

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—116th Cong., 2d Sess.

S. 2330

To amend the Ted Stevens Olympic and Amateur Sports Act to provide for congressional oversight of the board of directors of the United States Olympic and Paralympic Committee and to protect amateur athletes from emotional, physical, and sexual abuse, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. MORAN (for himself and Mr.
BLUMENTHAL)

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Empowering Olympic,
5 Paralympic, and Amateur Athletes Act of 2020”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) The courageous voice of survivors is a call
2 to action to end emotional, physical, and sexual
3 abuse in the Olympic and Paralympic movement.

4 (2) Larry Nassar, the former national team
5 doctor for USA Gymnastics, sexually abused over
6 300 athletes for over two decades because of ineffec-
7 tive oversight by USA Gymnastics and the United
8 States Olympic Committee.

9 (3) While the case of Larry Nassar is unprece-
10 dented in scale, the case is hardly the only recent in-
11 cident of sexual abuse in amateur sports.

12 (4) Survivors of Larry Nassar's abuse and all
13 survivors of abuse in the Olympic and Paralympic
14 movement deserve justice and redress for the wrongs
15 the survivors have suffered.

16 (5) After a comprehensive congressional inves-
17 tigation, including interviews and statements from
18 survivors, former and current organization officials,
19 law enforcement, and advocates, Congress found
20 that the United States Olympic Committee and USA
21 Gymnastics fundamentally failed to uphold their ex-
22 isting statutory purposes and duty to protect ama-
23 teur athletes from sexual, emotional, or physical
24 abuse.

1 (6) USA Gymnastics and the United States
2 Olympic Committee knowingly concealed abuse by
3 Larry Nassar, leading to the abuse of dozens of ad-
4 ditional amateur athletes during the period begin-
5 ning in the summer of 2015 and ending in Sep-
6 tember 2016.

7 (7) Ending abuse in the Olympic and
8 Paralympic movement requires enhanced oversight
9 to ensure that the Olympic and Paralympic move-
10 ment does more to serve athletes and protect their
11 voice and safety.

12 **SEC. 3. DEFINITIONS.**

13 Section 220501(b) of title 36, United States Code,
14 is amended—

15 (1) in paragraph (4), by striking “United
16 States Center for Safe Sport” and inserting “United
17 States Center for SafeSport”;

18 (2) in paragraph (6), by striking “United
19 States Olympic Committee” and inserting “United
20 States Olympic and Paralympic Committee”;

21 (3) by amending paragraph (8) to read as fol-
22 lows:

23 “(8) ‘national governing body’ means an ama-
24 teur sports organization, a high-performance man-
25 agement organization, or a paralympic sports orga-

1 nization that is certified by the corporation under
2 section 220521.”;

3 (4) by striking paragraph (9);

4 (5) by redesignating paragraphs (4), (5), (6),
5 (7), (8), and (10) as paragraphs (5), (6), (7), (8),
6 (9), and (12), respectively;

7 (6) by inserting after paragraph (3) the fol-
8 lowing:

9 “(4) ‘Athletes’ Advisory Council’ means the en-
10 tity established and maintained under section
11 220504(b)(2)(A) that—

12 “(A) is composed of, and elected by, ama-
13 teur athletes to ensure communication between
14 the corporation and currently active amateur
15 athletes; and

16 “(B) serves as a source of amateur-athlete
17 opinion and advice with respect to policies and
18 proposed policies of the corporation.”; and

19 (7) by inserting after paragraph (9), as so re-
20 designated, the following:

21 “(10) ‘protected individual’ means any amateur
22 athlete, coach, trainer, manager, administrator, or
23 official associated with the corporation or a national
24 governing body.

1 “(11) ‘retaliation’ means any adverse or dis-
2 criminatory action, or the threat of an adverse or
3 discriminatory action, including removal from a
4 training facility, reduced coaching or training, re-
5 duced meals or housing, and removal from competi-
6 tion, carried out against a protected individual as a
7 result of any communication, including the filing of
8 a formal complaint, by the protected individual or a
9 parent or legal guardian of the protected individual
10 relating to the allegation of physical abuse, sexual
11 harassment, or emotional abuse, with—

12 “(A) the Center;

13 “(B) a coach, trainer, manager, adminis-
14 trator, or official associated with the corpora-
15 tion;

16 “(C) the Attorney General;

17 “(D) a Federal or State law enforcement
18 authority;

19 “(E) the Equal Employment Opportunity
20 Commission; or

21 “(F) Congress.”.

22 **SEC. 4. MODERNIZATION OF THE TED STEVENS OLYMPIC**
23 **AND AMATEUR SPORTS ACT.**

24 (a) IN GENERAL.—Chapter 2205 of title 36, United
25 States Code, is amended—

1 (1) in the chapter heading, by striking
2 **“UNITED STATES OLYMPIC COM-**
3 **MITTEE”** and inserting **“UNITED STATES**
4 **OLYMPIC AND PARALYMPIC COM-**
5 **MITTEE”**;

6 (2) in section 220502, by amending subsection
7 (c) to read as follows:

8 “(c) REFERENCES TO UNITED STATES OLYMPIC AS-
9 SOCIATION AND UNITED STATES OLYMPIC COMMITTEE.—
10 Any reference to the United States Olympic Association
11 or the United States Olympic Committee is deemed to
12 refer to the United States Olympic and Paralympic Com-
13 mittee.”;

14 (3) in section 220503—

15 (A) in paragraph (3), by striking “and the
16 Pan-American Games” each place it appears
17 and inserting “the Pan-American Games, and
18 the Parapan American Games”; and

19 (B) in paragraph (4), by striking “and
20 Pan-American Games” and inserting “the Pan-
21 American Games, and the Parapan American
22 Games”;

23 (4) in section 220504(b)(3), by striking “or the
24 Pan-American Games” and inserting “the Pan-
25 American Games, or the Parapan American Games”;

1 (5) in section 220505(c)—

2 (A) in paragraph (3), by striking “and the
3 Pan-American Games” and inserting “the Pan-
4 American Games, and the Parapan American
5 Games”;

6 (B) by amending paragraph (4) to read as
7 follows:

8 “(4) certify national governing bodies for any
9 sport that is included on the program of the Olympic
10 Games, the Paralympic Games, the Pan-American
11 Games, or the Parapan American Games;” and

12 (C) in paragraph (5), by inserting “the
13 Parapan American Games,” after “the Pan-
14 American Games,”;

15 (6) in section 220506—

16 (A) in subsection (a)—

17 (i) in paragraph (1), by striking
18 “United States Olympic Committee” and
19 inserting “United States Olympic and
20 Paralympic Committee”;

21 (ii) in paragraph (2), by striking “3
22 TaiGeuks” and inserting “3 Agitos”; and

23 (iii) in paragraph (4), by inserting
24 “‘Parapan American’,” after “‘Pan-Amer-
25 ican’,”;

1 (B) in subsection (b), by inserting “the
2 Parapan American team,” after “the Pan-
3 American team,”; and

4 (C) in subsection (c)(3), by striking “or
5 Pan-American Games activity” and inserting
6 “Pan-American, or Parapan American Games
7 activity”;

8 (7) in section 220509(a)—

9 (A) in the first sentence, by inserting “the
10 Parapan American Games,” after “the Pan-
11 American Games,”; and

12 (B) in the second sentence, by striking “or
13 the Pan-American Games” and inserting “the
14 Pan-American Games, or the Parapan Amer-
15 ican Games”;

16 (8) in section 220512, by striking “and Pan-
17 American Games” and inserting “Pan-American
18 Games, and Parapan American Games”;

19 (9) in section 220523(a), by striking “and the
20 Pan-American Games” each place it appears and in-
21 serting “the Pan-American Games, and the Parapan
22 American Games”;

23 (10) in section 220528(c)—

24 (A) in subparagraph (A), by striking “or
25 in both the Olympic and Pan-American Games”

1 and inserting “or in each of the Olympic
 2 Games, the Paralympic Games, the Pan-Amer-
 3 ican Games, and the Parapan American
 4 Games”; and

5 (B) by amending subparagraph (B) to read
 6 as follows:

7 “(B) any Pan-American Games or
 8 Parapan American Games, for a sport in which
 9 competition is held in the Pan-American Games
 10 or the Parapan American Games, as applicable,
 11 but not in the Olympic Games or the
 12 Paralympic Games.”; and

13 (11) in section 220531, by striking “United
 14 States Olympic Committee” each place it appears
 15 and inserting “United States Olympic and
 16 Paralympic Committee”.

17 (b) CONFORMING AMENDMENT.—The table of chap-
 18 ters for part B of subtitle II of title 36, United States
 19 Code, is amended by striking the item relating to chapter
 20 2205 and inserting the following:

“**2205. United States Olympic and Paralympic
 Committee220501**”.

