

In the House of Representatives, U. S.,

January 29, 2018.

Resolved, That the bill from the Senate (S. 534) entitled “An Act 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.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) *SHORT TITLE.*—*This Act may be cited as the “Pro-*
3 *tecting Young Victims from Sexual Abuse and Safe Sport*
4 *Authorization Act of 2017”.*

5 (b) *TABLE OF CONTENTS.*—*The table of contents of this*
6 *Act is as follows:*

Sec. 1. Short title; table of contents.

TITLE I—PROTECTING YOUNG VICTIMS FROM SEXUAL ABUSE

Sec. 101. Required reporting of child and sexual abuse.

Sec. 102. Civil remedy for personal injuries.

**TITLE II—UNITED STATES CENTER FOR SAFE SPORT
AUTHORIZATION**

Sec. 201. Expansion of the purposes of the corporation.

Sec. 202. Designation of the United States Center for Safe Sport.

Sec. 203. Additional requirements for granting sanctions for amateur athletic competitions.

Sec. 204. General requirements for youth-serving amateur sports organizations.

1 **TITLE I—PROTECTING YOUNG**
 2 **VICTIMS FROM SEXUAL ABUSE**

3 **SEC. 101. REQUIRED REPORTING OF CHILD AND SEXUAL**
 4 **ABUSE.**

5 *(a) REPORTING REQUIREMENT.—Section 226 of the*
 6 *Victims of Child Abuse Act of 1990 (34 U.S.C. 20341) is*
 7 *amended—*

8 *(1) in subsection (a)—*

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

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

13 *(B) by adding at the end the following:*

14 *“(2) COVERED INDIVIDUALS.—A covered indi-*
 15 *vidual who learns of facts that give reason to suspect*
 16 *that a child has suffered an incident of child abuse,*
 17 *including sexual abuse, shall as soon as possible make*
 18 *a report of the suspected abuse to the agency des-*
 19 *ignated by the Attorney General under subsection*
 20 *(d).”;*

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

24 *(3) in subsection (c)—*

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

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

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

6 “(9) the term ‘covered individual’ means an
7 adult who is authorized, by a national governing
8 body, a member of a national governing body, or an
9 amateur sports organization that participates in
10 interstate or international amateur athletic competi-
11 tion, to interact with a minor or amateur athlete at
12 an amateur sports organization facility or at any
13 event sanctioned by a national governing body, a
14 member of a national governing body, or such an
15 amateur sports organization;

16 “(10) the term ‘event’ includes travel, lodging,
17 practice, competition, and health or medical treat-
18 ment;

19 “(11) the terms ‘amateur athlete’, ‘amateur ath-
20 letic competition’, ‘amateur sports organization’,
21 ‘international amateur athletic competition’, and ‘na-
22 tional governing body’ have the meanings given the
23 terms in section 220501(b) of title 36, United States
24 Code; and

1 “(12) the term ‘as soon as possible’ means within
2 a 24-hour period.”;

3 (4) in subsection (d), in the first sentence, by in-
4 serting “and for all covered individuals” after “re-
5 side”;

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

7 (A) by striking “and on all” and inserting
8 “on all”; and

9 (B) by inserting “and for all covered indi-
10 viduals,” after “lands,”;

11 (6) in subsection (h), by inserting “and all cov-
12 ered individuals,” after “facilities,”; and

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

14 “(i) *RULE OF CONSTRUCTION.*—Nothing in this sec-
15 tion shall be construed to require a victim of child abuse
16 to self-report the abuse.”.

17 (b) *PENALTY FOR FAILURE TO REPORT.*—Section
18 2258 of title 18, United States Code, is amended by insert-
19 ing “or a covered individual as described in subsection
20 (a)(2) of such section 226 who,” after “facility,”.

21 **SEC. 102. CIVIL REMEDY FOR PERSONAL INJURIES.**

22 Section 2255 of title 18, United States Code, is amend-
23 ed—

24 (1) by striking subsection (a) and inserting the
25 following:

1 “(a) *IN GENERAL.*—Any person who, while a minor,
2 was a victim of a violation of section 1589, 1590, 1591,
3 2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260,
4 2421, 2422, or 2423 of this title and who suffers personal
5 injury as a result of such violation, regardless of whether
6 the injury occurred while such person was a minor, may
7 sue in any appropriate United States District Court and
8 shall recover the actual damages such person sustains or
9 liquidated damages in the amount of \$150,000, and the cost
10 of the action, including reasonable attorney’s fees and other
11 litigation costs reasonably incurred. The court may also
12 award punitive damages and such other preliminary and
13 equitable relief as the court determines to be appropriate.”;

