

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

RPTR KEAN

EDTR CRYSTAL

EXAMINING THE OLYMPIC COMMUNITY'S ABILITY  
TO PROTECT ATHLETES FROM SEXUAL ABUSE

WEDNESDAY, MAY 23, 2018

House of Representatives,

Subcommittee on Oversight

and Investigations,

Committee on Energy and Commerce,

Washington, D.C.

The subcommittee met, pursuant to call, at 10:00 a.m., in Room 2123, Rayburn House Office Building, Hon. Gregg Harper [chairman of the subcommittee] presiding.

Present: Representatives Harper, Griffith, Burgess, Brooks, Collins, Barton, Walberg, Walters, Costello, Carter, Walden (ex officio), DeGette, Schakowsky, Castor, Tonko, Clarke, Ruiz, Peters, Pallone (ex officio).

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Also Present: Representatives Bilirakis and Dingell.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Staff Present: Jennifer Barblan, Chief Counsel, Oversight and Investigations; Mike Bloomquist, Staff Director; Kelly Collins, Legislative Clerk, Energy/Environment; Adam Fromm, Director of Outreach and Coalitions; Ali Fulling, Legislative Clerk, Oversight and Investigations, Digital Commerce and Consumer Protection; Brighton Haslett, Counsel, Oversight and Investigations; Brittany Havens, Professional Staff, Oversight and Investigations; Elena Hernandez, Press Secretary; Zach Hunter, Director of Communications; Austin Stonebraker, Press Assistant; Natalie Turner, Counsel, Oversight and Investigations; Hamlin Wade, Special Advisor, External Affairs; Julie Babayan, Minority Counsel; Christina Calce, Minority Counsel; Jeff Carroll, Minority Staff Director; Zach Kahan, Minority Outreach and Members Services Coordinator; Chris Knauer, Minority Oversight Staff Director; Miles Lichtman, Minority Policy Analyst; Perry Lusk, Minority GAO Detailee; Tim Robinson, Minority Chief Counsel; Andrew Souvall, Minority Director of Communications, Outreach and Member Services; and C.J. Young, Minority Press Secretary.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Mr. Harper. The hearing will come to order.

Today, the Subcommittee on Oversight and Investigations is holding a hearing entitled "Examining the Olympic Community's Ability to Protect Athletes from Sexual Abuse."

We are here because recent events have highlighted a very troubling and concerning pattern of sexual misconduct within the U.S. Olympic community. There's been a systemic failure in the system to protect athletes, including in how allegations of sexual misconduct have been handled -- or should I say not handled -- by the national governing bodies, the groups that run individual sports, and the U.S. Olympic Committee.

And let me be clear: One case of sexual abuse is one case too many, and it will take a Herculean effort to regain the trust of prospective athletes, their families, and the American people. The USOC and NGBs play a role in keeping millions of American athletes safe from harm.

The vast majority of the athletes involved in NGBs will never compete in Olympics. They are on teams affiliated with an NGB or play at an NGB-sponsored event. This can include little league teams, local tennis tournaments, or gymnastics competitions. They are, in many instances, children, but they still fall within the parameters of organized sport.

So when we talk about athletes' safety, we aren't just talking about elite athletes representing their country at the highest level of their competition, we are also talking

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

about our friends, our neighbors, and, yes, our children.

This is why athlete safety must be the top priority of the USOC and NGBs, and why they should have robust policies and procedures in place that reflect this priority.

More importantly, these policies and procedures must be followed, otherwise they aren't worth the paper that they're written on, and the culture must be such that our athletes feel safe and protected.

Sadly, we've seen what can happen when athlete safety is not a priority. Too often it seems that the USOC and NGBs haven't acted until they are publicly pressured to do so. When you have survivors saying that they were asked to stay silent, felt that they weren't heard, and didn't feel safe, there's something horribly wrong with the system.

Sexual abuse is a problem that our society must confront. According to the CDC's statistics on sexual violence, one in three women and one in six men experience sexual violence involving physical contact during their lifetimes.

While such focus has been on USA Gymnastics team doctor Larry Nassar, gymnastics is not the only NGB that has had its challenges. Recent public reports also include the Lopez brothers in Taekwondo, Rick Butler in Volleyball, and the multiple accusations that have come from the swimming community, as well as reports in many other NGBs not before us today.

Historically, each NGB and the USOC were responsible for directly handling any complaints, allegations, or reports of sexual abuse within their respective sport. However, policies, procedures, and bylaws weren't consistent across all NGBs, and it's unclear whether there was adequate oversight to ensure that the applicable policies and

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

procedures were even followed.

There have been some recent changes to improve how allegations of sexual misconduct are handled in the Olympic community. The USOC has used working groups to make recommendations for promoting and protecting athletes.

Through these working groups, new policies and procedures were developed and the U.S. Center for SafeSport was created by the USOC and launched in March of 2017. Now all NGBs and the USOC are required to report all complaints or allegations that involve sexual misconduct to the Center for investigation.

Over the course of this investigation, the committee has spoken with many survivors, and their experiences have informed and shaped our work. These conversations and the many thousands of pages of documents provided to the committee by survivors and whistleblowers helped shed light on the pervasive problem of sexual abuse in organized sport and prompted the committee to request documents from all 48 national governing bodies and the USOC.

We greatly appreciate all the assistance that the survivors have provided and our hearts do go out to them. Our job now is to do everything we can to protect our athletes, many of whom are children.

This hearing will serve as an opportunity to review whether the USOC and NGBs have adequate policies and procedures in place to protect athletes from sexual abuse. It is of the utmost importance to hold them accountable for their past failures and ensure that safety is their top priority going forward. It is time to change the culture, once and for all.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

I'd like to welcome all of our witnesses, and I do thank you for being here today. And I know this isn't an easy topic, but it is one that we need to address to keep our Nation's athletes safe. And we do look forward to hearing your testimony.

I would also like to thank the ranking member of the subcommittee, Ms. DeGette, and other minority members and staff for their bipartisan hard work and assistance that we've seen during this investigation.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

And I'll now recognize the ranking member of the subcommittee, Ms. DeGette.

[The prepared statement of Mr. Harper follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*



**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Mr. DeGette. Thank you so much, Mr. Chairman.

There were warning signs about sexual misconduct in amateur sports for decades. And yet, the systems that were supposed to protect our athletes failed. That's why we're here today.

As the chairman noted, these systems failed to stop Larry Nassar from harming more than 250 individuals. They failed to stop a taekwondo coach from abusing three athletes over 7 years for which he was later convicted of multiple felonies. And they failed to stop a swim coach from abusing more than a dozen athletes over 30 years.

That coach was eventually sentenced to 40 years in prison, but even a lifetime in jail cannot erase the damage that he has done.

These cases, unfortunately, are not anomalies. Far too many athletes, from far too many sports, have come forward stating that they had been traumatized by the very people they trusted to help them achieve their dreams.

Today we are here because we need to know that the Olympic sport community has learned from these survivors and is using that knowledge to develop and implement a new system run by the U.S. Center for SafeSport.

We need to be convinced that this new Center has a robust system to investigate and stop bad actors so that situations like this never happen again. And we need to make sure that the Center has adequate funding going forward into the future.

I understand that the U.S. Olympic Committee and the national governing bodies are engaging in their own internal investigations into what went wrong. I hope everyone today is prepared to explain exactly what they're doing to investigate and learn

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

from past failures so that they can build a system that works.

I also hope the Center for SafeSport, which is located right in the heart of my congressional district, can help us explain how the past failures inform its work. Because the Center doesn't just investigate misconduct allegations, although that's an important part of their job, it also has the extraordinarily important task of developing anti-abuse policies and providing education and outreach to promote safe environments for athletes.

I hope the Center will be able to make real, verifiable progress in creating a national culture of safety in sport.

But I've got to say that I have concerns about whether SafeSport has sufficient resources and whether it truly has the independence it needs from the organizations it oversees.

I spoke yesterday with SafeSport, and I want to make sure that we have formal outside assessments of SafeSport's needs and operations. And I want to make sure that the Olympic community and the sporting community also are committed to giving them the resources that they need.

In case you didn't know this, the Olympic Committee is not operating on a shoestring. Its annual revenue is hundreds of millions of dollars. I hope we will hear today that if SafeSport needs more money, the U.S. Olympic Committee and the other governing bodies are prepared to increase substantially the support that they provide to this much-needed watchdog.

I also want to know how the Center for SafeSport and national governing bodies

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

will ensure that the independent systems that they've designed is working as intended and its meeting its goals of protecting the people that it is supposed to.

For example, will there be ongoing and periodic performance audits to ensure that the complaints are properly investigated, the SafeSport's educational component is being implemented, and that its standards are being adopted by the many sports organizations under its jurisdiction?

Ongoing audits are going to be critical to evaluating this new system, and I want to know that this will happen and that we have appropriate resources to do that work.

I also want to understand that the U.S. Olympic Committee is prepared to enforce consistent anti-abuse policies and procedures across all governing bodies.

For example, some governing bodies post public lists of banned athletes and coaches, while others do not. Some governing bodies require safe sport training for all affiliated individuals and others only require it for their members.

I know that various affiliates are concerned about this and are trying to develop consistent policies. This is going to be critical and the leadership of the U.S. Olympic Committee will be critical.

Look, we're not here today to tear down the sporting world. American performances at the Olympics are a source of national pride, and sports in general benefit children and adults at all levels. But it does no good for our athletes to stand on a podium if they've been harmed by the people and organizations that help get them there.

I hope that we're on the road to real change. Today, I want to hear from every witness how we truly are and that the steps that we are taken to date are not just

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

window dressing, because every athlete, no matter what sport they play, no matter what level they're playing it, deserves to compete in a heavy and a safe environment.

Thank you.

[The prepared statement of Ms. DeGette follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Mr. Harper. The chair will now recognize the ranking member, Mr. Pallone, for an opening statement.

Mr. Pallone. Thank you, Mr. Chairman.

Today leaders of the Olympic community will tell us that they failed the people they were supposed to protect. We must examine those failures and understand whether the organizations before us today have learned from them.

Reports of sexual abuse in organized sports have been in the press for decades, years before the world known of Larry Nassar's horrific crimes. It's shameful that many organizations share the blame for failing these survivors.

The problem of sexual abuse in organized sports is bigger than Larry Nassar and it's bigger than any single organization. Today we'll hear from the national governing bodies of several sports, and each one has to address sexual abuse of their athletes.

Unfortunately, we have seen that these cases are not rare. Too many athletes have come forward with accounts of abuse.

These athletes come from different sports, but often we hear the same themes when we listen to them. Frequently their abusers held positions of power, sometimes controlling whether an athlete could train or compete, and frequently their abusers had powerful friends in their respective organizations.

And up until recently, each sports' governing body addressed sexual abuse allegations internally, and that system failed to protect athletes.

There was a great need for an independent organization, and last March the U.S. Center for SafeSport opened its doors with a mission to prevent abuse and foster a

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

culture of safety in sports.

Now sport governing bodies can and must report allegations of sexual misconduct to the Center for SafeSport. And the Center continues to receive new cases, as well as cases from athletes who had reported sexual misconduct in the past.

On top of that, it offers education and training for sports governing bodies and athletes, and already the organization has provided training to more than 300,000 and has received more than 500 reports.

And clearly all of this takes resources, and we need to make sure that the Center for SafeSport has the resources and personnel it needs to do its work.

I also want to hear what the U.S. Olympic Committee is doing to support the Center for SafeSport. Special language in the Tax Code designates the U.S. Olympic Committee as a tax-exempt, nonprofit organization, but few nonprofit organizations can report revenues in the hundreds of millions of dollars as the U.S. Olympic Committee did in its most recent tax filing.

The U.S. Center for SafeSport gets its funding from diverse sources, including fundraising and government grants. It also gets a portion of its funding from the U.S. Olympic Committee.

So I hope we'll hear today that the U.S. Olympic Committee and the sports governing bodies are prepared to provide consistent and continuing support to the Center for SafeSport. It is critical for the Center for SafeSport to have a permanent and dedicated source of funding, and these sports organizations should make sure that that happens.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

I also hope we will hear that the U.S. Olympic Committee will use its position of leadership and authority to require sports governing bodies to adopt reforms as needed to reduce the risk of harm to athletes.

For example, questions such as, who is subject to background checks, how these checks are done, and whether lists of individuals banned from the sport are made public, are all important safety standards that should be applied consistently across all sports.

I also want to hear that the Center for SafeSport, the Olympic Committee, and all governing bodies are committed to completing ongoing formal assessments and evaluations to determine what is working and what needs additional improvement or additional resources.

Before we leave today, I want to hear from all of our witnesses about the reforms they've implemented to keep athletes safe. I want you to convince me that you're thoroughly examining how you failed athletes in the past and that those lessons are shaping the reforms you're putting in place.

And I need to be convinced that you are building a system with the right people, structure, and resources to protect athletes under your leadership. I also want to hear that there will be zero tolerance for the kinds of abuses that brought us here today.

With that, Mr. Chairman, unless someone wants my minute, I will yield back.

[The prepared statement of Mr. Pallone follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Mr. Harper. The gentleman yields back.

The chair will now recognize the chairman of the full committee, Mr. Walden, for an opening.

The Chairman. Thank you very much, Mr. Chairman, for leading this investigation and holding this very important hearing today.

Every one of us in this room has an Olympic memory. For a select few, it is actually competing in the Olympic Games on behalf of our great country. For the vast majority of us, it is watching our athletes compete.

The Olympics inspire, they unite us, as we cheer them on to victory with great pride. Our children watch the Olympics with their own dream that one day they, too, may compete at the most elite level and represent our country.

But the system of organized sport headed by the United States Olympic Committee and 48 national governing bodies, or NGBs, is much bigger than the Olympics and includes millions of athletes who don't necessarily compete at the highest levels.

The four NGBs before us today -- Gymnastics, Taekwondo, Volleyball and Swimming -- collectively represent some 979,000 members. USA Swimming includes everyone from Michael Phelps -- who, by the way, testified before this committee last year -- to children competing in a local recreational league.

And the same is true not for the three other NGBs at the table today, but for all the other NGBs in existence.

In pursuit of their dreams, athletes of all levels have frequent contact with coaches and doctors and trainers and volunteers, who are given responsibility beyond



**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

simply enabling these young athletes to achieve excellence in their chosen sport. We entrust them with athletes' safety and their well-being.

These individuals often hold positions of great power and authority over the athletes. Not only can they control an athlete's training schedule or medical treatment, those very individuals often have a direct say in that athlete's career, such as deciding who competes in an upcoming event.

As has become abundantly clear, too many authority figures have abused their power and influenced and harmed the very athletes that were trusted to them. Athletes have very little power, by comparison, and too many have been failed by the system that purports to protect them.

Much attention has been paid to the case of Larry Nassar, in part because of the sickening number of athletes he abused. To date, hundreds of women and girls have come forward as victims of Nassar's abuse that spanned two decades.

But the sad truth is, that abuse in the Olympic community extends well beyond Larry Nassar and USA Gymnastics. The U.S. Center for SafeSport, established in March of 2017, has already received 488 reports regarding sexual abuse involving 35 of the 48 total NGBs.

The committee has spoken with numerous survivors in the course of this investigation. And we thank all of them for their assistance in this work, and we know that their stories are not easy to tell.

There were far too many similarities in what we heard. Individuals in positions of power not only abused their trust, but physically abused their persons. And when

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

survivors sought help, far too many felt the system protected not them, but their abusers. They felt silenced.

In the eyes of many survivors, the culture of medals and money won out over athlete safety and protection.

Changes have been made in the Olympic community over the past decade, in particular within the last year, that show how things are moving in the right direction. However, many questions remain about whether the community has come far enough and moved fast enough. More must be done to ensure that athlete safety is the top priority of the USOC and the NGBs.

Today this committee will examine how to protect young athletes now and in the future. Among our concerns are:

Whether the culture within the Olympic community fosters a safe environment for victims to come forward;

Whether the policies and procedures that have been put in place over the past several years are enforced in a way that promotes transparency and accountability;

Whether the Center for SafeSport is the most effective organization it can be;

And, whether the USOC has exercised its full authorities over the Olympic community when it comes to creating and enforcing policies that protect our athletes from sexual abuse and misconduct.

So I look forward to hearing about what Congress can do further to improve and strengthen the system so we're actually protecting athletes at all levels, and all ages, in all sports.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Thank you for being here as part of this discussion.

