AMENDMENT NO.______ Calendar No.______

Purpose: In the nature of a substitute.


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 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 and Amateur Athletes Act of 2019”.

6 SEC. 2. FINDINGS.

7 Congress makes the following findings:
(1) The courageous voice of survivors is a call to action to end emotional, physical, and sexual abuse in the Olympic and Paralympic movement.

(2) Larry Nassar, the former national team doctor for USA Gymnastics, sexually abused over 300 athletes for over two decades because of ineffective oversight by USA Gymnastics and the United States Olympic Committee.

(3) While the case of Larry Nassar is unprecedented in scale, the case is hardly the only recent incident of sexual abuse in amateur sports.

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

(5) After a comprehensive congressional investigation, including interviews and statements from survivors, former and current organization officials, law enforcement, and advocates, Congress found that the United States Olympic Committee and USA Gymnastics fundamentally failed to uphold their existing statutory purposes and duty to protect amateur athletes from sexual, emotional, or physical abuse.
(6) USA Gymnastics and the United States Olympic Committee knowingly concealed abuse by Larry Nassar, leading to the abuse of dozens of additional amateur athletes during the period beginning in the summer of 2015 and ending in September 2016.

(7) Ending abuse in the Olympic and Paralympic movement requires enhanced oversight to ensure that the Olympic and Paralympic movement does more to serve athletes and protect their voice and safety.

SEC. 3. UNITED STATES OLYMPIC AND PARALYMPIC COMMITTEE.

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

(1) in section 220501(b)(6), by striking “United States Olympic Committee” and inserting “United States Olympic and Paralympic Committee”;

(2) in section 220502, by amending subsection (e) to read as follows:

“(c) REFERENCES TO UNITED STATES OLYMPIC ASSOCIATION AND UNITED STATES OLYMPIC COMMITTEE.—

Any reference to the United States Olympic Association or the United States Olympic Committee is deemed to
1 refer to the United States Olympic and Paralympic Com-
2 mittee.”;
3 (3) in section 2205506(a), by striking “United
4 States Olympic Committee” and inserting “United
5 States Olympic and Paralympic Committee”; and
6 (4) in section 220531, by striking “United
7 States Olympic Committee” each place it appears
8 and inserting “United States Olympic and
9 Paralympic Committee”.
10 (b) CONFORMING AMENDMENT.—The table of chap-
11 ters for part B of subtitle II of title 36, United States
12 Code, is amended by striking the item relating to chapter
13 2205 and inserting the following:
14 “2205. United States Olympic and Paralympic Com-
15 mittee ................................................................. 220501”.
16 SEC. 4. CONGRESSIONAL OVERSIGHT OF UNITED STATES
17 OLYMPIC AND PARALYMPIC COMMITTEE AND
18 NATIONAL GOVERNING BODIES.
19 (a) IN GENERAL.—Chapter 2205 of title 36, United
20 States Code, is amended—
21 (1) by redesignating the second subchapter des-
22 ignated as subchapter III (relating to the United
23 States Center for SafeSport), as added by section
24 202 of the Protecting Young Victims from Sexual
25 Abuse and Safe Sport Authorization Act of 2017
(Public Law 115–126; 132 Stat. 320) as subchapter IV; and

(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

"In this subchapter, the term ‘joint resolution’ means a joint resolution—

"(1) which does not have a preamble; and

"(2) for which—

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

"(ii) the matter after the resolving clause—

"(I) is as follows: ‘That Congress finds that dissolving the board of directors of the United States Olympic and Paralympic Committee would not unduly interfere with the operations of chapter 2205 of title 36, United States Code’; and
“(II) prescribes adequate procedures for forming a board of directors of the corporation with all reasonable expediency and in a manner that safeguards the voting power of the representatives of amateur athletes at all times; or

“(B)(i) the title is only as follows: ‘A joint resolution relating to terminating the recognition of a national governing body’; and

“(ii) the matter after the resolving clause is only as follows: ‘That Congress determines that ____________, which is recognized as a national governing body under section 220521 of title 36, United States Code, has failed to fulfill its duties, as described in section 220524 of title 36, United States Code’, the blank space being filled in with the name of the applicable national governing body.

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

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

"(b) Termination of Recognition of National
Governing Body.—Effective on the date of enactment
of a joint resolution described in section 220551(2)(B)
with respect to a national governing body, the recognition
of the applicable amateur sports organization as a national
governing body shall cease to have force or effect.

§ 220553. Joint resolution

"(a) Referral and Reporting.—

"(1) House of Representatives.—

"(A) In General.—In the House of Rep-
resentatives, a joint resolution shall be referred
to the Committee on Energy and Commerce.

"(B) Discharge.—The Committee on En-
ergy and Commerce shall be discharged from
further consideration of a joint resolution and
the joint resolution shall be referred to the ap-
propriate calendar on the date on which not less
than three-fifths of the Members of the House
of Representatives, duly chosen and sworn, are
listed as cosponsors of the joint resolution.

"(C) Limitation on Consideration.—
Except as provided in subsection (e)(1), it shall
not be in order for the House of Representatives to consider a joint resolution unless—

“(i) the joint resolution is reported by
the Committee on Energy and Commerce;
or
“(ii) the Committee on Energy and Commerce is discharged from further consideration of the joint resolution under subparagraph (B).

“(2) Senate.—

“(A) In general.—In the Senate, a joint resolution shall be referred to the Committee on Commerce, Science, and Transportation.

“(B) Discharge.—The Committee on Commerce, Science, and Transportation shall be discharged from further consideration of the joint resolution and the joint resolution shall be referred to the appropriate calendar on the date on which not less than three-fifths of the Members of the Senate, duly chosen and sworn, are listed as cosponsors of the joint resolution.

