

117<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2333

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## AN ACT

To amend chapter 2205 of title 36, United States Code, to ensure equal treatment of athletes, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Equal Pay for Team  
3 USA Act of 2022”.

4 **SEC. 2. MODIFICATIONS TO UNITED STATES OLYMPIC AND**  
5 **PARALYMPIC COMMITTEE AND NATIONAL**  
6 **GOVERNING BODIES.**

7 (a) UNITED STATES OLYMPIC AND PARALYMPIC  
8 COMMITTEE.—

9 (1) DUTIES.—Section 220505(d) of title 36,  
10 United States Code, is amended—

11 (A) in paragraph (1)—

12 (i) in subparagraph (B)(ii), by strik-  
13 ing “; and” and inserting a semicolon;

14 (ii) in subparagraph (C), by striking  
15 the period at the end and inserting “;  
16 and”; and

17 (iii) by adding at the end the fol-  
18 lowing:

19 “(D) with respect to a sport for which the  
20 corporation conducts separate programs for fe-  
21 male and male athletes, to ensure that female  
22 and male athletes who represent the United  
23 States in international amateur athletic events  
24 receive, from funds directly provided by the cor-  
25 poration to the athlete (excluding any prize or  
26 award based on the athlete’s performance in an

1 international amateur athletic competition),  
2 equivalent and nondiscriminatory compensation,  
3 wages, benefits, medical care, travel arrange-  
4 ments, and payment or reimbursement for ex-  
5 penses, all insofar as these are implemented in  
6 connection with such amateur athletic events,  
7 where ‘equivalent’ means ‘equal’ except that it  
8 shall be permissible—

9 “(i) to consider merit, performance,  
10 seniority, or quantity of play in deter-  
11 mining contract or other terms of partici-  
12 pation; and

13 “(ii) to provide more beneficial terms  
14 of participation to athletes representing  
15 the United States in international events  
16 to address disparities in outside income,  
17 including in compensation made available  
18 by international sports federations and  
19 other event organizers, or the need to fos-  
20 ter underdeveloped programs or address  
21 documented and justifiable personal need  
22 on the part of specific athletes or teams.”;

23 (B) by redesignating paragraph (2) as  
24 paragraph (3); and

1 (C) by inserting after paragraph (1) the  
2 following:

3 “(2) **ADVOCACY.**—The corporation shall take all  
4 reasonable steps, in collaboration with affected ath-  
5 letes, to advocate to international sports federations  
6 and other event organizers to equalize prizes, com-  
7 pensation, funding, and other support provided to  
8 athletes by such federations and organizers.”.

9 (2) **ANNUAL REPORT ON EQUAL TREATMENT**  
10 **OF ATHLETES.**—

11 (A) **IN GENERAL.**—Subchapter I of title  
12 36, United States Code, is amended by adding  
13 at the end the following:

14 **“§ 220514. Annual report on equal treatment of ath-**  
15 **letes**

16 “(a) **IN GENERAL.**—Not less frequently than annu-  
17 ally, the corporation shall submit to Congress a report on  
18 the compliance of the corporation with paragraphs (1)(D)  
19 and (2) of section 220505(d).

20 “(b) **MATTERS TO BE INCLUDED.**—Each report re-  
21 quired by subsection (a) shall include detailed information  
22 on the median, minimum, and maximum stipends and bo-  
23 nuses provided to athletes, disaggregated by gender, race,  
24 and, as applicable, status of participation on a professional  
25 sports team.”.

1 (B) CONFORMING AMENDMENT.—The  
2 table of sections for subchapter I of chapter  
3 2205 of title 36, United States Code, is amend-  
4 ed by adding at the end the following:

“220514. Annual report on equal treatment of athletes.”.

