

Responses to Written Questions submitted by Honorable Jerry Moran to Scott Blackmun

*Question 1.* As I stated in my written testimony, I am no longer employed by the USOC. My last day with the USOC was March 2, 2018. These responses are provided to the best of my recollection, knowledge and belief.

The Subcommittee has reviewed several documents and media reports regarding communication between USA Gymnastics and the U.S. Olympic Committee during the summer of 2015. Specifically, what did former USAG President Steve Penny convey to you regarding the allegations of sexual abuse by Larry Nassar, the status of the investigation regarding Nassar and whether he (Penny) reported it to law enforcement, Michigan State or any other entities currently employing Nassar? What was your response and what actions if any did USOC take?

Response. As I recall it, on July 25 Mr. Penny conveyed that three members of the Women's National Team had recently expressed concerns about the team physician's treatments. He told me that USA Gymnastics had conducted a preliminary investigation, that the allegations appeared to have merit and that they were going to report the allegations to the FBI on the following business day (July 27). He also told me that the physician would immediately be suspended from his duties at USA Gymnastics and would not have further contact with USA Gymnastics athletes. My response was that he was doing the right thing by reporting it to law enforcement and that he really had no choice—he had to do the right thing.

*Question 2.* Did you or anyone from USOC communicate, recommend and/or directly hire Ms. Fran Sepler to investigate sexual abuse committed by Larry Nassar while at USAG?

Response. I did not, and I am not aware of anyone else at the USOC having done so.

*Question 3.* The Subcommittee has reviewed email correspondence between former USA Gymnastics President Steve Penny and USOC Chief Security Officer Larry Buendorf. On September 25, 2015, Steve Penny emailed Larry Buendorf regarding USAG's handling of Larry Nassar and the work that was done by the investigator in July of 2015. Specifically, what was conveyed to you regarding the discussion that occurred between Mr. Penny and your subordinate Larry Buendorf? Were documents from the USAG investigator forwarded to USOC for review? What action did USOC take as a result of this discussion in September of 2015?

Response. It was conveyed to me that USA Gymnastics did in fact report the allegations regarding the physician to the FBI. I do not know what documents were forwarded to the USOC, although I later became aware that the September 25, 2015 email from Mr. Penny to Mr. Buendorf attached a confidential memo summarizing the chronology of events relating to the athletes' reports of abuse in the summer of 2015 and the actions taken by USA Gymnastics, including its engagement with the FBI.

*Question 4.* What actions could USOC have taken under its charter and oversight responsibilities once allegations of sexual abuse at USAG were first reported to USOC in July of 2015 and again in September 2015?

Response. We could have opened a case under the Act and the USOC's Bylaws to decertify USA Gymnastics as an NGB. Based on what we knew at the time, I do not believe that response would have been appropriate. It appeared that USA Gymnastics was pursuing the case in an appropriate fashion by having turned it over to the FBI and suspending the physician.

*Question 5.* On January 25, 2018, you sent a letter to the USA Gymnastics Board of Directors which specifically laid out six requirements to complete in order for USAG to retain its status as a National Governing Body (NGB). If USAG did not comply with the requirements, what was USOC's plan to proceed with decertification? Specifically, what actions could USOC have taken to complete decertification? What organizational structure would be put in its place during the decertification process? How would that directly affect current members of USAG, athletes, and employees?

Response. The USOC's plan was to proceed under the Act and the USOC's Bylaws to decertify USA Gymnastics. Based on our discussions with the CEO of USA Gymnastics, we fully expected that USA Gymnastics would use its best efforts to comply with the requirements. The USOC has developed an outline of the support that will need to be provided in the event of the decertification of an NGB. The USOC was prepared to step in and provide as much of that support as it could, but there is no question that decertification would present operational challenges. Specifically, there is no automatic transitioning of physical and intellectual property, contract rights (including sponsors), employment relationships, relationships with members, clubs and coaches, etc. It would require a complicated organization to be built from the bottom up, and there is no question that the functionality and effectiveness of the NGB would suffer during a transitional phase.