1 **SEC. 5. CONGRESSIONAL OVERSIGHT OF UNITED STATES**
2 **OLYMPIC AND PARALYMPIC COMMITTEE AND**
3 **NATIONAL GOVERNING BODIES.**

4 (a) IN GENERAL.—Chapter 2205 of title 36, United
5 States Code, is amended—

6 (1) by redesignating the second subchapter des-
7 igned as subchapter III (relating to the United
8 States Center for SafeSport), as added by section
9 202 of the Protecting Young Victims from Sexual
10 Abuse and Safe Sport Authorization Act of 2017
11 (Public Law 115–126; 132 Stat. 320) as subchapter
12 IV; and

13 (2) by adding at the end the following:

14 “SUBCHAPTER V—DISSOLUTION OF BOARD OF
15 DIRECTORS OF CORPORATION AND TERMI-
16 NATION OF RECOGNITION OF NATIONAL
17 GOVERNING BODIES

18 “§ 220551. **Definitions**

19 “In this subchapter, the term ‘joint resolution’ means
20 a joint resolution—

21 “(1) which does not have a preamble; and

22 “(2) for which—

23 “(A)(i) the title is only as follows: ‘A joint
24 resolution to dissolve the board of directors of
25 the United States Olympic and Paralympic
26 Committee’; and

1 “(ii) the matter after the resolving
2 clause—

3 “(I) is as follows: ‘That Congress
4 finds that dissolving the board of directors
5 of the United States Olympic and
6 Paralympic Committee would not unduly
7 interfere with the operations of chapter
8 2205 of title 36, United States Code’; and

9 “(II) prescribes adequate procedures
10 for forming a board of directors of the cor-
11 poration as expeditiously as possible and in
12 a manner that safeguards the membership
13 and voting power of the representatives of
14 amateur athletes at all times, consistent
15 with the membership and voting power of
16 amateur athletes under section
17 220504(b)(2); or

18 “(B)(i) the title is only as follows: ‘A joint
19 resolution relating to terminating the recogni-
20 tion of a national governing body’; and

21 “(ii) the matter after the resolving clause
22 is only as follows: ‘That Congress determines
23 that _____, which is recognized
24 as a national governing body under section
25 220521 of title 36, United States Code, has

1 failed to fulfill its duties, as described in section
2 220524 of title 36, United States Code’, the
3 blank space being filled in with the name of the
4 applicable national governing body.

5 **“§ 220552. Dissolution of board of directors of cor-**
6 **poration and termination of recognition**
7 **of national governing bodies**

8 “(a) DISSOLUTION OF BOARD OF DIRECTORS OF
9 CORPORATION.—Effective on the date of enactment of a
10 joint resolution described in section 220551(2)(A) with re-
11 spect to the board of directors of the corporation, such
12 board of directors shall be dissolved.

13 “(b) TERMINATION OF RECOGNITION OF NATIONAL
14 GOVERNING BODY.—Effective on the date of enactment
15 of a joint resolution described in section 220551(2)(B)
16 with respect to a national governing body, the recognition
17 of the applicable amateur sports organization as a national
18 governing body shall cease to have force or effect.”.

19 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
20 The table of sections for chapter 2205 of title 36, United
21 States Code, is amended—

22 (1) by striking the second item relating to sub-
23 chapter III (relating to the United States Center for
24 SafeSport), as added by section 202 of the Pro-
25 tecting Young Victims from Sexual Abuse and Safe

1 Sport Authorization Act of 2017 (Public Law 115–
2 126; 132 Stat. 320) and inserting the following:

“SUBCHAPTER IV—UNITED STATES CENTER FOR SAFESPORT”; AND

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

“SUBCHAPTER V—DISSOLUTION OF BOARD OF DIRECTORS OF CORPORATION
AND TERMINATION OF RECOGNITION OF NATIONAL GOVERNING BODIES

“220551. Definitions.

“220552. Dissolution of board of directors of corporation and termination of
recognition of national governing bodies.”.

4 (c) EFFECTIVE DATE.—The amendments made by
5 this section shall take effect on the date that is 1 year
6 after the date of the enactment of this Act.

7 **SEC. 6. MODIFICATIONS TO UNITED STATES OLYMPIC AND**
8 **PARALYMPIC COMMITTEE.**

9 (a) PURPOSES OF THE CORPORATION.—Section
10 220503 of title 36, United States Code, is amended—

11 (1) in paragraph (9), by inserting “and access
12 to” after “development of”;

13 (2) in paragraph (14), by striking “; and” and
14 inserting a semicolon;

15 (3) in paragraph (15), by striking the period at
16 the end and inserting “; and”; and

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

18 “(16) to effectively oversee the national gov-
19 erning bodies with respect to compliance with and
20 implementation of the policies and procedures of the
21 corporation, including policies and procedures on the

1 establishment of a safe environment in sports as de-
2 scribed in paragraph (15).”.

3 (b) MEMBERSHIP AND REPRESENTATION.—Section
4 220504 of title 36, United States Code, is amended—

5 (1) in subsection (a), by inserting “, and mem-
6 bership shall be available only to national governing
7 bodies” before the period at the end;

8 (2) in subsection (b), by amending paragraph
9 (2) to read as follows:

10 “(2) amateur athletes who are actively engaged
11 in amateur athletic competition or who have rep-
12 resented the United States in international amateur
13 athletic competition, including through provisions
14 that—

15 “(A) establish and maintain an Athletes’
16 Advisory Council;

17 “(B) ensure that the chair of the Athletes’
18 Advisory Council, or the designee of the chair,
19 holds voting power on the board of directors of
20 the corporation and in the committees and enti-
21 ties of the corporation;

22 “(C) require that—

23 “(i) not less than $\frac{1}{3}$ of the member-
24 ship of the board of directors of the cor-

1 poration shall be composed of, and elected
2 by, such amateur athletes; and

3 “(ii) not less than 20 percent of the
4 membership of the board of directors of
5 the corporation shall be composed of ama-
6 teur athletes who—

7 “(I) are actively engaged in rep-
8 resenting the United States in inter-
9 national amateur athletic competition;
10 or

11 “(II) have represented the
12 United States in international ama-
13 teur athletic competition during the
14 preceding 10-year period; and

15 “(D) ensure that the membership and vot-
16 ing power held by such amateur athletes is not
17 less than $\frac{1}{3}$ percent of the membership and
18 voting power held in the board of directors of
19 the corporation and in the committees and enti-
20 ties of the corporation, including any panel em-
21 powered to resolve grievances;”); and

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

23 “(c) CONFLICT OF INTEREST.—An athlete who rep-
24 resents athletes under subsection (b)(2) shall not be em-
25 ployed by the Center, or serve in a capacity that exercises

1 decision-making authority on behalf of the Center, during
2 the 2-year period beginning on the date on which the ath-
3 lete ceases such representation.

4 “(d) CERTIFICATION REQUIREMENTS.—The bylaws
5 of the corporation shall include a description of all gen-
6 erally applicable certification requirements for member-
7 ship in the corporation.”.

8 (c) DUTIES.—

9 (1) IN GENERAL.—Section 220505 of title 36,
10 United States Code, is amended—

11 (A) in the section heading, by striking
12 “**Powers**” and inserting “**Powers and du-**
13 **ties**”; and

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

15 “(d) DUTIES.—

16 “(1) IN GENERAL.—The duty of the corpora-
17 tion to amateur athletes includes the adoption, effec-
18 tive implementation, and enforcement of policies and
19 procedures designed—

20 “(A) to immediately report to law enforce-
21 ment and the Center any allegation of child
22 abuse of an amateur athlete who is a minor;

23 “(B) to ensure that each national gov-
24 erning body has in place policies and procedures

1 to report immediately any allegation of child
2 abuse of an amateur athlete, consistent with—

3 “(i) the policies and procedures devel-
4 oped under subparagraph (C) of section
5 220541(a)(1); and

6 “(ii) the requirement described in
7 paragraph (2)(A) of section 220542(a);
8 and

9 “(C) to ensure that each national gov-
10 erning body and the corporation enforces tem-
11 porary measures and sanctions issued pursuant
12 to the authority of the Center.

13 “(2) RULE OF CONSTRUCTION.—Nothing in
14 this subsection shall be construed to preempt or oth-
15 erwise abrogate the duty of care of the corporation
16 under State law or the common law.”.

17 (2) CONFORMING AMENDMENT.—The table of
18 sections for chapter 2205 of title 36, United States
19 Code, is amended by striking the item relating to
20 section 220505 and inserting the following:

“220505. Powers and duties.”.

21 (d) RESTRICTIONS.—

22 (1) POLICY WITH RESPECT TO ASSISTING MEM-
23 BERS OR FORMER MEMBERS IN OBTAINING JOBS.—
24 Section 220507 of title 36, United States Code, is
25 amended by adding at the end the following:

1 “(c) POLICY WITH RESPECT TO ASSISTING MEM-
2 BERS OR FORMER MEMBERS IN OBTAINING JOBS.—The
3 corporation shall develop 1 or more policies that prohibit
4 any individual who is an employee, contractor, or agent
5 of the corporation from assisting a member or former
6 member in obtaining a new job (except the routine trans-
7 mission of administrative and personnel files) if the indi-
8 vidual knows that such member or former member violated
9 the policies or procedures of the Center related to sexual
10 misconduct or was convicted of a crime involving sexual
11 misconduct with a minor in violation of applicable law.”.

12 (2) POLICY WITH RESPECT TO TERMS AND
13 CONDITIONS OF EMPLOYMENT.—

14 (A) IN GENERAL.—Section 220507 of title
15 36, United States Code, as amended by para-
16 graph (1), is further amended by adding at the
17 end the following:

18 “(d) POLICY REGARDING TERMS AND CONDITIONS
19 OF EMPLOYMENT.—The corporation shall establish a pol-
20 icy—

21 “(1) not to disperse bonus or severance pay to
22 any individual named as a subject of an ethics inves-
23 tigation by the ethics committee of the corporation,
24 until such individual is cleared of wrongdoing by
25 such investigation; and

1 “(2) that provides that—

2 “(A) if the ethics committee determines
3 that an individual has violated the policies of
4 the corporation—

5 “(i) the individual is no longer enti-
6 tled to bonus or severance pay previously
7 withheld; and

8 “(ii) the compensation committee of
9 the corporation may reduce or cancel the
10 withheld bonus or severance pay; and

11 “(B) in the case of an individual who is
12 the subject of a criminal investigation, the eth-
13 ics committee shall investigate the individual.”.