“(C) Limitation on consideration.— Except as provided in subsection (e)(1), it shall not be in order for the Senate to consider a joint resolution unless—
“(i) the joint resolution is reported by
the Committee on Commerce, Science, and
Transportation; or
“(ii) the Committee on Commerce,
Science, and Transportation is discharged
from further consideration of the joint res-
olution under subparagraph (B).
“(b) EXPEDITED CONSIDERATION IN HOUSE OF
REPRESENTATIVES.—
“(1) PROCEEDING TO CONSIDERATION.—After
the Committee on Energy and Commerce reports a
joint resolution to the House of Representatives or
has been discharged from its consideration in ac-
cordance with subsection (a)(1)(B), it shall be in
order to move to proceed to consider the joint reso-
lution in the House of Representatives. All points of
order against the motion are waived. Such a motion
shall not be in order after the House of Representa-
tives has disposed of a motion to proceed on a joint
resolution. The previous question shall be considered
as ordered on the motion to its adoption without in-
tervening motion. The motion is highly privileged in
the House of Representatives and is not debatable.
A motion to reconsider the vote by which the motion
is disposed of shall not be in order.
“(2) CONSIDERATION.—A joint resolution shall be considered as read. All points of order against the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to its final passage without intervening motion except 2 hours of debate equally divided and controlled by the proponent and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

“(c) EXPEDITED PROCEDURE IN SENATE.—

“(1) MOTION TO PROCEED.—Notwithstanding rule XXII of the Standing Rules of the Senate, after the Committee on Commerce, Science, and Transportation reports a joint resolution to the Senate or has been discharged from its consideration in accordance with subsection (a)(2)(B), it shall be in order for any Member of the Senate to move to proceed to the consideration of the joint resolution. A motion to proceed is in order even though a previous motion to the same effect has been disagreed to. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution
is agreed to, the joint resolution shall remain the un-
finished business until disposed of.

"(2) CONSIDERATION.—Consideration of a joint
resolution, and on all debatable motions and appeals
in connection therewith, shall be limited to not more
than 10 hours, which shall be divided equally be-
tween the Majority and Minority Leaders or their
designees. A motion further to limit debate is in
order and not debatable. A motion to postpone, a
motion to proceed to the consideration of other busi-
ness, or a motion to recommit the joint resolution is
not in order. Any debatable motion is debatable for
not to exceed 1 hour, to be divided equally between
those favoring and those opposing the motion. All
time used for consideration of the joint resolution,
including time used for quorum calls and voting,
shall be counted against the total 10 hours of con-
side
ration.

"(3) VOTE ON PASSAGE.—If the Senate has
voted to proceed to a joint resolution, the vote on
passage of the joint resolution shall occur imme-
diately following the conclusion of consideration of
the joint resolution, and a single quorum call at the
conclusion of the consideration if requested in ac-
cordance with the rules of the Senate.
“(4) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution shall be decided without debate.

“(d) AMENDMENTS NOT IN ORDER.—A joint resolution shall not be subject to amendment in either the House of Representatives or the Senate.

“(e) RULES TO COORDINATE ACTION WITH OTHER HOUSE.—

“(1) TREATMENT OF JOINT RESOLUTION OF OTHER HOUSE.—

“(A) IN GENERAL.—If the Senate or House of Representatives fails to introduce or consider a joint resolution under this section, the joint resolution of the other House—

“(i) shall be entitled to expedited floor procedures described under this section; and

“(ii) may be referred in the receiving chamber or may be held at the desk.

“(B) POTENTIAL REFERRAL.—If a joint resolution referred to a committee under subparagraph (A)(ii) is cosponsored by not less than three-fifths of the Members of the origi-
nating House, duly chosen and sworn, the committee shall report the joint resolution not later than 20 days after the date on which the joint resolution is referred to the committee.

"(2) VETOES.—If the President vetoes a joint resolution, debate on a veto message in the Senate under this section shall be 1 hour equally divided between the Majority and Minority leaders or their designees.

"(f) RULEMAKING FUNCTION.—This section is enacted by Congress—

"(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

"(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House."
(b) TECHNICAL AND CONFORMING AMENDMENTS.—

The table of sections for chapter 2205 of title 36, United States Code, is amended—

(1) by striking the second item relating to subchapter III (relating to the United States Center for SafeSport), as added by section 202 of the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017 (Public Law 115–126; 132 Stat. 320) and inserting the following:

"SUBCHAPTER IV—UNITED STATES CENTER FOR SAFESPORT"; and

(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.
"220553. Joint resolution."

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

SEC. 5. MODIFICATIONS TO UNITED STATES OLYMPIC AND PARALYMPIC COMMITTEE.

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

(1) in paragraph (9), by inserting "and access to" after "development of";

(2) in paragraph (14), by striking "; and" and inserting a semicolon;
(3) in paragraph (15), by striking the period at
the end and inserting "; and"; and

(4) by adding at the end the following:

"(16) to exercise effective oversight of the na-
tional governing bodies with respect to the establish-
ment of a safe environment in sports that is free
from abuse, including emotional, physical, and sex-
ual abuse, of any amateur athlete.".

(b) MODIFICATIONS TO MEMBERSHIP IN CORPO-
RATION AND REPRESENTATION OF ATHLETES.—

(1) DEFINITION OF ATHLETES’ ADVISORY
COUNCIL.—Section 220501(b) of title 36, United
States Code is amended—

(A) by striking paragraph (9);

(B) by redesignating paragraphs (4)
through (8) as paragraphs (5) through (9), re-
spectively; and

(C) by inserting after paragraph (3) the
following:

"(4) 'Athletes' Advisory Council' means the en-
tity established and maintained under section
220504(b)(2)(A) that—

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

"(B) serves as a source of amateur-athlete opinion and advice with respect to policies and proposed policies of the corporation.".

