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6 TIMEOUT: EVALUATING SAFETY MEASURES IMPLEMENTED TO PROTECT

7 ATHLETES

8 THURSDAY, MARCH 21, 2024

9 House of Representatives,

10 Subcommittee on Oversight and Investigations,

11 Committee on Energy and Commerce,

12 Washington, D.C.

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16 The Subcommittee met, pursuant to call, at 10:30 a.m. in

17 Room 2322, Rayburn House Office Building, Hon. Morgan

18 Griffith [Chairman of the Subcommittee] presiding.

19 Present: Representatives Griffith, Burgess, Guthrie,

20 Duncan, Palmer, Lesko, Armstrong, Cammack, Rodgers (ex

21 officio); Castor, DeGette, Schakowsky, Tonko, Ruiz, and

22 Pallone (ex officio).

23 Staff Present: Sean Brebbia, Chief Counsel; Deep

24 Buddharaju, Senior Counsel; Sydney Greene, Director of

25 Operations; Rebecca Hagigh, Executive Assistant; Tara Hupman,

26 General Counsel; Lauren Kennedy, Clerk; Emily King, Member

27 Services Director; Chris Krepich, Press Secretary; Karli

28 Plucker, Director of Operations (shared staff); Austin Flack,
29 Minority Junior Professional Staff Member; Waverly Gordon,
30 Minority Deputy Staff Director and General Counsel; Mary
31 Koenen, Minority GAO Detailee; Will McAuliffe, Minority Chief
32 Counsel, Oversight and Investigations; Constance O'Connor,
33 Minority Senior Counsel; Joe Orlando, Minority Junior
34 Professional Staff Member; Christina Parisi, Minority
35 Professional Staff Member; Harry Samuels, Minority Oversight
36 Counsel; Andrew Souvall, Minority Director of Communications,
37 Outreach and Member Services; and Caroline Wood, Minority
38 Research Analyst.

39

40 *Mr. Griffith. The Subcommittee on Oversight and
41 Investigations will now come to order. The chair recognizes
42 himself -- that would be me -- for a five-minute opening
43 statement.

44 As you all know, this subcommittee had originally
45 planned to hold this hearing last October. I am grateful we
46 were able to reschedule this important hearing, and
47 appreciate the witnesses -- I appreciate you all very much
48 for rescheduling it, as well. I know that that could not
49 have been easy, and I do apologize for the fact that we were
50 supposed to do it earlier and we weren't able to get to it.
51 And thank you all for your flexibility and your
52 understanding.

53 Organized athletics, especially for our children, is
54 invaluable to the culture of our country. Sport is
55 instrumental in helping to teach young people the values of
56 teamwork and self-esteem. From soccer to football, tennis to
57 badminton, lacrosse and, my favorite, swimming, over 60
58 million children participate in youth sports leagues.

59 Some children start their athletic journey before they
60 go to kindergarten. They pour their hearts and souls into
61 it, dedicating countless hours in the pursuit of mastering
62 their chosen sport. A young athlete hoping to excel at the
63 highest levels as part of the modern Olympic Movement may
64 have to put in the same training hours a week as the average

65 American does at work and, in many cases, more than the
66 average American does at work.

67 It is because of these fierce competitors and the
68 extensive network of youth leagues that the United States
69 proudly claims the most Olympic medals in the modern Olympic
70 Movement, at over 3,100, 1,100 more than the Germans, who
71 come in a distant second with 2,000 medals. With this
72 tremendous sport success our country enjoys, we owe it to the
73 athletes to ensure that they can compete in a safe and abuse-
74 free environment.

75 Unfortunately, this is not necessarily the case. As a
76 member of the subcommittee in 2018, I remember listening to
77 the testimony about the tragic and horrific episodes of
78 sexual abuse documented at USA gymnastics. This repugnant
79 occurrence was perhaps the worst case of athletic abuse seen
80 in the U.S. Olympic and Paralympic Movement. Congress came
81 together following that incident to charter the U.S. Center
82 for SafeSport to ensure those abhorrent events never happen
83 again.

84 The Center is a 501(c)(3) non-profit responsible for
85 investigating and resolving abuse and misconduct reports in
86 sports leagues affiliated with the U.S. Olympic and
87 Paralympic Committee. Currently, SafeSport covers about 11
88 million individuals. The Center has a tall order, but it is
89 critical that we have a functioning, transparent, and

90 effective organization that seriously takes on its mission to
91 protect athletes from abuse. SafeSport has a challenging
92 role to play in protecting children against abuse.

93 Like any new organization, it will need to grow and
94 rectify mistakes that inevitably will occur. As SafeSport
95 learns and builds up its protocols, it may also need
96 legislative changes. I am well aware of the criticisms
97 levied against SafeSport, particularly regarding its lack of
98 transparency.

99 Just a few weeks ago the Commission on the State of the
100 U.S. -- of U.S. Olympics and Paralympics, tasked by Congress
101 to find areas to improve the Olympic Movement, stated about
102 SafeSport, "A decision not to furnish us with requested
103 financial documents detailing spending as well as those
104 covering certain safety policies reflect a lack of
105 transparency built into the structure of the current system,
106 one that hinders the Movement's accountability to Congress.'
107 This is concerning.

108 I am also concerned about reports my office has received
109 regarding youth sports leagues disaffiliating from their
110 national governing bodies to avoid coach training and
111 background check requirements imposed by SafeSport. This is
112 very troubling, given that SafeSport was created to protect
113 athletes from abuse, and instead it may be inadvertently
114 driving athletes into more opaque leagues that lack the

115 reporting and training requirements of SafeSport.

116 The Commission interviewed national governing body
117 participants who told them, "A coach can move to unsanctioned
118 competitions, still be participating in the sport basically
119 every single day.'" One person even told the Commission,
120 "The two biggest offenders that I know of are still coaching.
121 Nothing ever happened to them.'" We must find a way to close
122 these loopholes.

123 This oversight hearing is a great bipartisan opportunity
124 to check in with SafeSport and some of the national governing
125 bodies regarding how well SafeSport is functioning and how
126 overall athletes' safety can be improved. Everyone in this
127 room is in agreement. The physical and mental health of our
128 young athletes is paramount. We owe them that.

129 Today we have testifying Ju'Riese Colon, chief executive
130 officer of the U.S. Center for SafeSport; Craig Cress, chief
131 executive officer of USA Softball; Mana Shim, chair, U.S.
132 Soccer Federation Participant Safety Task Force; and Nicole
133 Deal, senior vice president for security and athlete safety,
134 United States Olympic and Paralympic Committee.

135 I appreciate you all being here.

136 [The prepared statement of Mr. Griffith follows:]

137

138 *****COMMITTEE INSERT*****

139

140 *Mr. Griffith. With that, I end my opening statement
141 and yield to the ranking member for her five-minute opening
142 statement.

143 Ms. Castor.

144 *Ms. Castor. Well, thank you, Mr. Chairman, very much
145 for organizing this hearing, and welcome and thank you to all
146 of our witnesses who are here today. Mr. Chairman, you and I
147 have spoken on several occasions about our shared goal to
148 ensure that the Center for SafeSport is fulfilling its
149 critical mission to keep athletes safe.

150 As the co-chair of the Soccer Caucus -- and I was
151 brought to the Soccer Caucus because of my daughter's
152 involvement in youth sports, she grew up, as my other
153 daughter also was involved in athletics, and I am -- I think
154 we all understand what participation in athletics as you grow
155 up can mean to being healthy and well. And as a parent and
156 as an athlete, you deserve to do that in a safe environment.
157 So I am hopeful that this hearing will be productive and
158 meaningful, and we can continue to keep athletes safe across
159 the country. We have got to do better.

160 The U.S. Center for SafeSport was authorized by Congress
161 in 2018. It receives, in response to reports of emotional,
162 physical, and sexual abuse from participants in sports
163 associated with more -- the more than 50 national governing
164 bodies and grassroot team -- grassroots teams that are part

165 of the U.S. Olympic and Paralympic Movement. This mandate
166 extends to millions of athletes, including many children, who
167 deserve an opportunity to play sports in a safe, nurturing
168 environment that allows everyone to participate and thrive.
169 Unfortunately, we need entities like SafeSport now more than
170 ever. Since its inception, reports of abuse and misconduct
171 made to SafeSport have increased by nearly 2,000 percent.

172 SafeSport was created as an independent body to provide
173 victims of abuse with a clear path to report misconduct and a
174 process to hold abusers accountable. However, the committee
175 has heard serious concerns from stakeholders, and just weeks
176 ago from the Commission on the State of the U.S. Olympics and
177 Paralympics about whether SafeSport's processes align with
178 its safety focus mission.

179 We also have -- owe a debt of gratitude to U.S. Soccer
180 and folks like Ms. Shim, who have detailed the abuse and the
181 failures of SafeSport to really respond in an adequate way.
182 These concerns include a lack of clarity about SafeSport's
183 jurisdiction; poor communication with complainants regarding
184 investigation status; the need for trauma-informed, athlete-
185 centered and athlete survivor-centered policies; excessively
186 long investigations; a high percentage of cases closed
187 administratively without clear justification; and uncertainty
188 about the ability of NGBs to establish safety measures
189 concerning individuals involved in active or past SafeSport

190 investigations.

191 SafeSport has a challenging job, to be sure, but it can
192 only succeed if it operates in a way that inspires trust in
193 athletes, the athletes who are in need of help. And we in
194 Congress want to help it succeed.

195 I want to acknowledge that we would not be here today
196 discussing this important issue without the individuals who
197 bravely came forward with their experiences of abuse to
198 demand better protection not only for themselves, but for all
199 athletes.

200 SafeSport was set up first and foremost to serve and
201 protect the athlete. And if the process is falling short, it
202 must be fixed. We must ensure a transparent and accountable
203 system for all athletes and all stakeholders. That includes
204 a strong, effective Center for SafeSport that has adequate
205 resources to respond to the thousands of reports that it
206 receives.

207 It also includes responsible and accountable NGB
208 leadership: coaches, teams, training staff, and anyone who
209 works with our athletes. And it requires everyone involved
210 in the Olympic Movement to work together to prevent abuse and
211 to respond decisively when it occurs.

212 Thank you all for being here to share your perspectives
213 and your expertise. I look forward to a productive
214 conversation today.

215 [The prepared statement of Ms. Castor follows:]

216

217 *****COMMITTEE INSERT*****

218

219 *Ms. Castor. And I yield back.

220 *Mr. Griffith. The gentlelady yields back. I now
221 recognize the chairwoman of the full committee, Mrs. Rodgers
222 of Washington.

223 *The Chair. Thank you.

224 *Mr. Griffith. Five minutes.

225 *The Chair. Thank you, Chair Griffith.

226 Nothing is more important than the safety and well-being
227 of our children. When we place them in the care of coaches
228 and school administrators, we trust that they will be
229 protected. When they are practicing, training, and competing
230 in the sports they love, we expect coaches, trainers, and
231 volunteers are all keeping our children's safety front and
232 center. When they are on the field, or in the pool, or on
233 the slopes, their only concern should be competing and being
234 the best athletes they can be.

235 It is in these environments that they learn important
236 life lessons of hard work, resiliency, mental fortitude, and
237 teamwork. That is why I was disturbed and heartbroken, like
238 all of my colleagues, after learning of the horrifying abuses
239 inflicted on our young Olympic gymnasts. What these young
240 women went through is unimaginable, and should never happen
241 again.

242 These unspeakable acts materialized under a system that
243 failed athletes who were talented and privileged enough to

244 compete in the Olympic and Paralympic Games. I remember when
245 former Olympic athletes came before Congress and shared their
246 stories. The hearing was painful to watch, and rocked many
247 of us to our cores. But it was necessary, and I am still
248 grateful to those brave women whose courage is a testament to
249 the mission we have before us today.

250 Congress set out to make sure that abuses against our
251 young athletes competing in the Olympic system never happens
252 again. Six years ago we created the U.S. Center for
253 SafeSport, the independent organization responsible for
254 investigating and resolving reported abuses. The Center has
255 the sole and exclusive authority to investigate and resolve
256 sexual misconduct claims. Parents across the country are
257 counting on the center to protect their children so that they
258 can compete in a safe and healthy environment.

259 Today Safesport has the scope and authority to
260 investigate any reports of misconduct for the more than 11
261 million individuals throughout the U.S. Olympic and
262 Paralympic Movement. It is no small feat, as the Center has
263 been -- has seen misconduct and abuse reports increase year
264 over year.

265 We must put athlete safety first, which means we must
266 find what is working at the Center, and fix the issues that
267 are not. As the Center itself has already publicly
268 acknowledged at a hearing on the Commission on the State of

269 U.S. Olympics and Paralympics, some of the criticisms against
270 it are warranted. The Center has stated that at times its
271 process was "not trauma informed," that there was poor
272 communication, or it simply took too long. It also said it
273 is "committed to continuous quality improvement."

274 These are all issues the Commission on the State of U.S.
275 Olympics and Paralympics documented in its report released
276 earlier this month. Among the Commission's other findings,
277 it found the Center needs to improve its trust with athletes,
278 clarifying its reporting process and better maintain its
279 database.

280 I welcome its commitment to do better, and know this
281 subcommittee is equally invested in seeing SafeSport improve
282 for the benefit of America's children and young athletes.

283 I ask my colleagues to join in today's hearing to bring
284 SafeSport's outstanding issues to light in a productive way,
285 so that we can find solutions.

286 To the millions of America's athletes and young -- and
287 their parents, we hear you and we will work to make sure that
288 all young athletes, from youth sports to the Olympics, are
289 safe, healthy, and thriving.

290 I look forward to today's discussion.

291

292

293

294 [The prepared statement of The Chair follows:]

295

296 *****COMMITTEE INSERT*****

297

298 *The Chair. And I yield back.

299 *Mr. Griffith. The gentlelady yields back. I now
300 recognize the ranking member of the full committee, Mr.
301 Pallone, for his five-minute opening statement.

302 *Mr. Pallone. Thank you, Mr. Chairman.

303 Today's hearing is about keeping our athletes safe. We
304 should have zero tolerance for misconduct of any kind in
305 sports. The health, dignity, well-being, and performance of
306 millions of athletes across our country depend on the
307 strength of the systems in place to keep athletes safe from
308 abuse. And I hope that today's hearing brings more awareness
309 to this issue and the improvements that must be made.

310 Whether we are talking about little kids playing in
311 local soccer teams, or high school gymnasts, Division 1
312 college wrestlers, or competitors in Olympic-level track and
313 field events, sport should be a place of safety, respect, and
314 fair competition, and athletes of all ages deserve nothing
315 less.

