

Committee Name: USMS Sports Medicine and Science	Session #: February 9 th , 2022
Committee Chair: Christopher Rieder	
Minutes Recorded by: Christopher Rieder	Date/Time of Meeting: 02/9/2022 08:00 pm EST

Actions Taken:

1. Meeting was called to order at 08:03 PM EST. C. Rieder moved and A. Godges seconded.
2. Minutes from the January 19th, 2022 meeting were approved by a unanimous vote.
3. The following committee members were assigned designated areas of focus for 2022
 - a. A. Schneider
 - i. Coordination with the Coaches Committee to promote the values of aerobic fitness in our unique environment (water) that trains upper and lower body without impact.
 - b. A. Godges and J. Seaton – Assigned flexibility and exercises for our swimmer population.
 - c. Committee is waiting for feedback from C. Campbell – indicated items that will help with the continued increase motivation in swimmer enrollment as well as discussion about the USMS +
 - i. Dr. J. Miller – Covid 19 protocol for competition proposal to be submitted to the BOD for either adoption or advise. (See Appendix A)
 - ii. A. Schneider – Review literature and work on proposal for Cannabidiol usage as part of Litigation proposals. (See Appendix B)
 - d. The article in Appendix C, from the NYT and the chance to write something similar was discussed and the committee agreed that the potential for rewriting or producing content that has similarities to and are not original in content is not a pathway that this committee will follow.
4. Meeting Frequency was discussed and approved as the Sports medicine committee will meet monthly for the first half of 2022. The topic will be reviewed for the second half of the year.

Number of committee members present: 4	Absent: 2	Guests: 0
Committee members present (list all, including chair and vice chair):		
Nicole Cole		
Arlette Godges, Vice Chair		
Christopher Rieder, Chair		
Aaron Schneider		
Not present:		
Chris Campbell - Guest		
Jim Miller, MD		
Jessica Seaton		
Daniel Pauling - Guest		
Guests:		
Terry Heggy		

1. Current Subcommittee Projects:

- Sports Medicine Communication
 - Content will be created for additional articles and demands from swimmers in 2022.
 - A. Godges and J. Seaton – Assigned flexibility and exercises for our swimmer population.
 - Dr. J. Miller – Covid 19 protocol for competition proposal to be submitted to the BOD for either adoption or advise. (See Appendix A)
 - A. Schneider – Review literature and work on proposal for Cannabidiol usage as part of Litigation proposals. (See Appendix B)
 - A. Schneider - Coordination with the Coaches Committee to promote the values of aerobic fitness in our unique environment (water) that trains upper and lower body without impact.

2. Convention Presentation

- Further communication will be forthcoming.

3. Committee – Charter

- Attached is the approved Charter from the Board. (See Appendix D)

4. Research study requests

- Moving forward all new requests will have a standard Terms and Conditions that will be approved by this committee and the board prior to access to the membership. Some of the Terms and Conditions will be: the Study Thesis, the Survey methods, and review of the

resultant abstract. This is a sample list and is not all encompassing. The final Terms and Conditions will be discussed at a subsequent board meeting.

5. New Business

- The topic of transgender athletes was raised and discussed with a determination of wanting the Diversity and Inclusion committee to decide next steps. USA swimming made determination on Transgender athletes see Attached Appendix E. Will the USMS adopt one or the other (FINA) definition. This is a USMS Board issue.

6. Any items/issues for the committee – Chris Campbell

- No updates were needed.

7. Questions/Comments from new and current members

Next meeting date 3/9/2022 8:00 pm – 9:00 pm EST Zoom call

Appendix A

COVID Protocol for Competition

All competitors, officials and support personnel attached to the aquatics event must have either:

- Proof of COVID vaccination - a copy of which will be included in their entry to the event
- A negative COVID PCR test result within 48 hours of the start of their events, noting that if their personal participation does not take place until the 3rd day that the PCR be done within that 48 hour time frame. For events lasting longer than 2 days an interval PCR test will be needed.

Social distancing, masking mandates, etc. will be conducted per local requirements that will be affected by the event being done in indoor or outdoor facilities.

