

USA Swimming 2021 Special House of Delegates Meeting Minutes

June 30, 2021 / Virtual from Colorado Springs, CO

CALL TO ORDER

The Wednesday, June 30, 2021, Special USA Swimming House of Delegates meeting was called to order at 3:00 p.m. Mountain Daylight Time.

USA SWIMMING BOARD CHAIR'S REPORT

Board of Directors Chair, Bob Vincent, opened the Special House of Delegates (HOD) meeting by commenting on the challenges and hard work of the membership and staff to safely return to competition, specifically the ability to host the U.S. Olympic Team Trials – Swimming to nominate a team to send to the Tokyo Olympic Games.

Mr. Vincent briefly described the Board of Directors' course to assist the organization with coming into compliance with federal law and new mandates set forth by the United States Congress and the United States Olympic and Paralympic Committee (USOPC).

Mr. Vincent presented the agenda for the Special HOD meeting and introduced the Governance Committee, in addition to providing a brief overview of the Governance Committee's working groups.

Lastly, Mr. Vincent explained the purpose of the Special HOD meeting, including the need for all National Governing Bodies (NGBs) to comply with the *Empowering, Olympic, Paralympic, and Amateur Sports Act*, which was signed into law in 2020, and the USOPC Bylaws, which were subsequently adopted. Mr. Vincent emphasized the necessity of complying with federal law and USOPC Bylaws through the legislation being proposed during the Special HOD, noting that if USA Swimming does not comply, the organization runs the risk of becoming decertified as the NGB for the sport of swimming in the United States.

Board Chair-Elect, Chris Brearton, described how we, as an organization, got to where we are now, by highlighting key dates along a timeline that began in October 2020, including when (1) the new federal law was signed, (2) the USOPC adopted new Bylaws, (3) the Board of Directors endorsed the Governance Committee's working groups, (4) the working groups and courses of action developed to produce legislative proposals, and (5) the Rules and Regulations Committee recommended to approve all of the legislative proposals.

The Board of Directors Working Group (BOD Working Group) Leader, Jeanette Skow, provided definitions developed by the USOPC for key terms that are used within the proposed legislation, including definitions for a "10 Year Athlete," a "10 Year+ Athlete," an "Actively Engaged Athlete Representative," "Delegation Event," and "Protected Competition."

Ms. Skow described the two USOPC Bylaw requirements the BOD Working Group addressed as determined by the updated USOPC Bylaws, including ensuring 33.3% athlete representation on all NGB Boards and adding the USOPC AAC representative and alternate as voting members to the Board of Directors. Ms. Skow presented the BOD Working Group's proposals, including having two

“10 Year Athlete” positions added in place of two at-large positions, bringing the number of athletes on the Board to five, with the USOPC ACC representative and alternate filling these two additional “10 Year Athlete” positions.

Ms. Skow informed the HOD that Proposal 1 would add the definitions created by the USOPC to the Rulebook Glossary and Proposal 2 would keep the Board of Directors at fifteen voting members, while adding two “10 Year Athletes” in place of two at-large Board seats to ensure 33.3% athlete representation. Ms. Skow added that Proposal 2 would also include clarifying language to the Bylaws regarding the Immediate Past Chair’s ability to fill the zone geographic and/or semi-independent requirement. Ms. Skow also noted that previous Board requirements will be unchanged regarding coach, semi-independent, and zone representation on the Board.

Lastly, Ms. Skow reported that the BOD Working Group asked the Board to expand its charge to the Nominating Committee to include encouraging athletes who have insight and experience in local and regional competition and governance to apply for the at-large Board positions, which the Board approved at its May 2021 meeting.

Committee Working Group Leader, Katie Meili, began with defining key terms as defined by the USOPC, including the difference between a “Designated Committee” and an “Other Committee.” Ms. Meili explained that a “Designated Committee” can make recommendations or decisions that directly impact elite athletes. Ms. Meili noted that while all national committees must have 33.3% athlete representation, athlete representation of a “Designated Committee” has to be made up of “10 Year Athletes.”

Ms. Meili reported that the Committee Working Group’s priority was to maintain and create positions for “Actively Engaged Athletes” who do not qualify as “10 Year Athletes.”

Ms. Meili presented the new compliance requirements per the USOPC Bylaws, as well as the Committee Working Group’s proposals. Ms. Meili began with Proposal 3, which would form a now-required Athletes’ Advisory Council (AAC). Ms. Meili reported that the AAC would be comprised of nine “10 Year Athlete” members who will be elected by the entire “10 Year Athlete” pool, and additionally the Athletes’ Executive Council (AEC) Chair and up to two “Actively Engaged Athlete” will be added as ex-officio members, with voice but no vote.

Ms. Meili reported that Selection Procedures for “Delegation Events” must be approved by a “Designated Committee” and Proposal 8 would memorialize the current three-person Selection Procedure Committee.

