

USA SWIMMING
ATHLETE SELECTION PROCEDURES
2022 Duel in the Pool
Sydney, AUS
August 19-22, 2022
[Revised July 5, 2022]

The 2022 Duel in the Pool (the “Championships”) will be held in Sydney, Australia, August 19-21, 2022.

DEFINITIONS:

- a. Available Swimmer. "Available Swimmer" shall mean a swimmer who, at the time of Selection and through the Championships: (i) is a registered athlete member of USA Swimming in good standing, (ii) is a citizen of the U.S. who is eligible to represent the U.S. at the Championships, (iii) qualifies for the Team according to these Selection Procedures, (iv) satisfies all applicable Federation Internationale De Natation (“FINA”), World Anti-Doping Agency (“WADA”), U.S. Anti-Doping Agency (“USADA”), U.S. Center for SafeSport and USA Swimming eligibility requirements, (v) accepts the invitation to become a member of the Team when offered by USA Swimming, ~~(vi) is fully vaccinated against COVID-19 as required by the government of Australia (i.e., two weeks after their second dose in a two-dose series, such as Pfizer or Moderna, or two weeks after a single-dose vaccine, such as Johnson & Johnson)~~, and (vii) continues to train for peak swimming performance. If a swimmer does not satisfy these requirements, then he/she is not considered an Available Swimmer.
- b. “A” Time Standard. The “A” Time Standard is a time standard established by FINA for the 2022 FINA World Championships. Time Standards can be found here: https://resources.fina.org/fina/document/2022/02/16/c973b959-787e-44a4-a39b-a2d2718dbb6b/1_Budapest-2022_Qualification-System.pdf
- c. Head Coach. Unless otherwise indicated, "Head Coach" shall refer to the head coach of the Team.
- d. Individual Championship Event(s). “Individual Championship Events” refers to those individual pool competition events contested at the Championships, that will be considered for Selection to the Team, as follows: the 50, 100, 200, 400, and 800-meter Freestyles, the 100-meter Backstrokes, Breaststrokes, and Butterflies, and the 200-meter Individual Medley. For purposes of these Selection Procedures, athletes will not be Selected to the Team based on their Times in the 50-meter Backstroke, Breaststroke or Butterfly.
- e. Championships. “Championships” shall refer to the 2022 Duel in the Pool to be conducted in Sydney, Australia, August 19-21, 2022.
- f. Managing Director, National Team. “Managing Director, National Team” shall refer to the USA Swimming Managing Director, National Team or their designee.
- g. Percentage of the “A” Time Standard. “Percentage of the ‘A’ Time Standard” means the difference between a swimmer’s Time compared to the “A” Time Standard for the same Individual Championship Event. The resulting time difference will be converted to a percentage to demonstrate how much faster or slower the swimmer’s Time is compared to the “A” Time Standard in that same Individual Championship Event. This percentage will be calculated by subtracting the swimmer’s Time from the “A”

Time Standard in that same Individual Championship Event then dividing the difference by that “A” Time Standard. Calculations will be carried to the one-thousandth of a percent (i.e., x.xxx%).

For example, if the “A” Time Standard in the 100-meter Freestyle is 1 minute, and Swimmer #1’s Time in the 100-meter Freestyle is :54 seconds, then Swimmer #1 has swum 6 seconds faster than the “A” Time Standard in the 100-meter Freestyle. Using the formula described above (60 seconds minus 54 seconds, divided by 60 seconds) Swimmer #1’s Percentage of the “A” Time Standard would be 10%.

If the “A” Time Standard in the 200-meter Freestyle is 2 minutes, and Swimmer #2’s Time in the 200-meter Freestyle is 1:54, then Swimmer #2 has swum 6 seconds faster than the “A” Time Standard in the 200-meter Freestyle. Using the formula described above (120 seconds minus 114 seconds, divided by 120 seconds) that swimmer’s Percentage of the “A” Time Standard would be 5%.

Swimmer #1’s Percentage of the “A” Time Standard (10%) would be considered higher than Swimmer #2’s Percentage of the “A” Time Standard (5%).

