

**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 (2/3) vote of the House of Delegates to adopt.

New language is underlined, deleted language is ~~struck through~~.

Number	Section	Description	Committee Action
L1	Glossary	Adds “Meet Program” and “Heat Sheet”	Recommended
L2	201.1.5	Unified fee	Recommended <u>as Amended</u>
L3	201.2.3	Unified fee	Recommended <u>as Amended</u>
L4	201.3	Adds “Club Affiliation” to the title	Recommended
L5	201.3.6	Deletes 201.3.6.	Recommended
L6	202.1.1	Clarifies that a meet announcement should be included with a sanction request.	Recommended
L7	202.1.1.A(4)	To inform swimmers what type of timing system is being used and what official purposes their times should qualify for.	Recommended
L8	202.1.1.G(6)	Updating language for consistency.	Recommended <u>as Amended</u>
L9	202.2	Specifies what times count at recognized meets.	Recommended
L10	202.2.1. <u>G</u>	Specifies where world records can be set.	Recommended
L11	202.2.(E), 202.2.1(D), 203.3.2	Deletes old language.	Recommended
L12	502.5	Adds minimum notice for local elections.	Recommended
L13	506.1.2	Removes past presidents from the Board of Directors.	Recommended
L14	506.2.4	Clarifies term limits for at-large directors.	Recommended
L15	508.3	Removes policy that is no longer needed.	Recommended
L16	601.2.4	Creates a deadline for proposals to be considered emergency amendments.	Recommended
L17	201.3.5	Transfer of club affiliation.	Recommended as Amended
L18	201.3.5	Represent one club at a meet.	Recommended as

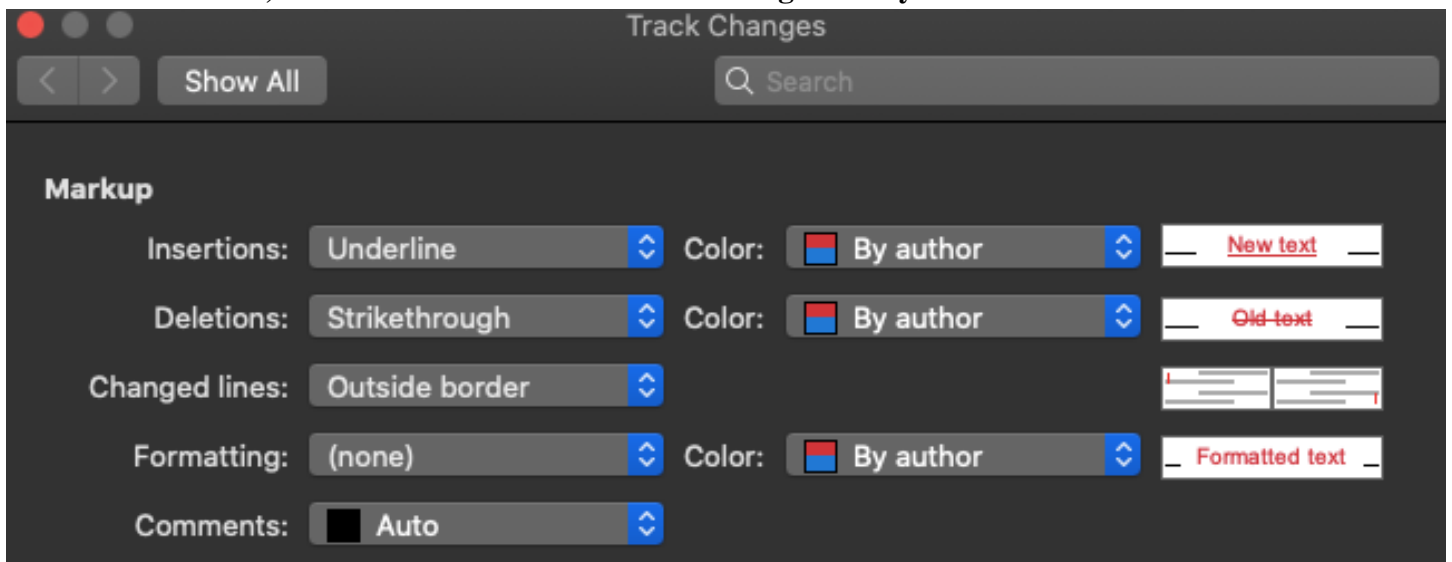
FINAL VERSION FOR DISTRIBUTION TO DELEGATES PRIOR TO THE USMS ANNUAL MEETING

Updated 9/23/20

			Amended
L19	Glossary, 501.3	Adds “gender identity” to Part 5 and the Glossary.	Recommended as Amended
L20	508.2	Unified fee.	Recommended as Amended
L21	501.1.6	Adds a new class of membership.	Not Recommended
L22	Part 2	Reorganizes Part 2 into other parts of the rule book.	Not Recommended
HK1	506.3.1	Fixes reference.	Recommended

L2, L3, L8, and L20 were amended on September 23rd.

In Microsoft Word, make sure that the color for all changes are by author.



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, 2021.

Recommended

L- 1 Glossary pg xiii

Legislation

Add

Committee Action	Recommended		
HOD Action	Adopted	Adopted as Amended	Defeated

Meet Program (Heat Sheet)—synonyms for the published order of events, heat and lane assignment of participants, and other day-of-race information pertaining to a specific meet.

Heat Sheet—see Meet Program.

Rationale: This addition defines two terms that do not currently exist in the Glossary. The term “heat sheet(s)” appears 11 times, only in Parts 1 and 2 and Appendix B. The term “program(s)” (with respect to meets) also occurs 11 times.

L-2 201.1.5 pg 56

Board of Directors

Replace

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

201.1.5 Fees—The fees for membership and one-event registration shall each be a single fee, with a portion allocated to USMS national operations and a portion allocated to the LMSC in which an individual registers, ~~if applicable~~ unless that individual is registering as a member of College Club Swimming, in which case the entire fee is allocated to USMS national operations. The allocation between national operations and LMSCs shall be established by the House of Delegates.

