

Proposed Amendments to USTA Bylaws

Note: Words underlined are proposed to be added. ~~Deleted text is shown in strikethrough.~~ References are to the *2021 Yearbook*, unless otherwise noted.

B1. Proposed by Constitution and Rules Committee Allon Lifshitz, Chair

PASSED

Part I Amend **Bylaw 22** (p. 84) as follows:

22. *Special Meetings of Voting Members.* Special meetings of the voting members of the Corporation may be called by the Board at any time, subject to the advance notice provision in **Bylaw 23**. Special meetings shall also be called upon the written request of Sectional Associations and Direct Member Clubs or Organizations having an aggregate vote of not less than one-tenth of the total voting membership. The written request shall state the purpose and the date of the proposed special meeting, which shall not be less than two nor more than three months from the date of the written request, subject to the advance written notice provision in **Bylaw 23**. Only those matters specified in the request may be acted upon at the special meeting. Special meetings of the voting members shall be held at the location that the Board determines before ~~mailing~~ sending the notice of the meeting.

Part II Amend **Bylaw 25** (p. 84) as follows:

25. *Order of Business.* The order of business at the Annual and Semiannual Meeting of the Corporation shall be as follows:

- a. Report certifying voting power and the determination of a quorum;
- b. Approval of minutes;
- c. Report of Secretary-Treasurer;
- d. Report of Chairperson of the Board and President;
- e. Report of Elections;
- f. Reports of Committees;
- g. Miscellaneous or Special Business;
- h. Adjournment.

Adoption of that part of the report certifying voting power shall not be subject to challenge during the meeting.

Part III Amend Section Title and **Bylaw 26** (p. 84) as follows:

Elite Athletes and Related Definitions

26. *Elite Athlete, 10-Year-Plus Elite Athlete, Actively Engaged Athlete.*

- a. *Elite Athlete.* Elite Athlete means a United States citizen or a United States legal resident who is at least 18 years old and meets any one of the following three requirements: within the last 10 years has represented the United States ~~been as a~~ member of the ~~US~~ Olympic, ~~US~~ Pan American, ~~US~~ Paralympic, or US Para-Ppan American Games (each, a “Delegation Event”), World Championships, US-Davis Cup, US Fed-Billie Jean King Cup, or US-World Cup teams, or any other event designated as an elite-level event by the USOPC (a “10-Year Elite Athlete”); within the last 24 months has reached the second round of an open draw of the United States Open Tennis Championships or the World Championships for Wheelchair Tennis; or within the last 10 years was ranked in the top 50 of the USTA Professional Singles, ~~or~~ Doubles, or Mixed Rankings.

Solely for purposes of an upcoming election, the term Elite Athlete, Board Athlete Representative, or Nominating Committee Athlete Representative shall not include any Elite Athlete or 10-Year-Plus Elite Athlete who has been nominated and designated by the Nominating Committee as a person who is not an Board or Nominating Committee Elite Athlete Representative. (See **Bylaw 35.c.**)

A person who qualifies as an Elite Athlete when elected or appointed shall retain ~~this-such~~ status ~~as an Elite Athlete~~ throughout the term of the position to which the athlete has been elected, selected, election or appointment.

b. 10-Year-Plus Elite Athlete. 10-Year-Plus Elite Athlete means a United States citizen or a United States legal resident who is at least 18 years old and has, at any point, but not within the ten years prior to election/selection/appointment, met the definition of Elite Athlete.

c. Actively Engaged Athlete. Actively Engaged Athlete means a United States citizen or a United States legal resident who is at least 18 years old and who qualifies as an Elite Athlete, 10-Year-Plus Elite Athlete, or who has been actively engaged in the last 24 months prior to election/selection/appointment in a Corporation-sanctioned competition.

A person who qualifies as an Actively Engaged Athlete when elected or appointed shall retain such status throughout the term of the position to which the athlete has been elected, selected, or appointed.

The Executive Director shall maintain a current list of Elite Athletes, 10-Year Plus Elite Athletes, and Actively Engaged Athletes that includes their names, addresses, phone numbers, and bases for qualification.

Part IV

Amend **Bylaw 27** (p. 84-85) as follows:

27. *Board of Directors.*

a. *Responsibilities.* The Corporation shall be managed by its Board, which shall establish the policies and objectives of the Corporation.

