

**TABLE OF PROPOSED AMENDMENTS TO THE USMS CODE OF REGULATIONS:
ORGANIZING PRINCIPLES, GLOSSARY, PART 2, PART 4, PART 5, AND PART 6**

The following proposed amendments to the USMS Code of Regulations were submitted to the Legislation Committee in accordance with articles 601.2, 601.4.3, and 601.4.5.

Comments are invited from delegates at the annual meeting on all proposed amendments. The committee may entertain motions to reconsider any amendment at the annual meeting in order to accommodate comments from delegates and additional actions before presentation to the House of Delegates.

Amendments that are recommended by the committee require a majority vote of the House of Delegates to adopt. Amendments that are not recommended by the committee require a two-thirds vote of the House of Delegates to adopt.

Readers may click on the number in the table below to review a specific proposal.

[Housekeeping on page 31](#)

Number	Section	Description	Committee Action
L-01	Glossary	Add College Club Swimming	Moved to L-53
L-02	Glossary	Remove “registered through an LMSC” from Club	Moved to L-53
L-03	Glossary	Define May as fifth month	Not Recommended
L-04	Glossary	Remove “registered through an LMSC” from Register	Recommended
L-05	201.1.	Remove “registered through their LMSC” from Individual Membership	Not Recommended
L-06	201.1.	Simplify Membership of Individuals language	Recommended
L-07	201.1.2	Add CCS as Individual Membership	Moved to L-53
L-08	201.1.5	Define individual fees for CCS	Moved to L-53
L-09	201.2.	Clarify Membership of Clubs with an LMSC	Recommended
L-10	201.2.	Remove “registered through their LMSC” from Club Membership	Moved to L-53
L-11	201.2.1	Add CCS as Club Membership	Moved to L-53
L-12	201.2.2	Remove renewal form language	Recommended
L-13	201.2.3	Define club fees for CCS	Moved to L-53
L-14	201.3.2	Club in good standing of USMS	Recommended
L-15	201.3.3	Regular members must register where their club is registered	Recommended
L-16	201.3.3	Correct representation of swimmer members of clubs	Recommended

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L-17	201.3.4	Allow UC swimmers to score points for non-club consideration	Recommended
L-18	201.4.	Change Travel Permits to Invitation to Participate	Recommended
L-19	202.1.	Clean up who can participate in sanctioned events	Recommended
L-20	202.1.1	Allow LMSC to establish deadlines to receive applications for sanction and recognitions (also 202.2.1, page 60)	Recommended as Amended
L-21	202.1.1.A(4)	Times from sanctioned events are submitted but may not be accepted	Recommended
L-22	202.1.1.D	Sanctions cannot be transferred	Recommended
L-23	202.1.1.E	Simplify and clarify language regarding use of profits	Recommended
L-24	202.1.1.F	Add “Paralympic” to list of excluded words from use with sanctioned meets	Not Recommended
L-25	202.1.1.G(5)	Remove requirement to submit cards with entries	Recommended
L-26	202.1.1.J	Add section on withdrawn sanctions	Recommended
L-27	202.2.	Clarify that only USMS members can have times considered for records and Top 10	Recommended
L-28	202.2.	Move times achieved from recognized events to Recognized Swims	Recommended
L-29	202.2.1.C	Recognitions cannot be transferred	Recommended
L-30	202.2.1.D	Simplify and clarify language regarding use of profits	Recommended
L-31	202.2.1.H	Add section on withdrawn sanctions	Recommended
L-32	203.3.2.F	Simplify and clarify language regarding use of profits	Recommended
L-33	402.1.	Remove mission from Standards of Conduct	Recommended
L-34	402.4.5	Add members to threatening conduct	Recommended as Amended
L-35	402.4.8	Remove USAS ban from unsporting conduct	Not Recommended
L-36	403.4.1	Require NBR monthly report	Not Recommended
L-37	403.5.1	Remove NBR enforcement authority	Recommended
L-38	403.8.1	Modify private hearing rule	Not Recommended
L-39	501.1.1	Remove “registered through an LMSC” from Club members	Moved to L-53

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L-40	501.1.2	Remove “registered through an LMSC” from individual members	Moved to L-53
L-41	504.1.5	Add chairs of permanent committees of the Board to the HOD	Recommended
L-42	504.1.5	Remove voting members of the Finance, Legislation, Long Distance, and Rules Committees from HOD	Not Recommended
L-43	506.1.2	Remove past-presidents from BOD	Not Recommended
L-44	507.1.	Make committee meetings at the annual meeting optional	Not Recommended
L-45	507.1.3	Create the Diversity and Inclusion Committee	Recommended
L-46	507.1.5-13	Combine Rules and Legislation, plus add rules of LD and LMSC Development	Not Recommended
L-47	508.2	HOD shall establish membership fees.	Recommended as Amended
L-48	601.1.4	Jurisdiction of Appendix B to Rules	Not Recommended
L-49	601.1.5	Fixes a loophole where the Executive Committee removes authority from itself.	Recommended
L-50	601.2.5	Change Publication of Proposed Amendments date to 30 days before annual meeting	Recommended
L-51	601.4.6	Adds clarity to which committee will handle the amendment.	Recommended
L-52	601.6	Copy BOD emergency powers to Part 6	Not Recommended
L-53	Glossary, 201.1.2, 201.1.5, 201.2, 201.2.1, 201.2.3, 501.1.1, 501.1.2	Amends L-1, L-2, L-4, L-7, L-8, L-10, L-11, L-13, L-39, and L-40	Recommended
HK-01	201.1.2	Simplify Annual Membership dates	Recommended
HK-02	201.1.3	Housekeeping, change meet to event	Recommended
HK-03	201.1.4	Housekeeping, Membership Application	Recommended
HK-04	201.2.2	Housekeeping to clarify club membership application	Recommended
HK-05	201.3.5	Housekeeping, representation and transfers	Recommended
HK-06	201.3.6	Housekeeping to transfer fees	Recommended
HK-07	202.1.1.A(4)	Correct reference numbers in article	Recommended as Amended

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HK-08	202.1.1.A	Move transfer of sanction application with application	Recommended
HK-09	202.1.1.A(1)	Housekeeping, before participating	Recommended
HK-10	202.1.1.B	Housekeeping, change “granted” to “issued”	Recommended
HK-11	202.1.1.I	Housekeeping on withheld sanctions	Recommended
HK-12	202.2.1.E	Housekeeping to align article references	Recommended
HK-13	202.2.1.F	Housekeeping on withheld sanctions	Recommended
HK-14	203.3.3	Housekeeping 3 Entry Forms and Programs	Recommended

PROPOSED CHANGES TO THE USMS CODE OF REGULATIONS

The following proposed amendments to the USMS Code of Regulations were submitted to the Legislation Committee in accordance with articles 601.2, 601.4.3, and 601.4.5.

