

# PROTECTING YOUNG VICTIMS FROM SEXUAL ABUSE ACT OF 2017

MAY 22, 2017.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. GOODLATTE, from the Committee on the Judiciary,  
submitted the following

## R E P O R T

[To accompany H.R. 1973]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 1973) to prevent the sexual abuse of minors and amateur athletes by requiring the prompt reporting of sexual abuse to law enforcement authorities, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

### CONTENTS

	Page
The Amendment .....	1
Purpose and Summary .....	4
Background and Need for the Legislation .....	5
Hearings .....	5
Committee Consideration .....	5
Committee Votes .....	5
Committee Oversight Findings .....	6
New Budget Authority and Tax Expenditures .....	6
Congressional Budget Office Cost Estimate .....	6
Duplication of Federal Programs .....	7
Disclosure of Directed Rule Makings .....	7
Performance Goals and Objectives .....	7
Advisory on Earmarks .....	8
Section-by-Section Analysis .....	8
Changes in Existing Law Made by the Bill, as Reported .....	10
Committee Jurisdiction Letters .....	23

### The Amendment

The amendment is as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Protecting Young Victims from Sexual Abuse Act of 2017”.

**SEC. 2. REQUIRED REPORTING OF CHILD AND SEXUAL ABUSE AT FACILITIES UNDER THE JURISDICTION OF AMATEUR SPORTS ORGANIZATIONS RECOGNIZED BY THE UNITED STATES OLYMPIC COMMITTEE.**

(a) **REPORTING REQUIREMENT.**—Section 226 of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13031) is amended—

(1) in subsection (a)—

(A) by striking “A person who” and inserting the following:

“(1) **COVERED PROFESSIONALS.**—A person who”; and

(B) by adding at the end the following:

“(2) **COVERED INDIVIDUALS.**—A covered individual who learns of facts that give reason to suspect that a child has suffered an incident of child abuse shall as soon as possible make a report of the suspected abuse to the agency designated by the Attorney General under subsection (d).”;

(2) in subsection (b), in the matter preceding paragraph (1), by striking “subsection (a)” and inserting “subsection (a)(1)”;

(3) in subsection (c)—

(A) in paragraph (7), by striking “and” at the end;

(B) in paragraph (8), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(9) the term ‘covered facility’ means a facility over which a national governing body has jurisdiction;

“(10) the term ‘covered individual’ means an adult who is authorized by a covered facility or by a national governing body to interact with a minor or amateur athlete at the covered facility or at any event sanctioned by the covered facility; and

“(11) the term ‘national governing body’ has the meaning given the term in section 220501(b) of title 36, United States Code.”;

(4) in subsection (d), in the first sentence, by inserting “and for all covered facilities” after “reside”;

(5) in subsection (f), in the first sentence—

(A) by striking “and on all” and inserting “on all”; and

(B) by inserting “and for all covered facilities,” after “lands.”;

(6) in subsection (h), by inserting “and all covered individuals,” after “facilities.”; and

(7) by adding at the end the following:

“(i) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to require a victim of child abuse to self-report the abuse.”.

(b) **PENALTY FOR FAILURE TO REPORT.**—Section 2258 of title 18, United States Code, is amended by inserting after “facility,” the following: “or a covered individual (as described in subsection (a)(2) of such section 226) who”.

**SEC. 3. CIVIL REMEDY FOR PERSONAL INJURIES.**

Section 2255 of title 18, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

“(a) **IN GENERAL.**—Any person who, while a minor, was a victim of a violation of section 1589, 1590, 1591, 2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260, 2421, 2422, or 2423 of this title and who suffers personal injury as a result of such violation, regardless of whether the injury occurred while such person was a minor, may sue in any appropriate United States District Court and shall recover the actual damages such person sustains or liquidated damages in the amount of \$150,000, and the cost of the action, including reasonable attorney’s fees and other litigation costs reasonably incurred. The court may also award punitive damages and such other preliminary and equitable relief as the court determines to be appropriate.”;

(2) in subsection (b), by striking “filed within” and all that follows through the end and inserting the following: “file—

“(1) not later than 10 years after the date on which the plaintiff reasonably discovers the later of—

“(A) the violation that forms the basis for the claim; or

“(B) the injury that forms the basis for the claim; or

“(2) not later than 10 years after the date on which a legal disability ends.”;

and

(3) by adding at the end the following:

“(c) **VENUE; SERVICE OF PROCESS.**—

“(1) VENUE.—Any action brought under subsection (a) may be brought in the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28.

“(2) SERVICE OF PROCESS.—In an action brought under subsection (a), process may be served in any district in which the defendant—

“(A) is an inhabitant; or

“(B) may be found.”.

**SEC. 4. EXPANSION OF AUTHORITIES AND DUTIES OF AMATEUR SPORTS ORGANIZATIONS RECOGNIZED BY THE UNITED STATES OLYMPIC COMMITTEE TO PREVENT THE ABUSE OF MINOR AND AMATEUR ATHLETES.**

(a) EXPANSION OF AUTHORITIES.—Section 220523(a) of title 36, United States Code, is amended—

(1) in paragraph (6), by striking “; and” and inserting a semicolon;

(2) in paragraph (7), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(8) develop training, oversight practices, policies, and procedures to prevent the abuse, including physical abuse and sexual abuse, of any minor or amateur athlete by any adult.”.

(b) ADDITIONAL DUTIES.—Section 220524 of such title is amended—

(1) by inserting “(a) IN GENERAL.—” before “For the sport”;

(2) in paragraph (8), by striking “; and” and inserting a semicolon;

(3) in paragraph (9), by striking the period and inserting a semicolon; and

(4) by adding at the end the following:

“(10) develop and enforce policies, mechanisms, and procedures to prevent the abuse, including physical abuse and sexual abuse, of any minor or amateur athlete, including—

“(A) requiring all adults authorized by a national governing body or a member of a national governing body to interact with a minor or amateur athlete at an amateur sports organization facility or at any event sanctioned by a national governing body or a member of a national governing body, to report facts that give reason to suspect child abuse, including sexual abuse, as required by relevant Federal or State law, to law enforcement authorities and other appropriate authorities, including an entity designated by the corporation to investigate and resolve such allegations;

“(B) establishing a mechanism, approved by a trained expert on child abuse, that allows an individual to easily report an incident of child abuse as described in subparagraph (A) to the national governing body or another authority, including an entity designated by the corporation;

“(C) procedures to ensure that covered individuals are instructed to avoid one-on-one situations with any amateur athlete who is a minor (other than such an athlete for whom the covered individual is a legal guardian) at an amateur sports organization facility, at any event sanctioned by a national governing body, or any event sanctioned by a member of a national governing body, without being observable or interruptible by another adult; and