USA Swimming Policy for Cannabidiol (CBD)

Legalization of CBD in the United States at both the state and national level is evolving. The majority of states allow the sale of CBD and the federal government, stating that hemp, from which CBD can be derived, is no longer a prohibited substance. Moreover, the World Anti-Doping Agency (WADA) exempts CBD from its ban on cannabinoids. However, since CBD is so closely related to substances which are banned under WADA's International Standards, athletes and those who support them need to know more about this substance.

Derivation: CBD is produced naturally by the cannabis plant (*Cannabis sativa*). It is not a psychoactive compound, differentiating it from Tetrahydrocannabinol (THC), which is psychoactive. There are at least 115 cannabinoids also produced by the cannabis plant. Hemp and marijuana are two subspecies of the cannabis plant. Hemp was traditionally grown for rope and fiber and it has very little of the psychoactive chemical THC, but **not zero**. Marijuana has a higher THC content. Typically, to be classified as hemp the THC content must be no greater than 0.3%.

Extraction: At this time, it is very difficult to extract only CBD without contaminants including THC or any of the other 115 cannabinoids, regardless of the format (oil, extract, etc.) or the subspecies of plant.

Banned Compounds: Natural and synthetic cannabinoids are banned by WADA with the singular exception of CBD. For the banned cannabinoids, any detected level is considered a positive test, except for THC, which has a laboratory threshold for a positive test of 115 ng/ml. WADA's ban on cannabinoids is for in-competition testing. Yet, the banned cannabinoids can stay in your system and be detectable on drug testing long after usage. The length of time that each cannabinoid is detectable is widely variable depending upon amount of exposure, combination of compounds, other medications including supplements, hydration status, and other factors which are unique to each compound and individual. Marijuana, as an example, may be excreted in the urine for weeks to months.

If CBD is derived from a high THC plant, such as marijuana, its use can result in a positive test for THC above the WADA laboratory threshold. In addition, not all CBD products are properly labeled and these products can contain unanticipated levels of THC or other cannabinoids. Regulations that ensure the quality of CBD and randomized controlled clinical trials will reveal more information about potential benefits and side effects of CBD and CBD- drug interactions in specific patient populations

According to USADA,

“A [JAMA study](#) published by the American Medical Association in November 2017 documents the mislabeling of some CBD products. The study found that 69 percent of the products examined contained different levels of CBD than what was identified on the label. THC was

detected in 21 percent of the products tested, and the THC content in some of those products was enough to produce intoxication or impairment.”

USA Swimming Policy: *Recognizing the uncertainty of its derivation and unreliability of product labeling, the use of CBD products among athletes is categorized as “use at your own risk.”*

USADA link: <https://www.usada.org/six-things-know-about-cannabidiol/>

Medical Review committee volunteers

Name First	Name Last	Contact information	Specialty
Lori	Srobl PT,DPT,PRC		Physical Therapist and Rhab Manager
Christina	Sheridan		Pediatric Cardiologist and Department chair
Thomas	Chew DC		Chiropractic Care
Scott	Ispirescu MD		Psychiatrist
Jennifer	Thayer		Registered dietician
Caren	Stringe		CRNP primary care / geriatric
Terri	Postma MD		Clinical neurology, neuropsychopharmacological
Sean	Uiterwyk MD		Family practice / geisel school of medicine
Kristen	Hamilton		Critical care flight paramedic
Janie	Cole		Nurse anesthetist
Omar	Awad		Ophthalmologist
Greg	Sanchez RN		RN Professor at UNC-G teaching adult and geriatric
Cheryl	Wicker RN		NPs
Pogos	Ter-Stepanyan		Board-certified geriatric pharmacist
Jane	Lombard		Sports Cardiologist
Larry "Chip"	Bankston		Orthopedic Surgeon/Sports Medicine
Richard	Levine MD		Psychiatrist

Appendix C

Daniel: Article Topics

- NYT article – How exercise may tame our anxiety – Gretchen Reynolds
- Nutrition: Food map
- Training: Resistance in am, Aerobic activity in pm
- sent to peer reviewer