With that, I yield the balance of my time to the gentlelady from Indiana, Mrs.

Brooks.

[The prepared statement of The Chairman follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Mrs. Brooks. Thank you, Mr. Chairman. And I want to thank you for holding this hearing today.

Abuse of all kinds has come under close scrutiny across the country this past year. Sexual abuse in particular has shown itself to be far more pervasive and insidious than many would have imagined.

Thanks to the diligent work of my hometown newspaper, the Indianapolis Star, we've learned about the revelations about Dr. Nassar and his systemic abuse of U.S. gymnasts, but also more about our Nation's Olympic athletes and what they've had to endure for so many years in their Olympic quest, and this is unacceptable.

I'm proud that I led, along with a colleague, Lois Frankel from Florida. We saw the passage of the bill Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017.

Our President signed into law in February of 2018 this bipartisan, game-changing bill that prioritizes the safety and well-being of our Nation's athletes, because we must ensure that our youth are safe when they go to the gym, when they take the ice, when they go out onto the field to practice their sport.

Young athletes look to their coaches, their instructors, their trainers as role models. And our bill, now law, works to ensure that our athletic national governing bodies will support a culture within their organizations to foster safe and healthy relationships between coaches, instructors, trainers, and athletes, through their policies and procedures that will prevent, detect, and report allegations of abuse to law enforcement in an appropriate and timely manner.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

And I'm proud that this was signed into law, because our past, our present, and our future athletes, who are dedicating their lives to perfect their sport, the dream of the Olympic stage, need to be protected. They need to be safe and free from sexual abuse.

And I thank you all for being here today. I look forward to your testimony.

[The prepared statement of Mrs. Brooks follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Mr. Harper. I ask unanimous consent that the members' written opening statements be made part of the record. Without objection, they will be entered into the record.

Additionally, I ask unanimous consent that Energy and Commerce members not on the Subcommittee on Oversight and Investigations be permitted to participate in today's hearing. Without objection, so ordered.

I would now like to introduce our witnesses for today's hearing.

First, we have Ms. Susanne Lyons, acting chief executive officer at the United States Olympic Committee.

Next is Ms. Kerry Perry, president and chief executive officer at USA Gymnastics.

Mr. Tim Hinchey, president and chief executive officer at USA Swimming.

Mr. Steve McNally, executive director at USA Taekwondo.

Then we have Mr. Jamie Davis, chief executive officer at USA Volleyball.

And finally, Ms. Shellie Pfohl, president and chief executive officer at the U.S. Center for SafeSport.

You're aware that the committee is holding an investigative hearing, and when doing so has had the practice of taking testimony under oath. Do you have any objection to testifying under oath?

Let the record reflect that all witnesses have responded no.

The chair then advises you that under the rules of the House and the rules of the committee, you're entitled to be accompanied by counsel. Do any of you desire to be accompanied by counsel during your testimony today?

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Let the record reflect that all witnesses have responded no.

In that case, if you would please rise. I ask you to raise your right hand, and I will swear you in.

Do you swear that the testimony you're about to give is the truth, the whole truth, and nothing but the truth?

Thank you. You may be seated.

You're now under oath and subject to the penalties set forth in Title 18, Section 1001 of the United States Code.

You may now give a 5-minute summary of your written statement.

And we will begin with you, Ms. Lyons. You have a light system that's there that should turn yellow when you have a minute left and red when your 5 minutes are up.

So, Ms. Lyons, welcome.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

**TESTIMONY OF SUSANNE LYONS, ACTING CHIEF EXECUTIVE OFFICER, UNITED STATES OLYMPIC COMMITTEE (USOC); KERRY PERRY, PRESIDENT AND CHIEF EXECUTIVE OFFICER; USA GYMNASTICS (USAG); TIM HINCHEY, PRESIDENT AND CHIEF EXECUTIVE OFFICER, USA SWIMMING, (USA-S); STEVE MCNALLY, EXECUTIVE DIRECTOR, USA TAEKWONDO, (USAT); JAMIE DAVIS, CHIEF EXECUTIVE OFFICER, USA VOLLEYBALL (USAV); AND SHELLIE PFOHL, PRESIDENT AND CHIEF EXECUTIVE OFFICER, U.S. CENTER FOR SAFESPORT (USCSS)**

**TESTIMONY OF SUSANNE LYONS**

Ms. Lyons. Thank you. Good morning, Chairman Harper, Ranking Member DeGette, and members of the subcommittee.

Three months ago, I agreed to serve as the acting CEO of the U.S. Olympic Committee because I felt an obligation to help address the significant and important issues that bring us here today.

Like you, I was deeply saddened and also angry to hear the statements of the girls and women who were the victims of Larry Nassar. I heard the powerful and compelling stories of victims and survivors, including those that had sought help from people in the Olympic community. They found the system unresponsive, needlessly complex, and fraught with risks to their Olympic dreams. This is appalling and unacceptable.

The Olympic community failed the people it was supposed to protect. And I



**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

would like to apologize once again to those individuals and to their families, some of whom I believe are with us today. I know we can do better, and we will do better.

When I accepted this role, I announced a series of initiatives to address issues of abuse and other structural weaknesses. We committed to providing funding for gymnastics and athletes from other sports affected by abuse. We committed to doubling our funding for the Center for SafeSport.

We announced a governance review. And we committed to strengthen the voices of the athletes, both young and adult, in our community. And importantly, we reiterated our commitment to reform USA Gymnastics.

Last year, we demanded the resignation of the USA Gymnastics CEO, and this year we required a complete turnover of the USA Gymnastics board, along with several additional reforms.

Mr. Chairman, we are already making progress, but we have a long way to go. I would like to update the subcommittee on our efforts.

First, we are redoubling our efforts with the Center for SafeSport. After only 1 year it is already clear that the Center is serving an essential role in protecting athletes.

The Center has experienced a significant increase in the number of reports of abuse. And although any report is disheartening, that's the reason we need the Center. It provides a safe and independent path for athletes to report these concerns.

We doubled our grant to the Center to \$3.1 million this year to enable it to hire more investigators and to resolve cases more quickly. We are also working with the Center to identify potential improvements in their policies and procedures.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Second, we are listening to and enhancing the voices of athletes in the community through athlete surveys and through a series of athlete working sessions.

Third, we announced a governance review to inform our engagement with the national governing bodies and athletes and our oversight of the Olympic Movement in the United States. We need to make sure that we are organized and empowered to take appropriate steps to protect athletes.

Rebuilding gymnastics is the fourth category. We committed to a \$1.3 million grant to the National Gymnastics Foundation entirely for athlete assistance programs, medical support, and counseling.

We are in nearly constant contact with CEO Kerry Perry, the Gymnastics interim board, and others at Gymnastics. Recently, we supported Gymnastics as they established that interim board, and we supported them as they made governance reforms to implement best practices.

Even as we move ahead, a fifth category of effort will develop in the coming months when we receive the report of the independent investigation of Nassar's abuse.

The investigation covers both the Olympic Committee and USA Gymnastics, as well as any other relevant information on abuse that the investigation reveals. We will make that report public in its complete and unabridged form, and we will take whatever actions are appropriate based on the report's findings.

We have made significant progress in strengthening protections for athletes over the last few years, but our collective efforts must not cease. We must support the victims and survivors and honor those who have stood up against abuse. We promise to

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

lead the Olympic community to bring real and lasting change.

I would be happy to answer your questions.

[The prepared testimony of Ms. Lyons follows:]

\*\*\*\*\* INSERT 1-1 \*\*\*\*\*

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Mr. Harper. Thank you, Ms. Lyons.

The chair will now recognize Ms. Perry for 5 minutes for the purposes of your opening statement.

#### **TESTIMONY OF KERRY PERRY**

Ms. Perry. Chairman Harper, Ranking Member DeGette, members of the Oversight and Investigations Subcommittee, thank you for inviting me to testify today at this very important hearing.

For more than 50 years, USA Gymnastics has served as the national governing body for the sport in the United States. We have many responsibilities to the gymnastics community. None are more important than the safety and well-being of our athletes.

Like all of you, I was appalled and sickened by the despicable crimes of Larry Nassar. We must do better.

I came on board at USA Gymnastics in December from outside the sport and the Olympic Movement. My singular goal and the reason I accepted this mission is to create a supportive and empowering culture that helps our athletes achieve their gymnastics dreams in an empowering culture.

First, I want to apologize to all who were harmed by the horrific acts of Larry Nassar. I was in the courtroom to listen to the incredibly courageous women explain in vivid and painful detail the damage he did to their lives. Their voices will not be forgotten.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

I commit to you that I will keep their words and experiences at the core of every decision I make, every day, as the leader of this organization. Their stories have broken my heart, but they've also strengthened my resolve.

Let there be no mistake, those days are over. USA Gymnastics is on a new path, with new leadership and a commitment to ensure this never happens again.

Since December 2017, we have embarked on a mission to implement a culture that puts athletes first. To that end, we are working hard to regain the trust and confidence of our athletes, their families, and all who are a part of our gymnastics community.

In the past 5 months, here are just a few of the bold decisions to put USA Gymnastics on a new course:

We closed the National Training Center at the Karolyi Ranch.

We made difficult personnel decisions to ensure that USA Gymnastics has a fresh start.

We fully support the U.S. Olympic Committee and congressional investigations that we hope will shed light on how Nassar was able to commit these horrific crimes.

We fully support Federal legislation, now a law, that will help safeguard amateur athletes.

We expanded our SafeSport department to include five new positions, four of which will live in the regions that they cover throughout the United States, to better support, train, educate, and serve our members.

We created an Athlete Task Force where our athletes will help shape our

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

organization's future and its strategic and operating decisions.

We continue to implement the Deborah Daniels recommendations stemming from an independent evaluation of USA Gymnastics policies.

We are strongly enforcing the USA Gymnastics Safe Sport Policy that requires mandatory reporting to find specific types of misconduct, set standards for grooming behavior, and establish greater accountability.

We made reporting of abuse easier with a dedicated toll-free number and online reporting.

We are amending our bylaws to support the cultural commitment to athlete safety and to help enforce safe sport policies.

We are educating and training our staff, our board, and our members on the new Safe Sport Policy. I am pleased to report that our staff and our board are 100 percent Safe Sport compliant.

Beginning in 2018, all professional and club members must be Safe Sport certified as a condition of membership.

We are participating in mediation in order to resolve the athletes' claims fairly and expeditiously.

And we created an Athlete Assistance Fund, in cooperation with the National Gymnastics Foundation, to provide survivors of abuse with the needed financial resources for counseling and medical services.

These necessary changes are not just amendments to our policies, they are part of a cultural shift that reflects our commitment to prioritize the safety of our athletes and

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

members. We will hold our organization to the highest standards of care in order to become the standard bearer of change.

I am testifying today on behalf of the new USA Gymnastics, because right now there's a parent driving their child to gymnastics class. I want that parent to know that we are doing everything we can every day to protect your child.

Athlete safety must be at the forefront of everything we do. We have taken decisive action to grow into a more athlete-centered organization, committed to helping our athletes fulfill their dreams in a safe and supportive environment.

Out of respect for those who have stood on the podium under the United States flag, and out of devotion to the aspiring young athletes who set foot in gyms every day, we must and we will emerge stronger and safer.

Thank you. And I'm happy to answer your questions.

[The prepared testimony of Ms. Perry follows:]

\*\*\*\*\* INSERT 1-2 \*\*\*\*\*

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Mr. Harper. Thank you, Ms. Perry.

The chair will now recognize Mr. Hinchey for 5 minutes.

#### **TESTIMONY OF TIM HINCHEY**

Mr. Hinchey. Chairman Harper, Ranking Member DeGette, and the members of the subcommittee, thank you for the opportunity to testify today.

In 2010, USA Swimming faced its own reality that children and swimmers were being sexually abused in sport.

USA Swimming apologizes, acknowledges and deeply regrets the abuse suffered by children, athletes, and other participants in swimming programs.

Participation in sport should offer physical, social, and emotional benefits, but for some it has resulted in abuse and trauma that will negatively impact the rest of their lives. That is inexcusable. And like those who sit before me today, I am deeply committed to providing a safe and healthy environment for children to grow, play, and compete.

While recognizing that much work remains to be done, let me describe the steps USA Swimming has taken.

In 2010, USA Swimming established a comprehensive abuse prevention and response program called Safe Sport.

USA Swimming hired an athlete protection officer, the first position of its kind in the Olympic Movement, and established a national Safe Sport Committee.



**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Over the past 8 years, the Safe Sport program has evolved. Over 90 individuals have been banned from membership for sexual misconduct, and it is published on USA Swimming's ban list.

Criminal background checks have been enhanced. Currently, we conduct monthly recurring reports on our 50,000 nonathlete members, resulting in approximately 600,000 annual background checks of adults who have access to children.

We have over 80 individuals dedicated to championing Safe Sport athletes and efforts at the local, regional, and national level.

Educational initiatives have also increased. Over 10,000 individuals have received Safe Sport training in in-person workshops or conferences.

Finally, a victims assistance fund called SwimAssist has been established.

However, I regret we continue to receive reports of child sexual abuse in swimming. The organization can, should, and will do more, and I will lead that effort.

I'm the father of six, three girls and three boys, ages 30 to 11, and I'm a swimmer. Upon assuming the role of president of USA Swimming in July of 2017, I recognized Safe Sport's significance to the organization. And the opportunity to work with the subcommittee in this investigation has only intensified my commitment to make protecting children and athletes USA Swimming's absolute top priority.

To that end, we have a number of new initiatives under way and we are vetting even more. The Safe Sport recognized club program will enhance athlete protection efforts at all levels, especially the local level. The "Training the Trainers" program will increase the number of advocates spreading the Safe Sport message throughout our

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

organization.

I have and will continue to meet with and engage with survivors of abuse to ensure that we hear their voices and we learn from their experiences.

In addition to its own efforts, USA Swimming will continue to be a responsible leader, steward, and member of the Olympic sport community.

USA Swimming embraces its obligations under the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act and already has policies in place that require reporting, prohibit retaliation, and limit one-on-one interactions between adults and children.

Further, USA Swimming supports the U.S. Center for SafeSport and is fully committed to its success.

While we cannot change the past, we will learn from it and we will do better. Our commitment to preventing child sexual abuse and providing a safe and healthy environment for our athletes is constant and long-lasting.

Thank you, and I look forward to answering your questions.

[The prepared testimony of Mr. Hinchey follows:]

\*\*\*\*\* INSERT 1-3 \*\*\*\*\*

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Mr. Harper. Thank you, Mr. Hinchey.

The chair now recognizes Mr. McNally for 5 minutes.

#### **TESTIMONY OF STEVE MCNALLY**

Mr. McNally. Mr. Chairman, Ranking Member DeGette, and members of the subcommittee, for just under 8 months I have served as executive director of U.S. Taekwondo.

I thank the committee for the opportunity to express my personal commitment, and the commitment of USA Taekwondo under my leadership, to ensuring that athletes are protected from sexual misconduct within the U.S. Olympic community, as well as all those participating in sports outside the Olympic Movement.

For the purposes of background, USA Taekwondo was formed in 2004 to assume responsibility as the national governing body for Taekwondo after the dissolution of the previous governing body, the United States Taekwondo Union.

Very few records exist from the USTU era, and no continuity exists between USTU and USAT with regard to the organization's board of directors, leadership, or senior staff.

From the information and documents that I have accumulated since becoming executive director in September of last year, I have concluded that the organization's response to complaints prior to 2015 varied as administrations, boards, and ethics committees changed personnel.

USA Taekwondo has always sought to balance its obligation to protect members

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

from misconduct, while also abiding by the requirements to protecting the rights of the accused.

Mr. Harper. Mr. McNally, could you pull the microphone a little closer to you, please, sir? Thank you.

Mr. McNally. In 2015, following allegations by an athlete of sexual assault at the hands of USAT coaches, USA Taekwondo immediately retained Denver attorney Donald Alperstein from a firm specializing in amateur sports law since 1985 to serve as an independent outside counsel.

From this point forward, USA Taekwondo has relied on its outside counsel to investigate all of USAT history in an effort to uncover any previously unreported incidents of sexual assault and misconduct, and to pursue sanctions against defendants.

Outside counsel operated without any limitation on its budget, with no control by USA Taekwondo as to whom he should or should not pursue, and with only rudimentary intermittent reporting requirements to USA Taekwondo.

