

116TH CONGRESS  
2D SESSION

# H. R. 7881

To amend the Ted Stevens Olympic and Amateur Sports Act to provide for congressional oversight of the board of directors of the United States Olympic and Paralympic Committee and to protect amateur athletes from emotional, physical, and sexual abuse, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2020

Mr. TED LIEU of California (for himself, Mr. CURTIS, Ms. DEGETTE, Mrs. BROOKS of Indiana, Ms. KUSTER of New Hampshire, and Mr. BURGESS) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Ted Stevens Olympic and Amateur Sports Act to provide for congressional oversight of the board of directors of the United States Olympic and Paralympic Committee and to protect amateur athletes from emotional, physical, and sexual abuse, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Empowering Olympic,  
3 Paralympic, and Amateur Athletes Act of 2020”.

4 **SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) The courageous voice of survivors is a call  
7 to action to end emotional, physical, and sexual  
8 abuse in the Olympic and Paralympic movement.

9 (2) Larry Nassar, the former national team  
10 doctor for USA Gymnastics, sexually abused over  
11 300 athletes for over two decades because of ineffec-  
12 tive oversight by USA Gymnastics and the United  
13 States Olympic Committee.

14 (3) While the case of Larry Nassar is unprece-  
15 dented in scale, the case is hardly the only recent in-  
16 cident of sexual abuse in amateur sports.

17 (4) Survivors of Larry Nassar’s abuse and all  
18 survivors of abuse in the Olympic and Paralympic  
19 movement deserve justice and redress for the wrongs  
20 the survivors have suffered.

21 (5) After a comprehensive congressional inves-  
22 tigation, including interviews and statements from  
23 survivors, former and current organization officials,  
24 law enforcement, and advocates, Congress found  
25 that the United States Olympic Committee and USA  
26 Gymnastics fundamentally failed to uphold their ex-

1       isting statutory purposes and duty to protect ama-  
2       teur athletes from sexual, emotional, or physical  
3       abuse.

4           (6) USA Gymnastics and the United States  
5       Olympic Committee knowingly concealed abuse by  
6       Larry Nassar, leading to the abuse of dozens of ad-  
7       ditional amateur athletes during the period begin-  
8       ning in the summer of 2015 and ending in Sep-  
9       tember 2016.

10          (7) Ending abuse in the Olympic and  
11       Paralympic movement requires enhanced oversight  
12       to ensure that the Olympic and Paralympic move-  
13       ment does more to serve athletes and protect their  
14       voice and safety.

15 **SEC. 3. DEFINITIONS.**

16       Section 220501(b) of title 36, United States Code,  
17 is amended—

18           (1) in paragraph (4), by striking “United  
19       States Center for Safe Sport” and inserting “United  
20       States Center for SafeSport”;

21           (2) in paragraph (6), by striking “United  
22       States Olympic Committee” and inserting “United  
23       States Olympic and Paralympic Committee”;

24           (3) by amending paragraph (8) to read as fol-  
25       lows:

1           “(8) ‘national governing body’ means an ama-  
2           teur sports organization, a high-performance man-  
3           agement organization, or a paralympic sports orga-  
4           nization that is certified by the corporation under  
5           section 220521.”;

6           (4) by striking paragraph (9);

7           (5) by redesignating paragraphs (4), (5), (6),  
8           (7), (8), and (10) as paragraphs (5), (6), (7), (8),  
9           (9), and (12), respectively;

10          (6) by inserting after paragraph (3) the fol-  
11          lowing:

12           “(4) ‘Athletes’ Advisory Council’ means the en-  
13           tity established and maintained under section  
14           220504(b)(2)(A) that—

15           “(A) is composed of, and elected by, ama-  
16           teur athletes to ensure communication between  
17           the corporation and currently active amateur  
18           athletes; and

19           “(B) serves as a source of amateur-athlete  
20           opinion and advice with respect to policies and  
21           proposed policies of the corporation.”; and

22          (7) by inserting after paragraph (9), as so re-  
23          designated, the following:

24           “(10) ‘protected individual’ means any amateur  
25           athlete, coach, trainer, manager, administrator, or

1 official associated with the corporation or a national  
2 governing body; and

3 “(11) ‘retaliation’ means any adverse or dis-  
4 criminatory action, or the threat of an adverse or  
5 discriminatory action, including removal from a  
6 training facility, reduced coaching or training, re-  
7 duced meals or housing, and removal from competi-  
8 tion, carried out against a protected individual as a  
9 result of any communication, including the filing of  
10 a formal complaint, by the protected individual or a  
11 parent or legal guardian of the protected individual  
12 relating to the allegation of physical abuse, sexual  
13 harassment, or emotional abuse, with—

14 “(A) the Center;

15 “(B) a coach, trainer, manager, adminis-  
16 trator, or official associated with the corpora-  
17 tion;

18 “(C) the Attorney General;

19 “(D) a Federal or State law enforcement  
20 authority;

21 “(E) the Equal Employment Opportunity  
22 Commission; or

23 “(F) Congress.”.

1 **SEC. 4. MODERNIZATION OF THE TED STEVENS OLYMPIC**  
2 **AND AMATEUR SPORTS ACT.**

3 (a) IN GENERAL.—Chapter 2205 of title 36, United  
4 States Code, is amended—

5 (1) in the chapter heading, by striking  
6 **“UNITED STATES OLYMPIC COM-**  
7 **MITTEE”** and inserting **“UNITED STATES**  
8 **OLYMPIC AND PARALYMPIC COM-**  
9 **MITTEE”**;

10 (2) in section 220502, by amending subsection  
11 (c) to read as follows:

12 **“(c) REFERENCES TO UNITED STATES OLYMPIC AS-**  
13 **SOCIATION AND UNITED STATES OLYMPIC COMMITTEE.—**  
14 Any reference to the United States Olympic Association  
15 or the United States Olympic Committee is deemed to  
16 refer to the United States Olympic and Paralympic Com-  
17 mittee.”;

18 (3) in section 220503—

19 (A) in paragraph (3), by striking “and the  
20 Pan-American Games” each place it appears  
21 and inserting “the Pan-American Games, and  
22 the Parapan American Games”; and

23 (B) in paragraph (4), by striking “and  
24 Pan-American Games” and inserting “the Pan-  
25 American Games, and the Parapan American  
26 Games”;

1           (4) in section 220504(b)(3), by striking “or the  
2 Pan-American Games” and inserting “the Pan-  
3 American Games, or the Parapan American Games”;

4           (5) in section 220505(c)—

5           (A) in paragraph (3), by striking “and the  
6 Pan-American Games” and inserting “the Pan-  
7 American Games, and the Parapan American  
8 Games”;

9           (B) by amending paragraph (4) to read as  
10 follows:

11           “(4) certify national governing bodies for any  
12 sport that is included on the program of the Olympic  
13 Games, the Paralympic Games, the Pan-American  
14 Games, or the Parapan American Games;” and

15           (C) in paragraph (5), by inserting “the  
16 Parapan American Games,” after “the Pan-  
17 American Games,”;

18           (6) in section 220506—

19           (A) in subsection (a)—

20           (i) in paragraph (1), by striking  
21 “United States Olympic Committee” and  
22 inserting “United States Olympic and  
23 Paralympic Committee”;

24           (ii) in paragraph (2), by striking “3  
25 TaiGeuks” and inserting “3 Agitos”; and

1 (iii) in paragraph (4), by inserting  
2 “‘Parapan American,’” after “‘Pan-Amer-  
3 ican,’”;

4 (B) in subsection (b), by inserting “the  
5 Parapan American team,” after “the Pan-  
6 American team,”; and

7 (C) in subsection (c)(3), by striking “or  
8 Pan-American Games activity” and inserting  
9 “Pan-American, or Parapan American Games  
10 activity”;

11 (7) in section 220509(a)—

12 (A) in the first sentence, by inserting “the  
13 Parapan American Games,” after “the Pan-  
14 American Games,”; and

15 (B) in the second sentence, by striking “or  
16 the Pan-American Games” and inserting “the  
17 Pan-American Games, or the Parapan Amer-  
18 ican Games”;

19 (8) in section 220512, by striking “and Pan-  
20 American Games” and inserting “Pan-American  
21 Games, and Parapan American Games”;

22 (9) in section 220523(a), by striking “and the  
23 Pan-American Games” each place it appears and in-  
24 serting “the Pan-American Games, and the Parapan  
25 American Games”;

1 (10) in section 220528(c)—

2 (A) in subparagraph (A), by striking “or  
3 in both the Olympic and Pan-American Games”  
4 and inserting “or in each of the Olympic  
5 Games, the Paralympic Games, the Pan-Amer-  
6 ican Games, and the Parapan American  
7 Games”; and

8 (B) by amending subparagraph (B) to read  
9 as follows:

10 “(B) any Pan-American Games or  
11 Parapan American Games, for a sport in which  
12 competition is held in the Pan-American Games  
13 or the Parapan American Games, as applicable,  
14 but not in the Olympic Games or the  
15 Paralympic Games.”; and

16 (11) in section 220531, by striking “United  
17 States Olympic Committee” each place it appears  
18 and inserting “United States Olympic and  
19 Paralympic Committee”.

20 (b) CONFORMING AMENDMENT.—The table of chap-  
21 ters for part B of subtitle II of title 36, United States  
22 Code, is amended by striking the item relating to chapter  
23 2205 and inserting the following:

**“2205. United States Olympic and Paralympic  
Committee ..... 220501”.**

1 **SEC. 5. CONGRESSIONAL OVERSIGHT OF UNITED STATES**  
2 **OLYMPIC AND PARALYMPIC COMMITTEE AND**  
3 **NATIONAL GOVERNING BODIES.**

4 (a) IN GENERAL.—Chapter 2205 of title 36, United  
5 States Code, is amended—

6 (1) by redesignating the second subchapter des-  
7 igned as subchapter III (relating to the United  
8 States Center for SafeSport), as added by section  
9 202 of the Protecting Young Victims from Sexual  
10 Abuse and Safe Sport Authorization Act of 2017  
11 (Public Law 115–126; 132 Stat. 320) as subchapter  
12 IV; and

13 (2) by adding at the end the following:

14 “SUBCHAPTER V—DISSOLUTION OF BOARD OF  
15 DIRECTORS OF CORPORATION AND TERMI-  
16 NATION OF RECOGNITION OF NATIONAL  
17 GOVERNING BODIES

18 **“§ 220551. Definitions**

19 “In this subchapter, the term ‘joint resolution’ means  
20 a joint resolution—

21 “(1) which does not have a preamble; and

22 “(2) for which—

23 “(A)(i) the title is only as follows: ‘A joint  
24 resolution to dissolve the board of directors of  
25 the United States Olympic and Paralympic  
26 Committee’; and

1           “(ii) the matter after the resolving  
2 clause—

3           “(I) is as follows: ‘That Congress  
4 finds that dissolving the board of directors  
5 of the United States Olympic and  
6 Paralympic Committee would not unduly  
7 interfere with the operations of chapter  
8 2205 of title 36, United States Code’; and

9           “(II) prescribes adequate procedures  
10 for forming a board of directors of the cor-  
11 poration as expeditiously as possible and in  
12 a manner that safeguards the membership  
13 and voting power of the representatives of  
14 amateur athletes at all times, consistent  
15 with the membership and voting power of  
16 amateur athletes under section  
17 220504(b)(2); or

18           “(B)(i) the title is only as follows: ‘A joint  
19 resolution relating to terminating the recogni-  
20 tion of a national governing body’; and

21           “(ii) the matter after the resolving clause  
22 is only as follows: ‘That Congress determines  
23 that \_\_\_\_\_, which is recognized  
24 as a national governing body under section  
25 220521 of title 36, United States Code, has

1 failed to fulfill its duties, as described in section  
2 220524 of title 36, United States Code’, the  
3 blank space being filled in with the name of the  
4 applicable national governing body.