14 (2) in subsection (b), by striking “filed within”
15 and all that follows through the end and inserting the
16 following: “filed—

17 “(1) not later than 10 years after the date on
18 which the plaintiff reasonably discovers the later of—

19 “(A) the violation that forms the basis for
20 the claim; or

21 “(B) the injury that forms the basis for the
22 claim; or

23 “(2) not later than 10 years after the date on
24 which the victim reaches 18 years of age.”; and

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

1 “(c) *VENUE; SERVICE OF PROCESS.*—

2 “(1) *VENUE.*—*Any action brought under sub-*
 3 *section (a) may be brought in the district court of the*
 4 *United States that meets applicable requirements re-*
 5 *lating to venue under section 1391 of title 28.*

6 “(2) *SERVICE OF PROCESS.*—*In an action*
 7 *brought under subsection (a), process may be served*
 8 *in any district in which the defendant—*

9 “(A) *is an inhabitant; or*

10 “(B) *may be found.*”.

11 ***TITLE II—UNITED STATES CEN-***
 12 ***TER FOR SAFE SPORT AU-***
 13 ***THORIZATION***

14 ***SEC. 201. EXPANSION OF THE PURPOSES OF THE CORPORA-***
 15 ***TION.***

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

18 (1) *in paragraph (13), by striking “; and” and*
 19 *inserting a semicolon;*

20 (2) *in paragraph (14), by striking the period at*
 21 *the end and inserting “; and”; and*

22 (3) *by adding at the end the following:*

23 “(15) *to promote a safe environment in sports*
 24 *that is free from abuse, including emotional, physical,*
 25 *and sexual abuse, of any amateur athlete.*”.

1 **SEC. 202. DESIGNATION OF THE UNITED STATES CENTER**
2 **FOR SAFE SPORT.**

3 (a) *IN GENERAL.*—Chapter 2205 of title 36, United
4 States Code, is amended by adding at the end the following:

5 **“Subchapter III—United States Center for**
6 **Safe Sport**

7 **“§ 220541. Designation of United States Center for**
8 **Safe Sport**

9 “(a) *IN GENERAL.*—The United States Center for Safe
10 Sport shall—

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

15 “(2) *exercise jurisdiction over the corporation,*
16 *each national governing body, and each paralympic*
17 *sports organization with regard to safeguarding ama-*
18 *teur athletes against abuse, including emotional,*
19 *physical, and sexual abuse, in sports;*

20 “(3) *maintain an office for education and out-*
21 *reach that shall develop training, oversight practices,*
22 *policies, and procedures to prevent the abuse, includ-*
23 *ing emotional, physical, and sexual abuse, of amateur*
24 *athletes participating in amateur athletic activities*
25 *through national governing bodies and paralympic*
26 *sports organizations;*

1 “(4) maintain an office for response and resolu-
2 tion that shall establish mechanisms that allow for the
3 reporting, investigation, and resolution, pursuant to
4 subsection (c), of alleged sexual abuse in violation of
5 the Center’s policies and procedures; and

6 “(5) ensure that the mechanisms under para-
7 graph (4) 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.*—The policies and
11 procedures developed under subsection (a)(3) shall apply as
12 though they were incorporated in and made a part of sec-
13 tion 220524 of this title.

14 “(c) *BINDING ARBITRATION.*—

15 “(1) *IN GENERAL.*—The Center may, in its dis-
16 cretion, utilize a neutral arbitration body and develop
17 policies and procedures to resolve allegations of sexual
18 abuse within its jurisdiction to determine the oppor-
19 tunity of any amateur athlete, coach, trainer, man-
20 ager, administrator, or official, who is the subject of
21 such an allegation, to participate in amateur athletic
22 competition.

23 “(2) *PRESERVATION OF RIGHTS.*—Nothing in
24 this section shall be construed as altering, super-
25 seding, or otherwise affecting the right of an indi-

1 *vidual within the Center’s jurisdiction to pursue civil*
2 *remedies through the courts for personal injuries aris-*
3 *ing from abuse in violation of the Center’s policies*
4 *and procedures, nor shall the Center condition the*
5 *participation of any such individual in a proceeding*
6 *described in paragraph (1) upon an agreement not to*
7 *pursue such civil remedies.*

8 *“(d) LIMITATION ON LIABILITY.—*

9 *“(1) IN GENERAL.—Except as provided in para-*
10 *graph (2), an applicable entity shall not be liable for*
11 *damages in any civil action for defamation, libel,*
12 *slander, or damage to reputation arising out of any*
13 *action or communication, if the action arises from the*
14 *execution of the responsibilities or functions described*
15 *in this section, section 220542, or section 220543.*

