

United States Olympic Committee



ATHLETE
SELECTION PROCEDURE FORMS

for the

2008 OLYMPIC GAMES

Version 11



USA SWIMMING
ATHLETE SELECTION PROCEDURES
2008 OLYMPIC GAMES
OPEN WATER SWIMMING
February 9, 2007

I. SELECTION SYSTEM

A. Provide the minimum eligibility requirements for an athlete to be considered for nomination to the Team:

1. Citizenship:

An athlete must be a citizen of the United States, hold a valid passport at the start date of the 2008 FINA Open Water World Championships May 3-8, 2008 in Seville, Spain (the "Qualifying Competition") and be eligible to represent the United States in international competition. Note: All passports must be valid through February 28, 2009.

2. Minimum International Federation (IF) standards for participation

Athletes must be at least 14 years of age, anytime during the calendar year, for all FINA Open Water Swimming events. There is not a minimum age requirement for the 2008 Olympic Games.

3. Other requirements (if any):

- a. Be a registered athlete member of USA Swimming in good standing.
- b. Qualify for and compete in the Qualifying Competition, or if needed, the 2008 Beijing Test Event in Beijing, China, May 31- June 1, 2008.
- c. Be eligible to compete under all applicable rules of FINA, the U.S. Anti-Doping Agency (USADA), the USOC and USA Swimming.
- d. Sign and abide by the USA Swimming honor code, authorization/waiver and release, commitment declaration and National Team Protocol (see attachments).
- e. Conform to all USA Swimming policies and protocol regarding team preparation and participation.
- f. Sign and abide by the USOC code of conduct, general release forms, and any other applicable provisions.

B. Provide a brief summary outlining how an athlete is selected as a nominee to the Team (include maximum team size).

SEE EXHIBIT 1- DEFINED TERMS

1. The maximum team size is two (2) males and (2) females
2. Per FINA rules the athletes are selected by name at the Qualifying Competition and/or the Beijing Test Event.



3. Athletes will be nominated from the order of finish outlined in Section I.D of these criteria.

C. Tryout Events:

1. Provide the event names, dates and location of all trials, events and/or camps to be used as part of the selection process.
 - a. The Qualifying Competition for the Team is the 10K race at the 2008 FINA Open Water World Championships in Seville, Spain April 29- May 4, 2008.
 - b. If no U.S. swimmer qualifies for the Team at the Qualifying Competition, a final Qualifying Competition for the Team will be the 10K race at the 2008 Beijing Test Event, Beijing, China, and May 31 - June 1, 2008 (see Section II).
2. Provide the event name, dates and locations and description of how athletes qualify for any “preliminary or qualifying” events or procedures that are prerequisites to attend any of the events listed above in c. (if any).
 - a. To qualify for the Qualifying Competition an athlete must compete in 10K race at the Trials, (2007 USA Swimming Open Water World Championship Trials October, 20- 21, 2007 in Ft. Myers, FL). In order to qualify for the Trials athletes must participate in at least one of the following races:
 - i. 2007 USA Swimming Open Water Nationals (10K race only), May 19, 2007, in Fort Myers, FL.
 - ii. 2007 Open Water 10K Grand Prix, August 5, 2007, in Indianapolis, IN. A time standard must be achieved to compete in this competition. The time standards may be found at usaswimming.org.
 - iii. The athlete must finish in the top 15 in one of the two qualifying meets above to be accepted to compete in the Trials.
 - b. 2006 USA Swimming Open Water Nationals - athletes in each gender, must have finished in the top 15 at the 2006 USA Swimming Open Water Nationals, June 4, 2006, in order to participate in the 2007 USA Swimming Open Water Nationals May 19, 2007, or make the pool time standard at a USA Swimming sanctioned event. Time standard and sanctioned events are posted at usaswimming.org
 - c. 2007 USA Swimming Spring Championships, March 27-31, 2007 in Long Island, NY - athletes in each gender, who place in the top 2 in the 1500 meter freestyle get an automatic place in the 2007 USA Swimming Open Water Nationals.



3. Provide the event names, dates and locations of additional trials that will be used to determine “start positions” (if any).

N/A

D. Provide a comprehensive, step-by-step description of the method that explains how athletes will go through the selection process to become team nominees.

Initial Team Selection-Making and Filling the Team:

1. Only 25 men will be permitted to swim in the 2008 Olympic Games Men’s 10K Open Water race. Only 25 Women will be permitted to swim in the 2008 Olympic Games women’s 10K Open Water race. For purposes of this document the men’s and women’s races will be considered separately.
2. Team Size. The maximum allowable Team size is two (2) men and two (2) women. The actual Team size will be determined once the selection criteria have been implemented. For purposes of this Procedure, the men's and women's components of the Team shall be considered separately.
3. The top two (2) male and top two (2) female swimmers in the Trials will swim the 10K at the Qualifying Competition. The third (3rd) and fourth (4th) place finishers at the Trials will swim the 5K at the Qualifying Competition. The third (3rd) and fourth (4th) place finishers will also be alternate swimmers for the 10K race, if illness, injury, disqualification, or removal from the team occurs to a top two place finisher. He or she will be chosen to participate, if needed, from the finish order at the Trials.
4. The only event at which USA Swimming can qualify two men and/or two women for the 2008 Olympics is at the Qualifying Competition. In order to have two athletes qualify to swim the 10K at the 2008 Olympic Games, a country must place two athletes in the top 10 places of the 10K race for that gender at the 2008 FINA Open Water World Championships. If the U.S. has only one athlete in the top 10, then that athlete will be the only U.S. athlete nominated to the Team.
5. If no U.S. athlete finishes in the top 10 places, a U.S. athlete can qualify for the Olympic Games by being declared the Continental Champion. This will be the top finisher from the Americas (North and South America) below 10th place, provided that that athlete’s country did not have another athlete finish in the top 10 places. If a country placed an athlete in the top 10 at the 2008 FINA Open Water World Championship and also had the highest placed finisher (below 10th place) for the continent, that athlete below 10th place will not be declared the Continental



Champion.

