

ONE HUNDRED FIFTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
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MEMORANDUM

May 21, 2018

To: Subcommittee on Oversight and Investigations Democratic Members and Staff

Fr: Committee on Energy and Commerce Democratic Staff

Re: Hearing on “Examining the Olympic Community’s Ability to Protect Athletes from Sexual Abuse”

On Wednesday, May 23, 2018, at 10:00 a.m. in room 2123 of the Rayburn House Office Building, the Subcommittee on Oversight and Investigations will hold a hearing entitled “Examining the Olympic Community’s Ability to Protect Athletes from Sexual Abuse.” The hearing, which stems from an ongoing bipartisan Committee investigation, will examine how the U.S. Olympic Committee (USOC), the National Governing Bodies (NGBs) for Olympic sports, and the recently-formed U.S. Center for SafeSport (“SafeSport”) address incidents of sexual misconduct in sports.

I. STRUCTURE OF OLYMPIC SPORT IN THE UNITED STATES

In 1978, the Amateur Sports Act (“the Act”) designated USOC as the coordinating body for all Olympic-related sports activity in the United States, including the sports on the programs of the Olympic and Paralympic Games.¹ The Act also recognized NGBs for each Olympic sport, but gave USOC authority to review matters pertaining to the recognition of the NGBs.² USOC has the authority to decertify an NGB if it does not comply with membership requirements.³ Examples of NGBs include USA Swimming, USA Badminton, and USA Cycling.

¹ U.S. Olympic Committee, History (www.teamusa.org/About-the-USOC/Inside-the-USOC/History).

² 36 U.S.C. § 220501 *et seq.*

³ 36 U.S.C. § 220521.

In 1998, the Amateur Sports Act was renamed the “Ted Stevens Olympic and Amateur Sports Act” and amended to recognize the growth of disabled sports and to improve USOC’s ability to resolve disputes involving NGBs, athletes, coaches, and others.⁴ Despite being structured as a nonprofit organization, USOC reported in its most recent tax filing that it had revenues of more than \$300 million, which came largely from broadcasting rights and royalties.⁵

II. CREATION OF THE U.S. CENTER FOR SAFESPORT

In June 2014, USOC approved the creation of SafeSport, an organization responsible for, among other things, investigating and adjudicating sexual misconduct claims in sports managed by USOC-sanctioned NGBs.⁶ SafeSport launched in March 2017 and is based in Denver, Colorado. SafeSport indicates that it is “an independent organization with a nine-member board of directors, including subject-matter experts in abuse prevention, child abuse and sexual assault investigation, ethics compliance and sport administration.”⁷ As well as responding to instances of sexual abuse within the Olympic and Paralympic sport, SafeSport provides education and training aimed at preventing abuse.

On January 29, 2018, in a vote of 406-3, the U.S. House of Representatives passed the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017, a bill that became law in February.⁸ The legislation granted SafeSport jurisdiction over USOC and all NGBs with respect to all matters of “emotional, physical and sexual abuse in sports,” and codified its duties and responsibilities.⁹ In addition, the legislation instituted mandatory reporting requirements for NGBs and others, specifically requiring any adult who interacts with amateur athletes to report suspected abuse to law enforcement within 24 hours.¹⁰

According to reports, SafeSport currently has nine full-time employees, as well as several contracted investigators, and an operating budget of \$4.3 million.¹¹ As of March 2018, SafeSport had reportedly investigated more than 250 reports and inquiries.¹²

⁴ 36 U.S.C. § 220501 *et seq.*

⁵ Internal Revenue Service Form 990, Return of Organization Exempt From Income Tax, U.S. Olympic Committee (2016).

⁶ U.S. Olympic Committee, Safe Sport (www.teamusa.org/about-the-usoc/safe-sport).

⁷ U.S. Center for SafeSport, *The U.S. Center for SafeSport Opens, Focused on Keeping Athletes Safe, Supported & Strengthened* (Mar. 23, 2018) (press release).