16 *“(2) EXCEPTION.—Paragraph (1) shall not*
17 *apply in any action in which an applicable entity*
18 *acted with actual malice, or provided information or*
19 *took action not pursuant to this section, section*
20 *220542, or section 220543.*

21 *“(3) DEFINITION OF APPLICABLE ENTITY.—In*
22 *this subsection, the term ‘applicable entity’ means—*

23 *“(A) the Center;*

24 *“(B) a national governing body;*

25 *“(C) a paralympic sports organization;*

1 “(D) an amateur sports organization or
2 other person sanctioned by a national governing
3 body under section 220525;

4 “(E) an amateur sports organization re-
5 porting under section 220530;

6 “(F) any officer, employee, agent, or mem-
7 ber of an entity described in subparagraph (A),
8 (B), (C), (D), or (E); and

9 “(G) any individual participating in a
10 proceeding pursuant to this section.

11 **“§ 220542. Additional duties.**

12 “(a) *IN GENERAL.*—The Center shall—

13 “(1) develop training, oversight practices, poli-
14 cies, and procedures for implementation by a na-
15 tional governing body or paralympic sports organiza-
16 tion to prevent the abuse, including emotional, phys-
17 ical, and sexual abuse, of any amateur athlete; and

18 “(2) include in the policies and procedures devel-
19 oped under section 220541(a)(3)—

20 “(A) a requirement that all adult members
21 of a national governing body, a paralympic
22 sports organization, or a facility under the juris-
23 diction of a national governing body or
24 paralympic sports organization, and all adults
25 authorized by such members to interact with an

1 *amateur athlete, report immediately any allega-*
2 *tion of child abuse of an amateur athlete who is*
3 *a minor to—*

4 “(i) *the Center, whenever such members*
5 *or adults learn of facts leading them to sus-*
6 *pect reasonably that an amateur athlete*
7 *who is a minor has suffered an incident of*
8 *child abuse; and*

9 “(ii) *law enforcement consistent with*
10 *section 226 of the Victims of Child Abuse*
11 *Act of 1990 (34 U.S.C. 20341);*

12 “(B) *a mechanism, approved by a trained*
13 *expert on child abuse, that allows a complainant*
14 *to report easily an incident of child abuse to the*
15 *Center, a national governing body, law enforce-*
16 *ment authorities, or other appropriate authori-*
17 *ties;*

18 “(C) *reasonable procedures to limit one-on-*
19 *one interactions between an amateur athlete who*
20 *is a minor and an adult (who is not the minor’s*
21 *legal guardian) at a facility under the jurisdic-*
22 *tion of a national governing body or paralympic*
23 *sports organization without being in an observ-*
24 *able and interruptible distance from another*
25 *adult, except under emergency circumstances;*

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 regular
7 and random audits conducted by subject matter
8 experts unaffiliated with, and independent of, a
9 national governing body or a paralympic sports
10 organization of each national governing body
11 and paralympic sports organization to ensure
12 that policies and procedures developed under
13 that section are followed correctly and that con-
14 sistent training is offered and given to all adult
15 members who are in regular contact with ama-
16 teur athletes who are minors, and subject to pa-
17 rental consent, to members who are minors, re-
18 garding prevention of child abuse; and

19 “(F) a mechanism by which a national gov-
20 erning body or paralympic sports organization
21 can—

22 “(i) share confidentially a report of
23 suspected child abuse of an amateur athlete
24 who is a minor by a member of a national
25 governing body or paralympic sports orga-

1 nization, or an adult authorized by a na-
 2 tional governing body, paralympic sports
 3 organization, or an amateur sports organi-
 4 zation to interact with an amateur athlete
 5 who is a minor, with the Center, which in
 6 turn, may share with relevant national gov-
 7 erning bodies, paralympic sports organiza-
 8 tions, and other entities; and

9 “(ii) withhold providing to an adult
 10 who is the subject of an allegation of child
 11 abuse authority to interact with an ama-
 12 teur athlete who is a minor until the resolu-
 13 tion of such allegation.

14 “(b) *RULE OF CONSTRUCTION.*—Nothing in this sec-
 15 tion shall be construed to limit the ability of a national
 16 governing body or paralympic sports organization to im-
 17 pose an interim measure to prevent an individual who is
 18 the subject of an allegation of sexual abuse from interacting
 19 with an amateur athlete prior to the Center exercising its
 20 jurisdiction over a matter.