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

~~A For standard USMS members:~~

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

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

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

Rationale: Currently, USMS can have over 52 different membership fees around the country based on the LMSC in which the member registers. This makes it difficult to promote membership and to offer special membership categories because of the varied price structure. The proposed modifications to 201.1.5 would establish a single unified membership fee for all USMS members, no matter the LMSC in which they were registered. The House of Delegates would establish the fee under authority granted in article 508.2 and determine the portion shared with the LMSC under this article. This will simplify our fee structure and allow USMS to easily advertise our membership fee to prospective members. The unified fee would also allow for the creation of joint memberships with other organizations, like USA Triathlon, USA Cycling, or USA Swimming, or to offer fitness or ALTS memberships. The unified fee also would allow USMS to potentially offer a multi-year membership fee, automatic membership renewal, rolling 12-month membership, and bulk registration by clubs with the membership fee included.

L-3 201.2.3 pg 56

Board of Directors

Replace

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

201.2.3 Fees—The fee for membership shall be a single fee, with a portion allocated to USMS national operations and a portion allocated to the LMSC in which a club registers, if applicable. The allocation between national operations and LMSCs shall be established by the House of Delegates.

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

~~A For standard USMS clubs:~~

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

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

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

Rationale: Currently, USMS has up to 52 different club membership fees around the country based on the LMSC in which the club registers. This makes it difficult to promote membership because of the varied price structure and it is confusing to coaches. The proposed modifications to 201.2.3 would establish a single unified club membership fee, no matter the LMSC in which they were registered. The House of Delegates would establish the club fee under authority granted in article 508.2 and determine the portion shared with the LMSC under this article. This will simplify our fee structure and allow USMS to easily advertise club memberships.

L-4 201.3 pg 57 Rules Committee Modify

Committee Action	Recommended		
HOD Action	Adopted	Adopted as Amended	Defeated

201.3 Representation/Club Affiliation

Rationale: Include “affiliation” in the title, because the article discusses representation for clubs with which a swimmer affiliates and further discusses club affiliation and transferring affiliation.

L-5 201.3.6 pg 57 Board of Directors Delete

Committee Action	Recommended		
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 by USMS and a local fee established by the LMSC in which the swimmer will register for change of membership.~~

Rationale: Many club transfers are due to a member relocating to a different area or due to a change at their prior club making continued participation difficult (e.g., change in schedule, facility, coach, or closure of the club). Changes of this nature are generally not within the member’s control and it seems punitive to charge them a fee to change clubs in this situation. This change promotes member retention and is consistent with USMS goals to simplify our member fees. Furthermore, there is no national transfer fee and the LMSC transfer fee varies widely, with most LMSCs not charging any fee. An amendment for a single unified fee set by the House of Delegates could have been proposed. Given current practices, that fee would likely be set to \$0, making the article pointless. Hence, the proposal to eliminate rather than amend the article.

L-6 202.1.1 pg 57 Legislation Committee Modify

Committee Action	Recommended		
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~~ meet announcement. 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.

- (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 shall have signed the liability release before participating.
- (2) ~~Event~~The meet announcement entry forms and programs shall include the statement “Sanctioned by (LMSC name) for USMS Inc.” ~~Event entry forms and programs and~~ may include the statement “Sanction number _____.” Entry forms and programs may include these statements.
- (3) ~~The M~~meet information announcement shall include ONE of the following statements for each course used for competition during the meet:
 - (a) The length of the competition course without a bulkhead is in compliance and on file with USMS in accordance with articles 105.1.7 and 106.2.1.
 - (b) The length of the competition course has been measured and is NOT in compliance with USMS articles 105.1.7 and 106.2.1: Times achieved in the meet will NOT be eligible for USMS Top 10 and records.
 - (c) The length of the competition course is not on file with USMS. Eligibility of times achieved in this meet will be contingent upon pool length measurement and approval with USMS; if bulkheads are present, their placement must also be confirmed by measurements at the meet (USMS articles 105.1.7 and 106.2.1).
 - (d) The length of the competition course is in compliance and on file with USMS in accordance with articles 105.1.7 and 106.2.1, but as a bulkhead course, is subject to length confirmation. Eligibility of times for USMS Top 10 and records will be contingent on verification of bulkhead placement.

Rationale: The more appropriate document to be included with the sanction application is the meet announcement, which includes all the information about where and when the meet will be held, how the meet will be conducted, entry fee, etc. The entry form is merely the means to communicate which events have been entered and seed times. The meet announcement is also the more appropriate document in which to include the sanction information (which LMSC has sanctioned the meet and sanction number, if desired). The sanction information may also be included in the event form and meet program, but is not the primary location where potential entrants would look for it. In addition, terminology in article 202.1.1A(3) needs to be updated from “meet information” to “meet announcement.”

L-7 202.1.1.A(4) pg 58

Legislation Committee

Modify

Committee Action	Recommended		
HOD Action	Adopted	Adopted as Amended	Defeated

202.1.1.A(4) If it is not possible to provide timing systems that will satisfy the requirements for world records, USMS records, or Top 10 submission (articles 103.18.5-103.18.7), the meet announcement must include a statement informing swimmers that times cannot be accepted for records or Top 10. The meet announcement shall include a description of the timing systems intended to be used at the meet (see articles 103.18.5-103.18.9) and one of the following statements for each course:

- (a) Times from this competition will be eligible for world record, USMS record, and Top 10 consideration.
- (b) Times from this competition will be eligible for USMS Top 10 consideration, but not for world or USMS records.
- (c) Times from this competition will not be eligible for world record, USMS record, or Top 10 consideration.

If a change in primary timing system is necessary before or during the meet, the meet director shall ensure that all swimmers are notified of the change.

Rationale: To inform swimmers what type of timing system is being used and what official purposes their times should qualify for.

L-8 202.1.1.G(6) pg 59

Legislation Committee

Modify

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

202.1.1 G (6) A swimmer’s valid ~~club~~ affiliation and age ~~must~~ shall be displayed after the name ~~on the heat sheet or in the~~ in the meet program.

