

tion over that competition if participation is restricted to a specific class of amateur athletes, such as high school students, college students, members of the Armed Forces, or similar groups or categories.

(b) SANCTIONS FOR INTERNATIONAL COMPETITION.—An amateur sports organization under subsection (a) of this section shall obtain a sanction from the appropriate national governing body if the organization wishes to—

- (1) conduct international amateur athletic competition in the United States; or
- (2) sponsor international amateur athletic competition to be held outside the United States.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1475.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|-------------------------|--|
| 220526(a) | 36:396 (1st sentence). | Sept. 21, 1950, ch. 975, title II, §206, as added Nov. 8, 1978, Pub. L. 95–606, §2, 92 Stat. 3058. |
| 220526(b) | 36:396 (last sentence). | |

§ 220527. Complaints against national governing bodies

(a) GENERAL.—(1) An amateur sports organization or person that belongs to or is eligible to belong to a national governing body may seek to compel the national governing body to comply with sections 220522, 220524, and 220525 of this title by filing a written complaint with the corporation. A copy of the complaint shall be served on the national governing body.

(2) The corporation shall establish procedures for the filing and disposition of complaints under this section.

(b) HEARINGS.—The corporation shall hold a hearing, within 90 days after the complaint is filed, to receive testimony to decide whether the national governing body is complying with sections 220522, 220524, and 220525 of this title.

(c) DISPOSITION OF COMPLAINT.—(1) If the corporation decides, as a result of the hearing, that the national governing body is complying with sections 220522, 220524, and 220525 of this title, it shall so notify the complainant and the national governing body.

(2) If the corporation decides, as a result of the hearing, that the national governing body is not complying with sections 220522, 220524, and 220525 of this title, it shall—

- (A) place the national governing body on probation for a specified period of time, not to exceed 180 days, which the corporation considers necessary to enable the national governing body to comply with those sections; or
- (B) revoke the recognition of the national governing body.

(3) If the corporation places a national governing body on probation under paragraph (2) of this subsection, it may extend the probationary period if the national governing body has proven by clear and convincing evidence that, through no fault of its own, it needs additional time to comply with sections 220522, 220524, and 220525 of this title. If, at the end of the period allowed by

the corporation, the national governing body has not complied with those sections, the corporation shall revoke the recognition of the national governing body.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1476; Pub. L. 116–189, §7(d), Oct. 30, 2020, 134 Stat. 960.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|-------------------------------------|---|
| 220527(a)(1) | 36:395(a)(1) (1st, last sentences). | Sept. 21, 1950, ch. 975, title II, §205(a), as added Nov. 8, 1978, Pub. L. 95–606, §2, 92 Stat. 3055. |
| 220527(a)(2) | 36:395(a)(1) (3d sentence). | |
| 220527(b)(1) | 36:395(a)(1) (2d sentence). | |
| 220527(b)(2) | 36:395(a)(2). | |
| 220527(c) | 36:395(a)(3)(A). | |
| 220527(d) | 36:395(a)(3)(B)–(D). | |

In subsection (b)(2), the words “or person” are added for clarity and consistency in the section. The words “all available remedies” are substituted for “its remedies” for consistency with subsection (b)(1) of this section. The words “within the applicable national governing body” are omitted as unnecessary.

Editorial Notes

AMENDMENTS

2020—Subsec. (b). Pub. L. 116–189, §7(d)(1), (3), redesignated subsec. (c) as (b) and struck out former subsec. (b) which related to exhaustion of remedies before filing a complaint.

Subsec. (c). Pub. L. 116–189, §7(d)(3), redesignated subsec. (d) as (c). Former subsec. (c) redesignated (b).

Pub. L. 116–189, §7(d)(2), substituted “The corporation” for “If the corporation decides that all available remedies have been exhausted as required by subsection (b)(1) of this section, it”.

Subsec. (d). Pub. L. 116–189, §7(d)(3), redesignated subsec. (d) as (c).