At the direction of outside counsel, in conjunction with the support of USA Taekwondo leadership, a number of measures were implemented immediately following its engagement to address pending allegations of misconduct, discover additional claims, and execute remedies to ensure the safety and security of USA Taekwondo athletes.

The investigation was conducted by outside counsel hired at the direction of USA Taekwondo and succeeded in exposing evidence of misconduct within USA Taekwondo and USTU as early as 1994.

However, as one might imagine, the pursuit of sanctions against defendants

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

proved to be somewhat elusive, with many victims hesitant to reopen old wounds and reluctant to discuss matters about which their families, friends, or employers were unaware. Some victims could not be located, and some were unavailable for a variety of other reasons, including incarceration.

Several victims eventually disclosed information to outside counsel but only on the condition that they could do so confidentially and would not be compelled to testify without further discussion. And to this day, outside counsel has raised some concern over sharing information he received only through providing these promises.

The committee has expressed an interest in Steven and Jean Lopez. To summarize, a lifetime ban has been imposed on Jean Lopez, and Steven Lopez is under a temporary suspension pending disposition of his case by SafeSport.

I do want to emphasize USA Taekwondo submitted evidence gathered concerning these allegations to the FBI, the Sugarland, Texas, Police Department, the Fort Bend County, Texas, Sheriff's Office, and the Colorado Springs Police Department.

With the creation of SafeSport in March 2017, all cases still pending in outside counsel's investigation were transferred.

Personally, it is my strong commitment to be part of the solution. And under my leadership, USA Taekwondo has already taken additional efforts to become more proactive in the area of athlete protection.

These include the immediate referral of any and all sexual abuse allegations to SafeSport, and the referral of any allegations involving a potential crime to relevant law enforcement agencies.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

We immediately suspend an individual upon receipt of a direct allegation if we believe there is a threat to athletes currently, or clear evidence of an allegation being true.

We now ensure leadership on any official trip contains both genders. We require SafeSport training now for all referees. We've introduced mandatory background checks and SafeSport training for vendors even who are working at our events.

And we have just engaged a group called Fighting Spirit, which provides education on sexual misconduct. All minor national teams athletes will be required to take this training in the future.

Finally, next month USA Taekwondo will launch the #notinmysport education campaign, with the goal of informing participants throughout the sport as to what is acceptable behavior and what constitutes a violation, and also to empower our athletes to stand up and make their statement on social media channels.

There is no doubt more work to be done. The entire Olympic family must ensure that funding and resources remain available to SafeSport.

Thank you, and I'm ready to answer your questions.

[The prepared testimony of Mr. McNally follows:]

\*\*\*\*\* INSERT 1-4 \*\*\*\*\*

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Mr. Harper. Thank you, Mr. McNally.

The chair will now recognize Mr. Davis for 5 minutes.

#### **TESTIMONY OF JAMIE DAVIS**

Mr. Davis. Chairman Harper, Ranking Member DeGette, members of the subcommittee, I want to thank you for affording me an opportunity to speak with you today and to share with you USA Volleyball's commitment to the safety our athletes.

I joined USA Volleyball as its CEO in January of 2017, and in that timeframe I have been proud to lead an organization that respects all of our participants and places the highest value on personal safety before medal counts.

USA Volleyball actively encourages our members to report any and all incidents regarding sexual misconduct or abuse, and we provide them a safe environment to express their concerns. We report and investigate any allegation brought forward, and we have the obligation to take appropriate action, if necessary. This is the core of our values.

USA Volleyball has long championed a culture of protection of all participants. We were one of the first NGBs to implement a robust background screening policy. Beginning in the 2004-2005 volleyball season, USA Volleyball starting working with nationally respected background screening company SSCI and implemented a policy requiring individuals who participate with junior volleyball clubs to submit to a background screening.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Recognizing a need to do more to protect athletes of all ages, USA Volleyball formed a commission in 2010 to address participant safety, named the Special Commission on Athlete Safeguards. This commission set out to review the current trends and best practices in athlete safety and produce recommendations for USA Volleyball to implement.

The recommendations of the commission were extensive, but included: one, developing a procedure for reporting sexual harassment or abuse allegations; two, formulating written policies that define inappropriate behavior; and three, providing continual education on these kinds of topics to USA Volleyball participants and parents.

The commission's work paved the way for USA Volleyball to establish early safe sport policies and procedures before it was even called safe sport. We are proud to have been a very early endorser of a safe sport program and supporter of the U.S. Center for SafeSport.

As I hope is evident, USA Volleyball has long considered the safety of our athletes to be a top priority. This priority was not suddenly created in response to recent headlines or as a result of mounting public scrutiny, but done so because many years ago we recognized protecting our athletes and members as the right thing to do.

I would like to address the case of Mr. Rick Butler, who has made headlines in the volleyball world. Mr. Butler is a well-known private volleyball club owner and coach in the Chicagoland suburb of Aurora, Illinois.

His club, Sports Performance Volleyball, is not owned or operated by USA Volleyball; however, its athletes and coaches are required to be members of USA



**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Volleyball if they wish to participate in USA Volleyball-sanctioned events.

In 1995, allegations of sexual misconduct were brought forth by three women that took place while they were members and played at his privately owned club. The women claimed that Mr. Butler had a sexual relationship with them in the 1980s while he was their coach and while they were under the age of 18.

As a result of those allegations, in 1995 USA Volleyball found that Mr. Butler had violated our rules, and as a result, they voted to ban him for life.

After 5 years passed and upon Mr. Butler's request for reinstatement, USA Volleyball voted to conditionally reinstate Mr. Butler's membership in the year 2000 under the limitation of Mr. Butler's inability to ever coach junior girls in USA Volleyball-sanctioned events.

To be clear, regardless of all the headlines surrounding this matter, and since the year 1995, Mr. Butler has been banned from coaching junior girls under USA Volleyball, a condition of his lifetime ban that never changed.

Furthermore, these allegations are a result of Mr. Butler's activities as a club director and coach for his privately owned club and not a part of USA Volleyball national team programs.

In late 2016, several brave women came forward to USA Volleyball to provide new allegations against Mr. Butler for sexual misconduct dating back to the 1980s. Based on these women's claims, USA Volleyball filed new charges against Mr. Butler. And in January of 2018, USA Volleyball's Ethics and Eligibility Committee held a hearing regarding these allegations.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Mr. Butler was once again found to have violated our rules, and as a result, Mr. Butler was banned from total participation in USA Volleyball for life without the possibility of reinstatement.

Our efforts were recently applauded by the CEO of Champion Women, Ms. Nancy Hogshead-Makar, one of the Nation's most vocal advocates for women's rights in sports. In her letter addressed to me on April 2, 2018, Ms. Hogshead-Makar wrote in part, quote:

"We are reaching out today to thank you for banning Rick Butler from volleyball for his sexual predation of young girls. It took a lot to be the first organization to ban him, and we are grateful for your strong commitment to the victims and safety of all athletes. We are optimistic that these efforts will make a difference the next time any sports organization has to make a call to investigate, hold a hearing, or ban a member, if necessary," end quote.

I do not pretend that we have been perfect, nor do I ignore the fact that there have been some offenders in our midst. I encourage anyone listening to me today that if you have information of any misconduct within our organization, past or present, please contact our offices or the U.S. Center for SafeSport. We will listen, and we will act.

We want to create the most safest, most enjoyable atmosphere for volleyball players of all ages and look forward to a day when there is no sexual abuse or misconduct in volleyball. We will do everything we can to make this a reality, and we look forward to working with others to do so.

Thank you, and I look forward to your questions.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

[The prepared testimony of Mr. Davis follows:]

\*\*\*\*\* INSERT 1-5 \*\*\*\*\*

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Mr. Harper. Thank you, Mr. Davis.

The chair will now recognize Ms. Pfohl, the president and CEO of the U.S. Center for SafeSport.

#### **TESTIMONY OF SHELLIE PFOHL**

Ms. Pfohl. Thank you, Chairman Harper, Ranking Member DeGette, and members of the committee.

It is my privilege to serve as president and CEO of the United States Center for SafeSport, an independent, nonprofit organization in Denver, Colorado.

The Center is dedicated to making athlete well-being a centerpiece of our Nation's sports culture. Let me say that again. Our Center is dedicated to making athlete well-being the centerpiece of our Nation's sports culture through abuse prevention, education, and accountability.

Far too many of our Nation's athletes have suffered abuse at the hands of perpetrators who take advantage of a sports environment where athletes form bonds with their coaches, trusted adults, and teammates. As you said, Mr. Chairman, if one athlete is abused, it's one too many.

I know from experience that sport at its core builds character, promotes healthy lifestyles, and develops self-confidence. We are here today because we never want to lose sight of those values.

Our March 3, 2017, we opened our doors as an independent entity and started

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

taking reports on day one. Today our operations include a 9-member board and 14 full-time employees.

Thanks to the support from Congress and the leadership of Representative Brooks, we were recognized in the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act, which became law in February.

Among the many safeguards it put in place, the law requires that anyone working in amateur sports must immediately report the suspected abuse of minors to law enforcement and prohibits retaliation against those who choose to come forward.

Adults who have regular contact with minors in Olympic and Paralympic sports must now complete mandatory SafeSport training, adhere to best practices, policies, and procedures, like the SafeSport code.

The code specifically outlines and prohibits forms of abuse and misconduct and defines the processes surrounding reporting. Reports can be made through the Center's website or by calling our office.

I want to stress that anyone who is listening, reports can be made anonymously and there is no statute of limitation.

The safety and well-being of those we serve is our priority. Our qualified investigators are trained to handle each report with care through the industry best practice of trauma-informed response.

Before I go into the numbers, I want to underscore that we never lose sight of the fact that behind these numbers are people, men, women, boys, and girls, dealing with the lingering effects of abuse.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

In our first year, we responded to more than 500 reports and inquiries. This year, we expect that number to more than double.

Let me put it into perspective for you. This time last year, we were getting 20 to 30 reports per month. Now we're getting 20 to 30 reports per week.

So far, we have issued 169 sanctions, including sanctioning 142 individuals with permanent ineligibility. That's no small detail, 142 individuals are permanently unable to coach or participate in Olympic and Paralympic sports. These adults are listed in our online searchable database, which is available to anyone who wants to use it.

The volume of reports speaks to the critical need of the Center. We know how hard it is for victims to come forward. Our goal is to continue building trust while establishing a culture where everyone feels safe, supported, and empowered to report, with the ultimate objective to end all forms of abuse.

In addition to investigating reports, we also provide outreach, education, and training, not only for athletes and coaches, but for parents and youth sport organizations at all levels. In our first year, almost 400,000 people completed our online training and hundreds more have expressed interest in accessing it.

This past year was a step in the right direction, and I know we have a lot more work to do.

In closing, sport has the power to be an incredibly positive influence on participants, communities, and our Nation. I thank you for helping us to prioritize our important mission to champion respect and end abuse.

Thank you.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

[The prepared testimony of Ms. Pfohl follows:]

\*\*\*\*\* INSERT 1-6 \*\*\*\*\*

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Mr. Harper. Thank you, Ms. Pfohl.

The chair will now begin the questioning by the members. And we are going to ask unanimous consent that the contents of the document binder be introduced into the record and to authorize staff to make any appropriate redactions.

Without objection, the documents will be entered into the record with any redactions that staff determines are appropriate.

[The information follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*



**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Mr. Harper. Ms. Lyons, if I may ask you some questions.

Does the USOC see itself as responsible for overseeing and enforcing policies that keep athletes safe?

Ms. Lyons. Yes, I think that we do view ourselves as responsible. And I think if we have had a failing, it is that we have not adequately exercised our authority in that manner.

Mr. Harper. My question was, is that your responsibility? And you've answered yes.

Ms. Lyons. Yes, I believe it is.

Mr. Harper. Is it a top priority for the USOC?

Ms. Lyons. It is a top priority.

Mr. Harper. And I'm glad you said that and view it that way, but we're all worried that it hasn't always been the case.

If you could look at the document binder that's before you there and turn to Tab 1.

In Tab 1 you're going to see a Washington Post article dated February the 23rd of 2018. Do you see that?

Ms. Lyons. Yes, I do.

Mr. Harper. The article references a deposition in a 2016 lawsuit in which a Taekwondo athlete alleged that she was raped by her coach at the USOC's Olympic Training Center.

USOC's lawyer, Gary Johansen, was asked whether protecting athletes from abuse

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

was a top priority for the USOC. His response: "The USOC does not have athletes."

Does the USOC believe that it has the authority to require NGBs to implement policies and procedures?

Ms. Lyons. Yes, I believe the act does grant us that authority. And I think a change we need to make is for us to exercise that authority more thoroughly.

Mr. Harper. The USOC provides NGBs with governance support, and in some instances the USOC has required changes to an NGB's bylaws related to the act or the USOC's bylaws. Is that correct?

Ms. Lyons. That's correct.

Mr. Harper. However, each NGB has their own governance structure and applicable bylaws and policies. Is that true?

Ms. Lyons. Yes, that is true.

Mr. Harper. As I mentioned in my opening statement, you can have all of the policies and procedures in the world, but if they're not properly implemented, followed, or enforced, they're not doing much good.

The USOC engaged Baker Tilly to conduct audits of the USOC in all of the NGBs and high performance management organizations to assess their compliance with SafeSport policies and procedures. The audit reports for each organization were issued last year in October 2017. Some of the organizations were found to be in compliance with the SafeSport policies and procedures and didn't have any observations, but many were found to have deficiencies.

Do you know how many audits found deficiencies?

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Ms. Lyons. Yes. In fact at that time the majority had deficiencies. However, I am pleased to say that virtually all are now in compliance.

Mr. Harper. Would it be fair to say that 43 NGBs had deficiencies?

Ms. Lyons. That's correct.

Mr. Harper. The audit of the USOC itself also found a number of deficiencies for USOC. If you could turn to Tab 2 in your notebook there.

In Tab 2, you'll see that audit. And these included a lack of guidance and specific requirements on anonymous or confidential reporting by survivors, training, and background checks, to name a few.

Unlike the NGBs with deficiencies, however, there doesn't appear to have been a follow-up audit of the USOC. Do you plan to conduct a follow-up audit?

Ms. Lyons. Let me just have a moment to review this.

Mr. Harper. Yes, ma'am.

Ms. Lyons. Yes. Having looked at this, I think to any extent where we have deficiencies it is required that we should do exactly the same thing that we expect of the NGBs, we should have a follow-up audit and ensure that we are, ourselves, in compliance.

Mr. Harper. What ability does the USOC have to enforce policies and procedures?

Ms. Lyons. I think the act grants us a great deal of authority.

I think one of the areas that we most need to look at -- and this is why we have introduced a governance review -- is that we have two main levers, we can take away funding or we can decertify. Our main activity is to decide if an NGB is certified.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Mr. Harper. So you can decertify, you can put them on probation or you can withhold funds.

Ms. Lyons. Correct.

Mr. Harper. Is that correct?

Ms. Lyons. That is correct.

Mr. Harper. So you have a number of tools at your disposal.

What circumstances would it take to warrant that the USOC take such action?

What do you have to see? What would you have to see in behavior by an NGB to decertify or to withhold funds? What are you looking for?

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

RPTR TELL

EDTR CRYSTAL

[11:00 a.m.]

Ms. Lyons. We look for a number of things. They include the ability to manage effectively; and administratively we look for them to have appropriate financial controls.

And in the recent years we have also added a very incredibly important requirement that they meet all of the safe sport standards, that they have just implemented all the new language that is in the new legislation.

So we have increasingly added to our list of compliance that they must have these safe sport protections, and we audit against that on a regular basis now.

Mr. Harper. My time has expired.

The chair will now recognize the ranking member of the subcommittee, Ms. DeGette, for 5 minutes.

Ms. DeGette. Thank you so much, Mr. Chairman. I would like to follow up on your questioning.

Ms. Lyons, I think that you testified there's roughly 49 of these NGBs. And as we heard today, just from a representative sample, every group has their own governing principles. Is that correct?

Ms. Lyons. That is correct.

Ms. DeGette. And that's probably why it is really important that we have an organization like the Center for SafeSport so they can have an overriding protocol for complaints of this nature. Isn't that correct?

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Ms. Lyons. Yes, I totally agree.

Ms. DeGette. And that's, in fact, one reason why the Center for SafeSport was founded in March of 2017, just a little over a year ago. Is that right?

Ms. Lyons. That's correct.

Ms. DeGette. Now, I want to turn to you, Ms. Pfohl, because you testified that last year the Center for SafeSport had about 20 to 30 complaints per month. This year it is 20 to 30 per week. And you have got about 800 reports pending right now. Is that right?

