

117TH CONGRESS
2^D SESSION

S. 2333

AN ACT

To amend chapter 2205 of title 36, United States Code,
to ensure equal treatment of athletes, 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 “Equal Pay for Team
3 USA Act of 2022”.

4 **SEC. 2. MODIFICATIONS TO UNITED STATES OLYMPIC AND
5 PARALYMPIC COMMITTEE AND NATIONAL
6 GOVERNING BODIES.**

7 (a) UNITED STATES OLYMPIC AND PARALYMPIC
8 COMMITTEE.—

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

11 (A) in paragraph (1)—

12 (i) in subparagraph (B)(ii), by strik-
13 ing “; and” and inserting a semicolon;

14 (ii) in subparagraph (C), by striking
15 the period at the end and inserting “;
16 and”; and

17 (iii) by adding at the end the fol-
18 lowing:

19 “(D) with respect to a sport for which the
20 corporation conducts separate programs for fe-
21 male and male athletes, to ensure that female
22 and male athletes who represent the United
23 States in international amateur athletic events
24 receive, from funds directly provided by the cor-
25 poration to the athlete (excluding any prize or
26 award based on the athlete’s performance in an

1 international amateur athletic competition),
2 equivalent and nondiscriminatory compensation,
3 wages, benefits, medical care, travel arrange-
4 ments, and payment or reimbursement for ex-
5 penses, all insofar as these are implemented in
6 connection with such amateur athletic events,
7 where ‘equivalent’ means ‘equal’ except that it
8 shall be permissible—

9 “(i) to consider merit, performance,
10 seniority, or quantity of play in deter-
11 mining contract or other terms of partici-
12 pation; and

13 “(ii) to provide more beneficial terms
14 of participation to athletes representing
15 the United States in international events
16 to address disparities in outside income,
17 including in compensation made available
18 by international sports federations and
19 other event organizers, or the need to fos-
20 ter underdeveloped programs or address
21 documented and justifiable personal need
22 on the part of specific athletes or teams.”;

23 (B) by redesignating paragraph (2) as
24 paragraph (3); and

1 (C) by inserting after paragraph (1) the
2 following:

3 “(2) **ADVOCACY.**—The corporation shall take all
4 reasonable steps, in collaboration with affected ath-
5 letes, to advocate to international sports federations
6 and other event organizers to equalize prizes, com-
7 pensation, funding, and other support provided to
8 athletes by such federations and organizers.”.

9 (2) **ANNUAL REPORT ON EQUAL TREATMENT**
10 **OF ATHLETES.**—

11 (A) **IN GENERAL.**—Subchapter I of title
12 36, United States Code, is amended by adding
13 at the end the following:

14 **“§ 220514. Annual report on equal treatment of ath-**
15 **letes**

16 “(a) **IN GENERAL.**—Not less frequently than annu-
17 ally, the corporation shall submit to Congress a report on
18 the compliance of the corporation with paragraphs (1)(D)
19 and (2) of section 220505(d).

20 “(b) **MATTERS TO BE INCLUDED.**—Each report re-
21 quired by subsection (a) shall include detailed information
22 on the median, minimum, and maximum stipends and bo-
23 nuses provided to athletes, disaggregated by gender, race,
24 and, as applicable, status of participation on a professional
25 sports team.”.

1 (B) CONFORMING AMENDMENT.—The
2 table of sections for subchapter I of chapter
3 2205 of title 36, United States Code, is amend-
4 ed by adding at the end the following:

“220514. Annual report on equal treatment of athletes.”.