The Board shall direct, review, and approve budgets as well as establish capital programs and review Corporation performance against goals, objectives, and budgets.

The Board shall adopt an investment policy.

Members of the Board shall serve without compensation and be individual members of the Corporation.

b. *Composition.* The voting members of the Board shall be the five officers, the Immediate Past President, and nine at-large members.

At least ~~33.320~~ percent of the voting members of the Board (“Board Athlete Representatives”) shall be Elite Athletes or 10-Year-Plus Elite Athletes, provided that (i) at least 20 percent of the Board shall be comprised of 10-Year Elite Athletes, and (ii) at least half of such Board Athlete Representatives must have qualified as an Elite Athlete or 10-Year-Plus Elite Athlete, as applicable, through participation in a Delegation Event. The USOPC AAC Representative shall serve as a voting member of the Board and shall be counted as a Board Athlete Representative. In the event that the USOPC AAC Alternate Athlete Representative is elected as a voting member of the Board, such individual will be counted as a Board Athlete Representative. In the event that the USOPC AAC Alternate Representative is not elected as a voting member of the Board, such individual shall serve as an ex officio non-voting member of the Board. An ex officio non-voting Member of the Board does not count towards the total composition of the Board. Excluding the ~~Elite-Board Athlete Representatives~~, no more than two of the at-large members may be domiciled in the same section when they take office. ~~Elite- Board Athlete Representatives~~ may be nominated for officer positions. A President who does not complete the term of office shall not, however, be a member of the Board as Immediate Past President unless confirmed by a majority of the other members of the Board. The Immediate Past President shall serve only two years beyond the elected term as President. A minimum of 50 percent of the Sectional Associations shall have a

member on the Board. The domicile of an ~~Elite Board~~ Athlete Representative shall not be considered when determining whether the 50 percent requirement is met.

c. *Nomination of representatives to ITF.* The Board shall nominate to the International Tennis Federation (ITF) persons from the United States to serve on the Committee of Management of the ITF and shall appoint delegates to meetings of the ITF to represent the United States.

d. *Committees of the Board.* The following are Committees of the Board:

- Audit Committee;
- Budget Committee;
- Compensation Committee; and
- Investment Committee.

The Secretary-Treasurer shall be a member of the Investment Committee.

Part V Amend **Bylaw 29** (p. 85) as follows:

29. *President.* The President is the Chairperson of the Board. The President presides at all meetings of the membership, the Board, and the Governance Committee. The President appoints committee chairpersons and committee members of Committees of the Corporation and whose appointments are not otherwise provided for in the Constitution or in these Bylaws. The appointees serve at the President's pleasure. Appointments of Elite Athlete Representatives to Designated Committees as defined in **Bylaw 41** are subject to the approval of the Corporation AAC-Elite Athletes who are members of the Board.

Part VI Amend **Bylaw 33** (p. 86) as follows:

33. *Vacancies.* If a vacancy shall occur in the officerships or on the Board, the remaining members of the Board may, by a majority vote, elect a successor for the unexpired term, except as otherwise provided in **Bylaw 35** and except that a vacancy in the office of the Immediate Past President shall not be filled. If a vacancy on the Board is in a non-~~Elite Board~~ Athlete Representative position, the remaining members of the Board shall vote to elect an individual to fill the vacant position. If a vacancy is in an Board Elite Athlete Representative position other than the USOPC AAC Representative, only the remaining Elite Board Athlete Representatives on the Board shall vote to elect an individual Elite Athlete to fill the vacant position, in accordance with the requirements in Bylaw 27.b. The vacancy of the USOPC AAC Representative shall be filled as provided in Bylaw 65.

Part VII Amend **Bylaw 34** (p. 86) as follows:

34. *Removal of Officers or Directors.* At any meeting of the Board, any officer or member of the Board may, by a vote of not less than two-thirds of the entire Board, be removed for cause and a successor may be elected pursuant to the provisions of **Bylaw 33**, *provided that* Board-Elite Athlete Representatives other than the USOPC AAC Representative may only be removed for cause by a vote of not less than two-thirds of the total number of 10-Year Elite Athletes then serving on the Board.