14 (B) APPLICABILITY.—The amendment
15 made by subparagraph (A) shall not apply to
16 any term of employment for the disbursement
17 of bonus or severance pay that is in effect as
18 of the day before the date of the enactment of
19 this Act.

20 (e) RESOLUTION OF DISPUTES AND PROTECTING
21 ABUSE VICTIMS FROM RETALIATION.—Section 220509 of
22 title 36, United States Code, is amended—

23 (1) in subsection (a), in the first sentence, by
24 inserting “complaints of retaliation or” after “relat-
25 ing to”;

1 (2) by amending subsection (b) to read as fol-
2 lows:

3 “(b) OFFICE OF THE ATHLETE OMBUDS.—

4 “(1) IN GENERAL.—The corporation shall hire
5 and provide salary, benefits, and administrative ex-
6 penses for an ombudsman and support staff for ath-
7 letes.

8 “(2) DUTIES.—The Office of the Athlete
9 Ombuds shall—

10 “(A) provide independent advice to athletes
11 at no cost about the applicable provisions of
12 this chapter and the constitution and bylaws of
13 the corporation, national governing bodies,
14 international sports federations, the Inter-
15 national Olympic Committee, the International
16 Paralympic Committee, and the Pan-American
17 Sports Organization, and with respect to the
18 resolution of any dispute involving the oppor-
19 tunity of an amateur athlete to participate in
20 the Olympic Games, the Paralympic Games, the
21 Pan-American Games, the Parapan American
22 Games, world championship competition or
23 other protected competition as defined in the
24 constitution and bylaws of the corporation;

1 “(B) assist in the resolution of athlete con-
2 cerns;

3 “(C) provide independent advice to athletes
4 with respect to—

5 “(i) the role, responsibility, authority,
6 and jurisdiction of the Center; and

7 “(ii) the relative value of engaging
8 legal counsel; and

9 “(D) report to the Athletes’ Advisory
10 Council on a regular basis.

11 “(3) HIRING PROCEDURES; VACANCY; TERMI-
12 NATION.—

13 “(A) HIRING PROCEDURES.—The proce-
14 dure for hiring the ombudsman for athletes
15 shall be as follows:

16 “(i) The Athletes’ Advisory Council
17 shall provide the corporation’s executive di-
18 rector with the name of 1 qualified person
19 to serve as ombudsman for athletes.

20 “(ii) The corporation’s executive di-
21 rector shall immediately transmit the name
22 of such person to the corporation’s execu-
23 tive committee.

24 “(iii) The corporation’s executive com-
25 mittee shall hire or not hire such person

1 after fully considering the advice and coun-
2 sel of the Athletes' Advisory Council.

3 “(B) VACANCY.—If there is a vacancy in
4 the position of the ombudsman for athletes, the
5 nomination and hiring procedure set forth in
6 this paragraph shall be followed in a timely
7 manner.

8 “(C) TERMINATION.—The corporation may
9 terminate the employment of an individual serv-
10 ing as ombudsman for athletes only if—

11 “(i) the termination is carried out in
12 accordance with the applicable policies and
13 procedures of the corporation;

14 “(ii) the termination is initially rec-
15 ommended to the corporation's executive
16 committee by either the corporation's exec-
17 utive director or by the Athletes' Advisory
18 Council; and

19 “(iii) the corporation's executive com-
20 mittee fully considers the advice and coun-
21 sel of the Athletes' Advisory Council prior
22 to deciding whether or not to terminate the
23 employment of such individual.

24 “(4) CONFIDENTIALITY.—

1 “(A) IN GENERAL.—The Office of the Ath-
2 lete Ombuds shall maintain as confidential any
3 information communicated or provided to the
4 Office of the Athlete Ombuds in confidence in
5 any matter involving the exercise of the official
6 duties of the Office of the Athlete Ombuds.

7 “(B) EXCEPTION.—The Office of the Ath-
8 lete Ombuds may disclose information described
9 in subparagraph (A) as necessary to resolve or
10 mediate a dispute, with the permission of the
11 parties involved.

12 “(C) JUDICIAL AND ADMINISTRATIVE PRO-
13 CEEDINGS.—

14 “(i) IN GENERAL.—The ombudsman
15 and the staff of the Office of the Athlete
16 Ombuds shall not be compelled to testify
17 or produce evidence in any judicial or ad-
18 ministrative proceeding with respect to any
19 matter involving the exercise of the duties
20 of the Office of the Athlete Ombuds.

21 “(ii) WORK PRODUCT.—Any memo-
22 randum, work product, notes, or case file
23 of the Office of the Athlete Ombuds—

24 “(I) shall be confidential; and

25 “(II) shall not be—

1 and publish in the Federal Register a con-
2 fidentiality and privacy policy consistent
3 with this paragraph.

4 “(ii) DISTRIBUTION.—The Office of
5 the Athlete Ombuds shall distribute a copy
6 of the policy developed under clause (i)
7 to—

8 “(I) employees of the national
9 governing bodies; and

10 “(II) employees of the corpora-
11 tion.

12 “(iii) PUBLICATION BY NATIONAL
13 GOVERNING BODIES.—Each national gov-
14 erning body shall—

15 “(I) publish the policy developed
16 under clause (i) on the internet
17 website of the national governing
18 body; and

19 “(II) communicate to amateur
20 athletes the availability of the policy.

21 “(5) PROHIBITION ON RETALIATION.—No em-
22 ployee, contractor, agent, volunteer, or member of
23 the corporation shall take or threaten to take any
24 action against an athlete as a reprisal for disclosing

1 information to or seeking assistance from the Office
2 of the Athlete Ombuds.

3 “(6) INDEPENDENCE IN CARRYING OUT DU-
4 TIES.—The board of directors of the corporation or
5 any other member or employee of the corporation
6 shall not prevent or prohibit the Office of the Ath-
7 lete Ombuds from carrying out any duty or responsi-
8 bility under this section.”; and

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

10 “(c) RETALIATION.—

11 “(1) IN GENERAL.—The corporation, the na-
12 tional governing bodies, or any officer, employee,
13 contractor, subcontractor, or agent of the corpora-
14 tion or a national governing body may not retaliate
15 against any protected individual as a result of any
16 communication, including the filing of a formal com-
17 plaint, by a protected individual or a parent or legal
18 guardian of the protected individual relating to an
19 allegation of physical abuse, sexual harassment, or
20 emotional abuse.

21 “(2) DISCIPLINARY ACTION.—If the corporation
22 finds that an employee of the corporation or a na-
23 tional governing body has retaliated against a pro-
24 tected individual, the corporation or national gov-
25 erning body, as applicable, shall immediately termi-

1 nate the employment of, or suspend without pay,
2 such employee.

3 “(3) DAMAGES.—

4 “(A) IN GENERAL.—With respect to a pro-
5 tected individual the corporation finds to have
6 been subject to retaliation, the corporation may
7 award damages, including damages for pain
8 and suffering and reasonable attorney fees.

9 “(B) REIMBURSEMENT FROM NATIONAL
10 GOVERNING BODY.—In the case of a national
11 governing body found to have retaliated against
12 a protected individual, the corporation may de-
13 mand reimbursement from the national gov-
14 erning body for damages paid by the corpora-
15 tion under subparagraph (A).”.

16 (f) REPORTS AND AUDITS.—

17 (1) IN GENERAL.—Section 220511 of title 36,
18 United States Code, is amended to read as follows:

19 **“§ 220511. Reports and audits**

20 “(a) REPORT.—

21 “(1) SUBMISSION TO PRESIDENT AND CON-
22 GRESS.—Not less frequently than annually, the cor-
23 poration shall submit simultaneously to the Presi-
24 dent and to each House of Congress a detailed re-

1 port on the operations of the corporation for the pre-
2 ceding calendar year.

3 “(2) MATTERS TO BE INCLUDED.—Each report
4 required by paragraph (1) shall include the fol-
5 lowing:

6 “(A) A comprehensive description of the
7 activities and accomplishments of the corpora-
8 tion during such calendar year.

9 “(B) Data concerning the participation of
10 women, disabled individuals, and racial and eth-
11 nic minorities in the amateur athletic activities
12 and administration of the corporation and na-
13 tional governing bodies.

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

18 “(D) A description of any lawsuit or griev-
19 ance filed against the corporation, including any
20 dispute initiated under this chapter.

21 “(E) The agenda and minutes of any
22 meeting of the board of directors of the cor-
23 poration that occurred during such calendar
24 year.

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

4 “(i) identifies—

5 “(I) the areas in which the cor-
6 poration has met compliance stand-
7 ards; and

8 “(II) the areas in which the cor-
9 poration has not met compliance
10 standards; and

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

14 “(G) A detailed description of any com-
15 plaint of retaliation made during such calendar
16 year, including the entity involved, the number
17 of allegations of retaliation, and the outcome of
18 such allegations.

19 “(3) PUBLIC AVAILABILITY.—The corporation
20 shall make each report under this subsection avail-
21 able to the public on an easily accessible internet
22 website of the corporation.

23 “(b) AUDIT.—

24 “(1) IN GENERAL.—Not less frequently than
25 annually, the financial statements of the corporation

1 for the preceding fiscal year shall be audited in ac-
2 cordance with generally accepted auditing standards
3 by—

4 “(A) an independent certified public ac-
5 countant; or

6 “(B) an independent licensed public ac-
7 countant who is certified or licensed by the reg-
8 ulatory authority of a State or a political sub-
9 division of a State.

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

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

17 “(A) all records and property owned or
18 used by the corporation, as necessary to facili-
19 tate the audit; and

20 “(B) any facility under audit for the pur-
21 pose of verifying transactions, including any
22 balance or security held by a depository, fiscal
23 agent, or custodian.