5 (b) NATIONAL GOVERNING BODIES.—

6 (1) DUTIES.—Section 220524(a) of title 36,
7 United States Code, is amended—

8 (A) by redesignating paragraphs (7)
9 through (14) as paragraphs (9) through (16),
10 respectively; and

11 (B) by inserting after paragraph (6) the
12 following:

13 “(7) with respect to a sport for which a na-
14 tional governing body conducts separate programs
15 for female and male athletes, ensure that female and
16 male athletes who represent the United States in
17 international amateur athletic events receive, from
18 funds directly provided by the national governing
19 body to the athlete (excluding any prize or award
20 based on the athlete’s performance in an inter-
21 national amateur athletic competition), equivalent
22 and nondiscriminatory compensation, wages, bene-
23 fits, medical care, travel arrangements, and payment
24 or reimbursement for expenses, all insofar as these
25 are implemented in connection with such amateur

1 athletic events, where ‘equivalent’ means ‘equal’ ex-
2 cept that it shall be permissible—

3 “(A) to consider merit, performance, se-
4 niority, or quantity of play in determining con-
5 tract or other terms of participation; and

6 “(B) to provide more beneficial terms of
7 participation to athletes representing the
8 United States in international events to address
9 disparities in outside income, including in com-
10 pensation made available by international sports
11 federations and other event organizers, or the
12 need to foster underdeveloped programs or ad-
13 dress documented and justifiable personal need
14 on the part of specific athletes or teams;

15 “(8) take all reasonable steps, in collaboration
16 with affected athletes, to advocate to international
17 sports federations and other event organizers to
18 equalize prizes, compensation, funding, and other
19 support provided to athletes by such federations and
20 organizers;”.

21 (2) ANNUAL REPORT ON EQUAL TREATMENT
22 OF ATHLETES.—

23 (A) IN GENERAL.—Subchapter II of chap-
24 ter 2205 of title 36, United States Code, is
25 amended by adding at the end the following:

1 **“§ 220530A. Annual report on equal treatment of ath-**
 2 **letes**

3 “(a) IN GENERAL.—Not less frequently than annu-
 4 ally, each national governing body shall submit to the cor-
 5 poration and Congress a report on the compliance of the
 6 national governing body with paragraphs (7) and (8) of
 7 section 220524(a).

8 “(b) MATTERS TO BE INCLUDED.—Each report re-
 9 quired by subsection (a) shall include detailed information
 10 on the median, minimum, and maximum stipends and bo-
 11 nuses provided to athletes, disaggregated by gender, race,
 12 and, as applicable, status of participation on a professional
 13 sports team.”.

14 (B) CONFORMING AMENDMENT.—The
 15 table of sections for subchapter II of chapter
 16 2205 of title 36, United States Code, is amend-
 17 ed by adding at the end the following:

“220530A. Annual report on equal treatment of athletes.”.

18 (c) IMPLEMENTATION PERIOD AND REPORTS TO
 19 CONGRESS.—Not later than 1 year after the date of the
 20 enactment of this Act—

21 (1) the corporation shall—

22 (A) attain full compliance, and require as
 23 a condition of continued certification that each
 24 national governing body attains and maintains

1 full compliance, with the applicable amend-
2 ments made by this Act; and

3 (B) submit to Congress a report describing
4 such compliance of the corporation and each
5 national governing body; and

6 (2) each national governing body shall—

7 (A) attain full compliance with the applica-
8 ble amendments made by this Act; and

9 (B) submit to Congress a report describing
10 such compliance.

11 (d) RULE OF CONSTRUCTION.—Nothing in this Act
12 shall be construed—

13 (1) to supersede, nullify, or diminish the rights
14 of any individual under any Federal law or the law
15 of any State or political subdivision of any State or
16 jurisdiction;

17 (2) to prohibit an individual athlete or a group
18 of athletes from receiving compensation from an in-
19 dividual or entity other than a national governing
20 body or the corporation for the use of, as applicable,
21 the name, image, or likeness of the individual athlete
22 or the names, images, or likenesses of the group of
23 athletes; or

24 (3) to prohibit a team or group of athletes from
25 accepting outside sponsorships or endorsements, or

1 from participating in outside promotional events or
2 marketing campaigns, even if a team or group of
3 athletes of another gender are not offered equivalent
4 sponsorships, endorsements, or participation in out-
5 side promotional events or marketing campaigns.

Passed the Senate December 8, 2022.

Attest:

Secretary.

117TH CONGRESS
2^D SESSION

S. 2333

AN ACT

To amend chapter 2205 of title 36, United States Code, to ensure equal treatment of athletes, and for other purposes.