1. General Principles

The Ultimate Fighting Championship (“UFC”) Policy for Whereabouts (the “UFC Whereabouts Policy” or “Whereabouts Policy”) is based upon the relevant provisions of the UFC Anti-Doping Policy (the “UFC ADP”). All Athletes meeting the criteria outlined in the UFC ADP must comply with the requirements in this Whereabouts Policy.

2. UFC Registered Testing Pool

The UFC Registered Testing Pool (“UFC RTP”) is comprised of Athletes subject to Testing by USADA as identified in the UFC ADP (under the heading “Scope and Application of the Policy”). The UFC RTP may also include: (1) any Athletes who are returning from retirement and who are required to return to the UFC RTP pursuant to Article 5.7 of the UFC ADP; or (2) certain Athletes who are serving a period of ineligibility for an anti-doping policy violation and whom USADA determines must provide whereabouts in order to facilitate Out-of-Competition Testing. Once notified of their inclusion, Athletes remain in the UFC RTP until they receive written notice from USADA that they have been removed from the UFC RTP. As provided in this Whereabouts Policy, Athletes meeting the criteria outlined above, are considered to be part of the UFC RTP.

3. WHEREABOUTS OBLIGATIONS

a. As part of their whereabouts obligations, all Athletes in the UFC RTP must:

   i. At the time of admission to the UFC RTP and annually thereafter, complete the USADA online education module or an alternative education program provided or approved by USADA;

   ii. At the time of admission to the UFC RTP and quarterly thereafter, fully and accurately complete and timely submit their UFC Whereabouts Filing;

   iii. Immediately upon learning that any information in a previously provided Whereabouts Filing is incomplete, inaccurate or has changed, communicate such changed information to USADA by updating the Whereabouts Filing or submitting a change of plan; and

   iv. Provide daily accessibility for Testing during the precise times and at the precise locations specified on the Athlete’s Whereabouts Filing for the entire periods designated by the Athlete on the Athlete’s Whereabouts Filing.

4. WHEREABOUTS FILING

Up to date whereabouts information that must be provided by Athletes in the UFC RTP as required by the UFC ADP and this Whereabouts Policy includes:

a. A complete mailing address where correspondence and notices involving anti-doping matters may be sent to the Athlete;

b. An email address where correspondence and notices involving anti-doping matters may be sent to the Athlete;

1 Capitalized and italicized terms have the meaning set forth in the Definitions Section of the UFC ADP.
c. The Athlete’s primary phone number;
d. The name and detailed contact information for any representative designated by the Athlete and authorized to receive any correspondence on the Athlete’s behalf, if applicable;
e. Details of any disability that may affect the procedure to be followed in conducting a Sample Collection Session;
f. Confirmation of the Athlete’s consent to the sharing of his or her Whereabouts Filing and other anti-doping information with Athletic Commissions and other Anti-Doping Organizations (“ADOs”);
g. The Athlete’s Bout schedule for the quarter, including the name and address of each location where the Athlete is scheduled to compete during the quarter and the date(s) on which the Athlete is scheduled to compete at such location(s);
h. For each day during the quarter, the full address of the place where the Athlete will be residing (e.g., home, temporary lodgings, hotel, etc.); and
i. For each day during the quarter, the name and address of each location where the Athlete will train, work or conduct any other regular activity, as well as the usual time-frames for such regular activities.²

5. WHEREABOUTS FAILURES

The failure by any Athlete in the UFC RTP to comply with this Whereabouts Policy by failing to timely, accurately or completely provide required whereabouts information and/or for being unavailable for Testing due to inaccurate information provided on the Whereabouts Filing may result in a “Whereabouts Failure.” Pursuant to the UFC ADP, any three Whereabouts Failures within a rolling twelve (12) month period will result in an anti-doping policy violation (“ADPV”) under Article 2.4 of the UFC ADP.

Also, the fraudulent Failure to Comply with whereabouts requirements could result in an ADPV pursuant to UFC ADP Article 2.3 for evading Sample collection or UFC ADP Article 2.5 for Tampering or Attempted Tampering with any part of Doping Control.

USADA may combine Whereabouts Failures declared by any Code Signatory ADO for purposes of declaring an ADPV under Article 2.4 of the UFC ADP. USADA may also take into consideration Whereabouts Failures declared by any Athletic Commission. Therefore, for example, if an Athlete received two Whereabouts Failures from USADA and one Whereabouts Failure from any Signatory ADO or Athletic Commission during a twelve (12) month period, the Athlete may be considered to have committed an ADPV and be subject to a presumptive sanction of between six (6) months and two (2) years Ineligibility for a first offense.

