

118TH CONGRESS
2D SESSION

H. R. 10326

To amend title 36, United States Code, to reform certain proceedings before the United States Center for SafeSport.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 6, 2024

Ms. ROSS (for herself, Mr. JOYCE of Ohio, Ms. CASTOR of Florida, and Mr. BACON) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 36, United States Code, to reform certain proceedings before the United States Center for SafeSport.

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 “Safer Sports for Ath-

5 letes Act of 2024”.

6 **SEC. 2. OTHER AMATEUR SPORTS ORGANIZATIONS.**

7 Section 220530(a)(3) of title 36, United States Code,

8 is amended—

1 (1) by striking “consistent training” and insert-
2 ing “training developed under section 220541(a)”;
3 and

4 (2) by inserting after “regular contact with”
5 the following: “or authority over”.

6 **SEC. 3. GRANT TO PROTECT YOUNG ATHLETES FROM**
7 **ABUSE.**

8 Section 220531 of title 36, United States Code, is
9 amended—

10 (1) in subsection (b), to read as follows:

11 “(b) APPLICATIONS.—To be eligible to receive a
12 grant under this section, a nonprofit nongovernmental en-
13 tity shall submit a competitive application to the Attorney
14 General at such time, in such manner, and containing
15 such information as the Attorney General may require, in-
16 cluding information that demonstrates that the entity
17 has—

18 “(1) nationally recognized expertise in pre-
19 venting and responding to emotional, physical, and
20 sexual abuse in the athletic programs of the United
21 States Olympic and Paralympic Committee and each
22 national governing body;

23 “(2) expertise in prevention of abuse, public
24 health approaches, and trauma-informed approaches,

and a demonstrated history of supporting athlete-survivors of violence and abuse in sport; and

“(3) the capacity to oversee regular and random audits to ensure that the policies and procedures used by the United States Olympic and Paralympic Committee and each national governing body to prevent and identify the abuse of an amateur athlete are followed correctly.”;

(2) in subsection (c)(1), by inserting after “in youth athletic programs” the following: “with the input and collaboration of athlete survivors and organizations with expertise with child athlete survivors of sexual violence at all levels of sports”; and

(3) in subsection (d)(1), to read as follows:

“(1) IN GENERAL.—There is authorized to be appropriated to carry out this section \$10,000,000 or such sums as may be necessary each of the fiscal years 2025 through 2030.”.

**SEC. 4. ADDITIONAL MATTERS RELATING TO RESOLUTION
OF COMPLAINTS OF ABUSE.**

Section 220541(a)(1) of title 36, United States Code, is amended—

(1) in subparagraph (E), to read as follows:

“(E) ensure that the mechanisms under subparagraph (D)—

1 “(i) provide fair notice and an oppor-
2 tunity to be heard and protect the privacy
3 and safety of complainants; and

4 “(ii) are published, including protocols
5 for investigations and decision-making;”;

6 (2) in subparagraph (G), by inserting “or were”
7 before “barred by the Center”; and

8 (3) in subparagraph (H), to read as follows:

9 “(H) ensure that any action taken by the
10 Center against an individual under the jurisdic-
11 tion of the Center, including an investigation,
12 the imposition of sanctions, and any other dis-
13 ciplinary action, is carried out in a manner that
14 provides the following procedural process to the
15 individual—

16 “(i) the provision of written notice of
17 the allegations against the individual;

18 “(ii) a right to be represented by
19 counsel or other advisor;

20 “(iii) an opportunity to be heard dur-
21 ing the investigation;

22 “(iv) in a case in which a violation is
23 found, a reasoned written decision by the
24 Center; and

1 “(v) the ability to challenge, in a
2 hearing or through an appeals process, in-
3 terim measures or sanctions imposed by
4 the Center that result in suspension or
5 bars on participation eligibility.”.