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

(A) in subsection (a), by inserting "and membership shall be available only to national governing bodies" before the period at the end;

and

(B) in subsection (b)(2)—

(i) in the matter preceding subparagraph (A), by striking "within the preceding 10 years";

(ii) by striking subparagraph (A) and inserting the following:

"(A) establish and maintain an Athletes' Advisory Council;";

(iii) in subparagraph (B)—

(I) by striking "20 percent" and inserting "1/3", and
(II) by inserting "; including any panel empowered to resolve grievances" before the semicolon;
(iv) by redesignating subparagraph (B) as subparagraph (D); and
(v) by inserting after subparagraph (A) the following:
"(B) ensure that the chair of the Athletes’ Advisory Council, or the designee of the chair, holds voting power on the board of directors of the corporation and in the committees and entities of the corporation;
"(C) require that 1/3 of the membership of the board of directors of the corporation shall be composed of, and elected by, such amateur athletes, including not fewer than one amateur athlete who—
"(i) is actively engaged in representing the United States in amateur athletic competition; or
"(ii) has represented the United States in international amateur athletic competition during the preceding 10-year period; and"; and
(C) by adding at the end the following:
“(e) CONFLICT OF INTEREST.—An athlete who represents athletes under subsection (b)(2) shall not be employed by the Center, or serve in a capacity that exercises decision-making authority on behalf of the Center, during the two-year period beginning on the date on which the athlete ceases such representation.

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

(c) DUTY OF CARE.—

(1) IN GENERAL.—Section 220545 of title 36, United States Code, is amended—

(A) in the section heading, by striking “Powers” and inserting “Powers and duty of care”; and

(B) by adding at the end the following:

“(d) DUTY OF CARE.—

“(1) IN GENERAL.—The corporation owes to amateur athletes a duty of care—

“(A) to ensure that each national governing body complies with the oversight practices, policies, and procedures developed under paragraph (3) of section 220541(a);
“(B) to immediately report to law enforcement and the Center any allegation of child abuse of an amateur athlete who is a minor;

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

“(i) the policies and procedures developed under paragraph (3) of section 220541(a); and

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

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

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

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

“220505. Powers and duty of care.”.
(d) POLICY WITH RESPECT TO ASSISTING MEMBER OR FORMER MEMBER TO OBTAIN NEW JOBS.—Section 220507 of title 36, United States Code, is amended by adding at the end the following:

"(e) POLICY WITH RESPECT TO ASSISTING MEMBERS OR FORMER MEMBERS IN OBTAINING NEW JOBS.—The corporation shall develop one or more policies that prohibit any individual who is an employee, a contractor, or an agent of the corporation from assisting a member or former member in obtaining a new job, except the routine transmission of administrative and personnel files, if the individual knows that such member or former member engaged in sexual misconduct regarding a minor in violation of the law."

(e) OFFICE OF THE ATHLETE OMBUDSMAN.—Section 220509(b) of title 36, United States Code, is amended—

(1) in the subsection heading, by striking "OMBUDSMAN" and inserting "OFFICE OF THE ATHLETE OMBUDSMAN";

(2) in paragraph (2)—

(A) in subparagraph (A), by moving clauses (i) through (iii) two ems to the right;

(B) by striking "(2)(A) The procedure"

and inserting the following:
“(2) Hiring Procedures; Vacancy; Termination.—

“(A) Hiring Procedures.—The procedure”;

(C) in subparagraph (B)—

(i) by moving clauses (i) through (iii) two ems to the right; and

(ii) by striking “(B) The corporation” and inserting the following:

“(C) Termination.—The corporation”; and

(D) in the undesignated matter following clause (iii) of subparagraph (A), by striking “If there is” and inserting the following:

“(B) Vacancy.—If there is”;

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

(4) in paragraph (1), in the matter preceding subparagraph (A), by striking “(1) The corporation” and all that follows through “who shall—” and inserting the following:

“(1) In general.—The corporation shall hire and provide salary, benefits, and administrative expenses for an ombudsman and support staff for athletes.
"(2) DUTIES.—The Office of the Athlete Ombudsman shall—";

(5) in paragraph (2), as so designated by paragraph (4)—

(A) by amending subparagraph (B) to read as follows:

"(B) assist in the resolution of athlete concerns;";

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following:

"(C) provide independent advice to athletes with respect to—

"(i) the role, responsibility, authority, and jurisdiction of the Center; and

"(ii) the relative value of engaging legal counsel; and"; and

(6) by inserting after paragraph (3), as redesignated by paragraph (3), the following:

"(4) CONFIDENTIALITY.—

"(A) IN GENERAL.—The Office of the Athlete Ombudsman shall maintain as confidential any information communicated or provided to the Office of the Athlete Ombudsman in any
matter involving the exercise of the official duties of the Office of the Athlete Ombudsman.

"(B) JUDICIAL AND ADMINISTRATIVE PROCEEDINGS.—

"(i) IN GENERAL.—The ombudsman and the staff of the Office of the Athlete Ombudsman shall not be compelled to testify or produce evidence in any judicial or administrative proceeding with respect to any matter involving the exercise of the duties of the Office of the Athlete Ombudsman.