Rationale: Updating language for consistency.

Note: The original proposal added the word “club” before affiliation. The amendment removes this addition.

L-9 202.2 pg 60

Legislation Committee

Modify

Committee Action	Recommended		
HOD Action	Adopted	Adopted as Amended	Defeated

202.2 Recognized Events

Times achieved by USMS members at recognized events other than USA Swimming or FINA meets 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. (See Appendix B for the required Observer’s Report.) USA Swimming and FINA sanctioned meets ~~are automatically recognized and~~ do not require observers. (See article 202.3). USMS membership is not required for swimmers entered in recognized events.

Rationale: Revise wording to clarify that USA-S and FINA meets do not require an application for an Observer and includes a reference as to where to find the official Observer Report.

L-10 202.2.1.G pg 61

Legislation Committee

Add

Committee Action	Recommended		
HOD Action	Adopted	Adopted as Amended	Defeated

202.2.1 G World records can be set only in FINA- or USMS--sanctioned competitions, not recognized events.
(renumber current G, H, and I to become H, I, and J)

Rationale: To make swimmers aware of the requirements for setting world records.

L-11 202.1.1(E), 202.2.1(D), 203.3.2 pg 59, 60, 63

Board of Directors

Delete

Committee Action	Recommended		
HOD Action	Adopted	Adopted as Amended	Defeated

202.1.1 Sanction Requirements

...

~~E 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.~~

Renumber F-I

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

...

~~D 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.~~

Renumber E-I

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

...

~~F 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.~~

Renumber G-J

Rationale: This language in these sections is a carryover from the AAU when amateurism in swimming was a major concern. Currently, the language is potentially confusing and may be inconsistent with the current environment. For example, many of our swim clubs are “commercial entities” with paid coaches and owners; technically these could be considered organizations whose interest in sports and games is commercial. Also, many events contract out event entry services, using income from the event to pay for this service, which could be interpreted as a disallowed use of funds. To maximize the competitive opportunities for our members, the primary criterion for hosting an event should be the host’s ability to conduct a quality event, not its tax status.

USMS attorneys and accountants have both indicated prohibitions against for-profit entities hosting events are not required for USMS to maintain its 501(c)3 status.

L-12 502.5 pg 92

Legislation Committee

Add

Committee Action	Recommended		
HOD Action	Adopted	Adopted as Amended	Defeated

502.5 Election of Officers

Each LMSC shall provide for periodic election of officers in its bylaws. All LMSC members must be notified of the procedure, time, date, and if appropriate, location of the election a minimum of 15 days prior to the election.

Rationale: Ensures that elections are transparent.

L-13 506.1.2 pg 96

Illinois LMSC

Delete

Committee Action	Recommended		
HOD Action	Adopted	Adopted as Amended	Defeated

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, and~~ a representative of each allied organization (as approved by the Board of Directors), ~~and a representative from USA Swimming.~~

Rationale: None of our other USA aquatic organizations keep their past presidents as permanent members on their boards. A sampling of major sports nonprofit organizations do not retain their past presidents as permanent board members: USA Swimming, USA Diving, USA Synchronized Swimming, USA Water Polo, UANA, USOC, and USA Triathlon. LMSCs do not keep all their past presidents as permanent board members. Simply put, it is not a best practice for an organization to keep all past presidents as permanent members on their board.

Currently, there are seven nonvoting past presidents actively serving on the USMS Board and three others listed, but not serving as Board members. These seven are nearly half the size of our 15 elected Board members. Of the 10 nonvoting past presidents, seven served before USMS had a CEO and paid staff.

The main rationale for keeping the past presidents permanently on the Board was to offset the inexperience of newly elected Board members. This has long been unnecessary for two reasons: 1) the Chief Executive Officer (CEO) provides continuity, organizational history, and experience, same as the past presidents, and 2) the Board has established an ongoing board training and development program. New Board members come better prepared, are well qualified, and are assigned Board mentors to facilitate their incorporation into the Board.

There are several best practices for utilizing past presidents. For USMS, it needs to be up to the discretion of the current president, what works best for him/her and USMS. One of the best recommendations and an example:

Establish a past president ad hoc advisory committee (not a rule book committee). The chair of the committee typically is the immediate past president. They meet periodically to discuss current Board issues and the president can request special meetings to address specific Board issues. They can comment and opine on issues for the immediate past president to represent their positions to the Board. This way, all former presidents have a direct voice to the Board and, in effect, a vote since the immediate past president representing their views is also a voting member of the Board. This approach continues to benefit the organization's leadership with the collective knowledge and experience of its past presidents, without the cost and inefficiency of an oversized board.

This approach will also allow the Board to function more as a single unit. Instead of having an Executive Committee meeting and then a separate Board meeting each month, USMS could have one unified Board meeting. This efficiency will improve the volunteer Board members' experience, help staff that currently needs to prepare for two Board meetings a month, and improve and shorten decision-making.

These past presidents have valuable experience and a passion for USMS like few other volunteers. Releasing them from the Board will open up opportunities for them to serve more time on committees in areas of their greatest strengths. Back in the ranks with regular volunteers they will also serve as mentors and can facilitate the development of future USMS volunteer leaders.

This proposal also eliminates the nonvoting Board position granted to the USA Swimming representative. USA Swimming no longer appoints a representative to our Board and USMS no longer has a seat on the USA Swimming board. Most of the interaction between the USA Swimming and USMS comes through the CEOs. This bylaw change acknowledges the current relationship between USMS and USA Swimming.

L-14 506.2.4 pg 97

Legislation Committee

Add

Committee Action	Recommended		
HOD Action	Adopted	Adopted as Amended	Defeated

506.2.4 Each at-large director is eligible for election ~~to the same office~~ for two consecutive terms. No person so elected for two successive terms is eligible for reelection ~~as an at-large director to the same position~~ until after the lapse of two years following the term of office to which that person was last elected.

Rationale: To clarify the term limits of the at-large directors.