Part VIII Amend **Bylaw 35** (p. 86-87) as follows:

35. *Nominating Committee.* Only candidates nominated as provided in this Bylaw shall be eligible for election.

a. Composition. The Nominating Committee shall be comprised of:

~~Five 3—Elite Athletes or 10-Year-Plus Elite Athletes (each, a “Nominating Committee Athlete Representative”)~~, provided at least three such members are 10-Year Elite Athletes; and

~~10-Ten~~ at-large members. (No more than two of the at-large members may be domiciled in the same section when they take office. At least 50 percent ~~one-half~~ of the Sectional Associations shall have a member on the Nominating Committee.)

Nominating Committee members shall take office on January 1 of odd-numbered years and shall serve two-year terms. Five members of each Nominating Committee shall be nominated to serve for a second consecutive term. Up to four members who serve a second consecutive term may be at-large members, and up to ~~two~~three members may be Nominating Committee Athlete Representatives ~~Elite Athletes~~. If not enough Nominating Committee Athlete Representatives or at-large members are willing to serve a second consecutive term, the number nominated for a second consecutive term shall be equal to the number willing to serve, but in no event shall more than five members be nominated to serve for a consecutive term. The Chairperson of the Nominating Committee shall have been a member of the immediately preceding Nominating Committee, shall be elected by the immediately preceding Nominating Committee, and shall vote on all matters that come before the Committee.

b. *Vacancies in Nominating Committee.* If any vacancy occurs on the Nominating Committee before it has filed its report of nominations, the Board shall fill the vacancy. If the vacancy is in an at-large position, the Board shall appoint a person domiciled in the same section as the person unable to serve. If the vacancy is ~~in an Nominating Committee Elite Athlete Representative position~~, the Corporation AAC, as defined in Bylaw 65, Elite Athletes on the Board shall fill such vacancy in accordance with the Nominating Committee requirements in Bylaw 35.a. ~~appoint an Elite Athlete to the position.~~

If a vacancy should occur in the office of the Chairperson, the remaining members of the Nominating Committee shall select a Chairperson from the remaining members from the preceding Nominating Committee. If the Nominating Committee has filed its report of nominations, it shall not be necessary to fill any vacancy that thereafter occurs on the Committee.

c. *Nominations.* The Nominating Committee shall nominate the officers, other members of the Board, and the members of the Nominating Committee, in accordance with the requirements in Bylaws 27.b and 35.a. ~~At least 20 percent of the Board and the Nominating Committee shall be comprised of Elite Athletes. The Nominating Committee shall work in collaboration with the Corporation AAC in identifying candidates to serve in the Nominating Committee Athlete Representative positions and the Corporation AAC positions.~~ If the Nominating Committee submits a slate that consists of more than ~~33.320~~ percent Elite Athletes and 10-Year-Plus Elite Athletes ~~Elite Athletes~~ on the Board or the Nominating Committee, it shall designate those candidates Elite Athletes who will serve as the Nominating Committee Athlete Representatives ~~are part of the 20 percent minimum~~ and who are therefore voted on by the Corporation AAC Elite Athletes. ~~(See Bylaw 26.)~~

d. *Nominating Committee members may not be nominated as officer or director.* No member of the Nominating Committee may be nominated for election as an officer or Board member during the individual's term on the Nominating Committee, or any unexpired portion thereof, in the event of resignation from the Nominating Committee by such member.

e. *Two-term waiting period before return to Nominating Committee.* A person who leaves the Nominating Committee other than as a Nominating Committee Elite Athlete Representative may not return to the Nominating Committee until the person has been off the Committee for two full terms.

f. *Nominating report deadline.* The Nominating Committee shall file its nominations no later than September 20 of each even-numbered year with the Secretary-Treasurer. A notice thereof shall be ~~mailed-sent~~ by the Secretary-Treasurer by first-class mail, overnight courier, facsimile, or electronic mail to voting members and Elite Athletes no later than September 25 of such year.

g. *Vacancies in Nominating Committee's slate.* If before election any person nominated dies, becomes incapacitated, declines nomination, or is otherwise disqualified, the vacancy in the nomination shall be filled as promptly as possible by the Nominating Committee. The name of the person selected shall be filed with the Secretary-Treasurer, who within five days thereafter shall notify the voting members and the Elite Athletes of the new nominee.