"(ii) WORK PRODUCT.—Any memorandum, work product, notes, or case file of the Office of the Athlete Ombudsman—

"(I) shall be confidential; and

"(II) shall not be—

"(aa) subject to discovery, subpoena, or any other means of legal compulsion; or

"(bb) admissible as evidence in a judicial or administrative proceeding.
“(C) APPLICABILITY.—The confidentiality requirements under this paragraph shall not apply to information relating to—

“(i) applicable federally mandated reporting requirements;

“(ii) a felony personally witnessed by a member of the Office of the Athlete Ombudsman;

“(iii) a situation, communicated to the Office of the Athlete Ombudsman, in which an individual is at imminent risk of serious harm; or

“(iv) a congressional subpoena.

“(5) PROHIBITION ON RETALIATION.—No employee, contractor, agent, volunteer, or member of the corporation shall take or threaten to take any action against an athlete as a reprisal for disclosing information to or seeking assistance from the Office of the Athlete Ombudsman.

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

(1) IN GENERAL.—Section 220511 of title 36, United States Code, is amended—

(A) by striking subsection (b);

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

"(a) REPORTS AND AUDITS.—

"(1) SUBMISSION TO PRESIDENT AND CONGRESS.—Not less frequently than annually, the corporation shall submit simultaneously to the President and to each House of Congress a detailed report on the operations of the corporation for preceding calendar year.

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

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

"(B) Data concerning the participation of women, disabled individuals, and racial and ethnic minorities in the amateur athletic activities and administration of the corporation and national governing bodies."
“(C) A description of the steps taken to encourage the participation of women, disabled individuals, and racial minorities in amateur athletic activities.

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

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

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

“(i) identifies—

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

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

“(ii) assesses the compliance of each member of the corporation and provides a plan for improvement, as necessary.
“(3) Public Availability.—The corporation shall make each report under this subsection available to the public on an easily accessible internet website of the corporation.”; and

(C) by adding at the end the following:

“(b) Audit.—

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

“(A) an independent certified public accountant; or

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

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

“(3) Access.—An individual conducting an audit under paragraph (1) shall be given full access to—
"(A) all records and property owned or
used by the corporation, as necessary to facili-
tate the audit; and

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

"(4) REPORT.—

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

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

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

"(ii) An analysis of the changes in the
amounts of such assets, liabilities, and sur-
plus or deficit.
“(iii) A detailed statement of the income and expenses of the corporation, including the results of any trading, manufacturing, publishing, or other commercial endeavor.

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

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

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

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

“(C) PUBLIC AVAILABILITY.—

“(i) IN GENERAL.—The corporation shall make each report under this paragraph available to the public on an easily accessible internet website of the corporation.
“(ii) PERSONALLY IDENTIFIABLE INFORMATION.—A report made available under clause (i) shall not include the personally identifiable information of any individual.”.

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

“220511. Reports and audits.”.

SEC. 6. MODIFICATIONS TO NATIONAL GOVERNING BODIES.

(a) CERTIFICATION OF NATIONAL GOVERNING BODIES.—

(1) IN GENERAL.—Section 220521 of title 36, United States Code, is amended—

(A) in the section heading, by striking “Recognition of amateur sports organizations as national governing bodies” and inserting “Certification of national governing bodies”;

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

“(a) IN GENERAL.—With respect to each sport included on the program of the Olympic Games, the Paralympic Games, or the Pan-American Games, the corporation—
“(1) may certify as a national governing body an amateur sports organization, a high-performance management organization, or a paralympic sports organization that files an application and is eligible for such certification under section 220522; and

“(2) may not certify more than one national governing body.”;

(C) in subsection (b), by striking “recognizing” and inserting “certifying”;

(D) in subsection (c), by striking “recognizing” and inserting “certifying”; and

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

“(d) REVIEW OF RECOGNITION.—Not later than 8 years after the date of the enactment of the Empowering Olympic and Amateur Athletes Act of 2019 and not less frequently than once every 4 years thereafter, the corporation shall review all matters related to the continued certification of an organization as a national governing body and may take any action the corporation considers appropriate, including placing conditions on the continued certification and imposing penalties for the failure of a national governing body to maintain proper certification standards.”.
(2) TECHNICAL AND CONFORMING AMENDMENTS.—

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

(i) in section 220501(b), as amended by section 5(b)(1), by amending paragraph (9) to read as follows:

"(9) 'national governing body' means an amateur sports organization, a high-performance management organization, or a paralympic sports organization that is certified by the corporation under section 220521;"

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

"(1) national governing bodies, including through provisions that establish and maintain a National Governing Bodies' Council that is composed of representatives of the national governing bodies who are selected by their boards of directors or other governing boards to ensure effective communication between the corporation and the national governing bodies;"

(iii) in section 220505(c), by amending paragraph (4) to read as follows:
“(4) certify national governing bodies for any sport that is included on the program of the Olympic Games, the Paralympic Games, or the Pan-American Games;”;

(iv) in section 220509(b)(2)(A), as designated by subsection 5(e)(4), by striking “paralympic sports organizations;”;

(v) in section 220512, by striking “or paralympic sports organization”;

(vi) in section 220522—

(I) by striking subsection (b);

and

(II) in subsection (a)—

(aa) by striking “recognized” each place it appears and inserting “certified”;

(bb) by striking “recognition” each place it appears and inserting “certification”;

(cc) in paragraph (6), by inserting “the Paralympic Games,” after “the Olympic Games”;

(dd) in paragraph (11)—
(ΔΔ) in the matter preceding subparagraph (A), by inserting "a high-performance management organization, or paralympic sports organization" after "amateur sports organization"; and

(BB) in subparagraph (B), by striking "amateur sports" and inserting "applicable"; and