6 **SEC. 5. LIMITATION ON REQUIREMENTS ON VICTIMS.**

7 Section 220541(a)(2) of title 36, United States Code,
8 is amended to read as follows:

9 “(2) RULES OF CONSTRUCTION.—Nothing in
10 this subsection shall be construed—

11 “(A) to preclude the Center from imposing
12 interim measures or sanctions on an individual
13 before an opportunity for a hearing;

14 “(B) to give rise to a claim under State
15 law or to create a private right of action;

16 “(C) to render the Center a state actor; or

17 “(D) to preclude the Center from pursuing
18 investigations and sanctions without testimony
19 from victims of sexual misconduct at its discre-
20 tion.”.

21 **SEC. 6. RESPONSE AND RESOLUTION PROCESS.**

22 Section 220541(c) of title 36, United States Code,
23 is amended to read as follows:

24 “(c) RESPONSE AND RESOLUTION.—

1 “(1) IN GENERAL.—For each complaint the
2 Center receives through its office for response and
3 resolution and accepts jurisdiction over, the Center
4 shall conduct an investigation and make a decision
5 regarding whether a violation of the SafeSport Code
6 occurred and whether to impose sanctions. In car-
7 rying out the response and resolution process, the
8 Center shall do the following:

9 “(A) Assign a case manager to each case
10 to manage and provide regular communication
11 with claimants and respondents.

12 “(B) Notify each complainant that they
13 are permitted to have a victim advocate of their
14 choosing accompany them to any proceedings
15 scheduled as part of the investigation into the
16 claim. Such victim advocate shall be confiden-
17 tial and may not share any information with
18 the Center without the complainant’s voluntary,
19 reasonably time-limited permission based on the
20 estimated investigation timeframe, and written
21 approval; if a complainant does not have a vic-
22 tim advocate, the Center shall provide such vic-
23 tim advocate at no cost to the complainant or
24 refer the complainant to an organization that
25 can provide a cost-free victim advocate at the

1 request of the complainant. Such victim advo-
2 cate shall be a person trained to confidentially
3 support victims of abuse and have expertise in
4 supporting athlete-survivors.

5 “(C) Assign an investigator to the case
6 within 7 business days of accepting jurisdiction
7 and receiving membership records from the rel-
8 evant national governing body. National gov-
9 erning bodies shall provide the Center with
10 membership records within 5 business days of a
11 request by the Center pursuant to an investiga-
12 tion. The Center may extend the period of time
13 that a national governing body has to provide
14 membership records in circumstances when the
15 Center believes that the national governing
16 body is working in good faith to identify the re-
17 spondent named in the complaint. The Center
18 shall provide the national governing body with
19 all information included in the complaint that
20 will assist the national governing body in identi-
21 fying the respondent.

22 “(D) Conclude its investigation no later
23 than the date that is 180 days after a com-
24 plaint is made to the Center, except that, if the
25 Center determines necessary, the investigation

1 may be extended for a period of 30 days as
2 many times as may be necessary. The Center
3 shall provide notice to each complainant and
4 each respondent to the investigation and the
5 relevant national governing body or corporation
6 prior to each extension of the investigation.
7 Such notice shall provide a basis for why the
8 extension is necessary and include sufficient in-
9 formation for the national governing body or
10 corporation to implement a safety plan to pro-
11 tect participants from further abuse.

12 “(E) Adopt proof by a preponderance of
13 the evidence as the standard in determining
14 whether a violation of the SafeSport Code oc-
15 curred.

16 “(F) Establish a grievance reporting sys-
17 tem for all persons impacted by the Center to
18 report bad faith use of the Center’s processes,
19 issues during intake, investigation and hearings,
20 conflicts of interest, and other concerns about
21 the Center. The Center will report on the griev-
22 ances filed and resolved annually.