“(D) oversight procedures, including regular and random audits, not to exceed once a year, conducted by subject matter experts unaffiliated with the national governing body, of all members and adults described in subparagraph (A) to ensure that policies and procedures developed under this paragraph are followed correctly and that consistent training is offered and given to all members regarding prevention of sexual abuse; and

“(11) in the case of a national governing body with jurisdiction over more than one amateur sports organization facility or event, establish a mechanism by which—

“(A) the national governing body can—

“(i) receive a report of suspected sexual misconduct by an adult authorized by a national governing body or a member of a national governing body to interact with a minor or amateur athlete at an amateur sports organization facility or at any event sanctioned by a national governing body or a member of a national governing body; and

“(ii) confidentially share a report received under clause (i) with each of the other amateur sports organizations, facilities, or members under the jurisdiction of the national governing body; and

“(B) an amateur sports organization, facility, or member under the jurisdiction of the national governing body can—

“(i) review the reports received by the national governing body under subparagraph (A)(i) to assess any allegations of sexual misconduct made in such reports; and

“(ii) withhold providing to an adult who is the subject of an allegation of sexual misconduct in a report reviewed under clause (i) authority to interact with a minor or amateur athlete at such organization, facility, or event until the resolution of such allegation.

“(b) LIMITED LIABILITY FOR THE UNITED STATES OLYMPIC COMMITTEE, NATIONAL GOVERNING BODIES, AND AN ENTITY DESIGNATED BY THE UNITED STATES OLYMPIC COMMITTEE TO INVESTIGATE AND RESOLVE SEXUAL MISCONDUCT ALLEGATIONS.—

“(1) IN GENERAL.—Except as provided in paragraphs (2), no civil or criminal action may be brought in any Federal or State court against the United States Olympic Committee, a national governing body, or an amateur sports organization, facility, or event under the jurisdiction of a national governing body, or an entity designated by the United States Olympic Committee to investigate and resolve sexual misconduct allegations described in subsection (a)(11), including any director, officer, employee, or agent of such entity, if the action arises from the execution of the responsibilities or functions described in subsection (a)(11).

“(2) INTENTIONAL, RECKLESS, OR OTHER MISCONDUCT.—Paragraph (1) shall not apply to a civil or criminal action if the United States Olympic Committee, a national governing body, an amateur sports organization, facility, or event under the jurisdiction of a national governing body, or an entity designated by the United States Olympic Committee to investigate and resolve sexual misconduct allegations described in subsection (a)(11), or a director, officer, employee, or agent of such entity acted or failed to act—

“(A) with reckless disregard for a risk of causing injury; or

“(B) for a purpose unrelated to the performance of any responsibility or function described in subsection (a)(11).

“(3) LIMITED EFFECT.—Nothing in this section shall apply to any act or omission arising out of any responsibility or function not described in subsection (a)(11).”

(c) RULE OF CONSTRUCTION.—Section 220522 of such title is amended by adding at the end the following:

“(c) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed to limit the ability of a national governing body to develop a policy or procedure to prevent an individual who is the subject of an allegation of sexual misconduct from interacting with a minor or amateur athlete until such time as the national governing body, or an entity with applicable jurisdiction resolves such allegation.”

(d) REVIEW OF RECOGNITION OF AMATEUR SPORTS ORGANIZATIONS AS NATIONAL GOVERNING BODIES.—Section 220521(d) of title 36, United States Code, is amended by striking “may” each place it appears and inserting “shall”.

### **Purpose and Summary**

This bill is intended to mandate the reporting of child abuse in organizations that work with amateur athletes; strengthen civil remedies for all victims of sexual abuse; and clarify the duties of national governing bodies (“NGB’s”), such as USA Gymnastics, regarding allegations of sexual abuse. A national governing body is an organization chartered by the U.S. Olympic Committee to, among other things, work with amateur athletes. The Act makes it unlawful for an adult working with an NGB to fail to report an incident of child sexual abuse to local and federal law enforcement authorities. Under current law, if child sexual abuse occurs on federal lands, it is a federal offense to not report the abuse to law enforcement authorities. Federal law deems certain people “mandatory reporters,” such as doctors, psychiatrists, social workers, teachers, child care workers, law enforcement personnel, and commercial photographers. This legislation extends this reporting requirement to additional “covered individuals,” or adults authorized by to interact with minors or amateur athletes.

Further, the Act bolsters the civil remedy provisions of “Masha’s Law,” which allows minor victims of sexual abuse to bring a civil action against their abusers by clarifying that once liability is established, the court must presume monetary damages of \$150,000; and by clarifying that the 10-year statute of limitations here does

not begin to run until the victim reasonably discovers the injury or violation that gives rise to the cause of action. Finally, the bill specifies that NGBs are authorized to develop training, oversight practices, policies, and procedures to prevent sexual abuse of amateur athletes.

### **Background and Need for the Legislation**

In 1978, the Amateur Sports Act was signed into law by President Jimmy Carter. The Act charters the U.S. Olympic Committee, which in turn can charter an NGB for each sport, such as USA Swimming, the United States Fencing Association, the United States Ski Team, USA Track & Field, or U.S. Figure Skating. Each NGB establishes the rules for selecting the United States Olympic Team and promotes amateur competition in that sport.

According to the *Indianapolis Star*, over the past 20 years up to 368 victims (who were members of the USA Gymnastics' family) were subjected to sexual abuse by coaches, doctors, or other adults affiliated with USA Gymnastics. Although USA Gymnastics received reports of abuse, some victims claimed USA Gymnastics allowed the abuse allegations to remain dormant. This includes complaints made against coaches who left gyms in one state and then moved to another state, where they continued abusing young athletes.

USA Gymnastics has claimed that the Ted Stevens Olympic and Amateur Sports Act, which revised the Amateur Sports Act in 1998, prevents it from disciplining coaches or other members when allegations are made against them. They claim the Act limits the actions they can take against coaches because it requires due process before a coach's membership can be revoked.

This legislation is necessary to assure child abuse is being reported by those who work with amateur athletes. It also is necessary to clarify duties for NGBs; these organizations should be taking action against coaches or other members when allegations are made against them to assure young athletes are kept safe.

### **Hearings**

The Committee on the Judiciary held no hearings on H.R. 1973, but held a hearing on the subject of child exploitation generally on March 16, 2017.

### **Committee Consideration**

On May 18, 2017, the Committee met in open session and ordered the bill H.R. 1973 favorably reported, with an amendment, by voice vote, a quorum being present.