24 “(4) REPORT.—

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

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

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

15 “(ii) An analysis of the changes in the
16 amounts of such assets, liabilities, and sur-
17 plus or deficit.

18 “(iii) A detailed statement of the in-
19 come and expenses of the corporation, in-
20 cluding the results of any trading, manu-
21 facturing, publishing, or other commercial
22 endeavor.

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

1 “(v) A detailed statement of the
2 amounts spent on compensation and serv-
3 ices for executives and administration offi-
4 cials of the corporation, including the 20
5 employees of the corporation who receive
6 the highest amounts of compensation.

7 “(vi) A detailed statement of the
8 amounts allocated to the national gov-
9 erning bodies.

10 “(vii) Such comments and information
11 as the auditor considers necessary to in-
12 form Congress of the financial operations
13 and condition of the corporation.

14 “(viii) Recommendations relating to
15 the financial operations and condition of
16 the corporation.

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

22 “(I) a member of the board of di-
23 rectors of the corporation; or

24 “(II) any senior management
25 personnel of the corporation.

1 “(C) PUBLIC AVAILABILITY.—

2 “(i) IN GENERAL.—The corporation
3 shall make each report under this para-
4 graph available to the public on an easily
5 accessible internet website of the corpora-
6 tion.

7 “(ii) PERSONALLY IDENTIFIABLE IN-
8 FORMATION.—A report made available
9 under clause (i) shall not include the per-
10 sonally identifiable information of any indi-
11 vidual.”.

12 (2) CONFORMING AMENDMENT.—The table of
13 sections for chapter 2205 of title 36, United States
14 Code, is amended by striking the item relating to
15 section 220511 and inserting the following:

“220511. Reports and audits.”.

16 (g) ANNUAL AMATEUR ATHLETE SURVEY.—

17 (1) IN GENERAL.—Subchapter I of chapter
18 2205 of title 36, United States Code, is amended by
19 adding at the end the following:

20 **“§ 220513. Annual amateur athlete survey**

21 “(a) IN GENERAL.—Not less frequently than annu-
22 ally, the corporation shall cause an independent third-
23 party organization, under contract, to conduct an anony-
24 mous survey of amateur athletes who are actively engaged
25 in amateur athletic competition with respect to—

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

3 “(2) the behaviors, attitudes, and feelings with-
4 in the corporation and the applicable national gov-
5 erning body relating to sexual harassment and
6 abuse.

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

10 “(c) PROHIBITION ON INTERFERENCE.—If the cor-
11 poration or a national governing body makes any effort
12 to undermine the independence of, introduce bias into, or
13 otherwise influence a survey under subsection (a), such ac-
14 tivity shall be reported immediately to Congress.

15 “(d) PUBLIC AVAILABILITY.— The corporation shall
16 make the results of each such survey available to the pub-
17 lic on an internet website of the corporation.”.

18 (2) CONFORMING AMENDMENT.—The table of
19 sections for chapter 2205 of title 36, United States
20 Code, is amended by inserting after the item relating
21 to 220512 the following:

“220513. Annual amateur athlete survey.”.

22 **SEC. 7. MODIFICATIONS TO NATIONAL GOVERNING BODIES.**

23 (a) CERTIFICATION OF NATIONAL GOVERNING BOD-
24 IES.—

1 (E) by amending subsection (d) to read as
2 follows:

3 “(d) REVIEW OF CERTIFICATION.—Not later than 8
4 years after the date of the enactment of the Empowering
5 Olympic, Paralympic, and Amateur Athletes Act of 2020,
6 and not less frequently than once every 4 years thereafter,
7 the corporation—

8 “(1) shall review all matters related to the con-
9 tinued certification of an organization as a national
10 governing body;

11 “(2) may take action the corporation considers
12 appropriate, including placing conditions on the con-
13 tinued certification of an organization as a national
14 governing body;

15 “(3) shall submit to Congress a summary re-
16 port of each review under paragraph (1); and

17 “(4) shall make each such summary report
18 available to the public.”.

19 (2) TECHNICAL AND CONFORMING AMEND-
20 MENTS.—

21 (A) Chapter 2205 of title 36, United
22 States Code, is amended—

23 (i) in section 220504(b), by amending
24 paragraph (1) to read as follows:

1 “(1) national governing bodies, including
2 through provisions that establish and maintain a
3 National Governing Bodies’ Council that is com-
4 posed of representatives of the national governing
5 bodies who are selected by their boards of directors
6 or other governing boards to ensure effective com-
7 munication between the corporation and the national
8 governing bodies;”;

9 (ii) in section 220512, by striking “or
10 paralympic sports organization”;

11 (iii) in section 220522—

12 (I) by striking subsection (b);

13 and

14 (II) in subsection (a)—

15 (aa) by striking “recog-
16 nized” each place it appears and
17 inserting “certified”;

18 (bb) by striking “recogni-
19 tion” each place it appears and
20 inserting “certification”;

21 (cc) in paragraph (6), by
22 striking “the Olympic Games or
23 the Pan-American Games” and
24 inserting “the Olympic Games,
25 the Paralympic Games, the Pan-

1 American Games, or the Parapan
2 American Games”;

3 (dd) in paragraph (11)—

4 (AA) in the matter pre-
5 ceding subparagraph (A), by
6 inserting “, high-perform-
7 ance management organiza-
8 tion, or paralympic sports
9 organization” after “ama-
10 teur sports organization”;
11 and

12 (BB) in subparagraph
13 (B), by striking “amateur
14 sports” and inserting “appli-
15 cable”;

16 (ee) in paragraph (14), by
17 striking “or the Pan-American
18 Games” and inserting “the Pan-
19 American Games, or the Parapan
20 American Games”; and

21 (ff) by striking the sub-
22 section designation and heading
23 and all that follows through “An
24 amateur sports organization”
25 and inserting “An amateur

1 sports organization, a high-per-
2 formance management organiza-
3 tion, or a paralympic sports orga-
4 nization”;

5 (iv) in section 220524, by striking
6 “amateur sports” each place it appears;

7 (v) in section 220528—

8 (I) by striking “recognition” each
9 place it appears and inserting “certifi-
10 cation”;

11 (II) by striking “recognize” each
12 place it appears and inserting “cer-
13 tify”; and

14 (III) in subsection (g), in the
15 subsection heading, by striking “REC-
16 OGNITION” and inserting “CERTIFI-
17 CATION”;

18 (vi) in section 220531—

19 (I) by striking “, each national
20 governing body, and each paralympic
21 sports organization” each place it ap-
22 pears and inserting “and each na-
23 tional governing body”; and

1 (II) in subsection (c)(2), by strik-
2 ing “each paralympic sports organiza-
3 tion,”;

4 (vii) in section 220541(d)(3), by strik-
5 ing subparagraph (C);

6 (viii) in section 220542—

7 (I) by striking “or paralympic
8 sports organization” each place it ap-
9 pears; and

10 (II) in subsection (a)(2)—

11 (aa) in subparagraph (A), in
12 the matter preceding clause (i),
13 by striking “, a paralympic
14 sports organization,”;

15 (bb) in subparagraph (E),
16 by striking “or a paralympic
17 sports organization of each na-
18 tional governing body and
19 paralympic sports organization”;
20 and

21 (cc) in subparagraph
22 (F)(i)—

23 (AA) by striking “, or
24 an adult” and inserting “or
25 an adult”;

1 (BB) by striking “,
2 paralympic sports organiza-
3 tion,”; and

4 (CC) by striking “,
5 paralympic sports organiza-
6 tions,”.

7 (B) The table of sections for chapter 2205
8 of title 36, United States Code, is amended by
9 striking the item relating to section 220521 and
10 inserting the following:

“220521. Certification of national governing bodies.”.

11 (b) ELIGIBILITY REQUIREMENTS WITH RESPECT TO
12 GOVERNING BOARDS.—Section 220522 of title 36, United
13 States Code, as amended by subsection (a)(2), is further
14 amended—

15 (1) in paragraph (2), by inserting “, including
16 the ability to provide and enforce required athlete
17 protection policies and procedures” before the semi-
18 colon;

19 (2) in paragraph (4)(B)—

20 (A) by striking “conducted in accordance
21 with the Commercial Rules of the American Ar-
22 bitration Association” and inserting “which ar-
23 bitration under this paragraph shall be con-
24 ducted in accordance with the standard com-
25 mercial arbitration rules of an established

1 major national provider of arbitration and me-
2 diation services based in the United States and
3 designated by the corporation with the concu-
4 rence of the Athletes' Advisory Council and the
5 National Governing Bodies' Council"; and

6 (B) by striking "Commercial Rules of Ar-
7 bitration" and inserting "standard commercial
8 rules of arbitration of such designated pro-
9 vider";

10 (3) in paragraph (5), in the matter preceding
11 subparagraph (A), by inserting "except with respect
12 to the oversight of the organization," after "sport,";

13 (4) by redesignating paragraphs (10) through
14 (15) as paragraphs (11) through (16), respectively;

15 (5) by inserting after paragraph (9) the fol-
16 lowing:

17 "(10) ensures that the selection criteria for in-
18 dividuals and teams that represent the United
19 States are—

20 "(A) fair, as determined by the corporation
21 in consultation with the national governing bod-
22 ies, the Athletes' Advisory Council, and the
23 United States Olympians and Paralympians As-
24 sociation;

1 “(B) clearly articulated in writing and
2 properly communicated to athletes in a timely
3 manner; and

4 “(C) consistently applied, using objective
5 and subjective criteria appropriate to the appli-
6 cable sport;”;

7 (6) by striking paragraph (13), as so redesign-
8 nated, and inserting the following:

