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House Judiciary Committee testimony

Pan American Sports:
“On the Threshold of the Dream”
Vice Chairman Pan American Sport Council
Mr. Thomas Burke

Testimony before the House Judiciary Committee; Subcommittee on
Immigration, Boarder Security and Claims

Introduction

My name is Thomas Burke. I am currently the Vice Chair of the Pan American Sports Council. I am also the President of the United States of America National Karate-do Federation, the National Governing Body (“NGB”) for the sport of Karate. In my capacity as an officer of the National Karate-do Federation, and as the Vice-Chair of the Pan American Sports Council, I have been involved in the recent reforms of the United States Olympic Committee. I have attended the general meetings of the Olympic Committee and NGB Council regarding the reorganization of the USOC, as well as the recent Olympic Assembly in Phoenix, AZ.

I appear before you today on behalf of the following Pan American sports and their athletes: Bowling, Karate, Racquetball, Roller Sports, Men’s Softball, Squash and Water Skiing. The Pan American National Governing Body (NGB) structure has been recognized by the United States Olympic Committee (USOC) since the adoption of the 1978 Amateur Sports Act. Their athletes participate successfully in the Pan American Games and dream of future participation in the Olympic Games.

We sincerely appreciate this opportunity to meet with the Subcommittee to discuss the serious concerns affecting our sports, as well as the other sport organizations within the “new” Olympic Committee.

Framework of the International Olympic Community

A sport’s participation in the “Olympic” movement is based upon membership in a hierarchy of related international organizations. The International Olympic Committee (“IOC”) is the highest sport authority for the Olympic Games and other sanctioned international sporting competitions. The IOC is composed, in part, of the National Olympic Committees (“NOC”) from over 190 participating countries on all Continents. The role and definition of an NOC is contained in the IOC Charter, and includes the duty to “promote the fundamental principles of Olympism” at the national level. The United States Olympic Committee is the NOC for this country.

The various NOCs are organized into continental associations. For the Americas and the Caribbean countries, the regional organization is the Pan American Sports Organization (“PASO”). The PASO conducts a continental athletic competition every 4 years, the Pan American Games. The Continental Games, including the Pan American Games, are conducted in the year before the Summer Olympic Games and are also used as an “Olympic Qualifier” event for several Olympic sports. The United States consistently participates in the Pan American Games.

United States Sport Organizations: “The National Governing Body”

The participation of United States athletes in Olympic and other related competitions is governed exclusively by federal statute. The 1978 Amateur Sports Act and the more recent Ted Stevens Amateur Sports Act established the United States Olympic Committee, its role, authority, responsibilities and internal organization. A non-profit amateur sport organization which meets the requirements of the statute may be recognized by the USOC as the NGB for a particular sport.

The NGB functions as the basic “building block” of the greater USOC organization. The NGB administers its sport to be sure that its competitions are fair, non-discriminatory, and insures equal opportunity for participation of athletes, coaches, and others. The NGB conducts the “grass roots” developmental programs, and nurtures these athletes to the elite levels of competition.

NGB’s are autonomous organizations having IRC 501(c)(3) nonprofit status. Their responsibilities and expectations are enormous. Each NGB controls and regulates all matters related to the governance, development, and conduct of its sport.

Importantly, in the language of the Sport Acts, Congress has mandated equal treatment for all Olympic, Pan American, and Paralympic athletes and NGB organizations. The Sport Act does not create a preference or priority of one set of sports over another. In addition, Congress has clearly defined the purposes for which the USOC was established. These purposes clearly provide for equality in the relationship and responsibility of the USOC to athletes competing for the United States in the Olympics, Paralympics, and Pan American Games. Whether or not the current governance structure and internal culture of the USOC are in compliance with the Act, on this and other issues, is subject to question.

The Pan American Sports Organizations: Where They Fit

The “Pan American Sports” are a specific group of NGB organizations within

the USOC. They represent sports which have an International Federation recognized by the IOC, evaluated by the USOC and granted NGB status for their respective sports. In order to maintain this NGB status a Pan American Sport must have been included in actual competition on the program of the two past Pan American Games and the sport must also be included on the program for the current Pan American Games.

For the Pan American Sport NGB's and their 7.7 million active members, it's all about the Olympic dream. And for the Pan American Sport athletes who attain the elite competitive level, it's about the fulfillment of the Olympic dream realized through the Pan American Games. For these athletes, the dream is an inspirational goal not just for themselves but also for their children and future generations. Each athlete hopes that their sport will be the next one moved onto the Olympic program, and that maybe, just once, they could be a part of a future Olympic Games.

Inclusion in the Pan American Games is crucial to the existence of the NGBs involved. By definition, if the sport is not included on the Pan American Games program, they lose their membership status. Since 1995, the PASO has never excluded any Olympic sport, but has been reluctant to include Pan American Sports. Our sports have lobbied vigorously and successfully for inclusion in the 1995, 1999, and 2003 Pan American Games. Unfortunately, the program for the 2007 Games in Brazil does not include any Pan American Sports. The Pan American Sports Council has requested the assistance of the USOC in changing this situation, but has serious concerns about the priority, which the USOC will assign to our request.

