

115TH CONGRESS
1ST SESSION

H. R. 1973

To prevent the sexual abuse of minors and amateur athletes by requiring the prompt reporting of sexual abuse to law enforcement authorities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 2017

Mrs. BROOKS of Indiana (for herself, Ms. FRANKEL of Florida, and Mr. GOODLATTE) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To prevent the sexual abuse of minors and amateur athletes by requiring the prompt reporting of sexual abuse to law enforcement authorities, 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 “Protecting Young Vic-
5 tims from Sexual Abuse Act of 2017”.

1 **SEC. 2. REQUIRED REPORTING OF CHILD AND SEXUAL**
 2 **ABUSE AT FACILITIES UNDER THE JURISDIC-**
 3 **TION OF AMATEUR SPORTS ORGANIZATIONS**
 4 **RECOGNIZED BY THE UNITED STATES OLYM-**
 5 **PIC COMMITTEE.**

6 (a) REPORTING REQUIREMENT.—Section 226 of the
 7 Victims of Child Abuse Act of 1990 (42 U.S.C. 13031)
 8 is amended—

9 (1) in subsection (a)—

10 (A) by striking “A person who” and insert-
 11 ing the following:

12 “(1) COVERED PROFESSIONALS.—A person
 13 who”; and

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

15 “(2) INDIVIDUALS AT COVERED FACILITIES.—A
 16 covered individual who, while engaged in any activity
 17 sanctioned by a covered facility, learns of facts that
 18 give reason to suspect that a child has suffered an
 19 incident of child abuse, including sexual abuse, shall
 20 as soon as possible make a report of the suspected
 21 abuse to the agency designated by the Attorney Gen-
 22 eral under subsection (d).”;

23 (2) in subsection (b), in the matter preceding
 24 paragraph (1), by striking “subsection (a)” and in-
 25 serting “subsection (a)(1)”;

26 (3) in subsection (c)—

1 (A) in paragraph (7), by striking “and” at
2 the end;

3 (B) in paragraph (8), by striking the pe-
4 riod at the end and inserting a semicolon; and

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

6 “(9) the term ‘covered facility’ means a facility
7 over which a national governing body has jurisdic-
8 tion;

9 “(10) the term ‘covered individual’ means an
10 adult who is authorized by a covered facility or by
11 a national governing body to interact with a minor
12 or amateur athlete at the covered facility or at any
13 event sanctioned by the covered facility; and

14 “(11) the term ‘national governing body’ has
15 the meaning given the term in section 220501(b) of
16 title 36, United States Code.”;

17 (4) in subsection (d), in the first sentence, by
18 inserting “and for all covered facilities” after “re-
19 side”;

20 (5) in subsection (f), in the first sentence—

21 (A) by striking “and on all” and inserting
22 “on all”; and

23 (B) by inserting “and for all covered facili-
24 ties,” after “lands,”; and

1 (6) in subsection (h), by inserting “and all cov-
2 ered individuals,” after “facilities,”.

3 (b) **PENALTY FOR FAILURE TO REPORT.**—Section
4 2258 of title 18, United States Code, is amended by in-
5 serting “or while engaged in a professional capacity or ac-
6 tivity at a covered facility as described in subsection (a)(2)
7 of such section 226” after “facility”.

8 **SEC. 3. CIVIL REMEDY FOR PERSONAL INJURIES.**

9 Section 2255 of title 18, United States Code, is
10 amended—

11 (1) by striking subsection (a) and inserting the
12 following:

13 “(a) **IN GENERAL.**—Any person who, while a minor,
14 was a victim of a violation of section 1589, 1590, 1591,
15 2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260,
16 2421, 2422, or 2423 of this title and who suffers personal
17 injury as a result of such violation, regardless of whether
18 the injury occurred while such person was a minor, may
19 sue in any appropriate United States District Court and
20 shall recover the actual damages such person sustains or
21 liquidated damages in the amount of \$150,000, and the
22 cost of the action, including reasonable attorney’s fees and
23 other litigation costs reasonably incurred. The court may
24 also award punitive damages and such other preliminary

1 and equitable relief as the court determines to be appro-
2 priate.”;

3 (2) in subsection (b), by striking “filed within”
4 and all that follows through the end and inserting
5 the following: “file—

6 “(1) not later than 10 years after the date on
7 which the plaintiff discovers the later of—

8 “(A) the violation that forms the basis for
9 the claim; or

10 “(B) the injury that forms the basis for
11 the claim; or

12 “(2) in the case of a person under a legal dis-
13 ability, not later than 10 years after the date on
14 which the disability ends.”; and

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

16 “(c) VENUE; SERVICE OF PROCESS.—

17 “(1) VENUE.—Any action brought under sub-
18 section (a) may be brought in the district court of
19 the United States that meets applicable require-
20 ments relating to venue under section 1391 of title
21 28.