If a swimmer’s Time is slower than the “A” Time Standard, their percentages will be negative. Using the same example above, if Swimmer #1’s Time in the 100 Freestyle is 1:06, their Percentage of the “A” Time Standard would be -10% (60 seconds minus 66 seconds equals negative 6 seconds; negative 6 seconds divided by 60 seconds equals -10%). If Swimmer #2’s Time in the 200 Freestyle is 2:06 their Percentage of the “A” Time Standard would be -5% (120 seconds minus 126 seconds equals negative 6 seconds; negative 6 seconds divided by 120 seconds equals -5%). In this case, Swimmer #2’s Percentage of the “A” Time Standard (-5%) is faster than Swimmer #1’s Percentage of the “A” Time Standard (-10%).

- h. Selected/Selection to the Team. “Selected/Selection to the Team” refers to the Team selected by USA Swimming on or before July 18, 2022, plus any replacements that may be added to the Team pursuant to Section 1.2.4 of these Selection Procedures.
- i. Team. “Team” shall mean the Championships team announced on or before July 18, 2022, 10:00 a.m. MST, and is subject to change due to a vacancy, as outlined in Section 1.2.4, prior to July 22, 2022.
- j. Time. For purposes of these Selection Procedures, an Available Swimmer’s “Time” means their fastest long course meters time swum by that Available Swimmer from January 1, 2022, through and including July 1, 2022, in any Individual Championship Event. Only that one Time will be used per Available Swimmer, per Individual Championship Event. For example, for Priority #1 below, if the same Available Swimmer has the two fastest long course meters times from January 1, 2022 through and including July 1, 2022 in the 50-meter Freestyle, only that Available Swimmer’s fastest long course meter time from January 1, 2022 through and including July 1, 2022 in the 50-meter Freestyle, will be considered as their Time, so that two Available Swimmers will still be selected under Priority #1 for the 50-meter Freestyle. Only times from Preliminary Heats and Finals (A, B, C and D) will be used. Relay lead-offs, time trials, intermediate splits and swim-offs will not be considered. Times must be achieved at FINA or USA Swimming sanctioned competitions that have been entered into USA Swimming’s SWIMS database, found here <https://www.usaswimming.org/times>, by July 2, 2022, at 10:00 a.m. MST.

1. SELECTION SYSTEM

1.1. *Provide the minimum eligibility requirements for an athlete to be considered for Selection to the Team:*

1.1.1 In order to be considered for Selection to the Team, an athlete must, at the time of Selection to the Team:

- (a) be a registered athlete member of USA Swimming in good standing;
- (b) be a citizen of the U.S.; and
- (c) be eligible to represent the U.S. in the Championships.

In order to be considered for Selection to the Team, an athlete must, at the time of Selection to the Team, be an Available Swimmer.

1.1.2 Nationality/Passport requirements:

Athlete must hold a valid U.S. passport that will not expire for six months after the conclusion of the Championships.

1.1.3 Minimum International Federation (IF) standards for participation:

n/a

1.1.4 Other requirements (if any):

- (a) Each swimmer must be an Available Swimmer.
- (b) Each swimmer that has been Selected to the Team must sign, return, and abide by the applicable competition forms for the Team (forms will be made available prior to Selection).
- (c) Each swimmer that has been Selected to the Team must comply with all applicable rules and requirements of FINA, WADA, USADA, the U.S. Center for SafeSport, and USA Swimming, including without limitation USA Swimming policies and protocols regarding Team preparation and participation, through the Championships.
- (d) All Available Swimmers over the 18 years of age must successfully complete a criminal background check as required by USA Swimming and the United States Olympic and Paralympic Committee (“USOPC”).

1.2 Team Selection – Making and Filling the Team.

1.2.1. Team Size. The maximum allowable Team size is up to 15 men and 15 women. The actual Team size will be determined once the Selection criteria have been implemented. For purposes of these Selection Procedures, the men's and women's components of the Team will be considered separately. USA Swimming is under no obligation to Select to the Team a full team of 15 athletes in each, or either, gender. Transgender athletes shall compete at the Championships consistent with International Olympic Committee, FINA, USOPC, and USA Swimming policies and criteria.

