



# USA Swimming

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## \*\*\*MEMORANDUM\*\*\*

**TO:** LSC General Chairs  
LSC Permanent Offices  
LSC Registration/Membership Chairs

**FROM:** Mike Unger  
Managing Director, Sport Development

**SUBJECT:** Foreign Athletes/Teams Competing in the U.S.

**DATE:** October 18, 2002

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As you may know, a modification to Rule 202.6 (International Events) was passed by the House of Delegates at the 2002 USAS Convention in Dallas.

The new wording of the rule requires that an LSC, in addition to granting the standard sanction, report to USA Swimming headquarters when athletes who have a foreign sport nationality compete in the U.S. representing their sport nationality or other FINA Continental organizations.

The purpose of this new rule is to assist USA Swimming in following each of the steps required by FINA regarding the sanctioning of events when international or foreign athletes compete.

We ask that if your LSC, or a club within your LSC, is hosting a competition at which a foreign national team is competing, or foreign athletes are representing their home country (and not representing a USA Swimming club), that you contact USA Swimming headquarters as soon as this is known. If this happens to be after the competition has begun, it is still critical to let USA Swimming headquarters know as soon as possible. Your contacts at USA Swimming will be Mary Illich ([millich@usa-swimming.org](mailto:millich@usa-swimming.org)) and Mike Unger ([munger@usa-swimming.org](mailto:munger@usa-swimming.org)).

Please note that if a foreign athlete is representing a USA Swimming club this step of contacting USA Swimming headquarters is not required.

In addition, if an organization other than USA Swimming or one of its clubs wishes to hold an international athletic competition within your LSC, please be advised that the sanction MUST be granted through USA Swimming's national office.

For your information, the actual wording of this rule is on the attached page.

If you have any questions regarding this rule modification, please contact me at the national office.

Note: If the sanction chair in your LSC is different from those to which this memo is addressed, please pass this information on to the sanction chair.

Thank you.

cc: Wells O'Brien  
Carol Zaleski  
Dale Neuburger  
Ron Van Pool  
Don Hart  
Rich Young  
Carol Burch  
Mary Illich  
Chuck Wielgus

## Rule 202.6 International Events

### .1 Within the United States

- A. Sanctions for competitions within the United States that will include athletes with a foreign sport nationality as defined by FINA rule GR 2, who will be competing representing their sport nationality or other FINA Continental Organization, must be reported to the USA Swimming national office. All invitations to foreign athletes to compete in the United States must be extended by USA Swimming.
- B. Any international amateur athletic competition within the United States as defined in the Ted Stevens Olympic and Amateur Sports Act (Act) which is sponsored by a sports organization or person other than USA Swimming must be sanctioned by USA Swimming's national office and such sanction must be granted unless there is clear and convincing evidence that holding or sponsoring the event would be detrimental to the best interest of swimming.

(1) Factors to be considered in the determination of whether sponsoring the event would be detrimental to the best interest of swimming shall include, but not be limited to, the following:

- a. Review of audited or notarized financial report of similar events, if any, conducted by the organization or person, including:
  - i. Financial guarantees of athlete expenses, both United States and foreign
  - ii. Financial guarantees of any appearance money or prize money for athletes
  - iii. Financial guarantees of acceptable accommodations and travel for athletes
- b. Absence of substantial conflict with: (i) USA Swimming National Team programs, (ii) major USA Swimming competitions, (iii) major international swimming competitions such as the Olympic Games, World Championships, Pan Pacific Championships, Pan American Games and World University Games and (iv) FINA rules and events.

(2) Upon determination by clear and convincing evidence that sponsoring the event would not be detrimental to the best interest of swimming, the sanction will be issued by USA Swimming upon full compliance by the organization with all the requirements of the Act, as it may be amended from time to time.

- C. Sanction fees for international events established by the Board of Directors of USA Swimming shall be paid to USA Swimming prior to the issuance of the sanction.

## **Sanctions – International Events**

### **Step-by-step process for the LSC**

Step 1. LSC sanction representative receives notice that a foreign national team or a foreign athlete representing a foreign country is going to compete at a meet in their LSC.

Step 2. LSC sanction representative contacts Mary Illich or Mike Unger at USA Swimming headquarters in order to report that the foreign national team is competing.

Step 3. The LSC sanction representative must fill out the USA Swimming “Invitation to Foreign Athletes/Teams” application and submit it to Mary Illich at the national office.

### **Other Scenarios**

Q. What if it is a foreign club from Mexico or Canada coming to compete in the U.S.?

A. If the club is from Mexico or Canada, it would not be necessary to contact USA Swimming headquarters, unless the foreign athletes will be/are representing their federation.

Q. What if our LSC does not find out that a foreign athlete is going to compete for his/her country until the meet has begun?

A. The LSC sanction representative should still contact USA Swimming (by e-mail or fax) as soon as possible, even if the meet has begun. He/she should follow up this communication via telephone with the national office. At that point USA Swimming headquarters will initiate the required procedures to ensure that FINA rules are being followed.

Q. What does our LSC do if an organization outside of a USA Swimming club or USA Swimming member requests a sanction for a competition?

A. According to rule 202.6.1 (B), the LSC does not sanction this event, but must report this request to USA Swimming’s national office to consider the request and issue a sanction.