Ms. Meili stated that Proposals 4 and 5 would bring “Designated Committees,” the Rules and Regulations Committee and the National Team Steering Committee, into compliance with the inclusion of 33.3% of “10 Year Athlete” or “10 Year+ Athlete” representation. Additionally, Ms. Meili said Proposal’s 6 and 7 would also bring “Other Committee’s,” the Senior Development Committee and the Age Group Development Committee, into compliance by adding 33.3% athlete representation to which the “athlete” can be an “Actively Engaged Athlete.”

Lastly, Ms. Meili reported on Proposal 3, which would allow the newly formed AAC to select all committee athlete representatives.

HOD Working Group Leader, Bill Schalz, reported on the last compliance requirement of ensuring 33.3% athlete representation through “10 Year Athletes” or “10 Year+ Athletes” within the HOD, as it is considered an “NGB Governing Board.” Mr. Schalz provided data on the current HOD composition, including that athlete representation by “10 Year Athletes” or “10 Year+ Athletes” is less than 5% and “2 Year Athletes” constitute less than 20%. Mr. Schalz noted that increasing “10 Year Athletes” and/or “10 Year+ Athletes” to the 33.3% will mean reducing the proportionate vote of all other stakeholders. Mr. Schalz stated that of the HOD Working Group’s proposal of 130 seats for athlete representation, at least 78 athletes must be “10 Year Athletes” and the remainder may be a combination of “10 Year Athletes” and “10 Year+ Athletes.”

Ms. Meili reported that based on survey results to “10 Year Athletes” asking whether they would be interested in serving as a Delegate, the proposal’s number of 130 athlete representatives is well founded. Ms. Meili added that there is not a credible basis for going to an HOD larger than 390 members based on the 33.3% athlete requirement.

Mr. Schalz presented the proposed breakdown of demographic representation for the HOD and noted the importance of ensuring the “Two-Year Athletes” still have opportunities to serve as Delegates.

Mr. Vincent explained that the AAC can pursue weighted voting, as well as ask the USOPC for an expanded definition of “10 Year Athlete”, which may lead to the ability to increase the HOD beyond the proposed 390 Delegates. However, Mr. Vincent remarked that the AAC may not be seated prior to the September 2021 HOD, and even if it is, the AAC may not be ready to make any big decisions. Mr. Vincent emphasized that even if the definition was expanded, it would not change the 33.3% athlete requirement or mitigate concerns from the various constituencies.

Mr. Brearton emphasized the consequences of non-compliance, noting the difference between “unwilling to comply” vs. “unable to comply” and that if USA Swimming does not comply by January 1, 2022, it will be seen as “unwilling” to comply by the USOPC. Mr. Brearton lastly stated that once decertified, there is no defined recertification process.

Mr. Vincent spoke about the importance of achieving compliance now so the organization can move forward with a focus on rebuilding the sport as COVID-19 put USA Swimming a year behind for the quad.

In closing, Mr. Vincent provided a brief overview of the new Annual Business Meeting format, which will be complimented by a Zone Workshop each spring.

RULES AND REGULATIONS

USA Swimming Rules and Regulations Committee Chair Clark Hammond presented the 2021 Proposed Amendments to the HOD for consideration and vote (Attachment 1). Additionally, Mr. Clark provided the virtual procedures for pulling legislation, making a motion, speaking on legislation, and voting.

The House of Delegates voted to adopt legislative proposals R-1 through R-8. The House did not vote to adopt R-9.

ADJOURNMENT

USA Swimming Board of Directors Chair Bob Vincent adjourned this meeting at 4:19 p.m. Mountain Standard Time.

Respectfully submitted:



Michelle Steinfeld, Secretary and General Counsel



Bob Vincent, Board Chair

DRAFT

USA Swimming 2021 Special House of Delegates Meeting Minutes
June 30, 2021 / Virtual from Colorado Springs, CO

Attachment 1

Page 4 – 2021 Rules & Regulations Report for Special HOD

DRAFT

USA SWIMMING

RULES & REGULATIONS COMMITTEE ACTIONS TAKEN ON PROPOSED AMENDMENTS June 30, 2021

No.	Description	Location	Action
R-1	To define terms used in governance legislative proposals	Official Glossary (new)	Adopted
R-2	To provide for 33.3% athlete representation on the Board of Directors, including USA Swimming's USOPC AAC representative and alternate, in compliance with federal law and the USOPC Bylaws	Corporate Bylaws 4.2, 4.2.3 & 4.2.4	Adopted
R-3	To provide for a USA Swimming Athletes' Advisory Council	501.1.1 A thru E (new)	Adopted
R-4	To update the composition and athlete representative requirements of the Rules & Regulations Committee to reflect its status as a Designated Committee and to provide for 1/3 10-year athlete representatives	501.1.1 A (1) thru (6)	Adopted
R-5	To update the composition and athlete representative requirements of the National Team Steering Committee to reflect its status as a Designated Committee and to provide for 1/3 10-year athlete representatives	501.1.2 A (1) thru (4)	Adopted
R-6	To update the composition of the Senior Development Committee to provide for 1/3 athlete representatives	501.1.3 A	Adopted
R-7	To update the composition of the Age Group Development Committee to provide for 1/3 athlete representatives	501.1.4 A	Adopted
R-8	To memorialize the Selection Procedure Approval Committee	501.1.6 A & B (new)	Adopted
R-9	To update the composition and athlete representation requirements of the House of Delegates to comply with USOPC requirements	Corporate Bylaws 6.1.1 thru .9	Defeated

