

not be employed by the Center, or serve in a capacity that exercises decision-making authority on behalf of the Center, during the 2-year period beginning on the date on which the athlete ceases such representation.

(d) CERTIFICATION REQUIREMENTS.—The bylaws of the corporation shall include a description of all generally applicable certification requirements for membership in the corporation.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1467; Pub. L. 105–277, div. C, title I, §142(e), Oct. 21, 1998, 112 Stat. 2681–603; Pub. L. 116–189, §§4(a)(4), 6(b), 7(a)(2)(A)(i), Oct. 30, 2020, 134 Stat. 945, 948, 956.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
220504 .....	36:376.	Sept. 21, 1950, ch. 975, title I, §106, as added Nov. 8, 1978, Pub. L. 95–606, §1(b), 92 Stat. 3048.

In subsection (a), the words “is as provided in” are substituted for “shall be determined in accordance with” for consistency in the revised title.

Editorial Notes

AMENDMENTS

2020—Subsec. (a). Pub. L. 116–189, §6(b)(1), inserted “, and membership shall be available only to national governing bodies” before period at end.

Subsec. (b)(1). Pub. L. 116–189, §7(a)(2)(A)(i), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “amateur sports organizations recognized as national governing bodies and paralympic sports organizations in accordance with section 220521 of this title, including through provisions which establish and maintain a National Governing Bodies’ Council composed of representatives of the national governing bodies and any paralympic sports organizations and selected by their boards of directors or such other governing boards to ensure effective communication between the corporation and such national governing bodies and paralympic sports organizations;”.

Subsec. (b)(2). Pub. L. 116–189, §6(b)(2), amended par. (2) generally. Prior to amendment, par. (2) read as follows: “amateur athletes who are actively engaged in amateur athletic competition or who have represented the United States in international amateur athletic competition within the preceding 10 years, including through provisions which—

“(A) establish and maintain an Athletes’ Advisory Council composed of, and elected by, such amateur athletes to ensure communication between the corporation and such amateur athletes; and

“(B) ensure that the membership and voting power held by such amateur athletes is not less than 20 percent of the membership and voting power held in the board of directors of the corporation and in the committees and entities of the corporation;”.

Subsec. (b)(3). Pub. L. 116–189, §4(a)(4), substituted “the Pan-American Games, or the Parapan American Games” for “or the Pan-American Games”.

Subsecs. (c), (d). Pub. L. 116–189, §6(b)(3), added subsecs. (c) and (d).

1998—Subsec. (b)(1), (2). Pub. L. 105–277, §142(e)(1), added pars. (1) and (2) and struck out former pars. (1) and (2) which read as follows:

“(1) amateur sports organizations recognized as national governing bodies under section 220521 of this title;

“(2) amateur athletes who are actively engaged in amateur athletic competition or who have represented the United States in international amateur athletic competition within the preceding 10 years;”.

Subsec. (b)(3). Pub. L. 105–277, §142(e)(2), inserted “, the Paralympic Games,” after “Olympic Games”.

§ 220505. Powers and duties

(a) CONSTITUTION AND BYLAWS.—The corporation shall adopt a constitution and bylaws. The corporation may amend its constitution only if the corporation—

(1) publishes, in its principal publication, a notice of the proposed amendment, including—  
(A) the substantive terms of the amendment;

(B) the time and place of the corporation’s regular meeting at which adoption of the amendment is to be decided; and

(C) a provision informing interested persons that they may submit materials as authorized in clause (2) of this subsection; and

(2) gives all interested persons an opportunity to submit written comments and information for at least 60 days after publication of notice of the proposed amendment and before adoption of the amendment.

(b) GENERAL CORPORATE POWERS.—The corporation may—

(1) adopt and alter a corporate seal;

(2) establish and maintain offices to conduct the affairs of the corporation;

(3) make contracts;

(4) accept gifts, legacies, and devises in furtherance of its corporate purposes;

(5) acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation;

(6) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(7) publish a magazine, newspaper, and other publications consistent with its corporate purposes;

(8) approve and revoke membership in the corporation;

(9) sue and be sued, except that any civil action brought in a State court against the corporation and solely relating to the corporation’s responsibilities under this chapter shall be removed, at the request of the corporation, to the district court of the United States in the district in which the action was brought, and such district court shall have original jurisdiction over the action without regard to the amount in controversy or citizenship of the parties involved, and except that neither this paragraph nor any other provision of this chapter shall create a private right of action under this chapter; and

(10) do any other act necessary and proper to carry out the purposes of the corporation.