If adopted by the House of Delegates, these amendments will take effect on January 1, 2019.

Moved to [L-53](#)

L-1 Glossary p.xi Board of Directors Add

Committee Action	Moved to L-53		
HOD Action	Adopted	Adopted as Amended	Defeated

CCS – College Club Swimming. A swimming program administered by USMS. CCS is the collective organization that unifies college club swim programs across the country. CCS provides the rules, calendar of events, results database, and communications for CCS registered individuals and clubs.

Rationale: College Club Swimming has been a great success in its inaugural year and we anticipate continued growth in this program. USMS provides guidance to the CCS Advisory Board but does not make decision independent of the CCS Board. The Advisory Board has been clear that CCS wants to maintain independence and their unique structure while building a tight partnership with USMS as a National Governing Body and a future home for their swimmers after graduation. CCS was in need of structure and support to accomplish their goals.

USMS’s focus is to build affinity for Masters Swimming while these swimmers are part of CCS so they continue to swim for health, fitness and competition post-graduation, preferably as a member of USMS.

In an effort to more fully integrate CCS into USMS we are looking for opportunities to allow CCS members to become USMS members as effectively as possible. Currently there are 4 main obstacles to a seamless integration: 1) the college year does not align with the USMS calendar year, 2) CCS club structure and pricing does not align with USMS club registration pricing, 3) USMS annual membership fees vary greatly between LMSC’s, we want to have a single pricing model for CCS swimmers, and 4) CCS is administered nationally and through the national office and the CCS Advisory Board. This proposal and others are intended to overcome these 4 obstacles.

L-2 Glossary p.xi Board of Directors Delete

Committee Action	Moved to L-53		
HOD Action	Adopted	Adopted as Amended	Defeated

Club—an organization or group of permanent character that is a member of USMS, ~~registered through an LMSC~~, and that actively promotes and/or participates in Masters Swimming.

Rationale: Most clubs register directly on the USMS website, not with paper through the LMSC. Our traditional clubs register with an LMSC through the USMS on-line registration system. However, College Club Swimming clubs are registered directly with USMS not an LMSC.

L-3 Glossary p.xiii SPMS LMSC Modify

Committee Action	<u>Not Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

Glossary

May- (a) permissive, not mandatory

(b) fifth month of calendar year

*An optional change would be to list the word twice, once capitalized for the month, once lowercase for the modifier.

Rationale: The month is referenced in the rule book, this addition adds clarity.

L-4 Glossary p.xiii Board of Directors Delete

Committee Action	<i>Moved to L-53</i>		
HOD Action	Adopted	Adopted as Amended	Defeated

Register—enroll as a member of USMS ~~through an LMSC~~.

Rationale: Most members register directly on the USMS website, not with paper through the LMSC.

L-5 201.1 p.55 Board of Directors Delete

Committee Action	<u>Not Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

201.1 Membership of Individuals

All swimmers participating in events sanctioned by USMS, with the exception of events falling under articles 203.1.1B and 203.1.1C, must be members of USMS ~~registered through their LMSC~~ or members of their nation’s recognized Masters swimming governing body.

Rationale: Today, over 99% of members register on-line with USMS, not through paper registration forms filed with their LMSC, so this language is a vestige of past practices. Additionally, CCS is a national program with registration through a national process, so CCS members would not be registering through an LMSC but with their CCS club. This change does not change the jurisdiction of LMSCs, which is set out in Article 502.

L-6 201.1 p.55 Legislation Committee Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

201.1 Membership of Individuals

~~Individual members are adults currently registered with USMS. All swimmers participating in events sanctioned by USMS, with the exception of events falling under articles 203.1.1B and 203.1.1C, must be members of USMS registered through their LMSC or members of their nation’s recognized Masters swimming governing body.~~

Rationale: The current language speaks to participation in sanctioned events, not membership of individuals. This proposal modifies the article to be about membership of individuals.

L-7 201.1.2 p.55 Board of Directors Add

Committee Action	<i>Moved to L-53</i>		
HOD Action	Adopted	Adopted as Amended	Defeated

201.1.2 ~~Individual Annual~~ Membership

A ~~Individual Annual~~ membership is for the period January 1 through December 31 of each year. Swimmers applying for membership for the following year on or after November 1 shall be issued a membership card valid from the registration date through December 31 of the following year. Swimmers may register unattached or may affiliate with a club that is already registered for the same year for which the swimmer is registering.

B College Club Swimming membership – CCS individual membership is for the period from registration date through December 31 following the conclusion of the CCS membership year.

Rationale: Since the college year is different than the USMS year we want to make accommodations to allow a CCS swimmer to sign-up for USMS when they join CCS without needing to deal with year-plus or multi-year memberships. A CCS member could have up to 17 months of USMS membership.

L-8 201.1.5 p.56 Board of Directors Add

Committee Action	<i>Moved to L-53</i>		
HOD Action	Adopted	Adopted as Amended	Defeated

201.1.5 Fee

~~A—~~The annual membership fee and the one-event registration fee are composed of the following elements:

~~A-(1)~~ A national fee established by the Board of Directors or the House of Delegates.

~~B-(2)~~ A local fee established by the LMSC.

B The USMS fee for CCS members is composed of a national fee established by the Board of Directors or the House of Delegates.

Rationale: College Club Swimming is a nationally administered program. The swimmers are not administered or registered locally so there is no LMSC to establish a fee.

L-9 201.2 p.56 Legislation Committee Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

201.2 Membership of Clubs

Member clubs are organizations or groups of permanent character currently registered with an LMSC of USMS ~~through its LMSCs~~ and that actively promote and participate in Masters swimming.

Rationale: With online registration, clubs and individuals register through the USMS website, not through the LMSC.

L-10 201.2 p.56 Board of Directors Delete

Committee Action	<i>Moved to L-53</i>		
HOD Action	Adopted	Adopted as Amended	Defeated

201.2 Membership of Clubs

Member clubs are organizations or groups of permanent character currently registered with USMS ~~through its LMSCs~~ and that actively promote and participate in Masters swimming.

Rationale: College Club Swimming is a nationally administered program. The clubs are not registered through an LMSC. Additionally, USMS clubs register on-line through the USMS web site. Traditional clubs are members of an LMSC but they don't register through the LMSC.

L-11 201.2.1 p.56 Board of Directors Add

Committee Action	<i>Moved to L-53</i>		
HOD Action	Adopted	Adopted as Amended	Defeated

201.2.1 Annual Club Membership

A Annual Membership—Annual membership for clubs is from the date of registration through December 31 of that year; however, a club applying for membership on or after October 1 will receive membership valid through December 31 of the following year.

B College Club Swimming membership– CCS club membership is for the period from registration date through December 31 following the conclusion CCS club membership year.