L-15 508.3 pg 104

Legislation Committee

Delete

Committee Action:	Recommended		
HOD Action:	Adopted	Adopted as Amended	Defeated

~~508.3 Budget Requests~~

~~Changes to a budget submitted by the Board of Directors shall require a two-thirds approval by the House of Delegates.~~

Rationale: The process is no longer followed.

L-16 601.2.4 pg 106

Legislation Committee

Modify

Committee Action:	Recommended		
HOD Action:	Adopted	Adopted as Amended	Defeated

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 committee of jurisdiction, provided the proposed amendment is ~~made available to all members of the House of Delegates in advance of the annual meeting submitted to the committee of jurisdiction by August 1~~. All other submissions after the deadline shall be considered as emergency amendments and adopted in accordance with article 601.4.6.

Rationale: To clarify the difference between an amendment after the deadline and an emergency amendment. Current wording was written before email technology became instantaneous and conceivably allows a loophole for changes to happen under the two-thirds vote threshold required of emergency amendments up until convention begins. The August 1 deadline for late amendments gives the committees of jurisdiction ample time to review proposed changes received by the June 10 deadline and determine whether additional legislative issues arising from these proposals needs to be addressed. Anything after the August 1 deadline would be considered emergency amendments.

Recommended as Amended

Amendments appear in a different color.

L-17 201.3.5 pg 57

New England LMSC

Modify

Committee Action	Recommended as Amended		
HOD Action	Adopted	Adopted as Amended	Defeated

201.3.5 Transferring Club Affiliation

A A swimmer shall not represent any club in competition for ~~60~~³⁵ consecutive days before transferring affiliation to another club, unless this transfer takes place at the time of annual registration.

B ~~Excluding a transfer effected~~ Except for a transfer that takes effect during annual registration, a swimmer may transfer club affiliation no more than twice in a membership year except when a hardship exists as determined by the chair of the USMS Membership Committee. Swimmers must direct hardship exception requests to the membership coordinator of the destination LMSC or the USMS National Office.

BC A swimmer may declare unattached status at any time without written application. Swimmers who intend to compete as unattached in a meet should contact their LMSC membership coordinator or the USMS National Office prior to the meet to request that their registration status be changed. The LMSC membership coordinator or USMS National Office shall change the club affiliation of the swimmer to the UC and note the effective date.

NOTE: This rule change shall take effect beginning with the 2021 membership year.

Rationale: Part of USMS's mission is to promote competition. The current 60-day club transfer waiting period creates an overly restrictive barrier to meet participation, especially for national championships.

LMSC, zone, and national championships often occur within 60 days of each other. Rather than compete at Nationals on their own, some members of smaller clubs temporarily transfer to a larger club so they can participate in relays and enjoy the team bonding experience at Nationals. However, the 60-day waiting period requires these members to plan their club transfers months before meet entry deadlines and forces them to choose between competing with their home club at LMSC championships or with the bigger club at Nationals. Prior participation in ePostal national championship events further complicates this club transfer calculus.

Some delegates and volunteer leaders consider "club hopping" at odds with the concepts of fair competition and team loyalty. They fear a shorter transfer waiting period will undercut home clubs and enable excessive transfers for illegitimate purposes such as breaking records or recruiting "ringers." Others are concerned it will cause membership coordinators, Top 10 recorders, and meet directors undue stress, for example by increasing transfers after the 30-day entry deadline and two-week program printing deadline at Nationals.

This "compromise" rule amendment strikes a balance: It provides more leeway and member value for swimmers who would legitimately benefit from a shorter, 35-day transfer waiting period while curbing excessive club hopping. It also keeps the waiting period above 30 days to encourage swimmers to decide what club they will compete with at Nationals before entering the meet. Two allowable transfers plus the ability to change

affiliation during annual registration and request hardship exceptions provides every member reasonable flexibility and enables “snowbirds” to more quickly relocate between residences and affiliate with a local club.

Empowering the chair of the USMS Membership Committee to adjudicate members’ hardship exception requests helps ensure accountability and nationwide uniformity in the application of this rule. To that end, the chair should track and annually publish the types and total number of hardship exceptions requested, granted, and denied during the prior year, thereby establishing a transparent list of exception precedents. Since members must use their two allowable transfers before requesting a hardship exception, we anticipate few such requests.

The submitters of this proposal request that the House of Delegates instruct the Board of Directors to direct the National Office to update the registration system’s functionality to accommodate real-time processing of transfers and corresponding electronic payment if applicable. We also request that the HOD either eliminate all transfer fees or include any such fees in the proposed national uniform fee initiative so it will encompass all USMS registration fees—i.e., individual, club/WOG, one-event, and transfer fees.

L-18 201.3.5 pg 57

New England LMSC

Modify

Committee Action	Recommended as Amended		
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 only compete for only one club during a meet. A transfer tendered submitted during a meet, including at the time of annual registration, may only take immediate effect only if the swimmer has not yet competed in the meet. A swimmer may declare unattached status at any time without written application except during a meet in which they have already competed. Swimmers who intend to compete as unattached ~~in a meet~~ should contact their LMSC membership coordinator or the USMS National Office prior to the meet to request that their registration status be changed. The LMSC membership coordinator or the USMS National Office shall change the club affiliation of the swimmer to the UC and note the effective date.

NOTE: This rule change shall take effect beginning with the 2021 membership year.

Rationale: The provision allowing members to change club affiliation instantaneously when renewing their membership is meant to simplify the annual registration process, not enable swimmers to compete for two different clubs in the same meet. Swimmers may still transfer their club affiliation during a meet before their first “splash,” but should not be able to do so after their first splash.

Example: An LMSC championship meet spans two weekends. People who did not participate the first weekend show up the following weekend only to discover that they registered with the wrong club. This occurs with people who only compete in one event per year, who do not fully comprehend the LMSC-club-WOG structure, or who get mixed up during the registration process by confusingly similar club and WOG names and abbreviations. By allowing them to transfer to their preferred club prior to their first splash, USMS fosters goodwill rather than disappointment or resentment.