(c) POWERS RELATED TO AMATEUR ATHLETICS AND THE OLYMPIC GAMES.—The corporation may—

(1) serve as the coordinating body for amateur athletic activity in the United States directly related to international amateur athletic competition;

(2) represent the United States as its national Olympic committee in relations with the International Olympic Committee and the

Pan-American Sports Organization and as its national Paralympic committee in relations with the International Paralympic Committee;

(3) organize, finance, and control the representation of the United States in the competitions and events of the Olympic Games, the Paralympic Games, the Pan-American Games, and the Parapan American Games, and obtain, directly or by delegation to the appropriate national governing body, amateur representation for those games;

(4) certify national governing bodies for any sport that is included on the program of the Olympic Games, the Paralympic Games, the Pan-American Games, or the Parapan American Games;

(5) facilitate, through orderly and effective administrative procedures, the resolution of conflicts or disputes that involve any of its members and any amateur athlete, coach, trainer, manager, administrator, official, national governing body, or amateur sports organization and that arise in connection with their eligibility for and participation in the Olympic Games, the Paralympic Games, the Pan-American Games, the Parapan American Games, world championship competition, the Pan-American world championship competition, or other protected competition as defined in the constitution and bylaws of the corporation; and

(6) provide financial assistance to any organization or association, except a corporation organized for profit, in furtherance of the purposes of the corporation.

(d) DUTIES.—

(1) IN GENERAL.—The duty of the corporation to amateur athletes includes the adoption, effective implementation, and enforcement of policies and procedures designed—

(A) to immediately report to law enforcement and the Center any allegation of child abuse of an amateur athlete who is a minor;

(B) to ensure that each national governing body has in place policies and procedures to report immediately any allegation of child abuse of an amateur athlete, consistent with—

(i) the policies and procedures developed under subparagraph (C) of section 220541(a)(1); and

(ii) the requirement described in paragraph (2)(A) of section 220542(a);

(C) to ensure that each national governing body and the corporation enforces temporary measures and sanctions issued pursuant to the authority of the Center; and

(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.

(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.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to preempt or otherwise abrogate the duty of care of the corporation under State law or the common law.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1468; Pub. L. 105-277, div. C, title I, § 142(f), Oct. 21, 1998, 112 Stat. 2681-604; Pub. L. 109-284, § 5(15), Sept. 27, 2006, 120 Stat. 1212; Pub. L. 116-189, §§ 4(a)(5), 6(c)(1), Oct. 30, 2020, 134 Stat. 945, 948; Pub. L. 117-340, § 2(a)(1), Jan. 5, 2023, 136 Stat. 6175.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
220505(a) .....	36:375(b).	Sept. 21, 1950, ch. 975, title I, §§ 105 (less (a) (words before cl. (1) related to perpetual succession)), 109, as added Nov. 8, 1978, Pub. L. 95-606, § 1(b), 92 Stat. 3047, 3048.
220505(b) .....	36:375(a) (words before cl. (1) less perpetual succession), (6)-(10), (12)-(16). 36:379.	
220505(c) .....	36:375(a) (words before cl. (1) less perpetual succession), (1)-(5), (11).	

In subsection (a), before clause (1), the words “not inconsistent with the laws of the United States or of any State” are omitted as unnecessary. In clause (1), the word “amendment” is substituted for “alteration” for consistency. Before subclause (A), the word “general” is omitted as unnecessary. In subclause (B), the words “adoption of the amendment” are substituted for “the alteration” for clarity. In clause (2), the word “comments” is substituted for “views, or arguments” to omit unnecessary words. The words “a period of” are omitted as unnecessary.

In subsection (b), the text of 36:379 is omitted as executed and obsolete. In clause (4), the word “devises” is substituted for “devices” to use standard contemporary spelling. In clause (5), the words “acquire, own, lease, encumber, and transfer” are substituted for “acquire, hold, and dispose of” for consistency in the revised

title. The words “real and personal” and “may be” are omitted as unnecessary. The words “to carry out the purposes of the corporation” are substituted for “for its corporate purposes” for consistency in the revised title. In clause (6), the words “to carry out its corporate purposes” are omitted as unnecessary and for consistency in the revised title. The words “issue instruments of indebtedness, and secure its obligations by granting security interests in its property” are substituted for “issue notes, bonds, or other evidences of indebtedness therefor, and secure the same by mortgage” for consistency in the revised title. The words “subject in each case to the laws of the United States or of any State” are omitted as unnecessary.