Rationale: College Club Swimming clubs register in accordance with CCS rules. These do not align with USMS traditional club registration years. As part of the CCS club registration a USMS club will also be registered for each CCS club. Trying to administer different registration years for traditional and CCS clubs is not practical. In the first year, CCS clubs will be registered

with USMS on October 1 or the date they register, if after October 1. After that clubs will be members from the time they register through the close of the calendar year following the end of the CCS membership year.

L-12 201.2.2 p.56 Board of Directors Delete

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

201.2.2 Club Membership Application—Clubs may apply for membership through the USMS website or by obtaining an application form from the registrar of the LMSC. ~~Renewal forms will be accepted October 1 for the next registration year.~~

Rationale: The date of renewals is already covered in 201.2.1. And with a different date for annual membership of clubs and CCS club membership, it seems better to remove unneeded language rather than add to it.

L-13 201.2.3 p.56 Board of Directors Add

Committee Action	<i>Moved to L-53</i>		
HOD Action	Adopted	Adopted as Amended	Defeated

201.2.3 Membership Fee

~~A~~—The annual membership fee is composed of the following elements:

~~A (1)~~ A national fee established by the Board of Directors or the House of Delegates.

~~B (2)~~ A local fee established by the LMSC.

~~B~~ The USMS fee for CCS clubs is composed of a national fee established by the Board of Directors or the House of Delegates.

Rationale: College Club Swimming is a nationally administered program. The clubs are not administered or registered locally so there is no LMSC to establish a fee.

L-14 201.3.2 p.56 Board of Directors Delete

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

201.3.2 In order for a swimmer to compete as a representative of a club, that club must be a member in good standing of ~~an LMSC and~~ USMS for the year a swimmer is registering.

Rationale: College Club Swimming clubs are not associated with an LMSC so there is no standing between a CCS club and an LMSC. Additionally, there is no way to track the standing of clubs outside of their own LMSC. This places an undue burden on event directors to verify the standing of every out of LMSC swimmer's club.

L-15 201.3.3 p.56 Board of Directors Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

201.3.3 A swimmer with an annual membership shall register in the LMSC in which the club being represented is ~~located~~ registered. The swimmer need not reside within the LMSC territory.

Rationale: Since College Club Swimming is a nationally administered program the clubs do not reside or register within any LMSC.

L-16 201.3.3 p.56 Legislation Committee Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

201.3 Representation

201.3.3 A swimmer shall register in the LMSC in which the club being represented is ~~located~~ registered. The swimmer need not reside within the LMSC territory.

Rationale: Clubs are not always registered in the LMSC where they are geographically located. However the swimmer needs to be registered in the same LMSC as the club.

L-17 201.3.4 p.56 Legislation Committee Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

201.3.4 An unattached swimmer is an individual member who is registered with an LMSC's UC. ~~the UC through an LMSC~~. Swimmers registered with the UC shall not compete in relays or score team points in competition. Competing while registered with UC shall not be considered as representing a club for the purposes of article 201.3.5.

Rationale: Unattached swimmers should be allowed to score points for high point consideration. Plus housekeeping.

L-18 201.4 p.57 Legislation Committee Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

201.4 Invitation to Participate Travel Permits

~~201.4.1 A USMS membership card shall serve as a valid travel permit.~~

~~201.4.2 Written permission to compete in a foreign country may be obtained from that country's national Masters swimming chair or the chair's designee.~~

201.4.31 Any foreign swimmers requesting an invitation to participate in USMS events may have such invitation extended only by the USMS president or the president’s designee.

Rationale: USMS members do not need permits to travel within the USA and it is the purview of the foreign NGB, not USMS, to dictate what our members need to participate within their country.

L-19 202.1 p.57 Legislation Committee Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

202.1 Sanctions

Times achieved at sanctioned events by USMS members are considered for USMS records, USMS Top 10 times, and FINA world records. All swimmers entered in sanctioned events shall be USMS members, or shall be members of their nation’s recognized Masters swimming governing body~~have valid travel permits or their equivalents, or shall have other acceptable proof of current Masters membership.~~

Rationale: Participants in sanctioned events must be USMS members or members of a FINA federation masters swimming organization.

L-20 202.1.1 and 202.2.1 p. 57&60 Rules Committee Modify

Committee Action	<u>Recommended as Amended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

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

- A. Applications for sanction shall be made to the LMSC within which the event is to be held. The LMSC may establish a reasonable deadline to receive applications for sanction prior to the competition. Sanction applications shall be accompanied by the entry form.

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

- A. Application for recognition of events within the jurisdiction of USMS shall be made to the LMSC within which the event is to be held, and applications shall be accompanied by the recognition fee. The recognition fee shall consist of a national fee established by the House of Delegates. Each LMSC may also establish a local fee. The LMSC may establish a reasonable deadline to receive applications for recognition prior to the competition.

Rationale: Each LMSC has a responsibility to ensure compliance with applicable rules and regulations for sanctioned and recognized events. In some cases, they get applications at the last minute. In 2018, we added a requirement to part one that the order of events be published in the meet announcement at least one week prior to the entry deadline. Prior to this insertion, there was

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nothing in the rules that provided guidance to LMSCs on deadlines for sanction and recognition applications. This provision provides the LMSC with some flexibility to establish policies appropriate to their local jurisdiction.

L-21 202.1.1.A(4) p.58 Legislation Committee Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

(4) If it is not possible to provide timing systems that will satisfy the requirements for records or Top 10 submission (articles 103.8.5–103.8.7), the meet announcement must include a statement ~~that~~ informings swimmers that times cannot be ~~submitted~~ accepted for records and/or Top 10.

Rationale: Times from sanctioned events are submitted; however, these times cannot be accepted for records or Top 10.

L-22 202.1.1.D p.58 Legislation Committee Delete

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

D Sanctions issued to one organization cannot be transferred to another. ~~Any sanctions so transferred shall be void for all purposes, and the LMSC may deny further sanctions to any organization violating this provision.~~

Rationale: Sanctions cannot be transferred, so in no case can “Any sanction” be so transferred.

L-23 202.1.1.E p.58 Legislation Committee Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

E ~~No sanction shall be issued that would place USMS or an LMSC in jeopardy of losing tax-exempt status under section 501(c)(3) of the Internal Revenue Code. No sanction may be issued to any organization whose interest in sports and games is purely commercial, or where the event is to be promoted solely for the profit or the advertising value to be derived therefrom. Any income derived from sanctioned events must be used for the further promotion of swimming, for an approved charity, or for the general welfare of the promoting organization as a whole.~~

Rationale: Simplify and clarify language. Also remove the burden on the LMSC of verifying how event income is used.

L-24 202.1.1.F p.58 Rules Committee Modify

Committee Action	<u>Not Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

202.1.1 Sanction Requirements

(Paragraphs A, B, C, D, E, G, H, and I are unchanged)

F No sanction of any event shall be granted with the word “Olympic” or the word “Paralympic” or any derivative thereof used in any manner in connection with said event unless consent is obtained from the USOC.