(ee) by striking the sub-section designation and heading and all that follows through "An amateur sports organization" and inserting "An amateur sports organization, a high-performance management organization, or a paralympic sports organization";

(vii) in section 220524(1), by striking "amateur sports" each place it appears;

(viii) in section 220528—
(I) by striking "recognition" each place it appears and inserting "certification";

(II) by striking "recognize" each place it appears and inserting "certify"; and

(III) in subsection (g), in the subsection heading, by striking "RECOGNITION" and inserting "CERTIFICATION";

(ix) in section 220531—

(I) by striking "; each national governing body, and each paralympic sports organization" each place it appears and inserting "and each national governing body"; and

(II) in subsection (e)(2), by striking "each paralympic sports organization;"

(x) in section 220541—

(I) in subsection (a)—

(aa) in paragraph (2), by striking "; each national governing body, and each paralympic sports organization" and insert-
ing "and each national governing body"; and

(bb) in paragraph (3), by striking "and paralympic sports organizations"; and

(II) in subsection (d)(3), by striking subparagraph (C);

(xii) in section 220542—

(I) by striking "or paralympic sports organization" each place it appears; and

(II) in subsection (a)(2)—

(aa) in subparagraph (A), by striking ", a paralympic sports organization,";

(bb) in subparagraph (E), by striking "or a paralympic sports organization of each national governing body and paralympic sports organization";

and

(ec) in subparagraph (F')(i)—
(AA) by striking "", or an adult" and inserting "or an adult";

(BB) by striking "", paralympic sports organization,"; and

(CC) by striking "", paralympic sports organizations.".

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

"220521. Certification of national governing bodies.".

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

(1) in paragraph (2), by inserting "", including the ability to provide and enforce required athlete protection policies and procedures" before the semi-colon;

(2) in paragraph (5), in the matter preceeding subparagraph (A), by inserting "except with respect to the oversight of the organization," after "sport,";
(3) by redesignating paragraphs (10) through (15) as paragraphs (11) through (16), respectively;
(4) by inserting after paragraph (9) the following:

"(10) ensures that the selection criteria for individuals and teams that represent the United States are—

"(A) fair, as determined by the corporation in consultation with the national governing bodies, the Athletes' Advisory Council, and the United States Olympians and Paralympians Association;

"(B) clearly articulated in writing and properly communicated to athletes in a timely manner; and

"(C) consistently applied, using objective and subjective criteria appropriate to the applicable sport;";

(5) by striking paragraph (13), as so redesignated, and inserting the following:

"(13) demonstrates, based on guidelines approved by the corporation, the Athletes' Advisory Council, and the National Governing Bodies' Council, that—
“(A) its board of directors and other such governing boards have established criteria and election procedures for, and maintain among their voting members, individuals who—

“(i) are elected by amateur athletes;

and

“(ii) are actively engaged in amateur athletic competition in the sport for which certification is sought;

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

“(i) the corporation; and

“(ii) the Athletes’ Advisory Council;

and

“(C) the voting power held by such individuals is not less than \( \frac{1}{3} \) of the voting power held by its board of directors and other such governing boards;”;

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

(7) in paragraph (16), as so redesignated, by striking the period at the end and inserting “; and”; and

(8) by adding at the end the following:
“(17) commits to meeting any minimum standard or requirement set forth by the corporation.”.

c) General Duties of National Governing Bodies.—Section 220524 of title 36, United States Code, is amended—

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

“(a) IN GENERAL.—For the sport”;

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

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

(B) in paragraph (9), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(10) develop one or more policies that prohibit any individual who is an employee, a contractor, or an agent of the national governing body from assisting a member or former member in obtaining a new job, except from the routine transmission of administrative and personnel files, if the individual knows that such member or former member engaged in sexual misconduct regarding a minor in violation of—

“(A) the law; or
“(B) the policies or procedures of the Center;

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

“(12) take care to promote a safe environment in sports using information relating to any temporary measure or sanction issued pursuant to the authority of the Center;

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

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

“(A) the policies and procedures developed under paragraph (3) of section 220541(a); and

“(B) the requirement described in paragraph (2)(A) of section 220542(a).”; and

(3) by adding at the end the following:

“(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preempt or otherwise abrogate the duty of care of a national governing body under State law or the common law.”.
(d) ELIMINATION OF EXHAUSTION OF REMEDIES REQUIREMENT.—Section 220527 of title 36, United States Code, is amended—

(1) by striking subsection (b);

(2) in subsection (c), by striking “If the corporation” and all that follows through “subsection (b)(1) of this section, it” and inserting “The corporation”; and

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

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

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

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

“(A) a report under paragraph (1); or

“(B) any other report relating to abuse of any amateur athlete, including emotional, physical, and sexual abuse.”.

SEC. 7. MODIFICATIONS TO UNITED STATES CENTER FOR SAFESPORT.

(a) NAME OF CENTER.—
(1) Subchapter IV of chapter 2205 of title 36, United States Code, as redesignated by section 4(a)(1), is amended in the subchapter heading by striking “SAFE SPORT” and inserting “SAFESPORT”.

(2) Section 220541 of title 36, United States Code, is amended—

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

(B) in subsection (a), in the matter preceding paragraph (1), by striking “Safe Sport” and inserting “SafeSport”.

(3) Paragraph (5) of section 220501(b) of title 36, United States Code, as redesignated by section 5(b)(1), is amended by striking “United States Center for Safe Sport” and inserting “United States Center for SafeSport”.

