

FINAL REPORT OF THE LEGISLATION COMMITTEE

**REPORT OF AMENDMENTS TO THE
GLOSSARY, PART 2, PARTS 4–6 OF THE USMS CODE OF REGULATIONS**

The following amendments to the USMS Code of Regulations were submitted to the House of Delegates for consideration at the annual meeting in accordance with articles 601.2, 601.4.1, 601.4.5, and 601.4.7.

The committee action is indicated as “recommended,” “recommended as amended,” or “not recommended.” The House of Delegates action is indicated as “adopted,” “adopted as amended,” or “rejected.”

Number	Section	Description	Final HOD Action
L-1	504.3	Clarifies the requirements for the annual meeting and provisions for other meetings of the House of Delegates.	Adopted
L-2	504.2	Clarifies powers of the House of Delegates to establish a baseline business agenda for the annual meeting.	Adopted as Amended
L-3	504.2.5	Resolves an ambiguity in the Code of Regulations by clearly establishing the authority to determine the method for conducting the annual meeting. (Alternative to L-4)	Defeated
L-4	504.2 and 504.3	Transfers authority to call meetings and determining the method of conducting meetings of the House of Delegates to the Board of Directors with provisions for a policy document to outline the process. (Alternative to L-3)	Adopted
L-5	Glossary	Clarifies the scope of “code” to establish which portions of the <i>U.S. Masters Swimming Code of Regulations and Rules of Competition</i> (rule book) are subject to formal amendment processes with approval from the House of Delegates at the annual meeting.	Adopted
L-6	Glossary	Clarifies “housekeeping” to allow for nonsubstantive changes to the <i>U.S. Masters Swimming Code of Regulations and Rules of Competition</i> without formal amendment processes at the annual meeting.	Adopted
L-7	507.1.6-507.1.8 and 507.1.13	Consolidates committee jurisdictions in Part 5 to avoid duplication. Clearly places jurisdictions in Part 5 and process in Part 6. Adopts consistent language for committee jurisdictions.	Adopted

FINAL REPORT OF THE LEGISLATION COMMITTEE

L-8	601.1	Removes committee jurisdictions from article 601.1 to eliminate duplication in Part 6. Streamlines the scope of amendment processes to operational portions of the code with a consistent process. Provides for changes to informational material included in the rule book without formal amendment processes at the annual meeting.	Adopted
L-9	201.1.1 and 203.3.2	Corrects a discrepancy by inserting a reference to the “Guidelines for Dual-Sanction Meets and Open Water Events With USA Swimming” into Part 2 for clarity in the sanctioning process.	Adopted
L-10	502.7 and 503.1	Moves LMSC and zone names and boundaries from Appendix D to Part 5 so that they are included in an operational portion of the <i>U.S. Masters Swimming Code of Regulations and Rules of Competition</i> and subject to the same amendment processes as the rest of Parts 1–6.	Adopted
L-12	601.2–601.4	Clarifies and streamlines the process for submission and adoption of amendments to the <i>U.S. Masters Swimming Code of Regulations and Rules of Competition</i> at the annual meeting. Changes language for presentation of recommendations to the HOD (recommendation to adopt or reject) for clarity.	Adopted
L-13	506.3.10 and 601.5	Clarifies the process for emergency actions taken in between annual meetings and consolidates this process with emergency actions taken as part of the annual meeting.	Adopted
L-14	601.4.7 and 601.4.8	Clarifies how amendments to USA Swimming and FINA Masters technical rules are adopted by USMS. Provides for actions by the USMS Rules Committee since changes to USA Swimming and FINA rules may no longer be aligned with the USMS annual meeting.	Adopted

L-15	202.1	Adds a provision to deny or withdraw sanctions or recognitions if the event could violate USMS participation, unsporting conduct, or equal opportunity provisions.	Adopted
L-16	202.1	Adds a provision to deny or withdraw sanctions or recognitions to organizations whose mission, vision, goals, or objectives are misaligned with USMS.	Adopted

FINAL REPORT OF THE LEGISLATION COMMITTEE

L-17	501.3	Clarifies that gender identity in the USMS Equal Opportunity statement (article 501.3) includes gender expression.	Adopted
L-18	507.1.9	Retires the Membership Committee as a standing committee of the House of Delegates.	Adopted
L-19	507.1.14	Retires the Sports Medicine and Science Committee as a standing committee of the House of Delegates.	Adopted

Legislative item L-20 was received after the June 10 submission deadline and meets the criteria for a submission after the deadline (article 601.2.4). A two-thirds majority vote of the Legislation Committee is required for a recommendation to adopt to the House of Delegates.

L-20	507.1.11	Changes the number of past Ransom J. Arthur Award recipients that are required to serve on the Recognition and Awards Committee.	Adopted
-------------	----------	--	---------

FINAL REPORT OF THE LEGISLATION COMMITTEE

PROPOSED CHANGES TO THE USMS GLOSSARY, PART 2, and PARTS 4–6

The following amendments to the *USMS Code of Regulations* were submitted to the House of Delegates in accordance with articles 601.2, 601.4.1, 601.4.5, and 601.4.7. The adopted amendments will take effect on January 1, 2023, unless otherwise noted.

L-1 504.3 Legislation Committee pages 96–97 modify

Committee Action: Recommended

HOD Action: Adopted

504.3 Meetings of the House of Delegates

~~504.3.1~~ ~~The annual meeting of the House of Delegates shall be held at such time and place, within or without the state of Florida, as may be fixed in the notice of such meeting.~~

~~504.3.12~~ ~~Special meetings of the House of Delegates may be held at any time, pursuant to a resolution of either the Board of Directors or the House of Delegates. Meetings of the House of Delegates may be conducted by assembling delegates in one or more physical locations, telephone conferencing, video or web conferencing, or any combination of these methods.~~

~~504.3.2~~ ~~An annual meeting of the House of Delegates shall be held each calendar year no later than November 1 unless the Board of Directors deems that emergency circumstances warrant a later date. The annual meeting shall, at a minimum, cover the business necessary to exercise the powers described in article 504.2.~~

~~504.3.3~~ ~~Other meetings of the House of Delegates may be held as necessary to conduct business in accordance with the powers described in article 504.2.~~

~~504.3.43~~ A written notice of ~~all annual and special~~each meetings of the House of Delegates, stating the date, time, place, method, and preliminary agenda, shall be ~~given~~delivered to each member of the House of Delegates by ~~postal~~mail or electronic mail to each member's last known address at least three weeks prior to the meeting date.

~~504.3.54~~ Each member of the House of Delegates, except for the representatives of allied and affiliate members, shall have one vote on each matter submitted to the House of Delegates ~~of USMS~~ for vote, consent, waiver, release, or other action. There shall be no voting by proxy.

~~504.3.65~~ A quorum for the annual meeting shall consist of those members of the House of Delegates present and voting. A quorum for other meetings shall consist of at least 50 percent of members.

Rationale: Clarifies that an annual meeting is required and is a meeting of the House of Delegates for the purpose of conducting business described in article 504.2 (powers of the House of Delegates). Clarifies the processes for establishing the date, time, place, method, and agenda for

FINAL REPORT OF THE LEGISLATION COMMITTEE

the annual meeting of the House of Delegates now that the USMS annual meeting is not connected to the annual United States Aquatic Sports convention. Provides for other meetings of the House of Delegates should they be needed. Clarifies that the provision in the current article 504.3.1 is not required.

Effective Date: This amendment is effective at the conclusion of the 2022 annual meeting.