### **Committee Votes**

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the Committee advises that there were no recorded votes during the Committee's consideration of H.R. 1973.

### **Committee Oversight Findings**

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

### **New Budget Authority and Tax Expenditures**

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

### **Congressional Budget Office Cost Estimate**

In compliance with clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the Committee sets forth, with respect to the bill, H.R. 1973, the following estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, May 19, 2017.*

Hon. BOB GOODLATTE,  
*Chairman, Committee on the Judiciary,  
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1973, the Protecting Young Victims from Sexual Abuse Act of 2017.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz, who can be reached at 226-2860.

Sincerely,

KEITH HALL.

Enclosure.

cc: Honorable John Conyers, Jr.  
Ranking Member

---

### **H.R. 1973—Protecting Young Victims from Sexual Abuse Act of 2017**

As ordered reported by the House Committee on the Judiciary on  
May 18, 2017

---

H.R. 1973 would broaden the coverage of current laws that require reporting of child abuse. As a result, the government might be able to pursue cases that it otherwise would not be able to prosecute. CBO expects that the bill would apply to a relatively small number of offenders, however, so any increase in costs for law enforcement, court proceedings, or prison operations would not be significant. Any such costs would be subject to the availability of appropriated funds.

Enacting the bill could affect direct spending and revenues; therefore, pay-as-you-go procedures apply. Because those prosecuted and convicted under H.R. 1973 could be subject to criminal fines, the federal government might collect additional fines if the legislation is enacted. Criminal fines are recorded as revenues, deposited in the Crime Victims Fund, and later spent without further appropriation action. CBO expects that any additional revenues and associated direct spending would not be significant because the legislation would probably affect only a small number of cases.

CBO estimates that enacting H.R. 1973 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

H.R. 1973 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

H.R. 1973 would impose private-sector mandates as defined in UMRA. The bill would require national governing bodies recognized by the United States Olympic Committee (USOC) to develop and enforce policies to prevent the abuse of minor or amateur athletes. According to testimony, the USOC already requires such entities to participate in its program to prevent abuse of athletes. Consequently, CBO estimates that the costs of complying with any additional requirements would be small. Additionally, the bill would require adults authorized to interact with young athletes by those organizations to report suspected abuse. CBO estimates that the cost to report information would be small and that the aggregate cost of the mandates would fall below the annual threshold established in UMRA for private-sector mandates (\$156 million in 2017, adjusted annually for inflation).

The CBO staff contacts for this estimate are Mark Grabowicz (for federal costs) and Amy Petz (for private-sector mandates). The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

### **Duplication of Federal Programs**

No provision of H.R. 1973 establishes or reauthorizes a program of the Federal government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

### **Disclosure of Directed Rule Makings**

The Committee estimates that H.R. 1973 specifically directs to be completed no specific rule makings within the meaning of 5 U.S.C. 551.

### **Performance Goals and Objectives**

The Committee states that pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, H.R. 1973 aims to protect young athletes from abuse by imposing mandatory reporting requirements on individuals authorized to work with minors at national governing body facilities and clarifying duties for those national governing bodies.

### Advisory on Earmarks

In accordance with clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 1973 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of rule XXI.

### Section-by-Section Analysis

The following discussion describes the bill as reported by the Committee.

#### *Sec. 1. Short title.*

This Act may be cited as the ‘Protecting Young Victims from Sexual Abuse Act of 2017’.

#### *Sec. 2. Required reporting of child and sexual abuse at facilities under the jurisdiction of amateur sports organizations recognized by the United States Olympic Committee:*

This provision makes it unlawful for an adult working with a national governing body, a national governing body member (or at a national governing body sanctioned event or a national governing body member’s event) to fail to report an incident of child sexual abuse to local and federal authorities.

- **Sec. 2(a) Mandatory Reporting Requirement:**
  - *If child sexual abuse occurs on federal lands, it is a federal offense to not report the abuse to law enforcement authorities.*
  - This provision extends this reporting requirement to additional “covered individuals,” or adults authorized by a national governing body (or any entity subject to the jurisdiction of a national governing body such as a private gymnasium) to interact with minors or amateur athletes at events sanctioned by national governing body members and national governing bodies such as during travel, practices, competitions, and health or medical treatment. Victims are not required to self-report under this provision.
  - The reporting requirement would arise where the person “*learns of facts that give reason to suspect that a child has suffered an incident of child abuse, including sexual abuse.*” This language is similar to the language already included in the *Victims of Child Abuse Act of 1990*.
  - The report of child abuse must be made to an agency designated by the Attorney General, which can be a local or federal law enforcement agency.

- **Sec. 3. Civil Remedy for Personal Injuries:**

This section bolsters the civil remedy provisions of “Masha’s Law,” which updated *The Child Abuse Victims’ Rights Act of 1986* and allows minor victims to sue their perpetrators for 14 criminal offenses that cover sexual abuse acts and exploitation of minors as well as human trafficking crimes.

- **Sec. 3(a) Revised Liability and Damages Provisions**
  - The section sets forth a statutory damages amount of \$150,000. Current law requires the plaintiff to prove personal monetary injury (with a floor of \$150,000) in order to recover.



■ By setting forth a clear statutory damages figure, this new language *presumes* a personal monetary injury if one establishes he or she is a victim. The section also allows a court to award punitive damages when warranted.

◦ *Sec. 3(b) Statute of Limitations Extension.*

■ This section clarifies that the 10-year statute of limitations does not begin to run until the victim reasonably discovers the injury or violation that gives rise to the cause of action. This is because there are instances where victims do not discover their injuries or the violations until later on in adulthood.

■ This section further clarifies that as an alternative statute of limitations period, the statute of limitations is 10 years after age 18, the age of “legal disability.”

◦ *Sec. 3(c) Clarification Regarding Court Venue/Jurisdiction and Service of Process.*

■ This section clarifies that the venue provisions of 1391 of Title 28 determine the appropriate U.S. District Court. It also allows service to occur where a defendant resides or may be found.

• *Sec. 4 Expansion of authorities and duties of amateur sports organizations recognized by the United States Olympic Committee to prevent the abuse of minor and amateur athletes:* This section clarifies the duties of national governing bodies (NGB) chartered under the *Ted Stevens Olympic and Amateur Sports Act of 1978*. The *Amateur Sports Act* was enacted to charter the United States Olympic Committee, which in turn charters 47 NGBs for each sport, such as USA Gymnastics, USA Swimming, USA Volleyball, and USA Taekwondo. Each NGB establishes the rules for its members and promotes amateur competition in that sport.