L-19 501.3 pg 92

Diversity and Inclusion Committee

Add

Committee Action	Recommended as Amended		
HOD Action	Adopted	Adopted as Amended	Defeated

501.3 Equal Opportunity

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

Added by Legislation: Glossary definition: Gender Identity—an individual’s concept of self, which may be male, female, a blend of both, or neither.

Rationale: To clarify the meaning of “gender identity” as inclusive of identities other than cisgender male or female and to clarify that individuals who may identify their gender in ways other than male or female (e.g., transgender, gender neutral, non-binary, genderqueer, gender fluid) are afforded the same rights and privileges of membership in USMS as individuals who identify as cisgender. The insertion of “gender identity” aligns with recent legal decisions that interpret discrimination based on “sex” as inclusive of both “sexual orientation” and “gender identity.”

L-20 508.2 pg 103

Board of Directors

Modify

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

508.2 ~~National m~~Membership registration ~~fees, and national~~ sanction ~~fees~~, and national recognition fees shall be established by the House of Delegates.

For clarity, if the proposed legislation is approved, it would look like this: Membership registration, national sanction, and national recognition fees shall be established by the House of Delegates.

Rationale: This change is for consistency with proposed changes in 201.1.5 and 201.2.3 and consistency with the unified fee structure. It also removes a redundancy.

Not Recommended

L-21 501.1.6 pg 91

Illinois LMSC

Add

Committee Action	Not Recommended		
HOD Action	Adopted	Adopted as Amended	Defeated

501.1.6 Promotional—The National Office or the Board of Directors shall be empowered to establish and set fees for promotional memberships for individuals that have an interest in Masters Swimming. Individuals must meet the eligibility requirements of USMS (article 201.2). However, this membership shall not entitle individuals' eligibility to compete in any USMS sanctioned nor recognized event. The period of membership shall not exceed 12 months.

Rationale: The National Office or the Board of Directors needs the flexibility to market and promote Masters Swimming to a variety of target markets with a strong interest in swimming. National and/or local marketing programs can use a promotional membership to attract new members. More likely, a promotional membership will result in contact information that populates a database of interested swimmers that can be marketed for years.

ILMSA is sponsoring this legislation because it desires to offer a promotional membership to graduating high school and college seniors through their varsity swim coach. While some high school seniors may go on to college varsity or CCS swimming, most abandon the sport they love so much. Our program seeks to engage these young swimmers so they learn early on about Masters swimming and so that we may continue to recruit them for many years after graduation.

Part 2 Reorganization

L-22 is considered an indivisible package by Legislation, Rules, and Long Distance.

L-22	Part 2	Legislation Committee	Delete, Add & Modify
		Rules Committee	
		Long Distance Committee	

Committee Action: Not Recommended

HOD Action:	Adopted	Adopted as Amended	Defeated
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Article 501 Membership

Replace portions of Article 501 with Article 201 in the following manner: Replace Article 501.1.1 with Article 201.2

501.1 Membership Categories

The membership of United States Masters Swimming Inc., hereinafter sometimes referred to as USMS, shall consist of the following categories:

~~201.2~~ 501.1.1 ~~Club—Clubs that register with USMS (article 201.2)~~ **Membership of Clubs**

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

~~201.2.1~~ A **Annual Club Membership**

- (1) **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.
- (2) **CCS Clubs**—Annual membership for CCS clubs is for the period from the registration date through December 31 following the conclusion of the CCS club membership year.

~~201.2.2~~ B **Club Membership Application**—Clubs may apply for membership through the USMS website or by submitting an application form to the LMSC membership coordinator or the USMS National Office.

~~201.2.3~~ C **Fee**—The annual membership fee is composed of the following elements:

- (1) For standard USMS clubs:
 - (a) A national fee established by the Board of Directors or the House of Delegates.
 - (b) A local fee established by the LMSC.
- (2) For CCS clubs: a national membership fee established by the Board of Directors or the House of Delegates.

~~201.2.4~~ D **Changing LMSC Affiliation**—A club wishing to change its LMSC affiliation must approve such change by a majority vote of its general membership at a regular club meeting or at a special meeting called for that purpose, with the vote duly certified by the club's president and secretary. The transfer also must be approved by a majority vote of the officers of the club's current and

proposed LMSCs. If approved, the transfer shall be effective 60 days after receipt of written notice by the National Office.

Replace Article 501.1.2 with Article 201.1

~~201.1 501.1.2—Individual—Individuals who register with USMS (article 201.1).~~ Membership of Individuals

Individual members are adults currently registered with USMS.

201.1.1 A Eligibility—Swimmers age 18 and over are eligible and may apply for membership in USMS.

201.1.2 B Annual Membership

(1) Standard membership is for the period January 1 through December 31 of each year. Standard 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. Swimmers may register unattached or may affiliate with a club that is already registered for the same year for which the swimmer is registering.

(2) College Club Swimming membership is for the period from the registration date through December 31 following the conclusion of the CCS membership year.

201.1.3 C One-Event Registration

(1) Open Water One-Event Registration—An LMSC may offer a single-event registration that allows an athlete to participate in a USMS-sanctioned open water event. Membership cards shall not be issued for one-event registration. One-event registrants must be considered unattached and agree to be governed by applicable USMS open water swimming rules and administrative regulations, except that their swims shall not be eligible for USMS open water awards and recognition. One-event registrants shall be identified as such in the event results.

(2) Pool One-Event Registration—An LMSC may offer a single-event registration that allows an athlete to participate in one event sanctioned by that LMSC. Membership cards shall not be issued for one-event registration. One-event registrants must be considered unattached and agree to be governed by the rules and regulations of USMS, except that their times shall not be considered for Top 10 tabulation and USMS or world records, All-American status, or any other USMS special awards; one-event registration forms must include the statement “Times swum under one-event registration are not eligible for USMS Top 10 or records consideration.” One-event registrants shall be identified as such in the meet results.

