

115TH CONGRESS
1ST SESSION

S. 1426

To amend the Ted Stevens Olympic and Amateur Sports Act to expand the purposes of the corporation, to designate the United States Center for Safe Sport, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 22, 2017

Mr. THUNE (for himself and Mr. NELSON) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend the Ted Stevens Olympic and Amateur Sports Act to expand the purposes of the corporation, to designate the United States Center for Safe Sport, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “United States Center
5 for Safe Sport Authorization Act of 2017”.

1 **SEC. 2. EXPANSION OF THE PURPOSES OF THE CORPORA-**
 2 **TION.**

3 Section 220503 of title 36, United States Code, is
 4 amended—

5 (1) in paragraph (13), by striking “; and” and
 6 inserting a semicolon;

7 (2) in paragraph (14), by striking the period at
 8 the end and inserting “; and”; and

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

10 “(15) to promote a safe environment in sports
 11 that is free from abuse, including emotional, phys-
 12 ical, and sexual abuse, of any amateur athlete.”.

13 **SEC. 3. DESIGNATION OF THE UNITED STATES CENTER FOR**
 14 **SAFE SPORT.**

15 (a) IN GENERAL.—Chapter 2205 of title 36, United
 16 States Code, is amended by adding at the end the fol-
 17 lowing:

18 **“Subchapter III—United States Center for**
 19 **Safe Sport**

“220531. Designation of United States Center for Safe Sport.

“220532. Additional duties.

“220533. Records, audits, and reports.

“220534. Authorization of appropriations.

1 **“§ 220531. Designation of United States Center for**
2 **Safe Sport**

3 “(a) IN GENERAL.—The United States Center for
4 Safe Sport (referred to in this subchapter as the ‘Center’)
5 shall—

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

10 “(2) exercise jurisdiction over the corporation,
11 each national governing body, and each paralympic
12 sports organization with regard to safeguarding
13 amateur athletes against abuse, including emotional,
14 physical, and sexual abuse, in sports;

15 “(3) maintain an office for education and out-
16 reach that shall develop training, oversight practices,
17 policies, and procedures to prevent the abuse, includ-
18 ing emotional, physical, and sexual abuse, of ama-
19 teur athletes participating in amateur athletic activi-
20 ties through national governing bodies and
21 paralympic sports organizations;

22 “(4) ensure that the policies and procedures
23 under paragraph (3) include requirements that all
24 national governing bodies and paralympic sports or-
25 ganizations follow the policies and procedures of the
26 Center;

1 “(5) maintain an office for response and resolu-
 2 tion that shall establish mechanisms that allow for
 3 the reporting, investigation, and adjudication of al-
 4 leged sexual abuse in violation of the Center’s poli-
 5 cies and procedures; and

6 “(6) ensure that the mechanisms under para-
 7 graph (5) provide fair notice and an opportunity to
 8 be heard and protect the privacy and safety of com-
 9 plainants.

10 “(b) POLICIES AND PROCEDURES.—

11 “(1) IN GENERAL.—The Center may, in its dis-
 12 cretion, utilize a neutral arbitration body and de-
 13 velop policies and procedures to resolve allegations of
 14 sexual abuse within its jurisdiction.

15 “(2) RULE OF CONSTRUCTION.—Nothing in
 16 this section shall be construed as altering, super-
 17 seding, or otherwise affecting the right of an ama-
 18 teur athlete to pursue criminal or civil justice
 19 through the courts.

20 “(c) LIMITATION ON LIABILITY.—

21 “(1) IN GENERAL.—Except as provided in para-
 22 graph (2), the Center, and each national governing
 23 body and paralympic sports organization, including
 24 any officer, employee, or agent thereof, shall not be
 25 liable for damages in any civil action for defamation,

libel, slander, or damage to reputation arising out of any action or communication, if the action arises from the execution of the responsibilities or functions described in this section, section 220532, or section 220533.

“(2) EXCEPTION.—Paragraph (1) shall not apply in any action in which the Center, a national governing body, or a paralympic sports organization, or an officer, employee, or agent thereof, acted with actual malice, or provided information or took action not pursuant to this section, section 220532, or section 220533.

“§ 220532. Additional duties.