6. If no U.S. athlete qualifies via guidelines 4 and 5 for the 2008 Olympic Games then the 2008 Beijing Test Event held in Beijing, China May 31- June 1, 2008, will be used as a final Qualifying Competition. Selection for this event will be based on a discretionary selection (section II). The United States will be permitted to enter two male and two female athletes in this 10K test event if it has not already qualified any athletes, per gender, for the Olympic Games. The 2008 Beijing Test Event will be used to fill the remaining places up to 25 men and 25 women. No country may qualify more than one male and/or one female for the 2008 Olympic Games via the Beijing Test Event. The highest place finisher per gender at this event will be nominated to the 2008 Olympic Games Team.

Breaking a Tie.

Qualifying Competition:

1. In the instance where there is tie between two swimmers for 10th place or better at the Qualifying Competition, both swimmers will be selected to the Initial Team.
2. If a tie occurs between two U.S. swimmers for 11th place or lower at the Qualifying Competition, provided they are the highest finishing athlete from the continent, the following criteria will be used to break the tie (pending ASUA approval):
 - a. The athlete who had the best finish in the 10K race at the Trials, to be held in October 2007, will be nominated to the Initial Team.
 - b. If this does not break the tie, the athletes' best finish in the 10K at the FINA World Championships (in the years 2005, 2006 or 2007) will be compared, and the athlete with the highest career finish will be nominated to the Initial Team.
3. Tie between swimmers from different ASUA countries. Once the tie breaking criteria receives ASUA approval it will be posted at usaswimming.org.

Beijing Test Event:

1. If a tie occurs at the Beijing Test Event, then both swimmers will qualify for the Olympic Games.
- E. Provide the names of all committees/groups who oversee the selection process, including the name(s) and role(s) of their members.

Mark Schubert, National Team Head Coach and General Manager
Lindsay Mintenko, National Team Managing Director
Mike Unger, Chief Operating Officer



Tom Dolan, USA Swimming AAC representative

II. DISCRETIONARY SELECTION (if applicable)

A. Provide rationale for utilizing discretionary selection (if any):

If no athlete qualifies via the Qualifying Competition, USA Swimming would use a discretionary method to select up to two athletes in each gender to participate in the 2008 Beijing Test Event May 31- June 1, 2008.

The purpose of discretionary athlete nomination is because we only have one chance to have representation at the Olympic Games if this selection method is needed, the National Team Head Coach and USA Swimming want to make sure the best possible physically, psychologically and technically prepared athletes are representing the U.S. in order to produce medal-winning performances at the 2008 Olympic Games.

At all times, USA Swimming endeavors to nominate to the Olympic Games only those athletes who, within the context of the event, are: 1) capable of a top-three (podium) result; or 2) can positively impact team performance; or 3) considered to be "on track" to produce a medal capable result in the near future.

B. List the discretionary criteria and explain how it will be used:

Only athletes who participate in the Qualifying Competition in the 5K, 10K, or 25K may be chosen. A discretionary selection method will be used to choose up to two athletes in each gender who will compete at the 2008 Beijing Test Event. After reviewing the results of the races at the Qualifying Competition, the National Team Head Coach will consider the place finish and times achieved by each swimmer at each event and determine who would be the most competitive athlete and has the best potential to win a medal at the Beijing Olympic Games. The National Team Head Coach will then meet with the swimmer who is being considered to compete in the Beijing Test Event and have a one on one discussion about their ability to swim and represent Team USA at the Olympic Games. After the discussion between the athlete and the National Team Head Coach, a conversation between those listed below and the National Team Head Coach would be used in order to ensure the best physically and mentally prepared athletes will compete at the Beijing Test Event. This discussion will include the athlete's 2005-2007 International and Domestic Open Water experience, knowledge of race strategy, and ability to produce a medal winning performance at the 2008 Beijing Test Event.
Discretionary Selection Committee

1. Provide the name of the committee(s) that will be responsible for discretionary selection.

The Discretionary Selection Committee will be the 2008 USA Swimming FINA Open Water World Championship Team Coaching Staff in



conjunction with the National Team Head Coach and General Manager, who will make a selection and then make a recommendation to the Open Water Steering Sub Committee for their approval.

2. Provide a complete list of the members of the committee(s), their titles and their NGB role that qualifies them to serve in this capacity.

Open Water Steering Sub- Committee

Paul Asmuth (advisor)
Sid Cassidy (coach)
Catherine Vogt (coach)
Rick Walker (coach)
Denny Ryther (coach)
Trent Staley (athlete)
Tom Dolan (athlete)

III. REMOVAL OF ATHLETES

- A. Prior to acceptance of nomination by the USOC, USA Swimming has jurisdiction over potential nominees.

An athlete who is to be nominated to the Team by USA Swimming may be removed from the Nominations for any of the following reasons, as determined by USA Swimming.