Ms. Pfohl. No, ma'am. Thank you for the question. We have had 800 -- over 800 total reports --

Ms. DeGette. I see.

Ms. Pfohl. -- to come in since we opened our doors.

Ms. DeGette. In the roughly 14 months, you have had 800 reports.

Ms. Pfohl. Correct, correct.

Ms. DeGette. Now, in a May 17 submission to this committee SafeSport reported that the U.S. Olympic Committee provided \$2.7 million in 2017 and is going to provide roughly \$3.1 million for 2018 and \$3.1 million for 2019, the same amount for 2019. Is that right?

Ms. Pfohl. Yes, ma'am.

Ms. DeGette. Now, getting back to my -- to your testimony, I think you had said, ever since the #MeToo movement -- you told me this yesterday -- ever since the #MeToo movement, the Center for SafeSport has seen the number of complaints skyrocket. Is

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

that right?

Ms. Pfohl. Definitely, between the #MeToo movement and the Nassar trial.

Ms. DeGette. And the Nassar trial.

Ms. Pfohl. We really saw an uptick.

Ms. DeGette. It has really gone up this year. Is that right?

Ms. Pfohl. Uh-huh.

Ms. DeGette. And that's probably a good thing, because people realize they can report and what you're doing. Is that right?

Ms. Pfohl. Yes, ma'am.

Ms. DeGette. So you get money from the U.S. Olympic Committee for your funding. You also get money from the different NGBs according to a schedule for how much they're giving. Is that right?

Ms. Pfohl. Yes. Each national governing body gives us an annual fee based on their size.

Ms. DeGette. Now, what is your budget right now?

Ms. Pfohl. Right now it is a little over \$4.6 million.

Ms. DeGette. And how many investigators do you have on staff.

Ms. Pfohl. Internally we have five full-time investigators plus three additional support staff. We have seven external contracted investigators, as well.

Ms. DeGette. So you have roughly 13.

Ms. Pfohl. Twelve or 13.

Ms. DeGette. Twelve or 13 people. Do you believe that's sufficient with the

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

increase in complaints to thoroughly investigate every complaint?

Ms. Pfohl. No.

Ms. DeGette. Mr. Hinchey, I want to talk to you for a minute, because I also spoke with you yesterday. Do you believe the Center for SafeSport has sufficient funding to be able to investigate all of these complaints that they're getting?

Mr. Hinchey. I'm not familiar with their entire budget, but I think based on our experience right now they can certainly use more resources.

Ms. DeGette. Now, over at your organization you give \$50,000 a year to Center for SafeSport, is that right, as part of your --

Mr. Hinchey. Just under that, about 43,000.

Ms. DeGette. And you would be willing to give more. Is that correct?

Mr. Hinchey. Absolutely. I think as one of the larger NGBs, and based on who we are, if we can provide more resources we absolutely will.

Ms. DeGette. Now, Ms. Lyons, the U.S. Olympic Committee, according to the most recent tax filing, the organization's revenues are in the hundreds of millions of dollars. Is that correct, Ms. Lyons?

Ms. Lyons. That's correct.

Ms. DeGette. And so I want to ask you, are you committed to giving the full funding that SafeSport needs to be able to conduct thoroughly all the investigations of the many complaints they're receiving?

Ms. Lyons. Yes. And our board has said if they express additional need, we will certainly revisit that.



**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Ms. DeGette. And, Ms. Pfohl, are you engaging outside evaluators to determine what kind of a budget that you really need to do a thorough investigation?

Ms. Pfohl. Yes, we are.

Ms. DeGette. And when do you expect that information?

Ms. Pfohl. I would hope that we would, in the next 6 weeks, we would be able to come back and provide an estimate based on what we're seeing now.

Ms. DeGette. Okay. Let me just say this committee is fully supportive of what your organization was established to do, and it appears that the entire community, athletic community is.

And so whatever money you need to actually do your work, please let us know and we will work with you and the USOC and all of the different organizations to make sure you get that. Because that's really going to be critical to resolving all of the issues relating to these victims, and that's what we want to do.

Ms. Pfohl. Yes, ma'am.

Ms. DeGette. Thank you very much, Mr. Chairman.

Mr. Harper. The chair now recognizes Chairman Walden, the chair of the full Committee on Energy and Commerce, for 5 minutes.

The Chairman. Thank you, Mr. Chairman.

Ms. Lyons, there appears to be a history of the USOC knowing about allegations of sexual abuse and doing nothing.

Over the years, the USOC has taken a number of positions on how much authority it has to protect athletes. USOC officials have said they, quote, "don't have athletes,"

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

close quote, that the Ted Stevens Act doesn't you the authority to mandate that the NGBs take action on this issue.

As recently as 2016 USOC officials said in a deposition that they don't have the authority to, quote, "do anything," close quote, if the USOC was concerned about the safety of athletes.

So I want to ask you a simple question. What precisely is the authority of the USOC when it comes to protecting athletes?

Ms. Lyons. I think the act gives us a much broader authority than we have exercised in the past.

The Chairman. So one of the concerns that the committee has heard repeatedly from survivors is that the USOC is more concerned about its own reputation, about medals and money, than it is about athlete safety.

If you would please turn to Tab 3 in the binder, the exhibit binder. As you're finding that, I'll just mention this is a USOC policy document on athlete safety issued just last month. Tab 3.

If you'll turn to page 7 of Tab 3, there is a list of six items that a review panel of USOC officials will consider, quote/unquote, in deciding a complaint and imposing a sanction.

Can you explain why one of the factors to consider is, and I quote, "the effect on the USOC's reputation"?

Ms. Lyons. I have to admit to not having seen that before. And I have to say it does not belong on that list.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

The Chairman. Okay. I appreciate that candor.

This was not the only document produced to the committee that referenced the effect on the USOC's reputation. There's also similar language in the USOC SafeSport policy from June of 2017 -- that would be on Tab 4 -- and in the USOC's training access protocol from 2011 -- Tab 5 -- when the USOC and NGBs would have still been responsible for handling complaints of sexual abuse.

So I would encourage you to review those and act appropriately.

Ms. Lyons. Thank you. We will.

The Chairman. Ms. Pfohl, I'm heartened by the progress that's been made since the creation of SafeSport last year, but I want to make sure that the reputation of the USOC or an NGB does not play a role in SafeSport decisions.

According to SafeSport policies a factor, quote/unquote, relevant to determining an appropriate sanction is the, and I quote, "real or perceived impact of the incident on the reporting party, NGBs, or USOC." Tab 30, page 9.

Again, why is the impact on the NGB or the USOC a factor in considering whether a SafeSport violation has occurred and whether to issue a sanction? That would be Tab 30 on page 9.

Ms. Pfohl. Thank you, sir. Thank you for the question.

I believe what this is referencing is that if conduct is such that it reflects poorly on the sport and those that support the sport, then that can be used in terms of making an appropriate sanction. Meaning that conduct, poor conduct --

The Chairman. I understand.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Ms. Pfohl. -- and its poor reflection on the sport matters.

The Chairman. I would just say that, you know, we do a lot of legislating around here, and words matter. And what you think they are and what I think they are, 2 or 3 or 4 or 5 years from now somebody may go, "Oh, well, if we do that, that might reflect poorly on the organization if word gets out."

And I would just caution all of you that, I understand what you may think it is, but you better be darn well clear that the patient's safety comes first. And I think that's where you're headed. I respect that. But it clearly was not where we were in the past.

Ms. Pfohl. Yes, absolutely. We will absolutely look at that verbiage. And make no mistake, we work for athletes. That's who we work for.

The Chairman. Thank you.

With that, Mr. Chairman, I'll yield back.

Mr. Harper. The gentleman yields back.

The chair will now recognize the gentlewoman from Florida, Ms. Castor, for 5 minutes.

Ms. Castor. Thank you, Chairman Harper.

I want to focus on whether the culture of winning above all else increases the risk of athlete abuse. But first let me say, it is horrendous that it has taken a scandal of such epic proportions where hundreds of girls in U.S. Gymnastics were abused by a doctor to get to this point.

Ms. Lyons, according to The Washington Post, a U.S. Olympic Committee attorney was deposed in 2016. When asked about the Olympic Committee's priorities he stated:

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

"The USOC has a lot of priorities. Chief among them is sending athletes to the Olympic, Pan American, and Paralympic Games, and doing well at those games."

When asked whether protecting athletes was also a priority, this lawyer reportedly said: "The USOC doesn't have athletes," implying that the Olympic Committee is not responsible for athlete welfare.

You're familiar with these remarks, correct?

Ms. Lyons. I am familiar with them.

Ms. Castor. So I firmly believe, as many do, that the Olympic Committee has a responsibility to protect the health and welfare of athletes.

In February you released a statement outlining seven steps you intend to take to ensure a safe sports environment, including an effort to, quote, "implement a culture change at USA Gymnastics."

What do you mean by this culture change? You have given us some specifics, but tell us really what you see, what does the future hold.

Ms. Lyons. Well, first I would like to say that, you know, in terms of performance, we believe that performance and safety go hand-in-hand. We don't believe that athletes can perform at their best unless they are in a safe, respectful, and supportive training environment and competitive environment.

In terms of what we need to change in the culture -- and I think it is across the entire movement, not just within gymnastics, and Ms. Perry is doing a lot of work within her own organization -- we have to, first of all, put that safety much more front and center.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Ms. Castor. Because it seems like in the past it has been a culture of protect the coach and not protect the athlete. For example, why hasn't it been the policy and will it be the policy of actually referring these cases and complaints to local law enforcement when they happen?

Ms. Lyons. Well, it is now the law that those types of cases must be remanded to local law enforcement, and anyone who does not do so is violating Federal law. It is critically important that --

Ms. Castor. How have you communicated that to all of the organizations?

Ms. Lyons. All of the organizations have received that. They have all made the changes within their own bylaws and other materials. They now are all required to be under the jurisdiction of the Center and also to report to law enforcement.

Ms. Castor. Ms. Pfohl, this culture change is a key part of SafeSport's mission. You outlined specific steps that SafeSport is taking to make this happen. It is clearly needed.

Much of what we're hearing today sounds good, but I'm worried that we do not have a way to know whether things will actually get better.

One of the concerns is whether or not SafeSport is actually independent. What can you tell us to assure us that you're acting independently and moving away from the culture of protect the coach, protect the organization, to a protect the athlete.

Ms. Pfohl. Thank you for the question, Representative.

We have an independent, nine-person board of directors that need meet a high standard of independence. They have subject matter expertise. They come from an

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

ethics compliance world, some of them, and the like. So they hold us to a high standard.

I can tell you that our investigators are the same. When we take on a case in a report we do that in an independent, confidential, and professional manner, and we act accordingly.

Ms. Castor. So one of the issues in the workplace, but I'm sure it applies here, is retaliation, that you'll have an athlete that will come forward with a complaint but the organization or the coach then may hear about it some way or there might be rumors and then they don't get to compete.

What is being done to address retaliation and make sure that the athletes are protected from it?

Ms. Pfohl. Again, thank you for the question.

Retaliation is a violation of the SafeSport code and is subject to sanction. And the new law, the Protecting Young Victims and Safe Sport Authorization Act, puts some teeth into that and provides further protections for those coming forward, both reporting parties or the victims themselves, the survivors, as well as witnesses.

Ms. Castor. And then what do you say about referrals to local law enforcement? What are you saying when a parent or an athlete comes forward with a very serious complaint? Are you referring those to local law enforcement immediately?

Ms. Pfohl. Absolutely. We are mandatory reporters, so we immediately call law enforcement if they haven't already been called. We are double checking to make sure that they are called.

And of course, we let the law enforcement process play out. We work

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

collaboratively at all levels, if you will, with law enforcement, from the FBI to local law enforcement. And then we look at whether a breach of the SafeSport code took place.

Ms. Castor. Thank you very much.

You all set the standard for youth sports and development across the country, and we have high expectations for you to implement this culture change. And we're going to get back to you and keep an eye, as well.

And I yield back. Thank you.

Mr. Harper. The gentlewoman yields back.

The chair will now recognize the gentleman from Texas, the chairman emeritus, Mr. Barton, 5 minutes.

Mr. Barton. Thank you, Mr. Chairman.

I want to thank each of you for participating voluntarily in this hearing. We have lots of hearings, but not many are as sensitive and important as this one.

Normally I just ask questions extemporaneously, but because of the gravity of the situation I'm actually going to basically read from some prepared questions because it is so important. And I'm going to basically ask the same question to three of you.

The first question is to Susanne Lyons. The committee has asked all 48 NGBs to provide, and I quote, "detailed data to demonstrate the number of reports, complaints, or allegations of sexual abuse made to the NGB and the handling of that information," end quote.

Almost every NGB has responded in some fashion that they have not always tracked such information, the report, complaint, or allegations.



**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Ms. Lyons, does it concern you that the NGBs apparently have not always tracked such information about complaints of sexual abuse?

Ms. Lyons. Yes, that's a concern. And I will point out that there was no rule and is no rule at the moment that they have to report it to us, as well. They do have to report it to the Center, and we are now getting reports from the Center.

Mr. Barton. Why does not or did not the USOC require such information, each NGB to track and monitor this type of information?

Ms. Lyons. I think the way we operated with the NGBs in the past was different. There was much more autonomy, and we did not exercise the authority that I think the act gives us. I think that's one of the reasons we're putting together a governance review that I am sure will result in us having a much better feedback loop and us following up on those things.

Mr. Barton. Are you now requiring that such information be tracked?

Ms. Lyons. We will be. We are not yet, but we will be.

Mr. Barton. When is your timetable to do that?

Ms. Lyons. Our governance review is in the process of getting rolling, and I am absolutely certain that's one of the very first things that will occur.

Mr. Barton. Next question is to Kerry Perry -- which, by the way, that's a nice name, Kerry Perry.

I understand that you are still trying to compile data so you can provide the committee with the aggregate number of reports, complaints, or allegations made to USA Gymnastics.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Can you please explain why it is taking so long to provide the committee with the aggregate number of complaints that USA Gymnastics has received regarding sexual misconduct?

Ms. Perry. Yes, sir.

So since I started in December one of the first things I looked at -- and to your point, it is very concerning -- what type of reports have been made, looking at a history. And, unfortunately, what I have discovered was that there wasn't a lot of great data.

I can't answer to that. But what I can tell you is, since the last several months, we have embarked on a journey to really find a really good database for tracking and really keeping internally records of everything that is either investigated by the Center, sent to the Center, or going through the process at USA Gymnastics.

What I can tell you is that, as of January of this year through April, USA Gymnastics had approximately 275 cases. Of that 275, about 78 went to the Center for sexual abuse.

I can also tell you that we have recently signed a contract with a vendor, in fact, the same that the Center is using, because for me it was needed information, and I wanted to make sure that we took care of that immediately.

Mr. Barton. When do you think your new system is going to be fully implemented?

Ms. Perry. We are in the implementation phase right now, and so we believe in the next 2 months. But in the meantime we are tracking all of the allegations that are coming through in a database that has been created internally.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Mr. Barton. My last question is for Mr. McNally.

In your response letter your organization has admitted it has failed to fully comply with track information about allegations of sexual abuse, including oral reports. What type of complaints, if any, did Taekwondo track?

Mr. McNally. So the reports that I found are the ones that generally went through the hearing process. There's very little information of anything that didn't proceed to that stage.

Mr. Barton. So what's Taekwondo's effort right now to compile this information, to track it, and to follow up on it?

Mr. McNally. So since I took over we're keeping our own internal database. But we also were proactively reached out to the USOC to see if they were interested in working with us to develop a more centralized case tracking. We spoke to that chief information officer, and one of their analysts is working on --

Mr. Barton. So it is an active item?

Mr. McNally. Yes, very much so, yes. We really need more historical information, but we also need to make sure that nothing ever slips through the cracks again.

Mr. Barton. Thank you for your discretion, Mr. Chairman. I yield back.

Mr. Harper. The chair will now recognize the ranking member of the full committee, Mr. Pallone, for 5 minutes.

Mr. Pallone. Thank you, Mr. Chairman.

All my questions are of Ms. Pfohl, and I'm going to try to get through them quickly,

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

if I can.

I understand that since 2017 the U.S. Center for SafeSport has been responsible for investigating all complaints involving sexual misconduct. So, Ms. Pfohl, I'm glad that you're here today so we can learn exactly how SafeSport operates.