9 “(13) demonstrates, based on guidelines ap-
10 proved by the corporation, the Athletes’ Advisory
11 Council, and the National Governing Bodies’ Coun-
12 cil, that—

13 “(A) its board of directors and other such
14 governing boards have established criteria and
15 election procedures for, and maintain among
16 their voting members, individuals who—

17 “(i) are elected by amateur athletes;
18 and

19 “(ii) are actively engaged in amateur
20 athletic competition, or have represented
21 the United States in international amateur
22 athletic competition, in the sport for which
23 certification is sought;

24 “(B) any exception to such guidelines by
25 such organization has been approved by—

1 “(i) the corporation; and

2 “(ii) the Athletes’ Advisory Council;

3 and

4 “(C) the voting power held by such individ-
5 uals is not less than $\frac{1}{3}$ of the voting power held
6 by its board of directors and other such gov-
7 erning boards;”;

8 (7) in paragraph (15), as so redesignated, by
9 striking “; and” and inserting a semicolon;

10 (8) in paragraph (16), as so redesignated, by
11 striking the period at the end and inserting a semi-
12 colon; and

13 (9) by adding at the end the following:

14 “(17) commits to submitting annual reports to
15 the corporation that include, for each calendar
16 year—

17 “(A) a description of the manner in which
18 the organization—

19 “(i) carries out the mission to pro-
20 mote a safe environment in sports that is
21 free from abuse of amateur athletes (in-
22 cluding emotional, physical, and sexual
23 abuse); and

24 “(ii) addresses any sanctions or tem-
25 porary measures required by the Center;

1 “(B) a description of any cause of action
2 or complaint filed against the organization that
3 was pending or settled during the preceding cal-
4 endar year; and

5 “(C) a detailed statement of—

6 “(i) the income and expenses of the
7 organization; and

8 “(ii) the amounts expended on sti-
9 pends, bonuses, and services for amateur
10 athletes, organized by the level and gender
11 of the amateur athletes;

12 “(18) commits to meeting any minimum stand-
13 ard or requirement set forth by the corporation; and

14 “(19) provides protection from retaliation to
15 protected individuals.”.

16 (c) GENERAL DUTIES OF NATIONAL GOVERNING
17 BODIES.—Section 220524 of title 36, United States Code,
18 is amended—

19 (1) in the matter preceding paragraph (1), by
20 striking “For the sport” and inserting the following:

21 “(a) IN GENERAL.—For the sport”;

22 (2) in subsection (a), as so designated—

23 (A) in paragraph (8), by striking “; and”
24 and inserting a semicolon;

1 (B) in paragraph (9), by striking the pe-
2 riod at the end and inserting a semicolon; and

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

4 “(10) develop 1 or more policies that prohibit
5 any individual who is an employee, contractor, or
6 agent of the national governing body from assisting
7 a member or former member in obtaining a new job
8 (except for the routine transmission of administra-
9 tive and personnel files) if the individual knows that
10 such member or former member violated the policies
11 or procedures of the Center related to sexual mis-
12 conduct or was convicted of a crime involving sexual
13 misconduct with a minor in violation of applicable
14 law or the policies or procedures of the Center;

15 “(11) promote a safe environment in sports
16 that is free from abuse of any amateur athlete, in-
17 cluding emotional, physical, and sexual abuse;

18 “(12) take care to promote a safe environment
19 in sports using information relating to any tem-
20 porary measure or sanction issued pursuant to the
21 authority of the Center;

22 “(13) immediately report to law enforcement
23 any allegation of child abuse of an amateur athlete
24 who is a minor; and

1 “(14) have in place policies and procedures to
2 report immediately any allegation of child abuse of
3 an amateur athlete, consistent with—

4 “(A) the policies and procedures developed
5 under subparagraph (C) of section
6 220541(a)(1); and

7 “(B) the requirement described in para-
8 graph (2)(A) of section 220542(a).”; and
9 (3) by adding at the end the following:

10 “(b) RULE OF CONSTRUCTION.—Nothing in this sec-
11 tion shall be construed to preempt or otherwise abrogate
12 the duty of care of a national governing body under State
13 law or the common law.”.

14 (d) ELIMINATION OF EXHAUSTION OF REMEDIES
15 REQUIREMENT.—Section 220527 of title 36, United
16 States Code, is amended—

17 (1) by striking subsection (b);

18 (2) in subsection (c), by striking “If the cor-
19 poration” and all that follows through “subsection
20 (b)(1) of this section, it” and inserting “The cor-
21 poration”; and

22 (3) by redesignating subsections (c) and (d) as
23 subsections (b) and (c), respectively.

24 (e) ARBITRATION OF CORPORATION DETERMINA-
25 TIONS.—Section 220529(a) of title 36, United States

1 Code, is amended by striking “any regional office of the
2 American Arbitration Association” and inserting “the ar-
3 bitration and mediation provider designated by the cor-
4 poration under section 220522(a)(4)”.

5 (f) ENSURE LIMITATIONS ON COMMUNICATIONS ARE
6 INCLUDED IN LIMITATIONS ON INTERACTIONS.—Section
7 220530(a) of title 36, United States Code, is amended—

8 (1) in paragraph (2), by inserting “, including
9 communications,” after “interactions”; and

10 (2) in paragraph (4), by striking “makes” and
11 all that follows through the period at the end and
12 inserting the following: “makes—

13 “(A) a report under paragraph (1); or

14 “(B) any other report relating to abuse of
15 any amateur athlete, including emotional, phys-
16 ical, and sexual abuse.”.

17 **SEC. 8. MODIFICATIONS TO UNITED STATES CENTER FOR**
18 **SAFESPORT.**

19 (a) DESIGNATION OF UNITED STATES CENTER FOR
20 SAFESPORT.—

21 (1) IN GENERAL.—Section 220541 of title 36,
22 United States Code, is amended—

23 (A) in the section heading by striking
24 “SAFE SPORT” and inserting “SAFESPORT”;

1 (B) by amending subsection (a) to read as
2 follows:

3 “(a) DUTIES OF CENTER.—

4 “(1) IN GENERAL.—The United States Center
5 for SafeSport shall—

6 “(A) serve as the independent national safe
7 sport organization and be recognized worldwide
8 as the independent national safe sport organiza-
9 tion for the United States;

10 “(B) exercise jurisdiction over the corpora-
11 tion and each national governing body with re-
12 gard to safeguarding amateur athletes against
13 abuse, including emotional, physical, and sexual
14 abuse, in sports;

15 “(C) maintain an office for education and
16 outreach that shall develop training, oversight
17 practices, policies, and procedures to prevent
18 the abuse, including emotional, physical, and
19 sexual abuse, of amateur athletes participating
20 in amateur athletic activities through national
21 governing bodies;

22 “(D) maintain an office for response and
23 resolution that shall establish mechanisms that
24 allow for the reporting, investigation, and reso-
25 lution, pursuant to subsection (c), of alleged

1 sexual abuse in violation of the Center’s policies
2 and procedures;

3 “(E) ensure that the mechanisms under
4 subparagraph (D) provide fair notice and an
5 opportunity to be heard and protect the privacy
6 and safety of complainants;

7 “(F) maintain an office for compliance and
8 audit that shall—

9 “(i) ensure that the national gov-
10 erning bodies and the corporation imple-
11 ment and follow the policies and proce-
12 dures developed by the Center to prevent
13 and promptly report instances of abuse of
14 amateur athletes, including emotional,
15 physical, and sexual abuse; and

16 “(ii) establish mechanisms that allow
17 for the reporting and investigation of al-
18 leged violations of such policies and proce-
19 dures;

20 “(G) publish and maintain a publicly ac-
21 cessible internet website that contains a com-
22 prehensive list of adults who are barred by the
23 Center; and

24 “(H) ensure that any action taken by the
25 Center against an individual under the jurisdic-

1 tion of the Center, including an investigation,
2 the imposition of sanctions, and any other dis-
3 ciplinary action, is carried out in a manner
4 than provides procedural due process to the in-
5 dividual, including, at a minimum—

6 “(i) the provision of written notice of
7 the allegations against the individual;

8 “(ii) a right to be represented by
9 counsel or other advisor;

10 “(iii) an opportunity to be heard dur-
11 ing the investigation;

12 “(iv) in a case in which a violation is
13 found, a reasoned written decision by the
14 Center; and

15 “(v) the ability to challenge, in a
16 hearing or through arbitration, interim
17 measures or sanctions imposed by the Cen-
18 ter.

19 “(2) RULES OF CONSTRUCTION.—Nothing in
20 this subsection shall be construed—

21 “(A) to preclude the Center from imposing
22 interim measures or sanctions on an individual
23 before an opportunity for a hearing or arbitra-
24 tion;

1 “(B) to require the Center to meet a bur-
2 den of proof higher than the preponderance of
3 the evidence;

4 “(C) to give rise to a claim under State
5 law or to create a private right of action; or

6 “(D) to render the Center a state actor.”;

7 (C) in subsection (b), by striking “sub-
8 section (a)(3)” and inserting “subsection
9 (a)(1)(C)”;

10 (D) in subsection (d), as amended by sec-
11 tion 7(a)(2)—

12 (i) in paragraph (3), by inserting after
13 subparagraph (B) the following:

14 “(C) the corporation;”;

15 (ii) by redesignating paragraph (3) as
16 paragraph (4); and

17 (iii) by inserting after paragraph (2)
18 the following:

19 “(3) REMOVAL TO FEDERAL COURT.—

20 “(A) IN GENERAL.—Any civil action
21 brought in a State court against the Center re-
22 lating to the responsibilities of the Center under
23 this section, section 220542, or section 220543,
24 shall be removed, on request by the Center, to
25 the district court of the United States in the

1 district in which the action was brought, and
2 such district court shall have original jurisdic-
3 tion over the action without regard to the
4 amount in controversy or the citizenship of the
5 parties involved.