22 “(2) SERVICE OF PROCESS.—In an action
23 brought under subsection (a), process may be served
24 in any district in which the defendant—

25 “(A) is an inhabitant; or

1 “(B) may be found.”.

2 **SEC. 4. EXPANSION OF AUTHORITIES AND DUTIES OF AMA-**
 3 **TEUR SPORTS ORGANIZATIONS RECOGNIZED**
 4 **BY THE UNITED STATES OLYMPIC COM-**
 5 **MITTEE TO PREVENT THE ABUSE OF MINOR**
 6 **AND AMATEUR ATHLETES.**

7 (a) EXPANSION OF AUTHORITIES.—Section
 8 220523(a) of title 36, United States Code, is amended—

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

11 (2) in paragraph (7), by striking the period and
 12 inserting “; and”; and

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

14 “(8) develop training, oversight practices, poli-
 15 cies, and procedures to prevent the abuse, including
 16 physical abuse and sexual abuse, of any minor or
 17 amateur athlete by any adult.”.

18 (b) ADDITIONAL DUTIES.—Section 220524 of such
 19 title is amended—

20 (1) in paragraph (8), by striking “; and” and
 21 inserting a semicolon;

22 (2) in paragraph (9), by striking the period and
 23 inserting a semicolon; and

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

1 “(10) develop and enforce policies, mechanisms,
2 and procedures to prevent the abuse, including phys-
3 ical abuse and sexual abuse, of any minor or ama-
4 teur athlete, including—

5 “(A) requiring all members of the national
6 governing body or a facility under the jurisdic-
7 tion of the national governing body and adults
8 authorized by such members to interact with
9 minor or amateur athletes, to immediately re-
10 port all allegations of sexual abuse to law en-
11 forcement authorities and other appropriate au-
12 thorities whenever such members or adults
13 learn of facts leading them to reasonably sus-
14 pect that a minor or amateur athlete has suf-
15 fered an incident of sexual abuse;

16 “(B) establishing a mechanism, approved
17 by a trained expert on child abuse, that allows
18 a complainant to easily report an incident of
19 sexual abuse committed by a member or adult
20 described in subparagraph (A) to interact with
21 a minor or amateur athlete, to the national gov-
22 erning body or another authority;

23 “(C) procedures to ensure that each ama-
24 teur athlete who is a minor is prevented from
25 being in a one-on-one situation with an adult

(who is not the minor’s legal guardian) at a facility under the jurisdiction of the national governing body without being in an observable and interruptible distance from another adult; and

“(D) oversight procedures, including regular and random audits conducted by subject matter experts unaffiliated with the national governing body, of all members and adults described in subparagraph (A) to ensure that policies and procedures developed under this paragraph are followed correctly and that consistent training is offered and given to all members regarding prevention of sexual abuse; and

“(11) in the case of a national governing body with jurisdiction over more than one athletic facility, establish a mechanism by which—

“(A) the national governing body can—

“(i) receive a report from one of such facilities regarding a case in which an adult authorized by the facility to interact with a minor or amateur athlete at such facility is expelled from or leaves such facility for sexual misconduct, including because of a mere allegation of sexual misconduct; and

1 “(ii) share a report received under
2 subparagraph (A) with each of the other
3 athletic facilities under the jurisdiction of
4 the national governing body; and

5 “(B) an athletic facility under the jurisdic-
6 tion of the national governing body can—

7 “(i) review the reports received by the
8 national governing body under subpara-
9 graph (A)(i) to assess any allegations of
10 sexual misconduct made in such reports;
11 and

12 “(ii) withhold providing to an adult
13 who is the subject of an allegation of sex-
14 ual misconduct in a report reviewed under
15 clause (i) authority to interact with a
16 minor or amateur athlete at such facility
17 until such time as the facility determines
18 that there is no risk to a minor or amateur
19 athlete at such facility.”.

20 (c) RULE OF CONSTRUCTION.—Section 220522 of
21 such title is amended by adding at the end the following:

22 “(c) RULE OF CONSTRUCTION.—Nothing in para-
23 graph (a) shall be construed to limit the ability of a na-
24 tional governing body to develop a policy or procedure to
25 prevent an individual who is the subject of an allegation

1 of sexual misconduct from interacting with a minor or
2 amateur athlete until such time as the national governing
3 body, or any person under the jurisdiction of the national
4 governing body, determines that there is no risk to the
5 minor or amateur athlete by allowing the individual to
6 interact with the minor or amateur athlete.”.