23 “(2) OTHER REQUIREMENTS.—The Center
24 shall adopt a response and resolution process that is
25 consistent with the following:

1 “(A) If upon completion of the Center’s in-
2 vestigation the Center is able to conclude that
3 a violation of the SafeSport Code has been com-
4 mitted by the respondent, but that the appro-
5 priate sanction does not include any period of
6 suspension or ineligibility, then the Center may
7 issue such sanctions in its discretion. These
8 findings and sanctions are not subject to ap-
9 peal.

10 “(B) If upon completion of the its inves-
11 tigation, the Center finds that a violation of the
12 SafeSport Code has been committed by the re-
13 spondent and that the appropriate sanction in-
14 cludes any period of suspension or ineligi-
15 bility—

16 “(i) it shall inform the claimant and
17 the respondent the sanction(s) it will im-
18 pose upon to the respondent; and

19 “(ii) if the respondent demands an
20 appeal of the sanctions, the Center shall
21 proceed to a hearing with the respondent
22 under paragraph (3), the outcome of which
23 shall be considered final and not subject to
24 review in State or Federal court.

1 “(C) If the Center’s investigation does not
2 in the Center’s discretion result in sufficient
3 evidence to determine by a preponderance of
4 evidence that the respondent violated the rules
5 created by the Center, the Center may dismiss
6 and close the case, but such case shall remain
7 subject to being re-opened in the event addi-
8 tional evidence is presented to the Center.

9 “(3) HEARING PROCEDURES.—The Center shall
10 establish a panel of 3 experts to resolve allegations
11 of abuse within its jurisdiction to determine the op-
12 portunity of any amateur athlete, coach, trainer,
13 manager, administrator, or official, who is the sub-
14 ject of such an allegation, to participate in amateur
15 athletic competition. Each person appointed to the
16 panel under this subsection shall have expertise and
17 training in trauma-informed care and/or an under-
18 standing of sport dynamics. Individuals who serve on
19 the expert panel will not have a conflict of interest
20 or bias for or against complainants or respondents
21 generally or an individual complainant or respondent
22 or associated sports organization. Individuals who
23 serve on the expert panel will not be privy to inter-
24 nal Center information about the cases outside of
25 evidence presented in the hearing process. Excluding

1 temporary measures, the Center shall provide fair
2 notice and opportunity for a hearing to any amateur
3 athlete, coach, trainer, manager, administrator or of-
4 ficial before declaring the individual ineligible to par-
5 ticipate. Hearings will not provide for discovery, and
6 no information or materials that were not provided
7 to the Center during its investigation can be consid-
8 ered in the hearing. In the event a complainant or
9 witness are unable to testify in a hearing, the proce-
10 dures must permit hearsay testimony, including—

11 “(A) testimony by affidavit from a com-
12 plainant or witness, and

13 “(B) testimony by a Center investigator in
14 lieu of a complainant or witness where the in-
15 vestigator may testify as to the information,
16 statements or other evidence the investigator
17 received from the complainant or witness.

18 “(4) TEMPORARY MEASURES.—In order to pro-
19 mote a safe environment in sports that is free from
20 abuse of any amateur athlete, including emotional,
21 physical, and sexual abuse, the Center, the corpora-
22 tion, and national governing bodies have the right to
23 impose interim measures or sanctions on an indi-
24 vidual before an opportunity for a hearing consistent
25 with the Center’s policies and procedures, as long as

1 an amateur athlete, coach, trainer, manager, admin-
2 istrator or official that is temporarily suspended is
3 given the right to file for a hearing to participate in
4 the Olympic Games, the Paralympic Games, the
5 Pan-American Games, the Parapan American
6 Games, world championship competition, or other
7 protected competition as defined in the bylaws of the
8 corporation. Any person temporarily suspended by
9 the Center may file for a hearing regarding the right
10 to participate in amateur athletic competition prior
11 to the Center issuing a decision on the merits. The
12 corporation and national governing bodies will in-
13 form the Center of any temporary measures or em-
14 ployment decisions relating to any ongoing investiga-
15 tion by the Center within 72 hours of imposition.”.

