

CHAPTER 2205—UNITED STATES OLYMPIC COMMITTEE

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SUBCHAPTER I—CORPORATION

§220501. Title and Definitions

(a) TITLE.—This chapter may be cited as the “Ted Stevens Olympic and Amateur Sports Act”.

(b) DEFINITIONS.—For purposes of this chapter—

(1) “amateur athlete” means an athlete who meets the eligibility standards established by the national governing body or paralympic sports organization for the sport in which the athlete competes.

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1 (2) “amateur athletic competition” means a contest, game, meet, match, tournament,
2 regatta, or other event in which amateur athletes compete.
3

4 (3) “amateur sports organization” means a not-for-profit corporation, association, or
5 other group organized in the United States that sponsors or arranges an amateur athletic
6 competition.
7

8 (4) “corporation” means the United States Olympic Committee.
9

10 (5) “international amateur athletic competition” means an amateur athletic competition
11 between one or more athletes representing the United States, individually or as a team, and
12 one or more athletes representing a foreign country.
13

14 (6) “national governing body” means an amateur sports organization that is recognized
15 by the corporation under section 220521 of this title.
16

17 (7) “paralympic sports organization” means an amateur sports organization which is
18 recognized by the corporation under section 220521 of this title.
19

20 (8) “sanction” means a certificate of approval issued by a national governing body.
21

22 **§220502. Organization**
23

24 (a) FEDERAL CHARTER.—The corporation is a federally chartered corporation.
25

26 (b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual
27 existence.
28

29 (c) REFERENCES TO UNITED STATES OLYMPIC ASSOCIATION.—Any reference to the United
30 States Olympic Association is deemed to refer to the United States Olympic Committee.
31

32 **§220503. Purposes**
33

34 The purposes of the corporation are—
35

36 (1) to establish national goals for amateur athletic activities and encourage the
37 attainment of those goals;
38

39 (2) to coordinate and develop amateur athletic activity in the United States, directly
40 related to international amateur athletic competition, to foster productive working
41 relationships among sports-related organizations;

1 (3) to exercise exclusive jurisdiction, directly or through constituent members or
2 committees, over—
3

4 (A) all matters pertaining to United States participation in the Olympic Games, the
5 Paralympic Games, and the Pan-American Games, including representation of the United
6 States in the games; and
7

8 (B) the organization of the Olympic Games, the Paralympic Games, and the Pan-
9 American Games when held in the United States;
10

11 (4) to obtain for the United States, directly or by delegation to the appropriate national
12 governing body, the most competent amateur representation possible in each event of the
13 Olympic Games, the Paralympic Games, and Pan-American Games;
14

15 (5) to promote and support amateur athletic activities involving the United States and
16 foreign nations;
17

18 (6) to promote and encourage physical fitness and public participation in amateur
19 athletic activities;
20

21 (7) to assist organizations and persons concerned with sports in the development of
22 amateur athletic programs for amateur athletes;
23

24 (8) to provide swift resolution of conflicts and disputes involving amateur athletes,
25 national governing bodies, and amateur sports organizations, and protect the opportunity of
26 any amateur athlete, coach, trainer, manager, administrator, or official to participate in
27 amateur athletic competition;
28

29 (9) to foster the development of amateur athletic facilities for use by amateur athletes
30 and assist in making existing amateur athletic facilities available for use by amateur
31 athletes;
32

33 (10) to provide and coordinate technical information on physical training, equipment
34 design, coaching, and performance analysis;
35

36 (11) to encourage and support research, development, and dissemination of information
37 in the areas of sports medicine and sports safety;
38

39 (12) to encourage and provide assistance to amateur athletic activities for women;
40
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1 (13) to encourage and provide assistance to amateur athletic programs and competition
2 for amateur athletes with disabilities, including, where feasible, the expansion of
3 opportunities for meaningful participation by such amateur athletes in programs of athletic
4 competition for able-bodied amateur athletes; and
5

6 (14) to encourage and provide assistance to amateur athletes of racial and ethnic
7 minorities for the purpose of eliciting the participation of those minorities in amateur
8 athletic activities in which they are underrepresented.
9

10 **§220504. Membership**

11
12 (a) ELIGIBILITY.—Eligibility for membership in the corporation is as provided in the
13 constitution and bylaws of the corporation.
14

15 (b) REQUIRED PROVISIONS FOR REPRESENTATION.—In its constitution and bylaws, the
16 corporation shall establish and maintain provisions with respect to its governance and the
17 conduct of its affairs for reasonable representation of—
18

19 (1) amateur sports organizations recognized as national governing bodies and
20 paralympic sports organizations in accordance with section 220521 of this title, including
21 through provisions which establish and maintain a National Governing Bodies' Council
22 composed of representatives of the national governing bodies and any paralympic sports
23 organizations and selected by their boards of directors or such other governing boards to
24 ensure effective communication between the corporation and such national governing
25 bodies and paralympic sports organizations;
26

27 (2) amateur athletes who are actively engaged in amateur athletic competition or who
28 have represented the United States in international amateur athletic competition within the
29 preceding 10 years, including through provisions which—
30