5 **“§ 220552. Dissolution of board of directors of cor-**  
6 **poration and termination of recognition**  
7 **of national governing bodies**

8 “(a) DISSOLUTION OF BOARD OF DIRECTORS OF  
9 CORPORATION.—Effective on the date of enactment of a  
10 joint resolution described in section 220551(2)(A) with re-  
11 spect to the board of directors of the corporation, such  
12 board of directors shall be dissolved.

13 “(b) TERMINATION OF RECOGNITION OF NATIONAL  
14 GOVERNING BODY.—Effective on the date of enactment  
15 of a joint resolution described in section 220551(2)(B)  
16 with respect to a national governing body, the recognition  
17 of the applicable amateur sports organization as a national  
18 governing body shall cease to have force or effect.”.

19 (b) TECHNICAL AND CONFORMING AMENDMENTS.—  
20 The table of sections for chapter 2205 of title 36, United  
21 States Code, is amended—

22 (1) by striking the second item relating to sub-  
23 chapter III (relating to the United States Center for  
24 SafeSport), as added by section 202 of the Pro-  
25 tecting Young Victims from Sexual Abuse and Safe

1 Sport Authorization Act of 2017 (Public Law 115–  
2 126; 132 Stat. 320) and inserting the following:

“SUBCHAPTER IV—UNITED STATES CENTER FOR SAFESPORT”;

3 and

4 (2) by adding at the end the following:

“SUBCHAPTER V—DISSOLUTION OF BOARD OF DIRECTORS OF CORPORATION  
AND TERMINATION OF RECOGNITION OF NATIONAL GOVERNING BODIES

“220551. Definitions.

“220552. Dissolution of board of directors of corporation and termination of  
recognition of national governing bodies.”.

5 (c) EFFECTIVE DATE.—The amendments made by  
6 this section shall take effect on the date that is 1 year  
7 after the date of the enactment of this Act.

8 **SEC. 6. MODIFICATIONS TO UNITED STATES OLYMPIC AND**  
9 **PARALYMPIC COMMITTEE.**

10 (a) PURPOSES OF THE CORPORATION.—Section  
11 220503 of title 36, United States Code, is amended—

12 (1) in paragraph (9), by inserting “and access  
13 to” after “development of”;

14 (2) in paragraph (14), by striking “; and” and  
15 inserting a semicolon;

16 (3) in paragraph (15), by striking the period at  
17 the end and inserting “; and”; and

18 (4) by adding at the end the following:

19 “(16) to effectively oversee the national gov-  
20 erning bodies with respect to compliance with and  
21 implementation of the policies and procedures of the  
22 corporation, including policies and procedures on the

1 establishment of a safe environment in sports as de-  
2 scribed in paragraph (15).”.

3 (b) MEMBERSHIP AND REPRESENTATION.—Section  
4 220504 of title 36, United States Code, is amended—

5 (1) in subsection (a), by inserting “, and mem-  
6 bership shall be available only to national governing  
7 bodies” before the period at the end;

8 (2) in subsection (b), by amending paragraph  
9 (2) to read as follows:

10 “(2) amateur athletes who are actively engaged  
11 in amateur athletic competition or who have rep-  
12 resented the United States in international amateur  
13 athletic competition, including through provisions  
14 that—

15 “(A) establish and maintain an Athletes’  
16 Advisory Council;

17 “(B) ensure that the chair of the Athletes’  
18 Advisory Council, or the designee of the chair,  
19 holds voting power on the board of directors of  
20 the corporation and in the committees and enti-  
21 ties of the corporation;

22 “(C) require that—

23 “(i) not less than  $\frac{1}{3}$  of the member-  
24 ship of the board of directors of the cor-

1                   poration shall be composed of, and elected  
2                   by, such amateur athletes; and

3                   “(ii) not less than 20 percent of the  
4                   membership of the board of directors of  
5                   the corporation shall be composed of ama-  
6                   teur athletes who—

7                   “(I) are actively engaged in rep-  
8                   resenting the United States in inter-  
9                   national amateur athletic competition;  
10                  or

11                  “(II) have represented the  
12                  United States in international ama-  
13                  teur athletic competition during the  
14                  preceding 10-year period; and

15                  “(D) ensure that the membership and vot-  
16                  ing power held by such amateur athletes is not  
17                  less than  $\frac{1}{3}$  percent of the membership and  
18                  voting power held in the board of directors of  
19                  the corporation and in the committees and enti-  
20                  ties of the corporation, including any panel em-  
21                  powered to resolve grievances;”); and

22                  (3) by adding at the end the following:

23                  “(c) CONFLICT OF INTEREST.—An athlete who rep-  
24                  resents athletes under subsection (b)(2) shall not be em-  
25                  ployed by the Center, or serve in a capacity that exercises

1 decision-making authority on behalf of the Center, during  
 2 the 2-year period beginning on the date on which the ath-  
 3 lete ceases such representation.

4 “(d) CERTIFICATION REQUIREMENTS.—The bylaws  
 5 of the corporation shall include a description of all gen-  
 6 erally applicable certification requirements for member-  
 7 ship in the corporation.”.

8 (e) DUTIES.—

9 (1) IN GENERAL.—Section 220505 of title 36,  
 10 United States Code, is amended—

11 (A) in the section heading, by striking  
 12 “**Powers**” and inserting “**Powers and du-**  
 13 **ties**”; and

14 (B) by adding at the end the following:

15 “(d) DUTIES.—

16 “(1) IN GENERAL.—The duty of the corpora-  
 17 tion to amateur athletes includes the adoption, effec-  
 18 tive implementation, and enforcement of policies and  
 19 procedures designed—

20 “(A) to immediately report to law enforce-  
 21 ment and the Center any allegation of child  
 22 abuse of an amateur athlete who is a minor;

23 “(B) to ensure that each national gov-  
 24 erning body has in place policies and procedures

1 to report immediately any allegation of child  
2 abuse of an amateur athlete, consistent with—

3 “(i) the policies and procedures devel-  
4 oped under subparagraph (C) of section  
5 220541(a)(1); and

6 “(ii) the requirement described in  
7 paragraph (2)(A) of section 220542(a);  
8 and

9 “(C) to ensure that each national gov-  
10 erning body and the corporation enforces tem-  
11 porary measures and sanctions issued pursuant  
12 to the authority of the Center.

13 “(2) RULE OF CONSTRUCTION.—Nothing in  
14 this subsection shall be construed to preempt or oth-  
15 erwise abrogate the duty of care of the corporation  
16 under State law or the common law.”.

17 (2) CONFORMING AMENDMENT.—The table of  
18 sections for chapter 2205 of title 36, United States  
19 Code, is amended by striking the item relating to  
20 section 220505 and inserting the following:

“220505. Powers and duties.”.

21 (d) RESTRICTIONS.—

22 (1) POLICY WITH RESPECT TO ASSISTING MEM-  
23 BERS OR FORMER MEMBERS IN OBTAINING JOBS.—  
24 Section 220507 of title 36, United States Code, is  
25 amended by adding at the end the following:

1       “(c) POLICY WITH RESPECT TO ASSISTING MEM-  
2 BERS OR FORMER MEMBERS IN OBTAINING JOBS.—The  
3 corporation shall develop one or more policies that prohibit  
4 any individual who is an employee, contractor, or agent  
5 of the corporation from assisting a member or former  
6 member in obtaining a new job (except the routine trans-  
7 mission of administrative and personnel files) if the indi-  
8 vidual knows that such member or former member violated  
9 the policies or procedures of the Center related to sexual  
10 misconduct or was convicted of a crime involving sexual  
11 misconduct with a minor in violation of applicable law.”.

12               (2) POLICY WITH RESPECT TO TERMS AND  
13 CONDITIONS OF EMPLOYMENT.—

14                       (A) IN GENERAL.—Section 220507 of title  
15 36, United States Code, as amended by para-  
16 graph (1), is further amended by adding at the  
17 end the following:

18       “(d) POLICY REGARDING TERMS AND CONDITIONS  
19 OF EMPLOYMENT.—The corporation shall establish a pol-  
20 icy—

21               “(1) not to disperse bonus or severance pay to  
22 any individual named as a subject of an ethics inves-  
23 tigation by the ethics committee of the corporation,  
24 until such individual is cleared of wrongdoing by  
25 such investigation; and

1 “(2) that provides that—

2 “(A) if the ethics committee determines  
3 that an individual has violated the policies of  
4 the corporation—

5 “(i) the individual is no longer enti-  
6 tled to bonus or severance pay previously  
7 withheld; and

8 “(ii) the compensation committee of  
9 the corporation may reduce or cancel the  
10 withheld bonus or severance pay; and

11 “(B) in the case of an individual who is  
12 the subject of a criminal investigation, the eth-  
13 ics committee shall investigate the individual.”.

14 (B) APPLICABILITY.—The amendment  
15 made by subparagraph (A) shall not apply to  
16 any term of employment for the disbursement  
17 of bonus or severance pay that is in effect as  
18 of the day before the date of the enactment of  
19 this Act.

20 (e) RESOLUTION OF DISPUTES AND PROTECTING  
21 ABUSE VICTIMS FROM RETALIATION.—Section 220509 of  
22 title 36, United States Code, is amended—

23 (1) in subsection (a), in the first sentence, by  
24 inserting “complaints of retaliation or” after “relat-  
25 ing to”;

1           (2) by amending subsection (b) to read as fol-  
2 lows:

3           “(b) OFFICE OF THE ATHLETE OMBUDS.—

4           “(1) IN GENERAL.—The corporation shall hire  
5 and provide salary, benefits, and administrative ex-  
6 penses for an ombudsman and support staff for ath-  
7 letes.

