

115TH CONGRESS  
1ST SESSION

# H. R. 1973

To prevent the sexual abuse of minors and amateur athletes by requiring the prompt reporting of sexual abuse to law enforcement authorities, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 2017

Mrs. BROOKS of Indiana (for herself, Ms. FRANKEL of Florida, and Mr. GOODLATTE) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To prevent the sexual abuse of minors and amateur athletes by requiring the prompt reporting of sexual abuse to law enforcement authorities, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Young Vic-  
5 tims from Sexual Abuse Act of 2017”.

1 **SEC. 2. REQUIRED REPORTING OF CHILD AND SEXUAL**  
2 **ABUSE AT FACILITIES UNDER THE JURISDIC-**  
3 **TION OF AMATEUR SPORTS ORGANIZATIONS**  
4 **RECOGNIZED BY THE UNITED STATES OLYM-**  
5 **PIC COMMITTEE.**

6 (a) REPORTING REQUIREMENT.—Section 226 of the  
7 Victims of Child Abuse Act of 1990 (42 U.S.C. 13031)  
8 is amended—

9 (1) in subsection (a)—

10 (A) by striking “A person who” and insert-  
11 ing the following:

12 “(1) COVERED PROFESSIONALS.—A person  
13 who”; and

14 (B) by adding at the end the following:

15 “(2) INDIVIDUALS AT COVERED FACILITIES.—A  
16 covered individual who, while engaged in any activity  
17 sanctioned by a covered facility, learns of facts that  
18 give reason to suspect that a child has suffered an  
19 incident of child abuse, including sexual abuse, shall  
20 as soon as possible make a report of the suspected  
21 abuse to the agency designated by the Attorney Gen-  
22 eral under subsection (d).”;

23 (2) in subsection (b), in the matter preceding  
24 paragraph (1), by striking “subsection (a)” and in-  
25 serting “subsection (a)(1)”;

26 (3) in subsection (c)—

1 (A) in paragraph (7), by striking “and” at  
2 the end;

3 (B) in paragraph (8), by striking the pe-  
4 riod at the end and inserting a semicolon; and

5 (C) by adding at the end the following:

6 “(9) the term ‘covered facility’ means a facility  
7 over which a national governing body has jurisdic-  
8 tion;

9 “(10) the term ‘covered individual’ means an  
10 adult who is authorized by a covered facility or by  
11 a national governing body to interact with a minor  
12 or amateur athlete at the covered facility or at any  
13 event sanctioned by the covered facility; and

14 “(11) the term ‘national governing body’ has  
15 the meaning given the term in section 220501(b) of  
16 title 36, United States Code.”;

17 (4) in subsection (d), in the first sentence, by  
18 inserting “and for all covered facilities” after “re-  
19 side”;

20 (5) in subsection (f), in the first sentence—

21 (A) by striking “and on all” and inserting  
22 “on all”; and

23 (B) by inserting “and for all covered facili-  
24 ties,” after “lands,”; and

1           (6) in subsection (h), by inserting “and all cov-  
2           ered individuals,” after “facilities,”.

3           (b) **PENALTY FOR FAILURE TO REPORT.**—Section  
4 2258 of title 18, United States Code, is amended by in-  
5 serting “or while engaged in a professional capacity or ac-  
6 tivity at a covered facility as described in subsection (a)(2)  
7 of such section 226” after “facility”.

8 **SEC. 3. CIVIL REMEDY FOR PERSONAL INJURIES.**

9           Section 2255 of title 18, United States Code, is  
10 amended—

11           (1) by striking subsection (a) and inserting the  
12 following:

13           “(a) **IN GENERAL.**—Any person who, while a minor,  
14 was a victim of a violation of section 1589, 1590, 1591,  
15 2241(e), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260,  
16 2421, 2422, or 2423 of this title and who suffers personal  
17 injury as a result of such violation, regardless of whether  
18 the injury occurred while such person was a minor, may  
19 sue in any appropriate United States District Court and  
20 shall recover the actual damages such person sustains or  
21 liquidated damages in the amount of \$150,000, and the  
22 cost of the action, including reasonable attorney’s fees and  
23 other litigation costs reasonably incurred. The court may  
24 also award punitive damages and such other preliminary

1 and equitable relief as the court determines to be appro-  
2 priate.”;

3 (2) in subsection (b), by striking “filed within”  
4 and all that follows through the end and inserting  
5 the following: “file—

6 “(1) not later than 10 years after the date on  
7 which the plaintiff discovers the later of—

8 “(A) the violation that forms the basis for  
9 the claim; or

10 “(B) the injury that forms the basis for  
11 the claim; or

12 “(2) in the case of a person under a legal dis-  
13 ability, not later than 10 years after the date on  
14 which the disability ends.”; and

15 (3) by adding at the end the following:

16 “(c) VENUE; SERVICE OF PROCESS.—

17 “(1) VENUE.—Any action brought under sub-  
18 section (a) may be brought in the district court of  
19 the United States that meets applicable require-  
20 ments relating to venue under section 1391 of title  
21 28.