60+ yo Article Topic Ideas

-these do well in Streamlines

1. Rest (sleep) and recovery
2. Balance for swimmers; getting on the blocks
3. Vertigo and flip turns
4. Knee/Shoulder surgeries/replacements
5. Atrial Fib and pacemakers
6. How to maintain his swimming at this age, get a good balance of exercise with swimming
7. How to reach goals without doing long term harm
8. How often should you work-out (frequency)
9. How many intense work-outs should you have in a week
10. How should you recover after a hard swim
11. Dietary for the "Fueling" article
12. Dietary/Sports Medicine for the "Hydration" article
13. Behavioral Therapist/Pulmonary for "Sleep" article
14. Exercise Physiologist/Strength Trainer for the "Strength" component which should definitely be reviewed since we have had ones printed that do not address swimmers or aging
15. Coach for Aerobic Training with MD review
16. Coach for Anaerobic Training which is more than simply holding your breath with MD review
17. Both of the last two could be a combo of Coach and Exercise Physiology
18. Loss of muscle mass with aging
 1. We lose 1% mu mass/year after 40(?)
 2. With continued training, 1/4 to 1/2% loss/year
 3. Jim Miller wrote a chapter on this topic for IOC; may check to see if we can access it

Topics for Every Age:

1. HIIT leads to increase mitochondria; how this applies to recovery during a workout.
 1. Aaron and a coach were going to work on this
 2. To market to younger swimmers
 3. Intensity/Rest/Recovery
2. Health benefits of swimming (cardiovascular, mental, musculoskeletal, etc.) – DP

Appendix D

Mission:

Create and enhance membership value through expanded sports medicine and science based USMS products, services and delivery. The Sports Medicine and Science Committee shall educate members and the public on topics of swimming related sports medicine and science. The committee shall stimulate and encourage research pertaining to Masters swimming.

Vision:

1. Manage the US Masters Swimming Health Network
 - a. Maintain a database of members, areas of expertise, and contact information
 - i. Distribute questions to members with appropriate expertise
 - ii. Review responses and return to swimmer who submitted the question
 - b. Develop web-based version of the network
 - i. Interested professionals can enter their information with areas of expertise
 - ii. US Masters Swimming members can search for professional with expertise in area of member's concern; member can contact professional directly for information
2. Work with Swimming Saves Lives Foundation to provide health-related screening services and educational displays at national championship meets.
3. Educate members on topics of sports medicine and science using peer review as a mechanism for validation.
 - a. Arrange for and host a sports medicine presentation at convention on a topic of interest to swimmers.
 - b. Create articles of interest for Masters Swimmers (e.g. over 65 training guides, dryland training etc.)
 - c. Respond to requests from US Masters Swimming Editor-in-Chief
 - i. Review health-related articles prior to publication
 - ii. Respond to questions submitted by swimmers – or refer to appropriate expert for response
 - iii. Write articles
 - d. Produce and respond to requests from other US Masters Swimming Committees for health-related information or opinions
4. Review sports medicine and science-related research projects requesting grant funding from US Masters Swimming.

Work with Swimming Saves Lives Foundation to create educational displays and arrange health-screening services for national championship meets.

Appendix E

https://www.usaswimming.org/docs/default-source/governance/governance-lsc-website/rules_policies/usa-swimming-policy-19.pdf

19.0 Athlete Inclusion Procedures

Date of adoption/ Last revision: *February 1, 2022*

1. Purpose

The USA Swimming Athlete Gender Inclusion, Competitive Equity, and Eligibility Policy (this "Policy") is based on the objectives of inclusion, non-discrimination, fair play, participants' health and safety, and protection of privacy.

2. Application of this Policy

This Policy shall apply to all athletes who wish to compete in a competition category (e.g., Male or Female) different than the biological gender assigned to the athlete at birth, including without limitation:

- Current athlete members of USA Swimming who wish to change the competition category in which they participate;
- Former athlete members of USA Swimming who wish to join USA Swimming and compete in a competition category which is different than the competition category in which the athlete was previously registered;
- Athletes who have never been members of USA Swimming who wish to join USA Swimming as a member and register in a competition category different than the biological gender assigned to the athlete at birth; and
- Athletes who wish to be eligible to compete in an "Elite Event" (as defined below) or to set USA Swimming National Age-Group Records in the 13-14 age group and above or who wish to be eligible to set an American Record, per the USA Swimming Rules & Regulations, in a competition category which is different than the biological gender assigned to the athlete at birth .