L-2 504.2 Legislation Committee page 96 modify

Committee Action: Recommended

HOD Action: Adopted as Amended

504.2 Powers

The powers of the House of Delegates shall be as follows:

- 504.2.1 To determine the ~~mission and objectives~~ organizing principles that govern USMS in all of its activities.
- 504.2.2 ~~To delegate responsibility and authority to other USMS entities as prescribed in USMS code and by USMS policy. However, the following powers are fully the responsibility of the House of Delegates and shall not be delegated:~~
 - ~~A To elect officers and directors. (Note: The nomination and election procedures may be delegated.)~~
 - ~~B To amend the USMS Code of Regulations and Rules of Competition.~~
- 504.2.3 To admit to group membership or individual membership any organization or person eligible under this code and who applies for membership.
- ~~504.2.4 To prescribe and amend the code for the governance of USMS.~~
- ~~504.2.5 To call regular and special meetings of USMS and to fix the time, place, and manner for holding all meetings not fixed by this code.~~
- ~~504.2.6 To collect and expend the monies of USMS.~~
- 504.2.~~47~~ To create, modify, or disband standing committees.
- 504.2.~~58~~ To ~~alter, amend, repeal, or otherwise change any provision of~~ prescribe and amend the *USMS Code of Regulations and Rules of Competition* (Parts 1–6 and Organizing Principles). Explanation, ~~and~~ interpretation, and housekeeping shall be delegated to the chair and/or committee of jurisdiction.
- 504.2.~~69~~ To receive and approve all annual reports.

FINAL REPORT OF THE LEGISLATION COMMITTEE

504.2.7 To delegate any power in article 504.2 to other USMS entities with the exception of elections and adoption of amendments to the USMS Code of Regulations and Rules of Competition.

Rationale: Clarifies the powers of the House of Delegates to establish a baseline business agenda for the annual meeting. Clarifies powers to align with current practices and resolves conflicts arising from disconnecting the USMS annual meeting from the annual U.S. Aquatic Sports Convention.

Effective Date: This amendment is effective at the conclusion of the 2022 annual meeting.

L-3 504.2 Legislation Committee page 96 modify

Committee Action: Recommended
HOD Action: Defeated

~~504.2.5 To call regular and special meetings of USMS and to fix the time, place, and manner for holding all meetings not fixed by this code specify the method of conducting the annual meeting (see article 504.3.2).~~

Rationale: Resolves an ambiguity in the Code of Regulations by clearly assigning the authority to establish the method for conducting the annual meeting. Since the annual meeting is a meeting of the House of Delegates, the authority to determine the method for conducting the annual meeting is established with the House of Delegates.

L-4 504.2 and 506.3 Board of Directors pages 96 and 99 modify

Committee Action: Recommended
HOD Action: Adopted

~~504.2.5 To call regular and special meetings of USMS and to fix the time, place, and manner for holding all meetings not fixed by this code.~~

Renumber subsequent sections of article 504.2.

506.3.11 To call all meetings of the House of Delegates and of USMS and to fix the time, place, and method for holding all such meetings.

Rationale: Transfers the power to call meetings of the House of Delegates from the House of Delegates to the Board of Directors. It is not feasible for 250+ delegates to arrange the time, place, and manner of meetings, taking into account conference locations, hotel availability, and travel feasibility. These arrangements were formerly made by United States Aquatic Sports and committed to contractually by the USMS BOD at least three years in advance of the annual meeting. With the end of USAS conventions, the planning for the annual meeting is best accomplished by the Board of Directors with staff support. In addition to moving this power to the

FINAL REPORT OF THE LEGISLATION COMMITTEE

Board of Directors, this proposal recognizes the multiple factors—and the modern realities—that must be considered when setting the method for meetings. A Board policy document should be developed to outline the process for setting the time, place, and manner of the annual meeting. The policy should include a consideration of the desires of the membership, fiscal considerations, and organizational priorities when determining the time, place, and manner of conducting meetings.

Effective Date: This amendment takes effect at the conclusion of the 2022 annual meeting.

L-5 Glossary Legislation Committee page xi add

Committee Action: Recommended

HOD Action: Adopted

Code—the *USMS Code of Regulations and Rules of Competition*, including Parts 1 through 6 and the Organizing Principles.

Rationale: Clarifies that Parts 1–6 and Organizing Principles are the operational portions of the *Code of Regulations and Rules of Competition*, subject to formal amendment processes that require approval of the House of Delegates at the annual meeting as well as explanation and official interpretations by the appropriate committees of jurisdiction. Clarifies that the Glossary, Appendices, and other parts of the rule book are considered informational and changes to them may be made outside of the annual meeting amendment process.

L-6 Glossary Legislation Committee page xii add

Committee Action: Recommended

HOD Action: Adopted

Housekeeping—changes to the *USMS Code of Regulations and Rules of Competition* to correct errors of deviation from adopted language, nonconformity with the *USMS Publications Style Guide*, consistency of wording between multiple articles, or accuracy of numerical article and page references.

Rationale: Provides a definition of housekeeping to allow for nonsubstantive changes that could be made outside of the annual meeting amendment process.

L-7 507.1.6–8 and 507.1.13 Legislation Committee pages 102–104 modify

Committee Action: Recommended

HOD Action: Adopted

507.1.6 Legislation Committee—The Legislation Committee may initiate and shall receive, consider, and report proposed amendments within its jurisdiction, with the committee’s recommendations, ~~at the annual meeting of the House of Delegates~~, in accordance with the provisions of Part 6, ~~which The Legislation Committee has jurisdiction over~~ includes proposed ~~changes—amendments~~ to: ~~Code of Regulations~~, Organizing Principles,

FINAL REPORT OF THE LEGISLATION COMMITTEE

~~Glossary,~~ Part 2: Administrative Regulations of Competition, Part 4: Participation, Conduct, Hearings, and Appeals, Part 5: United States Masters Swimming Inc.: Organization and Bylaws, and Part 6: Amendment Procedures. The Legislation Committee is also responsible for changes to the Glossary and other informational material required to clarify or explain provisions within its jurisdiction. When necessary, the committee shall interpret and render opinions regarding any provision ~~of the rules and regulations of USMS~~ within the committee's jurisdiction ~~as defined in article 601.1.~~ The committee shall consist of the committee chair and sufficient members to execute the committee function, with at least one member from each zone, not to exceed 16 additional members. The Rules Committee chair shall be an ex officio member of the committee.

507.1.7 LMSC Development Committee—The LMSC Development Committee shall work to strengthen LMSC governance and operations by providing educational opportunities and mentoring for LMSC boards and officers. The committee shall provide support for LMSCs. The committee shall review and identify LMSCs that are not meeting LMSC standards as defined by the Board of Directors and assist them in achieving compliance. The committee may consult with other committees, coordinators, and special appointments as necessary for this purpose. The committee may initiate and shall receive, consider, and report proposed amendments to ~~Appendix D: zone~~ Zone and LMSC official names and bBoundaries, with the committee's recommendations, ~~at the annual meeting of the House of Delegates,~~ in accordance with the provisions of Part 6. The committee shall consist of the committee chair and sufficient members to execute the committee function.

507.1.8 Long Distance Committee—The Long Distance Committee shall oversee the rules and administration of open water and long distance events. The committee shall solicit and review bid proposals and select the sites for the long distance championship events. The committee shall work in a coordinating and advisory capacity with event hosts and make recommendations to enhance the quality of long distance championship events. The Long Distance Committee shall promote the development of and participation in open water swimming. The committee shall develop educational resources for open water participants and event directors. The committee shall increase awareness about open water swimming and identify opportunities to promote USMS. The committee shall maintain records and select the Long Distance All-American and Long Distance All-Star Teams. The committee shall ~~assure~~ ensure that the competitive rules in Part 3 of the USMS rules and regulations provide for fair and equitable competition in the best interests of all USMS members and that ~~these~~ members are informed of current rules, interpretations, and changes. The committee may initiate and shall receive, ~~accept,~~ consider, and report proposed amendments within its jurisdiction, with the committee's recommendations, ~~at the annual meeting of the House of Delegates,~~ in accordance with the provisions of Part 6. When necessary, the committee shall interpret and render opinions regarding any provision ~~of the rules and regulations of USMS~~ within the committee's jurisdiction ~~as defined in article 601.1.~~ The Long Distance Committee has jurisdiction over proposed amendments to Part 3: Open Water and Long Distance Swimming Rules. The committee is also responsible for changes to the Glossary and other informational material to clarify

FINAL REPORT OF THE LEGISLATION COMMITTEE

or explain provisions within its jurisdiction. The committee shall consist of the committee chair and no more than 16 additional members.