§ 220528. Applications to replace an incumbent national governing body

(a) GENERAL.—An amateur sports organization may seek to replace an incumbent as the national governing body for a particular sport by filing a written application for certification with the corporation.

(b) ESTABLISHMENT OF PROCEDURES.—The corporation shall establish procedures for the filing and disposition of applications under this section. If 2 or more organizations file applications for the same sport, the applications shall be considered in a single proceeding.

(c) FILING PROCEDURES.—(1) An application under this section must be filed within one year after the final day of—

- (A) any Olympic Games, for a sport in which competition is held in the Olympic Games or the Paralympic Games, or in each of the Olympic Games, the Paralympic Games, the Pan-American Games, and the Parapan American Games; or
- (B) any Pan-American Games or Parapan American Games, for a sport in which competition is held in the Pan-American Games or the Parapan American Games, as applicable, but not in the Olympic Games or the Paralympic Games.

(2) The application shall be filed with the corporation by certified mail, and a copy of the ap-

plication shall be served on the national governing body and with any other organization that has filed an application. The corporation shall inform the applicant that its application has been received.

(d) HEARINGS.—Within 180 days after receipt of an application filed under this section, the corporation shall conduct a formal hearing open to the public to determine the merits of the application. The corporation shall publish notice of the time and place of the hearing in a regular issue of its principal publication at least 30 days, but not more than 60 days, before the date of the hearing. The corporation also shall send written notice, including a copy of the application, at least 30 days prior to the date of the hearing to all amateur sports organizations known to the corporation in that sport. In the hearing, the applicant and the national governing body shall be given a reasonable opportunity to present evidence supporting their positions.

(e) STANDARDS FOR GRANTING APPLICATIONS.—In the hearing, the applicant must establish by a preponderance of the evidence that—

(1) it meets the criteria for certification as a national governing body under section 220522 of this title; and

(2)(A) the national governing body does not meet the criteria of section 220522, 220524, or 220525 of this title; or

(B) the applicant more adequately meets the criteria of section 220522 of this title, is capable of more adequately meeting the criteria of sections 220524 and 220525 of this title, and provides or is capable of providing a more effective national program of competition than the national governing body in the sport for which it seeks certification.

(f) DISPOSITION OF APPLICATIONS.—Within 30 days after the close of the hearing required by this section, the corporation shall—

(1) uphold the right of the national governing body to continue as the national governing body for its sport;

(2) revoke the certification of the national governing body and declare a vacancy in the national governing body for that sport;

(3) revoke the certification of the national governing body and certify the applicant as the national governing body; or

(4) place the national governing body on probation for a period not exceeding 180 days, pending the compliance of the national governing body, if the national governing body would have retained certification except for a minor deficiency in one of the requirements of section 220522, 220524, or 220525 of this title and notify such national governing body of such probation and of the actions needed to comply with such requirements.

(g) REVOCATION OF CERTIFICATION AFTER PROBATION.—If the national governing body does not comply with sections 220522, 220524, and 220525 of this title within the probationary period prescribed under subsection (f)(4) of this section, the corporation shall revoke the certification of the national governing body and either—

(1) certify the applicant as the national governing body; or

(2) declare a vacancy in the national governing body for that sport.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1476; Pub. L. 105–277, div. C, title I, §142(p), Oct. 21, 1998, 112 Stat. 2681–609; Pub. L. 116–189, §§4(a)(10), 7(a)(2)(A)(v), Oct. 30, 2020, 134 Stat. 945, 957.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--|--|
| 220528(a) | 36:395(b)(1) (1st sentence). | Sept. 21, 1950, ch. 975, title II, §205(b)(1)–(4), as added Nov. 8, 1978, Pub. L. 95–606, §2, 92 Stat. 3056. |
| 220528(b) | 36:395(b)(1) (last sentence), (2) (2d sentence). | |
| 220528(c)(1) | 36:395(b)(1) (2d sentence). | |
| 220528(c)(2) | 36:395(b)(2) (1st, 3d, last sentences). | |
| 220528(d) | 36:395(b)(3) (1st–3d sentences). | |
| 220528(e) | 36:395(b)(3) (last sentence). | |
| 220528(f) | 36:395(b)(4) (1st sentence). | |
| 220528(g) | 36:395(b)(4) (last sentence). | |

In subsection (c)(2), the word “also” is omitted as unnecessary.

