA Wrestling does not have "special accommodations" to account for USA Wrestling volunteers – the USA Wrestling Safe Sport Policy applies equally to volunteers.

3. Has your organization ever utilized an NDA to enforce confidentiality against any athlete, volunteer, or employee in the past? To the extent possible, please provide all details regarding the justification and circumstances surrounding every individual NDA used by your organization.

Response: Current USA Wrestling leadership dates back to 1988, and to its knowledge, the organization has never entered into any civil settlement concerning an alleged Safe Sport violation and has not used a nondisclosure agreement that is in any manner related to such violations. USA Wrestling has used nondisclosure agreements in commercial and employment agreements where the nondisclosure agreement was not in any way related to suppress claims of abuse but rather were standard boilerplate confidentiality clauses.



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4. Has your organization ever utilized additional binding agreements other than NDAs with athletes under your purview? To the extent possible, please provide all details regarding the justification and circumstances surrounding every individual agreement used by your organization.

Response: USA Wrestling has used athlete agreements to provide funding for elite athletes and standard membership agreements. USA Wrestling is not sure what additional information is being requested concerning these agreements. The agreements do not include any provisions limiting an athlete's right or obligation to report Safe Sport violations.

5. Since the recent lawsuits filed against USOC, USAG, and MSU for organizational failures to investigate, discipline, or remove Dr. Nassar after complaints of sexual abuse, has your organization taken any additional steps to improve the transparency, efficiency, and effectiveness of its criminal misconduct reporting mechanisms?

Response: USA Wrestling has not made any changes since the recent lawsuits, as it believes that its misconduct reporting policies are effective.

6. Please identify any circumstance in which USOC did not take any action following a report of criminal behavior from your organization. To the extent possible, please provide all details regarding the justification and circumstances involved in USOC's decision to not act.

Response: None.

7. In 2017, USOC engaged with a third-party consultant to assess compliance with SafeSport policies and procedures within USOC and all of its NGBs and High Performance Management Organizations (HPM0). Please describe the report issued for your organization, including any recommendations necessary for full compliance. If additional recommendations were issued, what actions were taken by your organization? Are there any remaining recommendations that your organization has yet to fully implement?

Response: USA Wrestling has taken steps to comply with all recommended actions. The audit recommended (a) mandatory Safe Sport training for specified individuals, and (b) a change to the Safe Sport policy to clarify mandatory Safe Sport education. With respect to the first recommendation, USAW Wrestling is imposing the training in accordance with its ordinary membership cycle (which included some two-year memberships) and all such training will be completed by September 2018. USA Wrestling changed its policies in November 2017 to satisfy the second recommendation. Both actions were accepted by the USOC as complying with the audit requirements.

Please let us know if you have any additional questions.

Sincerely,

Rich Bender  
USA Wrestling Executive Director