All athletes to whom this Policy applies shall promptly notify the USA Swimming Senior Director, Legal & Membership Affairs of their desire to either change their competition category or that the athlete is joining USA Swimming and registering in a competition category different than the biological gender assigned to the athlete at birth . (This, and other personal information related to gender transition, information shall be kept confidential as provided in Paragraph 9.)

3. Female-to-Male Transition

Athletes who have transitioned, or are transitioning, from a Female biological gender assignment at birth to a Male gender assignment must, before being declared eligible to compete in the Male competition category, satisfy the Self-Identity Verification set forth in Paragraph 5 below.

4. Male-to-Female Transition

Athletes who have transitioned, or are transitioning, from a Male biological gender assignment at birth to a Female gender assignment must, before being declared eligible to compete in the Female competition category:

- (a) Satisfy the Self-Identity Verification set forth in Paragraph 5 below.
- (b) Satisfy the conditions set forth in Paragraph 6 below, "Elite Event Fairness Conditions" if the athlete:
 - i. Has achieved "Elite Athlete" status as defined in Paragraph 4(c) below;
 - ii. Desires to compete in an "Elite Event" as defined in Paragraph 4(c) below; and/or
 - iii. Desires to have a competitive time recognized by USA Swimming as an American Record .
- (c) "Elite Athletes" and "Elite Events". For purposes of this Policy, "Elite Athletes" shall include any athlete who has achieved a USA Swimming Junior National time standard and desires to participate in any of the following "Elite Events" defined for purposes of this Policy as: any United States Olympic and Paralympic Committee ("USO PC") Delegation Event and/or Protected Competition as

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defined in the USOPC Bylaws; Federation Internationale de Natation ("FINA") Events; PanPacific Championships; World University Games; USA Swimming Nationals, Junior Nationals, U.S. Open, International Team Trials, U.S. Olympic Team Trials - Swimming; and/or any other competition designated by USA Swimming as an "Elite Event" and any other event which conditions entry on meeting the USA Swimming Junior National Time Standard or faster. For purposes of this Policy, Elite Events shall also include any other competition in which a qualifying time standard is achieved for entry into the other Elite Events described above or to be eligible to set an American or National Age-Group Record at the 13-14 level or above.

5. Self-Identity Verification

(a) Purpose. The purpose of Self-Identity Verification is to confirm that the athlete's transition to a competition category different than that assigned at birth is bona fide and that the gender identity applicable for purposes of swimming competition is consistent with the athlete's gender identity in everyday life.

(b) Process. To initiate the Self-Identity Verification process, an athlete must submit a Self-Identity Verification Request (the "Request") to the USA Swimming Senior Director, Legal & Membership Affairs

(<https://fs22.formsite.com/usaswimming/Self-Identity/index.html>)

at least thirty (30) days prior to the start of the first competition in which the athlete seeks to compete in the requested competition category. The Director may take any of the following actions:

- i. Administratively approve or deny the Request (where such denial will be sent to a panel, as described below in Paragraph 5(b)(iii));

ii. Seek additional information from the athlete prior to approving, denying, or referring the Request to the panel described below in Paragraph 5(b)(iii); or

iii. Refer the decision on whether the Request should be approved to a three-person panel consisting of a physician with experience in gender identity issues, a 10-Year Athlete representative, as defined in the USA Swimming Rules and Regulations and appointed by the USA Swimming Athletes' Advisory Council, and a member of the USA Swimming Safe Sport Committee appointed by the Safe Sport Committee Chair (the "Self-Identity Panel"). The Self-Identity Panel may also seek additional information from the athlete before reaching a decision on whether to approve the Request. In the event the Request is denied by the Senior Director, Legal & Membership Affairs, or in the event the Senior Director, Legal & Membership Affairs has a conflict of interest, the Request will be sent to the Self-Identity Panel for review.