◦ *Sec. 4(a) Expansion of NGB Authorities.*

■ This section specifies that NGB’s are authorized to develop training, oversight practices, policies, and procedures to prevent sexual abuse of amateur athletes.

◦ *Sec. 4(b) Specific obligations of NGBs.*

■ Among the authorities to NGBs are specific authorities to develop:

■ Requirements for members affiliated with the NGB to immediately report all allegations of sexual child abuse to law enforcement authorities consistent with State and Federal law, and to the U.S. Center for SafeSport, which is the entity designated by the U.S. Olympic Committee for reporting of abuse allegations;

■ Streamlined procedures for the reporting of all allegations of sexual child abuse committed by a member of an NGB or any adult authorized to interact with an amateur athlete to NGBs or other authorities, including the U.S. Center for SafeSport, which is the entity designated by the U.S. Olympic Committee for reporting abuse allegations;

■ Authorizes NGB's to instruct adults to avoid one-on-one interactions with minor amateur athletes—that is, interactions without being within observable and or interruptible distance by another adult, unless the adult is the minor's parent;

■ Oversight procedures, including random audits of all members (not to exceed once a year);

■ Procedures to report and track individuals who leave a member gym or facility and go to another member gym or facility, and the ability to prevent that individual from interacting further with minors at a facility over which it has jurisdiction while an allegation of sex abuse is pending (until the member gym or facility or national governing body determines there is no risk to a minor or amateur athlete resolves such allegation);

◦ *Sec. 4(b) Limited Liability for the USOC, NGBs, and U.S. Center for SafeSport.*

■ For the provision above that obligates NGBs to accept reports of sexual misconduct and grants NGBs authority to confidentially share those reports to other NGB members and impose interim measures, this limited liability provision protects the USOC, NGBs, and amateur sports organizations from lawsuits if they execute their duties without intentional misconduct (to include acts or omissions that are done with actual malice, reckless disregard, or for an improper purpose). The provision does not apply to ordinary ministerial activities.

◦ *Sec. 4(c) Rules of Construction.*

■ Clarifies that the *Amateur Sports Act* does not limit the ability of an NGB to prevent an adult who is subject to a sexual misconduct allegation from interacting with a minor or amateur athlete until there is a determination that there is no risk to a minor or amateur athlete resolution of the allegation against him or her.

◦ *Sec. 4(d): Mandated Review of NGB Certifications.*

■ The U.S. Olympic Committee currently “may” review a national governing body’s certification. This section mandates the U.S. Olympic Committee “shall” review a national governing body’s certification.

### **Changes in Existing Law Made by the Bill, as Reported**

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

### **VICTIMS OF CHILD ABUSE ACT OF 1990**

\* \* \* \* \*

## TITLE II—VICTIMS OF CHILD ABUSE ACT OF 1990

\* \* \* \* \*

### Subtitle C—Child Abuse Training Pro- grams for Judicial Personnel and Practi- tioners

\* \* \* \* \*

#### SEC. 226. CHILD ABUSE REPORTING.

(a) IN GENERAL.—[A person who]

(1) *COVERED PROFESSIONALS*.—A person who, while engaged in a professional capacity or activity described in subsection (b) on Federal land or in a federally operated (or contracted) facility, learns of facts that give reason to suspect that a child has suffered an incident of child abuse, shall as soon as possible make a report of the suspected abuse to the agency designated under subsection (d) and to the agency or agencies provided for in subsection (e), if applicable.

(2) *COVERED INDIVIDUALS*.—A covered individual who learns of facts that give reason to suspect that a child has suffered an incident of child abuse shall as soon as possible make a report of the suspected abuse to the agency designated by the Attorney General under subsection (d).

(b) *COVERED PROFESSIONALS*.—Persons engaged in the following professions and activities are subject to the requirements of [subsection (a)] subsection (a)(1):

(1) Physicians, dentists, medical residents or interns, hospital personnel and administrators, nurses, health care practitioners, chiropractors, osteopaths, pharmacists, optometrists, podiatrists, emergency medical technicians, ambulance drivers, undertakers, coroners, medical examiners, alcohol or drug treatment personnel, and persons performing a healing role or practicing the healing arts.

(2) Psychologists, psychiatrists, and mental health professionals.

(3) Social workers, licensed or unlicensed marriage, family, and individual counselors.

(4) Teachers, teacher's aides or assistants, school counselors and guidance personnel, school officials, and school administrators.

(5) Child care workers and administrators.

(6) Law enforcement personnel, probation officers, criminal prosecutors, and juvenile rehabilitation or detention facility employees.

(7) Foster parents.

(8) Commercial film and photo processors.

(c) *DEFINITIONS*.—For the purposes of this section—

(1) the term “child abuse” means the physical or mental injury, sexual abuse or exploitation, or negligent treatment of a child;

(2) the term “physical injury” includes but is not limited to lacerations, fractured bones, burns, internal injuries, severe bruising or serious bodily harm;

(3) the term “mental injury” means harm to a child’s psychological or intellectual functioning which may be exhibited by severe anxiety, depression, withdrawal or outward aggressive behavior, or a combination of those behaviors, which may be demonstrated by a change in behavior, emotional response or cognition;

(4) the term “sexual abuse” includes the employment, use, persuasion, inducement, enticement, or coercion of a child to engage in, or assist another person to engage in, sexually explicit conduct or the rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children;

(5) the term “sexually explicit conduct” means actual or simulated—

(A) sexual intercourse, including sexual contact in the manner of genital-genital, oral-genital, anal-genital, or oral-anal contact, whether between persons of the same or of opposite sex; sexual contact means the intentional touching, either directly or through clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify sexual desire of any person;

(B) bestiality;

(C) masturbation;

(D) lascivious exhibition of the genitals or pubic area of a person or animal; or

(E) sadistic or masochistic abuse;

(6) the term “exploitation” means child pornography or child prostitution;

(7) the term “negligent treatment” means the failure to provide, for reasons other than poverty, adequate food, clothing, shelter, or medical care so as to seriously endanger the physical health of the child; **[and]**

(8) the term “child abuse” shall not include discipline administered by a parent or legal guardian to his or her child provided it is reasonable in manner and moderate in degree and otherwise does not constitute cruelty~~...~~;

*(9) the term “covered facility” means a facility over which a national governing body has jurisdiction;*

*(10) the term “covered individual” means an adult who is authorized by a covered facility or by a national governing body to interact with a minor or amateur athlete at the covered facility or at any event sanctioned by the covered facility; and*

*(11) the term “national governing body” has the meaning given the term in section 220501(b) of title 36, United States Code.*

(d) AGENCY DESIGNATED TO RECEIVE REPORT AND ACTION TO BE TAKEN.—For all Federal lands and all federally operated (or contracted) facilities in which children are cared for or reside *and for all covered facilities*, the Attorney General shall designate an agency to receive and investigate the reports described in subsection (a). By formal written agreement, the designated agency may be a non-Federal agency. When such reports are received by social services

or health care agencies, and involve allegations of sexual abuse, serious physical injury, or life-threatening neglect of a child, there shall be an immediate referral of the report to a law enforcement agency with authority to take emergency action to protect the child. All reports received shall be promptly investigated, and whenever appropriate, investigations shall be conducted jointly by social services and law enforcement personnel, with a view toward avoiding unnecessary multiple interviews with the child.

