Equal Pay Act Policy

Section 1: Equivalent and Non-Discriminatory Consideration for Athletes

Pursuant to USA Swimming's Equal Pay Act Policy (this "Policy"), all athletes, regardless of competition category,[1] representing the U.S. at an equivalent level of competition shall receive equivalent and non-discriminatory compensation, wages, benefits, medical care, travel arrangements, and reimbursements for expenses. This Policy ensures that USA Swimming provides equitable support and encouragement for participation by all athletes, regardless of competition category, as required by Ted Stevens Olympic & Amateur Sports Act (the "Act"), including its Equal Pay for Team USA requirements. This Policy applies to Covered Athletes, defined in the following three categories:

1. Athletes selected annually to the Pool and Open Water National Teams, as defined by the Selection Procedures, here respectively: https://www.usaswimming.org/meet-the-team/national-team; https://www.usaswimming.org/swimmers-parents/swimmers/open-water#national-team-hub
2. Athletes selected annually to the Pool and Open Water National Junior Teams, as defined by the Selection Procedures, here respectively: https://www.usaswimming.org/meet-the-team/national-jr-team; https://www.usaswimming.org/swimmers-parents/swimmers/open-water#national-team-hub.
3. Athletes selected by USA Swimming to represent the U.S. in any international competition.

   As demonstrated in each Selection Procedures document, selection criteria and priorities are identical for both competition categories.

Information on specific compensation, wages, benefits, medical care, travel arrangements, and reimbursements for expenses ("Athlete Funding") for Covered Athletes can be found below. Though this Policy is not comprehensive nor is it a guarantee of benefits, USA Swimming will ensure that all athletes, regardless of competition category, representing the U.S. at an equivalent level of competition are offered the same benefits. This applies only to benefits provided by USA Swimming – outside parties may provide benefits to athletes in their own discretion, and USA Swimming shall not require that the athlete decline if similar benefits are not offered to others.

USA Swimming reserves the right to consider merit, performance, seniority, and quantity of play in determining compensation decisions. USA Swimming may also, in its discretion, provide more beneficial terms to athletes representing the U.S. to address disparities in outside income or any disparities in the compensation provided in international competitions. USA Swimming may elect to provide additional funding that is not equivalent to athletes regardless of competition category should it deem the additional funding necessary to enhance the development of a historically underdeveloped program. USA Swimming currently has no criteria in place that would result in gender disparities in opportunities for Athlete Funding, apart from the Donor Athlete Partnership Program ("DAPP") described below, in which it considers financial need in athlete selection.

USA Swimming will provide this Policy annually in a report to Congress, describing its compliance with the Equal Pay for Team USA provisions of the Act. USA Swimming will take all reasonable steps, in collaboration with affected athletes and its Athletes' Advisory Council, to advocate to international

[1] USA Swimming competition categories are "Men's" and "Women's."

federations and event organizers for equal prizes, compensation, funding, and other athlete support, such as through formal letters and/or direct advocacy.

In addition to the Athlete Funding requirements below, Covered Athletes should ensure that they also abide by the following:

1.) Athletes competing for their High School Association must receive approval from their High School Association before accepting Athlete Funding.
2.) Athletes who plan to compete in the National Collegiate Athletics Association ("NCAA") but have not yet enrolled must contact the NCAA Eligibility Center for guidelines on accepting Athlete Funding.
3.) Athletes who are currently competing in the NCAA must receive approval from their college or university's compliance office before accepting Athlete Funding.

Section 2: Compensation, Wages, and Benefits

USA Swimming provides compensation, wages, and benefits to athletes through (a) Athlete Performance Funding, (b) the Athlete Partnership Agreement ("APA"), (c) DAPP funding, (d) other National Team and National Junior Team benefits, and (e) other competition benefits.

A. Athlete Performance Funding

Athlete Performance Funding ("APF") is a stipend paid directly to athletes by the U.S. Olympic & Paralympic Committee ("USOPC") based on eligibility criteria established by USA Swimming. National Team athletes qualify for APF from the USOPC, provided they meet established eligibility criteria. USA Swimming applies eligibility criteria for APF equally, regardless of competition category, and such criteria can be found here: *https://www.usaswimming.org/meet-the-team/national-team*.

Athletes selected to represent the U.S. in certain international competitions, such as Operation Gold competitions, may qualify for APF if they meet the established qualifying criteria. Specifically, Operation Gold is a program funded by the USOPC that rewards athletes financially for qualifying and medaling in USA Swimming's most competitive senior international competition of the year. The Operation Gold qualifying competitions are defined in a funding schedule agreed to by the USOPC and USA Swimming, along with the payment amounts for qualification and medaling. In some instances, more than one Operation Gold meet may be designated in a year. Any exceptions and/or additions are specified in the funding schedule.

B. Athlete Partnership Agreement

USA Swimming may offer increased stipends through the APA to athletes. The APA provides funding to athletes who meet certain competition/appearance requirements and other criteria found in the Athlete Partnership Manual, which is published semi-annually and can be found here: *https://www.usaswimming.org/meet-the-team/national-team*. USA Swimming offers this funding equally, regardless of competition category. However, per NCAA rules, USA Swimming can only offer the APA to athletes who have exhausted or relinquished their NCAA eligibility.

C. Donor Athlete Partnership Program

Athletes may also qualify for the USA Swimming Foundation's DAPP funding. Through DAPP, the USA Swimming Foundation partners eligible athletes with donors who provide financial support and mentorship. Criteria for athlete eligibility are as follows, regardless of competition category:

a. Must be a current National Team member, have competed in the Operation Gold meet the previous year, or received a DAPP grant in the year preceding;
b. Must not be currently competing in the NCAA or intend to compete in the NCAA;
c. Must be actively training and competing in USA Swimming competitions; and
d. Must be eligible to represent the U.S. in international competition.