507.1.13 Rules Committee—The Rules Committee shall ensure that the competitive rules in Part 1 of the USMS rules and regulations provide for fair and equitable competition in the best interests of all USMS members. The committee shall ensure that the USMS members are informed of current rules, interpretation, and changes. The committee may initiate and shall ~~accept~~ receive, consider, and report proposed amendments, with the committee’s recommendations, ~~at the annual meeting of the House of Delegates,~~ in accordance with the provisions of Part 6. The Rules Committee has jurisdiction over proposed amendments to Part 1: Swimming Rules. The Rules Committee is also responsible for changes to the Glossary and other informational material required to clarify or explain provisions within its jurisdiction. When necessary, the committee shall interpret and render opinions regarding any provision ~~of the rules and regulations of USMS~~ within the committee’s jurisdiction ~~as defined in article 601.1.~~ The committee shall consist of the committee chair, and sufficient members to execute the committee function, with at least one member from each zone, not to exceed 16 additional members. The Legislation Committee chair, the Officials Committee chair, and the USA Swimming Rules and Regulations Committee chair shall be ex officio members of the committee.

Rationale: Simplifies how the Code of Regulations is organized by putting all references to committee jurisdictions in Part 5 (with consistent language across all committees) while addressing amendment processes in Part 6. Allows for removal of duplication of committee jurisdictions in Part 6.

L-8 601.1 Legislation Committee pages 107–108 modify

Committee Action: Recommended

HOD Action: Adopted

601.1 ~~Committee Jurisdiction~~ Scope of Amendments and Changes

~~**601.1.1 Legislation Committee**—Proposed changes to the Code of Regulations (Organizing Principles, Glossary, Part 2: Administrative Regulations of Competition, Part 4: Athletes’ Rights, Hearings, and Appeals, Part 5: United States Masters Swimming Inc.: Organization and Bylaws, and Part 6: Amendment Procedures) shall be considered by the Legislation Committee for report and recommendation to the House of Delegates.~~

~~**601.1.2 LMSC Development Committee**—Proposed changes to the Code of Regulations (Appendix D: Zone and LMSC Boundaries) shall be considered by the LMSC Development Committee for report and recommendation to the House of Delegates.~~

FINAL REPORT OF THE LEGISLATION COMMITTEE

~~601.1.3 Long Distance Committee—Proposed changes to Part 3: Open Water and Long Distance Swimming Rules and the Glossary shall be considered by the Long Distance Committee for report and recommendation to the House of Delegates.~~

~~601.1.4 Rules Committee—Proposed changes to Part 1: Swimming Rules and the Glossary shall be considered by the Rules Committee for report and recommendation to the House of Delegates.~~

601.1.1 Code—Amendments to the USMS Code of Regulations and Rules of Competition (Parts 1–6 and Organizing Principles), LMSC names and boundaries, and zone names and boundaries shall be considered only at the annual meeting of the House of Delegates.

601.1.2 Housekeeping—Changes to Parts 1–6 for housekeeping purposes may be approved by the committee(s) of jurisdiction at any time, with the concurrence of the jurisdictional vice president(s) and reported to the House of Delegates.

601.1.3 Glossary—Changes to the Glossary that accompanies the USMS Code of Regulations and Rules of Competition may be approved by any committee of jurisdiction at any time with the concurrence of the jurisdictional vice president(s) to clarify or explain provisions of the code. Each committee shall report such changes to the House of Delegates.

601.1.45 Appendices—Changes to the organization of appendices or other informational material that accompanies the Code of Regulations and Rules of Competition must be approved by the Executive Committee.

Changes to the content of the appendices may be approved at any time by the Executive Committee or a standing committee to conform to amendments adopted by the House of Delegates, policies adopted by the Board of Directors, or to clarify and update information relevant to USMS members within the scope of committee jurisdictions. Such changes shall be reported to the House of Delegates.

~~The Rules Committee, Legislation Committee, or committee designated by the president, in consultation with committees that have related areas of responsibility, shall review and update the sections of Appendix B (or other appendices) that provide information related to their areas of jurisdiction as defined in articles 601.1.1 and 601.1.4.~~

~~A With the exception of Appendix D (see article 601.1.2), changes to the appendices may be made by the committee or officer of jurisdiction with-out further concurrence by the Executive Committee, Board of Directors, or House of Delegates, except as described in articles 601.1.5B and C.~~

~~B Guidelines for the conduct of dual-sanctioned meets with USA Swimming may not be modified without the consent of the Executive Committee and the concurrence of USA Swimming. The chairs of the Rules and Legislation Committees are authorized~~

FINAL REPORT OF THE LEGISLATION COMMITTEE

to use the guidelines to interpret provisions of Parts 1 and 2 for USMS-sanctioned meets held in conjunction with USA Swimming-sanctioned meets.

~~C Any changes to the organization of the appendices, including additions, deletions, or renumbering, must be approved by the Executive Committee.~~

~~601.1.6 Executive Committee Proposed changes to all other sections of the USMS Code of Regulations and Rules of Competition and appendices (except for Appendix D) shall be considered by the Executive Committee or committee designated by the president. Such proposals are not subject to the provisions of articles 601.2, 601.3, and 601.4.~~

Rationale: Clarifies the process for submitting proposed amendments to the *Code of Regulations and Rules of Competition* (Parts 1–6 and Organizing Principles). Clarifies that amendments to the operational portions of the code must be made at the annual meeting, but changes for housekeeping, glossary definitions, and informational portions of the appendices may be made anytime without a vote of the House of Delegates. Moves the reference to the dual-sanctioned meet guidelines to Part 2, which includes all other regulations for USMS sanctioned meets.

Effective Date: This amendment takes effect at the conclusion of the 2022 annual meeting.

L-9 201.1.1 and 203.3.2 Legislation Committee pages 60 and 63 modify

Committee Action: Recommended

HOD Action: Adopted

202.1.1 Sanction Requirements—Sanctions shall be issued, withheld, or withdrawn in accordance with the following:

(A–D are unchanged)

E All sanctioned events are subject to the following conditions:

((1) is unchanged)

(2) USMS sanctioned meets held in conjunction with USA Swimming sanctioned meets shall conform to guidelines for the conduct of dual-sanctioned meets approved by USMS and USA Swimming.

Renumber subsequent sections in 202.1.1(E)

203.3.2 Requirements—The following requirements shall be followed by the sanctioning LMSC and sanction applicant:

(A–I are unchanged)

FINAL REPORT OF THE LEGISLATION COMMITTEE

J USMS sanctioned open water events held in conjunction with USA Swimming sanctioned events shall conform to the guidelines for the conduct of dual-sanctioned meets approved by USMS and USA Swimming.

Rationale: Corrects a discrepancy discovered in the process of reviewing and updating Part 6. We do not have a reference in Part 2 or Part 3 that references the "Guidelines for Dual-Sanctioned Meets for LMSC Sanctions Chairs and Meet Directors."

L-10 502.7 and 503.1 Legislation Committee pages 94 and 95 modify

Committee Action: Recommended

HOD Action: Adopted

ARTICLE 502:

Local Masters Swimming Committee (LMSC)

A Local Masters Swimming Committee is a subordinate organization of the corporation with supervisory responsibilities within a specified geographical territory.

(Articles 502.1–502.6 are unchanged)

502.7 Official Names and Boundary Descriptions

~~Appendix D contains official names and boundary descriptions for each LMSC.~~

The official names and geographic boundary of each LMSC shall be as follows:-

Adirondack—The state of New York east and north of Oswego, Onondaga, Cortland, Broome, Sullivan, Orange, and Dutchess Counties.

Alaska—The state of Alaska.

Allegheny Mountain—The commonwealth of Pennsylvania west of but not including the counties of Potter, Clinton, Centre, Huntingdon, and Bedford. In the state of West Virginia, the counties of Marshall, Brooke, Ohio, and Hancock. In the state of Ohio, the counties of Columbiana, Belmont, and Jefferson.

Arizona—The state of Arizona.

Arkansas—The state of Arkansas. In the state of Texas, Bowie County, and in the state of Missouri, Jasper, McDonald, and Newton Counties.

Colorado—The states of Colorado and Wyoming.

Connecticut—The state of Connecticut.