h. *Nominations by petition.*

i. *Sectional Associations.* Sectional Associations having an aggregate vote of not less than one-third of the voting membership may submit a petition nominating persons to serve as officers, members of the Board, or at-large members of the Nominating Committee except that the Sectional Associations may not nominate a person who is not an Elite Athlete or 10-Year-Plus Elite Athlete to run against a person who is a candidate ~~is~~ as an Elite Board Athlete Representative or Nominating Committee Athlete Representative.

ii. *Elite Athletes.* Not less than one-third of the Elite Athletes may submit a petition nominating Elite Athletes or 10-Year-Plus Elite Athletes (other than the USOPC AAC Representative and USOPC AAC Alternate Representative) to serve on the Board or the Nominating Committee, except that the Elite Athletes may not nominate a person who is an Elite Athlete or 10-Year-Plus Elite Athlete to run against a person who is a candidate as not an Elite Board Athlete Representative or Nominating Committee Athlete Representative.

Petitions shall be filed with the Secretary-Treasurer no later than October 15 of even-numbered years.

i. *President Elect.* The person nominated as President by the Nominating Committee may use the designation of "President Elect" after the date for filing a nomination petition, if no petition is filed.

Part IX

Amend **Bylaw 36** (p. 87) as follows:

36. *Election to Board, Corporation AAC, and Nominating Committee.*

a. ~~Only The 10-Year~~ Elite Athletes shall ~~vote on Elite Athlete~~ elect the Board Athlete Representatives the members of the Corporation AAC. The USOPC AAC Representative who shall serve as a Board Athlete Representative shall be elected in accordance with **Bylaw 65.b.**

b. The Corporation AAC shall elect the Nominating Committee Athlete Representatives.

c. ~~Only The~~ voting members of the Corporation shall vote on the remaining candidates to the Board and Nominating Committee ~~persons who are not Elite Athletes.~~

Part X

Amend **Bylaw 37** (p. 87) as follows:

37. *Election Process of ~~Elite~~ Athlete Representatives to Board, Corporation AAC, and Nominating Committee.*

a. *Athlete Representatives to the Board and Corporation AAC.* No later than October 25 of each even-numbered year, the Secretary-Treasurer shall send by first-class mail, overnight courier, facsimile, or electronic mail to ~~the~~ the 10-Year Elite Athletes a ballot for the election of the Corporation AAC and the Board Athlete Representatives, other than the USOPC AAC Representative. Elite Athlete. The ballot shall list the Elite Athletes who are to be voted on by the Elite Athletes. Only those ballots received in the principal office of the Corporation by 5:00 p.m. EST on or before November ~~15-10~~ shall be counted. Those candidates for Elite Athletes Representatives to the Board and for the Corporation AAC positions receiving the most votes shall be elected. The USOPC AAC Representative and USOPC AAC Alternate Representative shall be elected pursuant to **Bylaw 65.**

b. *Nominating Committee.* No later than November 15 of each even-numbered year, the Chair of the Corporation AAC shall send by first-class mail, overnight courier, facsimile, or electronic mail to the Secretary-Treasurer notice of the individuals elected by the Corporation AAC to serve as the Nominating Committee Athlete Representatives other than the USOPC AAC Representative and Alternate who shall be elected in accordance with **Bylaw 65.**

Part XI Amend **Bylaw 38** (p. 87) as follows:

38. *Consent to Nominations.* If no nominations are made by petition as provided in **Bylaw 35**, then the Secretary-Treasurer shall, no later than October 25 of each even-numbered year, send or cause to be sent to the voting members a consent to the election of those persons nominated by the Nominating Committee other than Athlete Representative positions on the Board, Corporation AAC, and Nominating Committee who are not Elite Athletes. Consents must be written, including electronic signatures. If all the consents are not executed and returned by 5:00 p.m. EST on November 15, the Secretary-Treasurer shall give or cause to be given notice of a meeting of the voting members for the purpose of electing the individuals nominated to the Board and Nominating Committee other than Athlete Representative positions on the Board, Corporation AAC, and Nominating Committee who are not Elite Athletes.