⁸ U.S. House of Representatives, Vote on S. 534 (Jan. 29, 2018) (406 yeas, 3 nays).

⁹ Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017, Pub. L. No. 115-126.

¹⁰ *Id.*

¹¹ *As Scandals Rock Youth Sports, This Group Has Taken Hundreds Of Calls In Its First Year*, The News & Observer (Mar. 5, 2018).

¹² *Id.*

III. COMMITTEE INVESTIGATION

On January 26, 2018, following the sentencing of Dr. Larry Nassar,¹³ bipartisan Committee leaders opened an investigation into why the Olympic sports movement failed to protect athletes from sexual abuse, and to evaluate the effectiveness of recently-implemented efforts to prevent abuse.¹⁴ Committee leaders sent letters to USOC, USA Gymnastics, and Michigan State University (MSU) seeking information about their handling of these allegations. In addition, the Committee sent letters to USA Swimming and USA Taekwondo seeking similar information about their handling of other sexual misconduct allegations that have also been reported in the press.¹⁵ For example, at least 250 swim coaches or officials have been accused of sexual abuse or misconduct against minors over the course of decades.¹⁶

On March 8, 2018, the Committee sent additional letters to USOC and 48 NGBs.¹⁷ The purpose of these letters was to gather information to assess the scope of the sexual abuse problem across organized sports and to evaluate what reforms the NGBs and USOC will put in place to address allegations and prevent sexual abuse. Specifically, the Committee sought detailed information from USOC and each NGB regarding how each organization will implement new changes and guidance from both USOC and SafeSport on preventing and reporting abuse.

The Committee has also sought information from the organizations regarding the necessary resources for implementing a system to detect and prevent sexual abuse in organized sports. A particular focus of the Committee has been on whether SafeSport has the necessary personnel, resources and structure to address allegations of sexual abuse and invest in training and education aimed at abuse prevention. For example, although SafeSport was designated the organization to address sexual abuse issues, questions remain about how each NGB will adopt and apply the new SafeSport system.

IV. KEY HEARING ISSUES

The hearing will examine a number of issues pertaining to how USOC, SafeSport, and the NGBs handled recent incidents of sexual misconduct in organized sports, as well as how these entities will respond to future reports of sexual abuse. As part of its oversight role over sports, the Committee will seek information about the following:

¹³ *Larry Nassar Sentenced To Up To 175 Years In Prison For Decades Of Sexual Abuse*, CNN (Jan. 24, 2018).

¹⁴ House Committee on Energy and Commerce, *Bipartisan Cmte Leaders To Investigate Sexual Abuse In Organized Sports* (Jan. 26, 2018) (press release).

¹⁵ *See, e.g., Lopez Brothers, Olympic Taekwondo Royalty, Hit With Sex Abuse Allegations*, USA Today (June 8, 2017).

¹⁶ *100s Of USA Swimmers Were Sexually Abused For Decades And The People In Charge Knew And Ignored It, Investigation Finds*, The Orange County Register (Feb. 16, 2018).

¹⁷ House Committee on Energy and Commerce, *E&C Expands Probe Into Sexual Abuse Within U.S. Olympic Community* (Mar. 8, 2018) (press release).

- To what extent is USOC able to conduct sufficient oversight of NGBs to ensure compliance with SafeSport?
- Should USOC require further standardization and/or reforms to NGB bylaws?
- Does the current structure of USOC and NGBs inappropriately prioritize athlete performance over athlete safety?
- Does SafeSport have sufficient resources to do its work to protect athletes?

V. WITNESSES

Susanne Lyons

Acting Chief Executive Officer
United States Olympic Committee

Kerry Perry

President and Chief Executive Officer
USA Gymnastics

Tim Hinchey

President and Chief Executive Officer
USA Swimming

Steve McNally

Executive Director
USA Taekwondo

Jamie Davis

Chief Executive Officer
USA Volleyball

Shellie Pfohl

President and Chief Executive Officer
U.S. Center for SafeSport