Delaware Valley—The state of New Jersey south of Mercer, Monmouth, and Ocean Counties. The state of Delaware. In the state of Maryland, Cecil County. The commonwealth of Pennsylvania east of and including Potter, Clinton, Centre, Huntingdon, and Bedford Counties.

Florida—The state of Florida except the counties of Palm Beach, Broward, Miami-Dade, Monroe, and that part of Hendry County east of Route 833; and also excluding the counties of Escambia,

FINAL REPORT OF THE LEGISLATION COMMITTEE

Santa Rosa, Okaloosa, Walton, Holmes, Washington, Bay, and that part of Calhoun and Jackson Counties west of the Apalachicola River.

Florida Gold Coast—In the state of Florida the counties of Palm Beach, Broward, Miami-Dade, Monroe, and that part of Hendry County east of Route 833.

Georgia—The state of Georgia.

Gulf—That part of the state of Texas bounded on the north by and including the counties of Shelby, Nacogdoches, Angelina, Houston, Leon, and Robertson; and on the west by and including the counties of Brazos, Grimes, Waller, Fort Bend, Wharton, Colorado, and Matagorda.

Hawaii—The state of Hawaii.

Illinois—The state of Illinois except the counties of Calhoun, Greene, Jersey, Madison, St. Clair, Monroe, and Jackson.

Indiana—The state of Indiana except the counties of Floyd and Clark.

Inland Northwest—The eastern portion of the state of Washington east of and including the counties of Okanogan, Chelan, Kittitas, Yakima, and the portion of Klickitat County east of Highway 97 and including the city of Goldendale. The northern portion of the state of Idaho north of and including Idaho County.

Iowa—The state of Iowa.

Kentucky—The commonwealth of Kentucky. In the state of Indiana, the counties of Floyd and Clark.

Lake Erie—In the state of Ohio, the counties of Seneca, Crawford, Erie, Huron, Richland, Lorain, Ashland, Cuyahoga, Medina, Wayne, Summit, Lake, Geauga, Portage, Stark, Tuscarawas, Ashtabula, Trumbull, and Mahoning.

Maryland—The state of Maryland except the counties of Cecil, Montgomery, and Prince George's. Metropolitan—The state of New York south of and including Sullivan, Orange, and Dutchess Counties.

Michigan—The state of Michigan.

Minnesota—The state of Minnesota. In the state of Wisconsin, the counties of St. Croix, Dunn, and Pierce.

Missouri Valley—The state of Kansas. The state of Missouri west of and including the counties of Schuyler, Adair, Macon, Randolph, Audrain, Callaway, Cole, Moniteau, Morgan, Benton, Hickory, Polk, Greene, Christian, and Taney, excluding the counties of Jasper, McDonald, and Newton.

Montana—The state of Montana except the counties of Dawson and Wibaux.

Nebraska—The state of Nebraska.

New England—The states of New Hampshire, Vermont, Rhode Island, and Maine, and the commonwealth of Massachusetts.

New Jersey—The state of New Jersey north of and including the counties of Mercer, Monmouth, and Ocean.

New Mexico—The state of New Mexico.

Niagara—The state of New York west of and including the counties of Oswego, Onondaga, Cortland, and Broome.

North Carolina—The state of North Carolina.

North Dakota—The state of North Dakota. In the state of Montana, the counties of Dawson and Wibaux.

North Texas—The northern part of the state of Texas bounded on the west by and including the counties of Hardeman, Foard, Knox, Haskell, Jones, and Taylor; on the south by but not including

FINAL REPORT OF THE LEGISLATION COMMITTEE

the counties of Coleman, Brown, Mills, Lampasas, Bell, Milam, Robertson, Leon, Houston, Angelina, Nacogdoches, and Shelby; and excluding Bowie County.

Ohio—The state of Ohio except the counties of Seneca, Crawford, Erie, Huron, Richland, Lorain, Ashland, Cuyahoga, Medina, Wayne, Summit, Lake, Geauga, Portage, Stark, Tuscarawas, Ashtabula, Trumbull, Mahoning, Columbiana, Jefferson, and Belmont.

Oklahoma—The state of Oklahoma.

Oregon—The state of Oregon except Malheur County. In the state of Washington, the counties of Cowlitz, Clark, Skamania, and that portion of Klickitat County west of Highway 97.

Ozark—The state of Missouri east of and including the counties of Scotland, Knox, Shelby, Monroe, Pike, Montgomery, Osage, Miller, Camden, Dallas, Webster, Douglas, and Ozark. In the state of Illinois, the counties of Calhoun, Greene, Jersey, Madison, St. Clair, Monroe, and Jackson.

Pacific—The state of California north of but not including the counties of San Luis Obispo, Kern, and San Bernardino. In the state of Nevada, the counties of Washoe, Humboldt, Pershing, Lander, Churchill, Storey, Carson City, Douglas, Lyon, and Mineral.

Pacific Northwest—The state of Washington west of but not including the counties of Okanogan, Chelan, Kittitas, and Yakima; and north of but not including the counties of Cowlitz and Skamania.

Potomac Valley—The District of Columbia. In the state of Maryland, the counties of Montgomery and Prince George's. In the commonwealth of Virginia, the counties of Arlington and Fairfax and the cities of Alexandria, Fairfax, and Falls Church.

San Diego—Imperial—In the state of California, the counties of San Diego and Imperial.

Snake River—The state of Idaho south of and excluding Idaho County. In the state of Nevada, the counties of Elko, Eureka, and White Pine. In the state of Oregon, Malheur County.

South Carolina—The state of South Carolina

South Dakota—The state of South Dakota.

South Texas—The southern part of the state of Texas bounded on the east by and not including the counties of Matagorda, Wharton, Colorado, Fort Bend, Waller, Grimes, Brazos, and Robertson; on the north by and including the counties of Milam, Bell, Lampasas, Mills, Brown, Coleman, and Runnels; and on the west by and including the counties of Concho, Schleicher, Sutton, and Val Verde.

Southeastern—The states of Alabama and Tennessee. In the state of Florida, the counties of Escambia, Santa Rosa, Okaloosa, Walton, Holmes, Washington, and Bay, and that part of Jackson and Calhoun Counties west of the Apalachicola River.

Southern—The states of Louisiana and Mississippi.

Southern Pacific—In the state of California, the counties of San Luis Obispo, Kern, San Bernardino, Santa Barbara, Ventura, Los Angeles, Orange, and Riverside. In the state of Nevada, the counties of Clark, Lincoln, Nye, and Esmeralda.

Utah—The state of Utah.

Virginia—The commonwealth of Virginia except the counties of Arlington and Fairfax and the cities of Alexandria, Fairfax, and Falls Church. The state of West Virginia except the counties of Hancock, Brooke, Ohio, and Marshall.

West Texas—That part of the state of Texas west of but not including the counties of Val Verde, Sutton, Schleicher, Concho, Runnels, Taylor, Jones, Haskell, Knox, Foard, and Hardeman.

Wisconsin—The state of Wisconsin except the counties of St. Croix, Dunn, and Pierce.

ARTICLE 503:

Zones

503.1 Zone Names and Boundaries

~~Appendix D contains~~The official names and ~~boundary descriptions~~constituent LMSCs for each of the zones shall be as follows:-

Breadbasket—Colorado, Iowa, Minnesota, Missouri Valley, Nebraska, North Dakota, Ozark, South Dakota.

Colonies—Adirondack, Connecticut, Delaware Valley, Maryland, Metropolitan, New England, New Jersey, Niagara, Potomac Valley, Virginia.

Great Lakes—Allegheny Mountain, Illinois, Indiana, Kentucky, Lake Erie, Michigan, Ohio, Wisconsin.

Northwest—Alaska, Inland Northwest, Montana, Oregon, Pacific Northwest, Snake River, Utah. Oceana—Hawaii, Pacific.

South Central—Arkansas, Gulf, Oklahoma, North Texas, South Texas, West Texas.

Southeast—Florida, Florida Gold Coast, Georgia, North Carolina, South Carolina, Southeastern, Southern.

Southwest—Arizona, New Mexico, San Diego—Imperial, Southern Pacific.