Part XII Amend **Bylaw 39** (p. 87) as follows:

39. *Election When Nominations Are Made by Petition by Sectional Associations.* If pursuant to **Bylaw 35** the Sectional Associations file any petitions to nominate one or more persons who are not Elite Athletes or 10-Year-Plus Elite Athletes, the Secretary-Treasurer shall give or cause to be given notice of a meeting of the voting members for the purpose of voting. The meeting must be held between November 5 and November 20.

Part XIII Amend **Bylaw 40** (p. 87) as follows:

40. *Committees of the Board and Committees of the Corporation.*

a. *Committees of the Board.* The Board may, by resolution adopted by a majority of the entire Board, designate from its members Committees of the Board, each consisting of at least three members. Committees of the Board have the authority of the Board to the extent provided by Board resolution. The Board has the sole authority to establish the charter, if any, of a Committee of the Board and any amendments thereto. The Audit Committee, Budget Committee, Compensation Committee, and Investment Committee are Committees of the Board. The Board may establish an Executive Committee as a Committee of the Board.

b. *Committees of the Corporation.* In addition to the committees established in these Bylaws, the Board may also establish other non-Board committees (“Committees of the Corporation”). Each Committee of the Corporation has the responsibilities specified in the resolution creating the committee. Any committee not composed solely of members of the Board does not have the authority of the Board.

The following committees are Committees of the Corporation established in these Bylaws: Governance Committee; Nominating Committee; Sectional Presidents’ Committee; Sectional Delegates’ Committee; Grievance Committee; Olympic/Pan American Committee; and Past Presidents’ Committee. Members of the Committees of the Board and Committees of the Corporation shall serve without compensation and be individual members of the Corporation.

Part XIV

Amend **Bylaw 41** (p. 87-88) as follows:

41. *Elite Athlete Membership on Designated Committees.*
- a. *Designated Committees.* Designated Committees means:
Audit, Budget, and Nominating committees;
panels empowered to resolve grievances; and
committees which prepare, approve, or implement programs in the following areas:
expenditure of funds allocated by the USOPC~~United States Olympic Committee~~; and
selection of international Olympics, ~~and~~US Pan American, US Paralympic, and US Parapan American Games team members, including athletes, coaches, administrators, and sports staff.
- b. *Minimum membership requirement.* At least 33.320 percent of the members of ~~each the~~ Designated Committees shall be Elite Athletes or 10-Year-Plus Elite Athletes, provided that at least 20 percent of each Designated Committee shall be comprised of 10-Year Elite Athletes.

Part XV

Amend **Bylaw 42** (p. 88) as follows:

42. ~~*Governance Committee*~~*Executive Council.*
- a. The ~~Governance Committee~~Executive Council is comprised of each member of the Board, a sectional delegate from each Sectional Association elected or appointed by such Sectional Association, each past president, not more than five other persons appointed by the President, and two leading players (a man and a woman) selected by the President with the advice and consent of the Board and after consultation with organizations representing the players. The ~~Governance Committee~~Executive Council shall meet not less than twice a year, at which meetings current matters involving the Corporation are reported upon and discussed and recommendations with respect to policies may be made to the Board. During all meetings of the ~~Governance Committee~~Executive Council, the voting strength of the past presidents shall not exceed the lesser of the number of past presidents present or five. If, at any meeting, more than five past presidents are present, the five votes are pro-rated among those present. If a past president is elected to some other office or as a sectional delegate, his or her vote on the ~~Governance Committee~~Executive Council is not included in the voting strength of the past presidents.
- b. Written notice of the time, place, and purpose of ~~Governance Committee~~Executive Council meetings must be given to each member not less than 10 days nor more than 50 days before a meeting. Notice may be by first-class mail, overnight courier, facsimile, or electronic mail, ~~or facsimile~~, *provided* any member who requests notice by first-class mail must be given notice by this method.