31 (A) establish and maintain an Athletes' Advisory Council composed of, and elected
32 by, such amateur athletes to ensure communication between the corporation and such
33 amateur athletes; and
34

35 (B) ensure that the membership and voting power held by such amateur athletes is
36 not less than 20 percent of the membership and voting power held in the board of
37 directors of the corporation and in the committees and entities of the corporation;
38

39 (3) amateur sports organizations that conduct a national program or regular national
40 amateur athletic competition in 2 or more sports that are included on the program of the
41 Olympic Games, the Paralympic Games, or the Pan-American Games on a level of
42 proficiency appropriate for the selection of amateur athletes to represent the United States
43 in international amateur athletic competition; and

- 1 (4) individuals not affiliated or associated with any amateur sports organization who, in
2 the corporation's judgment, represent the interests of the American public in the
3 activities of the corporation.
4

5 **§220505. Powers**
6

7 (a) CONSTITUTION AND BYLAWS.—The corporation shall adopt a constitution and bylaws.
8 The corporation may amend its constitution only if the corporation—
9

10 (1) publishes, in its principal publication, a notice of the proposed amendment,
11 including—
12

13 (A) the substantive terms of the amendment;
14

15 (B) the time and place of the corporation's regular meeting at which adoption of the
16 amendment is to be decided; and
17

18 (C) a provision informing interested persons that they may submit materials as
19 authorized in clause (2) of this subsection; and
20

21 (2) gives all interested persons an opportunity to submit written comments and
22 information for at least 60 days after publication of notice of the proposed amendment and
23 before adoption of the amendment.
24

25 (b) GENERAL CORPORATE POWERS.—The corporation may—
26

27 (1) adopt and alter a corporate seal;
28

29 (2) establish and maintain offices to conduct the affairs of the corporation;
30

31 (3) make contracts;
32

33 (4) accept gifts, legacies, and devises in furtherance of its corporate purposes;
34

35 (5) acquire, own, lease, encumber, and transfer property as necessary to carry out the
36 purposes of the corporation;
37

38 (6) borrow money, issue instruments of indebtedness, and secure its obligations by
39 granting security interests in its property;
40

41 (7) publish a magazine, newspaper, and other publications consistent with its corporate
42 purposes;

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1 (8) approve and revoke membership in the corporation;
2

3 (9) sue and be sued, except that any civil action brought in a State court against the
4 corporation and solely relating to the corporation's responsibilities under this Act shall be
5 removed, at the request of the corporation, to the district court of the United States in the
6 district in which the action was brought, and such district court shall have original
7 jurisdiction over the action without regard to the amount in controversy or citizenship of the
8 parties involved, and except that neither this paragraph nor any other provision of this
9 chapter shall create a private right of action under this chapter; and

10
11 (10) do any other act necessary and proper to carry out the purposes of the corporation.
12

13 (c) POWERS RELATED TO AMATEUR ATHLETICS AND THE OLYMPIC GAMES.—The corporation
14 may—
15

16 (1) serve as the coordinating body for amateur athletic activity in the United States
17 directly related to international amateur athletic competition;
18

19 (2) represent the United States as its national Olympic committee in relations with the
20 International Olympic Committee and the Pan-American Sports Organization and as its
21 national Paralympic committee in relations with the International Paralympic Committee;
22

23 (3) organize, finance, and control the representation of the United States in the
24 competitions and events of the Olympic Games, the Paralympic Games, and the Pan-
25 American Games, and obtain, directly or by delegation to the appropriate national
26 governing body, amateur representation for those games;
27

28 (4) recognize eligible amateur sports organizations as national governing bodies for any
29 sport that is included on the program of the Olympic Games or the Pan-American Games,
30 or as paralympic sports organizations for any sport that is included on the program of the
31 Paralympic Games;
32

33 (5) facilitate, through orderly and effective administrative procedures, the resolution of
34 conflicts or disputes that involve any of its members and any amateur athlete, coach,
35 trainer, manager, administrator, official, national governing body, or amateur sports
36 organization and that arise in connection with their eligibility for and participation in the
37 Olympic Games, the Paralympic Games, the Pan-American Games, world championship
38 competition, the Pan-American world championship competition, or other protected
39 competition as defined in the constitution and bylaws of the corporation; and
40

41 (6) provide financial assistance to any organization or association, except a corporation
42 organized for profit, in furtherance of the purposes of the corporation.