Rationale: The appendices are informational sections of the rule book, not operational portions of the Code of Regulations, except that Appendix D is the only place that defines LMSC and zone names and boundaries. Moving the names and boundaries from Appendix D into Part 5 clarifies that proposed changes are subject to the same amendment processes as the rest of the code, with approval by the USMS House of Delegates at the annual meeting.

L-11 507.1.6–507.1.7, 601.1.1–601.1.2, and 601.4.3–601.4.4

Legislation Committee pages 102–103, 107, 109 modify

Committee Action: Recommended

HOD Action: Adopted

507.1.6 Legislation Committee—The Legislation Committee may initiate and shall receive, consider, and report proposed amendments with the committee’s recommendations at the annual meeting of the House of Delegates, in accordance with the provisions of Part 6, which includes proposed changes to: Code of Regulations, Organizing Principles, Glossary, Part 2: Administrative Regulations of Competition, Part 4: Participation, Conduct, Hearings, and Appeals, Part 5: United States Masters Swimming Inc.: Organization and Bylaws, LMSC and zone names and boundary descriptions, and Part

FINAL REPORT OF THE LEGISLATION COMMITTEE

6: Amendment Procedures. When necessary, the committee shall interpret and render opinions regarding any provision of the rules and regulations of USMS within the committee's jurisdiction as defined in article 601.1. The committee shall consist of the committee chair and sufficient members to execute the committee function, with at least one member from each zone, not to exceed 16 additional members. The Rules Committee chair shall be an ex officio member of the committee.

507.1.7 LMSC Development Committee—The LMSC Development Committee shall work to strengthen LMSC governance and operations by providing educational opportunities and mentoring for LMSC boards and officers. The committee shall provide support for LMSCs. The committee shall review and identify LMSCs that are not meeting LMSC standards as defined by the Board of Directors and assist them in achieving compliance. The committee may consult with other committees, coordinators, and special appointments as necessary for this purpose. ~~The committee may initiate and shall receive, consider, and report proposed amendments to Appendix D: Zone and LMSC Boundaries, with the committee's recommendations, at the annual meeting of the House of Delegates, in accordance with the provisions of Part 6. The committee may provide recommendations to the Legislation Committee regarding proposed amendments to LMSC and zone names and boundary descriptions.~~ The committee shall consist of the committee chair and sufficient members to execute the committee function.

601.1.1 Legislation Committee—Proposed changes to the Code of Regulations (Organizing Principles, Glossary, Part 2: Administrative Regulations of Competition, Part 4: Athletes' Rights, Hearings, and Appeals, Part 5: United States Masters Swimming Inc.: Organization and Bylaws, LMSC and zone names and boundaries, and Part 6: Amendment Procedures) shall be considered by the Legislation Committee for report and recommendation to the House of Delegates.

~~**601.1.2 LMSC Development Committee**—Proposed changes to the Code of Regulations (Appendix D: Zone and LMSC Boundaries) shall be considered by the LMSC Development Committee for report and recommendation to the House of Delegates.~~

(Renumber remainder of 601.1)

601.4.3 Legislation—The Organizing Principles, Glossary, Part 2, Part 4, Part 5, LMSC and zone names and boundaries, and Part 6 may be amended by a majority vote of the House of Delegates members present and voting if the proposed amendments are submitted to and recommended by the Legislation Committee, or by a two-thirds vote of the House of Delegates members present and voting if the proposed amendments are submitted to and NOT recommended by the Legislation Committee.

~~**601.4.4 LMSC Development**—Appendix D may be amended by a majority vote of the House of Delegates members present and voting if the proposed amendments are submitted to and~~

FINAL REPORT OF THE LEGISLATION COMMITTEE

~~recommended by the LMSC Development Committee, or by a two-thirds vote of the House of Delegates members present and voting if the proposed amendments are submitted to and NOT recommended by the LMSC Development Committee.~~

(Renumber remainder of article 601.4)

Rationale: Streamlines the amendment processes by reducing the number of jurisdictional committees, returns jurisdiction of LMSC and zone names and boundaries to the Legislation Committee, where it was prior to 2009, and ensures conformity of amendment processes at the annual meeting. However, the LMSC Development Committee should be consulted and provide recommendations when proposed changes to LMSC and zone names or boundaries are submitted. The vice president of local operations and chair of the LMSC Development Committee were consulted in the process of considering this proposal within the Legislation Committee.

L-12 601.2–601.4 Legislation Committee pages 108–110 modify

Committee Action: Recommended

HOD Action: Adopted

601.2 Submission of Proposed Amendments

601.2.1 ~~Authorization~~ Authorized Bodies—~~Changes—Amendments~~ to the *USMS Code of Regulations and Rules of Competition* (Parts 1–6 and Organizing Principles) may be proposed only by an LMSC, a standing committee of the House of Delegates, the Board of Directors, or the Executive Committee.

601.2.2 Format—Proposed ~~changes—amendments~~ shall be submitted to the committee(s) of jurisdiction in such form as to show the section as it will read if adopted, with any changes in language underlined if new and lined out if deleted.

601.2.3 Amendments With Multiple Committees of Jurisdiction—Proposed amendments that fall within more than one committee of jurisdiction may be submitted as an indivisible package. Committees of jurisdiction may also combine related proposed amendments and report the proposed amendment to the House of Delegates as an indivisible package. Each committee of jurisdiction must vote by a two-thirds majority to accept the proposed amendments as a package to be considered in the whole. Otherwise, the proposed amendments shall be considered separately by each committee of jurisdiction.

601.2.43 Submission Deadline—~~The deadline for changes submitted by an LMSC to the chair of the LMSC Development Committee is February 1 to be considered as described in article 601.4.4. June 10 is the submission deadline for p~~Proposed changes—amendments to the *USMS Code of Regulations and Rules of Competition*, proposed changes to LMSC names or boundaries, and proposed changes to zone names or boundaries to the committee(s) with jurisdiction by an LMSC must be submitted to the chair of the Legislation, Long Distance, or Rules Committee not later than June 10 to be considered as described in articles 601.4.1, 601.4.2, and 601.4.3. Proposed amendments submitted

FINAL REPORT OF THE LEGISLATION COMMITTEE

in the correct format by an authorized body before the submission deadline shall be considered timely amendments.

601.2.45 Submissions After the Deadline—The Board of Directors, Executive Committee, or standing committees ~~of the House of Delegates~~ may propose changes to ~~the USMS code~~ Parts 1–6 after ~~June 10~~ the submission deadline. Submissions after the deadline may ~~be adopted in accordance with articles 601.4.1, 601.4.2, or 601.4.3~~ be considered timely amendments by a two-thirds vote of the committee of jurisdiction, provided the proposed amendment is submitted to the committee of jurisdiction by no later than August 1. ~~All other S~~ submissions after the deadline August 1 and submissions not considered timely by the committee of jurisdiction shall may still be considered as emergency amendments and ~~adopted in accordance with article 601.4.6.~~

601.2.56 Publication of Proposed Amendments—~~All proposed changes~~ Timely amendments shall be ~~published and distributed~~ reported to each LMSC and to each member of the House of Delegates not later than 30 days before the start of the annual meeting of the House of Delegates. Emergency amendments shall be reported to each member of the House of Delegates as soon as practical after being reviewed and considered by the committee of jurisdiction.

601.3 Modification of Proposed Amendments

Proposed amendments may be modified ~~in any manner~~ by ~~the Legislation, LMSC Development, Long Distance, or Rules Committees, or the House of Delegates, where appropriate, while under consideration by said body~~ the committee with jurisdiction or by the House of Delegates. Such modification must be germane to the subject matter and intent of the proposed change and. ~~Such modification by the Legislation, LMSC Development, Long Distance, or Rules Committees~~ requires a majority vote of committee members present and voting. Such modification by the House of Delegates requires a two-thirds vote.