Part XVI

Amend **Bylaw 43** (p. 88-91) as follows:

43. *Grievance Committee.*
- a. *Composition.* The Grievance Committee shall be comprised of the number of members that the President appoints, of which at least 33.3 percent~~20%~~ shall be Elite Athletes or 10-Year-Plus Elite Athletes, provided at least 50 percent of the Elite Athlete Representatives on the Grievance Committee must be 10-Year Elite Athletes.
- b. *Chairperson.* [unchanged]
- c. *Jurisdiction.* [unchanged]

- d. *Filing a Grievance or an Appeal of a Suspension.* [unchanged]
- e. *Timeline for a Grievance or Appeal of a Suspension.* [unchanged]
- f. *Investigation and Initial Decision on a Grievance or Appeal from a Suspension.*
- g. *Suspensions.* [unchanged]
- h. *Appeal from an Initial Decision of a Grievance or Appeal from a Suspension.*
[unchanged]
- i. *Grievance Committee Hearing.* [unchanged]
- j. *Appeal of Grievance Committee Decision.* [unchanged]
- k. *Reinstatement.* [unchanged]
- l. *Protected Competitions.* [unchanged]
- m. *USTA League grievances.* [unchanged]
- n. *USTA Junior Team Tennis grievances.* [unchanged]

Part XVII Amend **Bylaw 65** and add Section Title (p. 94-95) as follows:

65. Athletes' Advisory Council and Representatives to the USOPC AAC

a. Corporation Athletes' Advisory Council. The Corporation shall have a Corporation Athletes' Advisory Council ("Corporation AAC"), which shall elect the Nominating Committee Athlete Representatives and coordinate with the Nominating Committee to develop a process to jointly identify candidates to serve as athlete representatives on the Designated Committees listed in **Bylaw 41** and Actively Engaged Athlete Representatives to all other committees, to the extent required. The Corporation AAC shall have six voting members, including the USOPC AAC Representative and the USOPC AAC Alternate Representative, who shall serve *ex officio* as voting members of the Corporation AAC.

1. Eligibility. Only Elite Athletes, 10-Year-Plus Athletes, and Actively Engaged Athletes are eligible to serve as voting members of the Corporation AAC.
2. Term. Each elected Corporation AAC member shall take office on January 1 in odd-numbered years and shall serve a two-year term, or until a successor is elected.
3. Election. The 10-Year Elite Athletes shall elect the elected members of the Corporation AAC. The candidates with the highest number of votes for Corporation AAC seats shall be elected to serve on the Corporation AAC.
4. Nomination and Election Process. The nomination and election process of the elected Corporation AAC members shall follow the processes set forth in **Bylaws 35 through 39** with respect to nomination and election of Board Athlete Representatives.
5. Resignation, Removal, and Vacancies. Any Corporation AAC member, other than the *ex officio* members, may be removed for cause by a vote of not less than two-thirds of the total number of 10-Year Elite Athletes then serving on the Board. Any Corporation AAC member may resign at any time by giving written notice to the Corporation, and such resignation shall take effect upon receipt thereof by the Corporation, unless otherwise specified in the resignation. In the event of any vacancy, the 10-Year Elite Athletes then serving on the Board may fill such vacancy for the unexpired portion of the term.

b. United States Olympic & Paralympic Committee Athletes' Advisory Council Representative and Alternate Representative. The United States Olympic Committee ("USOPC") has established a committee of athlete representatives referred to as the Athletes' Advisory Council ("USOPC AAC"). The Corporation's representatives shall be known as the USOPC AAC Representative and the USOPC AAC Alternate Representative.

1. Eligibility to be elected or appointed to serve as the Corporation's USOPC AAC Representative and the USOPC AAC Alternate Representative. The USOPC AAC Representative and the USOPC AAC Alternate Representative shall be of the opposite gender. Unless a USOPC AAC Representative is still competing and receiving benefits from the Corporation or the USOPC, a USOPC AAC Representative cannot be a paid

employee of the Corporation or the USOPC and simultaneously serve on the USOPC AAC. ~~The representatives shall be~~ USOPC Eligible Voters who have not exceeded the term limit are eligible to serve as the USOPC AAC Representative or the USOPC AAC Alternate Representative (“USOPC Eligible Athlete”).

~~2.~~ 2. ~~Term. A~~ ~~The term of the USOPC AAC Representative and USOPC AAC Alternate Representative~~ shall begin with the first meeting of the USOPC board after the Summer Olympic Games and shall extend until the first meeting of the board following the next Summer Olympic Games. This time period is called a Quadrennium. A USOPC Eligible Athlete may serve as the USOPC AAC Representative for a maximum of two terms. If the USOPC AAC Alternate Representative replaces the USOPC AAC Representative and attends over one-half of the meetings in a Quadrennium, then one term shall be deemed to have been served.

