

Public Law 117–340
117th Congress

An Act

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

Jan. 5, 2023
[S. 2333]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Equal Pay for Team USA Act of 2022”.

Equal Pay for
Team USA Act of
2022.
36 USC 101 note.

SEC. 2. MODIFICATIONS TO UNITED STATES OLYMPIC AND PARALYMPIC COMMITTEE AND NATIONAL GOVERNING BODIES.

(a) UNITED STATES OLYMPIC AND PARALYMPIC COMMITTEE.—

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

(A) in paragraph (1)—

(i) in subparagraph (B)(ii), by striking “; and” and inserting a semicolon;

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

(iii) by adding at the end the following:

“(D) with respect to a sport for which the corporation conducts separate programs for female and male athletes, to ensure that female and male athletes who represent the United States in international amateur athletic events receive, from funds directly provided by the corporation to the athlete (excluding any prize or award based on the athlete’s performance in an international amateur athletic competition), equivalent and nondiscriminatory compensation, wages, benefits, medical care, travel arrangements, and payment or reimbursement for expenses, all insofar as these are implemented in connection with such amateur athletic events, where ‘equivalent’ means ‘equal’ except that it shall be permissible—

“(i) to consider merit, performance, seniority, or quantity of play in determining contract or other terms of participation; and

“(ii) to provide more beneficial terms of participation to athletes representing the United States in international events to address disparities in outside income, including in compensation made available by international sports federations and other event organizers, or the need to foster underdeveloped programs

or address documented and justifiable personal need on the part of specific athletes or teams.”;

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

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

“(2) **ADVOCACY.**—The corporation shall take all reasonable steps, in collaboration with affected athletes, to advocate to international sports federations and other event organizers to equalize prizes, compensation, funding, and other support provided to athletes by such federations and organizers.”.

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

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

36 USC 220514. **“§ 220514. Annual report on equal treatment of athletes**

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

“(b) **MATTERS TO BE INCLUDED.**—Each report required by subsection (a) shall include detailed information on the median, minimum, and maximum stipends and bonuses provided to athletes, disaggregated by gender, race, and, as applicable, status of participation on a professional sports team.”.

(B) **CONFORMING AMENDMENT.**—The table of sections for subchapter I of chapter 2205 of title 36, United States Code, is amended by adding at the end the following:

36 USC
prec. 220501.

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

(b) **NATIONAL GOVERNING BODIES.**—

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

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

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

“(7) with respect to a sport for which a national governing body conducts separate programs for female and male athletes, ensure that female and male athletes who represent the United States in international amateur athletic events receive, from funds directly provided by the national governing body to the athlete (excluding any prize or award based on the athlete’s performance in an international amateur athletic competition), equivalent and nondiscriminatory compensation, wages, benefits, medical care, travel arrangements, and payment or reimbursement for expenses, all insofar as these are implemented in connection with such amateur athletic events, where ‘equivalent’ means ‘equal’ except that it shall be permissible—

“(A) to consider merit, performance, seniority, or quantity of play in determining contract or other terms of participation; and

“(B) to provide more beneficial terms of participation to athletes representing the United States in international events to address disparities in outside income, including in compensation made available by international sports federations and other event organizers, or the need to foster underdeveloped programs or address documented and justifiable personal need on the part of specific athletes or teams;

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

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

(A) IN GENERAL.—Subchapter II of chapter 2205 of title 36, United States Code, is amended by adding at the end the following:

“§ 220530A. Annual report on equal treatment of athletes 36 USC 220530A.

“(a) IN GENERAL.—Not less frequently than annually, each national governing body shall submit to the corporation and Congress a report on the compliance of the national governing body with paragraphs (7) and (8) of section 220524(a).

“(b) MATTERS TO BE INCLUDED.—Each report required by subsection (a) shall include detailed information on the median, minimum, and maximum stipends and bonuses provided to athletes, disaggregated by gender, race, and, as applicable, status of participation on a professional sports team.”.

(B) CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 2205 of title 36, United States Code, is amended by adding at the end the following:

36 USC
prec. 220501.

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

(c) IMPLEMENTATION PERIOD AND REPORTS TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act— 36 USC 220505
note.

(1) the corporation shall—

(A) attain full compliance, and require as a condition of continued certification that each national governing body attains and maintains full compliance, with the applicable amendments made by this Act; and

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

(2) each national governing body shall—

(A) attain full compliance with the applicable amendments made by this Act; and

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

(d) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed— 36 USC 220505
note.

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

(2) to prohibit an individual athlete or a group of athletes from receiving compensation from an individual or entity other than a national governing body or the corporation for the use of, as applicable, the name, image, or likeness of the individual athlete or the names, images, or likenesses of the group of athletes; or

(3) to prohibit a team or group of athletes from accepting outside sponsorships or endorsements, or from participating in outside promotional events or marketing campaigns, even if a team or group of athletes of another gender are not offered

equivalent sponsorships, endorsements, or participation in outside promotional events or marketing campaigns.

Approved January 5, 2023.

LEGISLATIVE HISTORY—S. 2333:

CONGRESSIONAL RECORD, Vol. 168 (2022):

Dec. 8, considered and passed Senate.

Dec. 21, considered and passed House.