316 Unfortunately, numerous scandals involving abuse of
317 athletes across sports demonstrate the need for action and
318 constant vigilance. By 2016 several high-profile cases of a
319 sexual abuse of minor athletes in the USA gymnastics, USA
320 swimming, and USA taekwondo programs had come to light, and
321 we watched as hundreds of USA gymnasts courageously came
322 forward to detail decades of harrowing abuse by a team

323 doctor, Larry Nassar. Press reports and independent
324 investigations exposed systematic failures to respond to
325 reports of Nassar's abuse and attempts to cover it up.

326 And amidst these shocking revelations of abuse and the
327 many ways athletes' attempts to speak out were overlooked or
328 discredited and suppressed by the very people whose job it
329 was to protect them, Congress established a U.S. Center for
330 SafeSport in 2017.

331 Now, Congress gave SafeSport exclusive jurisdiction over
332 allegations of sexual misconduct and discretionary authority
333 to investigate other forms of misconduct, including physical
334 and emotional abuse. It can impose sanctions against
335 perpetrators of all types of abuse, and SafeSport is also
336 required to provide education, outreach, training, and annual
337 compliance audits of the U.S. Olympic and Paralympic
338 Committee and national governing bodies responsible for
339 managing individual sports within the U.S.

340 Its creation was a significant step forward in
341 addressing abuse, harassment, and misconduct in sports, but
342 more than 11 million athletes in the Olympic Movement count
343 on SafeSport for their safety, but more must be done to
344 improve SafeSport and better protect our nation's athletes.
345 Athletes and other stakeholders have raised serious concerns
346 about SafeSport's policies and procedures in investigating
347 and resolving reports of sexual abuse. They have also

348 questioned whether claimants are being sufficiently heard and
349 protected.

350 Athletes and NGBs who have reported abuse allegations to
351 SafeSport have also raised concern about a lack of
352 transparency and poor communication as investigations are
353 ongoing. Investigations can take years to be resolved, and
354 we have heard from stakeholders that very little information
355 is shared, even at the conclusion of the case.

356 So part of the challenge is that SafeSport is charged
357 with managing a ballooning caseload with insufficient
358 resources. In 2018 SafeSport opened roughly 300
359 investigations relating to complaints from 38 different NGBs.
360 Four years later, in 2022, SafeSport was receiving an average
361 of more than 100 new reports of alleged misconduct every
362 week.

363 So as the Commission on the State of U.S. Olympics and
364 Paralympics concluded in a report it released earlier this
365 month, SafeSport's funding level is insufficient to meet its
366 mandate to ensure athlete safety. The Commission also found
367 that SafeSport's broad jurisdiction over everything from
368 grassroots youth sports to high-performance, Olympic-level
369 athletics, inhibits its ability to effectively protect our
370 athletes.

371 The Commission recommended that SafeSport be fully
372 independent from the USOPC, and reform its investigation

373 practices, including the way it handles cases where athletes
374 are reluctant to participate. Athlete trust in SafeSport's
375 process is critical for its success, and we must ensure their
376 safety through an accountable and transparent system, and
377 Congress needs to be clear about what we expect from
378 SafeSport and understand what we can do to improve athlete
379 safety.

380 So SafeSport is a critically important institution that
381 has to succeed. And I look forward to hearing from our
382 witnesses today about how we can come together to improve
383 SafeSport so athletes at every level can participate in
384 sports free from abuse and misconduct, and focus on their
385 fair play competition and high performance.

386 [The prepared statement of Mr. Pallone follows:]

387

388 *****COMMITTEE INSERT*****

389

390 *Mr. Pallone. And with that, Mr. Chairman, I yield back
391 the balance of my time.

392 *Mr. Griffith. The gentleman yields back the remainder
393 of his time. That concludes members' opening statements.

394 The chair reminds members that, pursuant to the
395 committee rules, all members' written opening statements will
396 be made part of the record. And if you would, please provide
397 those to the clerk promptly so we can get it into the record.

398 We want to thank our witnesses for being here today and
399 taking the time to testify before the committee.

400 You will have the opportunity to give an opening
401 statement, followed by a round of questions from members.

402 Our witnesses today, as I stated previously, are
403 Ju'Riese Colon -- sorry, Colon, the CEO of U.S. Center for
404 SafeSport; Nicole Deal, senior vice president for security
405 and athlete safety, U.S. Olympic and Paralympic Committee;
406 Ms. Mana Shim, chair, U.S. Soccer Federation Participant
407 Safety Task Force; and Mr. Craig Cress, CEO, USA Softball.

408 We appreciate you being here today, and I look forward
409 to hearing from you.

410 As you are aware, the subcommittee is holding an
411 oversight hearing, and when we do so we have the practice of
412 taking that testimony under oath. Does anyone have an
413 objection to testifying under oath?

414 Seeing no objection, if each person would stand if they

415 are able, and I will advise you that you are also entitled to
416 be advised by counsel pursuant to House rules. Does anyone
417 wish to be advised by their legal counsel during the
418 testimony today?

419 Again, I see no one requesting that. If you would,
420 please raise your right hands.

421 [Witnesses sworn.]

422 *Mr. Griffith. Seeing the witnesses answered in the
423 affirmative, you are now sworn in and under oath, subject to
424 the penalty set forth in Title 18, Section 1001 of the United
425 States Code.

426 With that said, you can sit down and we will now
427 recognize Ms. Colon for five minutes to give her opening
428 statement.

429

430 TESTIMONY OF JU'RIESE COLON, CHIEF EXECUTIVE OFFICER, U.S.
431 CENTER FOR SAFESPORT; NICOLE DEAL, SENIOR VICE PRESIDENT FOR
432 SECURITY AND ATHLETE SAFETY, UNITED STATES OLYMPIC AND
433 PARALYMPIC COMMITTEE; MANA SHIM, CHAIR, U.S. SOCCER
434 FEDERATION PARTICIPANT SAFETY TASK FORCE, U.S. SOCCER
435 FEDERATION; AND CRAIG CRESS, CHIEF EXECUTIVE OFFICER, USA
436 SOFTBALL, INC.

437

438 TESTIMONY OF JU'RIESE COLON

439

440 *Ms. Colon. Thank you, Chairman Griffith, Ranking
441 Member Castor, Chairwoman McMorris Rodgers, and Ranking
442 Member Pallone, for inviting the U.S. Center for SafeSport to
443 discuss the progress that we're making towards changing sport
444 culture, as well as the work that we have ahead of us.

445 When the Center opened our doors seven years ago, we
446 were faced with a daunting task to undo years of inaction,
447 restore faith in a movement that had failed too many, and
448 finally hold abusers and the organizations that enabled them
449 accountable. Our work has been a catalyst for change.
450 Reports of abuse and misconduct have increased by more than
451 2,000 percent since opening. People are coming forward with
452 their stories because they know that the Center is a resource
453 for them.

454 In our first year we received roughly 300 reports of

455 abuse and misconduct, and last year we received 7,500. To
456 date, the Center has received more than 25,000 reports. The
457 names of more than 2,000 individuals are now listed on our
458 Centralized Disciplinary Database. It's a first-of-its-kind
459 public resource, listing individuals who have been restricted
460 or banned from sport, which any parent, local sports league,
461 youth-serving organization, or employer can easily access on
462 our website.

463 We've delivered more than 5 million trainings to nearly
464 2.5 million participants in the U.S. Olympic and Paralympic
465 Movement to prepare the sport community to not only
466 recognize, prevent, and respond to abuse and misconduct
467 [sic]. The Center has also established policies to prevent
468 abuse and create safe spaces for athletes across the
469 Movement. We audit every single NGB to ensure adherence to
470 these rules, and this year we've expanded them to reach
471 deeper into grassroots sports.

472 There was no blueprint on how to begin this work. There
473 was simply a critical mission and a strong will to show up
474 for America's athletes. And that's what we've done. We
475 continue to hear from athletes who are thankful to have had
476 us in their court. Whether we banned an abusive coach when
477 law enforcement declined to prosecute, collaborated with law
478 enforcement on abusers to bring abusers to justice, acted on
479 allegations of abuse disclosed decades later, sanctioned

480 individuals, even leaders in sport, who failed to report
481 abuse, or stepped in to seek accountability in countless
482 other situations, we are working every day to keep athletes
483 safe.

484 And we've made great strides, but we are also very
485 clear-eyed about why we are here today. We have heard the
486 voices of participants in our process who said that they were
487 let down. We know change is necessary, and are ready to make
488 improvements, particularly as it relates to timeliness of
489 investigations, communication, and trauma sensitivity.

490 Eight months ago, we embarked on a deliberate top-to-
491 bottom review of our response and resolution process, as well
492 as other aspects of our work, seeking input from athletes and
493 other stakeholders in the Movement along the way. We've
494 identified an initial set of changes, which included a
495 departmental restructure and realignment, redefining the use
496 of administrative closures, enforcing policies around
497 consistent communication, assigning staff and resources to
498 improve process navigation, trauma sensitivity training, and
499 data collection, as well as other process refinements.

500 Even with these significant process changes, we
501 acknowledge that we must continue to listen and to evolve.
502 We pledge to continue to seek athlete input and keep Congress
503 and the public informed. This is an inflection point for the
504 center and for the entire U.S. Olympic and Paralympic

505 Movement. Changes must be made to ensure America's athletes
506 can thrive from the practice fields in our neighborhoods to
507 the podium in Paris in just a few short months.

508 We thank the Commission on the State of the U.S.
509 Olympics and Paralympics for their focus on athlete safety,
510 and we agree that improvements must be made to ensure their
511 protection. We also appreciated the Commission's recognition
512 of the Center's essential role in the Movement, and the
513 progress that we've made in standing up a model that has
514 never existed before.

515 We share the belief that every athlete, regardless of
516 their level of play, deserves to be safe. Our cases
517 involving high-profile athletes and coaches may grab
518 headlines, but most revolve around grassroots athletes
519 playing for local affiliated organizations, and a quick
520 scroll of our CDD shows the impact that we're making in small
521 towns and big cities throughout this country.

522 The Commission aptly pointed out that the fractured
523 youth and grassroots sports landscape leaves athletes
524 vulnerable to abuse, and we agree. That's why the Center is
525 requesting legislative change to establish a definition for
526 national governing bodies that's inclusive of local
527 affiliated organizations, and makes clear that NGBs have
528 oversight over such organizations.

529 We also strongly support requiring youth sports

530 organizations to consider the CDD when making hiring and
531 volunteering decisions. Expediting cases' resolutions while
532 ensuring thoroughness, fairness, and trauma sensitivity
533 remains a priority, and increased resources are necessary to
534 our efforts. We expect reports to continue to grow
535 exponentially, especially as new sports such as flag football
536 and lacrosse have the potential to add more than a million
537 participants to the Movement. With additional resources, the
538 Center will move forward with setting maximum ceilings on
539 timeframes for case resolution, as well as add additional
540 investigative staff to meet the growing demand.

541 I thank the committee and my fellow witnesses for the
542 opportunity to shed light on this progress we're making, as
543 well as the ways that we are continuing to show up to change
544 for the better. Thank you.

545 [The prepared statement of Ms. Colon follows:]

546

547 *****COMMITTEE INSERT*****

548

549 *Mr. Griffith. Thank you very much. I now recognize
550 Ms. Deal for her five-minute opening statement.

551 *Ms. Deal. Test, test.

552 *Mr. Griffith. You are good.

553 *Ms. Deal. Okay.

554

555 TESTIMONY OF NICOLE DEAL

556

557 *Ms. Deal. Chairman, Ranking Member, and esteemed
558 members of the subcommittee, I'm Nicole Deal, chief of
559 security and athlete services for the USOPC. I am grateful
560 for this opportunity to discuss the critical issue of athlete
561 safety, a matter that is of paramount importance to our
562 organization and to which the Center for SafeSport
563 contributes significantly.

564 In my position I manage safety and security operations
565 at the USOPC, oversee athlete welfare, and work towards
566 enriching resources for Team USA athletes beyond the field of
567 play. I act as a link between the USOPC and the Center for
568 SafeSport, and as a guide to NGBs on athlete safety matters.

569 Our guiding principle at the USOPC is the safety and
570 well-being of all Team USA athletes. Our mission goes above
571 the pursuit of gold medals and world records, aiming to
572 ensure all athletes can train, compete, and excel in an
573 environment free of misconduct and abuse. This commitment
574 informs every decision and action we take.

575 The USOPC today is significantly different from who we
576 were in 2017. We have evolved, learning from our past and
577 making comprehensive improvements. The transformation
578 extends beyond compliance and government changes to a shift
579 in culture, where athlete safety is the inherent value

580 shaping our policies, procedures, and interactions.

581 We updated our mission statement to emphasize the well-
582 being and competitive excellence of Team USA athletes,
583 underscoring our commitment to their safety. We have
584 reinforced athlete safety policies through training and
585 reporting requirements for all members of our organization
586 and processes for thorough investigation and resolution of
587 complaints.

588 We have adopted stricter policies concerning
589 interactions between minor athletes and adults, implemented
590 new background check protocols, and launched an integrity
591 platform. This platform facilitates easy, confidential, and
592 safe reporting of compliance issues, ensuring all concerns
593 are addressed.

594 We aim to foster an environment where safety is the
595 norm. We provide role-specific safety training for all staff
596 interacting directly with athletes, and an effort amplified
597 by our collaboration with experts in this field. We have
598 established robust anti-retaliation policies to protect
599 individuals who report allegations, a vital part of our
600 commitment to transparency and accountability, and a
601 testament to our determination to foster an environment where
602 everyone feels comfortable reporting concerns without fear of
603 reprisal.

604 We believe in the Center for SafeSport's unique mission

605 and capabilities to promote athlete safety, supporting it
606 with an annual contribution of 17.4 million and affirming its
607 independence annually via a GAO certification process.

608 We recognize the importance of continuous improvement.
609 Our Athlete Safety Listening Survey since 2020 shows 113
610 percent increase in athletes reporting that they know how to
611 report allegations of sexual misconduct, a testament to our
612 efforts to cultivate an environment where everyone feels
613 seen, heard, and comfortable reporting concerns.

614 In the realm of NGB compliance, the USOPC holds a unique
615 role. While we are responsible for the oversight of the NGBs
616 regarding SafeSport compliance, we also serve as a national
617 governing body for 10 sports, and are held to those exact
618 same standards. The dual role provides us with a profound
619 insight into the diverse needs and specific challenges each
620 NGB faces as it relates to athlete safety.

621 Recognizing the unique challenges each NGB faces, we
622 share a common goal: to transform the U.S. Olympic and
623 Paralympic athlete safety system into a paragon of trust and
624 excellence in abuse prevention and response within sport.
625 This requires the Center to undertake key reforms in its
626 current operations. These include enhancing the athlete
627 experience so that the Center becomes a trusted partner for
628 athletes, refining the response and resolution process for
629 greater transparency and communication to boost its

630 effectiveness, and showcasing an eagerness to learn and adapt
631 through the receptiveness and feedback in implementing
632 change.