USA SWIMMING
RULES & REGULATIONS COMMITTEE
2021 ADOPTED LEGISLATION
BY USA SWIMMING SPECIAL HOUSE OF DELEGATES

Prepared by Clark Hammond (Chair),

Mickey Smythe (Secretary)

June 30, 2021

USA SWIMMING
RULES & REGULATIONS COMMITTEE
ADOPTED
AMENDMENTS TO RULES AND REGULATIONS

R-1	ADOPTED	Effective Immediately
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Location: Page 15 – (new) Official Glossary

ACTIVELY ENGAGED ATHLETE REPRESENTATIVE – an athlete who qualifies as a 10-Year or 10-Year+ Athlete representative, or who has been actively engaged in 24 months prior to election/selection in a USA Swimming-sanctioned competition (as defined by the USA Swimming Athletes' Advisory Council and approved by the USA Swimming Athlete Representation Working Group [as defined in the USOPC Bylaws]), which may include events that categorize entrants in age-restricted classifications.

DELEGATION EVENT – individually or collectively as applicable, the Olympic Games, the Olympic Winter Games, the Paralympic Games, the Paralympic Winter Games, the Pan American Games, and the Parapan American Games.

SEMI-INDEPENDENT – an individual who (prior to the election to the Board of Directors) has not been a member of a House of Delegates at the national level, but who at present or in the past, has/had an obvious connection to swimming as a swimmer, parent of a swimmer, coach, official, etc.

10-YEAR ATHLETE – an athlete who has represented the United States in a Delegation Event, World Championships, or another event designated by the USOPC (together with the USOPC Athletes' Advisory Council) and the relevant NGB USA Swimming (together with USA Swimming's Athletes' Advisory Council) as an elite-level event for purposes of this definition, within the previous 10 years.

10-YEAR+ ATHLETE – an athlete who has represented the United States in a Delegation Event, World Championships, or another event designated by the USOPC (together with the USOPC Athletes' Advisory Council) and USA Swimming (together with USA Swimming's Athletes' Advisory Council) as an elite-level event for purposes of this definition, but not within the previous 10 years.

R-2	ADOPTED	Effective September 25,2021
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Location: Page 5 – Corporate Bylaws Article 4.2 Voting Board Members

ARTICLE 4
BOARD OF DIRECTORS

- 4.1 GENERAL MEMBERSHIP** – The Board of Directors shall have fifteen (15) voting members. The President/CEO and Secretary/General Counsel shall be ex-officio members with no vote.
- 4.2 VOTING BOARD MEMBERS** shall be as listed herein; ~~a minimum of one individual from each zone's geographic area shall be maintained among the members who are elected by the House of Delegates; a minimum of three (3) coaches shall be maintained, inclusive of the Chair of the National Team Steering Committee.~~
- .1 The Immediate Past Board Chair shall be a voting member.
 - .2 The Chair of the National Team Steering Committee shall be a voting member.
 - .3 ~~Three "athlete representatives" (as defined in the then current USOPC Bylaws) directly elected by athletes who meet the same standards as an "athlete representative" shall be voting members.~~ Five (5) 10-Year Athlete representatives shall be voting members and shall be directly elected by athletes who meet the same standards as 10-Year Athletes. The five (5) 10-Year Athlete representatives shall be: The USOPC AAC representative, the USOPC AAC alternate, and three (3) at-large 10-Year Athlete representatives.
 - .4 ~~Nine Seven (7) individuals elected by the House of Delegates in accordance with 6.3 (Elections) shall be at-large voting members, at least two (2) of whom shall be Semi-Independent (i.e., prior to election on the Board, have not been members of a House of Delegates at the national level, but who at present or in the past, have/had an obvious connection to swimming as swimmers, parents of a swimmer, coaches, officials, etc.).~~ A minimum of one (1) individual from each zone's

geographic area shall be maintained among the members who are elected by the House of Delegates. NOTE: If the Immediate Past Board Chair was originally elected by the House of Delegates as an at-large voting member, he or she may be included as one (1) of the individuals on the Board to fulfill the Semi-Independent requirement and/or as one (1) of the individuals on the Board to fulfill the zone geographic area requirement.

- .5 One (1) individual directly representing the interests of all organizations that are members of USA Swimming pursuant to 2.3 and which conduct a national program or regular national athletic competition on a level of proficiency appropriate for the selection of swimmers to represent the United States in international swimming competition ("Allied Member Director") shall be a voting member. The Board of Directors shall determine whether an organization satisfies the criteria of this Article. If there is no Allied Member Director, there will be an additional individual elected by the House of Delegates in accordance with 6.3 (Elections), who shall be an at-large voting member.