In subsection (d), the words “course of such” and “respective” are omitted as unnecessary.

In subsection (e), before clause (1), the words “amateur sports organization” are omitted as unnecessary. In clause (2)(B), the words “the applicant” are substituted for “it” for clarity.

In subsection (f), before clause (1), the word “after” is substituted for “of” for consistency in the revised title. In clause (4), the words “decide to” are omitted as unnecessary. The words “for a period not exceeding” are substituted for “of not to exceed” for clarity.

In subsection (g), before clause (1), the words “with sections 220522, 220524, and 220525 of this title” are added, and the words “probationary period prescribed under subsection (f)(4) of this section” are substituted for “prescribed time period”, for clarity.

Editorial Notes

AMENDMENTS

2020—Pub. L. 116–189, §7(a)(2)(A)(v), substituted “certification” for “recognition” wherever appearing, “certify” for “recognize” in two places, and “Certification” for “Recognition” in subsec. (g) heading.

Subsec. (c)(1)(A). Pub. L. 116–189, §4(a)(10)(A), which directed amendment of subpar. (A) of subsec. (c) by substituting “or in each of the Olympic Games, the Paralympic Games, the Pan-American Games, and the Parapan American Games” for “or in both the Olympic and Pan-American Games”, was executed to subpar. (A) of subsec. (c)(1), to reflect the probable intent of Congress.

Subsec. (c)(1)(B). Pub. L. 116–189, §4(a)(10)(B), which directed the general amendment of subpar. (B) of subsec. (c), was executed to subpar. (B) of subsec. (c)(1), to reflect the probable intent of Congress. Prior to amendment, subpar. (B) read as follows: “any Pan-American Games, for a sport in which competition is held in the Pan-American Games but not in the Olympic Games.”

1998—Subsec. (c)(1)(A). Pub. L. 105–277, §142(p)(1), substituted “Olympic Games or the Paralympic Games, or in both” for “Olympic Games or both”.

Subsec. (c)(2). Pub. L. 105–277, §142(p)(2), (3), substituted “certified” for “registered” and substituted “body and with any other organization that has filed an application.” for “body.”

Subsec. (d). Pub. L. 105–277, §142(p)(4), (5), inserted “open to the public” after “formal hearing” and inserted after second sentence “The corporation also

shall send written notice, including a copy of the application, at least 30 days prior to the date of the hearing to all amateur sports organizations known to the corporation in that sport.”

Subsec. (f)(4). Pub. L. 105-277, §142(p)(6), substituted “title and notify such national governing body of such probation and of the actions needed to comply with such requirements.” for “title.”

§ 220529. Arbitration of corporation determinations

(a) RIGHT TO REVIEW.—A party aggrieved by a determination of the corporation under section 220527 or 220528 of this title may obtain review by the arbitration and mediation provider designated by the corporation under section 220522(a)(4).

(b) PROCEDURE.—(1) A demand for arbitration must be submitted within 30 days after the determination of the corporation.

(2) On receipt of a demand for arbitration, the Association shall serve notice on the parties to the arbitration and on the corporation, and shall immediately proceed with arbitration according to the commercial rules of the Association in effect at the time the demand is filed, except that—

(A) the arbitration panel shall consist of at least 3 arbitrators, unless the parties to the proceeding agree to a lesser number;

(B) the arbitration hearing shall take place at a site selected by the Association, unless the parties to the proceeding agree to the use of another site; and

(C) the arbitration hearing shall be open to the public.

