

ber of the corporation shall take or threaten to take any action against an athlete as a reprisal for disclosing information to or seeking assistance from the Office of the Athlete Ombuds.

(6) INDEPENDENCE IN CARRYING OUT DUTIES.—The board of directors of the corporation or any other member or employee of the corporation shall not prevent or prohibit the Office of the Athlete Ombuds from carrying out any duty or responsibility under this section.

(c) RETALIATION.—

(1) IN GENERAL.—The corporation, the national governing bodies, or any officer, employee, contractor, subcontractor, or agent of the corporation or a national governing body may not retaliate against any protected individual as a result of any communication, including the filing of a formal complaint, by a protected individual or a parent or legal guardian of the protected individual relating to an allegation of physical abuse, sexual harassment, or emotional abuse.

(2) DISCIPLINARY ACTION.—If the corporation finds that an employee of the corporation or a national governing body has retaliated against a protected individual, the corporation or national governing body, as applicable, shall immediately terminate the employment of, or suspend without pay, such employee.

(3) DAMAGES.—

(A) IN GENERAL.—With respect to a protected individual the corporation finds to have been subject to retaliation, the corporation may award damages, including damages for pain and suffering and reasonable attorney fees.

(B) REIMBURSEMENT FROM NATIONAL GOVERNING BODY.—In the case of a national governing body found to have retaliated against a protected individual, the corporation may demand reimbursement from the national governing body for damages paid by the corporation under subparagraph (A).

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1470; Pub. L. 105-277, div. C, title I, §142(h), Oct. 21, 1998, 112 Stat. 2681-605; Pub. L. 109-284, §5(17), Sept. 27, 2006, 120 Stat. 1212; Pub. L. 116-189, §§4(a)(7), 6(e), Oct. 30, 2020, 134 Stat. 945, 950.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
220509 .....	36:382b.	Sept. 21, 1950, ch. 975, title I, §114, as added Nov. 8, 1978, Pub. L. 95-606, §1(b), 92 Stat. 3049.

**Editorial Notes**

REFERENCES IN TEXT

The date of the enactment of the Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020, referred to in subsec. (b)(4)(E)(i), is the date of enactment of Pub. L. 116-189, which was approved Oct. 30, 2020.

AMENDMENTS

2020—Subsec. (a). Pub. L. 116-189, §§4(a)(7), 6(e)(1), in first sentence, inserted “complaints of retaliation or” after “relating to” and “the Parapan American

Games,” after “the Pan-American Games,” and, in second sentence, substituted “the Pan-American Games, or the Parapan American Games” for “or the Pan-American Games”.

Subsec. (b). Pub. L. 116-189, §6(e)(2), amended subsec. (b) generally. Prior to amendment, subsec. (b) provided for an ombudsman for athletes.

Subsec. (c). Pub. L. 116-189, §6(e)(3), added subsec. (c). 2006—Subsec. (b)(1)(A). Pub. L. 109-284 struck out “a” before “paralympic sports organizations”.

1998—Subsec. (a). Pub. L. 105-277, §142(h)(1), designated existing provisions as subsec. (a), and inserted heading.

Pub. L. 105-277, §142(h)(2), inserted “the Paralympic Games,” before “the Pan-American Games”.

Pub. L. 105-277, §142(h)(3), inserted at end “In any lawsuit relating to the resolution of a dispute involving the opportunity of an amateur athlete to participate in the Olympic Games, the Paralympic Games, or the Pan-American Games, a court shall not grant injunctive relief against the corporation within 21 days before the beginning of such games if the corporation, after consultation with the chair of the Athletes’ Advisory Council, has provided a sworn statement in writing executed by an officer of the corporation to such court that its constitution and bylaws cannot provide for the resolution of such dispute prior to the beginning of such games.”

Subsec. (b). Pub. L. 105-277, §142(h)(4), added subsec. (b).

**§ 220510. Service of process**

As a condition to the exercise of any power or privilege granted by this chapter, the corporation shall have a designated agent in the State of Colorado to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1470; Pub. L. 105-277, div. C, title I, §142(i), Oct. 21, 1998, 112 Stat. 2681-606.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
220510 .....	36:381.	Sept. 21, 1950, ch. 975, title I, §111, as added Nov. 8, 1978, Pub. L. 95-606, §1(b), 92 Stat. 3049.

The words “precedent” and “or conferred” are omitted as unnecessary. The words “with the secretary of state or other designated official” are substituted for “in the office of the secretary of state, or similar office” for consistency in the revised title. The words “post-office” and “authorized” are omitted as unnecessary. The words “legal process” are substituted for “local process” for consistency in the revised title.