1 **§220506. Exclusive right to name, seals, emblems, and badges**
2

3 (a) EXCLUSIVE RIGHT OF CORPORATION.—Except as provided in subsection (d) of this
4 section, the corporation has the exclusive right to use—

5
6 (1) the name “United States Olympic Committee”;

7
8 (2) the symbol of the International Olympic Committee, consisting of 5 interlocking
9 rings, the symbol of the International Paralympic Committee, consisting of 3 TaiGeuks, or
10 the symbol of the Pan-American Sports Organization, consisting of a torch surrounded by
11 concentric rings;

12
13 (3) the emblem of the corporation, consisting of an escutcheon having a blue chief and
14 vertically extending red and white bars on the base with 5 interlocking rings displayed on
15 the chief; and

16
17 (4) the words “Olympic”, “Olympiad”, “Citius Altius Fortius”, “Paralympic”,
18 “Paralympiad”, “Pan-American”, “America Espirito Sport Fraternite”, or any combination
19 of those words.
20

21 (b) CONTRIBUTORS AND SUPPLIERS.—The corporation may authorize contributors and
22 suppliers of goods or services to use the trade name of the corporation or any trademark,
23 symbol, insignia, or emblem of the International Olympic Committee, International Paralympic
24 Committee, the Pan-American Sports Organization, or of the corporation to advertise that the
25 contributions, goods, or services were donated or supplied to, or approved, selected, or used by,
26 the corporation, the United States Olympic team, the Paralympic team, the Pan-American team,
27 or team members.
28

29 (c) CIVIL ACTION FOR UNAUTHORIZED USE.—Except as provided in subsection (d) of this
30 section, the corporation may file a civil action against a person for the remedies provided in the
31 Act of July 5, 1946 (15 U.S.C. 1051 et seq.) (popularly known as the Trademark Act of 1946) if
32 the person, without the consent of the corporation, uses for the purpose of trade, to induce the
33 sale of any goods or services, or to promote any theatrical exhibition, athletic performance, or
34 competition—
35

36 (1) the symbol described in subsection (a)(2) of this section;

37
38 (2) the emblem described in subsection (a)(3) of this section;

39
40 (3) the words described in subsection (a)(4) of this section, or any combination or
41 simulation of those words tending to cause confusion or mistake, to deceive, or to
42 falsely suggest a connection with the corporation or any Olympic, Paralympic, or
43 Pan-American Games activity; or

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1 (4) any trademark, trade name, sign, symbol, or insignia falsely representing
2 association with, or authorization by, the International Olympic Committee, the
3 International Paralympic Committee, the Pan-American Sports Organization, or the
4 corporation.
5

6 (d) PRE-EXISTING AND GEOGRAPHIC REFERENCE RIGHTS.—
7

8 (1) A person who actually used the emblem described in subsection (a)(3) of this
9 section, or the words or any combination of the words described in subsection (a)(4) of this
10 section, for any lawful purpose before September 21, 1950, is not prohibited by this section
11 from continuing the lawful use for the same purpose and for the same goods or services.
12

13 (2) A person who actually used, or whose assignor actually used, the words or any
14 combination of the words described in subsection (a)(4) of this section, or a trademark,
15 trade name, sign, symbol, or insignia described in subsection (c)(4) of this section, for any
16 lawful purpose before September 21, 1950, is not prohibited by this section from
17 continuing the lawful use for the same purpose and for the same goods or services.
18

19 (3) Use of the word “Olympic” to identify a business or goods or services is permitted
20 by this section where—
21

22 (A) such use is not combined with any of the intellectual properties referenced in
23 subsections (a) or (c) of this section;
24

25 (B) it is evident from the circumstances that such use of the word “Olympic” refers
26 to the naturally occurring mountains or geographical region of the same name that were
27 named prior to February 6, 1998, and not to the corporation or any Olympic activity; and
28

29 (C) such business, goods, or services are operated, sold, and marketed in the State of
30 Washington west of the Cascade Mountain range and operations, sales, and marketing
31 outside of this area are not substantial.
32

33 **§220507. Restrictions**
34

35 (a) PROFIT AND STOCK.—The corporation may not engage in business for profit or issue
36 stock.
37

38 (b) POLITICAL ACTIVITIES.—The corporation shall be nonpolitical and may not promote the
39 candidacy of an individual seeking public office.

1 **§220508. Headquarters, principal office, and meetings**
2

3 The corporation shall maintain its principal office and national headquarters in a place in the
4 United States decided by the corporation. The corporation may hold its annual and special
5 meetings in the places decided by the corporation.
6

7 **§220509. Resolution of disputes**
8

9 (a) GENERAL.—The corporation shall establish and maintain provisions in its constitution
10 and bylaws for the swift and equitable resolution of disputes involving any of its members and
11 relating to the opportunity of an amateur athlete, coach, trainer, manager, administrator, or
12 official to participate in the Olympic Games, the Paralympic Games, the Pan-American Games,
13 world championship competition, or other protected competition as defined in the constitution
14 and bylaws of the corporation. In any lawsuit relating to the resolution of a dispute involving
15 the opportunity of an amateur athlete to participate in the Olympic Games, the Paralympic
16 Games, or the Pan-American Games, a court shall not grant injunctive relief against the
17 corporation within 21 days before the beginning of such games if the corporation, after
18 consultation with the chair of the Athletes' Advisory Council, has provided a sworn statement
19 in writing executed by an officer of the corporation to such court that its constitution and
20 bylaws cannot provide for the resolution of such dispute prior to the beginning of such games.
21

22 (b) OMBUDSMAN.—
23

24 (1) The corporation shall hire and provide salary, benefits, and administrative expenses
25 for an ombudsman for athletes, who shall—
26

27 (A) provide independent advice to athletes at no cost about the applicable provisions
28 of this chapter and the constitution and bylaws of the corporation, national governing
29 bodies, a paralympic sports organizations, international sports federations, the
30 International Olympic Committee, the International Paralympic Committee, and the Pan-
31 American Sports Organization, and with respect to the resolution of any dispute
32 involving the opportunity of an amateur athlete to participate in the Olympic Games, the
33 Paralympic Games, the Pan-American Games, world championship competition or other
34 protected competition as defined in the constitution and bylaws of the corporation;
35

36 (B) assist in mediating any such disputes; and
37

38 (C) report to the Athletes' Advisory Council on a regular basis.
39

40 (2)(A) The procedure for hiring the ombudsman for athletes shall be as follows:
41

42 (i) The Athletes' Advisory Council shall provide the corporation's executive
43 director with the name of one qualified person to serve as ombudsman for athletes.