(3) A decision by the arbitrators shall be by majority vote unless the concurrence of all arbitrators is expressly required by the contesting parties.

(4) Each party may be represented by counsel or by any other authorized representative at the arbitration proceeding.

(5) The parties may offer any evidence they desire and shall produce any additional evidence the arbitrators believe is necessary to an understanding and determination of the dispute. The arbitrators shall be the sole judges of the relevancy and materiality of the evidence offered. Conformity to legal rules of evidence is not necessary.

(c) SETTLEMENT.—The arbitrators may settle a dispute arising under this chapter before making a final award, if agreed to by the parties and achieved in a manner not inconsistent with the constitution and bylaws of the corporation.

(d) BINDING NATURE OF DECISION.—Final decision of the arbitrators is binding on the parties if the award is not inconsistent with the constitution and bylaws of the corporation.

(e) REOPENING HEARINGS.—(1) At any time before a final decision is made, the hearings may be reopened by the arbitrators on their own motion or on the motion of a party.

(2) If the reopening is based on the motion of a party, and if the reopening would result in the arbitrators’ decision being delayed beyond the specific period agreed to at the beginning of the arbitration proceedings, all parties to the decision must agree to reopen the hearings.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1478; Pub. L. 116-189, §7(e), Oct. 30, 2020, 134 Stat. 960.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|------------------------------------|---|
| 220529(a) | 36:395(c)(1) (1st sentence). | Sept. 21, 1950, ch. 975, title II, §205(c), as added Nov. 8, 1978, Pub. L. 95-606, §2, 92 Stat. 3057. |
| 220529(b)(1) | 36:395(c)(1) (2d sentence). | |
| 220529(b)(2) | 36:395(c)(1) (last sentence). | |
| 220529(b)(3) | 36:395(c)(4). | |
| 220529(b)(4) | 36:395(c)(3) (1st sentence). | |
| 220529(b)(5) | 36:395(c)(3) (2d, last sentences). | |
| 220529(c) | 36:395(c)(2). | |
| 220529(d) | 36:395(c)(5). | |
| 220529(e) | 36:395(c)(6). | |

In subsection (a), the reference to 36:391(c) is omitted because 36:391(c) is omitted as executed. See the revision note for section 220522 of the revised title. The words “may obtain review by” are substituted for “The right to review . . . shall be to” for clarity.

In subsection (b)(2)(A) and (B), the word “mutually” is omitted as unnecessary.

In subsection (b)(4), the word “duly” is omitted as unnecessary.

In subsection (c), the words “in any arbitration”, “the provisions of”, “mutually”, and “to the proceeding” are omitted as unnecessary.

In subsection (d), the word “involved” is omitted as unnecessary.

In subsection (e), the word “contesting” is omitted as unnecessary.

In subsection (e)(2), the words “the reopening is based on the motion of a party” are substituted for “any contesting party makes such a motion” for clarity.

Editorial Notes

AMENDMENTS

2020—Subsec. (a). Pub. L. 116-189 substituted “the arbitration and mediation provider designated by the corporation under section 220522(a)(4)” for “any regional office of the American Arbitration Association”.

§ 220530. Other amateur sports organizations

(a) IN GENERAL.—An applicable amateur sports organization shall—

(1) comply with the reporting requirements of section 226 of the Victims of Child Abuse Act of 1990 (34 U.S.C. 20341);

(2) establish reasonable procedures to limit one-on-one interactions, including communications, between an amateur athlete who is a minor and an adult (who is not the minor’s legal guardian) at a facility under the jurisdiction of the applicable amateur sports organization without being in an observable and interruptible distance from another adult, except under emergency circumstances;

(3) offer and provide consistent training to all adult members who are in regular contact with amateur athletes who are minors, and subject to parental consent, to members who are minors, regarding prevention and reporting of child abuse to allow a complainant to report easily an incident of child abuse to appropriate persons; and

(4) prohibit retaliation, by the applicable amateur sports organization, against any individual who makes—