My first question is, if you would briefly walk me through what happens when SafeSport receives a complaint from an athlete. I know this probably varies based on the type of complaint. But generally speaking, what takes place?

Ms. Pfohl. Thank you for the question, Representative Pallone.

So when a call or if a report comes in through our website, however it comes in, it can be an email, it can be anonymously, it could be a third party, we are immediately triaging those reports. Obviously what we look for is, do we need to call law enforcement? So is sexual abuse of a minor part of that report? We immediately call law enforcement if that's the case.

At the same time we are also looking at, is someone in harm's way? And if we feel like that's the case, then we will immediately impose an interim measure or an interim suspension.

From there, the investigation continues with a qualified investigator that is versed in trauma-informed investigations. And we are of course talking to the reporting party as well as the responding party or the alleged individual for which the report is on.

From there, again, collecting information from them, collecting information from witnesses. Sometimes there are a lot of witnesses. Sometimes not. So that impacts the length of the investigation.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Mr. Pallone. How long does it take for you to complete an investigation typically?

Ms. Pfohl. It depends. It depends on all of those factors. How many investigations? Are there more than one reporting party? How far back does it go? All of those things weigh in.

We're averaging 63 days right now from start to finishing, average. Some are much longer, some are shorter.

Mr. Pallone. Now, who has the final say on how case is resolved?

Ms. Pfohl. We have a director or of investigations and decisions, that once our investigators do their work -- and by the way, we deal in facts, so we have a fair process whereby the facts are gathered. Those facts go in the form of a report to the director of investigations. He is determining whether a breach of the SafeSport code took place.

If a breach took place, then a sanction is administered. And that sanction could be anything from a warning to a permanent ineligibility. And there are options for hearings and arbitration both at the interim measure as well as the sanctioning stage.

Mr. Pallone. I don't know if I'm going to get through all this, but you mentioned referral to law enforcement. For example, Mr. McNally's written testimony describes challenges that U.S. Taekwondo faced when it reported cases to law enforcement, such as being told that law enforcement does not even want a target to know that he or she is being investigated.

So let me ask you, what steps can SafeSport take to protect athletes while law enforcement is investigating a case? And does SafeSport take steps to keep athletes

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

informed of the status of an investigation when law enforcement is involved?

Ms. Pfohl. Thank you. That's an important question.

Absolutely. So we would work with law enforcement. And it is true, depending on the case, the law enforcement agent or agency may want us to not work on the investigation formally.

However, we have the obligation to protect athletes, so we would work with them, let them know that, look, we need to put in an interim measure so that athletes are protected. And athlete safety comes first.

Mr. Pallone. All right. Let me just skip over, because I wanted to ask one more thing, and probably all I have time for.

I understand the type of complaints that SafeSport manages requires a complete investigative process, but the concern is that some people might not understand how this process works and that this lack of understanding may keep some individuals from coming forward.

So what steps has SafeSport taken to explain to athletes how this process works? And do you believe that all the sports governing bodies and athletes have a complete understanding of your authority and how your investigative process works so that they would actually not hesitate to come forward?

Ms. Pfohl. Right. I think we're still in the stage of getting the word out and building trust among really the 13 million individuals that are part of the Olympic and Paralympic movements, absolutely.

But we're doing that through our prevention work as well, the online training, our

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

education. I'll say the USOC has helped us with a couple of PSAs that are now being shown on national television and at events.

So we're looking to continue these sorts of partnerships with all of the national governing bodies and the USOC because they have direct access to all of their members. So we're working on information that's on their website. We have got to make that consistent across all of the NGBs. And that's being worked out right now.

Mr. Pallone. Thank you.

Thank you, Mr. Chairman.

Mr. Harper. The gentleman yields back.

The chair would like to welcome to the dais Congressman Doug Lamborn, who is from Colorado Springs, Colorado.

Glad to have you.

And the chair will recognize the vice chairman --

Ms. DeGette. His district includes the U.S. Olympic Committee.

Mr. Harper. In Colorado Springs, absolutely.

And so the chair will recognize the vice chairman of the subcommittee, Mr. Griffith, for 5 minutes.

Mr. Griffith. Thank you very much, Mr. Chairman.

Ms. Lyons, if you'll turn to Tab 7, you will see the recommendations from the United States Olympic Committee's 2010 Working Group for Safe Training Environments.

What specific events led to the creation of the working group in 2010?

Ms. Lyons. The working group really was created in the aftermath of many of

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

the swimming allegations that came out in 2010. And while that NGB began to work on their own issues, we developed a working group to look more broadly across the whole system.

Mr. Griffith. Thank you.

And in response to the 2010 working group's recommendations, the USOC launched SafeSport in 2012. Then in 2013 the USOC established a SafeSport Working Group, and the 2013 working group recommended that case management for sexual misconduct cases should be consolidated under a new independent entity with an independent board of directors.

As you will see in Tab 8, the USOC approved the creation of the U.S. Center for SafeSport in 2014. The Center, however, was not launched until March 3, 2017.

Tell me why it took 7 years since the working group was created and nearly 3 years from the USOC approving the U.S. Center for SafeSport until that Center was launched.

Ms. Lyons. First, let me say it did take too long. There are some reasons why it took a while, funding being one, insurance issues being another, very complicated, and trying to get all of the national governing bodies to do the earlier steps that preceded the Center, which was to put in some mandatory requirements and to get them in compliance.

But, frankly, it took too long, and we regret that it did not open sooner. It may have saved some of the tragedy that occurred.

Mr. Griffith. Given that it took so long to get the Center started, did the USOC



**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

handle any cases of sexual misconduct for the national governing bodies or assist those NGBs prior to the Center's launch in March of 2017?

Ms. Lyons. There is a sort of an escalation process, and at times if an issue could not be resolved within a national governing body it can then come be escalated up to the USOC. And there were a number of cases that we would become involved in during that time, as well. It is far superior for it to go to an independent body as it does today.

Mr. Griffith. All right. So let me ask you this. Would those cases, if something happened and somebody was banned or there was disciplinary action, show up on the Center's website where you can go check to see if somebody has been disciplined?

Ms. Lyons. I think that our banned lists are very incomplete today. And I'm very glad you brought it up, because it is one of the first things we need to do. We have to have consistency against the NGBs collecting that information. To the extent that we have cases, we have to collect it. It all needs to be ultimately put together in one database where everyone will have transparency to it. That does not exist today.

Mr. Griffith. All right.

Keeping with that, Mr. Hinchey, the work that you all did, you all actually started in 2010 and worked with SafeSport before the Center was opened up. Are your cases in a database where people can go search? If so, they can see who has been banned? Or have you given that information to the Center and you can search it there?

Mr. Hinchey. We have a banned list that is published on our website.

Mr. Griffith. Okay. I appreciate that.

Back to you, Ms. Lyons. I just wanted to get that one in. Is the U.S. Center for

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

SafeSport now functional as a completely independent entity or does the U.S. Center for SafeSport rely on the USOC and/or the NGBs for any investigational purposes?

Ms. Lyons. The Center is not relying on us for investigational purposes. We are assisting with the funding, as you know, but they are indeed an independent body.

Mr. Griffith. So your role at this point is just funding?

Ms. Lyons. Funding, and also help and advise on broader issues. They are in their growth stage, just as when we started USADA --

Mr. Griffith. But not investigative?

Ms. Lyons. Not investigating. We have no role in that.

Mr. Griffith. Mr. Hinchey, I'm going to shift to you. You indicated in your oral statement that 90-plus individuals have been banned from USA Swimming for sexual misconduct-related violations since the inception of your SafeSport program in the fall of 2010. Is that accurate? Did I understand that correctly?

Mr. Hinchey. Yes, that's correct.

Mr. Griffith. All right. And how have USA Swimming's policies and procedures changed regarding how you handle sexual misconduct claims since the U.S. Center for SafeSport was launched in 2017?

Mr. Hinchey. Over the course of that transition, which started July 1 of last year, there have been 75 complaints that have gone straight to the U.S. Center for SafeSport from our governing body. But they now handle the adjudication, they handle the initial complaints, but we're here to support it in any way we can.

Mr. Griffith. All right. You have heard concerns from Ms. Lyons in how long it

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

took since you all were involved at USA Swimming in the creation of the U.S. Center for SafeSport and started your own program in 2010. Were you all concerned about the amount of time it took to launch the U.S. Center for SafeSport?

Mr. Hinchey. Clearly it should have been started earlier. Having said that, we also take responsibility for our own problems. And, you know, regardless of whatever time it took it to get the independent group going, which we do think is great and we want to support it, these are still our problems, and we need to step up and take responsibility.

Mr. Griffith. I appreciate that. Both you and I are swimmers and we love the sport, and there's a lot of positives we're not going over today. And I wish I could tell countless stories of people who have benefited from these programs, but we have got to take care of the problems, too.

With that, Mr. Chairman, I yield back.

Mr. Harper. The gentleman yields back.

The chair will now recognize Mr. Tonko for 5 minutes.

Mr. Tonko. Thank you, Mr. Chair.

And thank you to our witnesses for joining us today.

Routine audits are essential to promote athlete safety and to ensure that athlete safety policies are implemented correctly.

Last year the Olympic Committee retained consulting firm Baker Tilly to conduct an audit of the U.S. Olympic Committee and all national governing bodies to assess their implementation of the new SafeSport requirements. Rick Adams, the committee's chief

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

of Paralympic sports and national governing body organizational development, told the Senate judiciary committee last year that they were unique one-time audits.

Ms. Lyons, the October 2017 audit recommended that the Olympic Committee address 10 areas in need of improvement. I believe they're referenced in exhibit 2. Very briefly, what did you learn from having those audits conducted and implementing these recommendations? Was it a useful process?

Ms. Lyons. Yes, it's a very useful process, and I think audits will be a bigger part of what we do going forward.

What we learned -- and part of this was as we were putting in new processes and procedures -- is that it is -- all NGBs are different. Some have better capabilities to very quickly adopt change, others require more help.

I am glad to say that all of the NGBs that had deficiencies through that audit process have now come up to standard. And we will be repeating that audit process on a rotating basis to ensure that we continue compliance.

Mr. Tonko. Okay. And as part of this audit work they found that two of our witnesses today, USA Volleyball and USA Taekwondo, had areas where they needed to enhance the design of their systems and make recommendations on how they could do so. So the value of these audits is clear.

Going forward, I believe it is important to regularly assess SafeSport policies and their implementation to ensure that they are effective in their protecting of the athletes.

So I want to ask you, Ms. Pfohl, if her organization plans to undertake regular performance audits to ensure it is meeting the needs of the massive sporting organizing it

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

is now charged with protecting.

Ms. Pfohl. Thank you for the question.

The new legislation, the Protecting Young Victims and Safe Sport Authorization Act, calls on the Center to perform regular and random audits of the NGBs. And so, yes, we intend to do that, resources permitting.

Mr. Tonko. And, Ms. Pfohl, again, what is the Center for SafeSport doing to assess how effective SafeSport policies are in reducing the likelihood of abuse?

Ms. Pfohl. Thank you for that question, as well.

We actually have now an outside consultant, a firm coming in actually to go through the cases that we have already closed to determine if there's something that we missed, is there something that we could have done better.

So already in our -- just over our first year we're already doing a look back and saying, okay, how did we do?

So we'll continue to do that. We'll continue to look at policies. We are always looking for best practices, and when we see best practices and new policies that need to be put into place we will do so.

Mr. Tonko. And do you plan to have regular performance audits of SafeSport's performance?

Ms. Pfohl. Absolutely.

Mr. Tonko. Okay. And do you believe that you have sufficient resources to periodically audit how well the SafeSport system is performing?

Ms. Pfohl. I would say that our resources are limited in that area in terms of

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

self-audits, if you will. But our goal, and I know it is a high priority for our board, we will find the resources to be able to do it.

Mr. Tonko. Thank you.

And finally, do you plan to have regular audits done of the sports governing bodies to ensure that they are implementing their SafeSport policies going forward?

Ms. Pfohl. Yes, sir. As I mentioned, that is called for in the Safe Sport Authorization Act.

Mr. Tonko. And then to any of the panel, beyond audits, what can be done to protect the athlete?

Mr. Hinchey. I think from my perspective, Congressman, that we need to empower the athletes. We need to hear their voices. We need to get them involved in the process. And that's something we hadn't done at the start of our process, but something we've learned over the last 8 years, and we intend to do that coming forward.

Mr. Tonko. Mr. Hinchey, that's a good point, and thank you. And how would we do that? What's the structure by which to empower their voices?

Mr. Hinchey. We need to invite them to be part of the process. And right now, as an example, for us, we started a working group that's a combination of some athletes, Olympic athletes, local coaches, board members, six women and five men, to start to really vet where we have been and where we need to go.

Mr. Tonko. Does anyone else want to add to that statement?

Ms. Lyons. I would like to add that I think we're focusing a lot on the aftermath of abuse. I think one of the most important things we can do is education that prevents

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

abuse.

And much of the Centers' charge going forward is that education, which goes beyond the NGBs and their members. It goes down to every gym and every dojo in America where a 6-year old is training.

We need to enlist the Boys and Girls Clubs and all the other organizations and get parents educated so that people know earlier how to spot these signs of grooming and signs that may lead to abuse so that we can stop these cases before they occur.

Mr. Tonko. Thank you so much.

And with that, Mr. Chair, I yield back.

Mr. Harper. The gentleman yields back.

The chair will now recognize Dr. Burgess for 5 minutes.

Mr. Burgess. Thank you, Mr. Chairman. And, Mr. Chairman, let me just say I have been on this subcommittee for a long time, along with a couple of other members, and this has been one of the most difficult hearings to research and prepare for. And I appreciate so much everyone participating today, because it's so important that we get it right.

Mr. Griffith referenced the positive aspects that, unfortunately, we're not really able to spotlight today because of the nature of the hearing. I have a university in my district, Texas Woman's University, my staff handed me a newspaper article from last month, April 16: Texas Woman's University secured the program's 11th USA Gymnastics Collegiate national title on Saturday and registered the highest score ever seen in the championship.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Clearly, you all are in this for the athletes, and that's for the right reason, because the benefits returned from these programs are significant for the athletes themselves, their families, clearly their colleges, their universities, and the communities where they reside. So I don't want to lose sight of that fact even though what we're looking into is just astonishing in how difficult it is.

So as someone with a medical background one of the things that has just been very difficult for me is how a medical professional has caused all of this damage. And this individual was licensed in the State of Michigan, but not in the State of Texas. And under our current laws, States are responsible for licensing the people who provide medical care within their borders.

So, Ms. Lyons and Ms. Perry, I guess my question is to you. And I'll ask you, Ms. Pfohl, the same thing.

This individual, not licensed in Texas, was providing services, care, whatever he did, at the Karolyi Ranch in Texas, not licensed by the State of Texas. So how do you go about ensuring that physicians that are taking care of your athletes are compliant with licensing obligations?

And, Ms. Lyons, I guess we'll start with you and then we'll go to Ms. Perry.

Ms. Lyons. Well, I think that's one reason we want to embark upon our-- why we have our independent investigation from Ropes & Gray underway, to find out actually how some of these gaps in the systems occurred.

There are supposed to be background checks. There's supposed to be medical certification checks. I may have to defer to my colleague. The national governing



**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

bodies are responsible for the licensing of their own physicians, but those checks are meant to happen. And I think the investigation will help us understand if they did or did not and why.

Mr. Burgess. And we see what a serious breach this was when this didn't happen in this case.

And, Ms. Perry, I guess that when an individual signs on to a training program at a ranch like this, I mean, presumably there's some type of consent that is entered into. Is that not correct?

Ms. Perry. First, I want to say it is horrific. And, you know, every day that I wake up I think about how do we make sure as an entity that we are doing everything we can to protect our athletes. That's why I took this position in December.

And so one of the things that we are looking at, as Ms. Lyons talked about, was finding out the facts that could have led up to such a horrible situation.

And so having the Ropes & Gray independent investigation is very important to us, and it is very important to me, to learn, so that we can make sure that we go down the right path.

One of the things that I looked at immediately was that I did not want our athletes to ever return to a place where they had abuse. So as you all know, we closed the ranch.

Mr. Burgess. Thank you.

Ms. Perry. That was very important.

But on a go-forward, I think it really does make a big difference that as a national

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

governing body we look at everything -- we look at our structure, we look at our policies, we look at our systems, we look at our medical -- and we hold ourselves to the highest standard. Because, ultimately, we represent and we advocate our athletes, and I am committed to that every day.