(e) REPORTERS AND RECIPIENT OF REPORT INVOLVING CHILDREN AND HOMES OF MEMBERS OF THE ARMED FORCES.—

(1) RECIPIENTS OF REPORTS.—In the case of an incident described in subsection (a) involving a child in the family or home of member of the Armed Forces (regardless of whether the incident occurred on or off a military installation), the report required by subsection (a) shall be made to the appropriate child welfare services agency or agencies of the State in which the child resides. The Attorney General, the Secretary of Defense, and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall jointly, in consultation with the chief executive officers of the States, designate the child welfare service agencies of the States that are appropriate recipients of reports pursuant to this subsection. Any report on an incident pursuant to this subsection is in addition to any other report on the incident pursuant to this section.

(2) MAKERS OF REPORTS.—For purposes of the making of reports under this section pursuant to this subsection, the persons engaged in professions and activities described in subsection (b) shall include members of the Armed Forces who are engaged in such professions and activities for members of the Armed Forces and their dependents.

(f) REPORTING FORM.—In every federally operated (or contracted) facility, [and on all] *on all* Federal lands, *and for all covered facilities*, a standard written reporting form, with instructions, shall be disseminated to all mandated reporter groups. Use of the form shall be encouraged, but its use shall not take the place of the immediate making of oral reports, telephonically or otherwise, when circumstances dictate.

(g) IMMUNITY FOR GOOD FAITH REPORTING AND ASSOCIATED ACTIONS.—All persons who, acting in good faith, make a report by subsection (a), or otherwise provide information or assistance in connection with a report, investigation, or legal intervention pursuant to a report, shall be immune from civil and criminal liability arising out of such actions. There shall be a presumption that any such persons acted in good faith. If a person is sued because of the person's performance of one of the above functions, and the defendant prevails in the litigation, the court may order that the plaintiff pay the defendant's legal expenses. Immunity shall not be accorded to persons acting in bad faith.

(g) [Omitted—amendatory]

(h) TRAINING OF PROSPECTIVE REPORTERS.—All individuals in the occupations listed in subsection (b)(1) who work on Federal lands, or are employed in federally operated (or contracted) facilities, *and all covered individuals*, shall receive periodic training in the obliga-

tion to report, as well as in the identification of abused and neglected children.

(i) *RULE OF CONSTRUCTION.*—*Nothing in this section shall be construed to require a victim of child abuse to self-report the abuse.*

\* \* \* \* \*

## TITLE 18, UNITED STATES CODE

\* \* \* \* \*

### PART I—CRIMES

\* \* \* \* \*

#### CHAPTER 110—SEXUAL EXPLOITATION AND OTHER ABUSE OF CHILDREN

\* \* \* \* \*

#### § 2255. Civil remedy for personal injuries

[(a) IN GENERAL.—Any person who, while a minor, was a victim of a violation of section 1589, 1590, 1591, 2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260, 2421, 2422, or 2423 of this title and who suffers personal injury as a result of such violation, regardless of whether the injury occurred while such person was a minor, may sue in any appropriate United States District Court and shall recover the actual damages such person sustains and the cost of the suit, including a reasonable attorney's fee. Any person as described in the preceding sentence shall be deemed to have sustained damages of no less than \$150,000 in value.]

(a) *IN GENERAL.*—*Any person who, while a minor, was a victim of a violation of section 1589, 1590, 1591, 2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260, 2421, 2422, or 2423 of this title and who suffers personal injury as a result of such violation, regardless of whether the injury occurred while such person was a minor, may sue in any appropriate United States District Court and shall recover the actual damages such person sustains or liquidated damages in the amount of \$150,000, and the cost of the action, including reasonable attorney's fees and other litigation costs reasonably incurred. The court may also award punitive damages and such other preliminary and equitable relief as the court determines to be appropriate.*

(b) *STATUTE OF LIMITATIONS.*—Any action commenced under this section shall be barred unless the complaint is [filed within 10 years after the right of action first accrues or in the case of a person under a legal disability, not later than three years after the disability.] *file—*

(1) *not later than 10 years after the date on which the plaintiff reasonably discovers the later of—*

(A) *the violation that forms the basis for the claim; or*

(B) *the injury that forms the basis for the claim; or*

(2) *not later than 10 years after the date on which a legal disability ends.*

(c) *VENUE; SERVICE OF PROCESS.*—

(1) *VENUE*.—Any action brought under subsection (a) may be brought in the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28.

(2) *SERVICE OF PROCESS*.—In an action brought under subsection (a), process may be served in any district in which the defendant—

(A) is an inhabitant; or

(B) may be found.

\* \* \* \* \*

#### **§ 2258. Failure to report child abuse**

A person who, while engaged in a professional capacity or activity described in subsection (b) of section 226 of the Victims of Child Abuse Act of 1990 on Federal land or in a federally operated (or contracted) facility, or a covered individual (as described in subsection (a)(2) of such section 226) who learns of facts that give reason to suspect that a child has suffered an incident of child abuse, as defined in subsection (c) of that section, and fails to make a timely report as required by subsection (a) of that section, shall be fined under this title or imprisoned not more than 1 year or both.

\* \* \* \* \*

### **TITLE 36, UNITED STATES CODE**

\* \* \* \* \*

## **SUBTITLE II—PATRIOTIC AND NATIONAL ORGANIZATIONS**

\* \* \* \* \*

### **PART B—ORGANIZATIONS**

\* \* \* \* \*

#### **CHAPTER 2205—UNITED STATES OLYMPIC COMMITTEE**

\* \* \* \* \*

#### **SUBCHAPTER II—NATIONAL GOVERNING BODIES**

#### **§ 220521. Recognition of amateur sports organizations as national governing bodies**

(a) *GENERAL AUTHORITY*.—For any sport which is included on the program of the Olympic Games, the Paralympic Games, or the Pan-American Games, the corporation is authorized to recognize as a national governing body (in the case of a sport on the program of the Olympic Games or Pan-American Games) or as a paralympic sports organization (in the case of a sport on the program of the Paralympic Games for which a national governing body has not been designated under section 220522(b)) an amateur sports organization which files an application and is eligible for such recognition in accordance with the provisions of subsection (a) or (b) of sec-

tion 220522. The corporation may recognize only one national governing body for each sport for which an application is made and approved, except as provided in section 220522(b) with respect to a paralympic sports organization.