### Editorial Notes

#### AMENDMENTS

2023—Subsec. (d)(1)(D). Pub. L. 117-340, §2(a)(1)(A), added subpar. (D).

Subsec. (d)(2), (3). Pub. L. 117-340, §2(a)(1)(B), (C), added par. (2) and redesignated former par. (2) as (3).

2020—Pub. L. 116-189, §6(c)(1)(A), substituted “Powers and duties” for “Powers” in section catchline.

Subsec. (c)(3). Pub. L. 116-189, §4(a)(5)(A), substituted “the Pan-American Games, and the Parapan American Games” for “and the Pan-American Games”.

Subsec. (c)(4). Pub. L. 116-189, §4(a)(5)(B), amended par. (4) generally. Prior to amendment, par. (4) read as follows: “recognize eligible amateur sports organizations as national governing bodies for any sport that is included on the program of the Olympic Games or the Pan-American Games, or as paralympic sports organizations for any sport that is included on the program of the Paralympic Games;”.

Subsec. (c)(5). Pub. L. 116-189, §4(a)(5)(C), inserted “the Parapan American Games,” after “the Pan-American Games,”.

Subsec. (d). Pub. L. 116-189, §6(c)(1)(B), added subsec. (d).

2006—Subsec. (b)(9). Pub. L. 109-284 substituted “this chapter shall be” for “this Act shall be”.

1998—Subsec. (b)(9). Pub. L. 105-277, §142(f)(1), substituted “sued, except that any civil action brought in a State court against the corporation and solely relating to the corporation’s responsibilities under this Act shall be removed, at the request of the corporation, to the district court of the United States in the district in which the action was brought, and such district court shall have original jurisdiction over the action without regard to the amount in controversy or citizenship of the parties involved, and except that neither this paragraph nor any other provision of this chapter shall create a private right of action under this chapter; and” for “sued; and”.

Subsec. (c)(2). Pub. L. 105-277, §142(f)(2)(A), substituted “Organization and as its national Paralympic committee in relations with the International Paralympic Committee;” for “Organization”.

Subsec. (c)(3). Pub. L. 105-277, §142(f)(2)(B), substituted “Games, the Paralympic Games, and” for “Games and of”.

Subsec. (c)(4). Pub. L. 105-277, §142(f)(2)(C), substituted “Games, or as paralympic sports organizations for any sport that is included on the program of the Paralympic Games;” for “Games;”.

Subsec. (c)(5). Pub. L. 105-277, §142(f)(2)(D), substituted “Games, the Paralympic Games, the Pan-American Games, world championship competition,” for “Games,”.

### Statutory Notes and Related Subsidiaries

#### RULE OF CONSTRUCTION

Pub. L. 117-340, §2(d), Jan. 5, 2023, 136 Stat. 6177, provided that: “Nothing in this Act [see Short Title of 2023 Amendment note set out under section 101 of this title] shall be construed—

“(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.”

#### IMPLEMENTATION PERIOD AND REPORTS TO CONGRESS

Pub. L. 117-340, §2(c), Jan. 5, 2023, 136 Stat. 6177, provided that: “Not later than 1 year after the date of the enactment of this Act [Jan. 5, 2023]—

“(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 [see Short Title of 2023 Amendment note set out under section 101 of this title]; 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.”

### § 220506. Exclusive right to name, seals, emblems, and badges

(a) EXCLUSIVE RIGHT OF CORPORATION.—Except as provided in subsection (d) of this section, the corporation has the exclusive right to use—

(1) the name “United States Olympic and Paralympic Committee”;

(2) the symbol of the International Olympic Committee, consisting of 5 interlocking rings, the symbol of the International Paralympic Committee, consisting of 3 Agitos, or the symbol of the Pan-American Sports Organization, consisting of a torch surrounded by concentric rings;

(3) the emblem of the corporation, consisting of an escutcheon having a blue chief and vertically extending red and white bars on the base with 5 interlocking rings displayed on the chief; and

(4) the words “Olympic”, “Olympiad”, “Citius Altius Fortius”, “Paralympic”, “Paralympiad”, “Pan-American”, “Parapan American”, “America Espirito Sport Fraternalite”, or any combination of those words.

(b) CONTRIBUTORS AND SUPPLIERS.—The corporation may authorize contributors and suppliers of goods or services to use the trade name of the corporation or any trademark, symbol, insignia, or emblem of the International Olympic Committee, International Paralympic Committee, the Pan-American Sports Organization, or of the corporation to advertise that the contributions, goods, or services were donated or