8           “(2) DUTIES.—The Office of the Athlete  
9 Ombuds shall—

10           “(A) provide independent advice to athletes  
11 at no cost about the applicable provisions of  
12 this chapter and the constitution and bylaws of  
13 the corporation, national governing bodies,  
14 international sports federations, the Inter-  
15 national Olympic Committee, the International  
16 Paralympic Committee, and the Pan-American  
17 Sports Organization, and with respect to the  
18 resolution of any dispute involving the oppor-  
19 tunity of an amateur athlete to participate in  
20 the Olympic Games, the Paralympic Games, the  
21 Pan-American Games, the Parapan American  
22 Games, world championship competition or  
23 other protected competition as defined in the  
24 constitution and bylaws of the corporation;

1           “(B) assist in the resolution of athlete con-  
2           cerns;

3           “(C) provide independent advice to athletes  
4           with respect to—

5                     “(i) the role, responsibility, authority,  
6                     and jurisdiction of the Center; and

7                     “(ii) the relative value of engaging  
8                     legal counsel; and

9           “(D) report to the Athletes’ Advisory  
10           Council on a regular basis.

11           “(3) HIRING PROCEDURES; VACANCY; TERMI-  
12           NATION.—

13                     “(A) HIRING PROCEDURES.—The proce-  
14                     dure for hiring the ombudsman for athletes  
15                     shall be as follows:

16                             “(i) The Athletes’ Advisory Council  
17                             shall provide the corporation’s executive di-  
18                             rector with the name of 1 qualified person  
19                             to serve as ombudsman for athletes.

20                             “(ii) The corporation’s executive di-  
21                             rector shall immediately transmit the name  
22                             of such person to the corporation’s execu-  
23                             tive committee.

24                             “(iii) The corporation’s executive com-  
25                             mittee shall hire or not hire such person

1 after fully considering the advice and coun-  
2 sel of the Athletes' Advisory Council.

3 “(B) VACANCY.—If there is a vacancy in  
4 the position of the ombudsman for athletes, the  
5 nomination and hiring procedure set forth in  
6 this paragraph shall be followed in a timely  
7 manner.

8 “(C) TERMINATION.—The corporation may  
9 terminate the employment of an individual serv-  
10 ing as ombudsman for athletes only if—

11 “(i) the termination is carried out in  
12 accordance with the applicable policies and  
13 procedures of the corporation;

14 “(ii) the termination is initially rec-  
15 ommended to the corporation's executive  
16 committee by either the corporation's exec-  
17 utive director or by the Athletes' Advisory  
18 Council; and

19 “(iii) the corporation's executive com-  
20 mittee fully considers the advice and coun-  
21 sel of the Athletes' Advisory Council prior  
22 to deciding whether or not to terminate the  
23 employment of such individual.

24 “(4) CONFIDENTIALITY.—

1           “(A) IN GENERAL.—The Office of the Ath-  
2           lete Ombuds shall maintain as confidential any  
3           information communicated or provided to the  
4           Office of the Athlete Ombuds in confidence in  
5           any matter involving the exercise of the official  
6           duties of the Office of the Athlete Ombuds.

7           “(B) EXCEPTION.—The Office of the Ath-  
8           lete Ombuds may disclose information described  
9           in subparagraph (A) as necessary to resolve or  
10          mediate a dispute, with the permission of the  
11          parties involved.

12          “(C) JUDICIAL AND ADMINISTRATIVE PRO-  
13          CEEDINGS.—

14                 “(i) IN GENERAL.—The ombudsman  
15                 and the staff of the Office of the Athlete  
16                 Ombuds shall not be compelled to testify  
17                 or produce evidence in any judicial or ad-  
18                 ministrative proceeding with respect to any  
19                 matter involving the exercise of the duties  
20                 of the Office of the Athlete Ombuds.

21                 “(ii) WORK PRODUCT.—Any memo-  
22                 randum, work product, notes, or case file  
23                 of the Office of the Athlete Ombuds—

24                         “(I) shall be confidential; and

25                         “(II) shall not be—

1                   “(aa) subject to discovery,  
2                   subpoena, or any other means of  
3                   legal compulsion; or

4                   “(bb) admissible as evidence  
5                   in a judicial or administrative  
6                   proceeding.

7                   “(D) APPLICABILITY.—The confidentiality  
8                   requirements under this paragraph shall not  
9                   apply to information relating to—

10                   “(i) applicable federally mandated re-  
11                   porting requirements;

12                   “(ii) a felony personally witnessed by  
13                   a member of the Office of the Athlete  
14                   Ombuds;

15                   “(iii) a situation, communicated to the  
16                   Office of the Athlete Ombuds, in which an  
17                   individual is at imminent risk of serious  
18                   harm; or

19                   “(iv) a congressional subpoena.

20                   “(E) DEVELOPMENT OF POLICY.—

21                   “(i) IN GENERAL.—Not later than  
22                   180 days after the date of the enactment  
23                   of the Empowering Olympic, Paralympic,  
24                   and Amateur Athletes Act of 2020, the Of-  
25                   fice of the Athlete Ombuds shall develop

1 and publish in the Federal Register a con-  
2 fidentiality and privacy policy consistent  
3 with this paragraph.

4 “(ii) DISTRIBUTION.—The Office of  
5 the Athlete Ombuds shall distribute a copy  
6 of the policy developed under clause (i)  
7 to—

8 “(I) employees of the national  
9 governing bodies; and

10 “(II) employees of the corpora-  
11 tion.

12 “(iii) PUBLICATION BY NATIONAL  
13 GOVERNING BODIES.—Each national gov-  
14 erning body shall—

15 “(I) publish the policy developed  
16 under clause (i) on the internet  
17 website of the national governing  
18 body; and

19 “(II) communicate to amateur  
20 athletes the availability of the policy.

21 “(5) PROHIBITION ON RETALIATION.—No em-  
22 ployee, contractor, agent, volunteer, or member of  
23 the corporation shall take or threaten to take any  
24 action against an athlete as a reprisal for disclosing

1 information to or seeking assistance from the Office  
2 of the Athlete Ombuds.

3 “(6) INDEPENDENCE IN CARRYING OUT DU-  
4 TIES.—The board of directors of the corporation or  
5 any other member or employee of the corporation  
6 shall not prevent or prohibit the Office of the Ath-  
7 lete Ombuds from carrying out any duty or responsi-  
8 bility under this section.”; and

9 (3) by adding at the end the following:

10 “(c) RETALIATION.—

11 “(1) IN GENERAL.—The corporation, the na-  
12 tional governing bodies, or any officer, employee,  
13 contractor, subcontractor, or agent of the corpora-  
14 tion or a national governing body may not retaliate  
15 against any protected individual as a result of any  
16 communication, including the filing of a formal com-  
17 plaint, by a protected individual or a parent or legal  
18 guardian of the protected individual relating to an  
19 allegation of physical abuse, sexual harassment, or  
20 emotional abuse.

21 “(2) DISCIPLINARY ACTION.—If the corporation  
22 finds that an employee of the corporation or a na-  
23 tional governing body has retaliated against a pro-  
24 tected individual, the corporation or national gov-  
25 erning body, as applicable, shall immediately termi-

1       nate the employment of, or suspend without pay,  
2       such employee.

3           “(3) DAMAGES.—

4                   “(A) IN GENERAL.—With respect to a pro-  
5       tected individual the corporation finds to have  
6       been subject to retaliation, the corporation may  
7       award damages, including damages for pain  
8       and suffering and reasonable attorney fees.

9                   “(B) REIMBURSEMENT FROM NATIONAL  
10       GOVERNING BODY.—In the case of a national  
11       governing body found to have retaliated against  
12       a protected individual, the corporation may de-  
13       mand reimbursement from the national gov-  
14       erning body for damages paid by the corpora-  
15       tion under subparagraph (A).”.

16       (f) REPORTS AND AUDITS.—

17           (1) IN GENERAL.—Section 220511 of title 36,  
18       United States Code, is amended to read as follows:

19       **“§ 220511. Reports and audits**

20           “(a) REPORT.—

21                   “(1) SUBMISSION TO PRESIDENT AND CON-  
22       GRESS.—Not less frequently than annually, the cor-  
23       poration shall submit simultaneously to the Presi-  
24       dent and to each House of Congress a detailed re-

1 port on the operations of the corporation for the pre-  
2 ceding calendar year.

3 “(2) MATTERS TO BE INCLUDED.—Each report  
4 required by paragraph (1) shall include the fol-  
5 lowing:

6 “(A) A comprehensive description of the  
7 activities and accomplishments of the corpora-  
8 tion during such calendar year.

9 “(B) Data concerning the participation of  
10 women, disabled individuals, and racial and eth-  
11 nic minorities in the amateur athletic activities  
12 and administration of the corporation and na-  
13 tional governing bodies.

14 “(C) A description of the steps taken to  
15 encourage the participation of women, disabled  
16 individuals, and racial minorities in amateur  
17 athletic activities.

18 “(D) A description of any lawsuit or griev-  
19 ance filed against the corporation, including any  
20 dispute initiated under this chapter.

21 “(E) The agenda and minutes of any  
22 meeting of the board of directors of the cor-  
23 poration that occurred during such calendar  
24 year.

1           “(F) A report by the compliance committee  
2 of the corporation that, with respect to such  
3 calendar year—

4           “(i) identifies—

5                   “(I) the areas in which the cor-  
6 poration has met compliance stand-  
7 ards; and

8                   “(II) the areas in which the cor-  
9 poration has not met compliance  
10 standards; and

11           “(ii) assesses the compliance of each  
12 member of the corporation and provides a  
13 plan for improvement, as necessary.

14           “(G) A detailed description of any com-  
15 plaint of retaliation made during such calendar  
16 year, including the entity involved, the number  
17 of allegations of retaliation, and the outcome of  
18 such allegations.

19           “(3) PUBLIC AVAILABILITY.—The corporation  
20 shall make each report under this subsection avail-  
21 able to the public on an easily accessible internet  
22 website of the corporation.

23           “(b) AUDIT.—

24                   “(1) IN GENERAL.—Not less frequently than  
25 annually, the financial statements of the corporation

1 for the preceding fiscal year shall be audited in ac-  
2 cordance with generally accepted auditing standards  
3 by—

4 “(A) an independent certified public ac-  
5 countant; or

6 “(B) an independent licensed public ac-  
7 countant who is certified or licensed by the reg-  
8 ulatory authority of a State or a political sub-  
9 division of a State.

10 “(2) LOCATION.—An audit under paragraph  
11 (1) shall be conducted at the location at which the  
12 financial statements of the corporation normally are  
13 kept.

14 “(3) ACCESS.—An individual conducting an  
15 audit under paragraph (1) shall be given full access  
16 to—

17 “(A) all records and property owned or  
18 used by the corporation, as necessary to facili-  
19 tate the audit; and

20 “(B) any facility under audit for the pur-  
21 pose of verifying transactions, including any  
22 balance or security held by a depository, fiscal  
23 agent, or custodian.