Rationale: The word “Paralympic” has the same protections and usage guidelines within the United States as the word “Olympic.” This provision clarifies required consent from the USOC for both terms.

L-25 202.1.1.G(5) p.59 Legislation Committee Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

5) All swimmers shall ~~submit with their entries copies of their current membership cards or travel permits, or supply~~ provide proof of current Masters membership acceptable to the LMSC; ~~however, at~~ At the discretion of the meet director and exclusive of national championship meets, a swimmer may enter indicating “number pending,” as long as proof of membership is presented prior to the swimmer’s participation in the event.

Rationale: With online entry, swimmers cannot submit a copy of their card. And with online member verification, cards are not required at many events.

L-26 202.1.1.J p.59 Legislation Committee New

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

J Sanction may be withdrawn for failing to conduct the event in accordance with applicable USMS rules and administrative regulations and other stated requirements on the entry form up until the conclusion of the event.

Rationale: In 202.1.1 we state, “Sanctions shall be issued, withheld, or withdrawn in accordance with the following:” But we never address withdrawn. This language parallels the withdrawn language from 203.1—Open Water Sanctions.

L-27 202.2 p.59 Legislation Committee Add

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

202.2 Recognized Events

Times achieved at recognized events by USMS members shall be considered for USMS records and Top 10 times if a designated USMS observer is present and verifies in writing that the conduct of the competition conforms to the relevant USMS swimming rules and administrative regulations ...

Rationale: Clarify that only USMS members can have times considered for records and Top 10.

L-28 202.2 p.59 & 61 Legislation Committee Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

202.2 Recognized Events

Times achieved at recognized events ... ~~Times achieved by USMS members at events sanctioned or approved by USA Swimming shall be considered for USMS records and Top 10 times without formal application for recognition. Times achieved by USMS members at events sanctioned by a FINA member federation shall be considered for USMS records and Top 10 times without formal application for recognition if the USMS member(s) register for the meet as USMS members. Times achieved by USMS members at the FINA World Masters Championships shall automatically be considered for USMS records and Top 10 without formal application for recognition and without further documentation. It is the responsibility of the swimmer to submit times obtained in recognized events with complete documentation to the appropriate LMSC Top 10 recorder and the Records and Tabulation Committee chair.~~

Insert 202.3 Recognized Swims and renumber 202.3 to 202.4

Times achieved by USMS members at events sanctioned or approved by USA Swimming shall be considered for USMS records and Top 10 times without formal application for recognition. Times achieved by USMS members at events sanctioned by a FINA member federation shall be considered for USMS records and Top 10 times without formal application for recognition if the USMS members register for the meet as USMS members. Times achieved by USMS members at the FINA World Masters Championships shall automatically be considered for USMS records and Top 10 without formal application for recognition and without further documentation. It is the responsibility of the swimmer to submit times obtained in recognized events with complete documentation to the appropriate LMSC Top 10 recorder and the Records and Tabulation Committee chair.

Rationale: USA Swimming and FINA sanctioned events do not comply with article 202.2.1, so the “event” can’t be recognized. However, we do want to recognize the swims of USMS members

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in these events, so the language is being moved from recognized events to a new recognized swims article.

L-29 202.2.1.C p.60 Legislation Committee Delete

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

~~C Recognition issued to one organization cannot be transferred to another. Any recognition so transferred shall be void for all purposes, and the LMSC may deny further recognition to any organization violating this provision.~~

Rationale: Recognitions cannot be transferred, so in no case can “Any recognition” be so transferred.

L-30 202.2.1.D p.60 Legislation Committee Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

~~D No recognition shall be issued that would place USMS or an LMSC in jeopardy of losing tax-exempt status under section 501(c)(3) of the Internal Revenue Code. No recognition may be issued to any organization whose interest in sports and games is purely commercial, or where the event is to be promoted solely for the profit or the advertising value to be derived therefrom. Any income derived from recognized events must be used for the further promotion of swimming, for an approved charity, or for the general welfare of the promoting organization as a whole.~~

Rationale: Simplify and clarify language. Also remove the burden on the LMSC of verifying how event income is used.

L-31 202.2.1.H p.61 Legislation Committee New

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

H Recognition may be withdrawn for failing to conduct the event in accordance with applicable USMS rules and administrative regulations and other stated requirements on the entry form.

Rationale: In 202.2.1 we state, “Recognition shall be issued, withheld, or withdrawn in accordance with the following:” But we never address withdrawn. This language parallels the withdrawn language from 203.4.3—Open Water Sanctions.

L-32 203.3.2.F p.62 Legislation Committee Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

~~F No sanction shall be issued that would place USMS or an LMSC in jeopardy of losing tax-exempt status under section 501(c)(3) of the Internal Revenue Code. No sanction may be issued to any organization whose interest in sports and games is purely commercial, or where the event is to be promoted solely for the profit or the advertising value to be derived therefrom. Any income derived from sanctioned events must be used for the further promotion of swimming, for an approved charity, or for the general welfare of the promoting organization as a whole.~~

Rationale: Simplify and clarify language. Also remove the burden on the LMSC of verifying how event income is used.

L-33 402.1 p.85 SPMS LMSC Delete

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

402.1 Standards of Conduct

~~The mission of USMS is to promote fitness and health in adults by offering and supporting Masters swimming programs.~~ The opportunity to participate in Masters swimming is made possible by USMS. Members accept that this opportunity to participate is a privilege and as such shall conduct themselves with integrity and in a sporting manner. In matters relating to Masters swimming, members shall respect and protect the privileges of others who share this mission; therefore, the privileges of membership and participation may be withdrawn or denied if the conduct of a member or prospective member is inconsistent with the mission of the organization or the best interest of the sport and those who participate in it.

Rationale: The mission is stated elsewhere in the rule book; no need to repeat it here. It does not lend any more weight or clarity to the section.

L-34 402.4.5 p.86 SPMS LMSC Insert

Committee Action	<u>Recommended as Amended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

402.4 Unsporting Conduct

402.4.5 Any intentional nonconsensual physical contact, obscene language or gesture, or other threatening language or conduct directed toward members, volunteers or staff in connection with a USMS event.

Rationale: Not all volunteers or staff are members, which should also rightly be covered by this section. The offender is presumed to be a member.

L-35 402.4.8 p.86 SPMS LMSC Delete

Committee Action	<u>Not Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

402.4 Unsporting Conduct

402.4.8 Causing a credible and material risk to the safety of USMS members or others who may be present during USMS activities. ~~A lifetime ban, declaration of permanent ineligibility, or permanent resignation of membership from a member organization of United States Aquatic Sports may be considered as evidence of a violation of this article 402.4.8.~~

Rationale: If it is to exist at all, this part of the section should be in policy for the NBR, not code. The member under review should be treated as if he/she has done nothing to diminish the reputation of USMS unless or until it can be reasonably or factually demonstrated.