Mr. Burgess. So, I mean, just to point out the obvious here, though, you had an unlicensed physician taking care of people. I don't know if the parents of these children were apprised of the fact: Here's a physician who is not licensed in the State of Texas who is going to be participating in the training program. It is wrong on so many levels, and, unfortunately, now we see the consequences of that.

And I guess I just have to ask, I mean, who paid for this doctor? Was it something the parents had to pay for? Did the ranch pay for it? Who was responsible for paying for this?

Ms. Perry. From my understanding, he was a volunteer, but he was paid expenses. I believe everybody knows he was an employee of Michigan State, but he was a volunteer for USA Gymnastics.

Mr. Burgess. Okay. All right.

Well, Mr. Chairman, I have got so many more questions, and I will submit them for the record.

Mr. Davis, I really thank you for your testimony today. It underscores the point of how important it is that we get this right. We can think we have got it right, and then it turns out we didn't get it right, and then years later you have to continue to deal with the problems from not getting it right. It is important that we be right on this.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Thank you, Mr. Chairman. I'll yield back.

Mr. Davis. Thank you, sir.

Mr. Harper. The gentleman yields back.

The chair will now recognize the gentlewoman from Illinois, Ms. Schakowsky, for 5 minutes.

Ms. Schakowsky. Thank you.

I just want to begin with a statement about your testimony, Mr. Davis. I'm from the Chicago area. And I think it is just shocking that Rick Butler, after being banned for abusing underage girls, appealed that lifetime ban and was reinstated. It is just incredible. And that it wasn't until January of 2018, this year, that there is a lifetime ban. This really underscores the problem that has occurred over so many years.

Anyone in this room, I think, certainly the women know, if someone has abused underage girls, reinstating him is so unacceptable. He should have been in jail. And now, in today's, world I think he would have. I hope he would have.

Let me just turn to -- I would like to recognize Arlene Limas in the audience.

If you would stand, Arlene, if she is still here.

Arlene is an Olympic athlete and taekwondo coach, and we met about 2 months ago and she shared with me chilling stories about sexual abuse at training camps and competitions.

Mr. McNally, last year three of your athletes were awarded \$60 million in damages -- a total of -- after a judge found that a coach sexually abused them. You're familiar with that, correct?

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Could you say into the mike?

Mr. McNally. Yes, I am.

Ms. Schakowsky. Thank you.

Taekwondo also allegedly permitted an athlete and a coach to participate in the 2016 Olympics even though there were unresolved sexual misconduct allegations against them. SafeSport finally recommended an interim ban against those individuals just this year.

Are you familiar with this matter, as well?

Mr. McNally. Yes, I am.

Ms. Schakowsky. In the case of John Lopez, you mentioned multiple investigations and attempts to ban Mr. Lopez in 2013 and 2015. But my understanding is that these efforts were unrelated to sexual abuse. Is that true?

Mr. McNally. Yes. That's correct.

Ms. Schakowsky. And the topic of this hearing, by the way, is about sexual abuse. And isn't it also true that it wasn't until 2018 that Mr. Lopez was sanctioned for sexual misconduct?

Mr. McNally. Yes. That's correct.

Ms. Schakowsky. Okay. I think that identifies a problem here.

Your March 21, 2018, letter to this committee indicated that there are roughly two dozen individuals facing suspensions or lifetime bans from your sport. Were any of these reported to law enforcement?

Mr. McNally. I believe yes. Some of them actually came from law enforcement

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

through cases where they were charged. As soon as they were charged they were suspended. Some of them went to prison and were added through there.

I don't know about every case historically, but since I took over, and even earlier than that, since the incorporation of the SafeSport Center, every case has been -- with a criminal element -- has been turned over to law enforcement.

Ms. Schakowsky. I would like to know how many of the roughly two dozen have been referred to law enforcement?

Mr. McNally. So that's something --

Ms. Schakowsky. You'll get that to me, right?

Mr. McNally. Yes, I will.

Ms. Schakowsky. Okay.

Mr. McKinley, how is it that U.S. Taekwondo addressing -- how is Taekwondo addressing the assistant coaches and team managers that may have had a role in covering up sexual abuse in your sport?

Mr. McNally. Every report that we get, every report that is submitted to us, is immediately submitted to the U.S. Center for SafeSports.

Ms. Schakowsky. I'm asking a different question. If there are individuals within the sport that are silent, that are covering up, that don't tell you. Because I think probably for every one of these cases of sexual abuse someone knew about it and didn't say anything.

So what is the process there?

Mr. McNally. So we are looking to, as Mr. Hinchey said, to empower the

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

athletes. We're launching our #notinmysport campaign to encourage athletes to come forward. We are much more open, I believe, at regaining the trust of the athlete community. They know that I will deal with this if it comes to me. And I would encourage anybody with one of those stories who has been silent up until now --

Ms. Schakowsky. What about the coach community, too? There's assistant coaches, there's all kind of staff.

Mr. McNally. Anybody who has knowledge of anything, however small, however serious, I encourage them to bring it to me.

Ms. Schakowsky. I'm still asking a different question. What if you know that there have been people that have been silent that knew of these abuses, is there any sanction at all?

Mr. McNally. We deal with every report that comes to us. That is why in 2015 USA Taekwondo preceded the independent body of the SafeSport Center by appointing our --

Ms. Schakowsky. I guess I'll have to ask the question more precisely in writing, because my time is up. But it seems to me that whether it's reported or not, that you ought to do inquiries to find out who has stood by and watched sexual abuse occur.

And I have to yield back. Thank you.

Mr. Harper. The gentlewoman yields back.

The chair will now recognize the gentlewoman from Indiana, Mrs. Brooks, who is also the chair of the Ethics Committee in the House.

Mrs. Brooks.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Mrs. Brooks. Thank you, Mr. Chairman.

Ms. Pfohl, I'd like to focus a number of my questions on you.

If you would turn to Tab 9, it talks about the Center receiving 488 written and oral reports, complaints, and allegations regarding sexual abuse since the Center launched until April 13, 2018.

Now, this is a significant number of cases. I'm also a former U.S. attorney, Federal prosecutor involved in child exploitation cases and so forth.

Given the significant number of cases that your Center has received, how is the Center prioritizing cases in any way, if you are?

And I have a number of questions, and so if we could be brief, and we may ask for more answers in written form.

Ms. Pfohl. Thank you, Congresswoman.

We triage the cases as they come in. Again, if they need to go to law enforcement, that happens. We're inputting interim measures. If individuals are active, if it involves a minor, those are prioritized.

Mrs. Brooks. And can you please share with us in Tab 9 that, as we have already heard, the allegations come from 35 of the 48 NGBs, and how are you working with the NGBs to make sure -- and athletes, as we have talked about, the priority in athletes -- to make sure that they are familiar that SafeSport -- that the Center exists and the policies and procedures? I know the NGBs do, but how do we make sure that athletes know you exist?

Ms. Pfohl. Great question. Thank you again.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

By the way, I think we're up to 38 of the sports now, the NGBs sports.

So how we do that --

Mrs. Brooks. Thirty-eight of the 48 have allegations?

Ms. Pfohl. Thirty-eight, correct, have at least one report that we have received, at least one report.

So, again, we work with the NGBs. We have now a full-time NGB resources manager, and her job, every day, all day, is to communicate back and forth with the NGBs to give them consistent information.

To listen to them also, for them to tell us what they need. For example, we heard they needed parent toolkits. We have a parent toolkit now on our website that anyone can access.

Mrs. Brooks. Are any of the NGBs not cooperating with you?

Ms. Pfohl. No, ma'am.

Mrs. Brooks. And I understand NGBs are various sizes and have various --

Ms. Pfohl. Resources, yes.

Mrs. Brooks. And various resources. But it is fair to say that all NGBs today are cooperating with you?

Ms. Pfohl. To the best of my knowledge, every NGB is cooperating.

Mrs. Brooks. In the 2018 omnibus Congress established a grant program to help keep our young athletes safe. Have the Attorney General and the Justice Department, to your knowledge, set up the grant program yet and established the timing and content of the application of that grant?



**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Ms. Pfohl. Ma'am, we have not seen the RFP come out, the guidance come out yet regarding that grant program, but we look forward to it.

Mrs. Brooks. And it was a \$2.5 million grant program, is my understanding?

Ms. Pfohl. Yes. Yes, ma'am.

Mrs. Brooks. If the Center for SafeSport were to apply for this grant, and we will be making inquiries as to what is taking time to establish this grant program authorized by Congress and passed in the omnibus, how would those grant funds be used if Center for SafeSport were to receive those funds?

Ms. Pfohl. Thank you for the question.

Absolutely. To expand our response, meaning our response and resolution. To be able to add more investigators. Also remember, the bill did call for us to do regular and random audits of the NGBs, again, so that we can further work and get the word out through them to the athletes, directly to athletes.

Mrs. Brooks. Have the audits begun yet?

Ms. Pfohl. No.

Mrs. Brooks. And why is that?

Ms. Pfohl. We don't have the resources to do the audits yet.

Mrs. Brooks. And have you made any requests yet of the USOC or of the NGBs for more resources?

Ms. Pfohl. Not -- no, ma'am, not since the doubling of the support from the USOC. We are, of course, now looking to 2019 and looking at the contributions from all of the national governing bodies.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

And thanks, Tim, for stepping up and saying you could do more.

Mrs. Brooks. There is no statute of limitations. I want to get that out, as well.

Ms. Pfohl. Correct, correct.

Mrs. Brooks. You mentioned there are no statute of limitations with regard to the reporting.

Ms. Pfohl. Correct.

Mrs. Brooks. Or with regard to your investigations.

Ms. Pfohl. Correct.

Mrs. Brooks. And there has been some criticism with respect to the independence. I would like for you to tell us what is the Center doing to ensure athletes can trust the Center's independence and reporting of these allegations.

Ms. Pfohl. Absolutely. So thank you again.

I don't answer to anyone at the USOC or any of the national governing bodies, nor does anyone on my team.

Mrs. Brooks. Do you expect the funding to always come from the USOC?

Ms. Pfohl. Our goal, ma'am, is to diversify that funding. We are looking at foundation funds, and some of that is starting to come in now. Certainly if the Federal -- if we are able to receive some Federal dollars that will help diversify, as well.

I can't imagine a time where the USOC and the NGBs would not be investing in this space. I think they should be and will continue to be. But I also think that we can diversify that, especially in the area of prevention.

Mrs. Brooks. Thank you.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

And for the record, I'll be submitting a record for all of the panelists and commending USA Gymnastics for beginning the Athlete Task Force and will be asking -- my time is up -- as to whether or not each of the NGBs are creating an Athlete Task Force, which will shape your organization's future in their decisions and their operating decisions.

With that, I yield back.

Mr. Harper. The gentlewoman yields back.

The chair will now recognize Ms. Clarke for 5 minutes.

Ms. Clarke. I thank you, Chairman Harper and Ranking Member DeGette, for holding this hearing today on this important topic of how we must protect our Nation's most elite club of athletes.

Being an Olympian is a coveted title not easily given, and is not limited by age, with the youngest at only 13 years old. This protected class of youth, who display exceptional ability, should not have to worry if they will be violated by a trusted coach or any adult in the room.

Given what we have learned through the sentencing of Dr. Larry Nassar, it is Congress' responsibility and obligation to ensure that strong and appropriate measures are put in place so that trusted personnel are held accountable to the highest standard of conduct.

Having said that, Ms. Lyons, earlier this year the U.S. Olympic Committee threatened USA Gymnastics with decertification. The U.S. Olympic Committee demanded that all members of the USA Gymnastics board resign, which they did. Is that

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

correct?

Ms. Lyons. That's correct.

Ms. Clarke. So the U.S. Olympic Committee can use its authority to require sports governing bodies to adopt certain standards. It can demand changes, as it did with USA Gymnastics.

Documents provided to the committee show that sports governing bodies have different policies on key safety issues. For example, some sports' governing bodies make lists of banned coaches and other members make it publicly available, others do not.

Ms. Lyons, why do some governing bodies post public lists while others do not?

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

RPTR KEAN

EDTR CRYSTAL

[11:58 a.m.]

Ms. Lyons. I think that consistency is an incredibly important part of what we need to achieve going forward.

To date, as you mentioned, they're very different. Keeping banned lists is a complicated issue.

At the same time, we need to figure it out and we need to ensure that centralized information is provided by every single NGB and that it's accessible to the public.

It has not happened to date, and I regret that we did not exercise more of our authority to enforce that as a standard for the NGBs prior to this.

Ms. Clarke. So will you be doing that? Is that something that you will enforce?

Ms. Lyons. That has been added to my to-do list this very week.

Ms. Clarke. Absolutely.

Ms. Lyons, your May 16, 2018, letter to us states that the U.S. Olympic Committee recognizes the need for greater transparency and uniformity with respect to sexual assault.

Shouldn't there be uniformity regarding public lists? You stated that that's on your to-do list. And in this area, where the Olympic Committee could demand that governing bodies make these changes, what is your timetable?

Ms. Lyons. We do need to confer with all of our NGB partners because, as you know, they are very different in size and they are very different in their technological

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

capabilities. I'm guessing that we may need to help provide a technology tool that can be used by those that don't have their own tool.

So I couldn't yet speculate on the timeframe, but we will put that on an urgent path because I can't see how that's not an important part of our --

Ms. Clarke. Yeah. And where there's need for support, I think, you know, this is a valuable use of resource. It's important that we standardize this.

And I understand that sports governing bodies are now required to report all new cases to the Center for SafeSport. But nationally, governing bodies are not required to submit pre-March 2017 cases to the Center for SafeSport.

A recent headline in USA Today on March 16, 2018, reads: "USA Gymnastics makes puzzling decision to keep sexual abuse case."

Ms. Lyons, how do we know that cases predating SafeSport's opening are being addressed appropriately?

Ms. Lyons. The Center has the option to take some of the pre-existing cases if it chooses. There is a sensitivity that if a victim has already been through a good part of the investigatory process, that perhaps it may not be beneficial to them to go through it again. So in some of those cases, the NGBs have opted to keep a case that's already in progress. But the Center can choose to take that if it wishes to.

Ms. Clarke. Who is examining that to make sure that there's transparency and that there's a coherence to a standard and that there's no short shuffling in terms of determining what rises to the occasion of a crime and what doesn't?

Ms. Lyons. I would have to say when I read the article I had the same question.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

And I'm not certain of the answer. But I will be looking into that. But clearly, we should make sure that the Center is aware of all these cases and has the option to take them if they feel it's appropriate. I'm not sure that it is currently the standard.

Ms. Clarke. Well, I hope you will give scrutiny to that.

And I yield back, Mr. Chairman. Thank you.

Mr. Harper. The gentlewoman yields back.

The chair will now recognize the gentleman from Michigan, Mr. Walberg, for 5 minutes.

Mr. Walberg. Thank you, Mr. Chairman.

And thanks to the panel for being here today.

Coming from Michigan, this issue hits especially close to home, sadly. What happened at USAG and MSU under Larry Nassar is terrible, unacceptable, unexplainable.

Thankfully, hundreds of brave young women came forward to tell their stories, helped put the predatory, Dr. Nassar -- I guess I would change that -- put the predator, Nassar, behind bars and close the chapter on just one of many incidents that we have heard about.

As an aside, Ms. Pfohl, thank you for stating the U.S. Center for SafeSport's mission statement and restating it as well. It is good to hear.

The mission statement for the U.S. Olympic Committee states it this way: Its mission is to support U.S. Olympic and Paralympic competitive excellence while demonstrating the values of the Olympic movement, thereby inspiring all Americans.

Ms. Lyons, did this incident even remotely follow the mission of the USOC?

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Ms. Lyons. First, I would say that I think the athletes do continue to inspire all Americans. And I think, sadly, the institutions that support those athletes have not inspired confidence, trust, or have lived up to our mission and values, and we deeply regret that that has occurred.

And that is one reason why we are embarking upon all of the action plans that we've discussed, because the athletes deserve to have everyone believe that the work that they do and what the Olympics stands for should be held in highest esteem, and we have let them down.

Mr. Walberg. I appreciate you stating that, knowing you weren't there in this position at the time all of this went down. But I think it is important that the commitment to that mission statement is affirmed and affirmed and affirmed still further.

And so, Ms. Perry, I would also ask similarly, did what happened in Michigan with the predator, Mr. Nassar, and USA Gymnastics even remotely resemble the mission statement I just read?