22 “(2) SERVICE OF PROCESS.—In an action  
23 brought under subsection (a), process may be served  
24 in any district in which the defendant—

25 “(A) is an inhabitant; or

1 “(B) may be found.”.

2 **SEC. 4. EXPANSION OF AUTHORITIES AND DUTIES OF AMA-**  
3 **TEUR SPORTS ORGANIZATIONS RECOGNIZED**  
4 **BY THE UNITED STATES OLYMPIC COM-**  
5 **MITTEE TO PREVENT THE ABUSE OF MINOR**  
6 **AND AMATEUR ATHLETES.**

7 (a) EXPANSION OF AUTHORITIES.—Section  
8 220523(a) of title 36, United States Code, is amended—

9 (1) in paragraph (6), by striking “; and” and  
10 inserting a semicolon;

11 (2) in paragraph (7), by striking the period and  
12 inserting “; and”; and

13 (3) by adding at the end the following:

14 “(8) develop training, oversight practices, poli-  
15 cies, and procedures to prevent the abuse, including  
16 physical abuse and sexual abuse, of any minor or  
17 amateur athlete by any adult.”.

18 (b) ADDITIONAL DUTIES.—Section 220524 of such  
19 title is amended—

20 (1) in paragraph (8), by striking “; and” and  
21 inserting a semicolon;

22 (2) in paragraph (9), by striking the period and  
23 inserting a semicolon; and

24 (3) by adding at the end the following:

1           “(10) develop and enforce policies, mechanisms,  
2           and procedures to prevent the abuse, including phys-  
3           ical abuse and sexual abuse, of any minor or ama-  
4           teur athlete, including—

5                   “(A) requiring all members of the national  
6                   governing body or a facility under the jurisdic-  
7                   tion of the national governing body and adults  
8                   authorized by such members to interact with  
9                   minor or amateur athletes, to immediately re-  
10                  port all allegations of sexual abuse to law en-  
11                  forcement authorities and other appropriate au-  
12                  thorities whenever such members or adults  
13                  learn of facts leading them to reasonably sus-  
14                  pect that a minor or amateur athlete has suf-  
15                  fered an incident of sexual abuse;

16                  “(B) establishing a mechanism, approved  
17                  by a trained expert on child abuse, that allows  
18                  a complainant to easily report an incident of  
19                  sexual abuse committed by a member or adult  
20                  described in subparagraph (A) to interact with  
21                  a minor or amateur athlete, to the national gov-  
22                  erning body or another authority;

23                  “(C) procedures to ensure that each ama-  
24                  teur athlete who is a minor is prevented from  
25                  being in a one-on-one situation with an adult

1 (who is not the minor’s legal guardian) at a fa-  
2 cility under the jurisdiction of the national gov-  
3 erning body without being in an observable and  
4 interruptible distance from another adult; and

5 “(D) oversight procedures, including reg-  
6 ular and random audits conducted by subject  
7 matter experts unaffiliated with the national  
8 governing body, of all members and adults de-  
9 scribed in subparagraph (A) to ensure that poli-  
10 cies and procedures developed under this para-  
11 graph are followed correctly and that consistent  
12 training is offered and given to all members re-  
13 garding prevention of sexual abuse; and

14 “(11) in the case of a national governing body  
15 with jurisdiction over more than one athletic facility,  
16 establish a mechanism by which—

17 “(A) the national governing body can—

18 “(i) receive a report from one of such  
19 facilities regarding a case in which an  
20 adult authorized by the facility to interact  
21 with a minor or amateur athlete at such  
22 facility is expelled from or leaves such fa-  
23 cility for sexual misconduct, including be-  
24 cause of a mere allegation of sexual mis-  
25 conduct; and

1           “(ii) share a report received under  
2           subparagraph (A) with each of the other  
3           athletic facilities under the jurisdiction of  
4           the national governing body; and

5           “(B) an athletic facility under the jurisdic-  
6           tion of the national governing body can—

7           “(i) review the reports received by the  
8           national governing body under subpara-  
9           graph (A)(i) to assess any allegations of  
10          sexual misconduct made in such reports;  
11          and

12          “(ii) withhold providing to an adult  
13          who is the subject of an allegation of sex-  
14          ual misconduct in a report reviewed under  
15          clause (i) authority to interact with a  
16          minor or amateur athlete at such facility  
17          until such time as the facility determines  
18          that there is no risk to a minor or amateur  
19          athlete at such facility.”.

20          (c) **RULE OF CONSTRUCTION.**—Section 220522 of  
21 such title is amended by adding at the end the following:

22          “(c) **RULE OF CONSTRUCTION.**—Nothing in para-  
23 graph (a) shall be construed to limit the ability of a na-  
24 tional governing body to develop a policy or procedure to  
25 prevent an individual who is the subject of an allegation

1 of sexual misconduct from interacting with a minor or  
2 amateur athlete until such time as the national governing  
3 body, or any person under the jurisdiction of the national  
4 governing body, determines that there is no risk to the  
5 minor or amateur athlete by allowing the individual to  
6 interact with the minor or amateur athlete.”.