(b) PUBLIC HEARING.—Before recognizing an organization as a national governing body, the corporation shall hold at least 2 public hearings on the application. The corporation shall publish notice of the time, place, and nature of the hearings. Publication shall be made in a regular issue of the corporation's principal publication at least 30 days, but not more than 60 days, before the date of the hearings. The corporation shall send written notice, which shall include a copy of the application, at least 30 days prior to the date of any such public hearing to all amateur sports organizations known to the corporation in that sport.

(c) RECOMMENDATION TO INTERNATIONAL SPORTS FEDERATION.—Within 61 days after recognizing an organization as a national governing body, the corporation shall recommend and support in any appropriate manner the national governing body to the appropriate international sports federation as the representative of the United States for that sport.

(d) REVIEW OF RECOGNITION.—The corporation **[may]** *shall* review all matters related to the continued recognition of an organization as a national governing body and **[may]** *shall* take action it considers appropriate, including placing conditions on the continued recognition.

#### **§ 220522. Eligibility requirements**

(a) GENERAL.—An amateur sports organization is eligible to be recognized, or to continue to be recognized, as a national governing body only if it—

(1) is incorporated under the laws of a State of the United States or the District of Columbia as a not-for-profit corporation having as its purpose the advancement of amateur athletic competition;

(2) has the managerial and financial capability to plan and execute its obligations;

(3) submits—

(A) an application, in the form required by the corporation, for recognition as a national governing body;

(B) a copy of its corporate charter and bylaws; and

(C) any additional information considered necessary or appropriate by the corporation;

(4) agrees to submit to binding arbitration in any controversy involving—

(A) its recognition as a national governing body, as provided for in section 220529 of this title, upon demand of the corporation; and

(B) the opportunity of any amateur athlete, coach, trainer, manager, administrator or official to participate in amateur athletic competition, upon demand of the corporation or any aggrieved amateur athlete, coach, trainer, manager, administrator or official, conducted in accordance with the Commercial Rules of the American Arbitration Association, as modified and provided for in the corporation's constitution and bylaws, except that if the Athletes'



Advisory Council and National Governing Bodies' Council do not concur on any modifications to such Rules, and if the corporation's executive committee is not able to facilitate such concurrence, the Commercial Rules of Arbitration shall apply unless at least two-thirds of the corporation's board of directors approves modifications to such Rules;

(5) demonstrates that it is autonomous in the governance of its sport, in that it—

(A) independently decides and controls all matters central to governance;

(B) does not delegate decision-making and control of matters central to governance; and

(C) is free from outside restraint;

(6) demonstrates that it is a member of no more than one international sports federation that governs a sport included on the program of the Olympic Games or the Pan-American Games;

(7) demonstrates that its membership is open to any individual who is an amateur athlete, coach, trainer, manager, administrator, or official active in the sport for which recognition is sought, or any amateur sports organization that conducts programs in the sport for which recognition is sought, or both;

(8) provides an equal opportunity to amateur athletes, coaches, trainers, managers, administrators, and officials to participate in amateur athletic competition, without discrimination on the basis of race, color, religion, sex, age, or national origin, and with fair notice and opportunity for a hearing to any amateur athlete, coach, trainer, manager, administrator, or official before declaring the individual ineligible to participate;

(9) is governed by a board of directors or other governing board whose members are selected without regard to race, color, religion, national origin, or sex, except that, in sports where there are separate male and female programs, it provides for reasonable representation of both males and females on the board of directors or other governing board;

(10) demonstrates, based on guidelines approved by the corporation, the Athletes' Advisory Council, and the National Governing Bodies' Council, that its board of directors and other such governing boards have established criteria and election procedures for and maintain among their voting members individuals who are actively engaged in amateur athletic competition in the sport for which recognition is sought or who have represented the United States in international amateur athletic competition within the preceding 10 years, that any exceptions to such guidelines by such organization have been approved by the corporation, and that the voting power held by such individuals is not less than 20 percent of the voting power held in its board of directors and other such governing boards;

(11) provides for reasonable direct representation on its board of directors or other governing board for any amateur sports organization that—

(A) conducts a national program or regular national amateur athletic competition in the applicable sport on a level of proficiency appropriate for the selection of amateur

athletes to represent the United States in international amateur athletic competition; and

(B) ensures that the representation reflects the nature, scope, quality, and strength of the programs and competitions of the amateur sports organization in relation to all other programs and competitions in the sport in the United States;

(12) demonstrates that none of its officers are also officers of any other amateur sports organization recognized as a national governing body;

(13) provides procedures for the prompt and equitable resolution of grievances of its members;

(14) does not have eligibility criteria related to amateur status or to participation in the Olympic Games, the Paralympic Games, or the Pan-American Games that are more restrictive than those of the appropriate international sports federation; and

(15) demonstrates, if the organization is seeking to be recognized as a national governing body, that it is prepared to meet the obligations imposed on a national governing body under sections 220524 and 220525 of this title.

(b) **RECOGNITION OF PARALYMPIC SPORTS ORGANIZATIONS.**—For any sport which is included on the program of the Paralympic Games, the corporation is authorized to designate, where feasible and when such designation would serve the best interest of the sport, and with the approval of the affected national governing body, a national governing body recognized under subsection (a) to govern such sport. Where such designation is not feasible or would not serve the best interest of the sport, the corporation is authorized to recognize another amateur sports organization as a paralympic sports organization to govern such sport, except that, notwithstanding the other requirements of this chapter, any such paralympic sports organization—

(1) shall comply only with those requirements, perform those duties, and have those powers that the corporation, in its sole discretion, determines are appropriate to meet the objects and purposes of this chapter; and

(2) may, with the approval of the corporation, govern more than one sport included on the program of the Paralympic Games.

