

115TH CONGRESS  
2D SESSION

# S. RES. 396

To establish a special committee of the Senate to address sexual abuse within United States Olympic Gymnastics.

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 7, 2018

Mrs. SHAHEEN (for herself, Mrs. ERNST, Mrs. GILLIBRAND, Ms. STABENOW, Mr. SANDERS, Ms. HASSAN, Mr. VAN HOLLEN, Ms. CORTEZ MASTO, Ms. BALDWIN, Ms. WARREN, Mr. TILLIS, Ms. KLOBUCHAR, Mr. WYDEN, Mr. ISAKSON, Mr. SCOTT, Mr. DAINES, Ms. SMITH, and Mr. BURR) submitted the following resolution; which was referred to the Committee on Rules and Administration

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## RESOLUTION

To establish a special committee of the Senate to address sexual abuse within United States Olympic Gymnastics.

1       *Resolved,*

2       **SECTION 1. ESTABLISHMENT OF THE SPECIAL COMMITTEE.**

3       (a) ESTABLISHMENT.—There is established a special  
4 committee of the Senate to be known as the Special Com-  
5 mittee to Investigate Sexual Abuse Within United States  
6 Olympic Gymnastics (hereafter in this resolution referred  
7 to as the “special committee”).

1 (b) PURPOSE.—The purpose of the special committee  
2 is—

3 (1) to investigate the United States Olympic  
4 Committee and national sports governing bodies, in-  
5 cluding USA Gymnastics, and determine the extent  
6 to which these organizations were complicit in the  
7 criminal or negligent behavior of their employees re-  
8 lating to sexual abuse;

9 (2) to identify and recommend solutions to the  
10 systemic failures at the United States Olympic Com-  
11 mittee and national sports governing bodies, includ-  
12 ing USA Gymnastics, that allowed for pervasive sex-  
13 ual abuse to continue for decades;

14 (3) to identify actions that must be taken by  
15 the United States Olympic Committee and national  
16 sports governing bodies, including USA Gymnastics,  
17 to ensure increased transparency and protections for  
18 children, athletes, and their families;

19 (4) to make such findings of fact as are war-  
20 ranted and appropriate; and

21 (5) to make such recommendations, including  
22 recommendations for new legislation and amend-  
23 ments to existing laws and any administrative or  
24 other actions, as the special committee may deter-  
25 mine to be necessary or desirable.

1 (c) LIMITATION.—No proposed legislation shall be re-  
2 ferred to the special committee, and the special committee  
3 shall not have power to report by bill or otherwise have  
4 legislative jurisdiction.

5 (d) TREATMENT AS STANDING COMMITTEE.—For  
6 purposes of paragraphs 1, 2, 7(a)(1), 7(a)(2), and 10(a)  
7 of rule XXVI and rule XXVII of the Standing Rules of  
8 the Senate, and subsections (i) and (j) of section 202 of  
9 the Legislative Reorganization Act of 1946 (2 U.S.C.  
10 4301), the special committee shall be treated as a standing  
11 committee of the Senate.

12 **SEC. 2. MEMBERSHIP AND ORGANIZATION OF THE SPECIAL**  
13 **COMMITTEE.**

14 (a) MEMBERSHIP.—

15 (1) IN GENERAL.—The special committee shall  
16 consist of 8 members of the Senate, of whom—

17 (A) 4 shall be appointed by the President  
18 pro tempore of the Senate from the majority  
19 party of the Senate upon the recommendation  
20 of the Majority Leader of the Senate; and

21 (B) 4 shall be appointed by the President  
22 pro tempore of the Senate from the minority  
23 party of the Senate upon the recommendation  
24 of the Minority Leader of the Senate.

1           (2) COMPOSITION.—Not less than 4 of the  
2 members appointed under paragraph (1) shall be  
3 women.

4           (3) VACANCIES.—Any vacancy in the member-  
5 ship of the special committee shall—

6                 (A) not affect the authority of the remain-  
7 ing members to execute the functions of the  
8 special committee; and

9                 (B) be filled in the same manner as origi-  
10 nal appointments to the special committee are  
11 made.

12           (4) SERVICE.—For the purpose of paragraph 4  
13 of rule XXV of the Standing Rules of the Senate,  
14 service of a Senator as a member, chair, or vice  
15 chair of the special committee shall not be taken  
16 into account.

17           (b) CHAIR AND VICE CHAIR.—

18                 (1) IN GENERAL.—The chair of the special  
19 committee shall be selected by the Majority Leader  
20 of the Senate and the vice chair of the special com-  
21 mittee shall be selected by the Minority Leader of  
22 the Senate.

23                 (2) VICE CHAIR DUTIES.—The vice chair shall  
24 discharge such responsibilities as the special com-  
25 mittee or the chair may assign.

1 **SEC. 3. AUTHORITY OF SPECIAL COMMITTEE.**

2 (a) IN GENERAL.—For the purposes of this resolu-  
3 tion, the special committee may—

4 (1) make expenditures from the contingent fund  
5 of the Senate;

6 (2) employ personnel;

7 (3) hold hearings;

8 (4) sit and act at any time or place during the  
9 sessions, recesses, and adjourned periods of the Sen-  
10 ate;

11 (5) require, by subpoena or otherwise, the at-  
12 tendance of witnesses and the production of cor-  
13 respondence, books, papers, and documents;

14 (6) take depositions and other testimony;

15 (7) issue interim reports, as necessary;

16 (8) procure the services of individual consulta-  
17 tions or organizations thereof in accordance with the  
18 provisions of section 202(i) of the Legislative Reor-  
19 ganization Act of 1946 (2 U.S.C. 4301(i)); and

20 (9) with the prior consent of the Federal de-  
21 partment or agency concerned and the Committee on  
22 Rules and Administration, use on a nonreimbursable  
23 basis the services of personnel of the Federal depart-  
24 ment or agency.

1           (b) OATHS FOR WITNESSES.—The chair or any mem-  
2 ber of the special committee may administer oaths to wit-  
3 nesses.

4           (c) SUBPOENAS.—A subpoena authorized by the spe-  
5 cial committee may be—

6               (1) issued over the signature of—

7                   (A) the chair after consultation with the  
8 vice chair; or

9                   (B) any member of the special committee  
10 designated by the chair after consultation with  
11 the vice chair; and

12               (2) served by any person designated by the  
13 chair or the member signing the subpoena.

14           (d) ACCESS OF MEMBERS TO INFORMATION.—Each  
15 member of the special committee shall have equal and  
16 unimpeded access to information collected or otherwise ob-  
17 tained by the special committee.

18 **SEC. 4. REPORT AND TERMINATION.**

19           (a) REPORT.—The special committee shall report the  
20 findings of the special committee, together with such rec-  
21 ommendations as the special committee deems advisable,  
22 to the Senate not later than the last day of the first ses-  
23 sion of the 116th Congress.

24           (b) RECORDS.—Upon termination of the special com-  
25 mittee, all records, files, documents, and other materials

1 in the possession, custody, or control of the special com-  
2 mittee shall be transferred to the Secretary of the Senate  
3 under appropriate conditions established by the special  
4 committee, including conditions to protect information  
5 under the HIPAA privacy and security law, as defined in  
6 section 3009(a) of the Public Health Service Act (42  
7 U.S.C. 300jj-19(a)).

8 **SEC. 5. FUNDING.**

9       From the date on which this resolution is agreed to  
10 through the termination of the special committee, the spe-  
11 cial committee shall use such funds as necessary to carry  
12 out the duties of the special committee.

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