633 In partnership with the NGBs, we are dedicated to
634 crafting solutions that hold perpetrators accountable and
635 position us as trusted support for athletes.

636 In conclusion, our commitment to athlete safety and
637 wellness is steadfast. It is the cornerstone of our
638 organization. We pledge to all Team USA athletes past,
639 present, and future that we are unwavering in our mission to
640 ensure their safety and wellness. We appreciate your
641 partnership in making this a reality, and I stand ready to
642 answer any questions you may have.

643 And thank you for this opportunity to be here today.

644 [The prepared statement of Ms. Deal follows:]

645

646 *****COMMITTEE INSERT*****

647

648 *Mr. Griffith. Thank you, and I now recognize Ms. Shim
649 for her five-minute opening statement.
650

651 TESTIMONY OF MANA SHIM

652

653 *Ms. Shim. Good morning, Chairman Griffith, Ranking
654 Member Castor, and members of the subcommittee. Thank you
655 for the opportunity to talk about the U.S. Soccer
656 Federation's view on the U.S. Center for SafeSport. My name
657 is Mana Shim, and I'm the chair of U.S. Soccer's Participant
658 Safety Task Force. I played professional soccer for seven
659 years in the National Women's Soccer League, most recently
660 coming out of retirement to play for New Jersey-New York
661 Gotham FC.

662 In 2015, when I was playing for the Portland Thorns, I
663 was repeatedly sexually harassed by my coach. He sent me
664 explicit text messages and ordered me to come alone to his
665 hotel room, where I found him waiting undressed. Like so
666 many other athletes who have endured abuse, at first I felt
667 like there was nothing I could do to stop it because of the
668 power imbalance that exists between player and coach. He
669 determined whether I started, and how much I played, which
670 meant he controlled the entire trajectory of my career.

671 When I finally reported what happened to my team and to
672 the NWSL, I thought they would protect me and my teammates.
673 Instead, the person they went out of their way to protect was
674 my coach.

675 I retired from professional soccer in 2018, and went

676 home to Hawaii to attend law school. While I was there I
677 received a call from a former teammate, Sinead Farrelly, who
678 told me that she had been sexually harassed by the same
679 coach, and that there were other players who had been
680 victimized, too. We were afraid for the athletes he was
681 still coaching, so we decided to speak up publicly. And when
682 our story was published in The Athletic, it spurred a
683 reckoning in women's professional soccer.

684 In the wake of the story, U.S. Soccer hired former
685 Deputy Attorney General Sally Yates to conduct an independent
686 investigation. Her report found widespread and systemic
687 abuse across the league that went far beyond just my coach.
688 To many people, the findings were shocking. To me they were
689 heartbreaking, but I wasn't surprised. The report confirmed
690 what I already knew, that abuse in our sport is rooted in
691 youth soccer.

692 As professional players, we had all been conditioned
693 since we were kids to believe that the mistreatment we were
694 experiencing was normal, and that if we spoke up about it no
695 one would care. The report made clear that our younger
696 players are at risk, just as I once was, and that if we don't
697 address this problem now it will only get worse.

698 The Yates report also noted something else very
699 important: the U.S. Center for SafeSport is not doing its
700 job effectively. Ms. Yates found evidence to suggest that

701 SafeSport is failing the very athletes it was designed to
702 protect, including younger players. I have seen that for
703 myself: More than two years after my story was published,
704 SafeSport's investigation of my coach remains open.

705 When I became chair of the task force in 2022, I decided
706 to devote much of my time to advocating for legislation to
707 make important changes to SafeSport. I want to ensure that
708 all allegations of abuse are taken seriously, and that bad
709 actors are held accountable and prevented from harming other
710 athletes.

711 I feel strongly that any legislation taken up by
712 Congress must address specific issues that we at U.S. Soccer,
713 along with many other NGBs who are working on this
714 legislation with us, have encountered with the SafeSport
715 process.

716 First, we need increased transparency. SafeSport does
717 not share enough information with NGBs, and it is standing in
718 the way of protecting athletes.

719 Second, we need to limit the number of SafeSport
720 investigations that end in administrative closure.
721 Administrative closure leaves both parties in limbo
722 indefinitely, and at its worst it can allow sexual predators
723 to fall through the cracks and remain in sport.

724 Third, we need to ensure that U.S. Soccer and other NGBs
725 can take action when SafeSport does not. When SafeSport

726 administratively closes a matter, it maintains exclusive
727 jurisdiction, preventing NGBs from taking any action except
728 for a safety plan that cannot include keeping someone out of
729 the sport. We believe that when a case is administratively
730 closed, NGBs should be allowed to implement further measures
731 to protect athletes if they are necessary.

732 Finally, we need to ensure the appeals process works for
733 claimants and respondents alike. SafeSport's current process
734 forces victims of abuse who are brave enough to participate
735 in an initial investigation to go through the process all
736 over again in an appeal. At times, if the victim is
737 unwilling to go through a second proceeding, SafeSport has
738 vacated its findings or had its decisions overturned by
739 arbitrators. The result is that SafeSport has lifted
740 sanctions against abusers, even after they have been found by
741 substantial evidence to have committed sexual misconduct.

742 U.S. Soccer believes SafeSport is an essential and
743 valued partner in a shared mission. But all too often we
744 have seen the Center fall short and fail athletes who
745 courageously come forward to share their stories of abuse.
746 We need Congress to pass legislation that will reform the
747 SafeSport process, eliminate barriers to protecting athletes,
748 and ensure this important organization is able to provide
749 safe, healthy environments in sport. U.S. Soccer stands
750 ready to work alongside you to accomplish this goal.

751 Thank you.

752 [The prepared statement of Ms. Shim follows:]

753

754 *****COMMITTEE INSERT*****

755

756 *Mr. Griffith. Thank you very much for your testimony.
757 I now recognize Mr. Cress for his five-minute opening
758 statement.
759

760 TESTIMONY OF CRAIG CRESS

761

762 *Mr. Cress. Thank you, Chairman Griffith, Ranking
763 Member Castor, and the members of the subcommittee. USA
764 Softball greatly appreciates the congressional committee for
765 listening and working with all parties to further advance the
766 fundamental purpose of the Amateur Sports Act and the U.S.
767 Center for SafeSport to better protect athletes from
768 potential harm.

769 Summary of major points. SafeSport is a valuable tool
770 for athlete safety. USA Softball has been a standard bearer
771 for background checks and coach umpire education pre-dating
772 SafeSport.

773 All minor age participants deserve protection, yet
774 hundreds of thousands are currently unprotected. Other non-
775 NGB youth sports organizations actively target national
776 governing bodies by promoting that they are exempt from
777 SafeSport requirements. Help protect all athletes by
778 creating a level playing field where all youth athletes are
779 affordable [sic] the protection that they deserve, and NGBs
780 are not at a competitive disadvantage with grassroots sports.

781 The U.S. Center for SafeSport was created for the need -
782 - purpose of developing policies and procedures to better
783 protect athletes and better protect -- provide a safe
784 environment for participants.

785 Please know that long before the U.S. Center for
786 SafeSport and any national scandals or state law mandates,
787 our organization, USA Softball, an early adopter of criminal
788 background checks and educational programs for coaching of
789 our youth athletes. USA Softball has also maintained a
790 decades-old disciplinary process to remove wrongdoers from
791 participation in our activities.

792 It is in part because of this tradition within our
793 organization that we believe the U.S. Center for SafeSport
794 has an extremely important purpose in taking on a monumental
795 task. Upon the creation of the SafeSport Center, the United
796 States Olympic and Paralympic Committee and the national
797 governing bodies of sports were asked to assist in providing
798 funding to the Center.

799 The NGBs completely understood, and support that all
800 adults who participate in youth sport as an administrator,
801 coach, or official should be regularly educated, as well as
802 provide an up-to-date yearly background check. The
803 responsibility for these adults following these requirements
804 falls to the NGBs, and is audited by the U.S. Center for
805 SafeSport for compliance. USA Softball has been working
806 within this framework and under the U.S. Center for SafeSport
807 for the past several years.

808 However, there seems to be an assumption that, by
809 regulating the NGBs, all youth sports participants are

810 covered and protected. However, that is an incorrect
811 assumption. In just our sport of softball, there are at
812 least 25 other organizations that are conducting softball
813 events that are not obligated to meet SafeSport requirements
814 or adhere to SafeSport policies and -- which includes our
815 minor athlete abuse prevention policies.

816 That means that there are hundreds of thousands of
817 youths participating in play where the adults are not
818 SafeSport-educated, and potentially not had any background
819 check screening in just the sport of softball alone. Those
820 athletes are as equally important and equally deserving of
821 protection as the athletes participating in the USA Softball
822 programs, yet they are not receiving the benefit of those
823 policies and procedures.

824 It is a present day reality that other national and
825 regional sports organizations that are not NGBs are not
826 required to follow the U.S. Center for SafeSport educational
827 and other requirements. This is not only without
828 justification for the benefit of the participants, but it is
829 also creating an issue for the NGBs. In recent years we have
830 seen individuals move their programs and tournaments away
831 from our NGBs so they -- and such vitally important policies
832 and procedures no longer apply to their programs. This is
833 not a good development for the participants.

834 These other organizations, both national and regional,

835 are not held to the same standards for participation and not
836 affording their athletes the benefit of policies and
837 procedures of the U.S. Center for SafeSport. By way of
838 example, USA Softball has had individuals leave our
839 organization recently, and have formed their own softball
840 associations while publicly advertising on their websites
841 that SafeSport is not required for teams, coaches, or umpires
842 to participate in their new organizations.

843 USA Softball, like many other NGBs, feel that all user
844 participants should have the same type of protection when
845 participating across all youth sports organizations, and USA
846 Softball believes that this loophole should be closed so the
847 athletes are provided the benefit of the U.S. Center for
848 SafeSport and its policies.

849 USA Softball and other NGBs are asking for the playing
850 field to be leveled, and all organizations that are offering
851 opportunities to youth in any sports be required to have
852 their administrators, coaches, and officials become
853 SafeSport-educated and audited for these practices, just like
854 the NGBs that are offering other grassroots programming.
855 Thank you.

856 [The prepared statement of Mr. Cress follows:]

857

858 *****COMMITTEE INSERT*****

859

860 *Mr. Griffith. I thank you for your testimony. We will
861 now move into the question-and-answer portion of the hearing,
862 and I will begin the questioning, and recognize myself for
863 five minutes.

864 And let me say in the start-up that we have got at least
865 two issues. One, we have got to make it safer. Apparently,
866 we have got some gaps. Ms. Shim has pointed that out, Ms.
867 Colon, and we will have to work on that. Two, we have the
868 situation that Mr. Cress has brought up, where people are
869 intentionally getting out from under the umbrella of
870 SafeSport, and that was actually brought to me, and it is one
871 of the good news-bad news things. It was brought to me by a
872 coach. It was not brought by some high-powered lobbyist.
873 One of my coaches in my district came to me and said, "We
874 have a problem."

875 This hearing today -- probably, again, good news-bad
876 news -- it probably won't make the front page of any major
877 news outlet. The reason for that is that I think most of the
878 members, while we may not completely agree on how to solve
879 the problems, most of the members of this committee,
880 particularly this subcommittee, are passionate about trying
881 to help where we can to change the legislation to make the
882 changes that we think are necessary to solve some of the
883 problems you have raised, Ms. Shim, and some of the problems
884 that you recognize, as well, Ms. Colon.

885 That being said, I have to tell you I did smile. Back
886 in February I went to a Virginia high school league swimming
887 meet. I have been involved in the sport of swimming for 55
888 years, and my son was the alternate. And we have never been
889 great. We have been good, but we have never been great. He
890 was the alternate on a relay team that was competing at the
891 state championship, and as I found myself compelled to head
892 to the men's room, I couldn't help but smile because on the
893 door there was a sign that I have never seen before at any
894 swimming meet -- and I have been going for 55, 57 years to
895 swimming meets -- that said, "No swimmers allowed in this
896 bathroom. SafeSport.'"

897 And I smiled because this committee has been working on
898 that kind of stuff, and it is a small step. It doesn't solve
899 Ms. Shim's problems. It is nowhere near those problems. But
900 I couldn't help but think somebody is paying attention, and
901 we are doing some good stuff.

902 All right. That said, Mr. Cress, how many youth leagues
903 are currently affiliated with USA Softball?

904 *Mr. Cress. Youth leagues across the United States is
905 into the hundreds of thousands that are affiliated with us.

906 *Mr. Griffith. And do you have a number of how many
907 teams are out there that are still operating that have
908 disaffiliated from your organization in the past year?

909 *Mr. Cress. In the past year disaffiliated has been

910 approximately 3,500.

911 *Mr. Griffith. And it was more the year before that?

912 And, I mean --

913 *Mr. Cress. Yes.

914 *Mr. Griffith. -- so that is cumulative. There is more
915 than that.

916 And how many leagues have disaffiliated?

917 *Mr. Cress. When you take that many teams, the leagues
918 are a little bit less than that. So it's only about 300.

919 *Mr. Griffith. Okay. And how many athletes would you
920 say that encompasses?

921 *Mr. Cress. At 3,000 -- or 3,500 teams, we're looking
922 at about 6,000 athletes.

923 *Mr. Griffith. Yes. And what concerns me is that you
924 are the national governing body. Your member leagues are
925 required to report abuses and to follow the SafeSport
926 standards. And while they may not be perfect, they may not
927 be as good as we would like them to be. It is a whole lot
928 better than having no standards. Wouldn't you agree?

929 *Mr. Cress. Yes, sir, I would agree.

930 *Mr. Griffith. And your coaches and trainers are
931 undergoing the SafeSport training, and they have to do -- I
932 mean, it is not that much, a two-hour training course the
933 first year, and 30 to 45 minutes each -- or subsequently
934 every three years. Is that accurate?

935 *Mr. Cress. That is accurate.

936 *Mr. Griffith. And yet, because of the fees that are
937 required because of the background checks, and because of the
938 having to sit down and watch a video and maybe answer some
939 questions, you are losing these teams to other leagues that
940 are specifically advertising, I think you testified, that you
941 don't have to deal with the background check, and you don't
942 have to deal with taking the classes. If you come over here,
943 it is just a lot easier.

944 *Mr. Cress. That is correct. That is what we're
945 seeing.

946 *Mr. Griffith. And the problem that I have with that
947 is, as a former criminal defense attorney, is that if you
948 make it easy for the bad guys, they are going to go where it
949 is easier. Isn't that true?

950 *Mr. Cress. That is what we have found out. Yes, sir.

951 *Mr. Griffith. Yes. So if you have intentions to do
952 bad things in any sport, not just softball, you are going to
953 try to go where the SafeSport is not at least doing some
954 protective work. Isn't that true?

955 *Mr. Cress. That's correct.