1. Voluntary withdrawal. Athlete must submit a written letter to USA Swimming's Executive Director and National Team Head Coach and General Manager.
2. Injury or illness as certified by a USA Swimming physician (in consultation with medical staff). If an athlete refuses verification of their illness or injury by a USA Swimming physician (in consultation with medical staff), their injury will be assumed to be disabling and they may be removed.
3. Violation of the USA Swimming Code of Conduct and/or USA Swimming National Team Honor Code (Attachment C and Attachment D).
4. The National Team Head Coach and General Manager, in consultation with the Olympic Team Head Coach, from each gender, the USA Swimming Olympic International Operations Committee (OIOC) Chairman and the USA Swimming Athletes' Executive Vice President, determines that the swimmer is unable or unwilling to maintain a training regimen that is necessary for peak performance in the 2008 Olympic Games. (see National Team Commitment Declaration- Attachment C)



An athlete who may be removed from the Team pursuant to this provision or any other challenge to these Procedures or any decision made pursuant to or in connection with these Procedures shall be handled with an appropriate hearing process as follows:

1. If such challenge relates to an alleged violation of a technical rule, it shall be handled according to the procedure set forth in Part One of the USA Swimming Rules and Regulations (can be found at usaswimming.org)
 2. If such challenge relates to an alleged violation of the National Team Honor Code, it shall be handled according to the procedure set forth in Section 8 of the USA Swimming Olympic International Operations Procedures Manual (OIO Procedures Manual), which can be obtained from USA Swimming's National Team Division.
 3. If such challenge does not relate to an alleged violation of a technical rule or an alleged violation of the National Team Honor Code, it shall be handled according to USA Swimming's Hearing Procedure set forth in Part Four of the USA Swimming Rules and Regulations. Any hearing required in order to resolve a challenge shall take place on an expedited basis if necessary in order to resolve the challenge in sufficient time for Team selection to be finalized by a relevant deadline.
 4. Or, per USOC Bylaws, Article 9.
- B. After acceptance of nomination by the USOC, the USOC has jurisdiction over the Team under the USOC Code of Conduct and Grievance Procedures. This occurs no earlier than 45 days and no later than 30 days prior to the Opening Ceremonies of the Games (unless expressly waived by the USOC).

A USOC approved team member is subject to the USOC Code of Conduct and Grievance Procedures.

- C. An athlete may be removed from Nomination or from the Team at any time for violation of IOC, WADA, FINA, USADA, and/or USOC anti-doping protocol, policies, and procedures. In such instances, the adjudication process will be managed through the United States Anti-Doping Agency.

IV. REPLACEMENT OF ATHLETES

- A. Describe the process by which the replacement pool of athletes will be identified:

Prior to the Qualifying Competition: The replacement pool of athletes will be identified based on the highest finish order of remaining Available Swimmers, in each gender, in the 10K race at the Trials.



Between the Qualifying Competition and the Beijing Test Event: The replacement pool of athletes will be the swimmers who participated in the Qualifying Competition in each race. Discretionary selection will be used in order to select an athlete to participate in the Beijing Test Event.

After the Beijing Test Event: The replacement pool of athletes will be at the discretion of FINA.

- B. Describe how the replacement athlete(s) will be selected, should a vacancy occur:
1. For each gender, if two U.S. athletes qualify for the Olympic Games via the Qualifying Competition and they both withdraw from the team before the 2008 Beijing Test Event then the U.S. would be able to send two athletes per gender to the 2008 Beijing Test Event May 31- June 1, 2008.
 2. For each gender, if two U.S. athletes qualify the Olympic Games via the Qualifying Competition and one withdraws from the team before the Beijing Test Event no additional athlete may be selected to the team.
 3. For each gender, if one U.S. athlete qualifies for the Olympic Games via the Qualifying Competition and they withdraw from the team before the Beijing Test Event, then one U.S. athlete will be selected to participate in the 2008 Beijing Test Event.
 - a. prior to acceptance of nominations by the USOC:
See Section IV. A.
 - b. after acceptance of nominations by the USOC:

If, for any reason, an additional Team position shall become vacant, such vacancy shall be filled according to FINA guidelines.
- C. Identify the group or committee that will be responsible for making athlete replacement determinations:
1. Group or committee who determines the replacement pool:
See Section IV.A
 2. Group or committee who determines a replacement to the team:
 - a. prior to acceptance of nominations by the USOC:
See Section IV.A
 - b. after acceptance of nominations by the USOC:
See Section IV.A
 - c. during the Games:
See Section IV.A



V. SUPPORTING DOCUMENTS

USA Swimming will retain all supporting documents, including scouting or evaluation forms, etc., and data from the selection process for six months past the date of the Closing Ceremonies of the Games.

VI. REQUIRED DOCUMENTS

The following documents are required to be signed by an athlete as a condition of nomination in the 2008 Olympic Games and are included as attachments:

- A. USA Swimming National Team Honor Code (Attachment A)
- B. USA Swimming National Team Authorizations, Waiver, and Release Form (Attachment B)
- C. USA National Team 2008 Olympic Games Team Commitment Declaration (Attachment C)
- D. USA Swimming Code of Conduct (Attachment D)
- E. USA Swimming National Team Protocol (Attachment E)

VII. PUBLICITY/DISTRIBUTION OF PROCEDURES

The USOC approved Selection Procedures (complete and unaltered) will be posted/published by USA Swimming in the following locations and will include the USOC approval date:

- A. NGB Web site: www.usaswimming.org
These procedures will be posted as soon as possible, but not more than 5 business days following notice of approval by the USOC.
- B. NGB Official Publication (if any):
An official USA Swimming National Team Electronic Newsletter sent to athletes on the USADA Anti-Doping roster and their coaches.
- C. Other:
The Procedures will be made available at the Qualifying Competition general meeting October 19, 2007.