R-3	ADOPTED	Effective Immediately
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Location: Page 103 – (new) 501.1 Operating Committees

501.1 OPERATING COMMITTEES — the following committees shall report to the President/CEO (or his/her designee):

.1 ATHLETES' ADVISORY COUNCIL

- A The USA Swimming Athletes' Advisory Council (AAC) shall consist of nine (9) voting members who meet the requirements of 10-Year Athlete representatives directly elected by athletes who meet the same standards as 10-Year Athletes. The voting members may include the USOPC AAC representative and the USOPC AAC alternate.
- B The Chair shall be elected by its voting members.
- C The Athletes' Executive Committee (AEC) Chair shall serve as an ex-officio member with voice but no vote. Up to two (2) additional Actively Engaged Athlete Representatives may be appointed by the AAC Chair, in consultation with the AEC Chair, with voice but no vote.
- D Each AAC voting member shall serve a two (2) year term, staggered so that one-half (1/2) of such members are elected each year. There shall be no term limits, but voting members must be eligible to serve pursuant to the USOPC Bylaws at the time of election.
- E The AAC shall be responsible for: (i) reviewing the programs and services offered by the USA Swimming National Team division; (ii) evaluating and proposing rules and regulations that directly affect the National Team Athletes; (iii) addressing the specific needs of the National Team Athletes in preparation for major international events; (iv) evaluating and developing projects and conducting long term plans in all areas concerning National Team Athletes; (v) reporting to the members of the National Team Steering Committee and Open Water Steering Subcommittee any issues that warrant attention from those groups; and (vi) fulfilling its duties set forth in the USOPC Bylaws, including: selecting athlete representatives to serve on committees and defining sanctioned competition for purposes of athlete representative eligibility.

[re-number remaining]

R-4	ADOPTED	Effective September 25, 2021
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Location: Page 103 – 501.1 Operating Committees

501.1 OPERATING COMMITTEES — the following committees shall report to the President/CEO (or his/her designee):

.1 RULES & REGULATIONS COMMITTEE

- A The Rules & Regulations Committee shall consist of the following:
 - (1) ~~The Officials Committee Chair (or his/her designee) and, the Director of Sport Swimming and Diving of the National Federation of State High School Associations (NFHS) (or his/her designee), the Program & Events Committee Coordinator, the immediate past Chair of the Rules & Regulations Committee, the USA Swimming representative to the FINA Open Water Swimming Technical Committee and the USA Swimming representative to the FINA Technical Swimming Committee, or their respective designees;~~
 - (2) ~~A sufficient number of active athletes appointed by the Athletes' Executive Committee so as to constitute at least~~

~~twenty percent (20%) of the voting membership of the Committee; Three (3) Actively Engaged Athlete Representatives appointed by the AEC;~~

- ~~(3) A representative (or his/her designee) from the NCAA and a representative (or his/her designee) from the YMCA;~~
- ~~(3) Seven (7) 10-Year Athlete representatives appointed by the AAC;~~
- ~~(4) Eight (8) non-athlete members appointed by the President/CEO (or his/her designee), at least three (3) of whom shall be coaches; and~~
- ~~(5) The immediate past chair of the Rules & Regulations Committee, the USA Swimming representative to the FINA Technical Open Water Swimming Committee, the USA Swimming representative to the FINA Technical Swimming Committee, and one (1) representative (or designee) from each of the following: the USMS, the NCAA, the YMCA, and the National Federation of State High School Associations (NFHS), as ex-officio members with voice but no vote; and~~
- ~~(5) The President/CEO and the Secretary & General Counsel of the Corporation, or their respective designees, and others appointed by the Rules & Regulations Committee Chair, as ex-officio members with voice but no vote.~~

B-E [no changes]

R-5	ADOPTED	Effective September 25, 2021
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Location: Page 103 – 501.1 Operating Committees

501.1 OPERATING COMMITTEES — the following committees shall report to the President/CEO (or his/her designee):

.2 NATIONAL TEAM STEERING COMMITTEE

A **Membership:** The National Team Steering Committee shall consist of:

- (1) Eight (8) coaches selected as follows:
 - Preceding-Head Men's Olympic Coach ~~(4)~~
 - Preceding-Head Women's Olympic Coach ~~(4)~~
 - The Head Women's Coach for the two (2) Long Course World Championships preceding the Olympic Games ~~(2)~~
 - The Head Men's Coach for the two (2) Long Course World Championships preceding the Olympic Games ~~(2)~~
 - Two coaches appointed by the President/CEO (or his/her designee) in consultation with the National Team Managing Director ~~(2)~~Any vacancies on the committee shall be filled by appointment by the President/CEO (or his/her designee) in consultation with the National Team Managing Director.
- (2) The Chair of the committee shall be elected by its voting members.
- (3) Once the new Head Olympic Coaches are named, they shall become ex-officio members of the National Team Steering Committee, if not already on the Committee.
- (4) ~~Two (2) athletes (different genders) appointed by the Athletes' Executive Committee, both former USA National Team members; A sufficient number of 10-Year Athlete representatives appointed by the AAC so as to satisfy the requirement that such athletes constitute one third (33.3%) of the voting membership of the Committee; and~~
- (5) The Chair of the Senior Development Committee, and the Chair of the Sports Medicine Committee shall be ex-officio members of the Committee with voice but no vote. The Committee may name additional ex-officio members.

