



February 15, 2018

Honorable Jerry Moran  
Chairman  
Senate Commerce Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security  
United States Senate  
Washington, DC 20510

Honorable Richard Blumenthal  
Ranking Member  
Senate Commerce Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security  
United States Senate  
Washington, DC 20510

Dear Chairman Moran and Ranking Member Blumenthal:

As the Chief Executive Officer of USA Volleyball, please allow me to thank you for reaching out through your communication dated February 2, 2018. We welcome your review of our current operations, and hope that this communication appropriately responds to your inquiries.

**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?**

USA Volleyball has implemented significant reporting protocols to ensure fair, timely and thorough reviews of child and/or sexual abuse allegations.

USA Volleyball employs a full-time SafeSport Coordinator to address all reports of SafeSport violations and to interface with the U.S. Center for SafeSport (the "Center"). In addition, USA Volleyball provides a direct link on its website to the Center, as well as a link to a violation reporting form that, once completed, is sent to USA Volleyball's SafeSport Coordinator. USA Volleyball maintains a toll-free SafeSport hotline number, which directs to the SafeSport Coordinator. For those calls coming directly to USA Volleyball, staff have been instructed on how and where to direct calls regarding alleged violations of SafeSport.

When directly informed of an allegation, USA Volleyball fulfills mandatory reporting obligations by reporting matters, as required, to authorities. In follow-up, USA Volleyball documents the date the report was made and to what jurisdiction, that a statement was taken, the officer's name and title, and any directives provided to us from those authorities. The authorities are asked to keep us as informed as appropriate regarding any developments. This is done so as to not interfere with their investigation, fully cooperate, and to follow-up with any actions required by USA Volleyball.



Simultaneously, reports are also made to the Center using their on-line reporting form. Submitting the online form results in a confirmation email back to USA Volleyball along with a case tracking number.

Once all reporting requirements are met, USA Volleyball documents any further actions as directed by the authorities and/or the Center, both of who have independent timelines for actions. More specific timelines are delineated further in the Code and may vary based on circumstances.

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?**

USA Volleyball does not employ any special accommodations or special practices for USA Volleyball volunteers with regards to reporting requirements. USA Volleyball does not negate or in any way restrict mandatory reporting requirements.

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.**

USA Volleyball has not utilized a Non-Disclosure Agreement to require an athlete, volunteer, or employee to keep confidential and/or not to disclose information about any wrongdoing or any violation of USA Volleyball rules, the rules of the Center, or any applicable law.

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. *We are also interested (in addition to the kinds of agreements you listed), all the cases in which an NGB might have required an athlete to participate in forced binding arbitration* (additional clarification question added per Anna Yu, February 7, 2018).**

Through specific inquiry to Chairman Moran and Ranking member Blumenthal, the nature of this question was determined to be inquiring as to any agreements that required an athlete to keep confidential and/or not to disclose information about any wrongdoing, bad act, or omission, or any violation of USA Volleyball rules, the rules of the Center, or any applicable law by any individual of which USA Volleyball or its representatives may be aware. To this extent, USA Volleyball has not required any athlete to sign any such agreement.

Regarding the second inquiry regarding binding arbitration, under the Ted Stevens Olympic and Amateur Sports Act, USA Volleyball, along with all other NGBs, is 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. Also, if a member alleges that USA Volleyball has violated certain provisions of the Sports Act or USOC Bylaws, USA Volleyball is required to participate in binding arbitration. In these cases, it is the athlete who chooses whether or not to require USA Volleyball to participate in binding arbitration, and the athlete is in no way obligated to participate.

With that as background, in response to the request that each NGB describe the cases in which an NGB might have required an athlete to participate in forced binding arbitration, USA Volleyball reports that there are no situations in known history where USA Volleyball has required an athlete to participate in forced binding arbitration.

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?**

USA Volleyball consistently enforces a culture of transparency and continually seeks ways to improve upon that culture. USA Volleyball reporting requirements have been communicated broadly to staff and our constituents via multiple channels including, but not limited to, email, informational newsletters, website posts, and telephone communication. Additionally, specific staff members, including our full-time SafeSport Coordinator, have been identified to facilitate any reporting requirements.

The horrific, recent events involving USOC, USAG, and MSU only affirm USA Volleyball's initiative to remain diligent in the communication, at a broad level, of our reporting mechanisms. USA Volleyball regularly and consistently evaluates how to improve upon our robust SafeSport program, therefore, recent activities have not forced any additional steps that we were not proactively doing already.

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.**

There are no circumstances, to the best of our knowledge, in which the USOC did not take any action following a report of criminal behavior from USA Volleyball.

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)5. 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?**

The audit recommendations provided that the SafeSport policy language reflected in USA Volleyball's SafeSport Handbook must be consistent with USA Volleyball's actual and current practices. The recommendations noted that USA Volleyball's current SafeSport practices were and are in compliance with USOC policy.

As such, USA Volleyball revised and reposted its SafeSport policy language to more accurately reflect its current practices, effective September 2017. This policy language revision fulfilled the requirements of the audit recommendations.

As indicated above, USA Volleyball is 100% committed to creating a culture of safety for all its members.

Well before recent lawsuits, USA Volleyball took a leadership position in the SafeSport movement. The USOC first began discussing the concept of "SafeSport" in and around 2012. Beginning in those early discussions, USA Volleyball was one of the first NGBs to actively engage in and implement the initiatives of a SafeSport program. In 2013, the USA Volleyball Board of Directors voted to endorse the mission of SafeSport, at that time operating under the USOC. In 2014, USA Volleyball employed its first, part-time SafeSport Coordinator position (later making it a full-time position) long before it was ever a requirement. In 2015, when the Center announced it would become an independent organization from the USOC, the USA Volleyball Board of Directors once again affirmed its commitment to endorse the Center and its requirements.

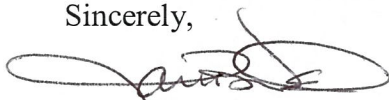
USA Volleyball, for a number of years, has published an annual SafeSport Handbook. In addition, we regularly post SafeSport content in newsletters and magazines. We recently began posting a line of SafeSport videos targeted to youth athletes and circulating SafeSport resources.

Further, USA Volleyball invested in its constituents, offering an investigation course last October to all USA Volleyball Regional Commissioners and their SafeSport contacts. The course was contracted through a professional consulting firm with the trainer being a certified investigator and lawyer. While the Center maintains exclusive jurisdiction over matters of child abuse or sexual misconduct, this investigation course assisted our constituents in more easily recognizing SafeSport violations, addressing other matters of misconduct, and the course demonstrated the importance of impartial, timely, and effective investigation activities.

Recently, USA Volleyball began launching a series of SafeSport Public Service Announcements (“PSAs”) featuring our National Team Athletes. These PSAs promote respect and safety for athletes, encourage viewers to access the Center resources, and further promote the SafeSport movement. Last, USA Volleyball published a “suspended members” list on its website, helping to make the public aware of offenders.

As an organization, USA Volleyball is consistently seeking ways to ensure the safety of our members. We hope this communication has effectively and transparently responded to your inquiries. Please do not hesitate to contact the undersigned should you have any other questions or comments.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jamie Davis', with a large, stylized loop at the end.

Jamie Davis  
Chief Executive Officer  
USA Volleyball

cc: George Redden ([George\\_Redden@moran.senate.gov](mailto:George_Redden@moran.senate.gov))  
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