VIII. DATE OF NOMINATION

Nomination of Athletes form, including replacements, will be submitted to the USOC on:

On or before June 7, 2008

IX. MANDATORY TRAINING AND/OR COMPETITION

Specify the location, schedule and duration of mandatory training and/or competition: (subject to change)



<u>Event</u>	<u>Date</u>	<u>Site</u>
Assembly & Training	July 11 - 25, 2008	Palo Alto, CA
Training	July 26 - August 17	Singapore
Travel & Training	August 17- 21	Beijing, China
2008 Olympic Games	August 20 and 21	Beijing, China
Return travel to U.S.	August 25	

X. ANTI-DOPING REQUIREMENTS

Athletes must adhere to all IOC, WADA, FINA, USADA and USOC anti-doping protocols, policies and procedures. This includes participation in out of competition testing as required by the IOC, WADA, FINA, USADA and USOC Rules.

XI. DEVELOPMENT OF SELECTION PROCEDURES

The following committee/group (include names and titles) was responsible for creating these Selection Procedures:

- Mark Schubert, National Team Head Coach and General Manager
- Lindsay Mintenko, National Team Managing Director
- Mike Unger, Chief Operating Officer
- Tom Dolan, AAC representative

XII. NGB BYLAWS AND GRIEVANCE PROCEDURES

The USA Swimming Bylaws and Grievance Procedures can be found in the USA Swimming rule book and at usaswimming.org.

XIII. INTERNATIONAL DISCLAIMER

These procedures are based on IOC and FINA rules and regulations as presently known and understood. Any change in the selection procedures caused by a change in IOC and FINA rules and regulations will be distributed to the affected athletes immediately. The selection criteria are based on the latest information available to USA Swimming. However, the selections are always subject to unforeseen, intervening circumstances, and realistically may not have accounted for every possible contingency.

XIV. ATHLETE OMBUDSMAN


Athletes who have questions regarding their opportunity to compete that are not answered by USA Swimming may contact the USOC Athlete Ombudsman: John W. Ruger by:

- Toll free telephone at (888) ATHLETE
- E-mail at john.ruger@usoc.org
- www.888athlete.org

XV. NGB SIGNATURES



I certify that I have read, understand and incorporated our IF and/or CF (PAG only), if applicable, standards/criteria into our Selection Procedures and that the information provided herein regarding Athlete Selection Procedures represents the method approved by USA Swimming.

Position	Print Name	Signature	Date
Assistant Executive Director	Mike Unger		5/7/07
Nat. Team Head Coach	Mark Schubert		
USOC Athletes' Advisory Council Representative*	Tom Dolan		

*If USOC AAC Representative has delegated authority to the Alternate AAC Representative to sign the Selection Procedures, attach a letter from the AAC Representative indicating the reason he/she has delegated authority.

USOC USE ONLY

Date Original Procedures Rec'd _____ Date Revision Submitted _____	Date of USOC Approval _____
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I certify that I have read, understand and incorporated our IF and/or CF (PAG only), if applicable, standards/criteria into our Selection Procedures and that the information provided herein regarding Athlete Selection Procedures represents the method approved by USA Swimming.

Position	Print Name	Signature	Date
Assistant Executive Director	Mike Unger		
Nat. Team Head Coach	Mark Schubert	<i>Mark Schubert</i>	<i>May 1, 07</i>
USOC Athletes' Advisory Council Representative*	Tom Dolan		

*If USOC AAC Representative has delegated authority to the Alternate AAC Representative to sign the Selection Procedures, attach a letter from the AAC Representative indicating the reason he/she has delegated authority.

USOC USE ONLY

Date Original Procedures Rec'd _____	Date of USOC Approval _____
Date Revision Submitted _____	



I certify that I have read, understand and incorporated our IF and/or CF (PAG only), if applicable, standards/criteria into our Selection Procedures and that the information provided herein regarding Athlete Selection Procedures represents the method approved by USA Swimming.

Position	Print Name	Signature	Date
Assistant Executive Director	Mike Unger		
Nat. Team Head Coach	Mark Schubert		
USOC Athletes' Advisory Council Representative*	Tom Dolan		5-7-07

*If USOC AAC Representative has delegated authority to the Alternate AAC Representative to sign the Selection Procedures, attach a letter from the AAC Representative indicating the reason he/she has delegated authority.

USOC USE ONLY

Date Original Procedures Rec'd _____ Date Revision Submitted _____	Date of USOC Approval _____
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EXHIBIT I

DEFINDED TERMS

DEFINITIONS - The following common definitions shall apply to this Team Selection Procedure:

- A. Competition. The "Competition" shall mean the 2008 Olympic Games.
- B. Available Swimmer. "Available Swimmer" shall mean a swimmer who (i) qualifies for the Team in an Event according to this Procedure and remains available through the Olympic Games; (ii) satisfies all the FINA, World Anti-Doping Agency (WADA), United States Anti-Doping Agency (USADA) and USA Swimming applicable eligibility requirements; (iii) accepts the invitation to become a member of the Team when that invitation is offered by USA Swimming; and (iv) agrees to swim in the Event for which he or she qualifies. If a swimmer does not satisfy these requirements, then he or she is not considered an Available Swimmer.
- C. Head Coach. Unless otherwise indicated, "Head Coach" shall refer to the head coach of the 2008 Open Water Olympic Team.
- D. Initial Team. The "Initial Team" shall refer to the Team nominated by USA Swimming on or before June 7, 2008.
- E. National Team Head Coach. "National Team Head Coach" shall refer to the USA Swimming National Team Head Coach, or National Team Managing Director.
- F. Qualifying Competition. "Qualifying Competition" shall mean the 2008 FINA Open Water World Championships May 3-8, 2008 in Seville, Spain.
- G. Trials. "Trials" shall mean the 2007 USA Swimming Open Water World Championship Trials October 20- 21, 2007 in Ft. Myers, Fla.
- H. Beijing Test Event. "Beijing Test Event" shall mean the 2008 Beijing Test Event May 31- June 1, 2008 in Beijing, China
- I. Team. "Team" shall mean the 2008 Olympic Team.



ATTACHMENT A

USA Swimming National Team HONOR CODE

As a member of the USA Swimming National Team (USAS NT) I _____, understand and will comply with the following guidelines as set forth by USA Swimming and the Olympic International Operations Committee regulations.

1. The possession or use of alcohol, tobacco products or controlled substances by any athlete or staff member of the USAS NT is prohibited throughout the duration of the trip (until the team has officially disbanded).
2. Curfews established by the staff will be adhered to each day of the training camp and at the competition.
3. Team members and staff will attend all team functions including meetings, practices, exhibitions, press conferences, competitions, etc., unless otherwise excused or instructed by the head coach or National Team Head Coach or National Team Managing Director.
4. To ensure the propriety of the athletes and to protect the staff, there will be no male athletes in female athlete's rooms, and no female athletes in male athlete's rooms. There will be a team room provided for relaxation and recreation whenever possible.
5. Team members and staff will comply with USA Swimming and United States Olympic Committee uniform requirements. Details of this policy will be further explained at the beginning of the training camp or competition.
6. Team members and staff will refrain from any illegal or inappropriate behavior that would detract from a positive image of the USAS NT or be detrimental to its performance objectives.
7. Team members will display proper respect and sportsmanship toward coaches, officials, administrators, fellow competitors and the public.
8. USA Swimming will negotiate the rights of access to the USAS NT. Once an organization has negotiated these rights with USA Swimming, the following shall occur:
 - a. In the not-for-profit mode, National Team members and staff will comply with the USA Swimming request. These are considered to be promotion opportunities for the sport of swimming, to include but not limited to exhibition and promotional appearances. Any request for team or staff appearances will have the prior approval of the head coach or National Team Head Coach/National Team Managing Director.
 - b. In the for-profit mode, USA Swimming will have negotiated a set fee to include all members of the team and staff. All members will be asked if they wish to participate under these terms and financial arrangements. They may then: 1) Decline to participate, 2) Negotiate a higher fee directly with the for-profit organization; 3) Participate at the scale set by USA Swimming. Coaches, managers and athletes will all be included under these terms.
9. Any additional guidelines for the USAS NT will be established as needed by the National Team Head Coach & General Manager/National Team Managing Director.

IMPLEMENTATION:

1. All team and staff are apprised in writing of this policy. Signature of this document constitutes unconditional agreement to comply with Honor Code of the USAS NT.
2. An evaluation system will be established to determine if all aspects of the policy have been followed by team and staff members.
3. Failure to comply with the Honor Code as set forth in this document for the USAS NT may result in disciplinary action under the provisions of Section 8, USA Swimming-OIOC Policy Manual.

Such discipline may include, but may not be limited to: 1) Dismissal from the team and immediate return home; 2) Disqualification from one or more events, or all events of competition; 3)



Disqualification from future USA Swimming and international competition; 4) Financial penalties.

Any appeal following any disciplinary action shall be in accordance with Part Four of USA Swimming Rules and Regulations.

Name: _____

Event: _____

Signature: _____ Date: _____



ATTACHMENT B

USA Swimming Authorizations, Waiver and Release Form

Competition, activity or event: _____

General Acknowledgement & Acceptance

I, _____, hereby acknowledge that all information and signatures on this form are applicable to my participation in this USA Swimming activity and I agree to abide by the regulations specified in these documents and in the Rules and Regulations of USA Swimming for the management and conduct of the USA Swimming Program.

Oath of Eligibility

I declare that I am eligible and in good standing with regulations laid down by USA Swimming, the International Federation for Amateur Swimming (FINA), and the International Olympic Committee (IOC). I also declare I am not under suspension or disciplinary action imposed for use of illegal drugs or other athlete regulation infractions. I agree to sign additional documents to this effect when required to do so by USA Swimming or the local organizing committee.

I certify that, to the best of my knowledge and belief, I am in good physical condition and have no disease or injury that would impair my performance in this activity and agree that while a participant in this activity, I will keep myself in top physical condition and retain my eligibility status.

Doping

I understand that it is the policy of USA Swimming to discourage and prevent the use of prohibited doping substances and prohibited doping methods. The FINA Anti-Doping Rules are available online and from USA Swimming. I know that I should call the USADA Drug Reference Line (1-800-233-0393) or check at the Drug Reference Online (www.usantidoping.org/dro) to check the status of all medications and substances I am currently using, and to satisfy any questions or concerns that I may have about medications and prohibited substances and methods.

I do not currently engage in, nor do I intend to use any prohibited substances and methods. I acknowledge that the use of prohibited substances or prohibited methods may subject me to disqualification and other sanctions imposed by USADA, FINA or IOC.