**Editorial Notes**

AMENDMENTS

1998—Pub. L. 105-277 amended text generally. Prior to amendment, text read as follows: “As a condition to the exercise of any power or privilege granted by this chapter, the corporation shall file, with the secretary of state or other designated official of each State, the name and address of an agent in that State on whom legal process or demands against the corporation may be served.”

**§ 220511. Reports and audits**

(a) REPORT.—

(1) SUBMISSION TO PRESIDENT AND CONGRESS.—Not less frequently than annually, the

corporation shall submit simultaneously to the President and to each House of Congress a detailed report on the operations of the corporation for the preceding calendar year.

(2) MATTERS TO BE INCLUDED.—Each report required by paragraph (1) shall include the following:

(A) A comprehensive description of the activities and accomplishments of the corporation during such calendar year.

(B) Data concerning the participation of women, disabled individuals, and racial and ethnic minorities in the amateur athletic activities and administration of the corporation and national governing bodies.

(C) A description of the steps taken to encourage the participation of women, disabled individuals, and racial minorities in amateur athletic activities.

(D) A description of any lawsuit or grievance filed against the corporation, including any dispute initiated under this chapter.

(E) The agenda and minutes of any meeting of the board of directors of the corporation that occurred during such calendar year.

(F) A report by the compliance committee of the corporation that, with respect to such calendar year—

(i) identifies—

(I) the areas in which the corporation has met compliance standards; and

(II) the areas in which the corporation has not met compliance standards; and

(ii) assesses the compliance of each member of the corporation and provides a plan for improvement, as necessary.

(G) A detailed description of any complaint of retaliation made during such calendar year, including the entity involved, the number of allegations of retaliation, and the outcome of such allegations.

(3) PUBLIC AVAILABILITY.—The corporation shall make each report under this subsection available to the public on an easily accessible internet website of the corporation.

(b) AUDIT.—

(1) IN GENERAL.—Not less frequently than annually, the financial statements of the corporation for the preceding fiscal year shall be audited in accordance with generally accepted auditing standards by—

(A) an independent certified public accountant; or

(B) an independent licensed public accountant who is certified or licensed by the regulatory authority of a State or a political subdivision of a State.

(2) LOCATION.—An audit under paragraph (1) shall be conducted at the location at which the financial statements of the corporation normally are kept.

(3) ACCESS.—An individual conducting an audit under paragraph (1) shall be given full access to—

(A) all records and property owned or used by the corporation, as necessary to facilitate the audit; and

(B) any facility under audit for the purpose of verifying transactions, including any balance or security held by a depository, fiscal agent, or custodian.

(4) REPORT.—

(A) IN GENERAL.—Not later than 180 days after the end of the fiscal year for which an audit is carried out, the auditor shall submit a report on the audit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on the Judiciary of the House of Representatives, and the chair of the Athletes' Advisory Council.

(B) MATTERS TO BE INCLUDED.—Each report under subparagraph (A) shall include the following for the applicable fiscal year:

(i) Any statement necessary to present fairly the assets, liabilities, and surplus or deficit of the corporation.

(ii) An analysis of the changes in the amounts of such assets, liabilities, and surplus or deficit.

(iii) A detailed statement of the income and expenses of the corporation, including the results of any trading, manufacturing, publishing, or other commercial endeavor.

(iv) A detailed statement of the amounts spent on stipends and services for athletes.

(v) A detailed statement of the amounts spent on compensation and services for executives and administration officials of the corporation, including the 20 employees of the corporation who receive the highest amounts of compensation.

(vi) A detailed statement of the amounts allocated to the national governing bodies.

(vii) Such comments and information as the auditor considers necessary to inform Congress of the financial operations and condition of the corporation.

(viii) Recommendations relating to the financial operations and condition of the corporation.

(ix) A description of any financial conflict of interest (including a description of any recusal or other mitigating action taken), evaluated in a manner consistent with the policies of the corporation, of—

(I) a member of the board of directors of the corporation; or

(II) any senior management personnel of the corporation.

(C) PUBLIC AVAILABILITY.—

(i) IN GENERAL.—The corporation shall make each report under this paragraph available to the public on an easily accessible internet website of the corporation.