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

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

(b) LIST OF BARRED INDIVIDUALS; AUDIT AND COMPLIANCE.—Section 220541(a) of title 36, United States Code, is amended—
(1) in paragraph (4), by striking “; and” and inserting a semicolon;
(2) in paragraph (5), by striking the period at the end and inserting a semicolon; and
(3) by adding at the end the following:
“(6) maintain an office for compliance and audit that shall ensure that the national governing bodies and the corporation implement and follow the procedures developed by the Center to prevent and promptly report instances of abuse of amateur athletes, including emotional, physical, and sexual abuse; and
“(7) publish and maintain a publicly accessible internet website that contains a comprehensive list of adults who are barred by the Center.”.

(c) LIMITATION ON LIABILITY.—Section 220541(d) of title 36, United States Code, as amended by section 6(a)(2), is further amended—
(1) in paragraph (3), by inserting after subparagraph (B) the following:
“(C) the corporation;”;
(2) by redesignating paragraph (3) as paragraph (4); and
(3) by inserting after paragraph (2) the following:
“(3) Removal to federal court.—

“(A) In general.—Any civil action brought in a State court against the Center relating to the responsibilities of the Center under this section, section 220542, or section 220543, shall be removed, on request by the Center, to the district court of the United States in the district in which the action was brought, and such district court shall have original jurisdiction over the action without regard to the amount in controversy or the citizenship of the parties involved.

“(B) Rule of construction.—Nothing in this chapter shall be construed to create a private right of action.”.

(d) Training materials; independence; funding.—Section 220541 of title 36, United States Code, is amended by adding at the end the following:

“(c) Training materials.—The office for education and outreach referred to in subsection (a)(3) shall—

“(1) develop training materials for specific audiences, including coaches, trainers, doctors, young children, adolescents, adults, and individuals with disabilities; and
(2) not less frequently than every 3 years, update such training materials.

(f) INDEPENDENCE.—

(1) Prohibition with respect to former employees and board members.—A former employee or board member of the corporation or a national governing body shall not work or volunteer at the Center during the 2-year period beginning on the date on which the former employee or board member ceases employment with the corporation or national governing body.

(2) Athletes serving on board of directors of national governing body.—

(A) In general.—An athlete serving on the board of directors of a national governing body who is not otherwise employed by the national governing body, may volunteer at, or serve in an advisory capacity to, the Center.

(B) Ineligibility for employment.—An athlete who has served on the board of directors of a national governing body shall not be eligible for employment at the Center during the 2-year period beginning on the date on which the athlete ceases to serve on such board of directors.
“(3) CONFLICTS OF INTEREST.—An executive or attorney for the Center shall be considered to have an inappropriate conflict of interest if the executive or attorney also represents the corporation or a national governing body.

“(4) INVESTIGATIONS.—

“(A) IN GENERAL.—The corporation and the national governing bodies shall not interfere in, or attempt to influence the outcome of, an investigation.

“(B) REPORT.—In the case of an attempt to interfere in, or influence the outcome of, an investigation, not later than 72 hours after such attempt, the Center shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report describing the attempt.

“(C) WORK PRODUCT.—

“(i) IN GENERAL.—Any decision, report, memorandum, work product, notes, or case file of the Center—

“(I) shall be confidential; and

“(II) shall not be subject to discovery, subpoena, or any other means
of legal compulsion in any civil action
in which the Center is not a party to
the action.

"(ii) Rule of Construction.—

Nothing in this subparagraph shall be con-
strued to prohibit the Center from pro-
viding work product described in clause (i)
to a law enforcement agency for the pur-
pose of assisting in a criminal investiga-

tion.

"(g) Funding.—

"(1) Mandatory payments.—

"(A) Fiscal Year 2020.—Not later than
30 days after the date of the enactment of this
subsection, the corporation shall make a man-
datory payment of $20,000,000 to the Center
for operating costs of the Center for fiscal year
2020.

"(B) Subsequent Fiscal Years.—Beginning
on January 1, 2020, the corporation shall
make a mandatory payment of $20,000,000 to
the Center on January 1 each year for oper-
ating costs of the Center.

"(2) Funds from National Governing Bod-
ies.—The corporation may use funds received from
one or more national governing bodies to make a
mandatory payment required by paragraph (1).

“(3) FAILURE TO COMPLY.—

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

“(B) PENALTY.—For each day of late or
incomplete payment of a mandatory payment
under paragraph (1) after January 1 of the ap-
picable year, the Center shall be allowed to re-
cover from the corporation an additional
$20,000.

“(4) ACCOUNTABILITY.—

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

“(B) USE OF FUNDS.—

“(i) IN GENERAL.—Of the amounts
made available to the Center by the cor-

poration or a national governing body in a
d annual fiscal year for the purpose described in sec-
tion 220503(15)—

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

"(II) not more than 10 percent
may be used for executive compensa-
tion of officers and directors of the
Center.

"(ii) Reserve Funds.—

"(I) In General.—If, after the
Center uses the amounts as allocated
under clause (i), the Center does not
use the entirety of the remaining
amounts for the purpose described in
subparagraph (A), the Center may re-
tain not more than 25 percent of such
amounts as reserve funds.

"(II) Return of Funds.—The
Center shall return to the corporation
and national governing bodies any
amounts, proportional to the contribu-
tions of the corporation and national
governing bodies, that remain after
the retention described in subclause
(I).