16 **SEC. 7. TRAINING MATERIALS.**

17 Section 220451(e) of title 36, United States Code,
18 is amended to read as follows:

19 “(e) TRAINING MATERIALS.—The office for edu-
20 cation and outreach referred to in subsection (a)(1)(C)
21 shall—

22 “(1) develop training materials for specific au-
23 diences, including coaches, trainers, doctors, young
24 children, adolescents, adults, and individuals with
25 disabilities;

1 “(2) develop training materials suitable for all
2 levels of participation, including organizations with
3 adult athletes and organizations with minor athletes;

4 “(3) ensure that all training for adults who
5 interact with youth athletes is interactive and pro-
6 motes trauma-informed approaches that take into
7 account age, gender, and developmentally, culturally,
8 and linguistically appropriate care;

9 “(4) consult with experts in sexual abuse pre-
10 vention and public health experts, as well as athlete
11 survivors, when developing such training materials;

12 “(5) adopt a trauma-informed approach in de-
13 veloping such training materials;

14 “(6) incorporate lived experiences of survivors
15 of abuse in developing such training materials;

16 “(7) include in such training materials technical
17 assistance on trauma-informed, athlete-centered, and
18 athlete survivor-centered policies;

19 “(8) not less frequently than every 3 years, up-
20 date such training materials; and

21 “(9) ensure that—

22 “(A) each member of the staff of the Cen-
23 ter receives at least 4 hours of training annu-
24 ally, and staff of the Center working in re-
25 sponse and resolution receives at least 20 hours

1 of training, provided via live video or in-person,
2 on trauma-informed care and trauma-informed
3 approach, including—

4 “(i) information about the
5 neurobiology of trauma and the impacts of
6 trauma;

7 “(ii) how to work with persons im-
8 pacted by trauma;

9 “(iii) investigation techniques and
10 considerations;

11 “(iv) consideration of age, gender, de-
12 velopmentally, culturally, and linguistically
13 appropriate care; and

14 “(v) information about support for
15 persons impacted by trauma; and

16 “(B) each member of the staff completes
17 such training within 30 days after being
18 hired.”.

19 **SEC. 8. RELATING TO INDEPENDENCE.**

20 Section 220541(f)(4) of title 36, United States Code,
21 is amended—

22 (1) in subparagraph (C)(ii), to read as follows:

23 “(ii) **RULE OF CONSTRUCTION.**—
24 Nothing in this subparagraph shall be con-
25 strued to prohibit the Center from pro-

1 viding work product described in clause (i)
2 to—

3 “(I) a law enforcement agency
4 for the purpose of assisting in criminal investigation;
5

6 “(II) any other investigative
7 agency, including a child protection
8 agency or the United States Anti-Doping Agency;
9

10 “(III) an international safeguarding agency or international federation;
11
12

13 “(IV) the United States Olympic
14 & Paralympic Committee; or

15 “(V) a national governing body.

16 Nothing in this section shall be construed
17 to prohibit a national governing body from
18 providing information relating to an investigation to the Equal Employment Opportunity Commission or other relevant bodies
19 in instances in which an individual was terminated for a violation in order to defend
20 a claim of wrongful termination. Such information shall be subject to the same pro-
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tections as with the Center, including protection from discovery.”; and

(2) by adding at the end the following:

“(D) TRANSPARENCY.—Should the Center exercise jurisdiction over a case, the Center shall provide applicable national governing bodies or the corporation with a detailed description of the allegations and detailed information about the respondent to allow the applicable national governing body or corporation the opportunity to impose appropriate interim safety measures to protect participants during the investigation. The information provided to the corporation or relevant national governing bodies shall include details about when and where the alleged misconduct occurred and details about the allegations beyond the category of misconduct. At minimum, the Center shall provide information received in the complaint made to the Center, with identifying information about the claimant removed. The Center shall not share information about the identity of the claimant unless the claimant has given the center permission to do so. This provision shall not apply if sharing the information and materials

1 named above would create a conflict of interest
2 or put participants at risk of abuse, harass-
3 ment, or retaliation.”.