(ii) PERSONALLY IDENTIFIABLE INFORMATION.—A report made available under clause (i) shall not include the personally identifiable information of any individual.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1471; Pub. L. 105-277, div. C, title I, §142(j)(1), Oct. 21, 1998, 112 Stat. 2681-606; Pub. L. 109-284, §5(18), Sept. 27, 2006, 120 Stat. 1212; Pub. L. 116-189, §6(f)(1), Oct. 30, 2020, 134 Stat. 953.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
220511 .....	36:382a(a).	Sept. 21, 1950, ch. 975, title I, §113(a), as added Nov. 8, 1978, Pub. L. 95-606, §1(b), 92 Stat. 3049.

In subsection (a)(1), the words “full and” are omitted as unnecessary.

**Editorial Notes**

AMENDMENTS

2020—Pub. L. 116-189 amended section generally. Prior to amendment, section related to reports to be submitted by the United States Olympic Committee.

2006—Pub. L. 109-284 substituted “Report” for “Annual report” in section catchline.

1998—Subsec. (a). Pub. L. 105-277 amended heading and text of subsec. (a) generally. Prior to amendment, text read as follows: “Not later than June 1 of each year, the corporation shall submit simultaneously to the President and to each House of Congress a detailed report of its operations during the prior calendar year, including—

“(1) a complete statement of the corporation’s receipts and expenditures; and

“(2) a comprehensive description of the activities and accomplishments of the corporation during the prior year.”

**§ 220512. Complete teams**

In obtaining representation for the United States in each competition and event of the Olympic Games, Paralympic Games, Pan-American Games, and Parapan American Games, the corporation, either directly or by delegation to the appropriate national governing body, may select, but is not obligated to select (even if not selecting will result in an incomplete team for an event), athletes who have not met the eligibility standard of the national governing body and the corporation when the number of athletes who have met the eligibility standards of such entities is insufficient to fill the roster for an event.

(Added Pub. L. 105-277, div. C, title I, §142(k)(1), Oct. 21, 1998, 112 Stat. 2681-606; amended Pub. L. 109-284, §5(19), Sept. 27, 2006, 120 Stat. 1212; Pub. L. 116-189, §§4(a)(8), 7(a)(2)(A)(ii), Oct. 30, 2020, 134 Stat. 945, 956.)

**Editorial Notes**

AMENDMENTS

2020—Pub. L. 116-189 substituted “Pan-American Games, and Parapan American Games” for “and Pan-American Games” and struck out “or paralympic sports organization” after “appropriate national governing body”.

2006—Pub. L. 109-284 substituted “and the corporation” for “and the Corporation”.

**§ 220513. Annual amateur athlete survey**

(a) IN GENERAL.—Not less frequently than annually, the corporation shall cause an independent third-party organization, under contract, to conduct an anonymous survey of amateur athletes who are actively engaged in amateur athletic competition with respect to—

(1) their satisfaction with the corporation and the applicable national governing body; and

(2) the behaviors, attitudes, and feelings within the corporation and the applicable national governing body relating to sexual harassment and abuse.

(b) CONSULTATION.—A contract under subsection (a) shall require the independent third-party organization to develop the survey in consultation with the Center.

(c) PROHIBITION ON INTERFERENCE.—If the corporation or a national governing body makes any effort to undermine the independence of, introduce bias into, or otherwise influence a survey under subsection (a), such activity shall be reported immediately to Congress.

(d) PUBLIC AVAILABILITY.—The corporation shall make the results of each such survey available to the public on an internet website of the corporation.

(Added Pub. L. 116-189, §6(g)(1), Oct. 30, 2020, 134 Stat. 955.)

**§ 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.

(Added Pub. L. 117-340, §2(a)(2)(A), Jan. 5, 2023, 136 Stat. 6176.)

**Editorial Notes**

CODIFICATION

Section 2(a)(2)(A) of Pub. L. 117-340, which directed that this section be added at the end of “subchapter I of title 36, United States Code”, was executed by adding this section at the end of subchapter I of this chapter, to reflect the probable intent of Congress.

**Statutory Notes and Related Subsidiaries**

RULE OF CONSTRUCTION

For construction of Pub. L. 117-340 as it pertains to certain rights of athletes, see section 2(d) of Pub. L. 117-340, set out as a note under section 220505 of this title.

SUBCHAPTER II—NATIONAL GOVERNING BODIES

**§ 220521. Certification of national governing bodies**

(a) IN GENERAL.—With respect to each sport included on the program of the Olympic Games, the Paralympic Games, the Pan-American Games, or the Parapan American Games, the corporation—

(1) may certify as a national governing body an amateur sports organization, a high-performance management organization, or a paralympic sports organization that files an