5 (b) NATIONAL GOVERNING BODIES.—

6 (1) DUTIES.—Section 220524(a) of title 36,  
7 United States Code, is amended—

8 (A) by redesignating paragraphs (7)  
9 through (14) as paragraphs (9) through (16),  
10 respectively; and

11 (B) by inserting after paragraph (6) the  
12 following:

13 “(7) with respect to a sport for which a na-  
14 tional governing body conducts separate programs  
15 for female and male athletes, ensure that female and  
16 male athletes who represent the United States in  
17 international amateur athletic events receive, from  
18 funds directly provided by the national governing  
19 body to the athlete (excluding any prize or award  
20 based on the athlete’s performance in an inter-  
21 national amateur athletic competition), equivalent  
22 and nondiscriminatory compensation, wages, bene-  
23 fits, medical care, travel arrangements, and payment  
24 or reimbursement for expenses, all insofar as these  
25 are implemented in connection with such amateur

1 athletic events, where ‘equivalent’ means ‘equal’ ex-  
2 cept that it shall be permissible—

3 “(A) to consider merit, performance, se-  
4 niority, or quantity of play in determining con-  
5 tract or other terms of participation; and

6 “(B) to provide more beneficial terms of  
7 participation to athletes representing the  
8 United States in international events to address  
9 disparities in outside income, including in com-  
10 pensation made available by international sports  
11 federations and other event organizers, or the  
12 need to foster underdeveloped programs or ad-  
13 dress documented and justifiable personal need  
14 on the part of specific athletes or teams;

15 “(8) take all reasonable steps, in collaboration  
16 with affected athletes, to advocate to international  
17 sports federations and other event organizers to  
18 equalize prizes, compensation, funding, and other  
19 support provided to athletes by such federations and  
20 organizers;”.

21 (2) ANNUAL REPORT ON EQUAL TREATMENT  
22 OF ATHLETES.—

23 (A) IN GENERAL.—Subchapter II of chap-  
24 ter 2205 of title 36, United States Code, is  
25 amended by adding at the end the following:

1 **“§ 220530A. Annual report on equal treatment of ath-**  
 2 **letes**

3 “(a) IN GENERAL.—Not less frequently than annu-  
 4 ally, each national governing body shall submit to the cor-  
 5 poration and Congress a report on the compliance of the  
 6 national governing body with paragraphs (7) and (8) of  
 7 section 220524(a).

8 “(b) MATTERS TO BE INCLUDED.—Each report re-  
 9 quired by subsection (a) shall include detailed information  
 10 on the median, minimum, and maximum stipends and bo-  
 11 nuses provided to athletes, disaggregated by gender, race,  
 12 and, as applicable, status of participation on a professional  
 13 sports team.”.

14 (B) CONFORMING AMENDMENT.—The  
 15 table of sections for subchapter II of chapter  
 16 2205 of title 36, United States Code, is amend-  
 17 ed by adding at the end the following:

“220530A. Annual report on equal treatment of athletes.”.

18 (c) IMPLEMENTATION PERIOD AND REPORTS TO  
 19 CONGRESS.—Not later than 1 year after the date of the  
 20 enactment of this Act—

21 (1) the corporation shall—

22 (A) attain full compliance, and require as  
 23 a condition of continued certification that each  
 24 national governing body attains and maintains

1 full compliance, with the applicable amend-  
2 ments made by this Act; and

3 (B) submit to Congress a report describing  
4 such compliance of the corporation and each  
5 national governing body; and

6 (2) each national governing body shall—

7 (A) attain full compliance with the applica-  
8 ble amendments made by this Act; and

9 (B) submit to Congress a report describing  
10 such compliance.

11 (d) RULE OF CONSTRUCTION.—Nothing in this Act  
12 shall be construed—

13 (1) to supersede, nullify, or diminish the rights  
14 of any individual under any Federal law or the law  
15 of any State or political subdivision of any State or  
16 jurisdiction;

17 (2) to prohibit an individual athlete or a group  
18 of athletes from receiving compensation from an in-  
19 dividual or entity other than a national governing  
20 body or the corporation for the use of, as applicable,  
21 the name, image, or likeness of the individual athlete  
22 or the names, images, or likenesses of the group of  
23 athletes; or

24 (3) to prohibit a team or group of athletes from  
25 accepting outside sponsorships or endorsements, or

1 from participating in outside promotional events or  
2 marketing campaigns, even if a team or group of  
3 athletes of another gender are not offered equivalent  
4 sponsorships, endorsements, or participation in out-  
5 side promotional events or marketing campaigns.

Passed the Senate December 8, 2022.

Attest:

*Secretary.*

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