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1 (ii) The corporation's executive director shall immediately transmit the name of
2 such person to the corporation's executive committee.
3

4 (iii) The corporation's executive committee shall hire or not hire such person after
5 fully considering the advice and counsel of the Athletes' Advisory Council.
6

7 If there is a vacancy in the position of the ombudsman for athletes, the nomination
8 and hiring procedure set forth in this paragraph shall be followed in a timely manner.
9

10 (B) The corporation may terminate the employment of an individual serving as
11 ombudsman for athletes only if—
12

13 (i) the termination is carried out in accordance with the applicable policies and
14 procedures of the corporation;
15

16 (ii) the termination is initially recommended to the corporation's executive
17 committee by either the corporation's executive director or by the Athletes' Advisory
18 Council; and
19

20 (iii) the corporation's executive committee fully considers the advice and counsel of
21 the Athletes' Advisory Council prior to deciding whether or not to terminate the
22 employment of such individual.
23

24 **§220510. Service of process**
25

26 As a condition to the exercise of any power or privilege granted by this chapter, the
27 corporation shall have a designated agent in the State of Colorado to receive service of process
28 for the corporation. Notice to or service on the agent, or mailed to the business address of the
29 agent, is notice to or service on the corporation.
30

31 **§220511. Report**
32

33 (a) SUBMISSION TO PRESIDENT AND CONGRESS.¹—The corporation shall, on or before the first
34 day of June, 2001, and every fourth year thereafter, transmit simultaneously to the President and
35 to each House of Congress a detailed report of its operations for the preceding 4 years,
36 including—
37

¹ The following additional reporting requirement is set forth in section 142.(q) of the Omnibus Appropriations Act of 1998 enacted on October 21, 1998. "SPECIAL REPORT TO CONGRESS.—Five years from the date of the enactment of this Act, the United States Olympic Committee shall submit a special report to the Congress on the effectiveness of the provisions of chapter 2205 of title 36, United States Code, as amended by this Act, together with any additional proposed changes to that chapter the United States Olympic Committee determines are appropriate."

1 (1) a complete statement of its receipts and expenditures;

2
3 (2) a comprehensive description of the activities and accomplishments of the
4 corporation during such 4-year period;

5
6 (3) data concerning the participation of women, disabled individuals, and racial and
7 ethnic minorities in the amateur athletic activities and administration of the corporation and
8 national governing bodies; and

9
10 (4) a description of the steps taken to encourage the participation of women, disabled
11 individuals, and racial minorities in amateur athletic activities.

12
13 (b) AVAILABILITY TO PUBLIC.—The corporation shall make copies of the report available to
14 interested persons at a reasonable cost.

15
16 **§220512 Complete teams**

17
18 In obtaining representation for the United States in each competition and event of the
19 Olympic Games, Paralympic Games, and Pan-American Games, the corporation, either directly
20 or by delegation to the appropriate national governing body or paralympic sports organization,
21 may select, but is not obligated to select (even if not selecting will result in an incomplete team
22 for an event), athletes who have not met the eligibility standard of the national governing body
23 and the Corporation, when the number of athletes who have met the eligibility standards of such
24 entities is insufficient to fill the roster for an event.

25
26 **SUBCHAPTER II—NATIONAL GOVERNING BODIES**

27
28 **§220521. Recognition of amateur sports organizations as national governing bodies**

29
30 (a) GENERAL AUTHORITY.—For any sport which is included on the program of the Olympic
31 Games, the Paralympic Games, or the Pan-American Games, the corporation is authorized to
32 recognize as a national governing body (in the case of a sport on the program of the Olympic
33 Games or Pan American Games) or as a paralympic sports organization (in the case of a sport
34 on the program of the Paralympic Games for which a national governing body has not been
35 designated under section 220522(b)) an amateur sports organization which files an application
36 and is eligible for such recognition in accordance with the provisions of subsections (a) or (b) of
37 section 220522. The corporation may recognize only one national governing body for each
38 sport for which an application is made and approved, except as provided in section 220522(b)
39 with respect to a paralympic sports organization.