6 “(B) RULE OF CONSTRUCTION.—Nothing
7 in this chapter shall be construed to create a
8 private right of action.”; and

9 (E) by adding at the end the following:

10 “(e) TRAINING MATERIALS.—The office for edu-
11 cation and outreach referred to in subsection (a)(1)(C)
12 shall—

13 “(1) develop training materials for specific au-
14 diences, including coaches, trainers, doctors, young
15 children, adolescents, adults, and individuals with
16 disabilities; and

17 “(2) not less frequently than every 3 years, up-
18 date such training materials.

19 “(f) INDEPENDENCE.—

20 “(1) PROHIBITION WITH RESPECT TO FORMER
21 EMPLOYEES AND BOARD MEMBERS.—A former em-
22 ployee or board member of the corporation or a na-
23 tional governing body shall not work or volunteer at
24 the Center during the 2-year period beginning on
25 the date on which the former employee or board

1 member ceases employment with the corporation or
2 national governing body.

3 “(2) ATHLETES SERVING ON BOARD OF DIREC-
4 TORS OF NATIONAL GOVERNING BODY.—

5 “(A) IN GENERAL.—An athlete serving on
6 the board of directors of a national governing
7 body who is not otherwise employed by the na-
8 tional governing body, may volunteer at, or
9 serve in an advisory capacity to, the Center.

10 “(B) INELIGIBILITY FOR EMPLOYMENT.—
11 An athlete who has served on the board of di-
12 rectors of a national governing body shall not
13 be eligible for employment at the Center during
14 the 2-year period beginning on the date on
15 which the athlete ceases to serve on such board
16 of directors.

17 “(3) CONFLICTS OF INTEREST.—An executive
18 or attorney for the Center shall be considered to
19 have an inappropriate conflict of interest if the exec-
20 utive or attorney also represents the corporation or
21 a national governing body.

22 “(4) INVESTIGATIONS.—

23 “(A) IN GENERAL.—The corporation and
24 the national governing bodies shall not interfere

1 in, or attempt to influence the outcome of, an
2 investigation.

3 “(B) REPORT.—In the case of an attempt
4 to interfere in, or influence the outcome of, an
5 investigation, not later than 72 hours after such
6 attempt, the Center shall submit to the Com-
7 mittee on Commerce, Science, and Transpor-
8 tation of the Senate and the Committee on En-
9 ergy and Commerce of the House of Represent-
10 atives a report describing the attempt.

11 “(C) WORK PRODUCT.—

12 “(i) IN GENERAL.—Any decision, re-
13 port, memorandum, work product, notes,
14 or case file of the Center—

15 “(I) shall be confidential; and

16 “(II) shall not be subject to dis-
17 covery, subpoena, or any other means
18 of legal compulsion in any civil action
19 in which the Center is not a party to
20 the action.

21 “(ii) RULE OF CONSTRUCTION.—

22 Nothing in this subparagraph shall be con-
23 strued to prohibit the Center from pro-
24 viding work product described in clause (i)
25 to a law enforcement agency for the pur-

1 pose of assisting in a criminal investiga-
2 tion.

3 “(g) FUNDING.—

4 “(1) MANDATORY PAYMENTS.—

5 “(A) FISCAL YEAR 2020.—Not later than
6 30 days after the date of the enactment of this
7 subsection, the corporation shall make a man-
8 datory payment of \$20,000,000 to the Center
9 for operating costs of the Center for fiscal year
10 2020.

11 “(B) SUBSEQUENT FISCAL YEARS.—Begin-
12 ning on January 1, 2020, the corporation shall
13 make a mandatory payment of \$20,000,000 to
14 the Center on January 1 each year for oper-
15 ating costs of the Center.

16 “(2) FUNDS FROM NATIONAL GOVERNING BOD-
17 IES.—The corporation may use funds received from
18 1 or more national governing bodies to make a man-
19 datory payment required by paragraph (1).

20 “(3) FAILURE TO COMPLY.—

21 “(A) IN GENERAL.—The Center may file a
22 lawsuit to compel payment under paragraph
23 (1).

24 “(B) PENALTY.—For each day of late or
25 incomplete payment of a mandatory payment

1 under paragraph (1) after January 1 of the ap-
2 plicable year, the Center shall be allowed to re-
3 cover from the corporation an additional
4 \$20,000.

5 “(4) ACCOUNTABILITY.—

6 “(A) IN GENERAL.—Amounts transferred
7 to the Center by the corporation or a national
8 governing body shall be used, in accordance
9 with section 220503(15), primarily for the pur-
10 pose of carrying out the duties and require-
11 ments under sections 220541 through 220543
12 with respect to the investigation and resolution
13 of allegations of sexual misconduct, or other
14 misconduct, made by amateur athletes.

15 “(B) USE OF FUNDS.—

16 “(i) IN GENERAL.—Of the amounts
17 made available to the Center by the cor-
18 poration or a national governing body in a
19 fiscal year for the purpose described in sec-
20 tion 220503(15)—

21 “(I) not less than 50 percent
22 shall be used for processing the inves-
23 tigation and resolution of allegations
24 described in subparagraph (A); and

1 “(II) not more than 10 percent
2 may be used for executive compensa-
3 tion of officers and directors of the
4 Center.

5 “(ii) RESERVE FUNDS.—

6 “(I) IN GENERAL.—If, after the
7 Center uses the amounts as allocated
8 under clause (i), the Center does not
9 use the entirety of the remaining
10 amounts for the purpose described in
11 subparagraph (A), the Center may re-
12 tain not more than 25 percent of such
13 amounts as reserve funds.

14 “(II) RETURN OF FUNDS.—The
15 Center shall return to the corporation
16 and national governing bodies any
17 amounts, proportional to the contribu-
18 tions of the corporation and national
19 governing bodies, that remain after
20 the retention described in subclause
21 (I).

22 “(iii) LOBBYING AND FUNDRAISING.—
23 Amounts made available to the Center
24 under this paragraph may not be used for
25 lobbying or fundraising expenses.

1 “(h) COMPLIANCE AUDITS.—

2 “(1) IN GENERAL.—Not less frequently than
3 annually, the Center shall carry out an audit of the
4 corporation and each national governing body—

5 “(A) to assess compliance with policies and
6 procedures developed under this subchapter;
7 and

8 “(B) to ensure that consistent training re-
9 lating to the prevention of child abuse is pro-
10 vided to all staff of the corporation and national
11 governing bodies who are in regular contact
12 with amateur athletes and members who are
13 minors subject to parental consent.

14 “(2) CORRECTIVE MEASURES.—

15 “(A) IN GENERAL.—The Center may im-
16 pose on the corporation or a national governing
17 body a corrective measure to achieve compliance
18 with the policies and procedures developed
19 under this subchapter or the training require-
20 ment described in paragraph (1)(B).

21 “(B) INCLUSIONS.—A corrective measure
22 imposed under subparagraph (A) may include
23 the implementation of an athlete safety pro-
24 gram or specific policies, additional compliance

1 audits or training, and the imposition of a pro-
2 bationary period.

3 “(C) ENFORCEMENT.—

4 “(i) IN GENERAL.—On request by the
5 Center, the corporation shall—

6 “(I) enforce any corrective meas-
7 ure required under subparagraph (A);
8 and

9 “(II) report the status of enforce-
10 ment with respect to a national gov-
11 erning body within a reasonable time-
12 frame.

13 “(ii) METHODS.—The corporation
14 may enforce a corrective measure through
15 any means available to the corporation, in-
16 cluding by withholding funds from a na-
17 tional governing body, limiting the partici-
18 pation of the national governing body in
19 corporation events, and decertifying a na-
20 tional governing body.

21 “(iii) EFFECT OF NONCOMPLIANCE.—

22 If the corporation fails to enforce a correc-
23 tive measure within 72 hours of a request
24 under clause (i), the Center may submit to
25 the Committee on Commerce, Science, and

1 Transportation of the Senate and the
2 Committee on Energy and Commerce of
3 the House of Representatives a report de-
4 scribing the noncompliance.

5 “(3) ANNUAL REPORT.—

6 “(A) IN GENERAL.—Not less frequently
7 than annually, the Center shall submit to Con-
8 gress a report on the findings of the audit
9 under paragraph (1) for the preceding year and
10 the status of any corrective measures imposed
11 as a result of the audit.

12 “(B) PUBLIC AVAILABILITY.—

13 “(i) IN GENERAL.—Each report under
14 subparagraph (A) shall be made available
15 to the public.

16 “(ii) PERSONALLY IDENTIFIABLE IN-
17 FORMATION.—A report made available to
18 the public shall not include the personally
19 identifiable information of any individual.

20 “(i) REPORTS TO CORPORATION.—Not later than 30
21 days after the end of each calendar quarter that begins
22 after the date of the enactment of the Empowering Olym-
23 pic, Paralympic, and Amateur Athletes Act of 2020, the
24 Center shall submit to the corporation a statement of the
25 following:

1 “(1) The number and nature of misconduct
2 complaints referred to the Center, by sport.

3 “(2) The number and type of pending mis-
4 conduct complaints under investigation by the Cen-
5 ter.

6 “(3) The number of misconduct complaints for
7 which an investigation was terminated or otherwise
8 closed by the Center.

9 “(4) The number of such misconduct com-
10 plaints reported to law enforcement agencies by the
11 Center for further investigation.

12 “(5) The number of discretionary cases accept-
13 ed or declined by the Center, by sport.

