

ONE HUNDRED SEVENTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-2927
Minority (202) 225-3641

December 1, 2021

Mr. Nate Boudreaux
Executive Director
U.S.A. Water Ski & Wake Sports
1251 Holy Cow Road
Polk City, FL 33868

Dear Mr. Boudreaux:

The Committee on Energy and Commerce has a long-standing bipartisan interest in matters regarding sexual assault, sexual misconduct, sexual mistreatment, sexual harassment, or other sexual offenses in the U.S. Olympic movement and organized sports. In furtherance of that interest and in response to troubling allegations of failures by USA Badminton to comply with its obligations as a National Governing Body (NGB), we write to remind you, along with the United States Olympic & Paralympic Committee (USOPC) and your peer NGBs, of your obligations. All adults who are authorized to interact with minor or amateur athletes at an amateur sports organization facility or at an event sanctioned by an NGB or member of an NGB are obligated under the law to report suspected child abuse, including sexual abuse. In addition, pursuant to the Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020, we want to remind all NGBs that they shall not interfere in an investigation undertaken by the U.S. Center for SafeSport.

In January 2018, after reports of abuse in sports across the Olympic movement, including the abuse and mistreatment associated with Larry Nassar, the Committee launched an investigation into sexual abuse in organized sports and the Olympic community's ability to protect its athletes from sexual abuse. In the course of the investigation, the Committee wrote to the USOPC and all NGBs requesting detailed information and documents from each entity regarding its handling of sexual abuse allegations.⁴⁴² The Committee reviewed nearly 152,000

⁴⁴² Letters from Rep. Greg Walden, Chairman and Rep. Frank Pallone, Jr., Ranking Member, *et al.*, House Committee on Energy and Commerce, to Ms. Kerry Perry, USA Gymnastics; Mr. Scott Blackmun, United States Olympic Committee (USOC); Mr. Brian Breslin, Michigan State University (MSU); Mr. Tim Hinchey, USA Swimming; and Mr. Steve McNally, USA Taekwondo (Jan. 26, 2018); Letters from Rep. Greg Walden, Chairman, and Rep.

pages of documents, spoke with dozens of survivors, and held a hearing entitled “Examining the U.S. Olympic Community’s Ability to Protect Athletes from Sexual Abuse.”⁴⁴³

In December 2018, the Committee released a report titled “Nassar and Beyond: A Review of the Olympic Community’s Efforts to Protect Athletes from Sexual Abuse,” which summarized the Committee’s findings after concluding a year-long investigation.⁴⁴⁴ The Committee’s report outlined several recommendations that put athlete safety at the center of the USOPC and each NGB’s mission.

In addition, Congress has enacted several pieces of legislation to ensure additional protections for athletes. First, Congress designated the U.S. Center for SafeSport to serve as the independent national safe sport organization through enactment of the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act.⁴⁴⁵ Under this new law the organization will exercise jurisdiction over the USOPC, each NGB, and each Paralympic sports organization with regard to safeguarding amateur athletes against abuse.

Specifically, the law provides that, among other things, adults authorized to interact with certain minors and amateur athletes must report evidence of child abuse, including sexual abuse. It also clarifies that the U.S. Center for SafeSport is the independent national safe sport organization responsible for developing training, oversight practices, policies, and procedures to prevent the emotional, physical, and sexual abuse of amateur athletes participating in amateur activities through NGBs and Paralympic sports organizations.⁴⁴⁶ Under the law, an authorized adult who fails to report suspected child abuse, including sexual abuse, within a 24-hour period is subject to criminal penalties.⁴⁴⁷

Second, the Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020 states that NGBs “shall not interfere in, or attempt to influence the outcome of, an investigation.”⁴⁴⁸ This law also prohibits retaliation against protected individuals because of disclosures pertaining to sexual abuse or harassment.⁴⁴⁹ Further, this new law requires the U.S. Center for SafeSport to

Frank Pallone, Jr., Ranking Member, *et al.*, House Committee on Energy and Commerce, to Ms. Susan Lyons (USOC); Mr. John Engler (MSU); Mr. Rod Menzer, USA Archery (Mar. 7, 2018).

⁴⁴³ House Committee on Energy and Commerce, Subcommittee on Oversight and Investigations, *Examining the U.S. Olympic Community’s Ability to Protect Athletes from Sexual Abuse*, 115th Cong. (May 23, 2018).

⁴⁴⁴ House Committee on Energy and Commerce, *Nassar and Beyond: A Review of the Olympic Community’s Efforts to Protect Athletes from Sexual Abuse*, 115th Cong. (Dec. 20, 2018).

⁴⁴⁵ Pub. L. No. 115-126.

⁴⁴⁶ *Id.*

⁴⁴⁷ *Id.*

⁴⁴⁸ Pub. L. No. 116-289.

⁴⁴⁹ *Id.*

report to certain congressional committees, including the Committee on Energy and Commerce, within 72 hours of an attempt to interfere in, or influence the outcome of, an investigation.⁴⁵⁰

We applaud the Olympic community for the reforms that have been made to date. However, it has recently been brought to our attention that officials at USA Badminton may have failed to report allegations of child sexual abuse, discouraged others from reporting these allegations, and may be obstructing an investigation into those allegations undertaken by the U.S. Center for SafeSport. If true, this is unacceptable, deeply troubling, and a violation of federal law.

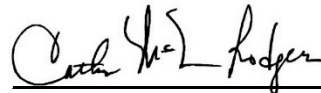
To protect our athletes and ensure the future success of sport, the USOPC and all NGBs must comply with all applicable federal laws when it comes to reporting allegations of sexual abuse to both law enforcement and the U.S. Center for SafeSport. It is imperative that the USOPC and NGBs continue to be proactive in ensuring that their policies and procedures prioritize athlete safety and are consistent, followed, and enforced. The USOPC and NGBs are encouraged to avail themselves of training and policy resources available from the U.S. Center for SafeSport to ensure compliance with the law and the safety of athletes.

If you have any questions, please contact Will McAuliffe with the Majority Committee staff or Brittany Havens with the Minority Committee staff. Thank you for your attention to this matter.

Sincerely,



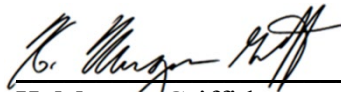
Frank Pallone, Jr.
Chairman
Committee on Energy and Commerce



Cathy McMorris Rodgers
Ranking Member
Committee on Energy and Commerce



Diana DeGette
Chair
Subcommittee on Oversight and
Investigations



H. Morgan Griffith
Ranking Member
Subcommittee on Oversight and
Investigations

⁴⁵⁰ *Id.*