956 *Mr. Griffith. And that is what concerns me, and we
957 have got to figure it out. We thought that, by going to the
958 national governing bodies, we would take care of it. That
959 was our error, and that is one of the things we have to fix.

960 Would you agree with that?

961 *Mr. Cress. I would, yes, sir. I do agree.

962 *Mr. Griffith. Ms. Shim, you would agree with that,
963 too, wouldn't you?

964 *Ms. Shim. Yes, I would agree.

965 *Mr. Griffith. Ms. Deal, do you agree with that?

966 *Ms. Deal. Completely.

967 *Mr. Griffith. And you, I assume, would agree with
968 that, too. Wouldn't you?

969 *Ms. Colon. Absolutely.

970 *Mr. Griffith. Yes, I mean, that is something that we
971 just have to work on to a great degree.

972 I have got a couple of documents that just point out the
973 advertisements so that anybody out there who thinks and -- or
974 reads the record later thinks there wasn't any evidence of
975 that, we have got the advertisements, and we are going to
976 submit those of the leagues saying, "Come to us, you don't
977 have to do SafeSport,'" and I submit those, and we will put
978 that up later.

979 All right, that being said, I yield my time back and now
980 recognize Ms. Castor for her five minutes of questioning.

981 *Ms. Castor. Well, thank you, Mr. Chairman. Thanks
982 again to our witnesses.

983 We -- you know, when Congress created SafeSport, we
984 intended it to be the go-to resource for athletes to report

985 sexual, emotional, physical abuse. And we intended our
986 athletes, when they do that, to be heard and respected.

987 Ms. Shim, I think you are a hero. I think you are
988 courageous for telling your story about sexual abuse by your
989 coach. There are -- I have expressed to you, you are
990 speaking out on behalf of so many athletes that just have not
991 had the wherewithal, the ability to come forward and do it.
992 So thank you for that.

993 You reported to SafeSport the abuse. Tell us how -- we
994 have read the Yates report, but tell us about your
995 experience. And what would you highlight right off the bat
996 as the most critical reforms for the Congress?

997 *Ms. Shim. Thank you, Congresswoman.

998 First, I didn't report the abuse because I didn't know
999 about SafeSport at the time. U.S. Soccer reported the abuse,
1000 which I was really grateful for. I was out of soccer at the
1001 time, and I would say, you know, I was investigated or
1002 interviewed by a number of different investigators and
1003 attorneys. And I would say the thing that stands out the
1004 most is the lack of communication to athletes and all parties
1005 involved, really. U.S. Soccer, the NGBs, similarly, don't
1006 get information.

1007 But I just felt like the process itself was
1008 unprofessional. I remember seeing an email with my coach's
1009 name spelled wrong, and it's a small detail, but it just

1010 feels like maybe it's not taken as seriously, and just the
1011 fact that it has taken so long, the fact that it remains
1012 open.

1013 And I'm here not because of my specific case. I feel
1014 like it was high profile enough that, even if, you know, the
1015 case resulted in administrative closure, I don't think that
1016 coach will be hired in the United States. Yes. Does that
1017 answer the question?

1018 *Ms. Castor. Yes, and the -- so is that a similar issue
1019 that you have heard from others that have reported to
1020 SafeSport?

1021 *Ms. Shim. Yes. Unfortunately, a number of my friends
1022 who play soccer -- and also I've spoken to a number of other
1023 athletes in other sports who have had unpleasant experiences
1024 with the Center for SafeSport and their investigators.

1025 *Ms. Castor. And is that going to be an incentive for
1026 athletes and their families to report, or do you think that
1027 is a problem, that that is going to discourage them from
1028 reporting and being involved?

1029 *Ms. Shim. Yeah, I think -- I'll tell you that it
1030 discourages a lot of people, but it is my job to, as a
1031 mandated reporter, to tell people they must report. And I
1032 encourage reports. And I'm hopeful that the Center for
1033 SafeSport will improve its processes so more people do feel
1034 confident in their process, and that they will find justice

1035 and some resolution in their case.

1036 *Ms. Castor. So, Ms. Colon, you have embarked on some
1037 reforms there at SafeSport. Thank you for that.

1038 One of the overriding concerns I am hearing -- we are
1039 hearing directly is athletes do not feel heard, that that is
1040 going to be a disincentive for folks to report. And then the
1041 high rate of administrative closures, could you address
1042 those, too? What are you doing to correct that?

1043 *Ms. Colon. Sure. Still on? Okay. Yes, absolutely,
1044 thank you for the question.

1045 I think, first off, I think it's important to
1046 acknowledge that, you know, the experience that Ms. Shim has
1047 gone through with -- particularly with reporting to the
1048 Center, as well as her friends and teammates, right, that is
1049 not the experience that we want for any athlete at any level
1050 to experience. And, you know, we're continuing to work
1051 diligently to process through a number of cases so that we --
1052 and changes so that we don't run into that again.

1053 When we think about the use of administrative closures,
1054 I think it's also important to understand why we use them in
1055 the first place. And administrative closure for us is a way
1056 for us to maintain the ability to reopen a case. And so one
1057 of the things that we have heard loud and clear is, you know,
1058 that the Center for SafeSport needs to be more trauma-
1059 informed and more trauma-sensitive.

1060 One of the ways in which we do that is we give athletes,
1061 we give victims, we give survivors the ability and time it
1062 takes for them to come forward with their stories. We
1063 recognize that when someone comes to us after being sexually
1064 harassed, assaulted, abused, that that takes a lot of
1065 courage, and they may not be ready to do that just yet. And
1066 so we want to give them the time that it takes to do that.
1067 And if they want to pause that process, if they want to stop
1068 it all together, we want to give them that ability to do
1069 that, as well. And so we hold on to cases in many instances,
1070 and administrative closure ensures that we're able to
1071 continue to do that.

1072 Now, we do recognize also that with administrative
1073 closures we need to really exercise that closure process more
1074 judiciously, and we're certainly working on that throughout
1075 our many changes that we're making at the -- for the entire
1076 investigative process.

1077 *Ms. Castor. Thank you. We will continue to dig in.

1078 *Mr. Griffith. The gentlelady yields back. I now
1079 recognized Mrs. Rodgers, chairwoman of the full committee.

1080 *The Chair. Thank you.

1081 Ms. Colon, so you publicly have acknowledged that you
1082 are always -- or you are constantly looking for ways to
1083 improve the Center. And I am sure you are aware that the
1084 Commission on the State of U.S. Olympics and Paralympics

1085 highlighted specific areas that you should improve.

1086 One that has already been raised today is just this
1087 whole issue of athletes not knowing what happens with their
1088 case after they report to you. So I would like to hear, what
1089 steps are you taking to improve communications with the
1090 athletes who have filed a claim?

1091 *Ms. Colon. Thank you. Thanks for that question,
1092 Chairwoman.

1093 For communication, like, that's one of the biggest --
1094 the biggest priorities for the -- for the center, right?
1095 Because we want to make sure that anybody who goes through
1096 our process understands, one, what they are -- what the
1097 expectations are once they call us, but also where their case
1098 sits in the process, whether it's the very beginning or
1099 towards the very end.

1100 So one of the things that we've already done is done
1101 some restructuring and realignment within the organization to
1102 make sure that teams are working more closely together so
1103 that information is better shared. That was something that
1104 we recognized was not happening, and so that's already
1105 started to happen.

1106 Additionally, we are investing in hiring more resource
1107 navigators to help athletes who go through our process to
1108 understand what that is, and that is someone that they can
1109 count on and call to say, hey, what do I expect next? What

1110 should happen in the next few days or weeks or months?

1111 *The Chair. Okay.

1112 *Ms. Colon. That's a big piece. And then also, of
1113 course, you know, adding to available content on our website,
1114 communications channels, and --

1115 *The Chair. Okay, okay.

1116 *Ms. Colon. -- the like.

1117 *The Chair. Thank you. I have some more questions.

1118 *Ms. Colon. Sure.

1119 *The Chair. So Scott Gray, who is affiliated with U.S.
1120 hockey, testified to the Commission on the State of U.S.
1121 Olympics and Paralympics that, based on his experience
1122 conducting about 1,500 Safesport investigations, that they
1123 should take 2 weeks, 1 month at the latest. So why are some
1124 of your Center's investigations taking longer than a year?

1125 *Ms. Colon. Well, I would say that our cases are much
1126 more complex than Mr. Gray's.

1127 *The Chair. Okay.

1128 *Ms. Colon. We deal with sexual abuse allegations,
1129 while he deals with emotional and physical abuse.

1130 *The Chair. Okay. How many unresolved current
1131 investigations do you have right now that have been ongoing
1132 for more than six months?

1133 *Ms. Colon. I would have to check the data for you and
1134 get back to you.

1135 *The Chair. Okay. I would like that, and also those
1136 that have been going on -- ongoing for more than a year.

1137 *Ms. Colon. Absolutely.

1138 *The Chair. Because some of your investigations go on
1139 for a year, even two before they're resolved, is the Center
1140 concern that the athletes filing reports may become
1141 discouraged and quit the process?

1142 *Ms. Colon. Yes, yes.

1143 *The Chair. Okay. Is the Center concerned that cases
1144 that go on for so long without a resolution may allow
1145 offenders to continue abusing their athletes?

1146 *Ms. Colon. In those cases, no, and I'll tell you why.
1147 Because when we receive a case, and there is a threat or --
1148 of harm, we are also able to implement temporary measures to
1149 remove people from sport during the investigation.

1150 *The Chair. Okay, okay. Thank you.

1151 Ms. Shim, thank you for being here and speaking out,
1152 leading, taking some of the pain and suffering that you have
1153 endured, and helping others, making sure that people are held
1154 accountable, but also taking action to pour into our young
1155 generation and help them. You represent U.S. Soccer, and are
1156 responsible for player safety there. Can you characterize
1157 your views on U.S. Soccer's dealings or experiences working
1158 with the Center?

1159 *Ms. Shim. Thank you for the question. I will say that

1160 they have started to improve, which is really hopeful.
1161 Initially, we went to the Center for SafeSport and tried to
1162 be collaborative. And I think, you know, this was -- the
1163 Center for Safesport was premised on the fact that NGBs were
1164 not doing the right thing for player safety, and I think that
1165 has changed, and our relationship with the Center is
1166 improving, but I don't think it's ideal right now.

1167 *The Chair. So keeping in mind that the Center was
1168 intentionally created to be an independent entity looking
1169 into abuses occurring at NGBs and associated leagues, isn't
1170 it -- their discretion on how much they share with NGBs
1171 justified?

1172 *Ms. Shim. It is their discretion, and I will say that
1173 I think it would be a lot easier for us, as NGBs, to take our
1174 job seriously and adhere to the Ted Stevens Act. And part of
1175 our job is to protect athletes, and we can't do that with
1176 very limited information, a one or two-line sentence about
1177 what an allegation is, without more detail.

1178 *The Chair. Okay, thank you.

1179 Mr. Cress, you have been CEO of USA Softball for 10
1180 years. I just wanted, in the time remaining, just to give
1181 you some of -- some time for your perspective on this. You
1182 know, it started six years ago. What areas would you
1183 recommend for improving?

1184 And why are youth soccer -- softball leagues

1185 unaffiliating themselves from U.S. Softball. Is it
1186 SafeSport-related?

1187 *Mr. Cress. Thank you for the question. It's not all
1188 SafeSport-related. Obviously, there are a lot of different
1189 entities out there that are trying to make money, and they're
1190 offering events and having softball leagues so that they
1191 start up. As I said earlier, there are over 25 other
1192 organizations out there that are known, that are running
1193 events, and I think that some of them go that way from a
1194 standpoint.

1195 And also, I look at things -- a lot of times people pick
1196 the path of least resistance. And if you can sign up for an
1197 event, and do it online, and do it quickly, and not have to
1198 meet other criterias, then I think that's the path that,
1199 unfortunately, that some teams are and their parents and
1200 coaches are selecting.

1201 *The Chair. Okay, thank you. Thank you all for being
1202 here.

1203 *Mr. Griffith. The gentlelady yields back. I now
1204 recognize the ranking member of the full committee, Mr.
1205 Pallone, for his five minutes of questioning.

1206 *Mr. Pallone. Thank you, Chairman. Let me start with
1207 Ms. Shim.

1208 As someone who was in a terrible position of having to
1209 report an allegation of abuse to SafeSport, I know you said

1210 something about your experiences, but I wanted ask you about
1211 the transparency of the investigation process and the
1212 communication you received from SafeSport. And if you have
1213 any recommendations for improvements in SafeSport's process
1214 to make them more transparent and to increase the
1215 communications between SafeSport and athletes, if you would.

1216 *Ms. Shim. Over more than two years, I would say we've
1217 gotten about four status updates on my case. I think that's
1218 too infrequent. I think more frequent updates would be
1219 helpful. And some of the updates -- the last update I got
1220 was that there would be a new investigator on the case, and
1221 that they were planning on wrapping it up. I believe that
1222 was two months ago. So more information, more frequent
1223 status updates.

1224 *Mr. Pallone. All right. You know, I think
1225 improvements have to be made so that athletes trust
1226 SafeSport, and athletes who have -- who are brave enough to
1227 come forward and make a report should clearly know the
1228 process for their case and be kept regularly informed about
1229 its status. So that is why I appreciate what you just said.
1230 Let me go to Ms. Colon.

1231 I understand that SafeSport is undertaking a thorough
1232 review of its response and resolution internal processes, you
1233 have mentioned. Have key stakeholders been consulted during
1234 the review?

1235 And is the Center planning to institute reforms that
1236 increase transparency and communication into -- in response
1237 to the concerns raised by athletes or NGBs, and now the
1238 Commission?

1239 *Ms. Colon. Yes, we have. We've included NGBs, we've
1240 included survivor groups, we've included athletes to get a
1241 better understanding of what the concerns are and how to best
1242 address them.

1243 We've also convened a number of working groups
1244 internally to focus on about 10 different areas of
1245 improvement, and have been working steadily towards those.

1246 *Mr. Pallone. And then would you make the results of
1247 your review and any proposed reforms public at some point?

1248 *Ms. Colon. Absolutely.

1249 *Mr. Pallone. All right. Well, I -- you know, I just
1250 wanted to say -- those are my questions. But, you know, we
1251 all support SafeSport. We appreciate the important work it
1252 is being tasked with. But we have to work together to
1253 strengthen SafeSport to better protect the health and well-
1254 being of athletes.

1255 And, you know, I guess, you know, look, I obviously
1256 believe that SafeSport plays an essential role ensuring the
1257 safety, and it has taken on an enormous task. But there is a
1258 growing need for transparency and accountability, in my
1259 opinion.