B-D [no changes]

R-6	ADOPTED	Effective September 25, 2021
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Location: Page 103 – **501.1 Operating Committees**

501.1 OPERATING COMMITTEES — the following committees shall report to the President/CEO (or his/her designee):

.3 SENIOR DEVELOPMENT COMMITTEE

A The Senior Development Committee shall consist of ~~ten (10)~~ twelve (12) members. The President/CEO (or his/her designee) shall appoint eight (8) members, at least five (5) of whom shall be coaches, and the ~~Athletes' Executive Committee AAC~~ AAC shall appoint ~~two (2)~~ four (4) athlete members (in consultation with the AEC). The Age Group Development Committee Chair (or his/her designee) shall be an ex-officio member with voice but no vote.

B-C [no changes]

R-7	ADOPTED	Effective September 25, 2021
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Location: Page 103 – **501.1 Operating Committees**

501.1 OPERATING COMMITTEES — the following committees shall report to the President/CEO (or his/her designee):

.4 AGE GROUP DEVELOPMENT COMMITTEE

A The Age Group Development Committee shall consist of ~~ten (10)~~ twelve (12) members. The President/CEO (or his/her designee) shall appoint (8) members, with at least one (1) representative from each Zone and at least five (5) coach members. The ~~Athletes' Executive Committee AAC~~ AAC shall appoint ~~two (2)~~ four (4) athlete members (in consultation with the AEC). The Senior Development Committee Chair (or his/her designee) shall be an ex-officio member with voice but no vote.

B-C [no changes]

R-8	ADOPTED	Effective Immediately
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Location: Page 103 – **(new) 501.1 Operating Committees**

501.1 OPERATING COMMITTEES — the following committees shall report to the President/CEO (or his/her designee):

.6 SELECTION PROCEDURE APPROVAL COMMITTEE

A The Selection Procedure Approval Committee shall consist of the following: (i) the President/CEO; (ii) the National Team Managing Director; and (iii) the AAC Chair, or their respective designee(s).

B The Selection Procedure Approval Committee shall develop, approve, and implement selection criteria for the selection of athletes, coaches and/or staff for Delegation Event teams and Protected Competition (as defined in the USOPC Bylaws).

USA SWIMMING
RULES & REGULATIONS COMMITTEE
**ACTIONS TAKEN ON 2021 PROPOSED LEGISLATION
BY USA SWIMMING SPECIAL HOUSE OF DELEGATES**

Prepared by Clark Hammond (Chair),

Mickey Smythe (Secretary)

June 30, 2021

USA SWIMMING
RULES & REGULATIONS COMMITTEE
ACTIONS TAKE ON PROPOSED
AMENDMENTS TO RULES AND REGULATIONS

R-1	ADOPTED	Effective Immediately
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Location: Page 15 – (new) Official Glossary

ACTIVELY ENGAGED ATHLETE REPRESENTATIVE – an athlete who qualifies as a 10-Year or 10-Year+ Athlete representative, or who has been actively engaged in 24 months prior to election/selection in a USA Swimming-sanctioned competition (as defined by the USA Swimming Athletes' Advisory Council and approved by the USA Swimming Athlete Representation Working Group [as defined in the USOPC Bylaws]), which may include events that categorize entrants in age-restricted classifications.

DELEGATION EVENT – individually or collectively as applicable, the Olympic Games, the Olympic Winter Games, the Paralympic Games, the Paralympic Winter Games, the Pan American Games, and the Parapan American Games.

SEMI-INDEPENDENT – an individual who (prior to the election to the Board of Directors) has not been a member of a House of Delegates at the national level, but who at present or in the past, has/had an obvious connection to swimming as a swimmer, parent of a swimmer, coach, official, etc.

10-YEAR ATHLETE – an athlete who has represented the United States in a Delegation Event, World Championships, or another event designated by the USOPC (together with the USOPC Athletes' Advisory Council) and the relevant NGB USA Swimming (together with USA Swimming's Athletes' Advisory Council) as an elite-level event for purposes of this definition, within the previous 10 years.

10-YEAR+ ATHLETE – an athlete who has represented the United States in a Delegation Event, World Championships, or another event designated by the USOPC (together with the USOPC Athletes' Advisory Council) and USA Swimming (together with USA Swimming's Athletes' Advisory Council) as an elite-level event for purposes of this definition, but not within the previous 10 years.