201.1.4 D Membership Application

(1) Individuals may apply for membership through the USMS website or by submitting an application form to the LMSC membership coordinator or the USMS National Office. The LMSC shall provide a link to an electronic membership card or, upon request of the member, issue a membership card.

(2) All membership applications shall contain the language of the liability release as stated in USMS policy (see USMS Guide to Operations, Sanctions section).

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

(1) For standard USMS members:

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

(b) A local fee established by the LMSC.

(2) For CCS members who are also USMS members: a national membership fee established by the Board of Directors or the House of Delegates.

Articles 501.1.3–501.1.5 remain unchanged.

Insert new Article 501.2 and Article 501.3

201.3 501.2 Representation

201.3.1 501.2.1 There shall be only one USMS membership per individual permitted at any time.

201.3.2 501.2.2 In order for a swimmer to compete as a representative of a club, that club must be a member in good standing of USMS for the year a swimmer is registering.

201.3.3 501.2.3 A swimmer with an annual membership shall register in the LMSC in which the club being represented is registered. The swimmer need not reside within the LMSC territory.

201.3.4 501.2.4 An unattached swimmer is an individual member who is registered with an LMSC's UC. 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~~ **501.2.5**.

201.3.5 501.2.5 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. Swimmers who intend to compete as unattached in a meet should contact their LMSC membership coordinator or the USMS National Office prior to the meet to request that their registration status be changed. The LMSC membership coordinator or the USMS National Office shall change the club affiliation of the swimmer to the UC and note the effective date.

201.3.6 501.2.6 All applications for changes of membership (including transfers) must be accompanied by a national fee established by USMS and a local fee established by the LMSC in which the swimmer will register for change of membership.

201.4 501.3 Invitation to Participate

201.4.1 501.3.1 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.

Renumber existing portions of article 501 as follows:

~~501.2~~ 501.4 Mandatory Memberships

All of the following shall hold individual memberships in USMS:

~~501.2.1~~ 501.4.1 Members of the House of Delegates and Board of Directors.

~~501.2.2~~ 501.4.2 Members of standing committees and ad hoc committees of USMS.

~~501.2.3~~ 501.2.3 Members of the National Board of Review.

~~501.2.4~~ 501.2.4 Appointees.

~~501.2.5~~ 501.2.5 Officers and members of the board of directors of each LMSC.

~~501.3~~ 501.5 Equal Opportunity

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

Rationale: Putting the membership-related information from Part 2 into Part 5 will streamline the rule book, making it easier for swimmers to find any membership and participation information they need in one part of the rule book.

ARTICLE ~~202~~ 108**Sanction/Recognition of Pool Events**

Move Article 202 to new Article 108:

~~202.1~~ 108.1 Sanctions

Times achieved at sanctioned events are considered for USMS records, USMS Top 10 times, FINA Masters world records, and FINA Masters Top 10 times. All swimmers entered in sanctioned events shall be USMS members or shall be members of a FINA member federation.

~~202.1.1~~ 108.1.1 **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. 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.

- (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 shall have signed the liability release before participating.
- (2) Event entry forms and programs shall include the statement “Sanctioned by (LMSC name) for USMS Inc.” Event entry forms and programs may include the statement “Sanction number _____.”

- (3) Meet information shall include ONE of the following statements for each course used for competition during the meet:
- (a) The length of the competition course without a bulkhead is in compliance and on file with USMS in accordance with articles 105.1.7 and 106.2.1.
 - (b) The length of the competition course has been measured and is NOT in compliance with USMS articles 105.1.7 and 106.2.1: Times achieved in the meet will NOT be eligible for USMS Top 10 and records.
 - (c) The length of the competition course is not on file with USMS. Eligibility of times achieved in this meet will be contingent upon pool length measurement and approval with USMS; if bulkheads are present, their placement must also be confirmed by measurements at the meet (USMS articles 105.1.7 and 106.2.1).
 - (d) The length of the competition course is in compliance and on file with USMS in accordance with articles 105.1.7 and 106.2.1, but as a bulkhead course, is subject to length confirmation. Eligibility of times for USMS Top 10 and records will be contingent on verification of bulkhead placement.
- (4) If it is not possible to provide timing systems that will satisfy the requirements for world records, USMS records, or Top 10 submission (articles 103.18.5–103.18.7), the meet announcement must include a statement informing swimmers that times cannot be accepted for records or Top 10.
- (5) The sanction fee shall consist of a national fee established by the House of Delegates. Each LMSC may also establish a local fee.
- B** Entries shall not be accepted before the sanction has been 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 issued.
- C** Approval of sanctions shall be made by the LMSC's authorized representative, and a record thereof shall be retained for two years.
- D** Sanctions issued to one organization cannot be transferred to another.
- E** 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.
- 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 USOPC.
- G** All sanctioned events are subject to the following conditions:
- (1) The conduct of a sanctioned event shall be in strict compliance with applicable USMS swimming rules and administrative regulations, or when the sanctioned event is held

simultaneously in conjunction with a USA Swimming-sanctioned meet, with applicable USA Swimming rules and administrative regulations.

- (2) In order to be in compliance with FINA Constitution article C 7.3, an LMSC may grant exceptions to specific USMS swimming rules and administrative regulations when sanctioning a FINA Masters championship held within the United States of America.
 - (3) Sanctioned events may include nonconforming swimming events so long as they are conducted in a safe manner. Nonconforming swimming events are events not defined in article 102.5, article 307.2.2G–J, or that would typically result in the disqualification of participants as defined in article 102.13. USMS records and Top 10 times shall not be maintained in nonconforming events except for initial distances and relay leadoff split times for distances that are also events defined in article 102.5.
 - (4) Sanctioned events may be conducted in facilities not meeting the dimensional tolerance for required pool length, but the results of those events shall not count for USMS records and Top 10. It must be noted in the meet information that events conducted in these facilities are noncompliant.
 - (5) All swimmers shall provide proof of current Masters membership acceptable to the LMSC. 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.
 - (6) A swimmer’s valid affiliation and age must be displayed after the name on the heat sheet or in the program.
- H** A sanction may be withheld from any individual or organization that has failed to conduct a prior sanctioned event in accordance with applicable USMS swimming rules and administrative regulations, or as stated on the entry form.
- I** 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.