L-36 403.4.1 p.87 SPMS LMSC Insert

Committee Action	<u>Not Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

403.4 National Board of Review Procedures

F National Board of Review shall make written monthly reports to the Board of Directors of all matters under consideration. Reports shall include, at a minimum:

- (1) issue at dispute,
- (2) names of parties,
- (3) progress of review (interviews, collecting and/or examining evidence, in deliberation, etc.).

Rationale: The NBR has operated in secrecy to protect the parties but some reviews have taken over one year to complete, sometimes making any findings or penalties pointless. This addition would keep the NBR from dragging out any deliberations unnecessarily and keep the BoD apprised of any ongoing or new disputes.

L-37 403.5.1 p.87 SPMS LMSC Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

403.5 Authority of the National Board of Review

403.5.1

Impose ~~and enforce~~ penalties for any violation of the rules and regulations, administrative or technical, of USMS.

Rationale: The NBR has no enforcement authority, capability or structure. The Board of Directors already have the power to enforce and have been the instrument historically.

L-38 403.8.1 p.89 SPMS LMSC Modify

Committee Action	<u>Not Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

403.8 Hearing Panel Procedure

403.8.1

Upon the request of either party for good cause shown and by agreement by all parties ~~or the determination of the hearing panel~~, the hearing may be held in private.

Rationale: most hearings are conducted in private whether asked for or not, which does not serve the interests of USMS or one of the parties. This change would force agreement among contesting parties before private hearings may be conducted. The hearing panel should never have the option to conduct hearings in private, it serves no purpose other than to cloud any determination made. Many disputes could be solved (or may simply wither and die) if the bright light of public examination were shone upon one or both parties. The corporation has the right and duty to know what is under dispute, by whom, and why.

L-39 501.1.1 p.91 Board of Directors Modify

Committee Action	Moved to L-53		
HOD Action	Adopted	Adopted as Amended	Defeated

501.1.1 Club—Clubs that register with USMS ~~through an LMSC~~.

Rationale: Most clubs register directly on the USMS website, not with paper through the LMSC. Our traditional clubs register with an LMSC through the USMS on-line registration system. However, College Club Swimming clubs are registered directly with USMS not an LMSC.

L-40 501.1.2 p.91 Board of Directors Modify

Committee Action	Moved to L-53		
HOD Action	Adopted	Adopted as Amended	Defeated

501.1.2 Individual—Individuals who register with USMS as a member of an LMSC. ~~through an LMSC~~.

Rationale: Most members register directly on the USMS website, not with paper through the LMSC.

L-41 504.1.5 p.94 Board of Directors & Nebraska LMSC Add

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

504.1 Membership

504.1.5 All voting members of the Finance, Legislation, Long Distance, and Rules Committees, the chairs of all standing committees, the chairs of permanent committees of the Board, the legal counsel, and the National Board of Review chair.

Rationale: The permanent committees of the BOD are: 506.7.1 – Audit; 7.2 – Compensation and Benefits; 7.3 – Finance; 7.4 – Governance; 7.5 – Investment; 7.6 – Elections and 8 – Executive. Currently, all members of the Executive other than the CEO are automatic delegates as well as the Chair of Finance; however, the chairs of the other five committees are not given automatic delegate status. The chairs of these committees are invested in the future of USMS and should therefore also receive automatic delegate status

L-42 504.1.5 p.94 Board of Directors Delete

Committee Action	<u>Not Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

504.1 Membership

504.1.5 ~~All voting members of the Finance, Legislation, Long Distance, and Rules Committees,~~ The chairs of all standing committees, the legal counsel, and the National Board of Review chair.

Rationale: The Legislation, Long Distance, Rules and LMSC Development committees play a crucial role in preparing amendments to our rulebook for the House of Delegates. However, once the proposed amendments are presented to the House the committee members have met their obligation. Similarly, the Finance Committee plays a crucial role in preparing the budget for the Board to present to the House of Delegates. But once the budget goes from the Finance committee to the Board then to the House the committee members have met their obligation. By removing the mandated membership in the House of Delegates, we may find committee members who are interested in participating in the committee without the obligation of House of Delegate membership.

In addition, between these committee appointments, committee chair appointments and at-large appointments the president currently appoints 30% of the members of the HOD. This is an extremely high percentage for one person to control.

L-43 506.1.2 p.97 SPMS LMSC Delete

Committee Action	<u>Not Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

Article 506: Board of Directors

506.1.2 The nonvoting members of the Board of Directors shall consist of the chief executive officer, legal counsel, ~~all past presidents not already voting members~~, a representative of each allied organization (as approved by the Board of Directors), and a representative from USA Swimming.

Rationale: The immediate past President of USMS is already a voting member of the Executive Committee and the Board of Directors, providing institutional memory and continuity. The expertise and perspective of other past Presidents of USMS will be sought on a regular basis by the President/BOD in roles with FINA, UANA, USAS, etc. They will be appointed to task forces in their areas of expertise as they have been in the past and USMS will continue to seek their services when matters arise.

This would reduce the size of the current BOD from 28 members to 19 members. There would be 16 elected voting members and 3 non-voting members. This size is very comparable to other non-profits and best practices for organizations like USMS.

When the current BOD governance construct was created (2004), there was a need for volunteer leadership to manage operational tasks. In 2018 USMS that is no longer the case, with a CEO and staff that are responsible for operational tasks.

L-44 507.1 p.100 Board of Directors Modify

Committee Action	<u>Not Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

507.1 Standing Committees

... Standing committees shall meet and conduct business as necessary throughout the year and ~~shall~~ may meet in conjunction with the annual meeting of the House of Delegates ...

Rationale: With current technologies committees are able to meet and conduct business outside of the annual meeting. And in some cases, all of the business of the committee can be accomplished without meeting at the annual meeting. Removing the requirement of meeting at the annual meeting allows committees to meet at more convenient times and locations, as necessary. It also frees up valuable time at the annual meeting.

L-45 507.1.3 p.101 Board of Directors Add

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

507.1.3 Diversity and Inclusion Committee

The Diversity and Inclusion Committee shall help create a culture of inclusion and opportunity in USMS for people of diverse backgrounds by developing resources and engaging coaches, LMSCs, and local volunteers. The committee shall consist of the committee chair and sufficient members to execute the committee function.

- (Renumber the remaining sections of article 507.1)

Rationale: Migrate the Diversity and Inclusion task force into a standing committee to assist USMS in expanding the focus from elite swimmers to include the diversity of backgrounds, interests and swimming abilities of our members.

L-46 507.1.5-13 p.101-103 South Texas LMSC Modify

Committee Action	<u>Not Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

507.1 Standing Committees

~~507.1.5 Legislation Committee—The Legislation Committee may ... The Rules Committee chair shall be an ex officio member of the committee.~~

507.1.6 LMSC Development Committee—The LMSC Development Committee ... 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 shall consist of the committee chair and sufficient members to execute the committee function.