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

(e) ADDITIONAL DUTIES.—Section 220542 of title
36, United States Code, is amended—

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

(2) in subsection (a)—

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

(B) in paragraph (2)—

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

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

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

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

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

“(B) a requirement that the Center shall immediately report to law enforcement consistent with section 226 of the Victims of Child Abuse Act of 1990 (34 U.S.C. 20341) any allegation of child abuse of an amateur athlete who is a minor, including any report of such abuse submitted to the Center by a minor or by any person who is not otherwise required to report such abuse;

“(C) one or more policies that prohibit an individual who is a Center employee, contractor, or agent from assisting a member or former member in obtaining a new job, except the routine transmission of administrative and personnel files, if the individual knows that such member or former member engaged in sexual misconduct regarding a minor in violation of the law;
“(D) a requirement that the Center, including any officer, agent, attorney, or staff member of the Center, shall not take any action to notify an alleged perpetrator of abuse of an amateur athlete of any ongoing investigation or accusation unless—

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

“(ii) law enforcement—

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

“(II) declines or fails to act on, or fails to respond to the Center with respect to, the allegation within 72 hours after the time at which the Center reports to law enforcement under subparagraph (B);”;

(iv) in subparagraph (F), as so redesignated, by inserting “, including communications,” after “interactions”;

(v) by amending subparagraph (G), as so redesignated, to read as follows:
“(G) procedures to prohibit retaliation by the corporation or any national governing body against any individual who makes—

“(i) a report under subparagraph (A) or (B); or

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

(vi) in subparagraph (II), as so redesignated, by striking “; and” and inserting a semicolon;

(vii) in subparagraph (I), as so redesignated, by striking the period at the end of clause (ii) and inserting a semicolon; and

(viii) by adding at the end the following:

“(J) a prohibition on the use in a decision of the Center under section 220541(a)(4) of any evidence relating to other sexual behavior or the sexual predisposition of the alleged victim, or the admission of any such evidence in arbitration, unless the probative value of the use or admission of such evidence, as deter-
...mined by the Center or the arbitrator, as applicable, substantially outweighs the danger of—

“(i) any harm to the alleged victim;

and

“(ii) unfair prejudice to any party;

and

“(K) training for investigators on appropriate methods and techniques for ensuring sensitivity toward alleged victims during interviews and other investigative activities.”.

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

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

“(b) AUDITS AND TRANSPARENCY.—

“(1) ANNUAL AUDIT.—

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

“(i) to ensure the adequacy of the internal controls of the Center; and

“(ii) to prevent waste, fraud, or misuse of funds transferred to the Center by...
the corporation or the national governing bodies.

"(B) LOCATION.—An audit under subparagraph (A) shall be conducted at the location at which the financial statements of the Center normally are kept.

"(C) REPORT.—Not later than 180 days after the date on which an audit under subparagraph (A) is completed, the independent auditor shall issue an audit report.

"(D) CORRECTIVE ACTION PLAN.—

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

"(ii) MATTERS TO BE INCLUDED.—A corrective action plan under clause (i) shall include the following for each such corrective action:

"(I) The name of the person responsible for the corrective action.

"(II) A description of the planned corrective action.
“(III) The anticipated completion date of the corrective action.

“(IV) In the case of a recommended corrective action based on a finding in the audit report with which the Center disagrees, or for which the Center determines that corrective action is not required, an explanation and a specific reason for noncompliance with the recommendation.

“(2) ACCESS TO RECORDS AND PERSONNEL.—

With respect to an audit under paragraph (1), the Center shall provide the independent auditor access to all records, documents, and personnel and financial statements of the Center necessary to carry out the audit.

“(3) PUBLIC AVAILABILITY.—

“(A) IN GENERAL.—The Center shall make available to the public on an easily accessible internet website of the Center—

“(i) each audit report under paragraph (1)(C);

“(ii) the Internal Revenue Service Form 990 of the Center for each year filed
under section 501(e) of the Internal Revenue Code of 1986; and

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

“(B) PERSONALLY IDENTIFIABLE INFORMATION.—An audit report or the minutes made available under subparagraph (A) shall not include the personally identifiable information of any individual.

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

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

“(1) a strategic plan with respect to the manner in which the Center shall fulfill its duties under sections 220541 and 220542;

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

“(3) any financial statement necessary to present fairly the assets, liabilities, and surplus or deficit of the Center for the preceding year;
“(4) an analysis of the changes in the amounts of such assets, liabilities, and surplus or deficit during the preceding year;

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

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

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

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

“(D) the number of such misconduct complaints reported to law enforcement agencies by the Center for further investigation;

“(6) information relating to the educational activities and trainings conducted by the office of education and outreach of the Center during the preceding year, including the number of educational activities and trainings developed and provided; and

“(7) a description of the activities of the Center.

“(d) DEFINITIONS.—In this section—
“(1) ‘audit report’ means a report by an independent auditor that includes—

“(A) an opinion or a disclaimer of opinion that presents the assessment of the independent auditor with respect to the financial records of the Center, including whether such records are accurate and have been maintained in accordance with generally accepted accounting principles;

“(B) an assessment of the internal controls used by the Center that describes the scope of testing on of the internal control and the results of such testing; and

“(C) a compliance assessment that includes an opinion or a disclaimer of opinion as to whether the Center has complied with the terms and conditions of subsection (b); and

“(2) ‘independent auditor’ means an independent certified public accountant or independent licensed public accountant, certified or licensed by a regulatory authority of a State or a political subdivision of a State, who meets the standards specified in generally accepted accounting principles.”.
SEC. 3. GRANT ACCOUNTABILITY.

Section 220531 of title 36, United States Code, is amended by adding at the end the following:

"(c) GRANT ACCOUNTABILITY.—

(1) LIMITATIONS ON FUNDING. The Attorney General may not award a grant under this section to an entity that holds amounts in an offshore account for the purpose of avoiding payment of the tax described in section 511(a) of the Internal Revenue Code of 1986.