1.2.2. Performance Criteria for Team Selection.

Priority #1. Priority #1 will be given to (i) the Available Swimmers who have the first and second fastest Times in the 50-meter Freestyle, 100-meter Freestyle, and the 200-meter Individual Medley; (ii) the Available Swimmers who have the fastest Time in the 200-meter Freestyle, 400-meter Freestyle, 100-meter Butterfly, 100-meter Breaststroke, and the 100-meter Backstroke; and (iii) the Available Swimmer who has the fastest Time in the 800-meter Freestyle and who has also been selected to compete as a member of USA Swimming's 2022 Open Water FINA World Championship Team. If no Available Swimmers who swim the 800-meter Freestyle have also been selected to compete as a member of USA Swimming's 2022 Open Water FINA World Championship team in Priority #1 for the 800-meter Freestyle will be given to the Available Swimmer who has the fastest Time in the 800-meter Freestyle.

Priority #2. Priority #2 will be given to the Available Swimmers with the highest Percentage of the "A" Time Standard, in any Individual Championship Events and except the 50-meter and 100-meter Freestyles, and the 200-meter Individual Medley, as USA Swimming can only enter two athletes per Individual Championship Event. Only two Available Swimmers per Individual Championship Event will be Selected. This process will repeat until the Team is full.

1.2.3 Breaking a Tie

(a) Breaking a Tie in Priority #1.

- (i) 50-meter Freestyle, 100-meter Freestyle, and 200-meter Individual Medley. If there is a tie in the fastest Time from among Available Swimmers for the 50-meter Freestyle, 100-meter Freestyle, and/or the 200-meter Individual Medley, if there are only two Available Swimmers involved in the tie, then both Available Swimmers will be Selected to the Team under Priority #1. If more than two Available Swimmers are involved in the tie, the Available Swimmers will be ranked based on their highest Percentage of the "A" Time Standard in their next highest ranked Individual Championship Event, and the two Available Swimmers with the highest Percentage of the "A" Time Standard will be Selected to the Team. If any of the Available Swimmers involved in the tie do not have Times from other Individual Championship Events, they will not be considered in the tie-breaking. If this fails to break the tie, the tie will be broken by random draw.

If there is a tie for the second fastest Time from among Available Swimmers for the 50-meter Freestyle, 100-meter Freestyle or the 200-meter Individual Medley, the Available Swimmers will be ranked based on their highest Percentage of the "A" Time Standard in their next highest ranked Individual Championship Event, and the Available Swimmer with the highest Percentage of the "A" Time Standard will be Selected to the Team. If any of the Available Swimmers involved in the tie do not have Times from another Individual Championship Event, they will not be considered in the tie-breaking. If this fails to break the tie, the tie will be broken by random draw.

- (ii) 200-meter Freestyle, 400-meter Freestyle, 100-meter Butterfly, 100-meter Breaststroke, and 100-meter Backstroke. If there is a tie from among Available Swimmers for the fastest Time in the 200-meter Freestyle, 400-meter Freestyle, 100-meter Butterfly, 100-meter Breaststroke, and/or the 100-meter Backstroke, the Available Swimmers will be ranked based on their highest Percentage of the “A” Time Standard in their next highest ranked Individual Championship Event, and the Available Swimmer with the highest Percentage of the “A” Time Standard will be Selected to the Team. If any of the Available Swimmers involved in the tie do not have Times from other Individual Championship Events, they will not be considered in the tie-breaking. If this fails to break the tie, the tie will be broken by random draw.