24 “(4) REPORT.—

1           “(A) IN GENERAL.—Not later than 180  
2 days after the end of the fiscal year for which  
3 an audit is carried out, the auditor shall submit  
4 a report on the audit to the Committee on  
5 Commerce, Science, and Transportation of the  
6 Senate, the Committee on the Judiciary of the  
7 House of Representatives, and the chair of the  
8 Athletes’ Advisory Council.

9           “(B) MATTERS TO BE INCLUDED.—Each  
10 report under subparagraph (A) shall include the  
11 following for the applicable fiscal year:

12           “(i) Any statement necessary to  
13 present fairly the assets, liabilities, and  
14 surplus or deficit of the corporation.

15           “(ii) An analysis of the changes in the  
16 amounts of such assets, liabilities, and sur-  
17 plus or deficit.

18           “(iii) A detailed statement of the in-  
19 come and expenses of the corporation, in-  
20 cluding the results of any trading, manu-  
21 facturing, publishing, or other commercial  
22 endeavor.

23           “(iv) A detailed statement of the  
24 amounts spent on stipends and services for  
25 athletes.

1           “(v) A detailed statement of the  
2 amounts spent on compensation and serv-  
3 ices for executives and administration offi-  
4 cials of the corporation, including the 20  
5 employees of the corporation who receive  
6 the highest amounts of compensation.

7           “(vi) A detailed statement of the  
8 amounts allocated to the national gov-  
9 erning bodies.

10           “(vii) Such comments and information  
11 as the auditor considers necessary to in-  
12 form Congress of the financial operations  
13 and condition of the corporation.

14           “(viii) Recommendations relating to  
15 the financial operations and condition of  
16 the corporation.

17           “(ix) A description of any financial  
18 conflict of interest (including a description  
19 of any recusal or other mitigating action  
20 taken), evaluated in a manner consistent  
21 with the policies of the corporation, of—

22                   “(I) a member of the board of di-  
23 rectors of the corporation; or

24                   “(II) any senior management  
25 personnel of the corporation.

1 “(C) PUBLIC AVAILABILITY.—

2 “(i) IN GENERAL.—The corporation  
3 shall make each report under this para-  
4 graph available to the public on an easily  
5 accessible internet website of the corpora-  
6 tion.

7 “(ii) PERSONALLY IDENTIFIABLE IN-  
8 FORMATION.—A report made available  
9 under clause (i) shall not include the per-  
10 sonally identifiable information of any indi-  
11 vidual.”.

12 (2) CONFORMING AMENDMENT.—The table of  
13 sections for chapter 2205 of title 36, United States  
14 Code, is amended by striking the item relating to  
15 section 220511 and inserting the following:

“220511. Reports and audits.”.

16 (g) ANNUAL AMATEUR ATHLETE SURVEY.—

17 (1) IN GENERAL.—Subchapter I of chapter  
18 2205 of title 36, United States Code, is amended by  
19 adding at the end the following:

20 “§ 220513. Annual amateur athlete survey

21 “(a) IN GENERAL.—Not less frequently than annu-  
22 ally, the corporation shall cause an independent third-  
23 party organization, under contract, to conduct an anony-  
24 mous survey of amateur athletes who are actively engaged  
25 in amateur athletic competition with respect to—

1           “(1) their satisfaction with the corporation and  
2           the applicable national governing body; and

3           “(2) the behaviors, attitudes, and feelings with-  
4           in the corporation and the applicable national gov-  
5           erning body relating to sexual harassment and  
6           abuse.

7           “(b) CONSULTATION.—A contract under subsection  
8 (a) shall require the independent third-party organization  
9 to develop the survey in consultation with the Center.

10          “(c) PROHIBITION ON INTERFERENCE.—If the cor-  
11 poration or a national governing body makes any effort  
12 to undermine the independence of, introduce bias into, or  
13 otherwise influence a survey under subsection (a), such ac-  
14 tivity shall be reported immediately to Congress.

15          “(d) PUBLIC AVAILABILITY.— The corporation shall  
16 make the results of each such survey available to the pub-  
17 lic on an internet website of the corporation.”.

18           (2) CONFORMING AMENDMENT.—The table of  
19 sections for chapter 2205 of title 36, United States  
20 Code, is amended by inserting after the item relating  
21 to 220512 the following:

“220513. Annual amateur athlete survey.”.

22 **SEC. 7. MODIFICATIONS TO NATIONAL GOVERNING BODIES.**

23           (a) CERTIFICATION OF NATIONAL GOVERNING BOD-  
24 IES.—

1           (1) IN GENERAL.—Section 220521 of title 36,  
2 United States Code, is amended—

3           (A) in the section heading, by striking  
4           **“Recognition of amateur sports orga-**  
5           **nizations as national governing bod-**  
6           **ies”** and inserting **“Certification of na-**  
7           **tional governing bodies”**;

8           (B) by amending subsection (a) to read as  
9 follows:

10          “(a) IN GENERAL.—With respect to each sport in-  
11 cluded on the program of the Olympic Games, the  
12 Paralympic Games, the Pan-American Games, or the  
13 Parapan American Games, the corporation—

14           “(1) may certify as a national governing body  
15 an amateur sports organization, a high-performance  
16 management organization, or a paralympic sports  
17 organization that files an application and is eligible  
18 for such certification under section 220522; and

19           “(2) may not certify more than 1 national gov-  
20 erning body.”;

21           (C) in subsection (b), by striking “recog-  
22 nizing” and inserting “certifying”;

23           (D) in subsection (c), by striking “recog-  
24 nizing” and inserting “certifying”; and

1 (E) by amending subsection (d) to read as  
2 follows:

3 “(d) REVIEW OF CERTIFICATION.—Not later than 8  
4 years after the date of the enactment of the Empowering  
5 Olympic, Paralympic, and Amateur Athletes Act of 2020,  
6 and not less frequently than once every 4 years thereafter,  
7 the corporation—

8 “(1) shall review all matters related to the con-  
9 tinued certification of an organization as a national  
10 governing body;

11 “(2) may take action the corporation considers  
12 appropriate, including placing conditions on the con-  
13 tinued certification of an organization as a national  
14 governing body;

15 “(3) shall submit to Congress a summary re-  
16 port of each review under paragraph (1); and

17 “(4) shall make each such summary report  
18 available to the public.”.

19 (2) TECHNICAL AND CONFORMING AMEND-  
20 MENTS.—

21 (A) Chapter 2205 of title 36, United  
22 States Code, is amended—

23 (i) in section 220504(b), by amending  
24 paragraph (1) to read as follows:

1           “(1) national governing bodies, including  
2 through provisions that establish and maintain a  
3 National Governing Bodies’ Council that is com-  
4 posed of representatives of the national governing  
5 bodies who are selected by their boards of directors  
6 or other governing boards to ensure effective com-  
7 munication between the corporation and the national  
8 governing bodies;”;

9                   (ii) in section 220512, by striking “or  
10 paralympic sports organization”;

11                   (iii) in section 220522—

12                           (I) by striking subsection (b);

13                           and

14                                   (II) in subsection (a)—

15   (aa) by striking “recog-  
16 nized” each place it appears and  
17 inserting “certified”;

18   (bb) by striking “recogni-  
19 tion” each place it appears and  
20 inserting “certification”;

21   (cc) in paragraph (6), by  
22 striking “the Olympic Games or  
23 the Pan-American Games” and  
24 inserting “the Olympic Games,  
25 the Paralympic Games, the Pan-

1 American Games, or the Parapan  
2 American Games”;

3 (dd) in paragraph (11)—

4 (AA) in the matter pre-  
5 ceding subparagraph (A), by  
6 inserting “, high-perform-  
7 ance management organiza-  
8 tion, or paralympic sports  
9 organization” after “ama-  
10 teur sports organization”;  
11 and

12 (BB) in subparagraph  
13 (B), by striking “amateur  
14 sports” and inserting “appli-  
15 cable”;

16 (ee) in paragraph (14), by  
17 striking “or the Pan-American  
18 Games” and inserting “the Pan-  
19 American Games, or the Parapan  
20 American Games”; and

21 (ff) by striking the sub-  
22 section designation and heading  
23 and all that follows through “An  
24 amateur sports organization”  
25 and inserting “An amateur

1 sports organization, a high-per-  
2 formance management organiza-  
3 tion, or a paralympic sports orga-  
4 nization”;

5 (iv) in section 220524, by striking  
6 “amateur sports” each place it appears;

7 (v) in section 220528—

8 (I) by striking “recognition” each  
9 place it appears and inserting “certifi-  
10 cation”;

11 (II) by striking “recognize” each  
12 place it appears and inserting “cer-  
13 tify”; and

14 (III) in subsection (g), in the  
15 subsection heading, by striking “REC-  
16 OGNITION” and inserting “CERTIFI-  
17 CATION”;

18 (vi) in section 220531—

19 (I) by striking “, each national  
20 governing body, and each paralympic  
21 sports organization” each place it ap-  
22 pears and inserting “and each na-  
23 tional governing body”; and

1 (II) in subsection (c)(2), by strik-  
2 ing “each paralympic sports organiza-  
3 tion,”;

4 (vii) in section 220541(d)(3), by strik-  
5 ing subparagraph (C);

6 (viii) in section 220542—

7 (I) by striking “or paralympic  
8 sports organization” each place it ap-  
9 pears; and

10 (II) in subsection (a)(2)—

11 (aa) in subparagraph (A), in  
12 the matter preceding clause (i),  
13 by striking “, a paralympic  
14 sports organization,”;

15 (bb) in subparagraph (E),  
16 by striking “or a paralympic  
17 sports organization of each na-  
18 tional governing body and  
19 paralympic sports organization”;  
20 and

21 (cc) in subparagraph  
22 (F)(i)—

23 (AA) by striking “, or  
24 an adult” and inserting “or  
25 an adult”;

1 (BB) by striking “,  
2 paralympic sports organiza-  
3 tion,”; and

4 (CC) by striking “,  
5 paralympic sports organiza-  
6 tions,”.

7 (B) The table of sections for chapter 2205  
8 of title 36, United States Code, is amended by  
9 striking the item relating to section 220521 and  
10 inserting the following:

“220521. Certification of national governing bodies.”.