Ms. Perry. I was there at the hearings. And I want to say, first, that every moment that I think about what our athletes went through it energizes me and gives me a sense of resolve every single day to make sure that we're focusing every part of our organization on athlete safety.

And as an organization, one of the first things that I did in December was to look at the mission statement of USA Gymnastics, and we changed that mission statement. And our mission statement now focuses on empowering our athletes and focusing on athlete safety and making sure that we educate our members to that extent.



**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

And I will tell you that it's something every single day I think about. And so we want to do whatever we have to do as an organization to make sure that we prevent. As you all mentioned, one case of sexual abuse is one too many.

Mr. Walberg. I appreciate that. Then let's continue to look back a bit.

Public reports indicate that USAG officials knew about Nassar in the summer of 2015, and USAG officials notified USOC officials shortly thereafter, in July 2015.

In addition to notifying the FBI, did USAG implement any formal and public interim measures on Dr. Nassar while the FBI conducted its investigation to ensure that athletes did not continue to be at risk while the investigation was under way?

Ms. Perry. It is my understanding -- I don't have firsthand knowledge -- but it is my understanding that Mr. Nassar was asked to step away.

There is a really important investigation going on right now, as you mentioned, the Ropes & Gray, which I think is critically important for all of us so that we can shed light on what happened.

Mr. Walberg. But did he step away?

Ms. Perry. I would -- did he step away at that point?

Mr. Walberg. At that point.

Ms. Perry. It is my understanding that he did, but I would need to see all the facts around that.

Mr. Walberg. I encourage you to check those facts out.

Ms. Perry. Yes.

Mr. Walberg. Because it appears that there was still involvement that went on.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

And at the very least there was a coverup. Things weren't transparent or clear. And I think that added to the frustration of athletes and parents, and the general public as well.

So I would encourage you to continue looking for those questions --

Ms. Perry. I understand.

Mr. Walberg. -- to make sure it never happens again.

Ms. Perry. I understand. And I will be relentless in my efforts every day. And I believe that the Ropes & Gray investigation is going to really provide a lot of information that I think I and many others would like to see.

Mr. Walberg. Thanks. And I wish you well.

Ms. Perry. Thank you.

Mr. Walberg. I yield back.

Mr. Harper. The gentleman yields back.

The chair will now recognize the gentlewoman from California, Mrs. Walters, for 5 minutes.

Mrs. Walters. Thank you, Mr. Chairman.

First of all, I would like to start off by saying that as a mother of four whose kids played local organized sports growing up, this is a difficult hearing topic.

It is really upsetting to think that my kids and their teammates could have been coached by someone who had a history of misconduct, and even more disturbing to think that I and the rest of the parents would not have known if that was the case because, as we've recently learned, in most cases lists containing the names of banned or suspended coaches isn't public information.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

NGBs have different policies regarding whether they maintain a list of banned coaches, and if they do, whether they publicize the list.

The committee asked all 48 NGBs and the USOC whether or not they maintained a list of individuals banned or suspended from participation with the NGB, and if so, whether the list was publicly available.

Only 18 NGBs have a banned or suspended list that is available to the general public. Other NGBs reported to the committee that they shared banned or suspended lists with their members but do not publicly post those lists, have banned lists but only share it with certain officials, maintain a searchable database of members in good standing, or have not been banned or suspended any individuals but would make a list public if they were to do so.

As you can see, there's a wide variation in whether and how the NGBs and USOC make their banned or suspended list publicly available. There are clear benefits to having a publicly available list.

Ms. Lyons, why hasn't it the USOC mandated that all NGBs maintain a list, and, further, that they make this list publicly available?

Ms. Lyons. We will be working with our NGB partners. I think that we will probably all be in agreement that we need to find a good way to do this so that that information is available, transparent, and all in one centralized place where people can find it. It doesn't exist today, but we will make that a priority for us all to make that happen.

Mrs. Walters. So then you will consider mandating that all NGBs publish a public

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

list of all banned or suspended individuals?

Ms. Lyons. Yes, I think there's a number of things that will end up getting on the new compliance list that have not been there before as we exercise some more authority in this area.

Mrs. Walters. Okay. And this question is for you also.

If an NGB puts an individual on a banned or suspended list, would the USOC grant that person access to an Olympic center or event?

Ms. Lyons. That should not occur. If that information is visible to us, then we have processes and procedures that would ensure that a person could not get on to an Olympic training site or an Olympic training center, that they would not be certified to go to games that we were supervising.

So to your point earlier, the availability of that information is critical. I think the right procedures are in place to keep them from entering a location, but you have to know that they're banned.

Mrs. Walters. Okay. Because the production that the USOC made to the committee last week included an email from 2016 regarding someone who had been recently suspended by USA Taekwondo for 5 years due to serious SafeSport violations.

According to the email, notwithstanding the suspension, this individual was issued a day pass for the High Performance Center in Rio by the USOC. It states, and I quote: "This pass was not officially requested by USA Taekwondo and this individual is not someone we would grant access to." And it continues: "It appears one of our coaches went directly to USOC staff with the request without our approval and somehow

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

obtained the pass directly." And that's an end quote.

Another coach complained about this person being around female athletes. USA Taekwondo's banned or suspended list is public. USA Taekwondo banned this individual for 5 years and the USOC granted him access to an official center at the Rio Olympics.

How do you explain this?

Ms. Lyons. It certainly should not have happened. And it does point to one of the reasons we're putting together an athlete safety commission to look at where these gaps in the system are.

It shouldn't occur. That type of information needs to be available so that people in those venues would immediately know to check that list. It should have happened in any case. It did not.

Mrs. Walters. Well, I want to highlight what the email also said, because it went on to say: "Please help me understand how this could have happened, as these things have happened consistently in the past, so this is not an isolated incident. Neither is it something we can just ignore given the seriousness of the adjudicated complaints."

So my point is that this is something that consistently had happened. And how did that possibly consistently happen?

Ms. Lyons. Clearly, there was not an appropriate policy or check in place, a check and balance there was a policy to ensure it was being followed. So we have to do better, and we have to find out why that happen and make sure it does not happen in the future.

Mrs. Walters. Okay. I'm out of time. I yield back.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Mr. Griffith. [Presiding.] I now recognize the gentleman from Georgia for 5 minutes, Mr. Carter.

Mr. Carter. Thank you, Mr. Chairman.

Ms. Perry, I'll start with you.

Ms. Perry, I have the honor and privilege of representing the First Congressional District of Georgia, which includes Effingham County, Georgia, Rincon, Georgia. You ever heard of it.

Ms. Perry. Yes.

Mr. Carter. You have?

Ms. Perry. Of Effingham --

Mr. Carter. Rincon, Georgia. Effingham County, Georgia.

Ms. Perry. I have.

Mr. Carter. Yes, I'm sure you have.

You're aware of a lawsuit, Jane Does v. USA Gymnastics?

Ms. Perry. I am.

Mr. Carter. You are. And that lawsuit was settled just last month, I believe.

Ms. Perry. Recently.

Mr. Carter. Recently. Beginning of April it was. That is correct.

Let me ask you something. Just to give you an idea of what happened here, there was a gentleman, a gymnast, who opened up a gym in 2002 in Effingham County. He opened up a gym. And in a newspaper story, it stated that McCabe -- his name is Bill McCabe, by the way. He's in prison for 30 years, right?

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Ms. Perry. Yes.

Mr. Carter. But in 2002 he opened up a gym. A newspaper article said: McCabe and a new partner/girlfriend opened Savannah Metro Gymnastics in Rincon, Georgia. Both are USA Gymnastics professional members and USA Gymnastics safety-certified. Bill is also a USA Gymnastics skill evaluator. Bill has been teaching since 1991.

Of course, what happened is that the mother of an 8-year-old enrolled her daughter there. And then what happened was that for 3 years, until the middle of 2005, that daughter was in classes there with this sexual predator, is essentially what he was.

And then what happened was that she went out to her car one day and she found an envelope on her car and it had all these details about what previous problems that Bill McCabe had had.

She took and she called USA Gymnastics. And this is what she said: "I spoke to a woman there, and I told her that I had this packet of complaints against Bill McCabe. And I asked whether she had any complaints against him. And she said no." She said no.

Yet, if you look back on his record, you'll find that in October of 1996, he was fired from Gymnastics World in Fort Myers, Florida, because he was bragging to a colleague about his efforts to coerce a 15-year-old cheerleader to have sex with him.

And then, in July of 1997, he was fired from Five Star Gymnastics in Erlanger, Kentucky, following an incident in which gymnasts he had taken to a camp in Pennsylvania. Parents had also complained that McCabe exposed his genitals to some

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

gymnasts.

And then it goes on and on to tell about all these things before 2002 that this gentleman had done. And in fact, he had been fired also from another area. And they actually sent a packet to USA Gymnastics detailing all of these situations that he had been involved in. And yet, no response whatsoever.

Do you ever do background checks on any of your coaches like this?

Ms. Perry. First of all, let me state that --

Mr. Carter. Do you ever do background checks on any of your coaches like this?

Ms. Perry. So --

Mr. Carter. It's a yes-or-no question.

Ms. Perry. There are background checks that are being done currently.

Mr. Carter. Did you do background checks on him, this sexual predator who is in jail, in prison for 30 years? Did you do background checks on him?

Ms. Perry. I was not there. I can't answer that question.

Mr. Carter. Well, find out who was there because I need an answer to it.

Ms. Perry. Yes, sir.

Mr. Carter. Okay?

Ms. Perry. Yes, sir.

Mr. Carter. Now, you know, it gets better, if there's such a thing, because after he was sentenced to jail, after he was in prison, a civil lawsuit was filed. And for 5 years, until it was just recently settled out of court last month, for 5 years you argued that you had no responsibility to protect these children training under your organization?



**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Ms. Perry. I did not argue that. That's unacceptable. I did not argue that.

Mr. Carter. Who argued it then?

Ms. Perry. I started in December of 2017.

But let me say this --

Mr. Carter. Now, you know, let me say this: This is ridiculous.

Ms. Perry. I agree.

Mr. Carter. And how you can work for an organization like this that let this happen.

You know, I've sat here throughout this whole hearing, and there's one thing I haven't heard from any of you, from any of you, and that is: I'm sorry. I haven't heard from any one of you say to the parents, to the children, to the grandparents: I'm sorry. And that's despicable.

Ms. Perry. Let me answer if I can, please.

Mr. Carter. Answer what?

Ms. Perry. I've said I'm sorry.

Mr. Carter. If you don't want to say you're sorry, I don't want to talk to you.

And I'm reclaiming my time, ma'am, and I'm going to tell you, this cannot be tolerated.

Ms. Perry. Right.

Mr. Carter. Ms. Lyons, it's my understanding that you wrote in an email about a former USA Taekwondo athlete who sent information, who filed an ethics complaint. You wrote an email that: This sounds like the same old BS. Did you write that in an

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

email?

Ms. Lyons. I did.

Mr. Carter. You did? And are you currently the acting director, the acting CEO of the USOC?

Ms. Lyons. I am.

Mr. Carter. You should resign your position now. That insensitivity tells me that you are not fit to serve in that position.

Ms. DeGette. Oh, my God.

Mr. Harper. The gentleman's time has expired. Let the record --

Ms. DeGette. Mr. Chairman, I'd like to take a moment of personal privilege.

Mr. Harper. Just let me say something first.

Let the record reflect that during opening statements the U.S. Olympic Committee and the NGBs represented here all acknowledged responsibility for previous actions.

With that, I'll recognize Mr. DeGette for a point of personal privilege.

Mr. DeGette. Not only that, Mr. Chairman, they all apologized to the victims to their parents.

And furthermore, Ms. Perry, who was just relentlessly badgered by Mr. Carter, was brought in in December to fix this.

Now, I hope she does fix it. But to badger her is inappropriate, Mr. Carter.

Mr. Carter. Ma'am, she was on the board of directors when this happened. She was on the board when this happened.

Mr. Harper. The gentleman is no longer recognized. And we're going to

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

proceed with our questioning.

Mrs. Brooks. Mr. Chairman.

Mr. Harper. So at this time -- yes.

Mrs. Brooks. I believe it is important for us to clarify.

I do not believe that Ms. Perry was on the board of directors, Mr. Carter. I have met with Ms. Perry after she began --

Mr. Carter. Not Ms. Perry. Ms. Lyons is who I'm talking before.

Mrs. Brooks. Okay. But for the record, Ms. Perry, who is now leading USA Gymnastics, was not on the board of directors, was new to the organization.

Mr. Harper. Let's stay on -- thank you for that clarification.

Mrs. Brooks. Thank you.

Mr. Harper. Let's stay on track. This is an important hearing and the process of what we're trying to do. And we're going to stay on message here.

The chair will now recognize Mr. Costello for 5 minutes.

Mr. Costello. Thank you, Mr. Chairman.

If we could have everyone turn to Tab 20. I have a question for Ms. Lyons and then a question for Ms. Perry.

The memo referenced, 2012 memo in Tab 20, discusses a requests that NGBs provide feedback to the USOC on the community's reaction should the USOC insist on criminal background checks. Ten NGBs apparently never responded. Thirty-five of the 37 did respond, but required some -- that some form of background check at the time was required.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

The two most recently cited obstacles to requiring criminal background checks: one, costs; two, resistance from the NGB constituency.

Ms. Lyons, how much resistance did the USOC receive from the NGB community on requiring background checks?

Ms. Lyons. Well, I was not part of this program. I don't know precisely.

There was some resistance, and I think for the reasons put there, people were not, perhaps, putting this at the highest part of their priority list. And there was some pushback.

Mr. Costello. And so the fact that the USOC did not begin requiring NGBs to conduct background checks until 2014, 2 years after this memo, why was there a delay? Would your answer be that they didn't place a priority on it?

Ms. Lyons. I think the reality would be that putting in the actual practical applications of doing the background checks did take some time.

Mr. Costello. Any other reasons why it took 2 years?

Ms. Lyons. It takes a long time to get 49 organizations to all consistently adhere to a new change.

Mr. Costello. Ms. Perry, USA Gymnastics practice in 2005 was to allow professional members to self-certify as to their criminal background. When did USAG begin to require an actual background check instead of the self-certification.

Ms. Perry. I don't -- I'm not clear on that date. But I will tell you right now, for the last several years USA Gymnastics has required background checks for hiring of professionals, and in addition to that has other kinds of requirements as club owners and

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

others are looking to hire individuals. And one of those is to make sure that they consult with our public-facing ineligible list and our suspended list online.

Mr. Costello. Would you kindly provide an answer in writing as to when that did --

Ms. Perry. Yes.

Mr. Costello. -- take place. Thank you.

To all NGBs, what results might show up on a background check that would lead your NGB to deny or terminate an individual's membership? Try and be brief, because I do have a followup on that.

Mr. Hinchey. Any criminal activity or charges.

Mr. Costello. Any? Shoplifting?

Mr. Hinchey. Anything.

Mr. Costello. Okay. Anything else?

Okay. If an individual who is already a member fails a routine followup background check, what action would your NGB take?

Mr. McNally. So anybody with a felony or a pending felony charge would be immediately suspended and given the opportunity for a hearing in front of our Ethics Committee.

Mr. Costello. How about a misdemeanor? Would that be overlooked or would that also prompt the same level of scrutiny?

Mr. McNally. A misdemeanor is not an automatic referral to the Ethics Committee. It would depend on the seriousness.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Mr. Costello. It would depend upon the nature of the misdemeanor?

Mr. McNally. Yes, it would, yes

Mr. Costello. Any misdemeanor that involved any physical altercation, assault, or anything of a sexual nature would prompt it?

Mr. McNally. Yes, it would. Anything, including violence, sexual or otherwise.

Mr. Costello. Okay. If a failing background check doesn't lead to terminating someone's membership, what would? I don't like that question, because I don't think it's very clear.

Let me ask you this. Do your policies require background checks on athletes in addition to coaches, employees, doctors, volunteers, and the like? Background checks on athletes.

Mr. McNally. USA Taekwondo doesn't require background checks on athletes, no.

Mr. Hinchey. USA Swimming, no.

Ms. Perry. USA Gymnastics, no.

Mr. Davis. USA Volleyball, no.

Mr. Costello. Okay. Mr. McNally, as other NGBs began implementing these background checks requirement, and the issue of sexual abuse in sports rose in prominence, especially after USA Swimming's 2010 revelations, why didn't USA Taekwondo act faster in implementing this requirement?