601.4 Adoption of Proposed Amendments

~~The USMS Code of Regulations and Rules of Competition may only be altered, amended, repealed, or otherwise changed at the annual meeting of the House of Delegates and only as follows:~~

~~**601.4.1 Rules**—Part 1 and the Glossary may be amended by a majority vote of the House of Delegates members present and voting if the proposed amendments are submitted to and recommended by the Rules Committee, or by a two-thirds vote of the House of Delegates members present and voting if the proposed amendments are submitted to and NOT recommended by the Rules Committee.~~

~~**601.4.2 Long Distance**—Part 3 and the Glossary may be amended by a majority vote of the House of Delegates members present and voting if the proposed amendments are submitted to and recommended by the Long Distance Committee, or by a two-thirds vote of the House of Delegates members present and voting if the proposed amendments are submitted to and NOT recommended by the Long Distance Committee.~~

FINAL REPORT OF THE LEGISLATION COMMITTEE

~~601.4.3 Legislation—The Organizing Principles, Glossary, Part 2, Part 4, Part 5, and Part 6 may be amended by a majority vote of the House of Delegates members present and voting if the proposed amendments are submitted to and recommended by the Legislation Committee, or by a two-thirds vote of the House of Delegates members present and voting if the proposed amendments are submitted to and NOT recommended by the Legislation Committee.~~

~~601.4.4 LMSC Development—Appendix D may be amended by a majority vote of the House of Delegates members present and voting if the proposed amendments are submitted to and recommended by the LMSC Development Committee, or by a two-thirds vote of the House of Delegates members present and voting if the proposed amendments are submitted to and NOT recommended by the LMSC Development Committee.~~

~~601.4.5 Proposed Amendments Requiring Action of More Than One Committee—In any year, proposed amendments to the *USMS Code of Regulations and Rules of Competition* that fall within more than one jurisdiction, as described in articles 601.4.1, 601.4.2, 601.4.3, and 601.4.4, may be submitted as an indivisible package to be considered by the House of Delegates, subject to the following:~~

~~A Each and every committee under whose jurisdiction the amendment proposals fall votes by a two-thirds majority to accept the proposed amendments as a package to be considered in the whole.~~

~~B If the conditions of article 601.4.5A are met, the indivisible package may be approved by a majority vote of the House of Delegates members present and voting if recommended by all committees with jurisdiction, or by a two-thirds vote of the House of Delegates members present and voting if the indivisible package fails to receive the recommendation of all committees with jurisdiction.~~

601.4.1 Timely Amendments—Timely amendments shall be considered by the House of Delegates at the annual meeting and may be adopted as follows:

A. All proposed amendments submitted to the committees of jurisdiction by an authorized body must be reported to the House of Delegates with a recommendation to adopt or reject the proposed amendments. Proposed amendments that are considered as an indivisible package must receive a recommendation to adopt from each committee of jurisdiction in order to be reported to the House of Delegates with a recommendation to adopt the indivisible package.

B. Proposed amendments presented to the House of Delegates by the committee(s) of jurisdiction with a recommendation to adopt may be adopted by a majority of members of the House of Delegates who are present and voting.

FINAL REPORT OF THE LEGISLATION COMMITTEE

C. Proposed amendments presented to the House of Delegates by the committee(s) of jurisdiction with a recommendation to reject may be adopted by a two-thirds majority of members of the House of Delegates present and voting, notwithstanding the committee recommendation.

601.4.26 Emergency Amendments—Emergency amendments (amendments not ~~submitted in conformity with articles 601.4.1, 601.4.2, and 601.4.3 considered timely~~) may be ~~passed adopted~~ by a nine-tenths vote of the House of Delegates members present and voting if they are properly submitted to, deemed an emergency by, and recommended by the committee with jurisdiction ~~as defined in article 601.1.~~

Renumber remaining sections of article 601.4

Rationale: Clarifies and streamlines the process for submission and adoption of amendments to the *Code of Regulations and Rules of Competition* at the annual meeting. Clarifies the way that amendments are presented to the HOD to avoid confusion (“adopt/reject versus recommend/not recommend”). Removes duplication with committee jurisdictions and adopts one process for amendments to Parts 1–6 and the Organizing Principles.

If adopted, here is how L-11 would read in the 2023 USMS Code of Regulations:

601.2 Submission of Proposed Amendments

601.2.1 Authorized Bodies—Amendments to the *USMS Code of Regulations and Rules of Competition* (Parts 1–6 and Organizing Principles) may be proposed only by an LMSC, a standing committee of the House of Delegates, the Board of Directors, or the Executive Committee.

601.2.2 Format—Proposed amendments shall be submitted to the committee(s) of jurisdiction in such form as to show the section as it will read if adopted, with any changes in language underlined if new and lined out if deleted.

601.2.3 Amendments with Multiple Committees of Jurisdiction—Proposed amendments that fall within more than one committee of jurisdiction may be submitted as an indivisible package. Committees of jurisdiction may also combine related proposed amendments and report the proposed amendment to the House of Delegates as an indivisible package. Each committee of jurisdiction must vote by a two-thirds majority to accept the proposed amendments as a package to be considered in the whole. Otherwise, the proposed amendments shall be considered separately by each committee of jurisdiction.

601.2.4 Submission Deadline—June 10 is the submission deadline for proposed amendments to the *USMS Code of Regulations and Rules of Competition*, proposed changes to LMSC names or boundaries, and proposed changes to zone names or boundaries to the committee(s) with jurisdiction. Proposed amendments submitted in the correct format by an authorized body before the submission deadline shall be considered timely amendments.

FINAL REPORT OF THE LEGISLATION COMMITTEE

601.2.4 Submissions After the Deadline—The Board of Directors, Executive Committee, or standing committees may propose changes to Parts 1–6 after the submission deadline. Submissions after the deadline may be considered timely amendments by a two-thirds vote of the committee of jurisdiction, provided the proposed amendment is submitted to the committee of jurisdiction no later than August 1. Submissions after August 1 and submissions not considered timely by the committee of jurisdiction may still be considered as emergency amendments.

601.2.5 Publication of Proposed Amendments—Timely amendments shall be reported to each LMSC and to each member of the House of Delegates no later than 30 days before the start of the annual meeting of the House of Delegates. Emergency amendments shall be reported to each member of the House of Delegates as soon as practical after being reviewed and considered by the committee of jurisdiction.

601.3 Modification of Proposed Amendments

Proposed amendments may be modified by the committee with jurisdiction or by the House of Delegates. Such modification must be germane to the subject matter and intent of the proposed change and requires a majority vote of committee members present and voting. Such modification by the House of Delegates requires a two-thirds vote.

601.4 Adoption of Proposed Amendments

601.4.1 Timely Amendments—Timely amendments shall be considered by the House of Delegates at the annual meeting and may be adopted as follows:

- A. All proposed amendments submitted to the committees of jurisdiction by an authorized body must be reported to the House of Delegates with a recommendation to adopt or reject the proposed amendments. Proposed amendments that are considered as an indivisible package must receive a recommendation to adopt from each committee of jurisdiction in order to be reported to the House of Delegates with a recommendation to adopt the indivisible package.
- B. Proposed amendments presented to the House of Delegates by the committee(s) of jurisdiction with a recommendation to adopt may be adopted by a majority of members of the House of Delegates who are present and voting.
- C. Proposed amendments presented to the House of Delegates by the committee(s) of jurisdiction with a recommendation to reject may be adopted by a two-thirds majority of members of the House of Delegates present and voting, notwithstanding the committee recommendation.

601.4.2 Emergency Amendments—Emergency amendments (amendments not considered timely) may be adopted by a nine-tenths vote of the House of Delegates members

FINAL REPORT OF THE LEGISLATION COMMITTEE

present and voting if they are properly submitted to, deemed an emergency by, and recommended by the committee with jurisdiction.

FINAL REPORT OF THE LEGISLATION COMMITTEE

L-13 506.3.10 and 601.5 (new) Legislation Committee pages 99 and 109–110 modify

Committee Action: Recommended

HOD Action: Adopted

506.3.10 To exercise the emergency power to ~~adopt~~ approve the adoption, amendment, or suspend suspension of any swimming rule (Part 1 or Part 3) or administrative regulations of competition (Part 2) ~~provided that the Board, with the advice and consent of the Rules Committee for Part 1, Legislation Committee for Part 2, Long Distance Committee for Part 3, and legal counsel, determines that immediate action is required to serve the interests of USMS. An action taken under this emergency provision shall be effective until the next meeting of the House of Delegates. The president shall make a detailed report of the actions taken to the entire membership of the House of Delegates within 30 days of the action taken~~ in accordance with article 601.5.