11 (b) ELIGIBILITY REQUIREMENTS WITH RESPECT TO  
12 GOVERNING BOARDS.—Section 220522 of title 36, United  
13 States Code, as amended by subsection (a)(2), is further  
14 amended—

15 (1) in paragraph (2), by inserting “, including  
16 the ability to provide and enforce required athlete  
17 protection policies and procedures” before the semi-  
18 colon;

19 (2) in paragraph (4)(B)—

20 (A) by striking “conducted in accordance  
21 with the Commercial Rules of the American Ar-  
22 bitration Association” and inserting “which ar-  
23 bitration under this paragraph shall be con-  
24 ducted in accordance with the standard com-  
25 mercial arbitration rules of an established

1 major national provider of arbitration and me-  
2 diation services based in the United States and  
3 designated by the corporation with the concu-  
4 rence of the Athletes' Advisory Council and the  
5 National Governing Bodies' Council"; and

6 (B) by striking "Commercial Rules of Ar-  
7 bitration" and inserting "standard commercial  
8 rules of arbitration of such designated pro-  
9 vider";

10 (3) in paragraph (5), in the matter preceding  
11 subparagraph (A), by inserting "except with respect  
12 to the oversight of the organization," after "sport,";

13 (4) by redesignating paragraphs (10) through  
14 (15) as paragraphs (11) through (16), respectively;

15 (5) by inserting after paragraph (9) the fol-  
16 lowing:

17 "(10) ensures that the selection criteria for in-  
18 dividuals and teams that represent the United  
19 States are—

20 "(A) fair, as determined by the corporation  
21 in consultation with the national governing bod-  
22 ies, the Athletes' Advisory Council, and the  
23 United States Olympians and Paralympians As-  
24 sociation;

1           “(B) clearly articulated in writing and  
2 properly communicated to athletes in a timely  
3 manner; and

4           “(C) consistently applied, using objective  
5 and subjective criteria appropriate to the appli-  
6 cable sport;”;

7           (6) by striking paragraph (13), as so redesi-  
8 gnated, and inserting the following:

9           “(13) demonstrates, based on guidelines ap-  
10 proved by the corporation, the Athletes’ Advisory  
11 Council, and the National Governing Bodies’ Coun-  
12 cil, that—

13           “(A) its board of directors and other such  
14 governing boards have established criteria and  
15 election procedures for, and maintain among  
16 their voting members, individuals who—

17           “(i) are elected by amateur athletes;  
18 and

19           “(ii) are actively engaged in amateur  
20 athletic competition, or have represented  
21 the United States in international amateur  
22 athletic competition, in the sport for which  
23 certification is sought;

24           “(B) any exception to such guidelines by  
25 such organization has been approved by—

1 “(i) the corporation; and

2 “(ii) the Athletes’ Advisory Council;

3 and

4 “(C) the voting power held by such individ-  
5 uals is not less than  $\frac{1}{3}$  of the voting power held  
6 by its board of directors and other such gov-  
7 erning boards;”;

8 (7) in paragraph (15), as so redesignated, by  
9 striking “; and” and inserting a semicolon;

10 (8) in paragraph (16), as so redesignated, by  
11 striking the period at the end and inserting a semi-  
12 colon; and

13 (9) by adding at the end the following:

14 “(17) commits to submitting annual reports to  
15 the corporation that include, for each calendar  
16 year—

17 “(A) a description of the manner in which  
18 the organization—

19 “(i) carries out the mission to pro-  
20 mote a safe environment in sports that is  
21 free from abuse of amateur athletes (in-  
22 cluding emotional, physical, and sexual  
23 abuse); and

24 “(ii) addresses any sanctions or tem-  
25 porary measures required by the Center;

1           “(B) a description of any cause of action  
2           or complaint filed against the organization that  
3           was pending or settled during the preceding cal-  
4           endar year; and

5           “(C) a detailed statement of—

6                   “(i) the income and expenses of the  
7                   organization; and

8                   “(ii) the amounts expended on sti-  
9                   pends, bonuses, and services for amateur  
10                  athletes, organized by the level and gender  
11                  of the amateur athletes;

12           “(18) commits to meeting any minimum stand-  
13           ard or requirement set forth by the corporation; and

14           “(19) provides protection from retaliation to  
15           protected individuals.”.

16           (c) GENERAL DUTIES OF NATIONAL GOVERNING  
17 BODIES.—Section 220524 of title 36, United States Code,  
18 is amended—

19           (1) in the matter preceding paragraph (1), by  
20           striking “For the sport” and inserting the following:

21           “(a) IN GENERAL.—For the sport”;

22           (2) in subsection (a), as so designated—

23                   (A) in paragraph (8), by striking “; and”  
24           and inserting a semicolon;

1 (B) in paragraph (9), by striking the pe-  
2 riod at the end and inserting a semicolon; and

3 (C) by adding at the end the following:

4 “(10) develop one or more policies that prohibit  
5 any individual who is an employee, contractor, or  
6 agent of the national governing body from assisting  
7 a member or former member in obtaining a new job  
8 (except for the routine transmission of administra-  
9 tive and personnel files) if the individual knows that  
10 such member or former member violated the policies  
11 or procedures of the Center related to sexual mis-  
12 conduct or was convicted of a crime involving sexual  
13 misconduct with a minor in violation of applicable  
14 law or the policies or procedures of the Center;

15 “(11) promote a safe environment in sports  
16 that is free from abuse of any amateur athlete, in-  
17 cluding emotional, physical, and sexual abuse;

18 “(12) take care to promote a safe environment  
19 in sports using information relating to any tem-  
20 porary measure or sanction issued pursuant to the  
21 authority of the Center;

22 “(13) immediately report to law enforcement  
23 any allegation of child abuse of an amateur athlete  
24 who is a minor; and

1           “(14) have in place policies and procedures to  
2           report immediately any allegation of child abuse of  
3           an amateur athlete, consistent with—

4                   “(A) the policies and procedures developed  
5           under subparagraph (C) of section  
6           220541(a)(1); and

7                   “(B) the requirement described in para-  
8           graph (2)(A) of section 220542(a).”; and  
9           (3) by adding at the end the following:

10          “(b) RULE OF CONSTRUCTION.—Nothing in this sec-  
11          tion shall be construed to preempt or otherwise abrogate  
12          the duty of care of a national governing body under State  
13          law or the common law.”.

14          (d) ELIMINATION OF EXHAUSTION OF REMEDIES  
15          REQUIREMENT.—Section 220527 of title 36, United  
16          States Code, is amended—

17                   (1) by striking subsection (b);

18                   (2) in subsection (c), by striking “If the cor-  
19          poration” and all that follows through “subsection  
20          (b)(1) of this section, it” and inserting “The cor-  
21          poration”; and

22                   (3) by redesignating subsections (c) and (d) as  
23          subsections (b) and (c), respectively.

24          (e) ARBITRATION OF CORPORATION DETERMINA-  
25          TIONS.—Section 220529(a) of title 36, United States

1 Code, is amended by striking “any regional office of the  
2 American Arbitration Association” and inserting “the ar-  
3 bitration and mediation provider designated by the cor-  
4 poration under section 220522(a)(4)”.

5 (f) ENSURE LIMITATIONS ON COMMUNICATIONS ARE  
6 INCLUDED IN LIMITATIONS ON INTERACTIONS.—Section  
7 220530(a) of title 36, United States Code, is amended—

8 (1) in paragraph (2), by inserting “, including  
9 communications,” after “interactions”; and

10 (2) in paragraph (4), by striking “makes” and  
11 all that follows through the period at the end and  
12 inserting the following: “makes—

13 “(A) a report under paragraph (1); or

14 “(B) any other report relating to abuse of  
15 any amateur athlete, including emotional, phys-  
16 ical, and sexual abuse.”.

17 **SEC. 8. MODIFICATIONS TO UNITED STATES CENTER FOR**  
18 **SAFESPORT.**

19 (a) DESIGNATION OF UNITED STATES CENTER FOR  
20 SAFESPORT.—

21 (1) IN GENERAL.—Section 220541 of title 36,  
22 United States Code, is amended—

23 (A) in the section heading by striking  
24 “SAFE SPORT” and inserting “SAFESPORT”;

1 (B) by amending subsection (a) to read as  
2 follows:

3 “(a) DUTIES OF CENTER.—

4 “(1) IN GENERAL.—The United States Center  
5 for SafeSport shall—

6 “(A) serve as the independent national safe  
7 sport organization and be recognized worldwide  
8 as the independent national safe sport organiza-  
9 tion for the United States;

10 “(B) exercise jurisdiction over the corpora-  
11 tion and each national governing body with re-  
12 gard to safeguarding amateur athletes against  
13 abuse, including emotional, physical, and sexual  
14 abuse, in sports;

15 “(C) maintain an office for education and  
16 outreach that shall develop training, oversight  
17 practices, policies, and procedures to prevent  
18 the abuse, including emotional, physical, and  
19 sexual abuse, of amateur athletes participating  
20 in amateur athletic activities through national  
21 governing bodies;

22 “(D) maintain an office for response and  
23 resolution that shall establish mechanisms that  
24 allow for the reporting, investigation, and reso-  
25 lution, pursuant to subsection (e), of alleged

1 sexual abuse in violation of the Center’s policies  
2 and procedures;

3 “(E) ensure that the mechanisms under  
4 subparagraph (D) provide fair notice and an  
5 opportunity to be heard and protect the privacy  
6 and safety of complainants;

7 “(F) maintain an office for compliance and  
8 audit that shall—

9 “(i) ensure that the national gov-  
10 erning bodies and the corporation imple-  
11 ment and follow the policies and proce-  
12 dures developed by the Center to prevent  
13 and promptly report instances of abuse of  
14 amateur athletes, including emotional,  
15 physical, and sexual abuse; and

16 “(ii) establish mechanisms that allow  
17 for the reporting and investigation of al-  
18 leged violations of such policies and proce-  
19 dures;

20 “(G) publish and maintain a publicly ac-  
21 cessible internet website that contains a com-  
22 prehensive list of adults who are barred by the  
23 Center; and

24 “(H) ensure that any action taken by the  
25 Center against an individual under the jurisdic-

1           tion of the Center, including an investigation,  
2           the imposition of sanctions, and any other dis-  
3           ciplinary action, is carried out in a manner  
4           than provides procedural due process to the in-  
5           dividual, including, at a minimum—

6                   “(i) the provision of written notice of  
7                   the allegations against the individual;

8                   “(ii) a right to be represented by  
9                   counsel or other advisor;

10                  “(iii) an opportunity to be heard dur-  
11                  ing the investigation;

12                  “(iv) in a case in which a violation is  
13                  found, a reasoned written decision by the  
14                  Center; and

15                  “(v) the ability to challenge, in a  
16                  hearing or through arbitration, interim  
17                  measures or sanctions imposed by the Cen-  
18                  ter.