 - (iii) 800-meter Freestyle. If there is a tie among Available Swimmers for the fastest Time in the 800-meter Freestyle, and at least two of the Available Swimmers involved in the tie have also been selected to compete as members of USA Swimming’s 2022 Open Water FINA World Championship Team, the Available Swimmers will be ranked based on their highest Percentage of the “A” Time Standard in their next highest ranked Individual Championships Event, and the Available Swimmer with the highest Percentage of the “A” Time Standard will be Selected to the Team. If any of the Available Swimmers involved in the tie do not have Times from other Individual Championship Events, they will not be considered in the tie-breaking. If there is a tie among Available Swimmers for the fastest Time in the 800-meter Freestyle, and none of the Available Swimmers involved in the tie have also been selected to compete as members of USA Swimming’s 2022 Open Water FINA World Championship Team, the Available Swimmers will be ranked based on their highest Percentage of the “A” Time Standard in their next highest ranked Individual Championship Event, and the Available Swimmer with the highest Percentage of the “A” Time Standard will be Selected to the Team. If any of the Available Swimmers involved in the tie do not have Times from other Individual Championship Events, they will not be considered in the tie-breaking. If this fails to break the tie, the tie will be broken by random draw.
- (b) Breaking a Tie in Priority #2. In the instance where there is a tie for the last place(s) on the Team, for a particular gender, based on Percentage of the “A” Time Standard, such that more than 15 men or 15 women would be Selected for the Team, the tie will be broken as follows:

Each Available Swimmer involved in the tie will be ranked based on their Percentage of the “A” Time Standard in their next highest ranked Individual Championship Event, and the Available Swimmer with the highest Percentage of the “A” Time Standard will be Selected to the final position(s) on the Team. If any of the Available Swimmers involved in the tie do not have Times from other Individual Championship Events, they will not be considered in the tie-breaking.

If this fails to break the tie, the tie will be broken by random draw.

(c) Announcement. Those officially Selected to the Team will be announced on or before July 18, 2022.

1.2.4. Filling Vacant Team Position. If, for any reason, a position on the Team becomes vacant between the announcement of the Team and July 22, 2022 (the last date to apply for an Australian Visa), no new swimmers will be added to the Team.

2. **EVENT SELECTION**

Athletes who are Selected to the Team in all Individual Championship Events will swim the corresponding Individual Championship Event at the Championships (for example, the top two fastest times in the 50-meter Freestyle will swim the 50-meter Freestyle at the Championships). For all other events at the Championships, the Managing Director, National Team will be responsible for event selection, with the advice and consent of the Head Coach. If the Head Coach has a potential conflict of interest, they may still provide advice to the Managing Director, National Team but only after first disclosing the potential conflict of interest to the Managing Director, National Team. In selecting the swimmers for the events other than the Individual Championship Events, Managing Director, National Team, shall consult with the Head Coach and the assistant coaches and shall consider all available information, including but not limited to each Team member's past performances, personal best performances, competition schedules, individual workload, other recent results and performances, consistency of performances, fatigue, health, fitness levels, and training preparation. Selection of swimmers for events shall not be subject to challenge and coaches may make changes to the events at any time up to and during the Championships.

3. **RELAY SELECTION**

All swimmers who are Selected to the Team shall be eligible for selection to any and all relays to be held at the Championships. The Managing Director, National Team will be responsible for relay selection, with the advice and consent of the Head Coach. If a Head Coach has a potential conflict of interest, they may still provide advice to the Managing Director, National Team but only after first disclosing the potential conflict of interest to the Managing Director, National Team.

In selecting the relay teams, the Managing Director, National Team, with the advice and consent of the Head Coach, shall consider all available relevant information, including but not limited to each Team member's performance (including preliminary times, time trials, swim-offs and relay lead-off times), past relay performances, past relay reaction times, relay exchange experience, Championships performances, personal best performances, Championships event schedules, individual workload, other recent results and performances, consistency of performances, fatigue, health, fitness levels, training preparation, participation in relay training camps, scientific evaluation, attitude, and team chemistry.

4. **DISMISSAL FROM TEAM**

An athlete who is to be Selected to the Team by may be removed for any of the following reasons, as determined by the Managing Director, National Team in conjunction with the USA Swimming President & CEO and USA Swimming Athletes' Advisory Council Chair ("AAC Chair"). An athlete who is to be removed from the Team or an event at the Championships or from eligibility to be Selected to the Team, pursuant to the following provisions, has the right to a hearing per the USA Swimming Bylaws (usaswimming.org),

the USOPC Bylaws, Section 9, or the applicable anti-doping code/protocol before such removal or declaration of ineligibility.