4 **SEC. 9. FUNDING MATTERS.**

5 Section 220541(g)(4) of title 36, United States Code,
6 is amended—

7 (1) in subparagraph (A), by inserting “in ac-
8 cordance with section 220503(15)” before the period
9 at the end;

10 (2) by redesignating subparagraphs (B)(ii) and
11 B(iii) as subparagraphs B(iii) and B(iv);

12 (3) in subparagraph (B), by inserting after
13 clause (i) the following:

14 “(ii) ABUSE PREVENTION.—Not less
15 than 20 percent of the total amount of
16 funding the Center receives in a fiscal year
17 shall be used for training, oversight prac-
18 tices, policies, and procedures to prevent
19 the abuse, including emotional, physical,
20 and sexual abuse, of amateur athletes par-
21 ticipating in amateur athletic activities de-
22 scribed in subsection (a)(1)(C).”; and

23 (4) in subparagraph (B)(iii)(I) (as redesign-
24 ated), by striking “25 percent” and inserting “10
25 percent”.

1 **SEC. 10. COMPLIANCE AUDITS.**

2 Section 220541(h)(3) of title 36, United States Code,
3 is amended to read as follows:

4 “(3) ANNUAL REPORT.—

5 “(A) IN GENERAL.—Not less frequently
6 than annually, the Center shall submit to Con-
7 gress a report on the findings of the audit
8 under paragraph (1) for the preceding year and
9 the status of any corrective measures imposed
10 as a result of the audit. The report shall include
11 updates on the function of and feedback from
12 the Athlete Survivor Advisory Group, how sur-
13 vivors and persons with lived experience are en-
14 gaged in development of materials and preven-
15 tion outreach, how the Center is responding to
16 complaints or investigation issues, how the Cen-
17 ter is engaging with outside experts in preven-
18 tion and response to sexual violence, and it
19 shall detail efforts to improve transparency of
20 process and communication.

21 “(B) PUBLIC AVAILABILITY.—

22 “(i) IN GENERAL.—Each report under
23 subparagraph (A) shall be made available
24 to the public.

25 “(ii) PERSONALLY IDENTIFIABLE IN-
26 FORMATION.—A report made available to

1 the public shall not include the personally
2 identifiable information of any individual.”.

3 **SEC. 11. ADDITIONAL PROVISIONS.**

4 Section 220451 of title 36, United States Code, is
5 amended by adding at the end the following:

6 “(k) OVERSIGHT.—Not less frequently than once per
7 Congress, the CEO of the Center shall appear before the
8 Committee on Commerce, Science, and Transportation of
9 the Senate and the Committee on Energy and Commerce
10 and the Committee on the Judiciary of the House of Rep-
11 resentatives on the Center’s activities and provide reports
12 as requested by those Committees in advance of such ap-
13 pearances.

14 “(l) GOVERNMENT ACCOUNTABILITY OFFICE RE-
15 PORT.—Every three years the Comptroller General of the
16 United States shall do a performance and accountability
17 report of the Center and share those findings with Con-
18 gress, the Center and the public. The report shall review
19 how the Center is meeting its mission, including talking
20 to athlete survivors, advocates, and national governing
21 bodies in order to institutionalize formal feedback from
22 survivor groups and NGBs.

23 “(m) BOARD OF DIRECTORS.—Not less than twenty
24 percent of the membership of the board of directors of the
25 Center shall be recommended by amateur athlete survivors

1 who are actively engaged in amateur athletic competition
2 or who have represented the United States in international
3 athletic competition. Directors recommended by the ath-
4 letes must still meet the independence requirements of the
5 Center.”.