19                  “(2) RULES OF CONSTRUCTION.—Nothing in  
20                  this subsection shall be construed—

21                   “(A) to preclude the Center from imposing  
22                   interim measures or sanctions on an individual  
23                   before an opportunity for a hearing or arbitra-  
24                   tion;

1           “(B) to require the Center to meet a bur-  
2           den of proof higher than the preponderance of  
3           the evidence;

4           “(C) to give rise to a claim under State  
5           law or to create a private right of action; or

6           “(D) to render the Center a state actor.”;

7           (C) in subsection (b), by striking “sub-  
8           section (a)(3)” and inserting “subsection  
9           (a)(1)(C)”;

10          (D) in subsection (d), as amended by sec-  
11          tion 7(a)(2)—

12           (i) in paragraph (3), by inserting after  
13           subparagraph (B) the following:

14           “(C) the corporation;”;

15           (ii) by redesignating paragraph (3) as  
16           paragraph (4); and

17           (iii) by inserting after paragraph (2)  
18           the following:

19          “(3) REMOVAL TO FEDERAL COURT.—

20           “(A) IN GENERAL.—Any civil action  
21           brought in a State court against the Center re-  
22           lating to the responsibilities of the Center under  
23           this section, section 220542, or section 220543,  
24           shall be removed, on request by the Center, to  
25           the district court of the United States in the

1 district in which the action was brought, and  
2 such district court shall have original jurisdic-  
3 tion over the action without regard to the  
4 amount in controversy or the citizenship of the  
5 parties involved.

6 “(B) RULE OF CONSTRUCTION.—Nothing  
7 in this chapter shall be construed to create a  
8 private right of action.”; and

9 (E) by adding at the end the following:

10 “(e) TRAINING MATERIALS.—The office for edu-  
11 cation and outreach referred to in subsection (a)(1)(C)  
12 shall—

13 “(1) develop training materials for specific au-  
14 diences, including coaches, trainers, doctors, young  
15 children, adolescents, adults, and individuals with  
16 disabilities; and

17 “(2) not less frequently than every 3 years, up-  
18 date such training materials.

19 “(f) INDEPENDENCE.—

20 “(1) PROHIBITION WITH RESPECT TO FORMER  
21 EMPLOYEES AND BOARD MEMBERS.—A former em-  
22 ployee or board member of the corporation or a na-  
23 tional governing body shall not work or volunteer at  
24 the Center during the 2-year period beginning on  
25 the date on which the former employee or board

1 member ceases employment with the corporation or  
2 national governing body.

3 “(2) ATHLETES SERVING ON BOARD OF DIREC-  
4 TORS OF NATIONAL GOVERNING BODY.—

5 “(A) IN GENERAL.—An athlete serving on  
6 the board of directors of a national governing  
7 body who is not otherwise employed by the na-  
8 tional governing body, may volunteer at, or  
9 serve in an advisory capacity to, the Center.

10 “(B) INELIGIBILITY FOR EMPLOYMENT.—  
11 An athlete who has served on the board of di-  
12 rectors of a national governing body shall not  
13 be eligible for employment at the Center during  
14 the 2-year period beginning on the date on  
15 which the athlete ceases to serve on such board  
16 of directors.

17 “(3) CONFLICTS OF INTEREST.—An executive  
18 or attorney for the Center shall be considered to  
19 have an inappropriate conflict of interest if the exec-  
20 utive or attorney also represents the corporation or  
21 a national governing body.

22 “(4) INVESTIGATIONS.—

23 “(A) IN GENERAL.—The corporation and  
24 the national governing bodies shall not interfere

1 in, or attempt to influence the outcome of, an  
2 investigation.

3 “(B) REPORT.—In the case of an attempt  
4 to interfere in, or influence the outcome of, an  
5 investigation, not later than 72 hours after such  
6 attempt, the Center shall submit to the Com-  
7 mittee on Commerce, Science, and Transpor-  
8 tation of the Senate and the Committee on En-  
9 ergy and Commerce of the House of Represent-  
10 atives a report describing the attempt.

11 “(C) WORK PRODUCT.—

12 “(i) IN GENERAL.—Any decision, re-  
13 port, memorandum, work product, notes,  
14 or case file of the Center—

15 “(I) shall be confidential; and

16 “(II) shall not be subject to dis-  
17 covery, subpoena, or any other means  
18 of legal compulsion in any civil action  
19 in which the Center is not a party to  
20 the action.

21 “(ii) RULE OF CONSTRUCTION.—

22 Nothing in this subparagraph shall be con-  
23 strued to prohibit the Center from pro-  
24 viding work product described in clause (i)  
25 to a law enforcement agency for the pur-

1           pose of assisting in a criminal investiga-  
2           tion.

3           “(g) FUNDING.—

4           “(1) MANDATORY PAYMENTS.—

5           “(A) FISCAL YEAR 2020.—Not later than  
6           30 days after the date of the enactment of this  
7           subsection, the corporation shall make a man-  
8           datory payment of \$20,000,000 to the Center  
9           for operating costs of the Center for fiscal year  
10          2020.

11          “(B) SUBSEQUENT FISCAL YEARS.—Begin-  
12          ning on January 1, 2020, the corporation shall  
13          make a mandatory payment of \$20,000,000 to  
14          the Center on January 1 each year for oper-  
15          ating costs of the Center.

16          “(2) FUNDS FROM NATIONAL GOVERNING BOD-  
17          IES.—The corporation may use funds received from  
18          one or more national governing bodies to make a  
19          mandatory payment required by paragraph (1).

20          “(3) FAILURE TO COMPLY.—

21          “(A) IN GENERAL.—The Center may file a  
22          lawsuit to compel payment under paragraph  
23          (1).

24          “(B) PENALTY.—For each day of late or  
25          incomplete payment of a mandatory payment

1 under paragraph (1) after January 1 of the ap-  
2 plicable year, the Center shall be allowed to re-  
3 cover from the corporation an additional  
4 \$20,000.

5 “(4) ACCOUNTABILITY.—

6 “(A) IN GENERAL.—Amounts transferred  
7 to the Center by the corporation or a national  
8 governing body shall be used, in accordance  
9 with section 220503(15), primarily for the pur-  
10 pose of carrying out the duties and require-  
11 ments under sections 220541 through 220543  
12 with respect to the investigation and resolution  
13 of allegations of sexual misconduct, or other  
14 misconduct, made by amateur athletes.

15 “(B) USE OF FUNDS.—

16 “(i) IN GENERAL.—Of the amounts  
17 made available to the Center by the cor-  
18 poration or a national governing body in a  
19 fiscal year for the purpose described in sec-  
20 tion 220503(15)—

21 “(I) not less than 50 percent  
22 shall be used for processing the inves-  
23 tigation and resolution of allegations  
24 described in subparagraph (A); and

1                   “(II) not more than 10 percent  
2                   may be used for executive compensa-  
3                   tion of officers and directors of the  
4                   Center.

5                   “(ii) RESERVE FUNDS.—

6                   “(I) IN GENERAL.—If, after the  
7                   Center uses the amounts as allocated  
8                   under clause (i), the Center does not  
9                   use the entirety of the remaining  
10                  amounts for the purpose described in  
11                  subparagraph (A), the Center may re-  
12                  tain not more than 25 percent of such  
13                  amounts as reserve funds.

14                  “(II) RETURN OF FUNDS.—The  
15                  Center shall return to the corporation  
16                  and national governing bodies any  
17                  amounts, proportional to the contribu-  
18                  tions of the corporation and national  
19                  governing bodies, that remain after  
20                  the retention described in subclause  
21                  (I).

22                  “(iii) LOBBYING AND FUNDRAISING.—  
23                  Amounts made available to the Center  
24                  under this paragraph may not be used for  
25                  lobbying or fundraising expenses.

1 “(h) COMPLIANCE AUDITS.—

2 “(1) IN GENERAL.—Not less frequently than  
3 annually, the Center shall carry out an audit of the  
4 corporation and each national governing body—

5 “(A) to assess compliance with policies and  
6 procedures developed under this subchapter;  
7 and

8 “(B) to ensure that consistent training re-  
9 lating to the prevention of child abuse is pro-  
10 vided to all staff of the corporation and national  
11 governing bodies who are in regular contact  
12 with amateur athletes and members who are  
13 minors subject to parental consent.

14 “(2) CORRECTIVE MEASURES.—

15 “(A) IN GENERAL.—The Center may im-  
16 pose on the corporation or a national governing  
17 body a corrective measure to achieve compliance  
18 with the policies and procedures developed  
19 under this subchapter or the training require-  
20 ment described in paragraph (1)(B).

21 “(B) INCLUSIONS.—A corrective measure  
22 imposed under subparagraph (A) may include  
23 the implementation of an athlete safety pro-  
24 gram or specific policies, additional compliance

1 audits or training, and the imposition of a pro-  
2 bationary period.

3 “(C) ENFORCEMENT.—

4 “(i) IN GENERAL.—On request by the  
5 Center, the corporation shall—

6 “(I) enforce any corrective meas-  
7 ure required under subparagraph (A);  
8 and

9 “(II) report the status of enforce-  
10 ment with respect to a national gov-  
11 erning body within a reasonable time-  
12 frame.

13 “(ii) METHODS.—The corporation  
14 may enforce a corrective measure through  
15 any means available to the corporation, in-  
16 cluding by withholding funds from a na-  
17 tional governing body, limiting the partici-  
18 pation of the national governing body in  
19 corporation events, and decertifying a na-  
20 tional governing body.

21 “(iii) EFFECT OF NONCOMPLIANCE.—  
22 If the corporation fails to enforce a correc-  
23 tive measure within 72 hours of a request  
24 under clause (i), the Center may submit to  
25 the Committee on Commerce, Science, and

1           Transportation of the Senate and the  
2           Committee on Energy and Commerce of  
3           the House of Representatives a report de-  
4           scribing the noncompliance.

5           “(3) ANNUAL REPORT.—

6           “(A) IN GENERAL.—Not less frequently  
7           than annually, the Center shall submit to Con-  
8           gress a report on the findings of the audit  
9           under paragraph (1) for the preceding year and  
10          the status of any corrective measures imposed  
11          as a result of the audit.

12          “(B) PUBLIC AVAILABILITY.—

13           “(i) IN GENERAL.—Each report under  
14           subparagraph (A) shall be made available  
15           to the public.

16           “(ii) PERSONALLY IDENTIFIABLE IN-  
17           FORMATION.—A report made available to  
18           the public shall not include the personally  
19           identifiable information of any individual.

20          “(i) REPORTS TO CORPORATION.—Not later than 30  
21          days after the end of each calendar quarter that begins  
22          after the date of the enactment of the Empowering Olym-  
23          pic, Paralympic, and Amateur Athletes Act of 2020, the  
24          Center shall submit to the corporation a statement of the  
25          following:

1           “(1) The number and nature of misconduct  
2           complaints referred to the Center, by sport.

3           “(2) The number and type of pending mis-  
4           conduct complaints under investigation by the Cen-  
5           ter.

6           “(3) The number of misconduct complaints for  
7           which an investigation was terminated or otherwise  
8           closed by the Center.