(c) **RULE OF CONSTRUCTION.**—*Nothing in subsection (a) shall be construed to limit the ability of a national governing body to develop a policy or procedure to prevent an individual who is the subject of an allegation of sexual misconduct from interacting with a minor or amateur athlete until such time as the national governing body, or an entity with applicable jurisdiction resolves such allegation.*

### **§ 220523. Authority of national governing bodies**

(a) **AUTHORITY.**—For the sport that it governs, a national governing body may—

(1) represent the United States in the appropriate international sports federation;

(2) establish national goals and encourage the attainment of those goals;

(3) serve as the coordinating body for amateur athletic activity in the United States;

(4) exercise jurisdiction over international amateur athletic activities and sanction international amateur athletic competition held in the United States and sanction the sponsorship of international amateur athletic competition held outside the United States;

(5) conduct amateur athletic competition, including national championships, and international amateur athletic competition in the United States, and establish procedures for determining eligibility standards for participation in competition, except for amateur athletic competition specified in section 220526 of this title;

(6) recommend to the corporation individuals and teams to represent the United States in the Olympic Games, the Paralympic Games, and the Pan-American Games[; and];

(7) designate individuals and teams to represent the United States in international amateur athletic competition (other than the Olympic Games, the Paralympic Games, and the Pan-American Games) and certify, in accordance with applicable international rules, the amateur eligibility of those individuals and teams[.]; and

(8) *develop training, oversight practices, policies, and procedures to prevent the abuse, including physical abuse and sexual abuse, of any minor or amateur athlete by any adult.*

(b) REPLACEMENT OF NATIONAL GOVERNING BODY PURSUANT TO ARBITRATION.—A national governing body may not exercise any authority under subsection (a) of this section for a particular sport after another amateur sports organization has been declared (in accordance with binding arbitration proceedings prescribed by the organic documents of the corporation) entitled to replace that national governing body as the member of the corporation for that sport.

#### **§ 220524. General duties of national governing bodies**

(a) *IN GENERAL.*—For the sport that it governs, a national governing body shall—

(1) develop interest and participation throughout the United States and be responsible to the persons and amateur sports organizations it represents;

(2) minimize, through coordination with other amateur sports organizations, conflicts in the scheduling of all practices and competitions;

(3) keep amateur athletes informed of policy matters and reasonably reflect the views of the athletes in its policy decisions;

(4) disseminate and distribute to amateur athletes, coaches, trainers, managers, administrators, and officials in a timely manner the applicable rules and any changes to such rules of the national governing body, the corporation, the appropriate international sports federation, the International Olympic Committee, the International Paralympic Committee, and the Pan-American Sports Organization;

(5) allow an amateur athlete to compete in any international amateur athletic competition conducted by any amateur sports

organization or person, unless the national governing body establishes that its denial is based on evidence that the organization or person conducting the competition does not meet the requirements stated in section 220525 of this title;

(6) provide equitable support and encouragement for participation by women where separate programs for male and female athletes are conducted on a national basis;

(7) encourage and support amateur athletic sports programs for individuals with disabilities and the participation of individuals with disabilities in amateur athletic activity, including, where feasible, the expansion of opportunities for meaningful participation by individuals with disabilities in programs of athletic competition for able-bodied individuals;

(8) provide and coordinate technical information on physical training, equipment design, coaching, and performance analysis[; and];

(9) encourage and support research, development, and dissemination of information in the areas of sports medicine and sports safety[.];

(10) *develop and enforce policies, mechanisms, and procedures to prevent the abuse, including physical abuse and sexual abuse, of any minor or amateur athlete, including—*

*(A) requiring all adults authorized by a national governing body or a member of a national governing body to interact with a minor or amateur athlete at an amateur sports organization facility or at any event sanctioned by a national governing body or a member of a national governing body, to report facts that give reason to suspect child abuse, including sexual abuse, as required by relevant Federal or State law, to law enforcement authorities and other appropriate authorities, including an entity designated by the corporation to investigate and resolve such allegations;*

*(B) establishing a mechanism, approved by a trained expert on child abuse, that allows an individual to easily report an incident of child abuse as described in subparagraph (A) to the national governing body or another authority, including an entity designated by the corporation;*

*(C) procedures to ensure that covered individuals are instructed to avoid one-on-one situations with any amateur athlete who is a minor (other than such an athlete for whom the covered individual is a legal guardian) at an amateur sports organization facility, at any event sanctioned by a national governing body, or any event sanctioned by a member of a national governing body, without being observable or interruptible by another adult; and*

*(D) oversight procedures, including regular and random audits, not to exceed once a year, conducted by subject matter experts unaffiliated with the national governing body, of all members and adults described in subparagraph (A) to ensure that policies and procedures developed under this paragraph are followed correctly and that consistent training is offered and given to all members regarding prevention of sexual abuse; and*

(11) *in the case of a national governing body with jurisdiction over more than one amateur sports organization facility or event, establish a mechanism by which—*

(A) *the national governing body can—*

(i) *receive a report of suspected sexual misconduct by an adult authorized by a national governing body or a member of a national governing body to interact with a minor or amateur athlete at an amateur sports organization facility or at any event sanctioned by a national governing body or a member of a national governing body; and*

(ii) *confidentially share a report received under clause (i) with each of the other amateur sports organizations, facilities, or members under the jurisdiction of the national governing body; and*

(B) *an amateur sports organization, facility, or member under the jurisdiction of the national governing body can—*

(i) *review the reports received by the national governing body under subparagraph (A)(i) to assess any allegations of sexual misconduct made in such reports; and*

(ii) *withhold providing to an adult who is the subject of an allegation of sexual misconduct in a report reviewed under clause (i) authority to interact with a minor or amateur athlete at such organization, facility, or event until the resolution of such allegation.*

(b) **LIMITED LIABILITY FOR THE UNITED STATES OLYMPIC COMMITTEE, NATIONAL GOVERNING BODIES, AND AN ENTITY DESIGNATED BY THE UNITED STATES OLYMPIC COMMITTEE TO INVESTIGATE AND RESOLVE SEXUAL MISCONDUCT ALLEGATIONS.—**

(1) **IN GENERAL.**—*Except as provided in paragraphs (2), no civil or criminal action may be brought in any Federal or State court against the United States Olympic Committee, a national governing body, or an amateur sports organization, facility, or event under the jurisdiction of a national governing body, or an entity designated by the United States Olympic Committee to investigate and resolve sexual misconduct allegations described in subsection (a)(11), including any director, officer, employee, or agent of such entity, if the action arises from the execution of the responsibilities or functions described in subsection (a)(11).*