6. RESULTS MANAGEMENT

When reviewing whether a Whereabouts Failure or an ADPV has occurred based on circumstances related to an Athlete’s whereabouts and/or whereabouts responsibilities and when prosecuting any Whereabouts Failure, USADA will apply the standards set forth below.

a. Whereabouts Failures

i. When making a Whereabouts Filing, it is the Athlete’s responsibility to ensure that he or she provides all required information accurately and in sufficient detail to enable the Athlete to be located by

2 The Athlete must provide sufficient information to enable a Doping Control Officer to find the location, to gain access to the location, and to find the Athlete at the location. For example, declarations such as “running in Rocky Mountain National Park” are insufficient.
USADA, or USADA’s designee, for Testing on any given day in the quarter. USADA will rely on this information in order to conduct Testing in accordance with the purpose of the UFC ADP and expects that Athletes will be available at the specific times and locations designated on their Whereabouts Filings. Therefore, under the UFC ADP and this Whereabouts Policy, the following are the ways in which Athletes in the UFC RTP may be subject to a Whereabouts Failure:

1) Failure to submit a completed Whereabouts Filing by the specified deadline;

2) Failure to promptly update a Whereabouts Filing upon learning that information on the Whereabouts Filing has changed, will change or is otherwise no longer accurate;

3) Providing insufficient information on a Whereabouts Filing or update to enable the Athlete to be located for Testing; and

4) Failure by the Athlete to make himself/herself available for Testing due to the Athlete providing inaccurate information on his/her Whereabouts Filing.

An Athlete may receive a Whereabouts Failure for each occurrence of one of the foregoing failures, subject to Paragraph 6(a)(iv)(1).

ii. If USADA suspects a Whereabouts Failure, USADA will confirm that the Athlete is in the UFC RTP, was notified of his or her inclusion and responsibility to make Whereabouts Filings and that the Doping Control Officer made a proper and valid Attempt.

iii. Next, USADA will confirm that the Athlete failed to comply with the applicable whereabouts requirements set forth in Paragraphs 4(a)-(i).

iv. The Athlete will be sent initial notice of an apparent Whereabouts Failure no later than fourteen (14) days from the date of the discovery of the Whereabouts Failure. The initial notification letter will invite the Athlete to provide an explanation to USADA, within fourteen (14) days of the date of the initial notification letter, regarding why no Whereabouts Filing was filed or why incomplete or inaccurate information was submitted. The UFC will be copied on this correspondence.

1) An Athlete shall not be held responsible for subsequent Whereabouts Failures which occur before the Athlete is provided this initial notice.

2) After notice is received, the Athlete will be responsible for subsequent Whereabouts Failures, including failures that relate to the same kind of conduct involved in the prior Whereabouts Failure.

v. USADA staff will review any written response received from an Athlete and conduct further investigation, if necessary, to determine whether it is appropriate to declare a Whereabouts Failure.

1) Examples where USADA would not find it appropriate to declare a Whereabouts Failure include family emergencies, instances where valid attempts to file by the Athlete were unsuccessful or other circumstances where the Athlete was not at fault for his or her failure to comply with this Whereabouts Policy.

vi. Provided no additional investigation is necessary, the Athlete will be sent notice of USADA’s final decision within fourteen (14) days of receipt of the Athlete’s response. This correspondence will also be made available to the UFC.²

² Copies of USADA’s final decision letter will be sent to the UFC at the same time it is sent to the Athlete. The letter will also be uploaded to an external secure website which may be accessed by the UFC.
vii. Upon the issuance of the third Whereabouts Failure within a rolling twelve (12) month period, and before the determination that an ADPV has occurred, the Athlete may contest USADA’s decision to declare a Whereabouts Failure on any or all of the Whereabouts Failures to an independent administrative review panel within fourteen (14) days of the date of the issuance of the third Whereabouts Failure.

viii. The administrative review panel shall be comprised of three (3) individuals nominated by USADA’s Board of Directors and selected by USADA’s CEO who were not involved in the previous assessment of the alleged Whereabouts Failure.

ix. Review of USADA’s decision shall be based on written submittals only and shall not be considered a hearing.

x. The decision of the administrative review panel shall not be binding in any subsequent hearing initiated by the Athlete to contest the determination that the Athlete has committed an ADPV.

xi. Any decision by the administrative review panel and any materials submitted to the panel may be relied upon by any party in any subsequent proceeding where the alleged Whereabouts Failure or other ADPV is at issue.

xii. The review shall be completed within fourteen (14) days of the request by the Athlete and the final decision shall be communicated to the Athlete no more than (7) days following the decision of the panel. This correspondence will also be made available to the UFC.

xiii. At all times, USADA will make every effort to adhere to and strictly enforce the timelines set forth in Paragraphs 6(a)(iv), (vi), (vii) and (xii); however, the departure from the timelines for good cause shall not invalidate or otherwise prevent USADA from declaring a Whereabouts Failure pursuant to the process outlined above.

b. Hearing

No Athlete shall be disciplined for having three Whereabouts Failures within a twelve (12) month period or for providing fraudulent information in his or her Whereabouts Filings, for evading Sample collection, Tampering or any other violation of this Whereabouts Policy without having been offered an opportunity to request a full evidentiary hearing in accordance with Article 8 of the UFC ADP.

7. Effective Date

The effective date of this UFC Whereabouts Policy (version 1) shall be July 1, 2015. This Whereabouts Policy shall not apply retroactively to matters pending before July 1, 2015.

8. Amendments

This UFC Whereabouts Policy may be amended from time to time by USADA. Unless otherwise indicated, all amendments shall be effective no earlier than thirty (30) days after publication on the UFC anti-doping website (www.UFC.USADA.org), with the precise effective date (and version) to be indicated in Section 7, above. It is each Athlete’s responsibility to regularly check UFC’s anti-doping website to ensure that they are consulting the most up to date version of this and other anti-doping related policies.