Athletes who wish to participate in DAPP must complete an application demonstrating eligibility, interest, and need. Athletes will be paired with a donor, pending availability of donors.

D. Other National Team & National Junior Team Benefits

National Team athletes, regardless of competition category, shall receive the following benefits: an elite developmental tool, a communications tool, access to body workers at high-level domestic meets, race analysis and video support at high-level domestic meets, access to mental health resources, an invitation to an annual National Team camp, access to USOPC resources (e.g., nutrition professionals, strength & conditioning professionals, mental health resources, etc.), and periodic discounts on products or services provided by USA Swimming's corporate partners.

National Junior Team athletes, regardless of competition category, shall receive, at minimum, the following benefits: an apparel gift, race video support at high-level domestic meets, and an invitation to an annual National Junior Team camp.

Athletes shall receive, at minimum and regardless of competition category, the following benefits as a member of a team representing the U.S. in international competition: apparel, technical gear, and equipment sufficient to clothe and outfit athletes for the duration of the competition, and race analysis and video support for the duration of the competition.

E. Competition Benefits

The USOPC distributes USA Swimming-provided Operation Gold qualification funds to athletes who qualify for, and compete in, the Operation Gold meet of the year. The funds are offered equally to both competition categories but may differ between athletes who qualified in individual events and athletes who qualified to swim only in relays. Additional funding is given to athletes who medal in an Operation Gold meet. USA Swimming may elect to provide additional payments to athletes in the form of performance-based funds. USA Swimming may also offer prize money in individual Olympic events at national level competitions . These funds are offered equally, regardless of competition category.

Additionally, USA Swimming distributes prize money provided by World Aquatics for World Aquatics-hosted events. Dependent upon approval by the USOPC and USA Swimming in the funding schedule, some of these funds may be distributed as Operation Gold funds. Any funds not included in the funding schedule will be distributed as prize money, which are subject to NCAA and/or High School Federation regulation. All of these funds are offered equally, regardless of competition category.

Section 3: Medical Care

USA Swimming offers the following types of medical care: (a) health insurance, (b) mental health care, and (c) event-based care.

A. Health Insurance

All National Team athletes are eligible to enroll in Elite Athlete Health Insurance ("EAHI") from the USOPC. Eligibility criteria can be found on the USA Swimming website and insurance is offered equally to athletes, regardless of competition categories. Athletes representing the U.S. in certain international competitions may receive access to EAHI. USA Swimming applies the eligibility criteria for EAHI equally to athletes in both competition categories. For any internationally competing athlete who does not qualify for EAHI, USA Swimming staff will purchase health insurance for the athlete for the duration of the competition. National Junior Team athletes are not eligible for EAHI, unless they otherwise qualify through selection to certain international competitions.

B. Mental Health Care

All Covered Athletes have access to mental health services provided by USA Swimming and National Team athletes may utilize the USOPC Mental Health Assistance Fund program for financial assistance to apply towards external mental health practitioners.

All National Junior Team athletes have access to mental health services provided by USA Swimming and may utilize the Athlete Assist program for financial assistance to apply towards external mental health practitioners.

C. Event-Based Care

For each international competition, USA Swimming's Director, Medical Services selects the medical staff. These staff members are assigned such that all athletes, regardless of competition category, have equal access to the same number of medical professionals throughout the duration of the competition.

Section 4: Travel Arrangements & Reimbursement

USA Swimming provides travel assistance in the following categories: (a) team and competition travel, (b) U.S. Olympic & Paralympic Training Center ("OPTC") access, and (c) travel assistance. Additional information can be found in the Travel Policy: https://www.usaswimming.org/docs/default-source/governance/governance-lsc-website/rules_policies/operating-policy-manual.pdf.

A. Team & Competition Assistance

All National Team athletes, regardless of competition category, are eligible to receive a travel assistance stipend to national-level domestic competitions at which they are competing, as long as they swim in at least two days of the competition. If National Team and National Junior Team athletes are traveling for Team-related activities, USA Swimming provides a stipend to cover any incidental items. All athletes on a trip shall receive the same stipend, with variations occurring only based on length of travel days. USA Swimming purchases air travel and lodging for all international competitions. All athletes on a given team, regardless of competition category, stay in the same or similar locations.

B. U.S. Olympic & Paralympic Training Center

All National Team athletes, regardless of competition category, may apply for reimbursement of up to $500 for air travel per trip for one trip in a non-Olympic year and two trips in an Olympic year to train individually with their coach or with their club at the OPTC. The USOPC pays for lodging costs for athletes who are selected to the National Team for trips to train individually, with their club, or at a National Team camp at the OPTC. The USOPC also pays for lodging costs for National Junior Team

athletes at National Junior Team Camp(s) hosted at the OPTC. If the USOPC does not pay all of the above listed costs, USA Swimming will cover any outstanding lodging costs.

C. Expense Reimbursement

All of the above, out-of-pocket expenses are subject to reimbursement, as outlined by the Travel Policy. Additionally, all Covered Athletes may also submit the following expenses related to international competition and/or National Team or National Junior Team travel for reimbursement by USA Swimming:

a. Airline baggage fees;
b. Rideshares, taxis, or other ground transportation;
c. Travel visa fees; and
d. Other expenses related to travel, at the discretion of USA Swimming staff.