Drug Testing

I understand that testing organizations (USADA, FINA, WADA, etc.) will conduct drug

testing on athletes during and outside of competition. By registering for this competition, I hereby consent to and authorize the testing organizations (USADA, FINA, WADA, etc.) to test me for prohibited substances and prohibited methods at any time. I further acknowledge and agree that my refusal to participate in a drug test may subject me to disqualification and sanctions, the same as if I had tested positive for a prohibited substance.

I hereby authorize USA Swimming to include the results of any drug testing of me in the published statistics for drug testing and to include my name in the list of athletes who have been drug tested, which USA Swimming publishes on their website. In the event I refuse to submit to a drug test or a drug test has a positive result, I recognize that I am subject to the adjudication processes established by the US Anti-Doping Agency (USADA) and FINA, because of my refusal or positive test.

Authorization & Event Promotion

I agree to be filmed and photographed by the official photographer(s) and network(s) of USA Swimming



under the conditions authorized by USA Swimming and give the event organizers the right to use my name, picture, likeness, and biographical information before, during and after the period of my participation in these activities to promote the activity in which I participate or to promote the success of the team on which I compete.

I understand and agree not to use or authorize use of pictures of myself in the uniforms and equipment provided by USA Swimming for the purpose of trade, without the consent of USA Swimming. I agree not to use medals or photos, portraits or film of myself with the medals, which I receive for my performance, for the purpose of trade. Furthermore, it is agreed that I shall return these uniforms and equipment, bearing USA Swimming logos and marks, if and when requested.

<p>Authorization for Medical Services</p>

I hereby give consent for USA Swimming to provide or obtain for me medical care and treatment and emergency medical services for any injuries arising from my participation in this activity. Additionally, I hereby agree that, in the event I elect to obtain any of these services or treatments from any sources other than that provided or obtained by USA Swimming, I shall accept full and complete responsibility.

I further authorize release of any medical information necessary to process a claim for accident/medical payment insurance for an injury or illness incurred while I am participating as a member of the USA Swimming delegation in this activity.

Risk of Serious Injury:

I understand and appreciate that my participation in the sport of swimming carries a risk of serious injury, including permanent paralysis or death. I voluntarily and knowingly recognize, accept and assume this risk.

WAIVER & RELEASE

In consideration of allowing me to participate in this activity, I hereby release and hold harmless USA Swimming, members of its board of directors, and its officers, employees, members, volunteers, other participants, and agents (collectively, the "Released Parties"), of and from, and do discharge and waive, any and all claims, demands, losses, damages, and liabilities that I may have or sustain with respect to any and all damage and/or injury, of any type, arising out of my participation in this USA Swimming activity.

Participant's Signature: _____

Participant's Name: _____ Date: _____

Parent/Guardian's Signature on behalf of participant (if under 18): _____

Relationship: _____

Parent/Guardian Name (please print): _____ Date: _____

(If applicant is under 18 years of age, the parent(s) or guardian(s) must execute the following additional waiver and release.)



Waiver and Release - Parents'/Guardians' Rights

In consideration of allowing my child or the minor for whom I act as a guardian ("Minor Participant") to participate in this activity, I hereby release and hold harmless the Released Parties (as described above), of and from, and do discharge and waive, any and all claims, demands, losses, damages, and liabilities that I may have or sustain with respect to any and all damage and/or injury, of any type, arising from Minor Participant's participation in this activity.

Indemnification by Parent/Guardian

The undersigned parent/guardian further agrees to indemnify, save and hold harmless the Released Parties from any and all claims, demands, losses, damages and liabilities for indemnities, contribution or otherwise with respect to any damage and/or injury, of any type, arising from Minor Participant's participation in this activity.

Parent/Guardian Signature: _____ Relationship: _____

Parent/Guardian Name (please print): _____ Date: _____



ATTACHMENT C

USA NATIONAL TEAM
2008 OPEN WATER OLYMPIC GAMES TEAM
COMMITMENT DECLARATION

I agree to fully commit to a comprehensive training program designed for peak performance in the 2008 Open Water Olympic Games.

If for any reason I become unable to fulfill this commitment, I will immediately notify the National Team Head Coach. I understand that I may be withdrawn from the team if circumstances interfere with my preparation for peak performance.

Athlete's Printed Name

Athlete's Signature

Parent Signature (if under 18)

Date

Coach's Signature (witness)



ATTACHMENT D
USA Swimming Code of Conduct
PART THREE: RIGHTS, PRIVILEGES, CODE OF CONDUCT

ARTICLE 301 MEMBER RIGHTS

301.1 Except as provided in 301.2, no individual or organizational member of USA Swimming, nor any organization affiliated with USA Swimming, may deny or threaten to deny any eligible amateur swimmer, coach, trainer, manager, official or administrator the opportunity to participate in any international swimming competition approved by USA Swimming, if selected by USA Swimming or one of its members. In addition, except as provided in 301.2, no individual or organizational member of USA Swimming, nor any organization affiliated with USA Swimming, may censor or otherwise penalize subsequent to the event any swimmer, coach, trainer, manager, official or administrator for having participated in any such international swimming competition approved by USA Swimming.

301.2 An educational institution which a swimmer is attending at the time of such international competition may deny the swimmer the opportunity to participate only if said educational institution reasonably determines that such participation would either:

- .1 Prevent the swimmer from meeting the academic requirements which are applicable to all students who participate in the swimmer's particular course of study.
- .2 Jeopardize the swimmer's or the educational institution's performance in the established program in the particular sport in which the swimmer competes, provided that the international competition occurs during the scheduled competitive season of the educational institution.