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1 (b) PUBLIC HEARING.—Before recognizing an organization as a national governing body, the
2 corporation shall hold at least 2 public hearings on the application. The corporation shall
3 publish notice of the time, place, and nature of the hearings. Publication shall be made in a
4 regular issue of the corporation's principal publication at least 30 days, but not more than 60
5 days, before the date of the hearings. The corporation shall send written notice, which shall
6 include a copy of the application, at least 30 days prior to the date of any such public hearing to
7 all amateur sports organizations known to the corporation in that sport.
8

9 (c) RECOMMENDATION TO INTERNATIONAL SPORTS FEDERATION.—Within 61 days after
10 recognizing an organization as a national governing body, the corporation shall recommend and
11 support in any appropriate manner the national governing body to the appropriate international
12 sports federation as the representative of the United States for that sport.
13

14 (d) REVIEW OF RECOGNITION.—The corporation may review all matters related to the
15 continued recognition of an organization as a national governing body and may take action it
16 considers appropriate, including placing conditions on the continued recognition.
17

18 **§220522. Eligibility requirements**
19

20 (a) GENERAL.—An amateur sports organization is eligible to be recognized, or to continue to
21 be recognized, as a national governing body only if it—
22

23 (1) is incorporated under the laws of a State of the United States or the District of
24 Columbia as a not-for-profit corporation having as its purpose the advancement of amateur
25 athletic competition;
26

27 (2) has the managerial and financial capability to plan and execute its obligations;
28

29 (3) submits—
30

31 (A) an application, in the form required by the corporation, for recognition as a
32 national governing body;
33

34 (B) a copy of its corporate charter and bylaws; and
35

36 (C) any additional information considered necessary or appropriate by the
37 corporation;
38
39
40
41
42
43
44

1 (4) agrees to submit to binding arbitration in any controversy involving—
2

3 (A) its recognition as a national governing body, as provided for in section 220529
4 of this title, upon demand of the corporation; and
5

6 (B) the opportunity of any amateur athlete, coach, trainer, manager, administrator or
7 official to participate in amateur athletic competition, upon demand of the corporation or
8 any aggrieved amateur athlete, coach, trainer, manager, administrator or official,

9 conducted in accordance with the Commercial Rules of the American Arbitration
10 Association, as modified and provided for in the corporation's constitution and bylaws,
11 except that if the Athletes' Advisory Council and National Governing Bodies' Council do
12 not concur on any modifications to such Rules, and if the corporation's executive
13 committee is not able to facilitate such concurrence, the Commercial Rules of Arbitration
14 shall apply unless at least two-thirds of the corporation's board of directors approves
15 modifications to such Rules;
16

17 (5) demonstrates that it is autonomous in the governance of its sport, in that it—

18 (A) independently decides and controls all matters central to governance;
19

20 (B) does not delegate decision-making and control of matters central to governance;
21 and
22

23 (C) is free from outside restraint;
24

25 (6) demonstrates that it is a member of no more than one international sports federation
26 that governs a sport included on the program of the Olympic Games or the Pan-American
27 Games;
28

29 (7) demonstrates that its membership is open to any individual who is an amateur
30 athlete, coach, trainer, manager, administrator, or official active in the sport for which
31 recognition is sought, or any amateur sports organization that conducts programs in the
32 sport for which recognition is sought, or both;
33

34 (8) provides an equal opportunity to amateur athletes, coaches, trainers, managers,
35 administrators, and officials to participate in amateur athletic competition, without
36 discrimination on the basis of race, color, religion, sex, age, or national origin, and with fair
37 notice and opportunity for a hearing to any amateur athlete, coach, trainer, manager,
38 administrator, or official before declaring the individual ineligible to participate;
39

40 (9) is governed by a board of directors or other governing board whose members are
41 selected without regard to race, color, religion, national origin, or sex, except that, in sports
42 where there are separate male and female programs, it provides for reasonable

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1 representation of both males and females on the board of directors or other governing
2 board;

3
4 (10) demonstrates, based on guidelines approved by the corporation, the Athletes'
5 Advisory Council, and the National Governing Bodies' Council, that its board of directors
6 and other such governing boards have established criteria and election procedures for and
7 maintain among their voting members individuals who are actively engaged in amateur
8 athletic competition in the sport for which recognition is sought or who have represented
9 the United States in international amateur athletic competition within the preceding 10
10 years, that any exceptions to such guidelines by such organization have been approved by
11 the corporation, and that the voting power held by such individuals is not less than 20
12 percent of the voting power held in its board of directors and other such governing boards;

13
14 (11) provides for reasonable direct representation on its board of directors or other
15 governing board for any amateur sports organization that—

16
17 (A) conducts a national program or regular national amateur athletic competition in
18 the applicable sport on a level of proficiency appropriate for the selection of amateur
19 athletes to represent the United States in international amateur athletic competition; and

20
21 (B) ensures that the representation reflects the nature, scope, quality, and strength of
22 the programs and competitions of the amateur sports organization in relation to all other
23 programs and competitions in the sport in the United States;

24
25 (12) demonstrates that none of its officers are also officers of any other amateur sports
26 organization recognized as a national governing body;

27
28 (13) provides procedures for the prompt and equitable resolution of grievances of its
29 members;

30
31 (14) does not have eligibility criteria related to amateur status or to participation in the
32 Olympic Games, the Paralympic Games, or the Pan-American Games that are more
33 restrictive than those of the appropriate international sports federation; and

34
35 (15) demonstrates, if the organization is seeking to be recognized as a national governing
36 body, that it is prepared to meet the obligations imposed on a national governing body
37 under sections 220524 and 220525 of this title.