9           “(4) The number of such misconduct com-  
10          plaints reported to law enforcement agencies by the  
11          Center for further investigation.

12          “(5) The number of discretionary cases accept-  
13          ed or declined by the Center, by sport.

14          “(6) The average time required for resolution of  
15          such cases and misconduct complaints.

16          “(7) Information relating to the educational ac-  
17          tivities and trainings conducted by the office of edu-  
18          cation and outreach of the Center during the pre-  
19          ceding quarter, including the number of educational  
20          activities and trainings developed and provided.

21          “(j) CERTIFICATIONS OF INDEPENDENCE.—

22                 “(1) IN GENERAL.—Not later than 180 days  
23                 after the end of a fiscal year, the Comptroller Gen-  
24                 eral of the United States shall make available to the

1 public a certification relating to the Center’s inde-  
2 pendence from the corporation.

3 “(2) ELEMENTS.—A certification required by  
4 paragraph (1) shall include the following:

5 “(A) A finding of whether a violation of a  
6 prohibition on employment of former employees  
7 or board members of the corporation under sub-  
8 section (f) has occurred during the year pre-  
9 ceeding the certification.

10 “(B) A finding of whether an executive or  
11 attorney for the Center has had an inappro-  
12 priate conflict of interest during that year.

13 “(C) A finding of whether the corporation  
14 has interfered in, or attempted to influence the  
15 outcome of, an investigation by the Center.

16 “(D) Any recommendations of the Comp-  
17 troller General for resolving any potential risks  
18 to the Center’s independence from the corpora-  
19 tion.

20 “(3) AUTHORITY OF COMPTROLLER GEN-  
21 ERAL.—

22 “(A) IN GENERAL.—The Comptroller Gen-  
23 eral may take such reasonable steps as, in the  
24 view of the Comptroller General, are necessary

1 to be fully informed about the operations of the  
2 corporation and the Center.

3 “(B) SPECIFIC AUTHORITIES.—The Comp-  
4 troller General shall have—

5 “(i) access to, and the right to make  
6 copies of, any and all nonprivileged books,  
7 records, accounts, correspondence, files, or  
8 other documents or electronic records, in-  
9 cluding emails, of officers, agents, and em-  
10 ployees of the Center or the corporation;  
11 and

12 “(ii) the right to interview any officer,  
13 employee, agent, or consultant of the Cen-  
14 ter or the corporation.

15 “(C) TREATMENT OF PRIVILEGED INFOR-  
16 MATION.—If, under this subsection, the Comp-  
17 troller General seeks access to information con-  
18 tained within privileged documents or materials  
19 in the possession of the Center or the corpora-  
20 tion, the Center or the corporation, as the case  
21 may be, shall, to the maximum extent prac-  
22 ticable, provide the Comptroller General with  
23 the information without compromising the ap-  
24 plicable privilege.”.

1           (2) TECHNICAL AND CONFORMING AMEND-  
2           MENTS.—

3           (A) Subchapter IV of chapter 2205 of title  
4           36, United States Code, as redesignated by sec-  
5           tion 5(a)(1), is amended in the subchapter  
6           heading by striking “SAFE SPORT” and in-  
7           serting “SAFESPORT”.

8           (B) The table of sections for chapter 2205  
9           of title 36, United States Code, is amended by  
10          striking the item relating to section 220541 and  
11          inserting the following:

“220541. Designation of United States Center for SafeSport.”.

12          (b) ADDITIONAL DUTIES OF CENTER.—Section  
13          220542 of title 36, United States Code, is amended—

14           (1) in the section heading, by striking the pe-  
15           riod at the end; and

16           (2) in subsection (a)—

17           (A) in paragraph (1), by striking “; and”  
18           and inserting a semicolon; and

19           (B) in paragraph (2)—

20           (i) in subparagraph (A), by striking  
21           clauses (i) and (ii) and inserting the fol-  
22           lowing:

23           “(i) law enforcement consistent with  
24           section 226 of the Victims of Child Abuse  
25           Act of 1990 (34 U.S.C. 20341); and

1           “(ii) the Center, whenever such mem-  
2           bers or adults learn of facts leading them  
3           to suspect reasonably that an amateur ath-  
4           lete who is a minor has suffered an inci-  
5           dent of child abuse;”;

6           (ii) by redesignating subparagraphs  
7           (B) through (F) as subparagraphs (E)  
8           through (I), respectively;

9           (iii) by inserting after subparagraph  
10          (A) the following:

11          “(B) a requirement that the Center shall  
12          immediately report to law enforcement con-  
13          sistent with section 226 of the Victims of Child  
14          Abuse Act of 1990 (34 U.S.C. 20341) any alle-  
15          gation of child abuse of an amateur athlete who  
16          is a minor, including any report of such abuse  
17          submitted to the Center by a minor or by any  
18          person who is not otherwise required to report  
19          such abuse;

20          “(C) one or more policies that prohibit any  
21          individual who is an employee, contractor, or  
22          agent of the Center from assisting a member or  
23          former member in obtaining a new job (except  
24          for the routine transmission of administrative  
25          and personnel files) if the individual knows that

1 such member or former member violated the  
2 policies or procedures of the Center related to  
3 sexual misconduct or was convicted of a crime  
4 involving sexual misconduct with a minor in vio-  
5 lation of applicable law;

6 “(D) a requirement that the Center, in-  
7 cluding any officer, agent, attorney, or staff  
8 member of the Center, shall not take any action  
9 to notify an alleged perpetrator of abuse of an  
10 amateur athlete of any ongoing investigation or  
11 accusation unless—

12 “(i) the Center has reason to believe  
13 an imminent hazard will result from failing  
14 to so notify the alleged perpetrator; or

15 “(ii) law enforcement—

16 “(I) authorizes the Center to  
17 take such action; or

18 “(II) declines or fails to act on,  
19 or fails to respond to the Center with  
20 respect to, the allegation within 72  
21 hours after the time at which the Cen-  
22 ter reports to law enforcement under  
23 subparagraph (B);”;

1 (iv) in subparagraph (F), as so rededesignated,  
2 by inserting “, including communications,”  
3 after “interactions”;

4 (v) by amending subparagraph (G), as  
5 so redesignated, to read as follows:

6 “(G) procedures to prohibit retaliation by  
7 the corporation or any national governing body  
8 against any individual who makes—

9 “(i) a report under subparagraph (A)  
10 or (E); or

11 “(ii) any other report relating to  
12 abuse of any amateur athlete, including  
13 emotional, physical, and sexual abuse;”;

14 (vi) in subparagraph (H), as so redesignated,  
15 by striking “; and” and inserting  
16 a semicolon;

17 (vii) in subparagraph (I), as so redesignated,  
18 by striking the period at the end  
19 of clause (ii) and inserting a semicolon;  
20 and

21 (viii) by adding at the end the following:  
22

23 “(J) a prohibition on the use in a decision  
24 of the Center under section 220541(a)(1)(D) of  
25 any evidence relating to other sexual behavior

1 or the sexual predisposition of the alleged vic-  
2 tim, or the admission of any such evidence in  
3 arbitration, unless the probative value of the  
4 use or admission of such evidence, as deter-  
5 mined by the Center or the arbitrator, as appli-  
6 cable, substantially outweighs the danger of—

7 “(i) any harm to the alleged victim;

8 and

9 “(ii) unfair prejudice to any party;

10 and

11 “(K) training for investigators on appro-  
12 priate methods and techniques for ensuring sen-  
13 sitivity toward alleged victims during interviews  
14 and other investigative activities.”.

15 (c) RECORDS, AUDITS, AND REPORTS.—Section  
16 220543 of title 36, United States Code, is amended—

17 (1) by striking subsection (b) and inserting the  
18 following:

19 “(b) AUDITS AND TRANSPARENCY.—

20 “(1) ANNUAL AUDIT.—

21 “(A) IN GENERAL.—Not less frequently  
22 than annually, the financial statements of the  
23 Center for the preceding fiscal year shall be au-  
24 dited by an independent auditor in accordance  
25 with generally accepted accounting principles—

1           “(i) to ensure the adequacy of the in-  
2           ternal controls of the Center; and

3           “(ii) to prevent waste, fraud, or mis-  
4           use of funds transferred to the Center by  
5           the corporation or the national governing  
6           bodies.

7           “(B) LOCATION.—An audit under sub-  
8           paragraph (A) shall be conducted at the loca-  
9           tion at which the financial statements of the  
10          Center normally are kept.

11          “(C) REPORT.—Not later than 180 days  
12          after the date on which an audit under sub-  
13          paragraph (A) is completed, the independent  
14          auditor shall issue an audit report.

15          “(D) CORRECTIVE ACTION PLAN.—

16                 “(i) IN GENERAL.—On completion of  
17                 the audit report under subparagraph (C)  
18                 for a fiscal year, the Center shall prepare,  
19                 in a separate document, a corrective action  
20                 plan that responds to any corrective action  
21                 recommended by the independent auditor.

22                 “(ii) MATTERS TO BE INCLUDED.—A  
23                 corrective action plan under clause (i) shall  
24                 include the following for each such correc-  
25                 tive action:

1                   “(I) The name of the person re-  
2                   sponsible for the corrective action.

3                   “(II) A description of the  
4                   planned corrective action.

5                   “(III) The anticipated completion  
6                   date of the corrective action.

7                   “(IV) In the case of a rec-  
8                   ommended corrective action based on  
9                   a finding in the audit report with  
10                  which the Center disagrees, or for  
11                  which the Center determines that cor-  
12                  rective action is not required, an ex-  
13                  planation and a specific reason for  
14                  noncompliance with the recommenda-  
15                  tion.

16                  “(2) ACCESS TO RECORDS AND PERSONNEL.—  
17                  With respect to an audit under paragraph (1), the  
18                  Center shall provide the independent auditor access  
19                  to all records, documents, and personnel and finan-  
20                  cial statements of the Center necessary to carry out  
21                  the audit.

22                  “(3) PUBLIC AVAILABILITY.—

23                         “(A) IN GENERAL.—The Center shall  
24                         make available to the public on an easily acces-  
25                         sible internet website of the Center—

1                   “(i) each audit report under para-  
2                   graph (1)(C);

3                   “(ii) the Internal Revenue Service  
4                   Form 990 of the Center for each year,  
5                   filed under section 501(c) of the Internal  
6                   Revenue Code of 1986; and

7                   “(iii) the minutes of the quarterly  
8                   meetings of the board of directors of the  
9                   Center.

10                  “(B) PERSONALLY IDENTIFIABLE INFOR-  
11                  MATION.—An audit report or the minutes made  
12                  available under subparagraph (A) shall not in-  
13                  clude the personally identifiable information of  
14                  any individual.