601.5 Emergency Actions

~~601.4.6~~**601.5.1 Emergency Amendments at the Annual Meeting**—Emergency amendments ~~(amendments not submitted in conformity with articles 601.4.1, 601.4.2, and 601.4.3~~ amendments not considered timely) may be ~~adopted~~ passed at the annual meeting by a nine-tenths vote of the House of Delegates members present and voting if they are ~~properly submitted to, deemed an emergency by, and recommended by the committee with jurisdiction as defined in article 601.1~~ submitted to the committee of jurisdiction, deemed an emergency by that committee, and recommended by the committee with jurisdiction.

601.5.2 Emergency Amendments Between Annual Meetings—Emergency actions to temporarily suspend, adopt, or amend any rule of competition (Part 1 or Part 3) or administrative regulation of competition (Part 2) may be enacted between annual meetings of the House of Delegates provided that the proposed suspensions or amendments are:

- A. -Initiated by a standing committee, the Board of Directors, or the Executive Committee, and
- B. Submitted to the committee with jurisdiction, deemed an emergency that requires immediate action to serve the interests of USMS, and approved by a majority of members present and voting of the committee with jurisdiction, and
- C. Submitted to the Board of Directors by the committee with jurisdiction and, with the advice and consent of the legal counsel, the Board of Directors deems the action an emergency that requires immediate action to serve the interests of USMS, and approves the action by a majority of members of the Board of Directors present and voting.

601.5.3 Expiration of Emergency Actions—Emergency actions taken between annual meetings expire at the commencement of the next annual meeting. The president shall make a report to the House of Delegates within 30 days of any emergency action.

FINAL REPORT OF THE LEGISLATION COMMITTEE

Renumber current 601.5 to 601.6.

Rationale: Clarifies the process for emergency actions taken to suspend or modify the rules of competition in between annual meetings with submission, actions by the committee of jurisdiction, and actions by the Board of Directors. Provides for temporary adoption of rules in between annual meetings which is currently not permitted. Places the provisions for emergency actions taken in between annual meetings in part 6 for clarity. (The provisions are currently only captured in part 5 under powers of the Board of Directors.)

L-14 601.4.7 and 601.4.8 Legislation and Rules Committees pages 109–110 modify

Committee Action: Recommended

HOD Action: Adopted

601.4.7 USA Swimming Amendments That Affect USMS Rules

A Amendments to USA Swimming articles 101, “Individual Strokes and Relays,” 102, “Conduct and Officiating of All Swimming Competition,” and 105, “Guidelines for Officiating Swimmers With a Disability in USA Swimming Meets,” shall automatically be adopted by USMS unless the USMS Rules Committee determines that the amendment is not applicable to USMS, corresponds to a previously approved difference between USMS and USA Swimming rules, or is not in conformance with FINA Masters technical rules. unless the USMS House of Delegates votes to reject those amendments. USA Swimming amendments may be altered by the Rules Committee for clarity, consistency of language, or stylistic conformity with USMS rules of competition.

B Amendments to USA Swimming article 103, “Facility Standards,” may be submitted recommended by the Rules Committee with a recommendation for adoption by the House of Delegates in accordance with article 601.4. The Rules Committee may temporarily adopt such amendments until the next annual meeting with a two-thirds majority vote of Rules Committee members present and voting.

~~**B** If amendments to USA Swimming articles 101 and 102 are adopted between the annual meetings of the House of Delegates, the corresponding portions of Part 1 shall automatically be adopted by USMS, except that such amendments may be altered, amended, repealed, or changed by a nine-tenths vote of the Rules Committee and a majority vote of the Executive Committee.~~

C Amendments to USMS Rules of Competition under this provision shall be reported to the entire membership of the House of Delegates within 30 days of the action.

601.4.8 FINA Masters Swimming Amendments That Affect USMS Rules—~~If~~ When amendments to the FINA Masters Technical Rules are adopted ~~between the annual meetings of the House of Delegates~~, the corresponding portions of Part 1 shall be automatically adopted by USMS; except that such amendments may be altered by the

FINAL REPORT OF THE LEGISLATION COMMITTEE

Rules Committee may be altered, amended, repealed, or changed by a nine-tenths vote of the Rules Committee and a majority vote of the Executive Committee for clarity, consistency of language, or stylistic conformity with USMS rules. Amendments to FINA Masters Technical Rules may be rejected by a nine-tenths vote of the Rules Committee and a majority vote of the Executive Committee. Amendments to USMS rules under this provision shall be reported to the entire membership of the House of Delegates within 30 days of the action.

Rationale: The USMS and USA Swimming annual meetings are no longer held concurrently. Therefore, changes to the rules for starts, strokes, turns, relays, and guidelines for officiating swimmers with disabilities could be adopted by USA Swimming out of sequence with the USMS annual meeting. FINA Masters Technical Rules are typically adopted at the FINA Congress, also out of sequence with the USMS annual meeting. It should be automatic to adopt such changes for conformity of the competitive rules unless they are not applicable to USMS. Changes to facilities standards are not as urgent.

L-15 202.1 Diversity and Inclusion Committee page 60 modify

Committee Action: Recommended as Amended

HOD Action: Adopted

The Legislation Committee amended the version submitted by the Diversity and Inclusion Committee to submit the following alternative version. The committee feels that the following version balances the objectives of the D&I Committee with the complexity of the sanctions process and workload for LMSC sanctions chairs. Additionally, with the advice and counsel of the USMS legal counsel, this version also provides objective criteria and a solid foundation for making the determination of denial or withdrawal of sanctions and recognitions.

The language is duplicated in three sections to cover pool sanctions, recognitions, and open water sanctions.

202.1 Sanctions

202.1.1 Sanction Requirements—Sanctions shall be issued, withheld, or withdrawn in accordance with the following:

Sections A–E are unchanged

F A sanction may be withheld from any individual or organization:

- (1) ~~That~~ that has failed to conduct a prior sanctioned event in accordance with applicable USMS swimming rules and administrative regulations, or as stated on the meet announcement.
- (2) When the sanctioning LMSC determines that conduct of the event would violate participation (article 401), unsporting conduct (article 402.4), or equal opportunity (article 501.3).

FINAL REPORT OF THE LEGISLATION COMMITTEE

G Sanction may be withdrawn following issuance up until the conclusion of the event:

- (1)** ~~f~~For failing to conduct the event in accordance with applicable USMS rules and administrative regulations and other stated requirements on the meet announcement up until the conclusion of the event.
- (2)** When the sanctioning LMSC determines that the sanction should have been denied under the provisions of [article 202.1.1F](#).

202.2 Recognized Events

202.2.1 Recognition—Recognition shall be issued, withheld, or withdrawn in accordance with the following:

Sections A–D are unchanged.

E A recognition may be withheld from any individual or organization

- (1)** ~~t~~That has failed to conduct said competition in accordance with applicable USMS swimming rules and regulations, or as stated on the meet announcement.
- (2)** When the sanctioning LMSC determines that the conduct of the event would violate participation ([article 401](#)), unsporting conduct ([article 402.4](#)), or equal opportunity ([article 501.3](#)).

Section F is unchanged

G Recognition may be withdrawn following issuance up until the conclusion of the event:

- (1)** ~~f~~For failing to conduct the event in accordance with applicable USMS rules and administrative regulations and other stated requirements on the meet announcement.
- (2)** When the sanctioning LMSC determines that the recognition should have been denied under the provisions of [article 202.2.1E](#).

203.4 Withdrawal or Denial of Sanctions

203.4.4 A sanction may be denied if the sanctioning LMSC determines that conduct of the event would violate participation ([article 401](#)), unsporting conduct ([article 402.4](#)), and equal opportunity ([article 501.3](#)).

203.4.5 A sanction may be withdrawn following issuance up until the conclusion of the event when the sanctioning LMSC determines that the sanction should have been denied under the provisions of [article 203.4](#).