1260 And, you know, this report that was released earlier
1261 this month by the Commission on the State of U.S. Olympics
1262 and Paralympics, you know, made, you know, basically, three
1263 points that I think relate to what I have been asking, and,
1264 first, that athletes who have made reports to SafeSport do
1265 not always know what is happening with their cases; second,
1266 that communication protocols between SafeSport and
1267 complainants are not sufficient; and third, that some cases
1268 take years to be resolved and others are never resolved,
1269 leaving the complainants waiting indefinitely for information
1270 and resolution.

1271 So that is why I think the issue of transparency and
1272 communication is so important, and why I ask those questions.
1273 But thank you all.

1274 And with that I yield back, Mr. Chairman.

1275 *Mr. Griffith. The gentleman yields back. I now
1276 recognize Dr. Burgess for his five minutes of questioning.

1277 *Mr. Burgess. Thank you, Mr. Chairman. And before Mr.
1278 Pallone leaves I want to shock him by saying I want to
1279 associate myself with your remarks about SafeSport. I mean,
1280 I was here when the committee worked to create that, and it
1281 was necessary, and it was important. But it is also
1282 necessary and important that we continue to work with you and
1283 to keep continually apprised of what is working and what is
1284 not, and what you might need to make your job more effective.

1285 I was going to ask you about ways you could discuss
1286 where the SafeSport Center could be more committed and more
1287 effective. You already mentioned navigators, but as you were
1288 doing that and taking -- and bearing in mind Ms. Shim's
1289 testimony, maybe not just a navigator, but an advocate,
1290 someone who will push a little bit when it is necessary to
1291 push.

1292 *Ms. Colon. So every claimant, respondent that goes
1293 through our process has the ability right now to have an
1294 advisor along the way. The Center for SafeSport doesn't
1295 provide advocates at the moment, but I could certainly see
1296 where that would be useful, and we would be open to having
1297 that conversation to see how we could implement that.

1298 *Mr. Burgess. Well, I hope that is something that we
1299 can look at it. Are there any other ways that you have that
1300 you would like to share with us that you would like -- that
1301 would be available to you to improve --

1302 *Ms. Colon. Sure.

1303 *Mr. Burgess. -- what we are doing?

1304 *Ms. Colon. Yeah. So there's -- I mean, there's a
1305 couple of things that we're doing internally that I think
1306 will certainly help not only the communication aspect, but
1307 the timeliness, and then just better information sharing,
1308 right?

1309 And so one we've talked about around administrative

1310 closures, certainly taking a look at what additional
1311 resources we can provide to NGBs so that they can help
1312 navigate some of their own cases regarding emotional and
1313 physical abuse misconduct, I think, are going to be helpful.

1314 How we process and work with minor claimants and minor
1315 respondents to the process is also going to be important, so
1316 that we can start to get to some of those lower-level sexual
1317 abuse allegations or harassment faster.

1318 And I think all of those collectively will start to show
1319 fast improvement with the organization in addition to, of
1320 course, you know, adding additional staff. The numbers are
1321 steadily increasing, and we anticipate that those numbers
1322 will continue to go up. And so I think we will continue to
1323 have the question around timeliness just because of sheer
1324 volume in the future.

1325 *Mr. Burgess. Let me ask you a question, and it may be
1326 a little bit off center, but I practiced medicine for a
1327 number of years in a former life. If I encountered a
1328 situation where I felt that a child was a victim of child
1329 abuse, I had no option. I had to report that under state
1330 law, or I was in trouble. It wasn't a question of protecting
1331 someone else, it was a question of protecting myself. I have
1332 got to report. Do we have that system of mandatory reporting
1333 within this world?

1334 *Ms. Colon. Yes, yes. So every participant, adult

1335 participant within the Movement, is a mandatory reporter.
1336 Every employee at an NGB, at a -- the U.S. Center for
1337 SafeSport are mandatory reporters. And at the Center we work
1338 really closely with law enforcement, particularly on cases
1339 that involve youth.

1340 *Mr. Burgess. Okay, thank you.

1341 Ms. Deal, let me just ask you, because the issue of
1342 administrative closures has come up. Is this a problem, that
1343 so many of the cases are being resolved through an
1344 administrative closure?

1345 *Ms. Deal. Yes. In my experience in working with the
1346 NGBs, it's a big issue. And it's not so much the process of
1347 administrative closures, it's the lack of information when
1348 cases are closed and that individual comes back to that
1349 sporting community without the information to properly put
1350 safety measures in place.

1351 *Mr. Burgess. Well, yes, and that was the concern with
1352 Ms. Shim's testimony, that you reach a dead end and then
1353 someone on the other side of that transaction is continuing
1354 to be harmed because we have gotten -- come to no resolution.

1355 Could you just speak a little bit about trauma-informed
1356 practices in SafeSport? Is that something that you are
1357 pursuing, as well?

1358 *Ms. Deal. From the USOPC perspective, yes. We have
1359 engaged with outside subject matter experts to provide

1360 enhanced training above and beyond what's mandated by the
1361 Center for SafeSport. So all USOPC employees, as well as
1362 athletes that we manage, one, understand the signs, recognize
1363 the signs of grooming behavior --

1364 *Mr. Burgess. Yes.

1365 *Ms. Deal. -- understand, if someone comes to them
1366 asking for assistance, how to respond and be a supportive
1367 person, and how to report.

1368 *Mr. Burgess. And how to follow up, critically
1369 important.

1370 Thank you, Mr. Chairman. I am going to yield back in
1371 the interest of time.

1372 *Mr. Griffith. The gentleman yields back. I now
1373 recognize Ms. DeGette, who has been very interested in this
1374 for a long time.

1375 *Ms. DeGette. Thank you --

1376 *Mr. Griffith. You get your five minutes.

1377 *Ms. DeGette. Thank you very much, Mr. Chairman.

1378 Ms. Colon -- well, first of all, let me say, Ms. Shim,
1379 thank you for coming to testify today. I want to add my
1380 thanks to all my colleagues, and I want to thank you for
1381 doing the right thing at soccer, and trying to improve the
1382 situation for the NGBs.

1383 The reason why SafeSport was formed -- and you --
1384 everybody on this panel today knows that it was really clear

1385 that all the NGBs were not doing their job, which is why we
1386 had the Michigan State, the USA Olympics, Ohio State's
1387 wrestling program, all these programs where the NGBs were not
1388 doing their job. And that is why we have SafeSport.

1389 But I have been working with Congresswoman Ross and
1390 others to try to develop legislation to effectuate some of
1391 the things that you are talking about here today. And I am
1392 really hoping, Mr. Chairman, that we can do this, and we can
1393 work with you and the ranking member on this legislation. So
1394 I just have some quick questions to ask to get some evidence
1395 for the record.

1396 The first thing is, Ms. Colon, I think you said in your
1397 testimony when SafeSport was first founded it had roughly 300
1398 reports. Is that right?

1399 *Ms. Colon. That's correct.

1400 *Ms. DeGette. And now, last year, you got 7,500 reports
1401 just last year. Is that right? It has been almost
1402 overwhelming, since SafeSport was founded, the number of
1403 reports. And that is alarming, but it is also good that
1404 people are reporting. Is that right?

1405 *Ms. Colon. Yes.

1406 *Ms. DeGette. Now, to fund the organization, Congress
1407 required the U.S. Olympic and Paralympic Committee to
1408 contribute \$20 million to SafeSport every year. Is that
1409 right?

1410 *Ms. Colon. Yes.

1411 *Ms. DeGette. Congress also contributes money. This
1412 year we contributed \$2.5 million, even though we asked for \$5
1413 million in authorization. Isn't that right?

1414 *Ms. Colon. Yes.

1415 *Ms. DeGette. How much do you think it would cost to
1416 actually adequately fund SafeSport?

1417 *Ms. Colon. Based on the trajectory of cases, I would
1418 say that our budget needs to be around \$30 million.

1419 *Ms. DeGette. And Ms. Deal, you would probably agree
1420 with that on behalf of the report, the Commission report, is
1421 that right?

1422 *Ms. Deal. Agree that we fund the Center to --

1423 *Ms. DeGette. No, no, agree that SafeSport needs a lot
1424 more funding than they are getting right now.

1425 *Ms. Deal. Yes.

1426 *Ms. DeGette. Yes. And so one of the reasons why we
1427 have these long delays right now is because you simply don't
1428 have enough investigators to investigate it as fast as you
1429 want to.

1430 *Ms. Colon. Yes, that's correct.

1431 *Ms. DeGette. How do you deal with that?

1432 *Ms. Colon. Well, we try to triage as best possible. I
1433 think working on efficiencies internally is also something
1434 that we have to do as an organization. The realignment is

1435 helping. And so, you know, all of those internal things we
1436 can do to help speed up. But if we are to get 25 percent, 50
1437 percent, 100 percent more cases over the next, let's say, 3
1438 to 5 years, we will continue to have this conversation.

1439 *Ms. DeGette. Now, one of the suggestions that U.S.
1440 Soccer and others made -- and it was discussed a little bit
1441 this morning -- if there is an administrative closure, that
1442 the NGBs get the case back. What is your opinion on that, to
1443 turn the investigative authority back to the NGBs?

1444 *Ms. Colon. I am against that.

1445 *Ms. DeGette. And tell me why.

1446 *Ms. Colon. So one, you know, again, one of the reasons
1447 that we keep cases when we administratively close them is the
1448 ability to reopen them. What we would not want to happen is,
1449 if we were to hold that case, then an NGB start to
1450 investigate again. We've had instances where athletes have
1451 called us and said, hey, wait a minute, SafeSport, you told
1452 me you were going to give this a hold, and then I got a call
1453 from my NGB. We don't want that to happen.

1454 We do recognize, however, that NGBs do need additional
1455 information in order to make better decisions, whether that
1456 is around safety planning, membership decisions, or
1457 employment decisions.

1458 *Ms. DeGette. And it -- wasn't one of the problems
1459 before we had SafeSport that the depth and ability of the

1460 NGBs to do independent investigations varied quite widely?

1461 *Ms. Colon. Very much so.

1462 *Ms. DeGette. Ms. Deal, you are shaking your head, too,
1463 on that.

1464 *Ms. Deal. Completely agree. Within the 50-plus
1465 organizations, the resources and the capacities vary
1466 tremendously.

1467 *Ms. DeGette. Yes, so some organizations, they would
1468 robustly investigate quickly and deal with it, and others
1469 didn't have the resources to do anything, and they would just
1470 let these people stay in place. Isn't that right?

1471 Anyone?

1472 *Ms. Colon. Sure, right?

1473 *Ms. DeGette. Yes, yes.

1474 *Ms. Colon. I mean, there's just -- it varies. Just --
1475 I mean, Craig mentioned it earlier, like, the budget sizes
1476 are very different, the staff sizes are very different, and
1477 their abilities vary greatly.

1478 *Ms. DeGette. Right. And Ms. Shim, have you seen this
1479 with your -- as well, with the other organizations you've
1480 worked with?

1481 *Ms. Shim. Yes. We acknowledge that NGBs vary in size
1482 and resources.

1483 *Ms. DeGette. Okay, thank you. I am out of time, but I
1484 appreciate all of the effort all of you are putting on making

1485 this Movement the very, very best it can be, and we look
1486 forward to working with you.

1487 I yield back.

1488 *Mr. Griffith. The gentlelady yields back. I now
1489 recognize the gentleman from Kentucky, Mr. Guthrie, for his
1490 five minutes.

1491 *Mr. Guthrie. Thank you very much. I am sorry I missed
1492 your opening testimony. I was chairing another subcommittee
1493 at the same time, so I apologize. This is extremely
1494 important.

1495 And as our athletes are getting ready for Paris, and
1496 representing our great country over there, where I know that
1497 they are -- a lot are getting prepared that don't even go to
1498 the Olympics, and so -- but it is an exciting time, and we
1499 want people to -- athletes to thrive and feel safe at the
1500 same time.

1501 And so Ms. Colon, is there a way that you can have --
1502 where do you think we can improve the partnership between
1503 safe space [sic] and our national governing bodies?

1504 What are some areas you think just needs improvement
1505 that is clear?

1506 *Ms. Colon. Thanks for the question. I think one is
1507 around the communication. We've talked about that quite a
1508 bit, right? How can we provide additional just information
1509 and comms to not only NGBs, but for athletes throughout the

1510 process?

1511 I think also being able to help them understand some of
1512 the changes that we're making, and then being inclusive of
1513 their thoughts and their opinions and suggestions and
1514 recommendations on how we make those process changes, I think
1515 is also important.

1516 And so we've undergone a pretty robust review of that,
1517 where we've certainly taken into account NGBs' opinions and
1518 perspectives.

1519 *Mr. Guthrie. So once an athlete makes a concern,
1520 voices a concern -- and we want to immediately protect that
1521 athlete, obviously -- how do you balance that with the
1522 accused saying, wait a minute, let me -- I have my side of
1523 the story as well. I mean, how do you -- how do we
1524 immediately secure and make sure the athlete is safe, but
1525 also give the opportunity for the accused to state their
1526 case?

1527 *Ms. Colon. Yeah. So we -- I mean, we do a pretty
1528 thorough assessment at the front end to determine whether
1529 there's risk. And if there is a great risk that we have
1530 through witness testimony or through evidence that's
1531 presented, we will make an assessment and then put in
1532 temporary measures while we investigate a case, so that we
1533 can ensure the safety of athletes throughout the process.
1534 And so we have to balance that, of course. But that's one of

1535 the ways that we do that.

1536 *Mr. Guthrie. Yeah. In most things there's the clear
1537 and evident -- or clear and present -- you know exactly that
1538 person needs to go. And then there's usually the gray areas
1539 that are -- that cause the biggest issues. And so we just
1540 need to be careful.

1541 So Ms. Shim, I appreciate you being here, as well, and
1542 echo what my colleagues have said. What do you believe needs
1543 to be done to ensure SafeSport is operating more
1544 transparently with the American public?

1545 And then I will follow up. What do you think -- what do
1546 you believe the organization could learn by working more
1547 closely with your organization?

1548 *Ms. Shim. So I do think information sharing, like Ms.
1549 Colon said, we need more than one or two lines when we're --
1550 even when they're -- after they've made a risk assessment, we
1551 need to know what that risk assessment looks like so we can
1552 feel confident in whatever temporary measures or lack thereof
1553 they've put in place.

1554 I also respectfully disagree with Ms. Colon, based on my
1555 personal experience, that victims and survivors and athletes
1556 have resources. A lot of athletes I've talked to and me
1557 personally, I didn't understand that I had the ability to
1558 bring someone along with me to accompany me to advocate for
1559 me if I needed it and to support me. In fact, I was told not

1560 to share my story with others because it could interfere with
1561 the investigation. And I'm a very strong advocate for
1562 myself, but not everyone feels that way, and that can
1563 discourage people and make them feel like their voice is not
1564 heard.

1565 *Mr. Guthrie. Thank you for that.