(c) Return to Previous Gender Category. Once an athlete's Request has been approved, the athlete may not initiate the process to change back to a prior competition category for one year following the date the initial Request is approved.

6. Elite Athlete/Event Fairness Evaluation

(a) Purpose. The purpose of the Elite Athlete/Event Fairness Evaluation process is to ensure that athletes competing in the Female competition category who have transitioned from a Male biological gender assignment at birth, do not have an unfair advantage over their cisgender Female competitors in Elite Events.

(b) Elite Athlete/Event Fairness Application. To initiate the Elite Athlete/Event Fairness Evaluation process, an athlete must submit an Elite Athlete/Event Fairness Application ("Application") to the USA Swimming Senior Director, Legal & Membership Affairs (<https://fs22.formsite.com/usaswimming/EliteEligibility/index.html>) at least ninety (90) days prior to the start of the first Elite Event in which the athlete seeks to compete in the Female competition category. The Senior Director shall submit the Application to a panel consisting of three independent medical experts, with preference for experience related to transgender health and/or the physical performance of transgender athletes relevant to swimming and the effect of medical approaches in mitigating any pre-existing physical advantages (the "Elite Athlete/Event Fairness Panel"). USA Swimming's Director, Sports Medicine & Science, and Director, Performance, will serve as staff liaisons to the Elite Athlete/Event Fairness Panel. In addition to the two staff liaisons, the USA Swimming Athletes' Advisory Council will appoint a 10-Year Athlete representative,

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as defined in the USA Swimming Rules & Regulations, to serve as an athlete liaison to the Elite Athlete/Event Fairness Panel. Prior to appointment to the Elite Athlete/Event Fairness Panel, the name and resume of any independent medical expert will be sent to USA Swimming's Athletes' Advisory Council, for review and comment. Any medical expert reviewed without objection by the USA Swimming's Athletes' Advisory Council (an "Elite Medical Panelist") may be selected by USA Swimming for future panels.

(c) Eligibility Criteria. As a condition of eligibility, the athlete must satisfy the Elite Athlete/Event Fairness Panel that:

(i) From a medical perspective, the prior physical development of the athlete as a Male, as mitigated by any medical intervention, does not give the athlete a competitive advantage over the athlete's cisgender Female competitors.

(ii) In addition to other relevant factors considered by the Panel in (i) above, it shall be presumed that the athlete is not eligible unless the athlete demonstrates that the concentration of testosterone in the athlete's serum has been less than 5 nmol/L (as measured by liquid chromatography coupled with mass spectrometry) continuously for a period of at least thirty-six (36) months before the date of Application. This must include at a minimum three (3) separate blood tests within the past three hundred sixty-five days (365) days preceding the Application, with the last test conducted within ninety (90) days prior to the athlete's Application. This presumption may be rebutted if the Panel finds, in the unique circumstances of the case, that the criteria set forth in (i) above has been satisfied notwithstanding the athlete's serum testosterone results (e.g., the athlete has a medical condition which limits the bioavailability of the athlete's free testosterone).

(d) Panel Evaluation. In conducting its evaluation of an athlete's Application, the Elite Athlete/Event Fairness Panel shall consider the medical file, serum testosterone results, and other information submitted by the athlete. The Panel may also request additional information from the athlete or the athlete's treating physicians. The Panel may also direct additional testing. Per the International Olympic Committee Framework on Fairness, Inclusion and Non-Discrimination on the Basis of Gender Identity and Sex Variations (the "Framework"), the Panel will not request any of the prohibited testing as set forth in that Framework and will not request gynecological examinations or similar forms of invasive physical examinations, aimed at determining an athlete's sex, sex variations, or gender. The athlete must fully cooperate with the Elite Athlete/Event Fairness Panel in its evaluation efforts. The athlete will acknowledge that this evaluation process is complicated and agrees that neither USA Swimming or members of the Elite Athlete/Event Fairness Panel shall be liable for any detriment caused the athlete by delays in the evaluation process. Any costs that the Panel incurs or the athlete incurs at the request of the Panel associated with this evaluation will be paid by USA Swimming.

