



February 11, 2018

Honorable Jerry Moran  
Chairman  
Subcommittee on Consumer Protection, Product Safety, Insurance and Data Security  
521 Dirksen Senate Office Building  
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

Dear Senator Moran and Senator Blumenthal,

I am in receipt of your letter, dated February 2, 2018, in which you raised seven questions relating to USA Shooting, Inc. (USA Shooting), United States Olympic Committee (USOC) and issues related to SafeSport in general. I am also in receipt of a February 6, 2018 letter from Max Cobb, Chair, United States Olympic Committee National Governing Bodies Council and President and CEO, US Biathlon Association, asking you to confirm certain assumptions for three of your questions (questions numbered 2, 3 and 4), and February 7, 2018 responses from your respective staffs, confirming Mr. Cobb's assumptions. With that as context, to the best of my knowledge, below are the answers to your questions:

1. USA Shooting has a comprehensive SafeSport Policy posted on its website. This Policy details USA Shooting's commitment to eliminating SafeSport issues. This Policy includes, among other things:
  - a. Definitions of misconduct;
  - b. Requirements for background screening and training for certain individuals;
  - c. Mandatory reporting requirements;
  - d. Disciplinary Rules;
  - e. Hearing procedures and appeal process; and
  - f. USA Shooting's monitoring of compliance with the Policy.

2. USA Shooting's SafeSport Policy requires that all Covered individuals (e.g., those individuals who (1) have routine contact with or supervision over athletes and participants, (2) are responsible for enforcing child abuse and misconduct policies, (3) are in managerial or supervisory roles, and (4) are new and current staff members, coaches and/or volunteers, will complete appropriate training about child physical/sexual abuse and other types of misconduct before having contact with athletes, and will also be background checked. USA Shooting does not have any agreements or other arrangements with its volunteers that modify in any way a volunteer's duty and obligation to report to USA Shooting, or its representative, the U.S. Center for SafeSport, or law enforcement officials if a volunteer becomes aware of any wrongdoing, bad act, or omission, or any violation of USA Shooting rules, the rules of the U.S. Center for SafeSport, or any applicable law by any individual.
3. USA Shooting has not utilized a non-disclosure agreement to enforce confidentiality against an athlete, volunteer, or employee with regard to keeping confidential and/or not disclosing information about any wrongdoing, bad act, or omission, or any violation of USA Shooting rules, the rules of the U.S. Center for SafeSport, or any applicable law by any individual.
4. USA Shooting does have certain agreements with athletes such as: requiring an athlete to abide by the USA Shooting Code of Conduct, facility use, ambassador appearances and certain athletes sign agreements provided by the USOC for Direct Athlete Support (stipends) and Elite Athlete Health Insurance. Under the Ted Stevens Olympic and Amateur Sports Act (Sports Act), NGBs are required to participate in binding arbitration where an athlete alleges that the NGB has denied him or her an opportunity to participate in certain competitions, and 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 an NGB to participate in binding arbitration, and the athlete is in no way obligated to participate. Other than as set forth above, USA Shooting has not utilized or required binding agreements, or participation in forced binding arbitration with athletes for any reason.
5. USA Shooting is committed to SafeSport. In 2012, USA Shooting developed the first free online NGB specific SafeSport training. Since that time, USA Shooting has refined and will continue to refine its policies and procedures to keep pace with USOC and the U.S. Center for Safe Sport requirements. As more fully discussed in question 7 below, USA Shooting has recently updated its procedures to ensure it addressed an September, 2017 Baker Tilly Virchow Krause (Baker Tilly) SafeSport Audit (Audit) report (Report).

6. I am not aware of any circumstances in which USA Shooting engaged in criminal behavior. Thus, the remainder of this question is irrelevant.
7. On or about September, 2017, Baker Tilly performed an Audit of USA Shooting with regard to its compliance with USOC issued Athlete Safety Standards. Baker Tilly's Report noted opportunities for USA Shooting to enhance compliance with certain elements of the USOC Athlete Safety Standards. The Report indicated that certain USA Shooting individuals hadn't complied with the background check and training and education requirements. The Report also recommended that USA Shooting verify compliance with these requirements to ensure they are met in a timely manner - prior to any interaction with athletes.

On January 23<sup>rd</sup>, 2018 USA Shooting revised its procedures to address the issues noted in the Report. On February 10, 2018, USOC Audit confirmed that USA Shooting implemented the necessary changes in order to fulfill the Report recommendations.

Please let me know if I can be of further assistance.

Sincerely,



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