301.3 Any swimmer, coach, trainer, manager, official or administrator who alleges that he or she has been denied or is about to be denied, by a person or an organization affiliated with USA Swimming, a right as set forth in 301.1, shall immediately inform the Executive Director, who shall promptly cause an investigation to be made and steps to be taken to settle the controversy without unnecessary delay. Such steps shall include, but shall not be limited to, advising the Secretary General of the U.S. Olympic Committee, and submitting the matter to the American Arbitration Association for binding arbitration.

301.4 Whenever a swimmer, or party acting on his/her behalf, informs the Executive Director of an alleged violation of the swimmer's right to participation as set forth in 301.1, the Executive Director shall review all the related evidence of the case and make a report, with a preliminary recommendation, to the National Board of Review within thirty (30) days, or sooner if the situation requires. The Board of Review shall review the case and the preliminary recommendation of the Executive Director and take whatever action it deems appropriate. Any of the parties involved in the action who are dissatisfied with the decision of the National Board of Review may appeal said decision under the provisions set forth in 408.1.

ARTICLE 302 ATHLETE REGISTRATION

302.1 REGISTRATION – All swimmers competing in events sanctioned by USA Swimming must be registered as athlete members of USA Swimming. Athlete members must meet the rules of eligibility contained in Article 303. No swimmer alleged to be ineligible shall be denied the right to register and compete without being afforded the opportunity to refute the allegations relating to his/her possible ineligibility, pursuant to Parts Four and/or Six.

302.2 MEMBERSHIP – Athlete membership will consist of an annual membership, an outreach membership, a seasonal membership, or a single-meet open water membership.



- .1 Annual membership – Membership is for a calendar year. Non-members applying for membership on or after September 1 will be issued a membership card valid through December 31 of the following year.
- .2 Outreach membership – Annual Membership with specially-reduced fees.
- .3 Individual seasonal membership – At the option of the LSC, membership may be offered for one or two periods of not more than 150 days per period within a registration year. Seasonal membership may also be offered for an unspecified but continuous period of not more than 150 days commencing on the date of registration. Seasonal membership is not valid for competition at or above the Zone Championship level.
- .4 Single-Meet Open Water Membership – At the option of the LSC, membership may be offered for the specific date(s) of an open water competition(s). The athlete must compete unattached. Single-meet membership is not valid for competition at or above the Zone Championship meet.

302.3 APPLICATION/RENEWAL – Athlete membership applications and payment as set forth in 502.5 shall be submitted to the registration chair of the LSC who, upon approval, shall issue a membership card. The registration chair may designate deputy registrars to accept applications on behalf of the chair and forward for approval.

302.4 FALSE REGISTRATION – A host LSC may impose a fine of up to \$100.00 per event against a member coach or a member club submitting a meet entry which indicates a swimmer is registered with USA Swimming when that swimmer or the listed club is not properly registered. The host LSC will be entitled to any fines imposed.

ARTICLE 303 ELIGIBILITY

303.1 It shall be the responsibility of all USA Swimming members to comply with the rules and regulations of USA Swimming and the Rules, Constitution and Bureau decisions of FINA, as well as to avoid acting in any manner which brings disrepute upon USA Swimming or upon the sport of swimming.

303.2 Except as provided for in Section 203.9, only athlete members of USA Swimming are eligible to compete.

303.3 As a member National Governing Body of the United States Olympic Committee (USOC), and as a member Federation of Federation Internationale de Natation Amateur (FINA), USA Swimming is obligated to adhere to the anti-doping rules of the USOC and FINA. In addition, USOC Bylaw Chapter XXIII, Section 2(G) provides that, as a condition of membership in the USOC, each National Governing body shall comply with the procedures pertaining to drug testing and adjudication of related doping offenses of the independent anti-doping organization designated by the USOC to conduct drug testing. The USOC has designated the United States Anti- Doping Agency (“USADA”) as that organization. The current anti-doping rules of the USOC, FINA and USADA are available at the offices of USA Swimming or on line at the following websites: FINA www.fina.org USOC www.usoc.org USADA www.usantidoping.org As a condition of membership in USA Swimming, it is the responsibility of each athlete member of USA Swimming to comply with the anti-doping rules of the FINA, USOC and USADA and to submit, without reservation or condition, to in-competition and out-of-competition doping controls conducted by either the FINA or USADA. (Out-of-competition doping controls by USADA may take place at USA Swimming elite-level camps, training sessions at USOC facilities, or with no advance notice any time for athletes designated by USA Swimming and USADA for inclusion in USA Swimming’s



no advance notice testing pool.) Pursuant to USOC Bylaw Chapter XXIII, Section 2(G), the management of positive and elevated test results for USA Swimming athletes has become the responsibility of USADA. Any inconsistent provisions elsewhere in USA Swimming rules are hereby superseded. USA Swimming will, without further process, enforce and publish any sanction communicated to USA Swimming by USADA resulting from adjudication of a doping control under the USADA Protocol for Olympic Movement Testing.

303.4 A swimmer shall cease to be eligible to compete in events conducted by USA Swimming or its LSCs, or by any FINA Federation, while under suspension or if expelled by USA Swimming for violations of this Part Three.

303.5 A swimmer may be registered for USA Swimming and Masters Swimming at the same time. Membership in U.S. Masters Swimming does not imply or presume membership in USA Swimming.

