
**Public Summary of Confidential Report to Congress on
Potential Interference by U.S. Ski & Snowboard (USSS)
February 26, 2024**

Federal Law

The Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020 (EOPAAA) states that the United States Olympic and Paralympic Committee (the USOPC) and National Governing Bodies (NGBs) “shall not interfere in, or attempt to influence the outcome of...” a U.S. Center for SafeSport (the Center) investigation. 36 U.S.C. § 220541(f)(4)(A). The Act further obligates the Center to report to Congress, within 72 hours, any actions of the USOPC or a NGB that might constitute an attempt to interfere in or influence a Center investigation.

Report of Potential Interference by USSS and Subsequent Inquiry

Pursuant to its obligations under federal law, on March 17, 2022, the Center reported to Congress potential interference based on the following questions:

Did employees and/or board members of USSS:

- (1) investigate a matter over which the Center had exclusive jurisdiction;
- (2) fail to provide to the Center evidence relevant to its investigation; and
- (3) contact and discourage Claimants from participating in the Center’s processes.

Following this report, an inquiry into the potential interference commenced and detailed below is a summary of the Center’s findings.

Summary of Findings

On March 17, 2022, the Center provided Congress, in accordance with federal law, an overview of its findings following its initial report on March 17, 2022.

This overview provides details from the Center’s inquiry.

- (1) An employee of USSS did conduct a human resources investigation into the same Respondent¹ with whom the Center had a pending investigation due to its exclusive jurisdiction over allegations of sexual misconduct; however, the employee promptly reported information gathered to the Center and no evidence of tangible interference of the Center’s investigation was found;

¹ A Respondent is a Participant alleged to have violated the SafeSport Code for the U.S. Olympic and Paralympic Movement (the Code). See the Code at Section VIII.L.

-
- (2) The same USSS employee did not fail to provide relevant evidence to the Center; however, a USSS board member did fail to report her knowledge of allegations of sexual misconduct to the Center in a timely manner; and
 - (3) The USSS board member did contact two Claimants involved in the same Respondent’s matter and the conversations had the potential to discourage those Claimants from participating in the Center’s processes; however, it cannot be demonstrated by a preponderance of the evidence that the board member was operating in their official capacity as a USSS board member and not as a personal friend to those involved in the investigation. Thus, no interference by USSS was found. A no-finding for interference does not preclude the Center from investigating and adjudicating potential Code violations by individual Participants.

Summary of Recommendations

To ensure that any future allegations of misconduct within USSS are handled with the professionalism and independence they deserve, and in accordance with best practice and federal law, the Center underscored relevant sections of the SafeSport Code, including Sections IV.A.1., which states the Center has the exclusive jurisdiction to investigate and resolve allegations that a Participant engaged in Sexual Misconduct

The Center also reminded USSS that it will continue to conduct trainings for the USOPC and NGBs on the issue of interference and offered itself as a resource to help USSS understand its obligations, as well as clarify Center rules and processes should there be any future questions.

Finally, it is recommended that USSS should endeavor to make sure all its Adult Participants—particularly those in positions of USSS leadership—understand mandatory reporting obligations under the Code, the prohibition of Abuse of Process, and the implications of their actions on the entire organization. The Center will request an opportunity to meet with the USSS board of directors this calendar year to further clarify these items and answer any questions they may have regarding their obligations.