1566 And Mr. Cress, in your experience is there room to
1567 protect athletes even further by giving you the chance to
1568 partner more closely with SafeSport?

1569 *Mr. Cress. Thank you for the question, sir. And yes,
1570 I think that the theme I've heard today from Ms. Colon is
1571 information and communication. And I think if we're able to
1572 partner more and learn the things that they see as important,
1573 and they understand the things that are important to us as
1574 NGBs, I think there is a great way for improvement in that
1575 way.

1576 It seems like that we do get things that come out on the
1577 reforms and things like that, but we're not all
1578 understanding. And having information is knowledge, and is
1579 important when you're trying to work with people.

1580 *Mr. Guthrie. So how does your organization ensure that
1581 the athlete is protected and safe once an accusation is made,
1582 but also give the accused the opportunity to -- I mean, first
1583 and foremost, we have to protect athletes, but accused also
1584 have the right to respond. And so how does your organization

1585 deal with that?

1586 *Mr. Cress. When a report first comes in, and then it's
1587 before -- and it's going to SafeSport, we will look and we
1588 will take temporary measures, as well, to do our best to
1589 limit the communication path that this accuser has with the
1590 accused from that standpoint, and put those temporary
1591 measures in place until SafeSport makes a determination
1592 whether they're going to take authorization over it, or if
1593 it's going to stay with us. Then if it stays with us, then
1594 we will further investigate the matter.

1595 *Mr. Guthrie. I thank you. My time has expired and I
1596 will yield back. Thanks for your response, I appreciate it.

1597 *Mr. Griffith. The gentleman yields back. I now
1598 recognize Ms. Schakowsky for her five minutes of questioning.

1599 *Ms. Schakowsky. Thank you so much, Mr. Chairman, and
1600 thank you to our panel.

1601 We had a terrible situation in the -- in the State of
1602 Illinois, and I am sure this is not untypical -- I hope it is
1603 less typical -- that there was a -- someone from the soccer -
1604 - a soccer coach who abused the athletes and -- for five
1605 years, actually. They found him, and he wasn't able to work
1606 in that regard. And then it turned out that for 22 years he
1607 was doing this before he was finally banned for life. And
1608 that kind of delay, I hope we don't see that kind of thing
1609 again, and that we aren't seeing it now. But we have

1610 experienced this kind of thing through the years. So of
1611 course, that is the idea of SafeSport, to prevent those
1612 things from happening.

1613 But I want to talk to you about how we do fund or how it
1614 is funded. My understanding is that the NGBs that want to
1615 file a complaint also have to pay a fee in order for that to
1616 be researched. Is that true, can I ask you?

1617 *Ms. Colon. So the center for SafeSport gets the
1618 majority of its funding through the Empowering Olympic and
1619 Paralympic Amateur Athletes Act of 2020, which required the
1620 USOPC to provide the Center with \$20 million annually.

1621 We don't have any bearing or input on how NGBs are
1622 paying into that, so we don't assess how we take reports
1623 based on fees.

1624 *Ms. Schakowsky. Okay, so there is no fee that has to
1625 be paid by the NGBs to file the kind of complaint that they
1626 want?

1627 *Ms. Colon. The NGBs pay an annual fee, I believe,
1628 through the USOPC, but they do not pay us directly. No,
1629 absolutely not.

1630 *Ms. Schakowsky. So there is no disincentive built in
1631 for them to file some kind of complaint.

1632 *Ms. Colon. No.

1633 *Ms. Schakowsky. So what I really want to know, and I
1634 would like to go down the line, how about having independent

1635 funding, outside funding altogether, to make sure that there
1636 is sufficient amount of money?

1637 So that would, I think, include the United States
1638 Congress, more money coming your way, but I think having
1639 independent review -- and if I could just go down the line
1640 and ask you what you think, not just review, but independent
1641 funding, funding that doesn't then turn back on the athlete
1642 and create any kind of a disincentive, and have the amount
1643 that is needed. Could we just go down the line?

1644 *Ms. Colon. Sure. I mean, independent funding would
1645 certainly be helpful. And as you've heard today, that --
1646 there is a trust issue. And I think that the more
1647 independent the funds can be, coming from a multitude of
1648 revenue streams for the Center for SafeSport would certainly
1649 be helpful.

1650 *Ms. Deal. I echo the same sentiment as Ms. Colon. The
1651 more independent revenue streams that they have, the better.
1652 We don't want anything preventing an athlete from coming
1653 forward to reporting abuse, and if the funding streams are
1654 independent and make them feel more comfortable using those
1655 different funding streams, we should be looking into that.

1656 *Ms. Schakowsky. Thank you.

1657 *Ms. Shim. U.S. Soccer absolutely supports Federal
1658 funding. We acknowledge that the Center for SafeSport does
1659 not have adequate funding or resources right now.

1660 I will also say that we -- our fee at the end of the
1661 year is based on our caseload.

1662 *Ms. Schakowsky. Say that again.

1663 *Ms. Shim. Our fee that we pay to the USOPC that then
1664 pays to the U.S. Center for SafeSport is based on the NGB's
1665 caseload. So while I believe all the NGBs that I've talked
1666 to are working hard to report cases, it is based on how many
1667 cases are investigated by the Center.

1668 *Ms. Schakowsky. So you are saying that they have to
1669 pay more, the more reporting they do.

1670 *Ms. Shim. Yes.

1671 *Ms. Schakowsky. So that is a disincentive --

1672 *Ms. Shim. It could be.

1673 *Ms. Schakowsky. -- to report.

1674 *Ms. Shim. I think it could be.

1675 *Ms. Schakowsky. It could be. I'm not suggesting that
1676 it necessarily is, but it could be, yes.

1677 *Mr. Cress. USA Softball would agree that funding of
1678 this institution would be greatly helpful. It would take
1679 that perception of lack of independence from a standpoint of
1680 the money, 20 million coming from the USOPC and the NGBs.

1681 *Ms. Schakowsky. Thank you. I know I am out of time.
1682 Let me just say it is a good thing that there are more people
1683 reporting, but it is unfortunate if we don't have the
1684 funding. And I think the United States Congress -- and there

1685 has been studies that say that independent funding would
1686 really help. And I would like to see that happen.

1687 And I yield back.

1688 *Mr. Griffith. The gentlelady yields back. I now
1689 recognized the Chairman of Energy, Mr. Duncan, for his five
1690 minutes of questioning.

1691 *Mr. Duncan. Thank you, Mr. Chairman. I want to
1692 discuss an incredibly serious issue regarding Parker Egbert,
1693 a former constituent of mine for over 20 years and an
1694 accomplished 2021 Tokyo Paralympic athlete.

1695 I made a good luck video for Parker before he traveled
1696 to Tokyo, wishing him luck representing the United States of
1697 America. Little did I know what would happen to Parker when
1698 he arrived at the Olympic Village. Parker's family told me
1699 that the honor of representing our great country was
1700 completely taken away by the hands of a monster.

1701 I want to submit a New York Times article for the
1702 record, and I think the staff has that.

1703 I was told that Parker was subject of a brutal and
1704 frequent rape, physical and emotional abuse, and grooming
1705 allegedly at the hands, according to the New York Times
1706 article, of teammate Robert Griswold. According to the
1707 article, Parker was roommates with Griswold in Tokyo and
1708 later at the Colorado Springs Olympic Training Center, even
1709 though Griswold was placed in the SafeSport database in

1710 September of 2020 for alleged abuses of other athletes.

1711 Parker has an intellectual disability, while Griswold
1712 has a physical one. Despite this, they were placed as
1713 roommates, creating a huge power imbalance and an environment
1714 for -- that was ripe for abuse. Griswold was alleged to be
1715 his handler and caretaker, even though he had never undergone
1716 any training. Parker was physically abused so brutally and
1717 extensively that he still needs physical therapy to this day
1718 due to the severe trauma of his abuse.

1719 Emotionally, Parker continued to need extensive therapy
1720 to move on from this trauma, and his therapist attests to the
1721 fact that Parker has been 100 percent honest regarding his
1722 alleged abuser. Because of his intellectual disability, he
1723 couldn't fabricate this kind of story. Sadly, Parker will
1724 never likely go into a swimming pool again and compete. This
1725 once vibrant and talented athlete now will not even think
1726 about putting on his cap and goggles.

1727 My office has made aware -- was made aware of these
1728 events in late 2022 by Parker Egbert's parents after their
1729 efforts with the U.S. Olympic and Paralympic Committee, the
1730 Colorado Springs Police Department, and SafeSport left them
1731 without any justice for their son. We immediately began
1732 asking SafeSport for answers, and we have yet to receive any.

1733 So, Ms. Colon, why were the findings of the 2020
1734 allegations not made available to the Egbert family prior to

1735 Parker rooming with Robert Griswold?

1736 *Ms. Colon. First, I'd just like to say that that is
1737 heartbreaking. His case, I was -- I read the pleading, I
1738 read his firsthand accounts, and it was terrible. And nobody
1739 should have had to go through what he did.

1740 We are in the middle of an investigation on the
1741 SafeSport -- Center for SafeSport side, and I can't really
1742 disclose too much there, because we're in the middle of that
1743 investigation. But I will say that the Center was
1744 voluntarily dismissed by the plaintiff out of his current
1745 lawsuit.

1746 *Mr. Duncan. So why did an athlete with prior
1747 allegations of abuse and placement in the SafeSport database
1748 in 2020 get assigned as Parker's roommate or anyone's
1749 roommate, despite his intellectual disability?

1750 *Ms. Colon. The Center for SafeSport doesn't really
1751 have anything to do with assignments at the training facility
1752 or at any other event, so I really wouldn't be able to answer
1753 that.

1754 *Mr. Duncan. Well, he was in the database. But what
1755 obligations did SafeSport have to disclose allegations of
1756 sexual abuse or misconduct?

1757 *Ms. Colon. We have extreme obligations, and that's why
1758 we update regularly the Centralized Disciplinary Database
1759 that houses all of our sanctions.

1760 *Mr. Duncan. So that is where your transparency kicks
1761 in?

1762 *Ms. Colon. It does.

1763 *Mr. Duncan. Okay. Why was Robert Griswold even
1764 allowed to attend the Tokyo Games to represent Team USA at
1765 all, much less be given supervision of an athlete with an
1766 intellectual disability?

1767 *Ms. Colon. We were not involved with the selection of
1768 Mr. Griswold for the team.

1769 *Mr. Duncan. Did you all communicate with the
1770 Paralympic Association -- Olympic Association --

1771 *Ms. Colon. Communicate --

1772 *Mr. Duncan. -- prior to the Olympics?

1773 *Ms. Colon. We do share information, yes.

1774 *Mr. Duncan. So that would be a question for them.

1775 The SafeSport investigation began early 2023, once the
1776 Colorado Springs Police Department closed the case. Why have
1777 almost two years gone by without a word from SafeSport's
1778 investigation?

1779 *Ms. Colon. Because we're coordinating with the parties
1780 in the civil suit to get access to depositions and discovery
1781 to avoid the need to re-interview potential trauma survivors.

1782 *Mr. Duncan. I want to go back to Ms. Deal.

1783 Why was this athlete allowed to even participate, much
1784 less room with someone with an intellectual disability after

1785 SafeSport had him on its database?

1786 *Ms. Deal. I just want to start by saying my heart goes
1787 out to the Egbert family, especially Parker. None of us will
1788 ever fathom or imagine what he's currently going through
1789 right now.

1790 Since it is an ongoing investigation, as a matter of
1791 principle we will not --

1792 *Mr. Duncan. Well, let me ask it this way. Does the
1793 Paralympic -- U.S. Olympic and Paralympic Committee, if you
1794 have got access to SafeSport's database, why was this athlete
1795 allowed to even participate in the games, much less room with
1796 someone that had a disability such as this?

1797 *Ms. Deal. In general, the Center for SafeSport
1798 database has current restriction or banned members. If you
1799 are finished your probation or you're done with your
1800 restriction, you are no longer on the CDD.

1801 *Mr. Duncan. All right, I am out of time. I have got
1802 four more questions I am going to submit for the record, and
1803 ask you guys to respond to those --

1804 *Mr. Guthrie. We have agreed, the chairman and the --
1805 myself and ranking member have agreed, if you want to ask a
1806 couple more questions, go for it.

1807 *Mr. Duncan. Thank you, Mr. Chairman, and the ranking
1808 member.

1809 From my understanding, SafeSport has immunity from being

1810 sued civilly. What resolution could be made to a victim of
1811 abuse, even when SafeSport clears the alleged athlete of
1812 wrongdoing?

1813 *Ms. Colon. I'm sorry. Can you repeat the question?

1814 *Mr. Duncan. Yes. From my understanding, SafeSport has
1815 immunity from being sued civilly. So what resolution could
1816 be made to a victim of abuse, even when SafeSport clears the
1817 alleged victim or alleged athlete of wrongdoing?

1818 *Ms. Colon. So there are other legal remedies for
1819 anyone going through something like this. And you can -- for
1820 Mr. Parker, in particular, he is currently in an active
1821 lawsuit.

1822 *Mr. Duncan. How many SafeSport investigators are there
1823 to investigate, and how many claims a year? I think you
1824 mentioned the claims a year, but how many investigators do
1825 you have?

1826 *Ms. Colon. So in total, the Center has about 125
1827 staff, half of which are dedicated to response and
1828 resolution. Of the 65-plus people in that team, there are
1829 about 30-plus investigators. But there are multiple tiers to
1830 the investigative process that impact an investigation, not
1831 just the investigator.

1832 *Mr. Duncan. Okay, you all have answered some of the
1833 other questions from other members.

1834 So thank you, Mr. Chairman, I yield back.

1835 *Mr. Griffith. Thank you. I think I am going to take a
1836 minute here, and if you need one, Ms. Caster, you go.

1837 But I worked very closely when I was in the Virginia
1838 legislature on issues related to sexually violent predators.
1839 And they -- it is very difficult to have them change their
1840 ways. And so if he was already on the list for some kind of
1841 sexual -- and I don't know the particulars of this case, so I
1842 am not judging. I am just saying if somebody is on the list
1843 for prior sexual acts, it is unlikely they should ever come
1844 off that list. And I will just leave it at that for you all
1845 to take into contemplation, because my time is up. And we
1846 might give you another minute at the end, but I just wanted
1847 to say that before I lost that thought.

1848 Mr. Tonko is now recognized for his five minutes, and I
1849 apologize we slowed you down a little bit.

1850 *Mr. Tonko. That is okay. I needed a moment to get --
1851 catch my breath, so -- a busy day. Thank you to the chair
1852 and the ranker for the opportunity here today.