303.6 A swimmer declared ineligible for any reason may be reinstated pursuant to the provisions of Article 404.

ARTICLE 304 CODE OF CONDUCT

304.1 The mission of USA Swimming is to encourage participation and the pursuit of excellence in all aspects of swimming. USA Swimming grants the privilege of membership to individuals and organizations committed to that mission. The privilege of membership may, therefore, be withdrawn or denied by USA Swimming at any time where USA Swimming determines that a member or prospective member's conduct is inconsistent with the mission of the organization or the best interest of the sport and those who participate in it. In order to assist all members to better serve the interests of those who participate in swimming, USA Swimming has adopted this Code of Conduct.

304.2 Any member or prospective member of USA Swimming may be denied membership, censured, placed on probation, suspended for a definite or indefinite period of time with or without terms of probation, fined or expelled from USA Swimming if such member violates the provisions of the USA Swimming Code of Conduct, set forth in 304.3, or aids, abets or encourages another person to violate any of the provisions of the USA Swimming Code of Conduct.

304.3 The following shall be considered violations of the USA Swimming Code of Conduct:

- .1 Violation of the right to compete provisions set forth in 301.1 through 301.4.
- .2 Violation of the anti-doping provisions set forth in 303.3 or 303.4.
- .3 Discrimination in violation of Part Five of the USA Swimming Corporate Bylaws or any other section of the USA Swimming Rules and Regulations, or in violation of Section 201(b)(6) of the Amateur Sports Act which requires that USA Swimming must provide: "an equal opportunity to amateur athletes; coaches, trainers, managers, administrators, and officials to participate in amateur athletic competition, without discrimination on the basis of race, color, religion, age, gender, or national origin";
- .4 Conviction of, imposition of a deferred sentence for, or any plea of guilty or no contest at any time, past or present, or the existence of any pending charges, for (i) any felony, (ii) any offense involving use, possession, distribution or intent to distribute illegal drugs or substances, or (iii) any crime involving sexual misconduct;
- .5 Any sexual contact or advance or other inappropriate sexually oriented behavior or action directed



towards an athlete by a coach, official, trainer, or other person who, in the context of swimming, is in a position of authority over that athlete;

- .6 The sale or distribution of illegal drugs or the illegal sale or distribution of any substance listed on FINA's recognized list of banned substances;
- .7 The use of illegal drugs in the presence of an athlete, by a coach, official, trainer of, or a person who, in the context of swimming, is in a position of authority over, that athlete;
- .8 The providing of alcohol to an athlete by a coach, official, trainer, manager or any other person where the athlete is under the legal age allowed to consume or purchase alcohol in the state where the alcohol is provided;
- .9 The abuse of alcohol in the presence of an athlete under the age of 18, by a coach, official, trainer of, or a person who, in the context of swimming, is in a position of authority over, that athlete;
- .10 Physical abuse of an athlete by any person who, in the context of swimming, is in a position of authority over that athlete;
- .11 Any act of fraud, deception or dishonesty in connection with any USA Swimming-related activity.
- .12 Any non-consensual physical contact, obscene language or gesture, or other threatening language or conduct directed towards any meet official and which is related to any decision made by such official in connection with a USA Swimming-sanctioned competition;
- .13 Action, other than through general advertising, by a coach, owner, officer, volunteer, representative, or employee of a swim club, or a USA Swimming or LSC employee, either through direct contact with an athlete or the encouragement of others, to recruit or otherwise encourage an athlete who is already a member of a USA Swimming member swim club to compete for or become a member of the swim club with which the acting party is affiliated, unless the acting party receives prior written approval to recruit or encourage the athlete from the coach of the athlete's existing USA Swimming-member swim club or contact is initiated by the athlete, the athlete's parent or authorized representative. General advertising includes any information that is: A Distributed to an identifiable general population where there is a reasonable expectation that the majority of that population are not current members of USA Swimming, or B Placed in or on any item that is sold.
- .14 Violation of any team misconduct rule as established by the USOC, USA Swimming, any Zone or LSC team authority;
- .15 Any other act, conduct or omission not provided for in 304.3.1 through 304.3.11 above, which is detrimental to the image or reputation of USA Swimming, a LSC or the sport of swimming.



ATTACHEMENT E
USA Swimming National Team
NATIONAL TEAM PROTOCOL

1. Swimmers are expected to stay focused on swimming fast and minimize walking, sunbathing, sightseeing, etc. until they have finished their last event.
2. All swimmers are required to attend each finals session through the last awards ceremony, unless excused by the Head Coach or National Team Head Coach & General Manager/National Team Managing Director.
3. When not preparing for their own events, swimmers are expected to remain in the team area to support their teammates.
4. Team Uniform Caps as prescribed by the National Team Head Coach must be worn during competition, which must be approved by FINA and USA Swimming. All technical gear must be approved by FINA and USA Swimming.
5. It is expected that swimmers represent their country with the same aggressive determination in the consolation final as in the championship final. Unless excused by the National Team Head Coach or the Head Coach, swimmers may not scratch from a consolation final.
6. When applicable, USOC issued dress sweats must be worn when receiving an award or during USOC organized press conferences. SPEEDO sweats and/or USA Swimming issued apparel must be worn at all other times on deck or during official team functions. (Athletes may wear the apparel of their choice during their personal time.)
7. No hats or head coverings should be worn when receiving awards.
8. All team members will be expected to demonstrate proper respect for the American flag and the national anthem.
9. After a swimmer has swum his/her last event, attendance at all remaining sessions (including preliminaries) is required.

Name: _____

Signature: _____

Date: _____