(e) Panel Decision. If the Elite Event/Fairness Panel decides to approve an athlete's Application, that decision and any conditions associated with that decision shall be communicated to the athlete by the Senior Director, Legal & Membership Affairs. In order to maintain eligibility, if the Application is approved, the athlete must keep the athlete's serum testosterone concentration below 5 nmol/L and comply with any other conditions of the Elite Athlete/Event Fairness Panel's approval for so long as the athlete wishes to compete in the Female category in Elite Events. The Elite Athlete/Event Fairness Panel shall also establish an internal plan for the continued monitoring of the athlete's compliance with the eligibility criteria and the Panel's approval. If the Elite Athlete/Event

Fairness Panel denies the Application then the reasons for that denial shall also be communicated to the athlete.

(i) The Elite Athlete/Event Fairness Panel may revoke or modify its approval of an athlete's Application based on subsequently acquired information

(ii) An athlete may not change the athlete's swimming competition category back to Male for purposes of Elite Events for a period of four years following the approval of the athlete's Application .

(f) Guidelines. The Elite Athlete/Event Fairness Panel may establish guidelines for the implementation of the evaluation process. Such guidelines, if and when adopted, will be attached to this Policy.

7. Policy Amendments for Consistency with Future FINA Rules

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USA Swimming acknowledges that at the time of adoption of this Policy, FINA is in the process of developing its own Gender Eligibility Rules. When FINA Gender Eligibility Rules go into effect, the eligibility criteria in those FINA Rules shall replace any inconsistent eligibility criteria found in Paragraph 6(c) of this Policy. If the FINA Gender Eligibility Rules are different than the criteria in place when an athlete's Elite Athlete/Event Fairness Application was approved under this Policy then, for purposes of Elite Events, that approval shall be void. The athlete must then resubmit an Application for evaluation under the new FINA Gender Eligibility criteria, unless the Panel determines that the prior evaluation is still valid under the new FINA Gender Eligibility criteria.

8. Appeals

If an athlete or USA Swimming wishes to challenge the decision of the Self-Identity Panel or Elite Athlete/Event Fairness Panel with respect to the athlete's Self-Identity Verification Request or Elite Athlete/Event Fairness Application, either may appeal the decision by requesting a review hearing with the USA Swimming Self-Identity and Elite Athlete/Event Fairness Appeal Body ("Appeal Body"). The Appeal Body shall consist of the Chair of the USA Swimming National Board of Review, an eligible athlete member of the National Board of Review appointed by the Chair of the National Board of Review, and an Elite Medical Panelist appointed by the Chair of the National Board of Review. Pending a decision by the Appeal Body, the athlete shall remain eligible to compete in the competition category (e.g., Male or Female) consistent with the biological gender assigned to the athlete at birth. The parties to the appeal shall be the athlete and USA Swimming. No other person or entity shall have standing to challenge the decisions of either the Self-Identity Panel or the Elite Athlete/Event Fairness Panel or to participate in any appeal. The Appeal Body shall be the exclusive forum for challenges to Self-Identity Panel or Elite Athlete/Event Fairness Panel decisions. In any proceeding before the Appeal Body, the Eligibility Criteria and presumption established in Paragraph 6(c) of this Policy shall not be subject to challenge or review. The athlete may challenge only the application of the Eligibility Criteria to the athlete's individual circumstances. The decision of either Panel shall be upheld unless the Appeal Body finds that the appellant has carried the burden of demonstrating that the Panel's decision is arbitrary and capricious with no rational basis. In a review hearing, the Appeal Body shall consider such witness testimony and/or other evidence that the Appeal Body considers relevant and appropriate. The Chair of the USA Swimming National Board of Review may adopt appropriate rules of procedure for the Appeal Body subject to review and approval by USA Swimming's Secretary & General Counsel. The Appeal Body's decision shall be final and binding on both USA Swimming and the athlete. Nothing in this Paragraph 8 shall be construed to limit the rights of members provided by the Ted Stevens Olympic and Amateur Sports Act and Article 301.3 of the USA Swimming Rules and Regulations.