R-2	ADOPTED	Effective September 25,2021
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Location: Page 5 – Corporate Bylaws Article 4.2 Voting Board Members

ARTICLE 4
BOARD OF DIRECTORS

- 4.1 GENERAL MEMBERSHIP** – The Board of Directors shall have fifteen (15) voting members. The President/CEO and Secretary/General Counsel shall be ex-officio members with no vote.
- 4.2 VOTING BOARD MEMBERS** shall be as listed herein; ~~a minimum of one individual from each zone's geographic area shall be maintained among the members who are elected by the House of Delegates; a minimum of three (3) coaches shall be maintained, inclusive of the Chair of the National Team Steering Committee.~~
- .1 The Immediate Past Board Chair shall be a voting member.
 - .2 The Chair of the National Team Steering Committee shall be a voting member.
 - .3 ~~Three "athlete representatives" (as defined in the then current USOPC Bylaws) directly elected by athletes who meet the same standards as an "athlete representative" shall be voting members. Five (5) 10-Year Athlete representatives shall be voting members and shall be directly elected by athletes who meet the same standards as 10-Year Athletes. The five (5) 10-Year Athlete representatives shall be: The USOPC AAC representative, the USOPC AAC alternate, and three (3) at-large 10-Year Athlete representatives.~~
 - .4 ~~Nine Seven (7) individuals elected by the House of Delegates in accordance with 6.3 (Elections) shall be at-large voting members, at least two (2) of whom shall be Semi-Independent (i.e., prior to election on the Board, have not been members of a House of Delegates at the national level, but who at present or in the past, have/had an obvious connection to swimming as swimmers, parents of a swimmer, coaches, officials, etc.). A minimum of one (1) individual from each zone's~~

geographic area shall be maintained among the members who are elected by the House of Delegates. NOTE: If the Immediate Past Board Chair was originally elected by the House of Delegates as an at-large voting member, he or she may be included as one (1) of the individuals on the Board to fulfill the Semi-Independent requirement and/or as one (1) of the individuals on the Board to fulfill the zone geographic area requirement.

- .5 One (1) individual directly representing the interests of all organizations that are members of USA Swimming pursuant to 2.3 and which conduct a national program or regular national athletic competition on a level of proficiency appropriate for the selection of swimmers to represent the United States in international swimming competition ("Allied Member Director") shall be a voting member. The Board of Directors shall determine whether an organization satisfies the criteria of this Article. If there is no Allied Member Director, there will be an additional individual elected by the House of Delegates in accordance with 6.3 (Elections), who shall be an at-large voting member.

R-3	ADOPTED	Effective Immediately
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Location: Page 103 – (new) 501.1 Operating Committees

501.1 OPERATING COMMITTEES — the following committees shall report to the President/CEO (or his/her designee):

.1 ATHLETES' ADVISORY COUNCIL

- A The USA Swimming Athletes' Advisory Council (AAC) shall consist of nine (9) voting members who meet the requirements of 10-Year Athlete representatives directly elected by athletes who meet the same standards as 10-Year Athletes. The voting members may include the USOPC AAC representative and the USOPC AAC alternate.
- B The Chair shall be elected by its voting members.
- C The Athletes' Executive Committee (AEC) Chair shall serve as an ex-officio member with voice but no vote. Up to two (2) additional Actively Engaged Athlete Representatives may be appointed by the AAC Chair, in consultation with the AEC Chair, with voice but no vote.
- D Each AAC voting member shall serve a two (2) year term, staggered so that one-half (1/2) of such members are elected each year. There shall be no term limits, but voting members must be eligible to serve pursuant to the USOPC Bylaws at the time of election.
- E The AAC shall be responsible for: (i) reviewing the programs and services offered by the USA Swimming National Team division; (ii) evaluating and proposing rules and regulations that directly affect the National Team Athletes; (iii) addressing the specific needs of the National Team Athletes in preparation for major international events; (iv) evaluating and developing projects and conducting long term plans in all areas concerning National Team Athletes; (v) reporting to the members of the National Team Steering Committee and Open Water Steering Subcommittee any issues that warrant attention from those groups; and (vi) fulfilling its duties set forth in the USOPC Bylaws, including: selecting athlete representatives to serve on committees and defining sanctioned competition for purposes of athlete representative eligibility.

[re-number remaining]

R-4	ADOPTED	Effective September 25, 2021
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Location: Page 103 – 501.1 Operating Committees

501.1 OPERATING COMMITTEES — the following committees shall report to the President/CEO (or his/her designee):

.1 RULES & REGULATIONS COMMITTEE

- A The Rules & Regulations Committee shall consist of the following:
 - (1) ~~The Officials Committee Chair (or his/her designee) and, the Director of Sport Swimming and Diving of the National Federation of State High School Associations (NFHS) (or his/her designee), the Program & Events Committee Coordinator, the immediate past Chair of the Rules & Regulations Committee, the USA Swimming representative to the FINA Open Water Swimming Technical Committee and the USA Swimming representative to the FINA Technical Swimming Committee, or their respective designees;~~
 - (2) ~~A sufficient number of active athletes appointed by the Athletes' Executive Committee so as to constitute at least~~

~~twenty percent (20%) of the voting membership of the Committee;~~ Three (3) Actively Engaged Athlete Representatives appointed by the AEC;