202.2 108.2 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. USMS membership is not required for swimmers entered in recognized events.

202.2.1 108.2.1 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.

- B** Approval of recognitions shall be made by the LMSC’s authorized representative, and a record thereof shall be retained for two years.
- C** Recognition issued to one organization cannot be transferred to another.
- D** 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.
- E** No recognition 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 USOPC.
- F** The conduct of a recognized event shall conform to relevant USMS swimming rules and administrative regulations, including but not limited to the following:
 - (1) Starts, Strokes, and Relays (article 101) or Guidelines for Officiating Swimmers With a Disability (article 107)
 - (2) Swimwear Design (article 102.12.1)
 - (3) Determination of Official Time (articles 103.17.3, 103.18.1, 103.18.2, 103.18.3, and 103.18.4)
 - (4) Timing System Requirements for Records and Top 10 (articles 103.18.5–103.18.8 and 103.18.10)
 - (5) Records and Top 10 Times (articles 105.1, 105.2.1, 105.2.2, 105.3.2, 105.3.3, 105.3.4, 105.3.5, 105.3.6, 105.3.7, and 105.3.9)
 - (6) Minimum Standards for Facilities (articles 106.2.1, 106.2.3A, 106.3, 106.11.1, 106.11.2, 106.12, 106.13.2, 106.14, and 106.16)
 - (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.
- G** A recognition may be 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.
- H** Recognition for any meet held outside the jurisdiction of USMS, and not sanctioned by a FINA member federation, shall be obtained from the Executive Committee.
- I** 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.

202.3 108.3 Recognized Swims

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.

~~202.4~~ 108.4 Fitness Events

Fitness events are USMS events approved by the USMS Fitness Education Committee, LMSCs, or clubs. Participants shall be USMS members or obtain one-event registrations to participate in these events. A fitness event shall be a sanctioned event or performed in an organized/supervised practice.

Rationale: Putting the pool-competition-related information from Part 2, including the pool-meet sanction and recognition information, into Part 1 will streamline the rule book, making it easier for meet hosts, officials, and swimmers to find all the pool information they need in one part of the rule book.

ARTICLE ~~203~~ 302

Open Water Events

Move Article 203 to new Article 302, creating a new section 302.6:

~~203.1~~ 302.6 Sanction of Open Water Events

302.6.1 Sanctions

Swims achieved by USMS members at sanctioned events are considered for USMS open water awards and recognition, provided a designated USMS observer is present, and verifies in writing that the conduct of the competition conforms to the applicable USMS swimming rules and administrative regulations.

~~203.1.1~~ 302.6.1.1 Sanction Options—USMS shall offer sanction options as defined below.

- A Standard USMS Sanction**—Open water events restricted to USMS members, one-event registrants, and Masters swimming members of a FINA member federation. All swimmers entered shall be considered part of the same event and shall swim under applicable USMS open water swimming rules and administrative regulations.
- B Events Including Both USMS and USA Swimming Members**—USMS sanctioned open water event held in conjunction with a USA Swimming sanctioned open water event. USMS members shall swim under applicable USMS open water swimming rules and administrative regulations and USA Swimming members shall swim under applicable USA Swimming rules and administrative regulations. USMS athletes and USA Swimming athletes may swim at the same time on the same course. Athletes holding both USMS and USA Swimming memberships must declare their affiliation, in writing, prior to the start of the event.
- C Other Sanctions**—The Board of Directors shall consider and may approve other sanction options recommended by the Long Distance Committee, with input from the Open Water Committee, that allow sanctioning of events that include USMS and non-USMS members.

~~203.2~~ 302.6.2 Swimmer Verification

~~203.2.1~~ 302.6.2.1 All swimmers entered in USMS sanctioned events as USMS members or Masters swimming members of a FINA member federation shall provide proof of current membership acceptable to the LMSC. All other swimmers entered shall provide proof of one-event open water registration.

~~203.2.2~~ 302.6.2.2 All swimmers entered in USMS sanctioned events as members of non-FINA governing bodies shall have membership verification acceptable to their governing ~~body~~ bodies.

~~203.2.3~~ 302.6.2.3 At the discretion of the event director and exclusive of national championship events, a swimmer may enter indicating “number pending,” as long as acceptable proof of membership is presented prior to the swimmer’s participation in the event.

~~203.3~~ 302.6.3 Sanction Requirements**~~203.3.1~~ 302.6.3.1 Jurisdiction**

A The LMSC in which the event originates shall have jurisdiction in issuing the sanction. If any events are to be swum in more than one LMSC, the other LMSC(s) may also issue a sanction for the event.

B If an organization wishes to hold an event outside the boundaries of the LMSC in which it is registered, the sanctioning LMSC (the LMSC within whose boundaries the event originates) may transfer its sanctioning administration to the hosting LMSC, provided both LMSCs agree to the transfer in writing. All fees and sanction obligations shall be transferred to the accepting LMSC.

~~203.3.2~~ 302.6.3.2 **Requirements**—The following requirements shall be followed by the sanctioning LMSC and sanction applicant:

A LMSCs shall use the prescribed sanction application form or online sanctioning system without additional requirements.

B Applications for sanction shall be made to the LMSC with jurisdiction.

C Approval of sanctions shall be made by the LMSC’s authorized representative, and a record thereof shall be retained for two years.

D The LMSC’s authorized representative shall ensure that the sanction application is forwarded to the USMS National Office for approval of the safety plan.

E Sanctions issued to one organization cannot be transferred to another.

F 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.

G 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 USOPC.

H When sanctioning a FINA Masters World Championship open water event, an LMSC may grant exceptions to specific USMS open water swimming rules and administrative regulations in order to be in compliance with FINA rules.

I Sanctioned events may include nonconforming swims so long as they are conducted in a safe manner.

J The sanction fee shall consist of a national fee established by the House of Delegates. Each LMSC may also establish a local fee.

