

115TH CONGRESS  
1ST SESSION

# H. R. 1973

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IN THE SENATE OF THE UNITED STATES

JUNE 5, 2017

Received; read twice and referred to the Committee on the Judiciary

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## AN ACT

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.

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 “Protecting Young Vic-  
3 tims from Sexual Abuse Act of 2017”.

4 **SEC. 2. REQUIRED REPORTING OF CHILD AND SEXUAL**  
5 **ABUSE AT FACILITIES UNDER THE JURISDIC-**  
6 **TION OF AMATEUR SPORTS ORGANIZATIONS**  
7 **RECOGNIZED BY THE UNITED STATES OLYM-**  
8 **PIC COMMITTEE.**

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

12 (1) in subsection (a)—

13 (A) by striking “A person who” and insert-  
14 ing the following:

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

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

18 “(2) COVERED INDIVIDUALS.—A covered indi-  
19 vidual who learns of facts that give reason to suspect  
20 that a child has suffered an incident of child abuse  
21 shall as soon as possible make a report of the sus-  
22 pected abuse to the agency designated by the Attor-  
23 ney General under subsection (d).”;

24 (2) in subsection (b), in the matter preceding  
25 paragraph (1), by striking “subsection (a)” and in-  
26 serting “subsection (a)(1)”;

1 (3) in subsection (c)—

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

4 (B) in paragraph (8), by striking the pe-  
5 riod at the end and inserting a semicolon; and

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

7 “(9) the term ‘covered individual’ means an  
8 adult who is authorized by a national governing body  
9 or a member of a national governing body to inter-  
10 act with a minor or amateur athlete at an amateur  
11 sports organization facility or at any event sanc-  
12 tioned by a national governing body or a member of  
13 a national governing body;

14 “(10) the term ‘event’ includes travel, practice,  
15 competition, and health or medical treatment; and

16 “(11) the terms ‘amateur athlete’, ‘amateur  
17 sports organization’, and ‘national governing body’  
18 have the meanings given such terms in section  
19 220501(b) of title 36, United States Code.”;

20 (4) in subsection (d), in the first sentence, by  
21 inserting “and for all covered facilities” after “re-  
22 side”;

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

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

1 (B) by inserting “and for all covered facili-  
 2 ties,” after “lands,”;

3 (6) in subsection (h), by inserting “and all cov-  
 4 ered individuals,” after “facilities,”; and

5 (7) by adding at the end the following:

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

9 (b) **PENALTY FOR FAILURE TO REPORT.**—Section  
 10 2258 of title 18, United States Code, is amended by in-  
 11 serting after “facility,” the following: “or a covered indi-  
 12 vidual (as described in subsection (a)(2) of such section  
 13 226) who”.

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

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

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

19 “(a) **IN GENERAL.**—Any person who, while a minor,  
 20 was a victim of a violation of section 1589, 1590, 1591,  
 21 2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260,  
 22 2421, 2422, or 2423 of this title and who suffers personal  
 23 injury as a result of such violation, regardless of whether  
 24 the injury occurred while such person was a minor, may  
 25 sue in any appropriate United States District Court and

1 shall recover the actual damages such person sustains or  
2 liquidated damages in the amount of \$150,000, and the  
3 cost of the action, including reasonable attorney’s fees and  
4 other litigation costs reasonably incurred. The court may  
5 also award punitive damages and such other preliminary  
6 and equitable relief as the court determines to be appro-  
7 priate.”;

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

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

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

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

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

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

21 “(c) VENUE; SERVICE OF PROCESS.—

22 “(1) VENUE.—Any action brought under sub-  
23 section (a) may be brought in the district court of  
24 the United States that meets applicable require-

1       ments relating to venue under section 1391 of title  
2       28.

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

6                       “(A) is an inhabitant; or

7                       “(B) may be found.”.

8       **SEC. 4. EXPANSION OF AUTHORITIES AND DUTIES OF AMA-**  
9               **TEUR SPORTS ORGANIZATIONS RECOGNIZED**  
10              **BY THE UNITED STATES OLYMPIC COM-**  
11              **MITTEE TO PREVENT THE ABUSE OF MINOR**  
12              **AND AMATEUR ATHLETES.**

13       (a)   EXPANSION    OF    AUTHORITIES.—Section  
14   220523(a) of title 36, United States Code, is amended—

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

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

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

20                       “(8) develop training, oversight practices, poli-  
21       cies, and procedures to prevent the abuse, including  
22       physical abuse and sexual abuse, of any minor or  
23       amateur athlete by any adult.”.