38
39 (b) RECOGNITION OF PARALYMPIC SPORTS ORGANIZATIONS.—For any sport which is
40 included on the program of the Paralympic Games, the corporation is authorized to designate,
41 where feasible and when such designation would serve the best interest of the sport, and with
42 the approval of the affected national governing body, a national governing body recognized

1 under subsection (a) to govern such sport. Where such designation is not feasible or would not
2 serve the best interest of the sport, the corporation is authorized to recognize another amateur
3 sports organization as a paralympic sports organization to govern such sport, except that,
4 notwithstanding the other requirements of this chapter, any such paralympic sports
5 organization—

6
7 (1) shall comply only with those requirements, perform those duties, and have those
8 powers that the corporation, in its sole discretion, determines are appropriate to meet the
9 objects and purposes of this chapter; and

10
11 (2) may, with the approval of the corporation, govern more than one sport included on
12 the program of the Paralympic Games.

13
14 **§220523. Authority of national governing bodies**

15
16 (a) AUTHORITY.—For the sport that it governs, a national governing body may—

17
18 (1) represent the United States in the appropriate international sports federation;

19
20 (2) establish national goals and encourage the attainment of those goals;

21
22 (3) serve as the coordinating body for amateur athletic activity in the United States;

23
24 (4) exercise jurisdiction over international amateur athletic activities and sanction
25 international amateur athletic competition held in the United States and sanction the
26 sponsorship of international amateur athletic competition held outside the United States;

27
28 (5) conduct amateur athletic competition, including national championships, and
29 international amateur athletic competition in the United States, and establish procedures for
30 determining eligibility standards for participation in competition, except for amateur
31 athletic competition specified in section 220526 of this title;

32
33 (6) recommend to the corporation individuals and teams to represent the United States
34 in the Olympic Games, the Paralympic Games, and the Pan-American Games, and

35
36 (7) designate individuals and teams to represent the United States in international
37 amateur athletic competition (other than the Olympic Games, the Paralympic Games, and
38 the Pan-American Games) and certify, in accordance with applicable international rules, the
39 amateur eligibility of those individuals and teams.

40
41 (b) REPLACEMENT OF NATIONAL GOVERNING BODY PURSUANT TO ARBITRATION.—A
42 national governing body may not exercise any authority under subsection (a) of this section for
43 a particular sport after another amateur sports organization has been declared (in accordance

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1 with binding arbitration proceedings prescribed by the organic documents of the corporation)
2 entitled to replace that national governing body as the member of the corporation for that sport.
3

4 **§220524 General duties of national governing bodies**
5

6 For the sport that it governs, a national governing body shall—
7

8 (1) develop interest and participation throughout the United States and be responsible
9 to the persons and amateur sports organizations it represents;
10

11 (2) minimize, through coordination with other amateur sports organizations, conflicts in
12 the scheduling of all practices and competitions;
13

14 (3) keep amateur athletes informed of policy matters and reasonably reflect the views
15 of the athletes in its policy decisions;
16

17 (4) disseminate and distribute to amateur athletes, coaches, trainers, managers,
18 administrators, and officials in a timely manner the applicable rules and any changes to
19 such rules of the national governing body, the corporation, the appropriate international
20 sports federation, the International Olympic Committee, the International Paralympic
21 Committee, and the Pan-American Sports Organization;
22

23 (5) allow an amateur athlete to compete in any international amateur athletic
24 competition conducted by any amateur sports organization or person, unless the national
25 governing body establishes that its denial is based on evidence that the organization or
26 person conducting the competition does not meet the requirements stated in section 220525
27 of this title;
28

29 (6) provide equitable support and encouragement for participation by women where
30 separate programs for male and female athletes are conducted on a national basis;
31

32 (7) encourage and support amateur athletic sports programs for individuals with
33 disabilities and the participation of individuals with disabilities in amateur athletic activity,
34 including, where feasible, the expansion of opportunities for meaningful participation by
35 individuals with disabilities in programs of athletic competition for able-bodied individuals;
36

37 (8) provide and coordinate technical information on physical training, equipment
38 design, coaching, and performance analysis; and
39

40 (9) encourage and support research, development, and dissemination of information in
41 the areas of sports medicine and sports safety.
42
43
44

1 **§220525. Granting sanctions for amateur athletic competitions**
2

3 (a) PROMPT REVIEW AND DECISION.—For the sport that it governs, a national governing body
4 promptly shall—
5

6 (1) review a request by an amateur sports organization or person for a sanction to hold
7 an international amateur athletic competition in the United States or to sponsor United
8 States amateur athletes to compete in international amateur athletic competition outside the
9 United States; and
10

11 (2) grant the sanction if—
12

13 (A) the national governing body does not decide by clear and convincing evidence
14 that holding or sponsoring an international amateur athletic competition would be
15 detrimental to the best interest of the sport; and
16