- ~~(3) A representative (or his/her designee) from the NCAA and a representative (or his/her designee) from the YMCA;~~
- ~~(3) Seven (7) 10-Year Athlete representatives appointed by the AAC;~~
- ~~(4) Eight (8) non-athlete members appointed by the President/CEO (or his/her designee), at least three (3) of whom shall be coaches; and~~
- ~~(5) The immediate past chair of the Rules & Regulations Committee, the USA Swimming representative to the FINA Technical Open Water Swimming Committee, the USA Swimming representative to the FINA Technical Swimming Committee, and one (1) representative (or designee) from each of the following: the USMS, the NCAA, the YMCA, and the National Federation of State High School Associations (NFHS), as ex-officio members with voice but no vote; and~~
- ~~(5) The President/CEO and the Secretary & General Counsel of the Corporation, or their respective designees, and others appointed by the Rules & Regulations Committee Chair, as ex-officio members with voice but no vote.~~

B-E [no changes]

R-5	ADOPTED	Effective September 25, 2021
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Location: Page 103 – **501.1 Operating Committees**

501.1 OPERATING COMMITTEES — the following committees shall report to the President/CEO (or his/her designee):

.2 NATIONAL TEAM STEERING COMMITTEE

A **Membership:** The National Team Steering Committee shall consist of:

- (1) Eight (8) coaches selected as follows:
 - ~~Preceding-Head Men's Olympic Coach (4)~~
 - ~~Preceding-Head Women's Olympic Coach (4)~~
 - ~~The Head Women's Coach for the two (2) Long Course World Championships preceding the Olympic Games (2)~~
 - ~~The Head Men's Coach for the two (2) Long Course World Championships preceding the Olympic Games (2)~~
 - ~~Two coaches appointed by the President/CEO (or his/her designee) in consultation with the National Team Managing Director (2)~~Any vacancies on the committee shall be filled by appointment by the President/CEO (or his/her designee) in consultation with the National Team Managing Director.
- (2) The Chair of the committee shall be elected by its voting members.
- (3) Once the new Head Olympic Coaches are named, they shall become ex-officio members of the National Team Steering Committee, if not already on the Committee.
- (4) ~~Two (2) athletes (different genders) appointed by the Athletes' Executive Committee, both former USA National Team members;~~ A sufficient number of 10-Year Athlete representatives appointed by the AAC so as to satisfy the requirement that such athletes constitute one third (33.3%) of the voting membership of the Committee; and
- (5) The Chair of the Senior Development Committee, and the Chair of the Sports Medicine Committee shall be ex-officio members of the Committee with voice but no vote. The Committee may name additional ex-officio members.

B-D [no changes]

R-6	ADOPTED	Effective September 25, 2021
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Location: Page 103 – **501.1 Operating Committees**

501.1 OPERATING COMMITTEES — the following committees shall report to the President/CEO (or his/her designee):

.3 SENIOR DEVELOPMENT COMMITTEE

A The Senior Development Committee shall consist of ~~ten (10)~~ twelve (12) members. The President/CEO (or his/her designee) shall appoint eight (8) members, at least five (5) of whom shall be coaches, and the ~~Athletes' Executive Committee AAC~~ shall appoint ~~two (2)~~ four (4) athlete members (in consultation with the AEC). The Age Group Development Committee Chair (or his/her designee) shall be an ex-officio member with voice but no vote.

B-C [no changes]

R-7	ADOPTED	Effective September 25, 2021
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Location: Page 103 – **501.1 Operating Committees**

501.1 OPERATING COMMITTEES — the following committees shall report to the President/CEO (or his/her designee):

.4 AGE GROUP DEVELOPMENT COMMITTEE

A The Age Group Development Committee shall consist of ~~ten (10)~~ twelve (12) members. The President/CEO (or his/her designee) shall appoint (8) members, with at least one (1) representative from each Zone and at least five (5) coach members. The ~~Athletes' Executive Committee AAC~~ shall appoint ~~two (2)~~ four (4) athlete members (in consultation with the AEC). The Senior Development Committee Chair (or his/her designee) shall be an ex-officio member with voice but no vote.

B-C [no changes]

R-8	ADOPTED	Effective Immediately
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Location: Page 103 – **(new) 501.1 Operating Committees**

501.1 OPERATING COMMITTEES — the following committees shall report to the President/CEO (or his/her designee):

.6 SELECTION PROCEDURE APPROVAL COMMITTEE

A The Selection Procedure Approval Committee shall consist of the following: (i) the President/CEO; (ii) the National Team Managing Director; and (iii) the AAC Chair, or their respective designee(s).

B The Selection Procedure Approval Committee shall develop, approve, and implement selection criteria for the selection of athletes, coaches and/or staff for Delegation Event teams and Protected Competition (as defined in the USOPC Bylaws).

R-9	DEFEATED
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Location: Page 13 – **Corporate Bylaws Article 6.1 Organization**

**ARTICLE 6
HOUSE OF DELEGATES**

6.1 ORGANIZATION MEMBERS – the following shall be the voting members of the House of Delegates:

.1 All voting members of the Board of Directors, all Zone Directors (four (4) coach, four (4) non-coach, and four (4) athlete), the four (4) Zone Junior Athlete Representatives, the National Team Steering Committee, the National Team Athletes Committee, and the Rules & Regulations Committee Chair, the Registration/Membership Committee, the Credentials/Elections Committee, and past USA Swimming Presidents or Board Chairs (as applicable) shall be members of the House of Delegates. Membership on any committee notwithstanding, USA Swimming employees shall not be members of the House of Delegates. The total delegates named pursuant to 6.1.1 shall not exceed thirty-two (32).