507.1.7 Long Distance Committee—The Long Distance Committee shall oversee the ~~rules and~~ administration of open water and long distance events.. The committee shall assure 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 accept, 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. 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 no more than 16 additional members. The Open Water Committee chair shall be an ex officio member of the committee.

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~~507.1.13 Rules Committee—The Rules Committee shall ... r, and the USA Swimming Rules and Regulations Committee chair shall be ex officio members of the committee.~~

507.1. Rules and Regulations Committee—The Rules and Regulations Committee may initiate and shall receive, consider, and report proposed amendments to the USMS Code of Regulations and Rules of Competition 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 USMS Code of Regulations and Rules of Competition. The committee shall ensure that the competitive rules in Part 1 and Part 3 of the USMS rules and regulations provide for fair and equitable competition. The committee shall provide USMS members with information about current rules, interpretations, and changes. The committee shall consist of the committee chair and sufficient members to execute the committee function, with at least one member from each zone and subject matter experts on all parts of the rule book.

Rationale: Four committees now present proposals to the HoD to make changes to the rule book. They all use similar but not standardized formats to present the proposals. This new committee will do all of the work needed to bring proposals forward, but will do so only one time during the annual meeting, in a standardized format and with a simplified presentation. LD and LMSC Dev. will remain as standing committees to do other work not related to rule book changes. The committee will members will be subject matter experts is the from the relevant areas of the rules book and assist the committee chair in preparing recommendations to the Hod. The chair of the new committee will have subject matter experts available to answer questions proposals brought to the HoD. A single committee overseeing the rule book will help reduce conflicts between different parts of the rule book and also streamline the rules proposal process. USA Swimming has been successfully using this type of committee for over 10 years to good effect.

Housekeeping code changes related to this proposed amendment.

506.3.10 To exercise the emergency power to adopt or suspend 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 and Regulations 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.

601.1 Committee Jurisdiction

601.1.1 Rules and Regulations Committee—Proposed changes to the Code of Regulations (Organizing Principles, Glossary, Part 1: Swimming Rules, Part 2: Administrative Regulations of Competition, Part 3: Open Water and Long Distance Swimming Rules , Part 4: Athletes’ Rights, Hearings, and Appeals, Part 5: United States Masters Swimming Inc.: Organization and Bylaws, Part 6: Amendment Procedures, and Appendix D: Zone and LMSC Boundaries) shall be considered by the Rules and Regulations Committee for report and recommendation to the House of Delegates.

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~~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.~~

~~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.~~

601.1.52 Executive Committee—Proposed changes to all other sections of the USMS Code of Regulations and Rules of Competition shall be considered by the Executive Committee or committee designated by the president. Such proposals are not subject to the provisions of articles 601.1, 601.2, 601.3, and 601.4.

601.2.3 Submission Deadline—The deadline for changes to Appendix D: Zone and LMSC Boundaries, 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. Proposed changes to all other Parts of the USMS Code of Regulations and Rules of Competition by an LMSC must be submitted to the chair of the ~~Legislation, Long Distance, or~~ Rules and Regulations Committee not later than June 10 to be considered as described in articles 601.4.1, 601.4.2, and 601.4.3.

601.2.4 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 after June 10. Submissions after the deadline may be adopted in accordance with articles 601.4.1, 601.4.2, or 601.4.3 by a two-thirds vote of the Rules and Regulations committee ~~of jurisdiction~~, provided the proposed amendment is made available to all members of the House of Delegates in advance of the annual meeting. All other submissions after the deadline shall be considered as emergency amendments and adopted in accordance with article 601.4.6.

601.3 Modification of Proposed Amendments

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

601.4.1 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 and Regulations Committee.

601.4.1 By a nine-tenths vote of the House of Delegates members present and voting if the proposed amendments are deemed an emergency by and recommended by the Rules and Regulations Committee.

~~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.~~

~~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.~~

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~~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.~~

~~601.4.6 Emergency Amendments—Emergency amendments (amendments not submitted in conformity with articles 601.4.1, 601.4.2, and 601.4.3) may be passed 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 appropriate governing committee as defined in article 601.1.~~

Other Housekeeping

Change Rules Committee to Rules and Regulations Committee in:

- 102.12.1.C.1–4
- 102.14.4–5
- 104.5.9
- 504.1.5
- 507.1.5
- 507.3.2
- 601.4.7
- 601.4.8

Change Legislation Committee to Rules and Regulations Committee in:

- 507.1.13
- 507.3.2

L-47 508.2 p.104 Pacific LMSC Add

Committee Action	<u>Recommended as Amended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

508.2 Fees

~~Membership registration ff~~ National membership registration, sanction, and recognition fees shall be established by the House of Delegates.

Rationale: The primary national USMS fees that existed at the time 508.2 was put in place were the membership fees. Over time many fees and charges have been established. Some are important and some not so much. All fees are set as part of the budgeting process and subject to approval by the House of Delegates. The goal of this proposal is to set membership fees apart from all other fees and charges; the setting of membership fees should be enshrined in the bylaws.

L-48 601.1.4 p.105 Rules Committee Modify

Committee Action	<u>Not Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

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. Proposed changes to Appendix B: Information for Meet Directors and Officials shall be considered by the Rules Committee for report and concurrence of the Executive Committee. Proposed changes to Appendix B are not subject to the provisions of articles 601.2, 601.3, and 601.4.

Rationale: Because Appendix B is not listed elsewhere in article 601.1, the EC is responsible for proposed changes to this section of the USMS Code of Regulations and Rules of Competition (see 601.1.5). However, this appendix contains important information and, in practice, the rules committee reviews appendix B for consistency with the competitive rules on an annual basis. In addition, because appendix B is considered informational, the rules committee cannot use appendix B to provide official interpretations, even though there are times when the information provides helpful context for rules interpretations. This amendment assigns clear responsibility for maintenance of appendix B, while also linking appendix B to the operational sections of the rule book for consistency. (Article 507.1.13 says that rules committee may render opinions on any section in its jurisdiction as defined in article 601.1)

L-49 601.1 p.105 Legislation Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

601.1.5 Executive Committee—Proposed changes to all other sections of the USMS Code of Regulations and Rules of Competition shall be considered by the Executive Committee or committee designated by the president. Such proposals are not subject to the provisions of articles ~~601.1~~, 601.2, 601.3, and 601.4.

Rationale: 601.1.5 says it is not subject to 601.1, but it must be subject to 601.1 to establish authority.

L-50 601.2.5 p.106 Board of Directors Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

601.2.5 Publication of Proposed Amendments—All proposed changes shall be published and distributed to each LMSC and each member of the House of Delegates not later than 30 days before the start of the annual meeting of the House of Delegates August 15.

Rationale: The annual meeting dates fluctuate by weeks giving the delegates between 20 and 45 days to review the proposed amendments. By having a consistent HOD review period these

peaks and valleys are smoothed out. Additionally, in years when the annual meeting starts later, the committees responsible for recommending proposed amendments will have more time to prepare their convention reports.