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

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

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

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

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

8           “(10) develop and enforce policies, mechanisms,  
9           and procedures to prevent the abuse, including phys-  
10          ical abuse and sexual abuse, of any minor or ama-  
11          teur athlete, including—

12                 “(A) requiring all adults authorized by a  
13                 national governing body or a member of a na-  
14                 tional governing body to interact with a minor  
15                 or amateur athlete at an amateur sports organi-  
16                 zation facility or at any event sanctioned by a  
17                 national governing body or a member of a na-  
18                 tional governing body, to report facts that give  
19                 reason to suspect child abuse, including sexual  
20                 abuse, as required by relevant Federal or State  
21                 law, to law enforcement authorities and other  
22                 appropriate authorities, including an entity des-  
23                 ignated by the corporation to investigate and  
24                 resolve such allegations;

1           “(B) establishing a mechanism, approved  
2           by a trained expert on child abuse, that allows  
3           an individual to easily report an incident of  
4           child abuse as described in subparagraph (A) to  
5           the national governing body or another author-  
6           ity, including an entity designated by the cor-  
7           poration;

8           “(C) reasonable procedures designed to  
9           avoid one-on-one interactions between an ama-  
10          teur athlete who is a minor and an adult (who  
11          is not the minor’s legal guardian) at an ama-  
12          teur sports organization facility, at any event  
13          sanctioned by a national governing body, or any  
14          event sanctioned by a member of a national  
15          governing body, without being observable or in-  
16          interruptible by another adult, except where the  
17          safety and welfare of the minor requires;

18          “(D) oversight procedures, including reg-  
19          ular and random audits, not to exceed once a  
20          year, conducted by subject matter experts unaf-  
21          filiated with the national governing body, of all  
22          members and adults described in subparagraph  
23          (A) to ensure that policies and procedures de-  
24          veloped under this paragraph are followed cor-  
25          rectly and that consistent training is offered

1 and given to all members regarding prevention  
2 of sexual abuse; and

3 “(E) requiring dedicated information and  
4 resources, which may include sexual assault  
5 hotlines and victims’ support resources, to be  
6 clearly listed on the national governing body’s  
7 official website; and

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

12 “(A) the national governing body can—

13 “(i) receive a report of suspected sex-  
14 ual misconduct by an adult authorized by  
15 a national governing body or a member of  
16 a national governing body to interact with  
17 a minor or amateur athlete at an amateur  
18 sports organization facility or at any event  
19 sanctioned by a national governing body or  
20 a member of a national governing body;  
21 and

22 “(ii) confidentially share a report re-  
23 ceived under clause (i) with each of the  
24 other amateur sports organizations, facili-

1 ties, or members under the jurisdiction of  
2 the national governing body; and

3 “(B) an amateur sports organization, facil-  
4 ity, or member under the jurisdiction of the na-  
5 tional governing body can—

6 “(i) review the reports received by the  
7 national governing body under subpara-  
8 graph (A)(i) to assess any allegations of  
9 sexual misconduct made in such reports;  
10 and

11 “(ii) withhold providing to an adult  
12 who is the subject of an allegation of sex-  
13 ual misconduct in a report reviewed under  
14 clause (i) authority to interact with a  
15 minor or amateur athlete at such organiza-  
16 tion, facility, or event until the resolution  
17 of such allegation.

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

23 “(1) IN GENERAL.—Except as provided in para-  
24 graphs (2), no civil or criminal action may be  
25 brought in any Federal or State court against the

1 United States Olympic Committee, a national gov-  
2 erning body, or an amateur sports organization, fa-  
3 cility, or event under the jurisdiction of a national  
4 governing body, or an entity designated by the  
5 United States Olympic Committee to investigate and  
6 resolve sexual misconduct allegations described in  
7 subsection (a)(11), including any director, officer,  
8 employee, or agent of such entity, if the action arises  
9 from the execution of the responsibilities or func-  
10 tions described in subsection (a)(11).

11 “(2) INTENTIONAL, RECKLESS, OR OTHER MIS-  
12 CONDUCT.—Paragraph (1) shall not apply to a civil  
13 or criminal action if the United States Olympic  
14 Committee, a national governing body, an amateur  
15 sports organization, facility, or event under the ju-  
16 risdiction of a national governing body, or an entity  
17 designated by the United States Olympic Committee  
18 to investigate and resolve sexual misconduct allega-  
19 tions described in subsection (a)(11), or a director,  
20 officer, employee, or agent of such entity acted or  
21 failed to act—

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

1           “(B) for a purpose unrelated to the per-  
2           formance of any responsibility or function de-  
3           scribed in subsection (a)(11).

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

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

10          “(c) RULE OF CONSTRUCTION.—Nothing in sub-  
11          section (a) shall be construed to limit the ability of a na-  
12          tional governing body to develop a policy or procedure to  
13          prevent an individual who is the subject of an allegation  
14          of sexual misconduct from interacting with a minor or  
15          amateur athlete until such time as the national governing  
16          body, or an entity with applicable jurisdiction resolves  
17          such allegation.”.

18          (d) REVIEW OF RECOGNITION OF AMATEUR SPORTS  
19          ORGANIZATIONS AS NATIONAL GOVERNING BODIES.—  
20          Section 220521(d) of title 36, United States Code, is

1 amended by striking “may” each place it appears and in-  
2 serting “shall”.

Passed the House of Representatives May 25, 2017.

Attest:

KAREN L. HAAS,  
*Clerk.*