(2) TRANSPARENCY.—

(A) IN GENERAL. As a condition of receiving funds under this section, an entity shall include in an application for a grant—

(i) a description of the process by which the entity determines the compensation of the officers, directors, trustees, and key employees of the entity, including any independent individual involved in reviewing and approving such compensation;

(ii) the comparability data used in such process; and

(iii) contemporaneous substantiation of the deliberation and decision with respect to such compensation.
(B) Public Availability. On request, the Attorney General shall make the information disclosed under subparagraph (A) available for public inspection.

(3) Limitations on conference expenditures.

(A) In general. Except as provided in subparagraph (B), not more than $50,000 of grant funds provided to an entity under this section may be used to host or support a conference.

(B) Exception. An entity may use more than $50,000 of grant funds provided under this section to host or support a conference if the Director of the Office of Justice Programs:

(i) authorizes such additional expense in writing; and

(ii) provides a written cost estimate for the conference, including the cost of food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

(4) Avoidance of duplicative federal grants.
"(A) IN GENERAL.—The Attorney General shall assess whether a potential grant award to an entity under this section would result in an overlap or a duplication of Federal grant awards.

"(B) REPORT.—If the Attorney General awards a grant under this section to an entity in a fiscal year for which the entity receives any other Federal grant for a substantially similar purpose, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes

"(i) a description of each grant awarded to the entity in such fiscal year that results in an overlap or a duplication in Federal grant awards, including the total amount of each such grant award; and

"(ii) a justification for awarding an overlapping or a duplicative grant."
SEC. 9. EXEMPTION FROM AUTOMATIC STAY IN BANKRUPTCY CASES.

Section 362(b) of title 11, United States Code, is amended—

(1) in paragraph (27), by striking “and” at the end;

(2) in paragraph (28), by striking the period at the end and inserting “; and”;

(3) by inserting after paragraph (28) the following:

“(29) under subsection (a)(1) of this section, of any action by—

“(A) an amateur sports organization, as defined in section 220501(b) of title 36, to replace a national governing body, as defined in that section, under section 220528 of that title; or

“(B) the corporation, as defined in section 220501(b) of title 36, to revoke the recognition of a national governing body, as defined in that section, under section 220521 of that title.”.

SEC. 10. ENHANCED CHILD ABUSE REPORTING.

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

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

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

(3) by adding at the end the following:

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

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

(a) Establishment.—There is established within the legislative branch a commission, to be known as the “Commission on the State of U.S. Olympics and Paralympics” (referred to in this section as the “Commission”).

(b) Composition.—

(1) In general.—The Commission shall be composed of 16 members, of whom—

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

(B) 4 members shall be appointed by the ranking member of the Committee on Commerce, Science, and Transportation of the Senate;
(C) 4 members shall be appointed by the chairman of the Committee on Energy and Commerce of the House of Representatives; and

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

(2) CO-CHAIRS.—Of the members of the Commission—

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

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

(3) QUALIFICATIONS.—

(A) IN GENERAL.—Each member appointed to the Commission shall have—

(i) experience in—

(I) amateur or professional athletics;

(II) athletic coaching;

(III) public service relating to sports; or
(IV) professional advocacy for increased minority participation in sports; or

(ii) expertise in bullying prevention and the promotion of a healthy organizational culture.

(B) *Olympic or Paralympic Athletes.*—Not fewer than 8 members appointed under paragraph (1) shall be Olympic or Paralympic athletes.

(e) *Initial Meeting.*—Not later than 30 days after the date on which the last member is appointed under paragraph (1), the Commission shall hold an initial meeting.

(d) *Quorum.*—11 members of the Commission shall constitute a quorum.

(e) *No Proxy Voting.*—Proxy voting by members of the Commission shall be prohibited.

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

(g) *Public Hearings.*—The Commission shall hold 1 or more public hearings.

(h) *Travel Expenses.*—Members of the Commission shall serve without pay, but shall receive travel ex-
penses in accordance with sections 5702 and 5703 of title
5, United States Code.

(i) DUTIES OF COMMISSION.—

(1) STUDY.—

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

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

(i) a description of proposed reforms
to the structure of the United States
Olympic and Paralympic Committee;

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

(iii) an assessment of United States
athlete participation levels in the Olympic
and Paralympic games;

(iv) a description of the status of any
United States Olympic and Paralympic
Committee licensing arrangement;

(v) an assessment as to whether the
United States is achieving the goals for the
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Olympic and Paralympic games set by the
United States Olympic and Paralympic
Committee;

(vi) an analysis of the participation in
amateur athletics of—

(I) women;

(II) disabled individuals; and

(III) minorities;

(vii) a description of ongoing efforts
by the United States Olympic and
Paralympic Committee to recruit the
Olympic and Paralympic games to the
United States;

(viii) an evaluation of the function of
the national governing bodies (as defined
in section 220502 of title 36, United
States Code) and an analysis of the re-
 sponsiveness of the national governing bod-
ies to athletes with respect to the duties of
the national governing bodies under section
220524(a)(3) of title 36, United States
Code; and

(ix) an assessment of the finances and
the financial organization of the United
States Olympic and Paralympic Committee.

(2) REPORT.—

(A) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Commission shall submit to Congress a report on the results of the study conducted under paragraph (1), including a detailed statement of findings, conclusions, recommendations, and suggested policy changes.

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

(j) POWERS OF COMMISSION.—

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

(2) FURNISHING INFORMATION.—On request by the executive director of the Commission, the head of a Federal agency shall furnish information to the Commission.
(k) TERMINATION OF COMMISSION.—The Commission shall terminate 90 days after the date on which the Commission submits the report under subsection (i)(2).

(l) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out this section.