L-51 601.4 p.107 Legislation Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

601.4.6 Emergency Amendments—Emergency amendments (amendments not submitted in conformity with articles 601.4.1, 601.4.2, and 601.4.3) may be passed 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 ~~appropriate governing committee~~ committee with jurisdiction as defined in article 601.1.

Rationale: Adds clarity to which committee will handle the amendment.

L-52 601.6 p.107 SI LMSC Insert

Committee Action	<u>Not Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

601.6 Board of Directors Emergency Adoption/Suspension of Rules and Regulations
The Board of Directors may exercise emergency power to adopt or suspend 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 (per article 506.3.10). 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.

Rationale: To include all mechanisms in Part 6 for amending/altering USMS rules and regulations.

L-53 amends L-1, L-2, L-4, L-7, L-8, L-10, L-11, L-13, L-39, and L-40. It puts them all together under a single proposal. Red text = amendments proposed by BOD. Green text = amendments proposed by the Legislation Committee.

L-53 Glossary, 201.1.2, 201.1.5, 201.2, 201.2.1, 201.2.3, 501.1.1, 501.1.2 Board of Directors Modify

Committee Action	Recommended		
HOD Action	Adopted	Adopted as Amended	Defeated

(L1)

Add to Glossary:

~~CCS—College Club Swimming.~~ **College Club Swimming (CCS)**—A swimming program administered by USMS. CCS is the **collective organization that unifies college club swimming programs across the country. CCS provides the rules, calendar of events, results database, and communications for CCS registered individuals and clubs.**

(L2)

Amend Glossary:

Club—an organization or group of permanent character that is a member of USMS, ~~registered through an LMSC,~~ and that actively promotes and/or participates in Masters Swimming.

(L4)

Register—enroll as a member of USMS ~~through an LMSC.~~

(L7)

Amend 201.1.2

201.1.2 Annual Membership

A Individual membership is for the period January 1 through December 31 of each year. Swimmers applying for membership for the following year on or after November 1 shall be issued a membership card valid from the registration date through December 31 of the following year. Swimmers may register unattached or may affiliate with a club that is already registered for the same year for which the swimmer is registering.

B ~~College Club Swimming membership—CCS individual membership is for the period from the registration date through December 31 following the conclusion of the CCS membership year.~~

(L8)

Amend 201.1.5

201.1.5 Fee—**The annual membership fee and the one-event registration fee are composed of the following elements:**

~~A The annual membership fee and the one-event registration fee are composed of the following elements:~~ For standard USMS members:

~~A(1)~~ A national fee established by the Board of Directors or the House of Delegates.

~~B(2)~~ A local fee established by the LMSC.

~~B The USMS fee for CCS members is composed of~~ For CCS members who are also USMS members: a national membership fee established by the Board of Directors or the House of Delegates.

(L10)

Amend 201.2

201.2 Membership of Clubs

Member clubs are organizations or groups of permanent character currently registered with USMS ~~through its LMSCs~~ and that actively promote and participate in Masters ~~swimming~~ Swimming. In addition, clubs are members of LMSCs, except for CCS clubs, which are only members of the national organization.

(L11)

Amend 201.2.1

201.2.1 **Annual Club Membership**

~~A Annual Membership~~ Standard USMS Clubs—Annual membership for standard USMS clubs is from the date of registration through December 31 of that year; however, a club applying for membership on or after October 1 will receive membership valid through December 31 of the following year.

~~B College Club Swimming m~~ Membership CCS Clubs—Annual membership for CCS clubs membership is for the period from the registration date through December 31 following the conclusion of the CCS club membership year.

(L13)

Amend 201.2.3

~~201.2.3 Membership Fee~~—The annual membership fee and the one-event registration fee are composed of the following elements:

~~A For standard USMS clubs:~~ The annual membership fee is composed of the following elements:

~~A(1)~~ A national fee established by the Board of Directors or the House of Delegates.

~~B(2)~~ A local fee established by the LMSC.

~~B The USMS fee for CCS clubs is composed of a national fee established by the Board of Directors or the House of Delegates.~~ For CCS clubs: a national membership fee established by the Board of Directors or the House of Delegates.

[\(L39\)](#)

Amend 501.1.1

501.1.1 Club—Clubs that register with USMS [\(article 201.2\)](#) ~~through an LMSC~~.

[\(L40\)](#)

Amend 501.1.2

501.1.2 Individual—Individuals who register with USMS [\(article 201.1\)](#) ~~through an LMSC~~.

Rationale: College Club Swimming has been a great success in its inaugural year, and we anticipate continued growth in this program. USMS provides guidance to the CCS Advisory Board but does not make decisions independent of the CCS Board. The Advisory Board has been clear that CCS wants to maintain independence and their unique structure while building a tight partnership with USMS as a National Governing Body and a future home for their swimmers after graduation. CCS was in need of structure and support to accomplish their goals.

USMS's focus is to build affinity for Masters Swimming while these swimmers are part of CCS so they continue to swim for health, fitness, and competition post-graduation, preferably as a member of USMS.

In an effort to more fully integrate CCS into USMS, we are looking for opportunities to allow CCS members to become USMS members as effectively as possible. Currently, there are four main obstacles to a seamless integration: 1) the college year does not align with the USMS calendar year, 2) CCS club structure and pricing does not align with USMS club registration pricing, 3) USMS annual membership fees vary greatly between LMSCs, and we want to have a single pricing model for CCS swimmers, and 4) CCS is administered nationally through the National Office and the CCS Advisory Board. This proposal is intended to offer College Club Swimmers USMS memberships and overcome these four obstacles.

Housekeeping

HK-1 201.1.2 p.55 Legislation Committee Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

201.1.2 Annual Membership—Individual membership is for the period January 1 through December 31 of each year. Membership is effective from the date of registration through December 31 of the same year, except that registrations on or after November 1 shall provide membership from the registration date through December 31 of the following year. Registrations ~~Swimmers applying for membership for the following year on or after November 1 shall be issued a membership card valid from the registration date through December 31 of the following year.~~ Swimmers may register unattached or may affiliate with a club that is already registered for the same year for which the swimmer is registering.

Rationale: Housekeeping to clarify language.

HK-2 201.1.3 p.55 Legislation Committee Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

201.1.3 One-Event Registration

A Open Water One-Event Registration—An LMSC may offer a single-event registration ... One-event registrants shall be identified as such in the ~~meet~~ event results.

Rationale: Housekeeping to keep language consistent.

HK-3 201.1.4 p.55 Legislation Committee Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

201.1.4 Membership Application

A Individuals may apply for membership through the USMS website or by ~~obtaining~~ submitting an application form ~~from~~ to the registrar of the LMSC. The LMSC shall provide a link to an electronic membership card or, upon request of the member, issue a membership card ~~upon request.~~

Rationale: Housekeeping to clarify language.

