

THE AMERICAN RIGHT TO PLAY ACT

A Draft to Revise the Ted Stevens Olympic and Amateur Sports Act (36 U.S.C. § 220501 et seq.)

Prepared for public debate. This draft repeals the certification monopoly created by the Amateur Sports Act of 1978 and preserved through the 1998 and 2020 revisions, establishes a statutory Right to Play for every person in the United States, and ends the pay-to-play financing of American sport.

SECTION 1. SHORT TITLE

This Act may be cited as the “**American Right to Play Act of 2026.**”

SECTION 2. FINDINGS

Congress finds the following:

1. The Amateur Sports Act of 1978 was enacted to end the arbitrary gatekeeping of the Amateur Athletic Union. It did so by creating a new gatekeeper: a federally chartered corporation empowered to certify a single national governing body per sport, with exclusive authority over sanctioning, eligibility, and international representation.
2. Congress chartered this governance monopoly while appropriating no funds for participation. The predictable result is a sport system

financed by families at the point of play. Youth sports in the United States is now an industry exceeding \$40 billion annually, in which access to organized play, competitive pathways, and national team consideration is rationed by household income.

3. The consequences are measurable and severe: participation rates that fall sharply with family income; a talent identification system that samples the affluent and calls it merit; national teams that draw disproportionately from suburban fee-paying club systems; and tens of millions of American children priced out of organized sport entirely, with lifelong consequences for public health.
4. The certification monopoly has repeatedly failed the athletes it was created to serve. In 2020, Congress itself found that the United States Olympic Committee and USA Gymnastics “fundamentally failed to uphold their existing statutory purposes and duty to protect amateur athletes.” The remedy chosen in 2020 - enhanced oversight of the monopoly - only preserved the monopoly.
5. The statutory replacement and complaint mechanisms of 36 U.S.C. §§ 220527–220529 have proven illusory. In nearly five decades, no incumbent national governing body has been displaced through the application process, because the incumbent’s chartering corporation adjudicates the challenge.
6. No provision of chapter 2205 of title 36 confers upon any person a right to play. Under current law, participation in sport is a privilege that descends from certification. This Act inverts that structure: participation is the right; governance is the license.
7. Nothing in this Act requires the United States to withdraw from international sport. International federations require a single member organization per nation for the purpose of fielding national teams. This Act preserves that narrow representative function while abolishing the domestic monopoly that has been improperly bootstrapped upon it.

SECTION 3. THE RIGHT TO PLAY

Chapter 2205 of title 36, United States Code, is amended by inserting a new Subchapter I-A:

§ 220515. Right to Play

(a) RIGHT ESTABLISHED. — Every person in the United States has the right to participate in sport and physical recreation, including organized competition appropriate to age and ability, without regard to income, wealth, race, sex, disability, immigration status, or geography.

(b) NO FEE GATEKEEPING OF PATHWAYS. — No registered sport organization (as defined in § 220561) may condition any of the following on the payment of a fee, the purchase of membership, travel at personal expense, or participation in a fee-based program:

- (1) eligibility for identification, evaluation, or selection to any national team, developmental national team, or Olympic or Paralympic pathway program;
- (2) eligibility to compete in any championship or qualifying competition designated as part of a national team pathway;
- (3) access to officiating, coaching licensure at the entry level, or volunteer participation.

(c) FREE AT THE POINT OF PLAY. — Every child in the United States shall have access, within reasonable proximity of residence, to at least one no-fee organized program in multiple sports, delivered through the Community Sport Trust established in section 6 of the American Right to Play Act of 2026.

(d) PRIVATE RIGHT OF ACTION. — Any person denied a right under this section may bring a civil action in an appropriate district court of the United States for injunctive relief, actual damages, and reasonable attorney's fees. The limitations on athlete suits enacted in 1998 and codified in § 220509 are repealed to the extent they conflict with this section.