Mr. McNally. I'll have to supply that as an answer following the hearing, because I wasn't there. I believe they were implemented in late 2013.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Mr. Costello. And for all NGBs, how far into the past do the background checks go?

Mr. Davis. USA Volleyball started in the 2004-2005 season.

Mr. McNally. I'm not entirely sure. I believe it's as far back as the records. If there's a felony from 2000, it will show up.

Mr. Costello. Yeah, that was my question, Mr. Davis. The background check on a particular individual goes back to when? To the date that they turn 18?

Mr. Davis. I'm sorry. I have to give it to you in writing exactly on how that process works.

Mr. Costello. Very good.

Mr. Davis. But I believe it goes back to as far as they turn 18, yes.

Mr. Costello. Okay. I would kindly request of all the NGBs, if you could provide that answer in writing.

Thank you. I yield back, Mr. Chairman.

Mr. Harper. The gentleman yields back.

The chair will now recognize the gentleman from Florida, Mr. Bilirakis.

Mr. Bilirakis. Thank you, Mr. Chairman. I appreciate it very much. Thanks for allowing me to sit in on the hearing.

This issue came to national attention because survivors were willing to speak up about their experiences with abuse. It was their bravery that shined a light on the many problems within the national sports organizations and how the systems previously in place had failed them.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

For the panel, and let's start with Ms. Lyons, how are you involving survivors and other athletes in your decisionmaking process and policy changes moving forward?

Ms. Lyons. We think that the voice of the athletes is critically important in forming any of the changes that we make.

I wish that many of the survivors would come and contact us. We actually are prevented due to some of the litigation from reaching out to them directly, but we would welcome their voices.

We are setting up -- we've just done a thousand-athlete survey, we received a thousand responses on the survey, to get our broader athlete population helping us to understand what their concerns are about SafeSport.

We have been meeting with our Athletes' Advisory Council. And they will be -- and other athletes of course -- will be part of our athlete safety panel that's going to go forward and help us make the policy changes going forward.

Mr. Bilirakis. Ms. Perry.

Ms. Perry. Thank you.

This is something that I think about every day. And one of the first things that I did when I became president and CEO was I started flying everywhere and talking to athletes, and some of those are survivors. And their voice is incredibly important to me.

And what I have found is that there is just so much love of this sport, but there's a desire to have an impact on the organization and its strategic direction. And one of the things that I created was an Athlete Task Force to have that happen. I think it's a very important first step.



**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Ms. Lyons talked about the advisory committee. That's important.

But for me it is really about getting in front of as many athletes as I can and making sure that their voice is heard and that they feel empowered. And I will tell you that that is something I focus on every day.

Mr. Bilirakis. Okay. Please continue. Thank you.

Mr. Hinchey. Congressman, we sent out -- I sent out a letter to our membership encouraging and inviting any survivors to contact us for a chance to meet, and I would be happy to meet with them personally.

I've had the opportunity to meet with one survivor thus far. I've had contact with two others and plan to have two other meetings.

Aside from that, as I said previously, we need to engage and empower athletes to be part of our solutions going forward, and that will happen immediately.

Mr. Bilirakis. Mr. McNally.

Mr. McNally. So USA Taekwondo is one of, I believe, three NGBs participating in the SafeSport athlete climate survey, which is going to reach out to a select number of athletes and get them involved.

We're also working with Fighting Spirit, which is a group that educates on sexual misconduct and bullying, to make sure that those athletes learn about this before they become victims.

Mr. Bilirakis. Mr. Davis.

Mr. Davis. We also engage our athletes and have an athlete council that we are engaging with to be able to talk to them about trying to make sure that everything is

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

made transparent to us.

In addition to that, we have been in constant contact with past victims, which were part of the reason of how we were able to be able to go and continue with the Mr. Butler case that we were able to do.

Mr. Bilirakis. Ms. Pfohl.

Ms. Pfohl. Yes. We actually have two athletes on our governing board, and we are also establishing a SafeSport Champions Program where we will be able to cut across all of the sports to engage survivors, as well as those that are passionate about preventing bullying, harassment, hazing, and all forms of physical, emotional, and sexual abuse.

Mr. Bilirakis. Okay. Thank you.

Next question. These horrific events occurred for years without repercussions. Unacceptable, as far as I'm concerned.

Given this sad reality, what changes has your organization made to encourage athletes to come forward with any complaints of abuse they have made, or they may have some complaints. What changes have you made to encourage them to come forward?

Let's start from here.

Ms. Lyons.

Ms. Lyons. I think, first and foremost, we have to make sure that the information on how they can come forward is made better available. So we've made a lot of website and other communications changes so that people are aware of the Center, its role, and that it is a clear path to safe reporting. That's item one.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

We also need to ensure that the athletes can, you know, reach out to anyone that they feel safe to discuss, and all of us need to make ourselves more visibly available to them.

And I think that everyone on this panel believes that those voices need to be heard and is trying to build the mechanisms in place through either councils, working groups, surveys, whatever it takes to get those voices better heard.

Mr. Bilirakis. How do we ensure that their actions, again, the allegations, the victims' allegations are acted on quickly?

Quickly, if you could respond, because I don't have a lot of time.

Ms. Perry. I think that it is really a cultural change. And that's something that I've embarked on from day one.

And the culture has to be one where athletes feel they can speak up. And you accomplish that through a lot of different ways -- through your structure, through your policies, through your personnel.

But nothing replaces being there in front of the athletes. Nothing replaces being their advocate. And as an organization, that is something that I've dedicated my time, and, quite frankly, the reason I took this job, so that they would know their voice not only matters, but it's going to make a difference in our organization going forward, a very impactful difference.

Mr. Bilirakis. Okay. And it is important, again, I'm sure you know this, that these allegations are acted on quickly so that we can encourage others to come forward.

So, unfortunately, I don't have a lot of time, so I have to yield back. Thank you.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Mr. Harper. The gentleman yields back.

The chair will now recognize the gentlewoman from Michigan, Mrs. Dingell, for 5 minutes.

Mrs. Dingell. Thank you, Chairman Harper and Ranking Member DeGette.

Thank you for all of you being here today.

Like many of my colleagues, the Olympians represent courage, dedication, hard work, and patriotism of our young people, and we're not getting to talk about that today, and they give us reason to celebrate and to support.

But Team USA is more than a competitive team. It's 13 million young athletes across our country. And like my colleague, Mr. Walberg from Michigan, I've stood witness to the irresponsible, despicable, unexcusable, abusive behavior that has caused catastrophic damage to these young people in Michigan. I've met them, these young girls.

I'm sorry, I still get upset.

I'm saddened. I'm disgusted. And I think all of us here in a very bipartisan way want to make sure it does not happen again.

But what's bothering me today about this hearing, and what's bothered me about all of the studying that we've done to date, is that it's clear that the systems designed to protect athletes from the abusers failed.

And by the way, my colleague, Mr. Walberg, was correct that the doctor was asked to step away, and he was very quickly back in the room. He was told that there should be someone in the room chaperoning him, and it didn't happen. And that is

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

what is just so unforgivable. Or that there were no systems in place to begin with.

There have been far too many incidences and allegations of sexual misconduct in sports, including allegations involving the individuals associated with each of the national governing bodies before us today.

And honestly, I'm not reassured by your testimony, because I don't hear a sense of urgency. I keep hearing: Well, we're going to do it, we're going to get to this, we're going to do it. What is out there? Well, who are these young people that need help that aren't getting there?

So I have some questions here. We've heard today that the U.S. Center for SafeSport plays a key role in protecting the athletes from abuse. Given how important this mission is, I find it deeply concerning that apparently it took 7 years for the U.S. Olympic Committee to get SafeSport off the ground.

In fact, as early as 2010 the U.S. Olympic Committee Working Group for Safe Training Environments found that the Olympic Committee must do more to take a leadership role in protecting the athletes from abuse.

By the way, that's what you're all saying today, but you all are "working on it." And I hope that as you're working on it, you're going to be transparent, too.

Ms. Perry, I'm glad that you're here today, but a lot of people have been wanting to hear from you since you took the job. You've got to be transparent with everybody.

But by 2013, the working group had concluded that the authority to address SafeSport cases should be centralized with the new independent entity, referring to the U.S. Center for SafeSports.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

In 2014 SafeSport was created, but was still functionally a part of the U.S. Olympic Committee. Documents from that year indicate that this Olympics Committee board anticipated launching SafeSport in 2015.

In 2015 SafeSport still was not functioning as it was intended. In fact, it was not fully operational in 2017.

Ms. Lyons, are you familiar with this timeline?

Ms. Lyons. Yes, ma'am, I am.

Mrs. Dingell. Documents provided to the committee today suggest that a lack of funding was a major reason for the delay in opening SafeSport. For example, a September 2015 presentation to the U.S. Olympic Committee board of directors stated that the launch of the U.S. Center for SafeSport is contingent on raising 5 years' worth of funding.

Ms. Lyons, is it accurate that funding prevented the USOC from launching SafeSport sooner?

Ms. Lyons. I think the answer is there was a delay. And as we look back, that was a mistake.

We did hope for the Center, in order to be totally independent, we had hoped very much that other sports organizations outside of the Olympic movement would participate. We spent a fair amount of time trying to make that happen. It did not. In retrospect, of course, we should have funded it sooner and got it going.

Mrs. Dingell. Why should I take confidence from what you're saying today when you look at this timeline. And I do want to ask questions about -- there are only 14

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

people working there now, with some outside consultants, and the volume of work has got me worried, too. But you keep telling me: We're working on it, we're setting up a study.

Is it going to take another 5 years or what we doing to protect these young people right now so this never happens again?

Ms. Lyons. Well, first, I appreciate your anger and concern. And I share it. And I understand how frustrating it must seem and how incompetent it must seem that --

Mrs. Dingell. Yes.

Ms. Lyons. -- we haven't made this happen sooner. I will tell you that at 27 out of the last 29 board meetings, SafeSport was a topic of conversation. There was a steady march of increasing new procedures, putting those in place, getting all the NGBs to suddenly be required to do certain things they had not done before. Those things all preceded the opening of the Center.

There were many new controls that were put in place that were progress, but not enough, albeit not enough and not fast enough. And if we could turn back the hands of time, as the chairman said, I certainly wish we could and make it move faster.

Mrs. Dingell. I just hope that everybody here realizes the time for talk is over and you need to walk your talk.

Thank you.

Mr. Harper. I want to thank each of you for being here today. We're almost done, but I do have just in response to some of these a little followup.

And, Ms. Perry, Dr. Burgess asked a few questions about the abuse that had

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

occurred at the hands of Nassar at the Karolyi Ranch. And you stated you did not want the athletes to have to return to such an emotionally painful place where they were abused. And so USA Gymnastics terminated its agreement with the Karolyi Ranch on January 18 of this year. I believe that was definitely the right decision to make.

However, USA Gymnastics was aware of allegations against Nassar in 2015 and made the decision to renew its contract with the Karolyi Ranch in spring of 2017. Why was this agreement renewed in April of 2017 despite knowing about his abuse, sexual abuse, for years?

Ms. Perry. Chairman Harper, I can't answer that question. It's a very important question. And, again, I think that many of these questions hopefully will be answered through the independent investigation with Ropes & Gray.

But what I can tell you is that that and many things that I've done in the last 5 months have been about the athletes. Making sure that the ranch was closed. Making sure that we set up an athlete assistance fund for counseling and medical services. Making sure that we had an Athlete Task Force. And making sure they knew they had a voice with our organization and restructuring to make sure that we had the adequate SafeSport personnel to handle the kinds of volume that we have.

Mr. Harper. Thank you, Ms. Perry.

Ms. Lyons, was the U.S. Olympic Committee involved in the decision to renew the contract for the Karolyi Ranch in April of 2017?

Ms. Lyons. No. There actually are two different contracts. The USOC had what I would call a marketing license with the Karolyi Ranch that allows them to be



**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

designated as a training site with the Olympic rings upon it. The actual lease of the property was a separate agreement to the USAG.

Mr. Harper. Okay. So my question was, was the USOC involved in the decision? Was the USOC even aware of the decision to open it back up?

Ms. Lyons. I don't know the answer to that. I would guess they probably would have known, at least the lease was coming due and that it might be under consideration.

We do know that they were considering buying the ranch.

Mr. Harper. And we will ask that in writing to give you an opportunity to respond in more detail.

And then my final point is, just curious, are routine drug screens done on the coaches? And just yes or no from each of you.

I'll start with you, Ms. Perry.

Do you do routine -- I know athletes are, you know, drug tested. Are the coaches? Are there drug screens done on the coaches?

Ms. Perry. I don't know the random nature of that, but I'll find that out.

Mr. Hinchey. Not to my knowledge, but I'll find out.

Mr. McNally. I don't believe so, no.

Mr. Davis. I don't believe so, but we'll find out.

Mr. Harper. Okay. You're going to find out. But just curious, is that a problem? Would that be -- would that help? Wouldn't that be a good thing to probably do? And I would encourage to you do so.

And I'll recognize Ranking Member DeGette for her followup.

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Mr. DeGette. Thank you, Mr. Chairman.

I just want to clarify a couple of things.

The first thing is, Ms. Lyons, Mr. Carter asked you about an article from The Washington Post quoting an email by you. And I wanted to give you the opportunity to respond to what your entire email was, not just what Mr. Carter was badgering you about.

Because the Washington Post story says, quote: "Lyons wrote a heated email to three other USOC execs, including the then-CEO Scott Blackmun." Quote: "This sounds like the same old BS, she wrote." Quote: "Allowing a potential sexual predator to continue to coach without having an appropriate investigation and conclusion is unacceptable," end quote.

Was that the full content of your email?

Ms. Lyons. No, there actually was more.

Mr. DeGette. There was more?

Ms. Lyons. Yes.

Mr. DeGette. Could you provide us a copy of that email if you still have it?

Ms. Lyons. I have not been able to find it.

Mr. DeGette. Okay. But do you agree that you wrote those words.

Mr. DeGette. Yes, I absolutely did.

Mr. DeGette. Now, one other question. Actually, I wanted to ask Ms. Pfohl about what Mr. McNally was talking about, which is that, as I understand it, Mr. McNally, you said that there's only certain types of misdemeanors that your organization

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

investigates. It would be violent ones or sexual or something like that. Is that right?

Mr. McNally. Yes, that's correct.

Mr. DeGette. So as a former criminal defense lawyer myself, I will say that oftentimes more serious offenses, like felonies, get pled down to misdemeanors, and even misdemeanors that don't appear to be involving violence or sexual assault or things like that.

So what I wanted to ask you, Ms. Pfohl, is does your organization make a distinction if there's a complaint comes in and it is a misdemeanor level or a felony level? Or would you investigate the misdemeanor ones as well?

Ms. Pfohl. Thank you, ma'am.

What we're looking at is did someone breach the SafeSport code of conduct, which is much broader than the law.

So we let law enforcement handle law enforcement issues, absolutely. Certainly, if someone has a criminal disposition that plays into our investigation, obviously that would be a breach of the SafeSport code. But what we're looking at is did someone breach the SafeSport code.

Mr. DeGette. So you're looking at the conduct, not necessarily the legal disposition.

Ms. Pfohl. Correct.

Mr. DeGette. So, Mr. Chairman, I just want to make one final statement, and that's this. I think that everybody in this room agrees this is a terrible tragedy that happened and we can't let it linger along -- we can't let it drift along. The organization

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

themselves, the USOC, can't let it drift along.

We need to make sure that we actually have adequate funding so that the Center for SafeSport can do its job. And as of today, I have concerns about whether they have that amount of funding given the way the number of complaints has escalated.

And so I would ask if you would consider -- we'll continue to have conversations with everybody, but if you would consider scheduling a followup hearing, like 6 months from now, so we can see if these things are actually being implemented.

Mr. Harper. I can assure you that the subcommittee will stay on this issue.

Thank you, Ms. DeGette.

To those individuals in the room or who may be watching who have been victims, I want to thank you for having the courage to stand up and for the role that you're playing in preventing future cases of sexual assault. We will continue this fight on your behalf.

In conclusion, I'd like to thank our witnesses and the members that have participated in today's hearing. And I'll remind members that they have 10 business days to submit questions for the record. And I would ask the witnesses to promptly respond to those, if you so receive those questions.

[The information follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

**This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.**

Mr. Harper. With that, the subcommittee is adjourned.

[Whereupon, at 12:44 p.m., the subcommittee was adjourned.]