HK-4 201.2.2 p.56 Legislation Committee Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

201.2.2 Club Membership Application—Clubs may apply for membership through the USMS website or by ~~obtaining~~ submitting an application form ~~from~~ to the registrar of ~~the~~ their LMSC. ~~Renewal forms will be accepted October 1 for the next registration year.~~

Rationale: Housekeeping to clarify and eliminate extraneous language.

HK-5 201.3.5 p.57 Legislation Committee Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

201.3.5 A swimmer shall not represent any club in competition for 60 consecutive days before transferring affiliation to another club, unless this transfer takes place at the time of annual registration. A swimmer may declare unattached status at any time without written application. ~~It is recommended that s~~Swimmers who intend to compete as unattached in a meet should contact their registrar prior to the meet ~~and to~~ request that their registration status be changed. The registrar shall change the club affiliation of the swimmer to the UC and note the effective date.

Rationale: Housekeeping to clarify and eliminate extraneous language.

HK-6 201.3.6 p.57 Board of Directors Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

201.3.6 All applications for changes of membership (including transfers) must be accompanied by a national fee established ~~reasonable fee to be determined~~ by USMS and a local fee established by the LMSC in which the swimmer will register for change of membership.

Rationale: Housekeeping to make the language consistent with other fees being established.

HK-7 202.1.1 p.58 Rules Committee Modify

Committee Action	<u>Recommended as Amended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

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

- A. Applications for sanction shall be made to the LMSC within which the event is to be held. Sanction applications shall be accompanied by the entry form.

(paragraphs (1) through (3) remain unchanged.)

- 4. If it is not possible to provide timing systems that will satisfy the requirements for world records, USMS records, and/or Top 10 submission (articles 103.18.5–103.18.7), the meet announcement must include a statement that informs swimmers that times cannot be submitted for records ~~and/~~ or Top 10.

Rationale: Correct reference numbers in this article and use the same language as article 103.18.9. (Should be considered as housekeeping.)

HK-8 202.1.1.A&H p.57&59 Legislation Committee Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

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

A Applications for sanction shall be made to the LMSC within which the event is to be held. Sanction applications shall be accompanied by the entry form. After receiving a sanction application, the LMSC may transfer its sanctioning authority to another LMSC, provided both LMSCs and the applicant agree to the transfer in writing. Upon approval, all fees and sanction obligations shall be transferred to the accepting LMSC.

~~202.1.1.H Pursuant to article 202.1.1A, after receiving a sanction application the sanctioning LMSC may transfer its sanctioning administration to another LMSC, provided both agree to the transfer in writing. All fees and sanction obligations under article 202.1.1 will be transferred to the accepting LMSC.~~

Rationale: Housekeeping to move this article up with the application language.

HK-9 202.1.1.A p.57 Legislation Committee Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

(1) The entry forms, except those for postal events, shall contain the language of the liability release as stated in USMS policy (see USMS Guide to Operations, Sanctions section). All swimmers, ~~before participating~~, shall have signed the liability release before participating.

(2) Event entry forms and programs ~~must bear~~ shall include the statement “Sanctioned by (LMSC name) for USMS Inc.” Event entry forms and programs may include the statement “Sanction number _____.”

Rationale: Housekeeping to improve language.

HK-10 202.1.1.B p.58 Legislation Committee Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

B Entries shall not be accepted before the sanction has been ~~granted~~ issued. Paper forms shall not be distributed, online entry systems shall not be activated, and the event shall not be listed as sanctioned on the USMS Calendar of Events until the sanction has been ~~granted~~ issued.

Rationale: Housekeeping. Change granted to issued to keep consistent taxonomy. Additional housekeeping for articles: **202.1.1.F, 203.3.2.G, 203.3.3.D,**

HK-11 202.1.1.I p.59 Legislation Committee Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

I A ~~further~~ sanction may be ~~denied to~~ withheld from any individual or organization that has failed to conduct ~~such a~~ prior sanctioned event in accordance with applicable USMS swimming rules and administrative regulations, or as stated on the entry form.

Rationale: Housekeeping to simplify and clarify language.

HK-12 202.2.1.E p.60 Legislation Committee Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

E The conduct of a recognized event shall conform to relevant USMS swimming rules and administrative regulations, including but not limited to the following:

- (1) ~~Article 101~~ Starts, Strokes, and Relays ([article 101](#)) or [Swimmers With a Disability \(article 107\)](#)
- (2) ~~Article 102.12.1~~ Swimwear Restrictions ([article 102.12.1](#))
- (3) ~~Article 103.18.4~~ Timing Resolution ([article 103.18.4](#))
- (4) ~~Articles 103.18.1,~~ Official Time ([articles 103.18.1,](#) 103.18.3, 103.18.5–103.18.8, and 103.18.10)
- (5) ~~Articles 105.1, 105.2.1,~~ Records and Top 10 Times ([articles 105.1, 105.2.1,](#) 105.2.2A, 105.3.2, 105.3.7A, and 105.3.9)
- (6) ~~Articles 106.2.1,~~ Minimum Standards for Facilities ([articles 106.2.1,](#) 106.2.3A, 106.3, 106.11.1, 106.11.2, and 106.14)
- (7) Relay leadoff split times that conform to articles 103.18.1 and 105.2.2A will be considered for events listed in article 102.5. USMS membership is not required for the other members of the relay team and the relay event itself need not conform to article 102.5.

Rationale: Housekeeping to align article references.

HK-13 202.2.1.F p.61 Legislation Committee Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

F ~~Further~~ A recognition may be ~~denied to~~ withheld from any individual or organization that has failed to conduct said competition in accordance with applicable USMS swimming rules and regulations, or as stated on the entry form.

Rationale: Housekeeping to simplify and clarify language.

HK-14 203.3.3 p.63 Legislation Committee Modify

Committee Action	<u>Recommended</u>		
HOD Action	Adopted	Adopted as Amended	Defeated

203.3.3 Entry Forms and Programs

A The entry forms shall contain the language of the liability release as stated in USMS policy (see USMS Guide to Operations, Sanctions section). All swimmers, ~~before participating,~~ shall have signed the liability release before participating.

B Entry forms, programs, and results ~~must bear~~ shall include the statement “Sanctioned by (LMSC name) for USMS Inc.”

C An event securing sanctions from more than one governing body shall identify all sanctioning bodies on entry forms, programs, and results.

D Entries shall not be accepted before the sanction has been ~~granted~~ issued. Paper forms shall not be distributed, online entry systems shall not be activated, and the event shall not be listed as sanctioned on the USMS Calendar of Events until the sanction has been ~~granted~~ issued.

E For competitive open water events that calculate individual scoring for place and/or club scoring, a swimmer’s valid club affiliation and age ~~must~~ shall be displayed after the name in ~~the~~ any published program, ~~if a program is published~~.

Rationale: Housekeeping.