(e) RULE OF CONSTRUCTION. — This section establishes a floor of access, not a ceiling on excellence. Nothing in this section prohibits private clubs, academies, or professional organizations from charging for services, provided that no fee-based program may serve as a mandatory gate to the pathways described in subsection (b).

SECTION 4. ABOLITION OF THE CERTIFICATION MONOPOLY

(a) REPEALS. — The following provisions of title 36, United States Code, are repealed:

(1) Section 220505(c)(1)–(2) (authority to certify a single national governing body per sport);

(2) Section 220521 (certification of national governing bodies);

(3) Section 220523 (authority of national governing bodies), including all grants of exclusive jurisdiction over sanctioning, eligibility, and competition within a sport;

(4) Section 220525 (granting sanctions for amateur athletic competitions) and section 220526 (restricted amateur athletic competitions);

(5) Sections 220527–220529 (the complaint, replacement, and arbitration machinery rendered obsolete by open registration).

(b) EFFECT. — On the effective date:

(1) No organization shall hold, by force of federal law, exclusive authority over any sport within the United States.

(2) Any qualified organization may organize, sanction, and conduct competition in any sport, subject only to the uniform standards of Subchapter II-A (registration).

(3) The defined term “amateur athlete” - an athlete “who meets the eligibility standards established by the national governing body” - is struck throughout the chapter and replaced with “athlete,” defined without reference to any organization’s permission.

(c) TRADEMARK PROVISIONS PRESERVED. — Section 220506 (exclusive right to the name, seals, emblems, and badges of the Olympic movement) is preserved without change. This Act abolishes governance monopoly, not brand protection.

SECTION 5. OPEN REGISTRATION AND THE NARROW INTERNATIONAL FUNCTION

Chapter 2205 is amended by inserting a new Subchapter II-A:

§ 220561. Registered sport organizations

(a) OPEN REGISTRATION. — Any not-for-profit or for-profit organization conducting organized sport may register with the Office of Sport Access (established in section 7) upon demonstrating compliance with uniform national standards, which shall be limited to:

(1) athlete safety, including full participation in the U.S. Center for SafeSport regime under Subchapter IV, which is preserved and extended to all registered organizations;

(2) nondiscrimination;

(3) financial transparency, including annual public disclosure of all fees charged to participants under the age of 18;

(4) insurance and basic health and safety standards; and

(5) athlete representation of not less than one-third in the governance of any organization exercising a designated representative function under § 220562.

(b) NO NUMERICAL LIMIT. — The Office may not limit the number of registered organizations in any sport, and registration of one organization shall not be grounds to deny, condition, or delay registration of another.

§ 220562. Designated international representatives

(a) NARROW FUNCTION. — Where an international federation requires a single member organization for the United States, the Office of Sport Access shall designate one registered organization as the international representative for that sport, solely for the purposes of:

- (1) membership in the international federation;
- (2) fielding and entering national teams in international competition; and
- (3) hosting duties formally assigned by the international federation.

(b) NO DOMESTIC AUTHORITY. — Designation under this section confers no authority over domestic competition, sanctioning, player or coach registration, transfer of athletes among domestic organizations, or the commercial activity of any other registered organization. Any attempt by a designated representative to leverage its international designation to restrain domestic competition shall be an unfair method of competition under section 5 of the Federal Trade Commission Act.

(c) COMPETITIVE, TERM-LIMITED DESIGNATION. — Designations shall be awarded for terms of eight years through open, public competition administered by the Office, with published criteria weighted toward: demonstrated expansion of no-fee access; athlete welfare record; and transparency. An incumbent enjoys no presumption of renewal.

(d) NATIONAL TEAM ACCESS. — A designated representative shall select national teams through open identification systems compliant with § 220515(b). Selection procedures, criteria, and appointment records shall be public.

(e) ANTITRUST. — No provision of this chapter shall be construed to confer immunity, express or implied, from the antitrust laws upon the corporation, any designated representative, or any registered organization.

