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United States Senate

COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION

WASHINGTON, DC 20510-6125

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March 2, 2017

Mr. Scott Blackmun
Chief Executive Officer
United States Olympic Committee
One Olympic Plaza
Colorado Springs, Colorado 80909

Dear Mr. Blackmun:

Recently, the *Washington Post* detailed serious allegations of sexual abuse within the sport of taekwondo, which resulted in the criminal conviction of a USA Taekwondo (USAT) coach.¹ Additional misconduct has reportedly occurred under other sports' National Governing Bodies (NGBs) including gymnastics, speed skating, swimming, and cycling.² The implication that such conduct may be systemic across NGBs raises serious concerns about the extent to which the United States Olympic Committee (USOC) is meeting its mandate to protect the health and safety of athletes. As Chairmen of the U.S. Senate Committee on Commerce, Science, and Transportation, and its Subcommittee on Consumer Protection, Product, Safety, Insurance, and Data Security, we are writing to request additional information about these issues.

Protecting athletes remains a key priority of this Committee, which oversees sports. Its jurisdiction includes The Ted Stevens Act,³ which established USOC and the current NGB structure for individual sports.⁴ A key aim of that legislation is to protect the health and safety of athletes. There is, however, considerable confusion as to USOC's role and responsibility to protect athletes. Indeed, the allegations in the recent *Washington Post* report appear to undermine your statement that, "the prevention of sexual abuse has been, and will continue to be, a high priority" for USOC.⁵

¹ Will Hobson & Steven Rich, *An Athlete Accused Her Coach of Sex Abuse. Olympic Officials Stayed on the Sideline*, WASH. POST, Feb. 14, 2017.

² See, e.g., Will Hobson & Steven Rich, *USA Gymnastics Says it Alerted FBI to Doctor Accused of Sex Abuse in 2015*, WASH. POST, Feb. 17, 2017 (alleging sexual abuse within USA Gymnastics); Marisa Kwiatkowski, et al., *A Blind Eye to Sex Abuse*, INDIANAPOLIS STAR, Aug. 4, 2016, at A-9 (alleging failure to report sexual abuse within USA Gymnastics); Kelly Whiteside, *USOC Eyes Agency to Fix Abuses*, USA TODAY, March 8, 2013, at 6-C (reporting claims of physical and emotional abuse in US Speedskating and stating that "[s]exual abuse allegations have rocked swimming and other sports"); Caitlin Giddings, *USA Cycling Opens Investigation into Missy Erickson's Allegations of Sexual Abuse*, BICYCLING.COM, Feb. 17, 2017 (alleging sexual abuse within USA Cycling).

³ Ted Stevens Olympic and Amateur Sports Act, 36 U.S.C. §§ 220501-220512, 220521-220529.

⁴ National Governing Bodies are the amateur sports organizations recognized by USOC, including USA Taekwondo, USA Gymnastics, US Speedskating, USA Swimming, and USA Cycling, among others.

⁵ Hobson & Rich, *supra* note 1.

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Former athletes allege inappropriate sexual relationships between USAT coach Marc Gitelman and minor female athletes whom he coached.⁶ USAT first became aware of the allegations against Gitelman in 2013.⁷ USAT nevertheless delayed its suspension of Gitelman until his criminal conviction in 2015, two years later. USOC apparently sought to justify its failure to intercede because of a perceived lack of authority under the Ted Stevens Act to remove Gitelman.⁸ Furthermore, USOC associate general counsel Gary Johansen testified that Team USA is “a branding terminology,” and does not carry responsibility for protecting athletes.⁹ He further characterized the term as “intellectual property.”¹⁰

In 2014, you stated, “[f]or us, it’s all about medals,” adding that “[w]e have a line of sight between every decision we make and the impact on how many Americans will win medals.”¹¹ While these statements may have been made in an unrelated context, they could be seen as explaining the USOC’s apparent reluctance to pursue allegations of sexual misconduct lodged against successful coaches or athletes aggressively. Such interpretations are buttressed by the associate general counsel’s deeply troubling assertion that USOC’s mission does not include protecting athletes from such heinous conduct.

We appreciate that, as you told the *Washington Post*, the USOC is in the process of opening the U.S. Center for Safe Sport, which will focus on protecting the well-being of athletes on and off the field.¹² While this is a step in the right direction, questions remain about the details of the center’s authorities, relationship with USOC, and operational readiness.

In light of these serious allegations, and pursuant to the Committee’s oversight responsibilities, please answer the following questions:

1. Several USOC officials, including Associate General Counsel Gary Johansen and SafeSport Director Malia Arrington, have asserted that the NGBs are responsible for the prevention of sexual abuse at USOC events and training centers, as opposed to the USOC. In your view, what is USOC’s role in protecting athletes?
2. The *Washington Post* suggests that USAT and USOC officials failed to take swift action against Gitelman to safeguard other athletes. Explain USOC’s failure to act promptly. What steps is USOC taking to prevent the recurrence of similar incidents?

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ Hobson & Rich, *supra* note 1.

¹² Press Release, U.S. Olympic Comm., United States Olympic Committee Announces U.S. Center for Safe Sport Board of Directors (Jan. 21, 2016).

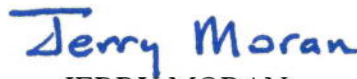
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3. Provide a legal analysis as to why USOC believes that the Ted Stevens Act does not allow it to remove coaches accused of abusing athletes. Does USOC support updates to the legislation granting such authority? If so, provide specific details.
4. In 2010, USOC first convened a working group for safe training environments. Yet, USOC has stated that the U.S. Center for Safe Sport will open in the first quarter of 2017. How do you account for this delay? When will the center become fully operational?
5. What specific authorities will the U.S. Center for Safe Sport have to prevent abuse?

Please provide the requested information as soon as possible, but by no later than March 16, 2017. In addition, please make USOC officials available to brief Committee staff on this matter by March 23, 2017. If you have any questions, please contact Ashok Pinto or Peter Feldman of the Majority staff at (202) 224-1251. Thank you for your prompt attention to this important matter.

Sincerely,


JOHN THUNE
Chairman


JERRY MORAN
Chairman
Subcommittee on Consumer Protection,
Product Safety, Insurance, and Data Security

cc: The Honorable Bill Nelson, Ranking Member

The Honorable Richard Blumenthal, Ranking Member
Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security