An athlete may choose to voluntarily withdraw from an event at the Championships or from the Team. The athlete must submit in writing any withdrawal to the Managing Director, National Team. An athlete considering withdrawal is strongly encouraged to submit the written withdrawal by July 18, 2022.

USA Swimming may remove an athlete who has an injury or illness, as certified by the physician for the Championships, that is likely to keep them from competing at peak levels in the Championships. If an athlete refuses verification of their illness or injury by the approved Championships physician (or their medical staff), their injury will be assumed to keep them from competing at peak levels in the Championships and they may be removed.

An athlete may be removed if the Managing Director, National Team, in consultation with the Head Coach, the Chair of the USA Swimming National Team Steering Committee and the AAC Chair determine that the swimmer is unable or unwilling to maintain a training regimen that is necessary for peak performance in the Competition. (See Participation and Commitment Agreement, which is included in Attachment A.)

Any swimmer may be dismissed from the Team at any time if the swimmer violates any of the applicable FINA, USA Swimming, or other rules and regulations applicable to the Team or its members, including without limitation applicable Codes of Conduct or Team Rules.

If a swimmer is alleged to have committed an anti-doping rule violation, that swimmer shall remain on the Team (or remain eligible to be Selected to the Team) until: (i) the swimmer is provisionally suspended or declared ineligible after a hearing conducted pursuant to the USADA Protocol for Olympic Movement Testing or by FINA; (ii) the swimmer voluntarily accepts a provisional suspension or sanction of ineligibility; or (iii) the swimmer voluntarily withdraws from the Team or relinquishes eligibility to be Selected to the Team.

If a swimmer is alleged to have committed a violation of the SafeSport Code for the Olympic and Paralympic Movement ("SafeSport Code"), that swimmer shall remain on the Team (or remain eligible to be Selected to the Team) until: (i) the swimmer is provisionally suspended or declared ineligible after a hearing conducted pursuant to the SafeSport Code; (ii) the swimmer voluntarily accepts a provisional suspension or sanction of ineligibility; or (iii) the swimmer voluntarily withdraws from the Team or relinquishes eligibility to be Selected to the Team.

5. WITHDRAWAL FROM TEAM

Any swimmer may withdraw from the Team for any reason that would prevent the swimmer from full participation and/or preparation for the Championships. The swimmer must inform the Managing Director, National Team as soon as possible in writing regarding their withdrawal.

6. SUPPORTING DOCUMENTS

USA Swimming will retain these Selection Procedures and all supporting documents, including scouting or evaluation forms, etc., and data from the selection process for six months past the date of the conclusion of the Championships.

7. PUBLICITY/DISTRIBUTION OF PROCEDURES

The Selection Procedures (complete and unaltered) will be posted/published by USA Swimming in the following locations: USA Swimming website.

8. DATE OF SELECTION

The Selection of Athletes form will be published on the USA Swimming website on or before July 18, 2022, at the discretion of USA Swimming.

9. MANDATORY TRAINING AND/OR COMPETITION

Specify the location, schedule and duration of mandatory training and/or competition:

<u>Event</u>	<u>Date</u>	<u>Site</u>
Team departure	August 11, 2022	LAX
International Training	August 13-18, 2022	Sydney, AUS
Competition	August 19-21, 2022	Sydney, AUS
Return home	August 22, 2022	

10. ANTI-DOPING REQUIREMENTS

Athletes must adhere to all WADA, FINA, USADA, and USOPC anti-doping protocols, policies and procedures, as applicable. This includes participation in Out-of-Competition Testing as required by the WADA, FINA, USADA, and USOPC Rules, as applicable.

11. USA SWIMMING BYLAWS AND GRIEVANCE PROCEDURES

USA Swimming Bylaws can be found here: <https://www.usaswimming.org/docs/default-source/governance/governance-lsc-website/bylaws/2022-usa-swimming-corporate-bylaws-effective-3-25-22.pdf>. Grievance Procedures can be found here: <https://www.usaswimming.org/safe-sport/report-a-concern>.