Original Version submitted by the Diversity and Inclusion Committee:

202.1 Sanctions

202.1.1 Sanction Requirements—Sanctions shall be issued, withheld, or withdrawn in accordance with the following:

Sections A–D are unchanged

E No sanction or recognition shall be issued to any organization whose bylaws, charter, general conduct, or intention in conducting an event, or any individual whose intention in conducting an event is inconsistent with articles 501.3.

Rationale: While the USMS rules for withholding a sanction or recognition allows us to do so based upon past performance, we do not have the ability in our code to deny a sanction or recognition request from an organization or individual whose purpose or conduct is inconsistent with the equal opportunity provisions of our bylaws. -This provision would allow USMS to deny sanction or recognition to such organizations or individuals.

L-16 202.1 Diversity and Inclusion Committee page 60 modify

Committee Action: Recommended as Amended

HOD Action: Adopted

The Legislation Committee amended the version submitted by the Diversity and Inclusion Committee to submit the following alternative version. The committee feels that the following version balances the objectives of the D&I Committee with the complexity of the sanctions process and workload for LMSC sanctions chairs. Additionally, with the advice and counsel of the USMS legal counsel, this version also provides objective criteria and a solid foundation for making the determination of denial or withdrawal of sanctions and recognitions.

The language is duplicated in three sections to cover pool sanctions, recognitions, and open water sanctions.

202.1 Sanctions

202.1.1 Sanction Requirements—Sanctions shall be issued, withheld, or withdrawn in accordance with the following:

Sections A–E are unchanged

F A sanction may be withheld from any individual or organization:

- (1) † That has failed to conduct a prior sanctioned event in accordance with applicable USMS swimming rules and administrative regulations, or as stated on the meet announcement.

FINAL REPORT OF THE LEGISLATION COMMITTEE

(2) When the mission, vision, and/or goals of the host organization conflict with USMS Organizing Principles (mission, vision, goals, and objectives).

202.2 Recognized Events

202.2.1 Recognition—Recognition shall be issued, withheld, or withdrawn in accordance with the following:

Sections A–D are unchanged.

E A recognition may be withheld from any individual or organization:

(1) ~~That~~ that has failed to conduct said competition in accordance with applicable USMS swimming rules and regulations, or as stated on the meet announcement.

(2) When the mission, vision, and/or goals of the host organization conflict with USMS Organizing Principles (mission, vision, goals, and objectives).

203.4 Withdrawal or Denial of Sanctions

203.4.4 A sanction may be denied when the mission, vision, and/or goals of the host organization conflict with USMS Organizing Principles (mission, vision, goals, and objectives).

Note: Renumber 202.1.1F(2) to (3), 202.2.1F(2) to (3) and 203.4.5 to 203.4.5 to 203.4.6 if both L-15 and L-16 are adopted.

Original version submitted by the Diversity and Inclusion Committee:

202.1 Sanctions

202.1.1 Sanction Requirements—Sanctions shall be issued, withheld, or withdrawn in accordance with the following:

Sections A–E are unchanged

F No sanction or recognition shall be issued to any organization or individual whose association with USMS would bring disrepute or unwanted publicity to USMS.

Rationale: USMS may not want to associate with certain organizations because the association would be injurious to our reputation. Such organizations might include, for example, online gambling companies or legal porn websites. This provision would allow USMS to deny a sanction or recognition to such organizations or individuals.

L-17 **501.3** Diversity and Inclusion Committee page 94 modify

Committee Action: Recommended as Amended

HOD Action: Adopted

501.3 Equal Opportunity

Membership in USMS shall not be denied by virtue of race, creed, gender, gender identity (including gender expression), religion, political affiliation, disability, sexual orientation, or national origin.

Rationale: Discrimination and/or harassment based upon gender expression is prohibited in article 402.4.6. Its inclusion in article 501.3 provides the foundational pinning upon which the organization bases the restrictions on behavior found in article 402.4.6.

Rationale for Amendment:

The Legislation Committee extensively researched anti-discrimination, conduct, and similar laws, regulations, and policies to ensure an appropriate foundation with a practical and enforceable standard in the USMS Code of Regulations.

Gender expression is not generally considered as a protected class in the same way that gender identity and other characteristics are considered in article 501.3. It is generally covered by virtue of including gender identity in the equal opportunity statement. However, this language clarifies this inclusion without adding it as a distinct characteristic.

Also note that any discrimination, harassment, denial of participation, or offensive acts on the basis of gender expression is prohibited under the USMS Code of Conduct (article 402.4.6), which fully covers the intent of the proposal.

Gender identity refers to one's innermost concept of self as male, female, a blend of both or neither—how individuals perceive themselves and what they call themselves. One's gender identity can be the same or different from the sex assigned at birth.

Gender expression refers to external appearance of one's gender identity, usually expressed through behavior, clothing, haircut, or voice, and which may or may not conform to socially defined behaviors and characteristics typically associated with being either masculine or feminine. Gender expression could be a subset of identity, but it doesn't have to conform to social norms.

L-18 507.1.9 Membership Committee page 104 delete

Committee Action: Recommended

HOD Action: Adopted

~~507.1.9 Membership Committee The Membership Committee shall serve in an advisory capacity to the Board of Directors and the National Office to ensure effective and efficient registration processes and membership services. Committee members shall assist LMSC membership coordinators in a support and educational capacity. The committee shall consist of the committee chair and sufficient members to execute the committee function.~~

FINAL REPORT OF THE LEGISLATION COMMITTEE

Rationale: A number of task forces over the past five years have offered similar rationales and conclusions for disbanding the Membership (formerly Registration) Committee. The Membership Committee and its members concur with these conclusions, based on the strategy that veteran membership coordinators will continue to work with the National Office in an advisory capacity.

L-19 507.1.14 Sports Medicine and Science Committee pages 104–105 delete

Committee Action: Recommended

HOD Action: Adopted

~~**507.1.14 Sports Medicine and Science Committee**—The Sports Medicine and Science Committee shall educate members and the public on topics of sports medicine and science. The committee shall stimulate and encourage research pertaining to Masters swimming. The committee shall consist of the committee chair and sufficient members to execute the committee function.~~

Rationale: The existing functionality is recommended to continue through the activity of ad-hoc, single-issue-based task forces and individual volunteer contributors working directly with the National Office staff, the Board of Directors, and other standing USMS committees. The SMS Committee recommends maintaining two volunteers to filter information and to assign appropriate individuals from our large and established advisory panel, comprised of specialized and medically educated USMS members, to serve on ad hoc bases, in keeping with their areas of specialization. This will allow these experts to continue to author and review information flowing from the National Office to the membership as needed. The SMS Committee will provide information and referral to those committee coordinators to enhance the value of information and experience to the USMS membership.

L-20 is a submission after the deadline (article 601.2.4) and requires a two-thirds majority vote of the committee of jurisdiction in order to be recommended for adoption to the House of Delegates. The proposal received a two-thirds majority vote and is recommended for adoption. Therefore, a simple majority of the House of Delegates is required for adoption.

L-20 507.1.11 Recognition and Awards Committee pages 104 modify

Committee Action: Recommended

HOD Action: Adopted

507.1.11 Recognition and Awards Committee—The Recognition and Awards Committee shall promote recognition of service to USMS. The committee shall review and approve proposals for all official USMS service awards and ensure that a history of all service awards is maintained. The committee shall be involved in determining method of recognition and recipient selection when appropriate. The committee shall consist of the committee chair, at least ~~four~~two Ransom J. Arthur Award recipients, and sufficient ~~other~~ members to execute the committee function. The committee should include representatives from other committees that present service awards.

FINAL REPORT OF THE LEGISLATION COMMITTEE

Rationale: The committee has direct or indirect responsibility for 13 current awards given by U.S. Masters Swimming, including the administration of the Ransom J. Arthur Award selection process. Given the broad responsibility of the committee, requiring the committee membership to be weighted heavily to represent a single award is no longer necessary. Ransom J. Arthur winners also tend to be very active volunteers and may serve in many volunteer roles, which makes it difficult to fill these roles each year.