14 “(6) The average time required for resolution of
15 such cases and misconduct complaints.

16 “(7) Information relating to the educational ac-
17 tivities and trainings conducted by the office of edu-
18 cation and outreach of the Center during the pre-
19 ceding quarter, including the number of educational
20 activities and trainings developed and provided.

21 “(j) CERTIFICATIONS OF INDEPENDENCE.—

22 “(1) IN GENERAL.—Not later than 180 days
23 after the end of a fiscal year, the Comptroller Gen-
24 eral of the United States shall make available to the

1 public a certification relating to the Center’s inde-
2 pendence from the corporation.

3 “(2) ELEMENTS.—A certification required by
4 paragraph (1) shall include the following:

5 “(A) A finding of whether a violation of a
6 prohibition on employment of former employees
7 or board members of the corporation under sub-
8 section (f) has occurred during the year pre-
9 ceeding the certification.

10 “(B) A finding of whether an executive or
11 attorney for the Center has had an inappro-
12 priate conflict of interest during that year.

13 “(C) A finding of whether the corporation
14 has interfered in, or attempted to influence the
15 outcome of, an investigation by the Center.

16 “(D) Any recommendations of the Comp-
17 troller General for resolving any potential risks
18 to the Center’s independence from the corpora-
19 tion.

20 “(3) AUTHORITY OF COMPTROLLER GEN-
21 ERAL.—

22 “(A) IN GENERAL.—The Comptroller Gen-
23 eral may take such reasonable steps as, in the
24 view of the Comptroller General, are necessary

1 to be fully informed about the operations of the
2 corporation and the Center.

3 “(B) SPECIFIC AUTHORITIES.—The Comp-
4 troller General shall have—

5 “(i) access to, and the right to make
6 copies of, any and all nonprivileged books,
7 records, accounts, correspondence, files, or
8 other documents or electronic records, in-
9 cluding emails, of officers, agents, and em-
10 ployees of the Center or the corporation;
11 and

12 “(ii) the right to interview any officer,
13 employee, agent, or consultant of the Cen-
14 ter or the corporation.

15 “(C) TREATMENT OF PRIVILEGED INFOR-
16 MATION.—If, under this subsection, the Comp-
17 troller General seeks access to information con-
18 tained within privileged documents or materials
19 in the possession of the Center or the corpora-
20 tion, the Center or the corporation, as the case
21 may be, shall, to the maximum extent prac-
22 ticable, provide the Comptroller General with
23 the information without compromising the ap-
24 plicable privilege.”.

1 (2) TECHNICAL AND CONFORMING AMEND-
2 MENTS.—

3 (A) Subchapter IV of chapter 2205 of title
4 36, United States Code, as redesignated by sec-
5 tion 5(a)(1), is amended in the subchapter
6 heading by striking “SAFE SPORT” and in-
7 serting “SAFESPORT”.

8 (B) The table of sections for chapter 2205
9 of title 36, United States Code, is amended by
10 striking the item relating to section 220541 and
11 inserting the following:

“220541. Designation of United States Center for SafeSport.”.

12 (b) ADDITIONAL DUTIES OF CENTER.—Section
13 220542 of title 36, United States Code, is amended—

14 (1) in the section heading, by striking the pe-
15 riod at the end; and

16 (2) in subsection (a)—

17 (A) in paragraph (1), by striking “; and”
18 and inserting a semicolon; and

19 (B) in paragraph (2)—

20 (i) in subparagraph (A), by striking
21 clauses (i) and (ii) and inserting the fol-
22 lowing:

23 “(i) law enforcement consistent with
24 section 226 of the Victims of Child Abuse
25 Act of 1990 (34 U.S.C. 20341); and

1 “(ii) the Center, whenever such mem-
2 bers or adults learn of facts leading them
3 to suspect reasonably that an amateur ath-
4 lete who is a minor has suffered an inci-
5 dent of child abuse;”;

6 (ii) by redesignating subparagraphs
7 (B) through (F) as subparagraphs (E)
8 through (I), respectively;

9 (iii) by inserting after subparagraph
10 (A) the following:

11 “(B) a requirement that the Center shall
12 immediately report to law enforcement con-
13 sistent with section 226 of the Victims of Child
14 Abuse Act of 1990 (34 U.S.C. 20341) any alle-
15 gation of child abuse of an amateur athlete who
16 is a minor, including any report of such abuse
17 submitted to the Center by a minor or by any
18 person who is not otherwise required to report
19 such abuse;

20 “(C) 1 or more policies that prohibit any
21 individual who is an employee, contractor, or
22 agent of the Center from assisting a member or
23 former member in obtaining a new job (except
24 for the routine transmission of administrative
25 and personnel files) if the individual knows that

1 such member or former member violated the
2 policies or procedures of the Center related to
3 sexual misconduct or was convicted of a crime
4 involving sexual misconduct with a minor in vio-
5 lation of applicable law;

6 “(D) a requirement that the Center, in-
7 cluding any officer, agent, attorney, or staff
8 member of the Center, shall not take any action
9 to notify an alleged perpetrator of abuse of an
10 amateur athlete of any ongoing investigation or
11 accusation unless—

12 “(i) the Center has reason to believe
13 an imminent hazard will result from failing
14 to so notify the alleged perpetrator; or

15 “(ii) law enforcement—

16 “(I) authorizes the Center to
17 take such action; or

18 “(II) declines or fails to act on,
19 or fails to respond to the Center with
20 respect to, the allegation within 72
21 hours after the time at which the Cen-
22 ter reports to law enforcement under
23 subparagraph (B);”;

1 (iv) in subparagraph (F), as so redesi-
2 gnated, by inserting “, including commu-
3 nications,” after “interactions”;

4 (v) by amending subparagraph (G), as
5 so redesignated, to read as follows:

6 “(G) procedures to prohibit retaliation by
7 the corporation or any national governing body
8 against any individual who makes—

9 “(i) a report under subparagraph (A)
10 or (E); or

11 “(ii) any other report relating to
12 abuse of any amateur athlete, including
13 emotional, physical, and sexual abuse;”;

14 (vi) in subparagraph (H), as so redesi-
15 gnated, by striking “; and” and inserting
16 a semicolon;

17 (vii) in subparagraph (I), as so redesi-
18 gnated, by striking the period at the end
19 of clause (ii) and inserting a semicolon;
20 and

21 (viii) by adding at the end the fol-
22 lowing:

23 “(J) a prohibition on the use in a decision
24 of the Center under section 220541(a)(1)(D) of
25 any evidence relating to other sexual behavior

1 or the sexual predisposition of the alleged vic-
2 tim, or the admission of any such evidence in
3 arbitration, unless the probative value of the
4 use or admission of such evidence, as deter-
5 mined by the Center or the arbitrator, as appli-
6 cable, substantially outweighs the danger of—

7 “(i) any harm to the alleged victim;

8 and

9 “(ii) unfair prejudice to any party;

10 and

11 “(K) training for investigators on appro-
12 priate methods and techniques for ensuring sen-
13 sitivity toward alleged victims during interviews
14 and other investigative activities.”.

15 (c) RECORDS, AUDITS, AND REPORTS.—Section
16 220543 of title 36, United States Code, is amended—

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

19 “(b) AUDITS AND TRANSPARENCY.—

20 “(1) ANNUAL AUDIT.—

21 “(A) IN GENERAL.—Not less frequently
22 than annually, the financial statements of the
23 Center for the preceding fiscal year shall be au-
24 dited by an independent auditor in accordance
25 with generally accepted accounting principles—

1 “(i) to ensure the adequacy of the in-
2 ternal controls of the Center; and

3 “(ii) to prevent waste, fraud, or mis-
4 use of funds transferred to the Center by
5 the corporation or the national governing
6 bodies.

7 “(B) LOCATION.—An audit under sub-
8 paragraph (A) shall be conducted at the loca-
9 tion at which the financial statements of the
10 Center normally are kept.

11 “(C) REPORT.—Not later than 180 days
12 after the date on which an audit under sub-
13 paragraph (A) is completed, the independent
14 auditor shall issue an audit report.

15 “(D) CORRECTIVE ACTION PLAN.—

16 “(i) IN GENERAL.—On completion of
17 the audit report under subparagraph (C)
18 for a fiscal year, the Center shall prepare,
19 in a separate document, a corrective action
20 plan that responds to any corrective action
21 recommended by the independent auditor.

22 “(ii) MATTERS TO BE INCLUDED.—A
23 corrective action plan under clause (i) shall
24 include the following for each such correc-
25 tive action:

1 “(I) The name of the person re-
2 sponsible for the corrective action.

3 “(II) A description of the
4 planned corrective action.

5 “(III) The anticipated completion
6 date of the corrective action.

7 “(IV) In the case of a rec-
8 ommended corrective action based on
9 a finding in the audit report with
10 which the Center disagrees, or for
11 which the Center determines that cor-
12 rective action is not required, an ex-
13 planation and a specific reason for
14 noncompliance with the recommenda-
15 tion.

16 “(2) ACCESS TO RECORDS AND PERSONNEL.—
17 With respect to an audit under paragraph (1), the
18 Center shall provide the independent auditor access
19 to all records, documents, and personnel and finan-
20 cial statements of the Center necessary to carry out
21 the audit.

22 “(3) PUBLIC AVAILABILITY.—

23 “(A) IN GENERAL.—The Center shall
24 make available to the public on an easily acces-
25 sible internet website of the Center—

1 “(i) each audit report under para-
2 graph (1)(C);

3 “(ii) the Internal Revenue Service
4 Form 990 of the Center for each year,
5 filed under section 501(c) of the Internal
6 Revenue Code of 1986; and

7 “(iii) the minutes of the quarterly
8 meetings of the board of directors of the
9 Center.