17 (B) the requirements of subsection (b) of this section are met.
18

19 (b) REQUIREMENTS.—An amateur sports organization or person may be granted a sanction
20 under this section only if the organization or person meets the following requirements—
21

22 (1) The organization or person must pay the national governing body any required
23 sanctioning fee, if the fee is reasonable and nondiscriminatory.
24

25 (2) For a sanction to hold an international amateur athletic competition in the United
26 States, the organization or person must—
27

28 (A) submit to the national governing body an audited or notarized financial report of
29 similar events, if any, conducted by the organization or person; and
30

31 (B) demonstrate that the requirements of paragraph (4) of this subsection have been
32 met.
33

34 (3) For a sanction to sponsor United States amateur athletes to compete in international
35 amateur athletic competition outside the United States, the organization or person must—
36

37 (A) submit a report of the most recent trip to a foreign country, if any, that the
38 organization or person sponsored for the purpose of having United States amateur
39 athletes compete in international amateur athletic competition; and
40

41 (B) submit a letter from the appropriate entity that will hold the international
42 amateur athletic competition certifying that the requirements of paragraph (4) of this
43 subsection have been met.

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1 (4) The requirements referred to in paragraphs (2) and (3) of this subsection are that—
2

3 (A) appropriate measures have been taken to protect the amateur status of athletes
4 who will take part in the competition and to protect their eligibility to compete in amateur
5 athletic competition;
6

7 (B) appropriate provision has been made for validation of any records established
8 during the competition;
9

10 (C) due regard has been given to any international amateur athletic requirements
11 specifically applicable to the competition;

12 (D) the competition will be conducted by qualified officials;
13

14 (E) proper medical supervision will be provided for athletes who will participate in
15 the competition; and
16

17 (F) proper safety precautions have been taken to protect the personal welfare of the
18 athletics and spectators at the competition.
19

20 **§220526. Restricted amateur athletic competitions**
21

22 (a) EXCLUSIVE JURISDICTION.—An amateur sports organization that conducts amateur
23 athletic competition shall have exclusive jurisdiction over that competition if participation is
24 restricted to a specific class of amateur athletes, such as high school students, college students,
25 members of the Armed Forces, or similar groups or categories.
26

27 (b) SANCTIONS FOR INTERNATIONAL COMPETITION.—An amateur sports organization under
28 subsection (a) of this section shall obtain a sanction from the appropriate national governing
29 body if the organization wishes to—
30

31 (1) conduct international amateur athletic competition in the United States; or
32

33 (2) sponsor international amateur athletic competition to be held outside the United
34 States.
35

36 **§220527. Complaints against national governing bodies**
37

38 (a) GENERAL.—
39

40 (1) An amateur sports organization or person that belongs to or is eligible to belong to a
41 national governing body may seek to compel the national governing body to comply with
42

1 sections 220522, 220524, and 220525 of this title by filing a written complaint with the
2 corporation. A copy of the complaint shall be served on the national governing body.
3

4 (2) The corporation shall establish procedures for the filing and disposition of
5 complaints under this section.
6

7 (b) EXHAUSTION OF REMEDIES.—
8

9 (1) An organization or person may file a complaint under subsection (a) of this section
10 only after exhausting all available remedies within the national governing body for
11 correcting deficiencies, unless it can be shown by clear and convincing evidence
12 that those remedies would have resulted in unnecessary delay.
13

14 (2) Within 30 days after a complaint is filed, the corporation shall decide whether the
15 organization or person has exhausted all available remedies as required by paragraph (1) of
16 this subsection. If the corporation determines that the remedies have not been exhausted, it
17 may direct that the remedies be pursued before the corporation considers the complaint
18 further.
19

20 (c) HEARINGS.—If the corporation decides that all available remedies have been exhausted as
21 required by subsection (b)(1) of this section, it shall hold a hearing, within 90 days after the
22 complaint is filed, to receive testimony to decide whether the national governing body is
23 complying with sections 220522, 220524, and 220525 of this title.
24

25 (d) DISPOSITION OF COMPLAINT.—
26

27 (1) If the corporation decides, as a result of the hearing, that the national governing
28 body is complying with sections 220522, 220524, and 220525 of this title, it shall so notify
29 the complainant and the national governing body.
30

31 (2) If the corporation decides, as a result of the hearing, that the national governing
32 body is not complying with sections 220522, 220524, and 220525 of this title, it shall—
33

34 (A) place the national governing body on probation for a specified period of time,
35 not to exceed 180 days, which the corporation considers necessary to enable the national
36 governing body to comply with those sections; or
37

38 (B) revoke the recognition of the national governing body.
39

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

1 end of the period allowed by the corporation, the national governing body has not complied
2 with those sections, the corporation shall revoke the recognition of the national governing
3 body.
4

5 **§220528. Applications to replace an incumbent national governing body**
6

7 (a) GENERAL.—An amateur sports organization may seek to replace an incumbent as the
8 national governing body for a particular sport by filing a written application for recognition
9 with the corporation.
10

11 (b) ESTABLISHMENT OF PROCEDURES.—The corporation shall establish procedures for the
12 filing and disposition of applications under this section. If 2 or more organizations file
13 applications for the same sport, the applications shall be considered in a single proceeding.
14