- ~~2~~ 2 The Age Group Development Committee Chair and one (1) additional coach member of the Committee elected by that Committee. The Senior Development Committee Chair and one (1) additional coach member of the Committee elected by that Committee. The total delegates named pursuant to 6.1.2 shall not exceed four (4).
- ~~2.3~~ 2.3 The eleven (11) members of the ~~AEC Athletes' Executive Committee and ten (10) National Representatives, five (5) being appointed each year by the Athletes Chair and each serving a two (2) year term, shall be members of the House of Delegates. Eight (8) additional LSC Athlete Representatives, with two (2) selected by each Zone Athlete Director with advice and consent from the Coach and Non-Coach Zone Director. The total delegates named pursuant to 6.1.3 shall not exceed nineteen (19). The National Representatives and their alternates must at the time of their appointment be engaged in senior swimming, or have competed in USA Swimming Championships within five (5) years preceding their appointment. The Board Chair may appoint, from a slate of nominees submitted by the Athletes Committee, such further at-large athlete members so as to bring the total athlete representation in the House of Delegates to at least twenty percent (20%).~~
- ~~3.4~~ 3.4 The following from each LSC shall be members of the USA Swimming House of Delegates: ~~the chair of its Administrative, Senior, and Age Group divisions; the athletes' representative to the LSC; the coaches' representative to the LSC; and its General Chair. An alternate for each of the delegates may also be elected. Information that may be of assistance to the House of Delegates at its next meeting shall be provided in a conspicuous place on the website. Three (3) delegates from each LSC: the General Chair; plus a coach member and a non-coach member of the LSC Board of Directors each selected by the LSC Board of Directors. An alternate may be selected for each delegate as long as the LSC delegation includes one (1) coach member and one (1) non-coach member. The total delegates named pursuant to 6.1.4 shall not exceed one hundred-seventy-seven (177).~~
- 5 The eighteen (18) LSCs with the largest number of year-round registered athletes as of August 31 of the prior registration year shall each select one (1) additional coach member of the LSC. The total delegates named pursuant to 6.1.5 shall not exceed eighteen (18).
- ~~4.6~~ 4.6 Any organization, as set forth in 2.3.2 of these Bylaws, which conducts a program in competitive swimming, or which is composed of persons joined together in support of swimming or some aspect of it, may make application for membership to USA Swimming. The Board of Directors or its designee shall determine whether an organization meets the criteria set forth in this Article and may recommend ratification of membership by the House of Delegates. Additionally, if the organization is national in character, the Board of Directors or its designee may recommend to the House of Delegates that the organization be allowed to appoint a maximum of five (5) members to the House of Delegates. ~~The voting members of the AAC not otherwise members of the House of Delegates, and a sufficient number of 10-Year Athlete representatives and 10-Year+ Athlete representatives to constitute one-third (33.3%) of the total House of Delegates shall be directly elected by athletes who meet the same standards as 10-Year Athletes. A minimum of twenty percent (20%) must be 10-Year Athlete representatives and the remainder may be 10-Year+ Athlete representatives. The total delegates named pursuant to 6.1.6 shall not exceed one hundred-twenty-five (125).~~
- ~~5~~ 5 The United States delegates to, and swimming technical committee members of, the Federation Internationale de Natation and the Union Americana de Natacion shall automatically be members of the House of Delegates.
- ~~6~~ 6 Each of the Armed Forces may appoint one (1) member, provided it is actively engaged in senior swimming activity.
- 7 The Board Chair, in consultation with the National Team Steering Chair, shall appoint, on an annual basis, ~~twenty-five (25)~~ fifteen (15) members selected from coaches who had athletes that qualified for the preceding Olympic Trials and from members that served as the manager or assistant manager on a national team or junior national team trip within the past four (4) years. The appointments shall provide for a reasonable geographic representation of USA Swimming Membership. The total delegates named pursuant to 6.1.7 shall not exceed fifteen (15).
- ~~8~~ 8 The Board Chair shall be empowered to appoint up to ten percent (10%) of the total membership as members of the House of Delegates. ~~One fourth (1/4) of all those appointed shall be appointed in equal numbers from members, other than athletes, of the five (5) LSCs having the largest number of registered athletes as of August 31 of the prior calendar year.~~
- ~~9.8~~ 9.8 All members of the House of Delegates shall serve until their successors are selected, except that membership may be terminated by resignation filed with the Secretary. All LSC members must be selected on or before July 1 of each year and written certification thereof must be sent to the Secretary on or before July 15. No substitution of a member may be made unless written certification thereof is given to the Convention Credentials Committee Chair on or before the House of Delegates is called to order.
- 9 Membership on any committee notwithstanding, USA Swimming employees shall not be members of the House of Delegates.