For Pan American Sport athletes, inclusion in the continental Games is the closest they can get to the "Olympic Dream." We believe that the Sport Act honors the dreams of these athletes, as well as those who participate in Olympic or Paralympic sport.

The USOC Revised Governance Focuses on Olympic Success

While the former Olympic Committee governance structure was burdensome, and not a model of efficiency, it was diverse and democratic. The involvement of seasoned volunteers was a positive influence upon the work of the USOC, providing continuity and a "grass roots" anchor. When it got down to core value, there was absolute commitment to the success of United States Olympic, Paralympic and Pan American teams.

The new governance structure of the USOC is intentionally different. It is dedicated to efficient production of Olympic sports heroes and medal production. It is a "business" model, and not a "family" one. Diversity and compromise are not particularly efficient, and are not seen as a part of the "Mission" of the new USOC.

In fact, the USOC staff has directed the NGB Council that it should only be composed of “professionals” in the respective sports: the Executive Directors or Presidents. Volunteer participation is not only discouraged, it is to be eliminated from the process.

Pan American Sport Concerns

We want to be very clear that our concerns are based upon USOC policy and priorities, not personalities. The staff and officers of the USOC have dedicated themselves in good faith to their “Mission” as they see it. However, we believe that their views are too narrow. Congress needs to clarify its intention and purpose for the USOC, reminding it of its greater responsibilities.

An obvious source of concern to the Pan American Sports NGB’s is the new USOC “Mission Statement” contained in the new recently adopted internal USOC bylaws. Section 2.1 of the USOC bylaws clearly state: “The mission of the corporation shall be: To support United States Olympic and Paralympic athletes in achieving sustained competitive excellence and preserve the Olympic ideals, and thereby inspire all Americans.” The omission of Pan American Sport athletes from the USOC mission statement is deliberate; the intention obvious. The self-defined USOC “mission” does not place a priority on anything but Olympic and Paralympic athletes, and thus the Pan American Sports will be slowly prioritized into extinction. This is consistent with the practice of the USOC over the past 15 years, with the Pan American Sports being slowly reduced from equality with Olympic Sports to approximately 15% of the level of support.

Further, Section 2.2 of the Bylaws provides that USOC Board of Directors will “review and prioritize” the statutory purposes for which Congress created the USOC, and “oversees the business of the corporation to advance and achieve the corporation’s mission.” The current Bylaws assume an authority to replace the mandates of Congress with a self-directed system of “priorities” about which statutory purposes, if any, will be followed only if they “fit” into the new USOC mission. Compliance with the Congressional statute is clearly optional under the current USOC bylaws.

The USOC staff has recently announced that all “base funding” for NGBs will be eliminated in 2006, with all future funding to be based on “performance.” If this becomes a reality and “performance” is based upon Olympic or Paralympic success then the Pan American Sports will be completely excluded from any future funding. If any other formula is established, the USOC mission and bylaws require that priority be given to Olympic sports and athletes.

The Pan American Sports primary concern is not just funding; it is our continued survival as participants in the Olympic movement. The Pan American

Sports have received minimal funding in the past, and low priority for use of USOC Training Centers, grant opportunities, and performance grants to our successful athletes. But we've made the relationship work, understood our role and worked hard to develop world-class athletes. However, if the focus of the new USOC is only on successful Olympic and Paralympic athletes then the little structure we had will evaporate and the Pan American athletes will be easily forgotten.

Conclusion

All this being said the Pan American Sports are grateful for and proud of our relationship with the USOC. Without financial, consulting and related resource support from the USOC, many NGBs could not survive, including some NGB's currently on the Olympic schedule. For the fortunate few sports that might be considered financially independent, the related USOC resources are still invaluable. Consider the world-class training centers, cutting edge sports science and medical research, access to the highest levels of potential corporate support, as well as administrative, logistical, legal and financial guidance that can be provided by the USOC to all sports. These are the programs that enable NGBs to focus on their mission – offering a dream to all Americans.

We want our relationship to develop and return to full partnership with the other sport members of the USOC. We believe that unequivocal USOC support for inclusion of all Pan American Sports is necessary to convince PASO to include our athletes in the 2007 Pan American Games, to continue their dreams of success.

We respectfully request that the Committee and the Congress clarify in legislation the status of Pan American Sports as full partners in the United States Olympic Movement, along with Olympic and Paralympic sport.

We are pleased and grateful for your efforts and we applaud your commitment. Thank you again for the opportunity to share our thoughts and concerns!

Also, if you have had any trouble reaching our office by phone, please email me and let me know. We changed phone systems and we are trying to determine where the trouble lies. If you can, please tell me what number you dialed.

Thank you.