203.3.3 302.6.3.3 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 shall have signed the liability release before participating.
- B Entry forms, programs, and results 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 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 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 shall be displayed after the name in any published program.

203.3.4 302.6.3.4 Results—Event directors shall submit official electronic results of the event to the LMSC’s authorized representative.

203.4 302.6.4 Withdrawal or Denial of Sanctions

203.4.1 302.6.4.1 Sanction may be denied to any individual or organization that has failed to conduct previously sanctioned events in accordance with applicable USMS open water swimming rules and administrative regulations, or as stated on the entry form.

203.4.2 302.6.4.2 Sanction may be denied to any individual or organization that has failed to demonstrate the ability or willingness to conduct the sanctioned events in accordance with applicable USMS open water swimming rules and administrative regulations.

203.4.3 302.6.4.3 Sanction may be withdrawn from any individual or organization failing to conduct the sanctioned events in accordance with agreed upon USMS open water swimming rules and administrative regulations and other stated requirements on the entry form.

Rationale: Putting the open water-related sanction information from Part 2 into Part 3 will streamline the rule book, making it easier for event hosts, officials, and swimmers to find all the open water information they need in one part of the rule book.

ARTICLE 204:
~~Liability Release~~

Delete Article 204 in its entirety:

204.1 Release

~~All individual membership application forms and sanctioned entry forms, except those for postal events, shall include a liability release. The liability release shall be signed by the person registering or entering. The liability release shall conform to the language and~~

~~format specified by USMS policy (see USMS Guide to Operations, Sanctions section).~~

Rationale: The liability release is mentioned in the new 108.1.1A(1), 302.6.3.3, and 501.1.2D(2), which covers membership applications, pool meet entry forms, and open water entry forms, pointing members to where they can obtain the liability release. The document itself makes it clear that it must be signed by the participant. This language is redundant.

Part Two	Legislation Committee	page 55	Delete
	Rules Committee		
	Long Distance Committee		

Delete Part 2 of the USMS Rule Book

Rationale: Part 2 is empty and should be deleted and the parts that come after it renumbered accordingly.

Housekeeping for Part 2 reorganization

Article 601 Amendments

Modify Article 601: Amendments to conform with L-22

601.1 Committee Jurisdiction

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.

(601.1.2–601.4.2 unchanged)

601.4 Adoption of Proposed Amendments

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.

Rationale: Housekeeping, to conform with the deletion of Part 2.

Articles 102, 103, 301, Appendix B

102.3.3 If a sanctioned meet is conducted by an organization whose age eligibility requirements differ from USMS (see article ~~202.1.1G~~ [108.1.1G](#)), the age groups listed in articles 102.3.1 and 102.3.2 may be adjusted to conform to the minimum and maximum ages eligible to compete in the meet.

102.5.2 Any event (series of races in a given stroke and distance) conducted at a sanctioned meet must be offered for all age groups listed in articles 102.3.1 and 102.3.2 and both genders. Sanctioned meets conducted by organizations whose age eligibility requirements differ from USMS (see article ~~202.1.1G~~ [108.1.1G](#)) must comply with article 102.3.3. Events may be repeated with the same stroke and distance as different event numbers at a meet. Any of the following events may be conducted.

102.5.4 Nonconforming events may be offered in accordance with the provisions of article ~~202.1.1G(3)~~ [108.1.1G\(3\)](#). For open water and long distance events, see Part 3.

103.18 Official Time

103.18.1 An official time shall be achieved in a USMS-sanctioned competition or a USMS-recognized event in accordance with all applicable rules (articles ~~202.1.1G(H)~~ [108.1.1G\(1\)](#) and ~~202.2.1E~~ [108.2.1E](#)). It may be achieved in:

301.3 Membership, Representation, and Sanctions

Membership, representation, and sanctions for open water and long distance events shall be governed by all applicable rules under articles ~~201~~ [401](#), ~~202~~ [108](#), and ~~203~~ [302](#).

OBSERVER'S REPORT FOR RECOGNIZED MEETS OTHER THAN USA-S OR FINA MEETS

Requested relay leadoff times may come from relays where other members are not registered with USMS, and relay event does not conform (~~202.2.1E-(7)~~ [108.2.1 F\(7\)](#))

(5th row up from the bottom of the table.)

Rationale: Change references to article 202 in other parts of the rule book to maintain consistency.

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ARTICLE 302: Open Water Events

302.1 Events

302.2 Open water Courses

302.3 Straightaway Swim Courses

[302.4 Cumulative Relays](#)

302.5 Sequential Relays

[302.6 Sanction of Open Water Events](#)**ARTICLE 501: Membership**

501.1 Membership Categories

501.2 [Representation](#)501.3 [Invitation to Participate](#)[501.4](#) Mandatory Memberships[501.5](#) Equal Opportunity**Rationale:** Housekeeping, to conform with the deletion of Part 2.**Article 108****108.1.1G(1):** hyphenate “USA Swimming-sanctioned meet”**Rationale:** Housekeeping, compound modifier.**Article 302****302.6.1.1B:** hyphenate “USMS-sanctioned open water event”**302.6.2.1:** hyphenate “USMS-sanctioned open water event”**302.6.2.2:** hyphenate “USMS-sanctioned open water event”**Rationale:** Housekeeping, compound modifiers.**More Housekeeping**

Change all rules proposals passed through the 2020 House of Delegates dealing with Part 2 or referencing Part 2 to the appropriate sections of the rule book and rule references, respectively.

Rationale: Part 2 existed when proposals were being submitted, but now does not. Rules proposals that passed during 2020 annual meeting should be edited to reflect this change.

Housekeeping

HK-1 506.3.1 pg 97

Legislation Committee

Modify

Committee Action	Recommended		
HOD Action	Adopted	Adopted as Amended	Defeated

506.3.1 To act for USMS and the House of Delegates between meetings of the House of Delegates, except that it shall not have the authority to assume the nondelegable powers of the House of Delegates set forth in article 504.2.~~23~~.

Rationale: Fixes incorrect reference.