15 (c) FILING PROCEDURES.—
16

17 (1) An application under this section must be filed within one year after the final day
18 of-

19
20 (A) any Olympic Games, for a sport in which competition is held in the Olympic
21 Games or the Paralympic Games, or in both the Olympic and Pan-American Games; or
22

23 (B) any Pan-American Games, for a sport in which competition is held in the Pan-
24 American Games but not in the Olympic Games.
25

26 (2) The application shall be filed with the corporation by certified mail, and a copy of
27 the application shall be served on the national governing body and with any other
28 organization that has filed an application. The corporation shall inform the applicant that
29 its application has been received.
30

31 (d) HEARINGS.—Within 180 days after receipt of an application filed under this section, the
32 corporation shall conduct a formal hearing open to the public to determine the merits of the
33 application. The corporation shall publish notice of the time and place of the hearing in a
34 regular issue of its principal publication at least 30 days, but not more than 60 days, before the
35 date of the hearing. The corporation also shall send written notice, including a copy of the
36 application, at least 30 days prior to the date of the hearing to all amateur sports organizations
37 known to the corporation in that sport. In the hearing, the applicant and the national governing
38 body shall be given a reasonable opportunity to present evidence supporting their positions.
39

40 (e) STANDARDS FOR GRANTING APPLICATIONS.—In the hearing, the applicant must establish
41 by a preponderance of the evidence that—
42

1 (1) it meets the criteria for recognition as a national governing body under section
2 220522 of this title; and

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

5
6 (B) the applicant more adequately meets the criteria of section 220522 of this title, is
7 capable of more adequately meeting the criteria of sections 220524 and 220525 of this
8 title, and provides or is capable of providing a more effective national program of
9 competition than the national governing body in the sport for which it seeks recognition.

10
11 (f) DISPOSITIONS OF APPLICATIONS.—Within 30 days after the close of the hearing required
12 by this section, the corporation shall—

13
14 (1) uphold the right of the national governing body to continue as the national
15 governing body for its sport;

16
17 (2) revoke the recognition of the national governing body and declare a vacancy in the
18 national governing body for that sport;

19
20 (3) revoke the recognition of the national governing body and recognize the applicant
21 as the national governing body; or

22
23 (4) place the national governing body on probation for a period not exceeding 180
24 days, pending the compliance of the national governing body, if the national governing
25 body would have retained recognition except for a minor deficiency in one of the
26 requirements of section 220522, 220524, or 220525 of this title and notify such national
27 governing body of such probation and of the actions needed to comply with such
28 requirements.

29
30 (g) REVOCATION OF RECOGNITION AFTER PROBATION.—If the national governing body does
31 not comply with sections 220522, 220524, and 220525 of this title within the probationary period
32 prescribed under subsection (f)(4) of this section, the corporation shall revoke the recognition of
33 the national governing body and either—

34
35 (1) recognize the applicant as the national governing body; or

36
37 (2) declare a vacancy in the national governing body for that sport.

38
39 **§220529. Arbitration of corporation determinations**

40
41 (a) RIGHT TO REVIEW.—A party aggrieved by a determination of the corporation under
42 section 220527 or 220528 of this title may obtain review by any regional office of the American
43 Arbitration Association.

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1 (b) PROCEDURE.—
2

3 (1) A demand for arbitration must be submitted within 30 days after the determination
4 of the corporation.
5

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

10 (A) the arbitration panel shall consist of at least 3 arbitrators, unless the parties to
11 the proceeding agree to a lesser number;
12

13 (B) the arbitration hearing shall take place at a site selected by the Association,
14 unless the parties to the proceeding agree to the use of another site; and
15

16 (C) the arbitration hearing shall be open to the public.
17

18 (3) A decision by the arbitrators shall be by majority vote unless the concurrence of all
19 arbitrators is expressly required by the contesting parties.
20

21 (4) Each party may be represented by counsel or by any other authorized representative
22 at the arbitration proceeding.
23

24 (5) The parties may offer any evidence they desire and shall produce any additional
25 evidence the arbitrators believe is necessary to an understanding and determination of the
26 dispute. The arbitrators shall be the sole judges of the relevancy and materiality of the
27 evidence offered. Conformity to legal rules of evidence is not necessary.
28

29 (c) SETTLEMENT.—The arbitrators may settle a dispute arising under this chapter before
30 making a final award, if agreed to by the parties and achieved in a manner not inconsistent with
31 the constitution and bylaws of the corporation.
32

33 (d) BINDING NATURE OF DECISION.—Final decision of the arbitrators is binding on the parties
34 if the award is not inconsistent with the constitution and bylaws of the corporation.
35

36 (e) REOPENING HEARINGS.—
37

38 (1) At any time before a final decision is made, the hearings may be reopened by the
39 arbitrators on their own motion or on the motion of a party.
40

41 (2) If the reopening is based on the motion of a party, and if the reopening would result
42 in the arbitrators' decision being delayed beyond the specific period agreed to at the

1 beginning of the arbitration proceedings, all parties to the decision must agree to reopen the
2 hearings.
3