~~4.3.~~ 4.3. ~~e.~~ ~~Election by USOPC Eligible Voters.~~ Every four years, the USOPC AAC Representative and USOPC AAC Alternate Representative ~~representatives~~ shall be elected by those athletes who are United States citizens or a United States legal residents, at least 18 years old, and have represented the United States in the Olympic, Paralympics, Pan American, or Parapan American Games; World Championships; Davis Cup; ~~Fed~~ Billie Jean King Cup; World Team Cup; or an event designated as an Operation Gold event by the USOPC within the preceding ten years as measured from the first USOPC AAC meeting of the Quadrennium (“USOPC Eligible Voters”).

~~2.4.~~ 2.4. ~~d.~~ ~~USOPC AAC Election Committee.~~ The USOPC AAC Election Committee shall be comprised of the Chairperson of the Olympic/Pan American Committee, the Corporation’s staff person who is a member of the Olympic/Pan American Committee, and the current USOPC AAC Representative (or if the USOPC AAC Representative is unable to serve, then the USOPC AAC Alternate Representative). The Committee shall oversee the nominations and election of the USOPC AAC Representative and the USOPC AAC Alternate Representative.

~~3.5.~~ 3.5. ~~e.~~ ~~Nomination procedure.~~ No later than in the year preceding a Quadrennium, the USOPC AAC Election Committee shall send by first-class mail, overnight courier, facsimile, or electronic mail a letter to each USOPC Eligible Voter requesting nominations. The letter shall contain:

- a description of the duties and operation of the USOPC AAC;
- the Corporation election procedure;
- the eligibility criteria;
- a list of the USOPC Eligible Athletes;
- the deadline for the nominations; and
- a nomination form that shall include a line for the athlete to self-nominate and attest to willingness to serve.

The Board shall set the date that nominations are due.

~~4.6.~~ 4.6. ~~f.~~ ~~Election procedure.~~

- i. The USOPC Election Committee shall send by first-class mail, overnight courier, facsimile, or electronic mail a ballot listing the USOPC Eligible Athletes nominated to serve as the USOPC AAC Representative and USOPC AAC Alternate Representative to the USOPC AAC Eligible Voters. The ballot shall state that all ballots are due at the location or email address specified in the ballot ~~USTA office~~ no later than 5:00 p.m. EST on a date set by the Board;
- ii. The Committee shall tally the votes received by the deadline. The candidate ~~USOPC Eligible Athlete~~ who receives the highest number of votes for the USOPC AAC Representative position shall be the USOPC AAC Representative. The ~~candidate-athlete~~ of the opposite gender who receives the highest number of votes for that gender for the USOPC AAC Representative position shall be the USOPC AAC Alternate Representative.

- iii. If there is a tie for the USOPC AAC Representative position, the President shall cast the deciding vote.
- iv. If no votes are cast, the President shall appoint the USOPC AAC Representative and the USOPC AAC Alternate Representative.
7. ~~g.~~ *Resignation or removal.* If a USOPC AAC Representative resigns or is removed, the USOPC AAC Alternate Representative shall serve as the USOPC AAC Representative. A new USOPC AAC Alternate Representative of the opposite gender shall be elected following the procedures established in this Bylaw.
- c. ~~h.~~ *Grievance procedure.* Any grievance that arises out of this Bylaw shall be filed in accordance with the procedures established in **Bylaw 43**.

Effective Date: Immediately

Rationale: In 2020, the United States Olympic and Paralympic Committee (USOPC) updated their Bylaws three times; the last update being October 2020. The USTA, as the National Governing Body for the sport of tennis, is obligated to ensure conformity with the USOPC's Bylaws. The proposed amendments and additions to the Corporation's Bylaws are conforming changes required by the USOPC. During the review of the Corporation's Bylaws by the Constitution and Rules Committee, a few additional modifications and additions were deemed necessary to promote clarity, and have been incorporated herein.

Notes to C&R:

- Should Bylaw 42 pass as proposed, changing the name Governance Committee to Executive Council, cascading changes will be made throughout the Bylaws and Regulations.
- Should B1 pass as proposed, conforming changes shall be made to Bylaw that reference transmittals to include overnight courier, which shall come as an option after first-class mail.