21 **“§ 220543. Records, audits, and reports**

22 “(a) *RECORDS.*—The Center shall keep correct and
 23 complete records of account.

24 “(b) *REPORT.*—The Center shall submit an annual re-
 25 port to Congress, including—

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

3 “(2) a description of the activities of the Cen-
4 ter.”.

5 (b) *CONFORMING AMENDMENT.*—Section 220501(b) of
6 title 36, United States Code, is amended—

7 (1) by redesignating paragraphs (4) through (8)
8 as paragraphs (6) through (10), respectively; and

9 (2) by inserting after paragraph (3), the fol-
10 lowing:

11 “(4) ‘Center’ means the United States Center for
12 Safe Sport designated under section 220541.

13 “(5) ‘child abuse’ has the meaning given the
14 term in section 212 of the Victims of Child Abuse Act
15 of 1990 (34 U.S.C. 20302).”.

16 (c) *TECHNICAL AMENDMENT.*—The table of contents of
17 chapter 2205 of title 36, United States Code, is amended
18 by adding at the end the following:

“SUBCHAPTER III—UNITED STATES CENTER FOR SAFE SPORT

“220541. Designation of United States Center for Safe Sport.

“220542. Additional duties.

“220543. Records, audits, and reports.”.

19 **SEC. 203. ADDITIONAL REQUIREMENTS FOR GRANTING**
20 **SANCTIONS FOR AMATEUR ATHLETIC COM-**
21 **PETITIONS.**

22 Section 220525(b)(4) is amended—

1 (1) *in subparagraph (E), by striking “; and”*
2 *and inserting a semicolon;*

3 (2) *in subparagraph (F), by striking the period*
4 *at the end and inserting “; and”; and*

5 (3) *by adding at the end the following:*

6 “(G) *the amateur sports organization or*
7 *person requesting sanction from a national gov-*
8 *erning body will implement and abide by the*
9 *policies and procedures to prevent the abuse, in-*
10 *cluding emotional, physical, and child abuse, of*
11 *amateur athletes participating in amateur ath-*
12 *letic activities applicable to such national gov-*
13 *erning body.”.*

14 **SEC. 204. GENERAL REQUIREMENTS FOR YOUTH-SERVING**
15 **AMATEUR SPORTS ORGANIZATIONS.**

16 (a) *IN GENERAL.*—*Subchapter II of chapter 2205 of*
17 *title 36, United States Code, is amended by adding at the*
18 *end the following:*

19 **“§ 220530. Other amateur sports organizations**

20 “(a) *IN GENERAL.*—*An applicable amateur sports or-*
21 *ganization shall—*

22 “(1) *comply with the reporting requirements of*
23 *section 226 of the Victims of Child Abuse Act of 1990*
24 *(34 U.S.C. 20341);*

1 “(2) *establish reasonable procedures to limit one-*
 2 *on-one interactions between an amateur athlete who*
 3 *is a minor and an adult (who is not the minor’s legal*
 4 *guardian) at a facility under the jurisdiction of the*
 5 *applicable amateur sports organization without being*
 6 *in an observable and interruptible distance from an-*
 7 *other adult, except under emergency circumstances;*

8 “(3) *offer and provide consistent training to all*
 9 *adult members who are in regular contact with ama-*
 10 *teur athletes who are minors, and subject to parental*
 11 *consent, to members who are minors, regarding pre-*
 12 *vention and reporting of child abuse to allow a com-*
 13 *plainant to report easily an incident of child abuse*
 14 *to appropriate persons; and*

15 “(4) *prohibit retaliation, by the applicable ama-*
 16 *teur sports organization, against any individual who*
 17 *makes a report under paragraph (1).*

18 “(b) *DEFINITION OF APPLICABLE AMATEUR SPORTS*
 19 *ORGANIZATION.—In this section, the term ‘applicable ama-*
 20 *teur sports organization’ means an amateur sports organi-*
 21 *zation—*

22 “(1) *that is not otherwise subject to the require-*
 23 *ments under subchapter III;*

24 “(2) *that participates in an interstate or inter-*
 25 *national amateur athletic competition; and*

1 “(3) whose membership includes any adult who
2 is in regular contact with an amateur athlete who is
3 a minor.”.

4 (b) *TECHNICAL AMENDMENT.*—*The table of contents of*
5 *chapter 2205 of title 36, United States Code, is amended*
6 *by inserting after the item relating to section 220529 the*
7 *following:*

 “220530. *Other amateur sports organizations.*”.

Attest:

Clerk.

115TH CONGRESS
2^D SESSION

S. 534

AMENDMENT