15                  “(4) RULE OF CONSTRUCTION.—For purposes  
16                  of this subsection, the Center shall be considered a  
17                  private entity.

18                  “(c) REPORT.—The Center shall submit an annual  
19                  report to Congress, including—

20                         “(1) a strategic plan with respect to the man-  
21                         ner in which the Center shall fulfill its duties under  
22                         sections 220541 and 220542;

23                         “(2) a detailed description of the efforts made  
24                         by the Center to comply with such strategic plan  
25                         during the preceding year;

1           “(3) any financial statement necessary to  
2 present fairly the assets, liabilities, and surplus or  
3 deficit of the Center for the preceding year;

4           “(4) an analysis of the changes in the amounts  
5 of such assets, liabilities, and surplus or deficit dur-  
6 ing the preceding year;

7           “(5) a detailed description of Center activities,  
8 including—

9               “(A) the number and nature of misconduct  
10 complaints referred to the Center;

11               “(B) the total number and type of pending  
12 misconduct complaints under investigation by  
13 the Center;

14               “(C) the number of misconduct complaints  
15 for which an investigation was terminated or  
16 otherwise closed by the Center; and

17               “(D) the number of such misconduct com-  
18 plaints reported to law enforcement agencies by  
19 the Center for further investigation;

20           “(6) a detailed description of any complaint of  
21 retaliation made during the preceding year by an of-  
22 ficer or employee of the Center or a contractor or  
23 subcontractor of the Center that includes—

24               “(A) the number of such complaints; and

25               “(B) the outcome of each such complaint;

1           “(7) information relating to the educational ac-  
2           tivities and trainings conducted by the office of edu-  
3           cation and outreach of the Center during the pre-  
4           ceding year, including the number of educational ac-  
5           tivities and trainings developed and provided; and

6           “(8) a description of the activities of the Cen-  
7           ter.

8           “(d) DEFINITIONS.—In this section—

9           “(1) ‘audit report’ means a report by an inde-  
10          pendent auditor that includes—

11           “(A) an opinion or a disclaimer of opinion  
12          that presents the assessment of the independent  
13          auditor with respect to the financial records of  
14          the Center, including whether such records are  
15          accurate and have been maintained in accord-  
16          ance with generally accepted accounting prin-  
17          ciples;

18           “(B) an assessment of the internal controls  
19          used by the Center that describes the scope of  
20          testing of the internal controls and the results  
21          of such testing; and

22           “(C) a compliance assessment that in-  
23          cludes an opinion or a disclaimer of opinion as  
24          to whether the Center has complied with the  
25          terms and conditions of subsection (b); and

1           “(2) ‘independent auditor’ means an inde-  
2           pendent certified public accountant or independent  
3           licensed public accountant, certified or licensed by a  
4           regulatory authority of a State or a political subdivi-  
5           sion of a State, who meets the standards specified  
6           in generally accepted accounting principles.”.

7 **SEC. 9. EXEMPTION FROM AUTOMATIC STAY IN BANK-**  
8 **RUPTCY CASES.**

9           Section 362(b) of title 11, United States Code, is  
10 amended—

11           (1) in paragraph (27), by striking “and” at the  
12           end;

13           (2) in paragraph (28), by striking the period at  
14           the end and inserting “; and”; and

15           (3) by inserting after paragraph (28) the fol-  
16           lowing:

17           “(29) under subsection (a)(1) of this section, of  
18           any action by—

19                   “(A) an amateur sports organization, as  
20                   defined in section 220501(b) of title 36, to re-  
21                   place a national governing body, as defined in  
22                   that section, under section 220528 of that title;  
23                   or

24                   “(B) the corporation, as defined in section  
25                   220501(b) of title 36, to revoke the certification

1 of a national governing body, as defined in that  
2 section, under section 220521 of that title.”.

3 **SEC. 10. ENHANCED CHILD ABUSE REPORTING.**

4 Section 226(c)(9) of the Victims of Child Abuse Act  
5 of 1990 (34 U.S.C. 20341(c)(9)) is amended—

6 (1) by striking “adult who is authorized” and  
7 inserting the following: “adult who—

8 “(A) is authorized”;

9 (2) in subparagraph (A), as so designated, by  
10 inserting “or” after the semicolon at the end; and

11 (3) by adding at the end the following:

12 “(B) is an employee or representative of  
13 the United States Center for SafeSport;”.

14 **SEC. 11. COMMISSION ON THE STATE OF U.S. OLYMPICS**  
15 **AND PARALYMPICS.**

16 (a) ESTABLISHMENT.—There is established within  
17 the legislative branch a commission, to be known as the  
18 “Commission on the State of U.S. Olympics and  
19 Paralympics” (referred to in this section as the “Commis-  
20 sion”).

21 (b) COMPOSITION.—

22 (1) IN GENERAL.—The Commission shall be  
23 composed of 16 members, of whom—

1 (A) 4 members shall be appointed by the  
2 chairman of the Committee on Commerce,  
3 Science, and Transportation of the Senate;

4 (B) 4 members shall be appointed by the  
5 ranking member of the Committee on Com-  
6 merce, Science, and Transportation of the Sen-  
7 ate;

8 (C) 4 members shall be appointed by the  
9 chairman of the Committee on Energy and  
10 Commerce of the House of Representatives; and

11 (D) 4 members shall be appointed by the  
12 ranking member of the Committee on Energy  
13 and Commerce of the House of Representatives.

14 (2) CO-CHAIRS.—Of the members of the Com-  
15 mission—

16 (A) 1 co-chair shall be designated by the  
17 chairman of the Committee on Commerce,  
18 Science, and Transportation of the Senate; and

19 (B) 1 co-chair shall be designated by the  
20 chairman of the Committee on Energy and  
21 Commerce of the House of Representatives.

22 (3) QUALIFICATIONS.—

23 (A) IN GENERAL.—Each member ap-  
24 pointed to the Commission shall have the fol-  
25 lowing qualifications:

1 (i) Experience in one or more of the  
2 following:

3 (I) Amateur, Olympic and Para-  
4 lympic, or professional athletics.

5 (II) Elite athletic coaching.

6 (III) Public service relating to  
7 sports.

8 (IV) Professional advocacy for in-  
9 creased minority participation in  
10 sports.

11 (V) Olympic and Paralympic  
12 sports administration or professional  
13 sports administration.

14 (ii) Expertise in bullying prevention  
15 and the promotion of a healthy organiza-  
16 tional culture.

17 (B) OLYMPIC OR PARALYMPIC ATH-  
18 LETES.—Not fewer than 8 members appointed  
19 under paragraph (1) shall be current or former  
20 Olympic or Paralympic athletes.

21 (c) INITIAL MEETING.—Not later than 30 days after  
22 the date on which the last member is appointed under  
23 paragraph (1), the Commission shall hold an initial meet-  
24 ing.

1 (d) QUORUM.—Eleven members of the Commission  
2 shall constitute a quorum.

3 (e) NO PROXY VOTING.—Proxy voting by members  
4 of the Commission shall be prohibited.

5 (f) STAFF.—The co-chairs of the Commission shall  
6 appoint an executive director of the Commission, and such  
7 staff as appropriate, with compensation.

8 (g) PUBLIC HEARINGS.—The Commission shall hold  
9 1 or more public hearings.

10 (h) TRAVEL EXPENSES.—Members of the Commis-  
11 sion shall serve without pay, but shall receive travel ex-  
12 penses in accordance with sections 5702 and 5703 of title  
13 5, United States Code.

14 (i) DUTIES OF COMMISSION.—

15 (1) STUDY.—

16 (A) IN GENERAL.—The Commission shall  
17 conduct a study on matters relating to the state  
18 of United States participation in the Olympic  
19 and Paralympic Games.

20 (B) MATTERS STUDIED.—The study under  
21 subparagraph (A) shall include—

22 (i) a review of the most recent re-  
23 forms undertaken by the United States  
24 Olympic and Paralympic Committee;

1           (ii) a description of proposed reforms  
2 to the structure of the United States  
3 Olympic and Paralympic Committee;

4           (iii) an assessment as to whether the  
5 board of directors of the United States  
6 Olympic and Paralympic Committee in-  
7 cludes diverse members, including athletes;

8           (iv) an assessment of United States  
9 athlete participation levels in the Olympic  
10 and Paralympic Games;

11          (v) a description of the status of any  
12 United States Olympic and Paralympic  
13 Committee licensing arrangement;

14          (vi) an assessment as to whether the  
15 United States is achieving the goals for the  
16 Olympic and Paralympic Games set by the  
17 United States Olympic and Paralympic  
18 Committee;

19          (vii) an analysis of the participation in  
20 amateur athletics of—

21               (I) women;

22               (II) disabled individuals; and

23               (III) minorities;

24          (viii) a description of ongoing efforts  
25 by the United States Olympic and Para-

1 Olympic Committee to recruit the Olympic  
2 and Paralympic Games to the United  
3 States;

4 (ix) an evaluation of the functions of  
5 the national governing bodies (as defined  
6 in section 220501 of title 36, United  
7 States Code) and an analysis of the re-  
8 sponsiveness of the national governing bod-  
9 ies to athletes with respect to the duties of  
10 the national governing bodies under section  
11 220524(a)(3) of title 36, United States  
12 Code; and

13 (x) an assessment of the finances and  
14 the financial organization of the United  
15 States Olympic and Paralympic Com-  
16 mittee.

17 (2) REPORT.—

18 (A) IN GENERAL.—Not later than 270  
19 days after the date of the enactment of this  
20 Act, the Commission shall submit to Congress  
21 a report on the results of the study conducted  
22 under paragraph (1), including a detailed state-  
23 ment of findings, conclusions, recommendations,  
24 and suggested policy changes.

1           (B) PUBLIC AVAILABILITY.—The report  
2           required by subparagraph (A) shall be made  
3           available to the public on an internet website of  
4           the United States Government that is available  
5           to the public.

6           (j) POWERS OF COMMISSION.—

7           (1) SUBPOENA AUTHORITY.—The Commission  
8           may subpoena an individual the testimony of whom  
9           may be relevant to the purpose of the Commission.

10          (2) FURNISHING INFORMATION.—On request by  
11          the executive director of the Commission, the head  
12          of a Federal agency shall furnish information to the  
13          Commission.

14          (k) TERMINATION OF COMMISSION.—The Commis-  
15          sion shall terminate 90 days after the date on which the  
16          Commission submits the report under subsection (i)(2).

17          (l) AUTHORIZATION OF APPROPRIATIONS.—There is  
18          authorized to be appropriated such sums as may be nec-  
19          essary to carry out this section.

20       **SEC. 12. SEVERABILITY.**

21          If any provision of this Act, or an amendment made  
22          by this Act, is determined to be unenforceable or invalid,  
23          the remaining provisions of this Act and the amendments  
24          made by this Act shall not be affected.

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