(2) **INTENTIONAL, RECKLESS, OR OTHER MISCONDUCT.**—*Paragraph (1) shall not apply to a civil or criminal action if the United States Olympic Committee, a national governing body, an amateur sports organization, facility, or event under the jurisdiction of a national governing body, or an entity designated by the United States Olympic Committee to investigate and resolve sexual misconduct allegations described in subsection (a)(11), or a director, officer, employee, or agent of such entity acted or failed to act—*

(A) *with reckless disregard for a risk of causing injury;*

*or*

(B) *for a purpose unrelated to the performance of any responsibility or function described in subsection (a)(11).*

*(3) LIMITED EFFECT.—Nothing in this section shall apply to any act or omission arising out of any responsibility or function not described in subsection (a)(11).*

\* \* \* \* \*

## Committee Jurisdiction Letters

BOB GOODLATTE, Virginia  
CHAIRMAN

F. JAMES SENSENBRENNER, JR., Wisconsin  
LAMAR S. SMITH, Texas  
STEVE CHABOT, Ohio  
DARRELL E. ISSA, California  
STEVE KING, Iowa  
TRENT FRANKS, Arizona  
LOUIE GOMMENT, Texas  
JIM COCHRAN, Ohio  
TED POE, Texas  
JASON CHAFFETZ, Utah  
TOM MARINO, Pennsylvania  
TROY GOWDY, South Carolina  
RAUL R. LABRADOR, Maine  
BLAKE FARENTHOLD, Texas  
DOUG COLLINS, Georgia  
RON DESANTIS, Florida  
KEN BUCY, Colorado  
JOHN RATZLIFFE, Texas  
MARSHA ROBY, Alabama  
MATT QUAY, Florida  
MIKE JOHNSON, Louisiana  
ANDY BIGGS, Arizona

ONE HUNDRED FIFTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**

## COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951

<http://www.house.gov/judiciary>

May 22, 2017

JOHN CONYERS, JR., Michigan  
RANKING MEMBER

JERROLD NADLER, New York  
ZOE LOFGREN, California  
SHEILA JACKSON LEE, Texas  
STEVE COHEN, Tennessee  
HENRY C. "HANK" JOHNSON, JR., Georgia  
TED DEUTCH, Florida  
LUIS V. GUTIERREZ, Illinois  
KAREN BASS, California  
CEDRIC L. RICHMOND, Louisiana  
HAKEEM S. JEFFRIES, New York  
DAVID CICILINE, Rhode Island  
ERIC SWALWELL, California  
TED LEE, California  
JAMIE RASKIN, Maryland  
PRAMILA JAYAPAL, Washington  
BRAD SCHNEIDER, Illinois

The Honorable Virginia Foxx  
Chair  
Committee on Education & the Workforce  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Chairwoman Foxx,

Thank you for consulting with the Committee on the Judiciary and agreeing to be discharged from further consideration of H.R. 1973, the "Protecting Young Victims from Sexual Abuse Act," so that the bill may proceed expeditiously to the House floor.

I agree that your foregoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 1973 in our report on the legislation and in the *Congressional Record* during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,



Bob Goodlatte  
Chairman

cc: The Honorable John Conyers, Jr.  
The Honorable Robert C. Scott  
The Honorable Paul Ryan, Speaker  
The Honorable Thomas Wickham, Jr., Parliamentarian

MAJORITY MEMBERS  
VIRGINIA FOXX, NORTH CAROLINA, *Chairwoman*

JOE WILSON, SOUTH CAROLINA  
DUNCAN HUNTER, CALIFORNIA  
DAVID P. ROE, TENNESSEE  
GLENN ST. THOMPSON, PENNSYLVANIA  
TIM WALBERG, MICHIGAN  
BRETT GUTHRIE, KENTUCKY  
TODD ROKITA, INDIANA  
LOU BARLETTA, PENNSYLVANIA  
LUCY MESSER, INDIANA  
BRADLEY BYRNE, ALABAMA  
DAVID BRAT, VIRGINIA  
GLENN GROTHMAN, WISCONSIN  
ELISE STEFANIK, NEW YORK  
RICK W. ALLEN, GEORGIA  
JASON LEWIS, MINNESOTA  
FRANCIS ROONEY, FLORIDA  
PAUL MITCHELL, MICHIGAN  
TOM CARRITT, JR., VIRGINIA  
LLOYD K. BAUGHER, PENNSYLVANIA  
A. DREW FERGUSON, N. CAROLINA  
RON ESTES, KANSAS



COMMITTEE ON EDUCATION  
AND THE WORKFORCE  
U.S. HOUSE OF REPRESENTATIVES  
2176 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6100

MINORITY MEMBERS  
ROBERT C. "BOBBY" SCOTT, VIRGINIA,  
*Ranking Member*

SUSAN A. DAVIS, CALIFORNIA  
RAUL M. GRIJALVA, ARIZONA  
JOE COURTNEY, CONNECTICUT  
MAHICA L. FUDGE, OHIO  
JARED POLIS, COLORADO  
GREGORY KILLIP, CALIFORNIA  
NORTHERN MARIANA ISLANDS  
FREDERICA S. WILSON, FLORIDA  
SUZANNE BONAMICI, OREGON  
MARK TAKANO, CALIFORNIA  
ALISA B. ADAMS, NORTH CAROLINA  
MARK DESAULNIER, CALIFORNIA  
DONALD WOODROSE, NEW JERSEY  
LISA BLUNT ROCHETER, DELAWARE  
RAJA KRISHNAMOORTHY, ILLINOIS  
CAROL SHEA-PORTER, NEW HAMPSHIRE  
ADRIANO ESPAILLAT, NEW YORK

May 22, 2017

The Honorable Bob Goodlatte  
Chairman  
Committee on the Judiciary  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

I write to confirm our mutual understanding with respect to H.R. 1773, *Protecting Young Victims from Sexual Abuse Act*. Thank you for consulting with the Committee on Education and the Workforce with regard to H.R. 1773 on those matters within my committee's jurisdiction and agreeing to make improvements to the legislation to address concerns.

The Committee on Education and the Workforce will not delay further consideration of this bill. However, I do so only with the understanding this procedural route will not be construed to prejudice my committee's jurisdictional interest and prerogatives on this bill or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my committee in the future.

I respectfully request your support for the appointment of outside conferees from the Committee on Education and the Workforce should this bill or a similar bill be considered in a conference with the Senate. I also request you include our exchange of letters on this matter in the committee report and in the Congressional Record during consideration of this bill on the House Floor. Thank you for your attention to these matters.

Sincerely,

*Virginia Foxx*

Virginia Foxx  
Chairwoman

CC: The Honorable Paul Ryan  
The Honorable Bobby Scott  
The Honorable John Conyers, Jr.  
Mr. Tom Wickham