1853 I want to focus on SafeSport's use of administrative
1854 closures to dispose of cases. These occur when SafeSport
1855 asserts jurisdiction over a case, but ultimately closes it
1856 without making findings or issuing any sanctions. So, as I
1857 am told, in these cases SafeSport does not publish any public
1858 record of the allegation. NGBs, victim reporting -- victims
1859 reporting abuse, and other stakeholders have expressed

1860 confusion and concern about the high rate of administrative
1861 closures, which, according to your data, represent nearly
1862 two-thirds of all SafeSport resolutions.

1863 So Ms. Colon, I am looking at the case resolution data
1864 SafeSport released in its 2022 annual report. And I would
1865 like to ask you about the numbers. It appears that SafeSport
1866 accepted jurisdiction for over 7,400 cases, but then
1867 administratively closed 4,800 of them. Is that accurate?

1868 *Ms. Colon. I'd have to double check the annual report.
1869 That sounds about right, though.

1870 *Mr. Tonko. Okay. And what circumstances lead to
1871 administrative -- led to administrative closures?

1872 And how do you explain the high percentage of cases
1873 resolved that way?

1874 *Ms. Colon. So there's a number of reasons why we would
1875 opt to use an administrative closure. One is that we want to
1876 be able to reopen the case.

1877 And so, as I shared earlier, one of the things that we
1878 want to do to make sure that we remain and just be more
1879 trauma-sensitive to victims that go through our process, is
1880 giving them the time and space to share their story. And
1881 sometimes they'd like to pause, sometimes they'd like to stop
1882 for a little while and come back to that. And so we want to
1883 make sure that we have -- we keep the ability to be able to
1884 do that.

1885 In our process of review over the last several -- last
1886 eight months, we've also started to break down more
1887 categories within administrative closures so that NGBs and
1888 others will better understand why we are using that so that
1889 they can make better decisions around employment and
1890 volunteering, including if someone is admonished, if someone
1891 is deceased. And so pulling some of those out to just
1892 provide more transparency in that space.

1893 *Mr. Tonko. Thank you. And what information is
1894 provided to victims and NGBs when the Center administratively
1895 closes a case?

1896 *Ms. Colon. So there's a number of pieces that are
1897 provided throughout the process, starting with notice of
1898 jurisdiction, notice of allegation, and then a closure memo
1899 that includes certain information. Particularly if a case is
1900 to be reopened, We typically do not share a lot of
1901 information because it can be an active investigation at any
1902 moment.

1903 *Mr. Tonko. Okay. And Ms. Shim, in a July letter to
1904 Congress signed by professional and youth players with the
1905 U.S. Soccer Federation, the rate of administrative closures
1906 is listed as one of the chief concerns about SafeSport
1907 operations, saying it has, and I quote, "serious consequences
1908 for athletes."

1909 So would you describe those consequences for us, and

1910 explain what options U.S. Soccer or any other NGB has when
1911 SafeSport issues an administrative closure?

1912 *Ms. Shim. Yes, we see administrative closures and have
1913 to affirmatively allow what we see as bad actors to reenter
1914 our sport, and that's an obvious problem if we have bad
1915 actors who are -- have been accused of very serious
1916 misconduct participating in our sport, that's a concern.

1917 I do think when -- I understand the desire to admin
1918 close, to have the ability to reinvestigate. We think
1919 SafeSport should have that ability, regardless. And just in
1920 our experience at U.S. Soccer, we've found that when the
1921 Center for SafeSport does reopen a case, it's just
1922 administratively closed again.

1923 And we believe, especially, I think, the athletes who
1924 are survivors of abuse, that there should be more autonomy.
1925 The athletes should have the ability to talk to whoever they
1926 want to. If they want to go to the NGB, they should be able
1927 to. And understandably, you know, we shouldn't have NGBs
1928 contacting victims that don't want to talk. So we believe
1929 there are ways around that. With their consent, they should
1930 be able to talk to the NGB and report their experience.

1931 *Mr. Tonko. So in your experience, how do athletes who
1932 have reported abuse to SafeSport react to their cases being
1933 administratively closed?

1934 *Ms. Shim. Not well. I think they interpret that as

1935 they are either not believed, or maybe they're believed but
1936 nobody really cares, and it can be really devastating. And
1937 we've seen athletes leave the sport who are very capable and
1938 should be, you know, continuing with their careers.

1939 I was -- I feel like I stopped early in my career
1940 because of the abuse that I experienced, and it's really
1941 devastating. It has devastating consequences.

1942 *Mr. Tonko. Thank you. While I acknowledge the
1943 complexity of the cases that come before SafeSport, but we
1944 need to ensure that credible complaints are not set aside
1945 through this process when some action needs to be taken to
1946 protect athletes from future abuse. So I hope we can
1947 continue to engage with SafeSport about when and how it uses
1948 administrative closures to close out these cases.

1949 And with that, I thank you and yield back, Mr. Chair.

1950 *Mr. Griffith. I thank the gentleman for yielding back.
1951 I now recognized Mr. Palmer for his five minutes of
1952 questioning.

1953 *Mr. Palmer. Thank you, Mr. Chairman.

1954 In 2021 SafeSport conducted a survey of 4,000 athletes,
1955 and they -- in more than 50 sports, and found that 93 percent
1956 of the respondents who experienced sexual harassment or
1957 unwanted contact did not report it. Ms. Colon, you called
1958 that finding jaw-dropping.

1959 But Ms. Shim, you are the one I want to talk to about

1960 this, because in your testimony you said that you had
1961 reported what happened to you to your team and the National
1962 Women's Soccer League, and informed U.S. Soccer, and thought
1963 those organizations would protect you. But instead, they
1964 went out of their way to protect the coach.

1965 Now, that doesn't involve SafeSport, but you later
1966 pointed out from the report that SafeSport is failing the
1967 very athletes that it was designed to protect. The situation
1968 is so dire that Ms. Yates affirmatively stated that leaders
1969 in soccer can't rely exclusively on SafeSport to keep players
1970 safe, and should implement safety measures when necessary to
1971 protect players. And you went on in your testimony to talk
1972 about the fact that they had administratively closed so many
1973 cases.

1974 And so the abuse of athletes is widely known. And when
1975 you have a survey of 4,000 athletes, and so many of them
1976 admit that they had been abused or felt pressured but failed
1977 to report it -- and I don't want to put words in your mouth,
1978 but just reading your testimony it seemed to me that one of
1979 the biggest impediments to an athlete's willingness to report
1980 something is that they don't think anything will be done
1981 about it. I would like for you to comment on that.

1982 *Ms. Shim. I think that's absolutely right. It's
1983 really difficult to report when you look around and see other
1984 athletes reporting and no resolution.

1985 *Mr. Palmer. Well, it is not limited to the United
1986 States. Exactly an hour and eight minutes ago, the
1987 Washington Post reported that over 300 French sports coaches,
1988 teachers, and officials have been accused of sexual abuse or
1989 cover-up in 2023. There is an article, other articles about
1990 what is going on in Canada. And I just think it is amazing
1991 to me, given the attention that we have given to this, that -
1992 - we went to the lengths of trying to establish an entity to
1993 deal with this -- that this still occurs at the rate that it
1994 does, and there are so many athletes that are reluctant to
1995 report it.

1996 So in your view, what do we need to do? Because I am
1997 concerned.

1998 And I hate to say this, Ms. Colon, that you guys are not
1999 defending the athletes. You are not there proactively to
2000 protect the interests of the athletes.

2001 And, you know, Ms. Shim, I am -- you showed
2002 extraordinary courage, and -- because you knew you could lose
2003 your position on the team, but you did -- you defended
2004 yourself, first of all. But it didn't result in the defense
2005 of other players because the proper action wasn't taken. So
2006 could you comment on that?

2007 *Ms. Shim. Yes, I think it's everyone's responsibility,
2008 all NGBs, the U.S. Center for SafeSport, USOPC to implement
2009 appropriate prevention and education training.

2010 I will give credit to the Center for SafeSport. I think
2011 they do a good job with their prevention and education
2012 program, and we at U.S. Soccer are improving ours and -- as
2013 well as other NGBs. It's still not enough.

2014 *Mr. Palmer. Yes.

2015 *Ms. Shim. It's not robust enough. It is -- this issue
2016 is so prevalent and, to your point, it's happening
2017 everywhere, and almost to a degree that, you know, what can
2018 we do?

2019 But I think we need to all believe that there are still
2020 things we can do. And the biggest takeaway for me is that we
2021 cannot do this if we're acting independently. We need to
2022 come together and, you know, collaborate on potential
2023 solutions.

2024 *Mr. Palmer. You know, we talk about "let's spend more
2025 money on this," and I think we could spend twice as much
2026 money or even more. But until you deal with the character
2027 issue of the people involved -- I think so much of what has
2028 gone on here is they are not -- it is not so much they are
2029 trying to get to the bottom of issues, it is they are
2030 protecting their own interests, the interest of the sport,
2031 the money that is involved.

2032 And I just think we have got to do a better job of
2033 vetting not only the coaches, but vetting the people who
2034 oversee the institutions that are supposed to be there for

2035 the athletes because we have gotten to a point in sport where
2036 money controls everything. I mean, we are having this debate
2037 about college athletics right now. Money is the primary
2038 focus, when it should be the athlete.

2039 And Mr. Chairman, that is my biggest concern, is we have
2040 institutions that are there to protect the athlete and the
2041 coaches, for that matter, but we don't. And I don't think
2042 throwing more money at it is necessarily going to be the
2043 solution. I think we have got to have more people who have
2044 the guts demonstrated by Ms. Shim to come forward, but also
2045 to be in a position to be there to not only speak for the
2046 athlete, but defend the athlete when these things occur so
2047 that you don't have -- what, it said 93 percent say they have
2048 experienced some form of harassment, but then they are --
2049 they don't report it.

2050 With that, Mr. Chairman, I yield back.

2051 *Mr. Griffith. The gentleman yields back. I now
2052 recognize the vice chairman of this subcommittee, Mrs. Lesko,
2053 for her five minutes of questioning.

2054 *Mrs. Lesko. Thank you very much, Mr. Chair, and this
2055 is definitely an eye-opening and somber committee hearing.
2056 So thank you for having it, Mr. Chair.

2057 My first question is for Ms. Shim. The U.S. Center for
2058 SafeSport has referred back to U.S. Soccer more than 600
2059 cases it thought could be better handled at the national

2060 governing board body level, most involving emotional and
2061 physical abuse and violations of minor athlete abuse
2062 prevention policies.

2063 Do you know what the outcomes of these cases have been,
2064 and can you describe how -- what the resolution process is
2065 with your organization?

2066 *Ms. Shim. Yes, we do track those cases, and I don't
2067 have the numbers here with me, but I can get those and submit
2068 them to the record.

2069 Our organizations are responsible for addressing
2070 concerns that we would consider lower level. Some of that is
2071 athlete-on-athlete abuse. I think 12-year-old boys being on
2072 the same team, you know, saying bad words to each other,
2073 things like that that are reported. And we -- it's our
2074 responsibility as an NGB to follow up on those reports. So
2075 we acknowledge and appreciate the caseload that the Center
2076 for SafeSport has, and we do take those cases back and handle
2077 them as an NGB.

2078 *Mrs. Lesko. Do you know approximately how many are
2079 open still, or, I mean, like, what is your rate of resolving
2080 them?

2081 *Ms. Shim. Those are -- no, I don't have that
2082 information in front of me.

2083 *Mrs. Lesko. Okay.

2084 *Ms. Shim. They do get handled fairly quickly because

2085 they are resolved at, you know, more like the club level or
2086 organization level.

2087 *Mrs. Lesko. Okay, thank you. My next question is for
2088 Ms. Colon.

2089 How would you characterize SafeSport's communications
2090 with victims who have filed reports of abuse with the Center?

2091 I know that you have done -- talked about some
2092 specifics, but how would you characterize it?

2093 *Ms. Colon. I would say --

2094 *Mrs. Lesko. Tell me how you communicate with them.

2095 *Ms. Colon. I'd say it's improving. But, you know, we
2096 haven't always been the best at communicating process, where
2097 people are within the process, or results, right, of cases.
2098 And I think that's been kind of talked about from every one
2099 of the witnesses today that we need to do more of that.

2100 So whether that is, you know, adding additional
2101 educational content to explain how we operate and our process
2102 for athletes on our website -- is that adding additional
2103 navigators to help people walk through those processes, and
2104 also implementing more timeframes for investigators, right,
2105 to make sure that they are communicating regularly when
2106 wanted? Because sometimes athletes don't want to hear from
2107 us very often, but giving them that opportunity and the
2108 ability to tell us, like, what they want as far as
2109 communication, which I think has been missing.

2110 *Mrs. Lesko. Thank you. My next question is again for
2111 Ms. Shim.

2112 What problems arise when SafeSport doesn't inform you
2113 why they are administratively closing a case?

2114 I know you said people are upset and -- or actually,
2115 they closed it against them, right? So what about when they
2116 don't -- when they administratively close the case?

2117 *Ms. Shim. Yeah. So one thing that happens frequently
2118 is that the respondent goes around telling everyone that
2119 their name has been cleared, which is not the case, right?
2120 It's not a finding of no violation, it is an admin closure.
2121 And it's really hard for us to combat that narrative.

2122 And we just -- you know, some of the two-liners that we
2123 get are really egregious, "sexual assault of a minor," and
2124 we don't have more information than that. So, I mean, I
2125 would say that the hardest thing for me is waking up every
2126 morning and knowing that there could be predators out in our
2127 sport, and there's nothing that we can do about that.

2128 *Mrs. Lesko. Yeah, that totally makes sense. My next
2129 question is for, again, Ms. Colon.

2130 Can you understand why these national governing bodies
2131 -- their concern and confusion when they are not given any
2132 information as to why a case is administratively closed?

2133 *Ms. Colon. Oh, I can certainly understand. It does
2134 make it difficult for them to make decisions, whether that is

2135 around safety planning or if it's membership decisions or
2136 employment decisions. So, you know, we are working on that
2137 to make that -- to give them more insight as to why a case
2138 was closed, so that they can make better decisions on their
2139 end.

2140 *Mrs. Lesko. Well, good. It sounds like, you know,
2141 there is a problem, you recognize it, and so hopefully you
2142 both can all work together, all of you work together.

2143 And with that I yield back.

2144 *Mr. Griffith. The gentlelady yields back. I now
2145 recognize Mrs. Cammack for her five minutes of questioning.

2146 *Mrs. Cammack. Thank you, Mr. Chairman. Thank you to
2147 all our witnesses for appearing before the committee today.
2148 We are in the home stretch.

2149 I am going to start with you, Ms. Colon. In your report
2150 to Congress for 2022 you reported that you had 4,634 total
2151 resolutions. Correct?

2152 *Ms. Colon. Maybe. That sounds right. I'd have to go
2153 back and look at the data, but probably.

2154 *Mrs. Cammack. Okay. But of the 4,634 total
2155 resolutions, you listed cases that you did not have
2156 jurisdiction over as a resolution.

