

Responding to Potential Whereabouts Failures – An Athlete Ombuds Resource

In the notification letter you received indicating a potential whereabouts failure, you will see you have the opportunity to submit a written response explaining why you believe this should not be counted as a whereabouts failure. The [Team USA Athlete Ombuds](#) has created this resource to help Team USA athletes consider information that could be included in a potential response.

Please note this was created as a general resource and is not intended to be legal advice, a set script, or address every situation and circumstance. Athletes should reach out to the Athlete Ombuds with any questions or seek legal counsel for individual representation.

Response Outline – Information to Consider Including

- **Introduction:** Briefly introduce yourself, your sport, how long you've been in the testing pool, and any other relevant information you want to include (i.e., you've been in the testing pool for 10 years without incident).
- **Clarify the Issue:** State the purpose of your letter (i.e., that you are writing in response to a letter received on XX date regarding a Filing Failure or a Missed Test on XX date, and asking the Results Management Authority (RMA) to consider dismissing this as a potential whereabouts failure).
- **Explain the circumstances:** Explain anything you want the RMA to know about the situation or circumstances surrounding your Missed Test or Filing Failure. This could include information about your location during the time of the attempted test or why the DCO was unable to locate you (i.e. you were sleeping, emergency situation, technology issues, unexpected circumstance, travel challenges, etc.).
 - Look to see if there are any specific questions in your notification letter that you have been asked to address in your response.
 - Check the requirements in the International Standards and rules and include as much relevant information as possible to address the requirements.
- **Supporting Evidence:** If you have any documentation or evidence that supports your explanation or proves your efforts to comply with the whereabouts requirements, include them with the letter. (i.e., meal receipts putting you in a location at a certain time, text messages, plane tickets, emails about an urgent change in plans, footage from a video doorbell, screen shot of phone calls on that day in question, social media posts/photos/updates, etc.) Depending on your situation, it may be helpful to include a timeline of what occurred along with your supporting evidence.
- **Actions Taken:** Include any actions you took to rectify the situation (and when you took them), such as contacting USADA, updating your whereabouts information, calling the DCO back, etc.
- **Preventive Measures:** Discuss any measures you plan to take to avoid such problems in the future (i.e., changing the way you update, providing more info on how to get into your apartment complex, fixing technology issues, etc.). You want to demonstrate that you take this seriously and are being proactive about compliance with the rules.
- **Follow up & Closing:** Express your willingness to provide further information and comply with rules. Reiterate your appreciation for their consideration.
- **Final Review:** Ensure your response is accurate, honest, polite and easy to follow.

Once you are ready, **submit your response to the email address included in your notification by the stated deadline.**

For additional information, athletes can also review the [Athlete Ombuds Whereabouts FAQ](#). If we can be of assistance as you draft your response or in helping you understand the process, your rights, resources or options, please feel free to reach out to us at ombudman@usathlete.org.