10 “(B) PERSONALLY IDENTIFIABLE INFOR-
11 MATION.—An audit report or the minutes made
12 available under subparagraph (A) shall not in-
13 clude the personally identifiable information of
14 any individual.

15 “(4) RULE OF CONSTRUCTION.—For purposes
16 of this subsection, the Center shall be considered a
17 private entity.

18 “(c) REPORT.—The Center shall submit an annual
19 report to Congress, including—

20 “(1) a strategic plan with respect to the man-
21 ner in which the Center shall fulfill its duties under
22 sections 220541 and 220542;

23 “(2) a detailed description of the efforts made
24 by the Center to comply with such strategic plan
25 during the preceding year;

1 “(3) any financial statement necessary to
2 present fairly the assets, liabilities, and surplus or
3 deficit of the Center for the preceding year;

4 “(4) an analysis of the changes in the amounts
5 of such assets, liabilities, and surplus or deficit dur-
6 ing the preceding year;

7 “(5) a detailed description of Center activities,
8 including—

9 “(A) the number and nature of misconduct
10 complaints referred to the Center;

11 “(B) the total number and type of pending
12 misconduct complaints under investigation by
13 the Center;

14 “(C) the number of misconduct complaints
15 for which an investigation was terminated or
16 otherwise closed by the Center; and

17 “(D) the number of such misconduct com-
18 plaints reported to law enforcement agencies by
19 the Center for further investigation;

20 “(6) a detailed description of any complaint of
21 retaliation made during the preceding year by an of-
22 ficer or employee of the Center or a contractor or
23 subcontractor of the Center that includes—

24 “(A) the number of such complaints; and

25 “(B) the outcome of each such complaint;

1 “(7) information relating to the educational ac-
2 tivities and trainings conducted by the office of edu-
3 cation and outreach of the Center during the pre-
4 ceding year, including the number of educational ac-
5 tivities and trainings developed and provided; and

6 “(8) a description of the activities of the Cen-
7 ter.

8 “(d) DEFINITIONS.—In this section—

9 “(1) ‘audit report’ means a report by an inde-
10 pendent auditor that includes—

11 “(A) an opinion or a disclaimer of opinion
12 that presents the assessment of the independent
13 auditor with respect to the financial records of
14 the Center, including whether such records are
15 accurate and have been maintained in accord-
16 ance with generally accepted accounting prin-
17 ciples;

18 “(B) an assessment of the internal controls
19 used by the Center that describes the scope of
20 testing of the internal controls and the results
21 of such testing; and

22 “(C) a compliance assessment that in-
23 cludes an opinion or a disclaimer of opinion as
24 to whether the Center has complied with the
25 terms and conditions of subsection (b); and

1 of a national governing body, as defined in that
2 section, under section 220521 of that title.”.

3 **SEC. 10. ENHANCED CHILD ABUSE REPORTING.**

4 Section 226(c)(9) of the Victims of Child Abuse Act
5 of 1990 (34 U.S.C. 20341(c)(9)) is amended—

6 (1) by striking “adult who is authorized” and
7 inserting the following: “adult who—

8 “(A) is authorized”;

9 (2) in subparagraph (A), as so designated, by
10 inserting “or” after the semicolon at the end; and

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

12 “(B) is an employee or representative of
13 the United States Center for SafeSport;”.

14 **SEC. 11. COMMISSION ON THE STATE OF U.S. OLYMPICS**
15 **AND PARALYMPICS.**

16 (a) ESTABLISHMENT.—There is established within
17 the legislative branch a commission, to be known as the
18 “Commission on the State of U.S. Olympics and
19 Paralympics” (referred to in this section as the “Commis-
20 sion”).

21 (b) COMPOSITION.—

22 (1) IN GENERAL.—The Commission shall be
23 composed of 16 members, of whom—

1 (A) 4 members shall be appointed by the
2 chairman of the Committee on Commerce,
3 Science, and Transportation of the Senate;

4 (B) 4 members shall be appointed by the
5 ranking member of the Committee on Com-
6 merce, Science, and Transportation of the Sen-
7 ate;

8 (C) 4 members shall be appointed by the
9 chairman of the Committee on Energy and
10 Commerce of the House of Representatives; and

11 (D) 4 members shall be appointed by the
12 ranking member of the Committee on Energy
13 and Commerce of the House of Representatives.

14 (2) CO-CHAIRS.—Of the members of the Com-
15 mission—

16 (A) 1 co-chair shall be designated by the
17 chairman of the Committee on Commerce,
18 Science, and Transportation of the Senate; and

19 (B) 1 co-chair shall be designated by the
20 chairman of the Committee on Energy and
21 Commerce of the House of Representatives.

22 (3) QUALIFICATIONS.—

23 (A) IN GENERAL.—Each member ap-
24 pointed to the Commission shall have the fol-
25 lowing qualifications:

1 (i) Experience in 1 or more of the fol-
2 lowing:

3 (I) Amateur, Olympic and
4 Paralympic, or professional athletics.

5 (II) Elite athletic coaching.

6 (III) Public service relating to
7 sports.

8 (IV) Professional advocacy for in-
9 creased minority participation in
10 sports.

11 (V) Olympic and Paralympic
12 sports administration or professional
13 sports administration.

14 (ii) Expertise in bullying prevention
15 and the promotion of a healthy organiza-
16 tional culture.

17 (B) OLYMPIC OR PARALYMPIC ATH-
18 LETES.—Not fewer than 8 members appointed
19 under paragraph (1) shall be current or former
20 Olympic or Paralympic athletes.

21 (c) INITIAL MEETING.—Not later than 30 days after
22 the date on which the last member is appointed under
23 paragraph (1), the Commission shall hold an initial meet-
24 ing.

1 (d) QUORUM.—11 members of the Commission shall
2 constitute a quorum.

3 (e) NO PROXY VOTING.—Proxy voting by members
4 of the Commission shall be prohibited.

5 (f) STAFF.—The co-chairs of the Commission shall
6 appoint an executive director of the Commission, and such
7 staff as appropriate, with compensation.

8 (g) PUBLIC HEARINGS.—The Commission shall hold
9 1 or more public hearings.

10 (h) TRAVEL EXPENSES.—Members of the Commis-
11 sion shall serve without pay, but shall receive travel ex-
12 penses in accordance with sections 5702 and 5703 of title
13 5, United States Code.

14 (i) DUTIES OF COMMISSION.—

15 (1) STUDY.—

16 (A) IN GENERAL.—The Commission shall
17 conduct a study on matters relating to the state
18 of United States participation in the Olympic
19 and Paralympic Games.

20 (B) MATTERS STUDIED.—The study under
21 subparagraph (A) shall include—

22 (i) a review of the most recent re-
23 forms undertaken by the United States
24 Olympic and Paralympic Committee;

1 (ii) a description of proposed reforms
2 to the structure of the United States
3 Olympic and Paralympic Committee;

4 (iii) an assessment as to whether the
5 board of directors of the United States
6 Olympic and Paralympic Committee in-
7 cludes diverse members, including athletes;

8 (iv) an assessment of United States
9 athlete participation levels in the Olympic
10 and Paralympic Games;

11 (v) a description of the status of any
12 United States Olympic and Paralympic
13 Committee licensing arrangement;

14 (vi) an assessment as to whether the
15 United States is achieving the goals for the
16 Olympic and Paralympic Games set by the
17 United States Olympic and Paralympic
18 Committee;

19 (vii) an analysis of the participation in
20 amateur athletics of—

21 (I) women;

22 (II) disabled individuals; and

23 (III) minorities;

24 (viii) a description of ongoing efforts
25 by the United States Olympic and

1 Paralympic Committee to recruit the
2 Olympic and Paralympic Games to the
3 United States;

4 (ix) an evaluation of the functions of
5 the national governing bodies (as defined
6 in section 220501 of title 36, United
7 States Code) and an analysis of the re-
8 sponsiveness of the national governing bod-
9 ies to athletes with respect to the duties of
10 the national governing bodies under section
11 220524(a)(3) of title 36, United States
12 Code; and

13 (x) an assessment of the finances and
14 the financial organization of the United
15 States Olympic and Paralympic Com-
16 mittee.

17 (2) REPORT.—

18 (A) IN GENERAL.—Not later than 270
19 days after the date of the enactment of this
20 Act, the Commission shall submit to Congress
21 a report on the results of the study conducted
22 under paragraph (1), including a detailed state-
23 ment of findings, conclusions, recommendations,
24 and suggested policy changes.

1 (B) PUBLIC AVAILABILITY.—The report
2 required by subparagraph (A) shall be made
3 available to the public on an internet website of
4 the United States Government that is available
5 to the public.

6 (j) POWERS OF COMMISSION.—

7 (1) SUBPOENA AUTHORITY.—The Commission
8 may subpoena an individual the testimony of whom
9 may be relevant to the purpose of the Commission.

10 (2) FURNISHING INFORMATION.—On request by
11 the executive director of the Commission, the head
12 of a Federal agency shall furnish information to the
13 Commission.

14 (k) TERMINATION OF COMMISSION.—The Commis-
15 sion shall terminate 90 days after the date on which the
16 Commission submits the report under subsection (i)(2).

17 (l) AUTHORIZATION OF APPROPRIATIONS.—There is
18 authorized to be appropriated such sums as may be nec-
19 essary to carry out this section.

20 **SEC. 12. SEVERABILITY.**

21 If any provision of this Act, or an amendment made
22 by this Act, is determined to be unenforceable or invalid,
23 the remaining provisions of this Act and the amendments
24 made by this Act shall not be affected.