2157 *Ms. Colon. Yes.

2158 *Mrs. Cammack. Okay. So in fact, of the 4,634 total
2159 resolutions you reported, 2,217 of those cases you either

2160 lacked jurisdiction or declined to take the jurisdiction
2161 over, correct?

2162 *Ms. Colon. Maybe. I'd have to go back and look at the
2163 data, but I can certainly confirm that for you.

2164 *Mrs. Cammack. Okay.

2165 *Ms. Colon. Yeah.

2166 *Mrs. Cammack. I think my math is right on that.

2167 *Ms. Colon. Okay.

2168 *Mrs. Cammack. But I just want to make sure. So it
2169 comes out that about 47 percent, 47.8 percent, nearly half of
2170 the reported total resolutions to Congress, are cases that
2171 the Center decided that they cannot investigate because of
2172 jurisdiction issues. So why are half of your total
2173 resolutions being reported to Congress as "resolutions" --

2174 *Ms. Colon. So --

2175 *Mrs. Cammack. -- when, by definition, nothing was
2176 resolved, and you are not even investigating or taking steps
2177 to resolve those cases?

2178 *Ms. Colon. So I think it's important to distinguish
2179 between those cases that we decline jurisdiction and then
2180 those cases that we don't have jurisdiction, right?

2181 So a case that we don't have jurisdiction might be like
2182 a local high school. And while we are not going through an
2183 entire investigation, we are referring that back, and so we
2184 do have to track that, right, for the Federal Government and

2185 for others.

2186 For the cases that we decline jurisdiction, there is a
2187 considerable amount of work that is done in order to get us
2188 to that place. Many times in a declination of jurisdiction
2189 it may be that we're sending that back to an NGB after we've
2190 decided or determined what the membership may look like, or
2191 after we've done an initial inquiry to figure out, you know,
2192 what the details of that case are. So we do track that for
2193 that reason because it's not as simple as saying, oh, we're
2194 moving this along, and we do nothing.

2195 *Mrs. Cammack. But at the same time, though, I mean, it
2196 is exceptionally misleading, at the very least. You could
2197 say it is very misleading. I mean, that is basically the
2198 equivalent of a sheriff in one county stacking up another
2199 county's crime statistics and counting it as his own as a
2200 resolution.

2201 I think even clarifying -- I mean, reporting to
2202 Congress, it is a very serious matter. That right there
2203 should be clarified because, clearly, these aren't
2204 resolutions and they are being counted as such. And so the
2205 statistics and the data are painting a picture that is not
2206 accurate is, I think, the point we are getting to.

2207 So I think maybe labeling is a concern that we have, and
2208 that needs to be clarified. That needs to be addressed. And
2209 I guess, moving forward, would you at the Center commit to

2210 removing cases that you don't have jurisdiction over as
2211 resolution before reporting the statistics to Congress?
2212 Because it paints a skewed -- a bit skewed picture.

2213 *Ms. Colon. So that's what we're actually working on
2214 right now, right?

2215 *Mrs. Cammack. Okay.

2216 *Ms. Colon. So it's part of this top-to-bottom review.
2217 We're also taking a very close look at how we manage data,
2218 and what those systems are internally to better be able to
2219 tell a story, right? Because at the end of the day they are
2220 a lot of numbers, right, but we're not really sharing or kind
2221 of explaining well, like, what a trend looks like. And so
2222 that's a big piece of what we're focused on right now.

2223 *Mrs. Cammack. When will that be complete?

2224 *Ms. Colon. It's a long process. So right now we just
2225 actually just hired a data engineer about six weeks ago --

2226 *Mrs. Cammack. Okay.

2227 *Ms. Colon. -- to help us sort of figure out where the
2228 issues were. And so we anticipate that that's probably like
2229 an eight-month process. So --

2230 *Mrs. Cammack. How about we say by the end of the year
2231 this is cleared up? Because in Congress people just like to
2232 work on things, and then it never gets solved. So how about
2233 we say at the end of the year we have an actual, definitive
2234 change in the way that these are labeled.

2235 *Ms. Colon. We will do our best.

2236 *Mrs. Cammack. We are going to hold you accountable to
2237 that.

2238 *Ms. Colon. Yes, you can hold me accountable for us
2239 doing our best, yes.

2240 *Mrs. Cammack. Well, "our best" doesn't satisfy that,
2241 but we are going to -- we will bring you back, if that is the
2242 case. I am going to shift.

2243 Ms. Shim, thank you for appearing before the committee
2244 today. Do you have anything to say about the total number of
2245 resolutions that are reported to the Center?

2246 And if cases -- does not take jurisdiction, should they
2247 be included? Can you weigh in on this?

2248 *Ms. Shim. Yes, I share your sentiment that it is
2249 misleading, and it is confusing for us, as NGBs, as well as
2250 claimants and respondents.

2251 I also may quickly take this opportunity to raise
2252 another concern that we have that we're seeing a trend, an
2253 uptick in what's called informal resolutions, which is
2254 another a path where they -- the Center for SafeSport does
2255 not investigate. Rather, they call the respondent. And if
2256 the respondent takes responsibility and acknowledges that
2257 they may be engaged in misconduct or they are apologetic,
2258 that they will then close the case in an informal resolution,
2259 which, in our opinion, is not a resolution because there was

2260 no investigation. And those cases are concerning. Some of
2261 those cases are sex assault cases.

2262 *Mrs. Cammack. Sounds like the situation is ripe for
2263 some legislative action.

2264 *Ms. Shim. We agree. Thank you.

2265 *Mrs. Cammack. With that, Mr. Chairman, my time is
2266 expired, I yield.

2267 *Mr. Griffith. The gentlelady yields back. And now the
2268 ranking member and I are going to take a couple of more
2269 minutes for questions.

2270 Ms. Castor.

2271 *Ms. Castor. Well, thank you.

2272 And Mrs. Cammack, to your point, there is a broad
2273 outreach effort going on to update the law. Representative
2274 Ross of North Carolina has a bill, and I just -- to everyone
2275 here, all the NGBs, all -- if you are involved, if you are
2276 interested in how to keep athletes safe and improving
2277 SafeSport, there is a broad outreach effort, and I encourage
2278 everyone to participate and contact our offices to relay your
2279 recommendations.

2280 One of the recommendations from the Commission of the
2281 State of the U.S. Olympics and Paralympics was that SafeSport
2282 should prioritize hiring investigative staff that are -- with
2283 direct experience in trauma cases. What is your view, Ms.
2284 Colon, of that recommendation?

2285 *Ms. Colon. So we have several staff, including
2286 investigators, that understand and have dealt with sexual
2287 abuse, sexual assault cases for decades. We tend to hire
2288 folks from local, state, Federal law enforcement, child
2289 protective services, Title 9. Many of those people are
2290 trained to understand what trauma looks like.

2291 We could do a better job of making sure that we are more
2292 focused on that, but that is certainly a priority.

2293 *Ms. Castor. Okay. Then I would like to get your --
2294 kind of close the loop on the Centralized Disciplinary
2295 Database, and the view of -- from all the witnesses on how it
2296 is being utilized right now, where are the gaps, and what
2297 would you hope reform would bring so that -- so that it is a
2298 meaningful database, and the public, the governing boards,
2299 all athletes understand how to -- how to engage with it.

2300 Ms. Deal, what is your view?

2301 *Ms. Deal. I'll start off by saying that the CDD, it's
2302 a very useful resource for everyone in the Movement and
2303 everyone outside of the Movement, as well. For our
2304 background check policy, it's actually a requirement to check
2305 the CDD prior to hiring anyone that -- who has authority over
2306 an athlete or interacts with athletes on a regular basis. So
2307 we utilize the CDD regularly within the Movement.

2308 What I have seen in the last seven years, the CDD is not
2309 -- in other words, it's not evergreen. If someone has a

2310 suspension for two years, they are on that CDD for two years,
2311 and then they are removed. So what we are seeing now are the
2312 different NGBs putting that evergreen list on their site.
2313 But I think that's one of the gaps of the CDD is it's not
2314 evergreen for a suspension or a ban.

2315 *Ms. Castor. Okay, Ms. Shim?

2316 *Ms. Shim. I'm sorry, Ranking Member Castor, can you
2317 repeat the question, please?

2318 *Ms. Castor. How is the Centralized Disciplinary
2319 Database working, and what are -- what improvements need to
2320 be made?

2321 *Ms. Shim. I think it was a courageous thing for the
2322 Center to do, and it is very helpful for us. But I have a
2323 similar concern. When a case is admin closed, a coach or
2324 participant who has been accused of abuse is taken off that
2325 list, and there's nothing to show for it. And we think there
2326 need to be other measures to at least flag, right? People
2327 should know when there are reports against someone,
2328 especially multiple reports.

2329 *Ms. Castor. Thank you.

2330 Mr. Cress?

2331 *Mr. Cress. Hello? Yes, sorry about that. Thank you
2332 for the question. Yeah, we find it a valuable tool, as well,
2333 when we're looking at it.

2334 We also work very closely with USA Baseball, just based

2335 on the fact that we feel that there will be crossover when
2336 the parents come. Maybe coaching their son, and then they
2337 have a daughter that comes up through the program, so we'll
2338 work with them to make sure that anything that may not be on
2339 that list was -- is also shared with us.

2340 But we find it invaluable, and we agree that when they
2341 disappear it makes it hard for us to keep track of all them.

2342 *Ms. Castor. Okay. Ms. Colon, do you want to address
2343 it?

2344 *Ms. Colon. Absolutely, yes. And so I would agree that
2345 we also would like to be able to keep people on the CDD
2346 longer. We would require a legislative change to be able to
2347 do that.

2348 I would also like to see other organizations outside of
2349 the Olympic and Paralympic Movement make use of this more
2350 regularly, so that when we are banning people from sport,
2351 they are not introducing them into other sports programs
2352 across the country.

2353 *Ms. Castor. Thank you very much, and I yield back.

2354 *Mr. Griffith. And I was going to follow up on that,
2355 and if we need a legislative change, I mean, that is why this
2356 is a -- that is why we are not going to get a lot of
2357 attention from the media, because we are in agreement.
2358 Things need to be changed and improved, and we want to see
2359 that happen.

2360 I will ask Ms. Shim in a different vein than what we
2361 have been asking you -- Mr. Cress has talked about these
2362 groups, and I have seen evidence of it in my region, where
2363 they are coming in and saying, you know, join up with our
2364 tournaments and our organizations, and you don't have to do
2365 -- you know, SafeSport not required for Diamond Classic
2366 events. Are you seeing the same type of things starting to
2367 creep into soccer, or no?

2368 *Ms. Shim. Our members have certainly expressed their
2369 concerns and, I mean, it's also high school sports, college
2370 sports. A lot of coaches go on to do both, right? There's a
2371 lot of overlap. And it's not okay that someone could be
2372 banned from the Olympic Movement, but then, you know, go
2373 across the street and coach somewhere else. So that is
2374 definitely a concern.

2375 I hesitate to suggest that we expand SafeSport to every
2376 youth program, just because I don't think we're doing a good
2377 enough job as it is, and we've all cited a lack of resources.
2378 And, you know, to expand their jurisdiction, I think it would
2379 be very confusing to people.

2380 And I also don't believe that the USOPC is responsible
2381 for all athletes of all ages of all levels participating in
2382 sport. That is also my personal opinion. U.S. Soccer is --
2383 we're talking through this because we have concern, and we
2384 should all have concern about every athlete participating.

2385 It's not that we don't care, it's just that we need to ensure
2386 that we can, you know, follow up and make sure people are
2387 compliant. Because if there's no oversight, then what good
2388 is it?

2389 *Mr. Griffith. I appreciate that.

2390 And my last comment, Ms. Colon, would be that I was
2391 concerned. I understand it, but I was concerned. And maybe
2392 it is a communications thing that needs to happen between the
2393 athlete and your organization, where in some -- I think it
2394 was Ms. Shim who said that there was a discouragement of
2395 talking about it publicly, because it might interfere with
2396 the investigation.

2397 I understand that when you are trying to get the facts
2398 and you don't want witnesses tainted, but there also needs to
2399 be a time limit. So asking somebody not to talk about it for
2400 two weeks or during the next month makes sense. Asking about
2401 them to not talk about it for two years does not make sense,
2402 which also goes back to trying to get things done more
2403 quickly. But you know, once somebody knows they are under
2404 investigation, they are going to go out and talk about it
2405 publicly. I think the individual who has a complaint ought
2406 to be able to talk about it, too.

2407 And I just -- somehow there ought to be a balance there,
2408 and I encourage you all to work on a balance where there is a
2409 timeline. We ask you not to say anything for the next two

2410 weeks publicly so that we can talk to the witnesses makes
2411 sense to me, but not open-ended, while your investigation
2412 goes on, when it may take two years.

2413 *Ms. Colon. Yeah, I agree. There needs to be a
2414 delicate -- there's a delicate balance between
2415 confidentiality and sharing information.

2416 *Mr. Griffith. Yes. And the victim ought to be able to
2417 make the decision as to whether or not they want to go public
2418 or not. That is a victim's right, in my opinion.

2419 I grant sometimes you want to talk to the witnesses
2420 before it becomes a firestorm on TV.

2421 *Ms. Colon. Yeah.

2422 *Mr. Griffith. And I recognize that.

2423 I appreciate all of you all being here today, and thank
2424 you so much for your testimony.

2425 I see no further witnesses, no further members wishing
2426 to ask questions of the witnesses, and so I do appreciate you
2427 all being here. I appreciate you being patient as we had to
2428 bounce this several months.

2429 It is an important issue, and I think everyone on the
2430 full committee, and particularly on this subcommittee, takes
2431 this very, very seriously, and we are going to try to figure
2432 out how we can improve it, both legislatively and otherwise.

2433 Ms. Shim, did you have something else you wanted to say?
2434 You look like you wanted to say one last word.

2435 *Ms. Shim. I just wanted to say thank you.

2436 *Mr. Griffith. Oh, well, this is what we do, and it is
2437 -- when the legislation and the legislators work well is
2438 sometimes when it is not a major, controversial issue, and we
2439 are just trying to solve problems.

2440 With that, I appreciate you all being here.

2441 I would ask unanimous consent to insert into the record
2442 the documents previously mentioned and included on the staff
2443 hearings list.

2444 Without objection, that will be the order.

2445 [The information follows:]

2446

2447 *****COMMITTEE INSERT*****

2448

2449 *Mr. Griffith. Pursuant to committee rules, I remind
2450 members they have 10 business days to submit additional
2451 questions for the record, and I ask that the witnesses submit
2452 their responses to those questions within 10 business days
2453 upon receipt of the questions.

2454 Without objection, the subcommittee is adjourned.

2455 [Whereupon, at 12:32 p.m., the subcommittee was
2456 adjourned.]