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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “United States Center for Safe Sport Authorization Act of 2017”.
SEC. 2. EXPANSION OF THE PURPOSES OF THE CORPORATION.

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

(1) in paragraph (13), by striking ‘‘; and’’ and inserting a semicolon;

(2) in paragraph (14), by striking the period at the end and inserting ‘‘; and’’; and

(3) by adding at the end the following:

‘‘(15) to promote a safe environment in sports that is free from abuse, including emotional, physical, and sexual abuse, of any amateur athlete.’’.

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

(a) In General.—Chapter 2205 of title 36, United States Code, is amended by adding at the end the following:

‘‘Subchapter III—United States Center for Safe Sport

220531. Designation of United States Center for Safe Sport.
220532. Additional duties.
220533. Records, audits, and reports.
220534. Authorization of appropriations.'
§ 220531. Designation of United States Center for Safe Sport

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

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

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

“(3) maintain an office for education and outreach that shall develop training, oversight practices, policies, and procedures to prevent the abuse, including emotional, physical, and sexual abuse, of amateur athletes participating in amateur athletic activities through national governing bodies and paralympic sports organizations;

“(4) ensure that the policies and procedures under paragraph (3) include requirements that all national governing bodies and paralympic sports organizations follow the policies and procedures of the Center;
“(5) maintain an office for response and resolution that shall establish mechanisms that allow for the reporting, investigation, and adjudication of alleged sexual abuse in violation of the Center’s policies and procedures; and

“(6) ensure that the mechanisms under paragraph (5) provide fair notice and an opportunity to be heard and protect the privacy and safety of complainants.

“(b) POLICIES AND PROCEDURES.—

“(1) IN GENERAL.—The Center may, in its discretion, utilize a neutral arbitration body and develop policies and procedures to resolve allegations of sexual abuse within its jurisdiction.

“(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as altering, superseding, or otherwise affecting the right of an amateur athlete to pursue criminal or civil justice through the courts.

“(c) LIMITATION ON LIABILITY.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the Center, and each national governing body and paralympic sports organization, including any officer, employee, or agent thereof, shall not be 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
paralympic sports organization, and all adults
authorized by such members to interact with an
amateur athlete, report immediately any allega-
tion of sexual abuse of an amateur athlete who
is a minor to law enforcement authorities and
other appropriate authorities, including the
Center, whenever such members or adults learn
of facts leading them to suspect reasonably that
an amateur athlete who is a minor has suffered
an incident of sexual abuse;

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

“(C) reasonable procedures to limit one-on-
one interactions between an amateur athlete
who is a minor and an adult (who is not the mi-
nor’s legal guardian) at a facility under the ju-
risdiction of a national governing body or
paralympic sports organization without being in
an observable and interruptible distance from
another adult, except under exigent cir-
cumstances;
“(D) procedures to prohibit retaliation, by any national governing body or paralympic sports organization, against any individual who makes a report under subparagraph (A) or subparagraph (B);

“(E) oversight procedures, including regular and random audits conducted by subject matter experts unaffiliated with a national governing body or a paralympic sports organization of each national governing body and paralympic sports organization to ensure that policies and procedures developed under that section are followed correctly and that consistent training is offered and given to all adult members, and subject to parental consent, to members who are minors, regarding prevention of sexual abuse; and

“(F) a mechanism by which a national governing body or paralympic sports organization can—

“(i) share confidentially a report of suspected sexual abuse of an amateur athlete who is a minor by a member of a national governing body or paralympic sports organization, or an adult authorized by a
national governing body or paralympic sports organization to interact with an amateur athlete who is a minor, with each of the other national governing bodies, paralympic sports organizations, or facilities under the control of such entities; and

“(ii) withhold providing to an adult who is the subject of an allegation of sexual abuse authority to interact with an amateur athlete who is a minor until the resolution of such allegation.

“(b) Rule of Construction.—Nothing in this section shall be construed to limit the ability of a national governing body or paralympic sports organization to impose an interim measure to prevent an individual who is the subject of an allegation of sexual abuse from interacting with an amateur athlete.

§ 220533. Records, audits, and reports

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

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

“(1) an audit conducted and submitted in accordance with section 10101; and
“(2) a description of the activities of the Center.

§ 220534. Authorization of appropriations

“There are authorized to be appropriated to the Center—

“(1) for fiscal year 2017, $1,000,000;
“(2) for fiscal year 2018, $1,000,000;
“(3) for fiscal year 2019, $1,000,000;
“(4) for fiscal year 2020, $1,000,000; and
“(5) for fiscal year 2021, $1,000,000.”.

(b) Conforming Amendment.—Section 220501(b) of title 36, United States Code, is amended—

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

(2) by inserting after paragraph (3), the following:

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