12. DISCLAIMER

These procedures are based on FINA, USA Swimming, and host country rules and regulations, including those related to the COVID-19 pandemic, as applicable and as presently known and understood. Any change in the Selection Procedures caused by a change in FINA and/or host country rules and regulations, including those related to the COVID-19 pandemic, will be distributed to the affected athletes immediately. The Selection Procedures are based on the latest information available to USA Swimming. However, the Selection Procedures are always subject to unforeseen, intervening circumstances, and realistically may not have accounted for every possible contingency.

The terms and conditions of these written Selection Procedures shall take priority over any verbal explanation, clarification, or interpretation of the Selection Procedures, and an athlete relies on a verbal explanation, clarification or interpretation of these Selection Procedures at their sole risk. Any request or question that would involve a formal clarification or interpretation of these Selection Procedures, or that would address an issue not otherwise covered in these Selection Procedures, should be submitted to the Managing Director, National Team at USA Swimming in writing by no later than June 12, 2022, and the response to such request by USA

Swimming must be provided in writing and, where appropriate, must be published promptly on the USA Swimming website.

An athlete who is Selected to the Team by virtue of an error or oversight by USA Swimming may be removed from the Team at any time.

13. SELECTION PROCEDURE APPROVAL COMMITTEE

13.1 Conflicts of Interest

Individuals involved in the creation and enforcement of these Selection Procedures are subject to USA Swimming’s Statement of Ethics and Conflict of Interest Policy (the “Conflict of Interest Policy”). Pursuant to the Conflict of Interest Policy, these individuals must submit annual Disclosure Statements to USA Swimming’s Ethics Committee for review and direction on avoidance and mitigation of any conflicts. Any actual, potential, or perceived conflicts of interest identified in the creation or enforcement of these Selection Procedures should be reported to USA Swimming’s Ethics Committee (ethicscommittee@usaswimming.org), pursuant to the Conflict of Interest Policy.

13.2 Retaliation

No individual who raises concerns or asks questions about these Selection Procedures or files a grievance and/or reports a conflict of interest regarding these Selection Procedures shall suffer retaliation, as prohibited by USA Swimming’s Whistleblower and Anti-Retaliation Policy (the “Anti-Retaliation Policy”). Any claims of retaliation should be reported to USA Swimming’s Ethics Committee (ethicscommittee@usaswimming.org), pursuant to the Anti-Retaliation Policy. This protection against retaliation includes protection for seeking advice from the Athlete Ombuds Office.

Athlete Ombuds Office Contact Information
 Phone: 719-866-5000
 Email: ombudsman@usathlete.org Website: usathlete.org

13.3 Signatures

I certify that I have read and understand the standards/criteria set by our IF and/or CF (PAG/PPAG only) and incorporated those standards/criteria into our Selection Procedures. I further certify that the information provided herein regarding Athlete Selection Procedures represents the method approved by USA Swimming.

Position	Print Name	Signature	Date
President & CEO	Tim Hinchey		<u>5/31/22</u> <u>7/6/2022</u>
Managing Director, National Team	Lindsay Mintenko		<u>5/31/2022</u> <u>7/6/2022</u>
USA Swimming AAC Chair	Caitlin Leverenz Smith		<u>5/31/2022</u> <u>7/6/2022</u>

ATTACHMENT A
USA SWIMMING
2022 Duel in the Pool PARTICIPATION AND COMMITMENT

I agree to abide by the USA Swimming Duel in the Pool Athlete Selection Procedures, Duel in the Pool Team camps(s) and competition requirements, competition protocols, the Team Rules, and the USA Swimming Code of Conduct.

I agree to fully commit to a comprehensive training program designed for a competitive performance at the 2022 Duel in the Pool. If for any reason I become unable to fulfill this commitment, I will immediately notify the Managing Director, National Team.

I understand that I may be removed from the 2022 Duel in the Pool if circumstances interfere with my preparation for peak performance.

I give USA Swimming National Team Division permission to give out my contact information for Duel in the Pool Staff use:
_____ Yes _____ No

I give USA Swimming National Team Division permission to give out my contact information for internal USA Swimming Staff use: _____ Yes _____ No

Signature _____ Printed
Name _____ Date

If under 18:

Parent Signature _____ Parent Printed
Name _____ Date