9. Confidentiality

All Athlete information provided to USA Swimming under this Policy, and the results of examinations and assessments conducted under this Policy, will be dealt with in strict confidence and applicable privacy laws. Such information will not be used for any purpose not contemplated in this Policy and will not be disclosed to any third party unless that disclosure is necessary for the effective application and enforcement of this Policy or is required by law. USA Swimming shall not publicly comment on individual Requests, Applications, or decisions under this Policy except, in its discretion, it may do so in response to public comments attributed to the athlete or the athlete's representatives. Once a decision has been rendered, either by one of the panels or the Senior Director, Legal & Membership Affairs, USA Swimming will consult with the athlete on the best ways to publicly communicate about their eligibility.

10. Other Eligibility Requirements Not Affected

The application of this Policy shall not affect eligibility requirements or rules otherwise set out in the USA Swimming Rules and Regulations or the USA Swimming Operating Policy Manual.

11. Compliance with Anti-Doping Rules

⁵ For the avoidance of doubt, Articles 405, 406, and 407 of the USA Swimming Rules and Regulations do not apply to this Policy.

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Nothing in this Policy shall affect an athlete's obligation to fully comply with the Anti-Doping Rules of United States Anti-Doping Agency, the USOPC, FINA, USA Swimming, or the organizer of an event in which the athlete competes. If the use of a substance on the World Anti-Doping Agency Prohibited List is contemplated in connection with a gender transition, then the athlete must first obtain a Therapeutic Use Exemption from the U.S. Anti-Doping Agency before that substance is used.

12. Discrimination Prohibited

All USA Swimming members, including its athlete members, have a right to participate in the activities of USA Swimming without being subjected to harassment or discrimination regarding their sexual orientation, gender expression, or transition to a different swimming gender category. Any USA Swimming member who engages in conduct which violates this right shall be subject to discipline under the USA Swimming Code of Conduct.

13. Membership Requirement

In order for an athlete to submit a Self-Identity Verification Request or Elite Event Fairness Application, the athlete must be an athlete member of USA Swimming.

14. Assistance With This Policy

USA Swimming is committed to the inclusion of transgender individuals in the sport of Swimming subject to the eligibility requirements set forth in this Policy. Any person seeking information on the application of this Policy should contact Senior Director, Legal & Membership Affairs for assistance. (SIV@usaswimming.org)

15. Athlete Agreement, Consent and Release

By submitting a Self-Identity Verification Request or Elite Athlete/Event Fairness Application, an athlete will be required to represent and agree that:

- (a) All information submitted in connection with the Request or Application is accurate and complete to the best of their knowledge and that no relevant information has been intentionally withheld .
- (b) The athlete will fully cooperate with and provide any additional information requested by the Self-Identity Panel or Elite Event Fairness Panel.
- (c) In connection with the Elite Athlete/Event Fairness Panel's evaluation of the athlete's Application, or for the continuing monitoring of the athlete if that Application is approved:
 - i. To provide medical waivers and releases allowing the athlete's physicians to share records with the Panel.
 - ii. To comply with any conditions imposed by the Panel as a condition of its approval of the athlete's Application.
 - iii. To undergo any additional medical testing required by the Panel in connection with its evaluation of the athlete's Application, or ongoing status if the Application is approved. The cost of any such testing will be at USA Swimming's expense.
 - iv. To advance notice, or no advance notice, blood sample collection to evaluate the athlete 's serum testosterone level.
 - v. Any blood sample collected in connection with an anti-doping control may also be used for such purpose.
- (d) The athlete agrees that neither USA Swimming, any member of the Self-Identity Panel or Elite Athlete/Event Fairness Panel, or any USA Swimming employees, directors, officers, agents, representatives, or other persons involved in the administration of this Policy shall be liable in any way in relation to acts done or omitted to be done in good faith in connection with the administration of this Policy.

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All eligible athletes will have the opportunity to participate in swimming in a manner that is consistent with their gender identity and expression. Should a situation arise regarding an athletes' intent to change competition category to one consistent with their gender identity, an athlete may seek eligibility review for participation in the different competition category, through the procedures set forth below.

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