SECTION 6. THE COMMUNITY SPORT TRUST — ENDING PAY-TO-PLAY

(a) ESTABLISHMENT. — There is established in the Treasury the **Community Sport Trust Fund**, to finance the no-fee programming guaranteed by § 220515(c).

(b) REVENUE. — The Trust shall be funded by:

- (1) a federal excise of 2 percent on sports wagering gross gaming revenue;
- (2) an assessment of 1 percent on the gross value of national broadcast and streaming rights agreements for professional and intercollegiate sport exceeding \$100,000,000 annually; and
- (3) such sums as may be appropriated.

(c) DISTRIBUTION. — Trust funds shall flow by formula to states, counties, municipalities, Tribal governments, park systems, public schools, and registered community organizations, weighted by youth population and inverse median household income, for: facilities, coaching stipends, equipment, officiating, transportation, and no-fee leagues. No Trust funds may flow to any organization that charges mandatory participation fees to children in Trust-funded programming.

(d) THE 1978 CORRECTION. — Congress declares that the original error of the Amateur Sports Act of 1978 was the creation of governance without the funding of participation. This section corrects that error.

SECTION 7. THE OFFICE OF SPORT ACCESS

(a) There is established an independent **Office of Sport Access**, headed by a Director appointed by the President with the advice and consent of the Senate, to administer registration (§ 220561), designation (§ 220562), and the Trust (section 6), and to publish an annual **State of Play Report** measuring participation by income, race, sex, disability, and geography.

(b) GOVERNANCE. — The Office shall be advised by a Sport Access Council, at least one-half of whose members shall be current or recent athletes, including youth-sport parents and community coaches.

(c) USOPC TRANSITION. — The United States Olympic and Paralympic Committee shall continue as a federally chartered corporation whose functions are limited to those of a designated international representative under § 220562 with respect to the Olympic and Paralympic Games. The congressional dissolution authority of § 220552 (2020) is preserved and extended to the Office’s designation decisions.

SECTION 8. APPLICATION TO SOCCER (ILLUSTRATIVE OF ALL SPORTS)

By way of illustration and not limitation, upon the effective date:

1. The United States Soccer Federation may seek designation under § 220562 as the international representative to FIFA, and if designated, shall field the national teams.

2. U.S. Soccer shall hold no authority to sanction or refuse to sanction domestic leagues or competitions; to impose professional league standards; to control the domestic registration of players, coaches, or referees outside its own programs; or to restrain any registered organization from organizing open competition, including systems of promotion and relegation.
3. No child's access to national team identification may be conditioned on membership in a fee-charging club.

SECTION 9. SEVERABILITY; EFFECTIVE DATES

(a) If any provision of this Act is held invalid, the remainder shall not be affected.

(b) Sections 3 and 6 take effect one year after enactment. Sections 4 and 5 take effect two years after enactment, during which the Office shall conduct the first designation competitions.

NOTES (not for enactment)

Why repeal, not reform, certification. The 2020 Act proved that oversight layered on monopoly only preserves the monopoly. Certification is not a safety instrument; SafeSport, preserved and expanded here, is the safety instrument. Certification is a market instrument, and its market effect is the fee economy.

The FIFA/IOC objection, answered. International federations require one *member*; they do not require that the member hold domestic monopoly power. Section 5 gives them their single counterparty while stripping the domestic monopoly that was never internationally required, only domestically convenient.

The pay-to-play mechanism, named. Pay-to-play is not a culture problem; it is a financing structure created by the 1978 decision to charter governance without funding participation. Section 6 is therefore not an add-on; it is the repair of the statute's original defect.

Anticipated opposition. Incumbent NGBs (loss of sanctioning revenue and control); the club industry (loss of pathway gatekeeping); sports betting and media rights holders (the excise). Anticipated support: parents, public health institutions, municipal park systems, athletes' organizations, and every community organizer who has watched a talented kid priced off the field.