“(a) IN GENERAL.—The Center shall—

“(1) develop training, oversight practices, policies, and procedures for implementation by a national governing body or paralympic sports organization to prevent the abuse, including emotional, physical, and sexual abuse, of any amateur athlete; and

“(2) include in the policies and procedures developed under section 220531(a)(3)—

“(A) a requirement that all adult members of a national governing body, a paralympic sports organization, or a facility under the jurisdiction of a national governing body or

1 paralympic sports organization, and all adults
2 authorized by such members to interact with an
3 amateur athlete, report immediately any allega-
4 tion of sexual abuse of an amateur athlete who
5 is a minor to law enforcement authorities and
6 other appropriate authorities, including the
7 Center, whenever such members or adults learn
8 of facts leading them to suspect reasonably that
9 an amateur athlete who is a minor has suffered
10 an incident of sexual abuse;

11 “(B) a mechanism, approved by a trained
12 expert on child abuse, that allows a complainant
13 to report easily an incident of sexual abuse to
14 the Center, a national governing body, law en-
15 forcement authorities, or other appropriate au-
16 thorities;

17 “(C) reasonable procedures to limit one-on-
18 one interactions between an amateur athlete
19 who is a minor and an adult (who is not the mi-
20 nor’s legal guardian) at a facility under the ju-
21 risdiction of a national governing body or
22 paralympic sports organization without being in
23 an observable and interruptible distance from
24 another adult, except under exigent cir-
25 cumstances;

1 “(D) procedures to prohibit retaliation, by
2 any national governing body or paralympic
3 sports organization, against any individual who
4 makes a report under subparagraph (A) or sub-
5 paragraph (B);

6 “(E) oversight procedures, including reg-
7 ular and random audits conducted by subject
8 matter experts unaffiliated with a national gov-
9 erning body or a paralympic sports organization
10 of each national governing body and paralympic
11 sports organization to ensure that policies and
12 procedures developed under that section are fol-
13 lowed correctly and that consistent training is
14 offered and given to all adult members, and
15 subject to parental consent, to members who
16 are minors, regarding prevention of sexual
17 abuse; and

18 “(F) a mechanism by which a national
19 governing body or paralympic sports organiza-
20 tion can—

21 “(i) share confidentially a report of
22 suspected sexual abuse of an amateur ath-
23 lete who is a minor by a member of a na-
24 tional governing body or paralympic sports
25 organization, or an adult authorized by a

1 national governing body or paralympic
 2 sports organization to interact with an
 3 amateur athlete who is a minor, with each
 4 of the other national governing bodies,
 5 paralympic sports organizations, or facili-
 6 ties under the control of such entities; and
 7 “(ii) withhold providing to an adult
 8 who is the subject of an allegation of sex-
 9 ual abuse authority to interact with an
 10 amateur athlete who is a minor until the
 11 resolution of such allegation.

12 “(b) RULE OF CONSTRUCTION.—Nothing in this sec-
 13 tion shall be construed to limit the ability of a national
 14 governing body or paralympic sports organization to im-
 15 pose an interim measure to prevent an individual who is
 16 the subject of an allegation of sexual abuse from inter-
 17 acting with an amateur athlete.

18 **“§ 220533. Records, audits, and reports**

19 “(a) RECORDS.—The Center shall keep correct and
 20 complete records of account.

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

23 “(1) an audit conducted and submitted in ac-
 24 cordance with section 10101; and

1 “(2) a description of the activities of the Cen-
2 ter.

3 **“§ 220534. Authorization of appropriations**

4 “There are authorized to be appropriated to the Cen-
5 ter—

6 “(1) for fiscal year 2017, \$1,000,000;

7 “(2) for fiscal year 2018, \$1,000,000;

8 “(3) for fiscal year 2019, \$1,000,000;

9 “(4) for fiscal year 2020, \$1,000,000; and

10 “(5) for fiscal year 2021, \$1,000,000.”.

11 (b) CONFORMING AMENDMENT.—Section 220501(b)
12 of title 36, United States Code, is amended—

13 (1) by redesignating paragraphs (4) through
14 (8) as paragraphs (5) through (9), respectively; and

15 (2) by inserting after paragraph (3), the fol-
16 lowing:

17 “(4) ‘Center’ means the United States Center
18 for Safe Sport designated under section 220531.”.

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