

*Approved by the Board of Directors on October 3, 2018.*

## **PROPOSED BY U.S. SOCCER NOMINATING AND GOVERNANCE COMMITTEE**

### **I. NEW PROPOSED AMENDMENT**

#### **POLICY 401-1—USSF NOMINATION AND CAMPAIGN PROCESS FOR USSF PRESIDENT AND VICE-PRESIDENT**

##### **Section 1. Eligibility**

Candidates for the office of President or Vice President of the Federation must meet the following requirements to be eligible:

(a) Nomination and Support.

- (1) The candidate must be proposed by either (i) an Organization Member or (ii) an Athlete member of the Board of Directors (“Athlete Director”). This proposal will be considered a declaration of support. The candidate also must be supported by declarations of support from at least two (2) additional Organization Members and/or Athlete Directors. A candidate proposal or declaration of support does not commit the Organization Member or Athlete Director to vote for such candidate. The deadline for proposing candidates is 60 days before the annual general meeting at which the National Council will conduct the election.
- (2) An Organization Member’s proposal of a candidate or declaration of support must be in writing, on letterhead of the Organization Member, signed by an officer, director, or senior executive of the Organization Member and submitted directly to the liaison for the Nominating and Governance Committee by the Organization Member. An Athlete Director’s proposal of a candidate or declaration of support must be in writing, signed by the Athlete Director and submitted directly to the liaison for the Nominating and Governance Committee by the Athlete Director.
- (3) An Organization Member or Athlete Director (each a “Declared Supporter”) may not propose or submit a declaration of support for more than one individual for the same position at the same time. Before submitting another candidate proposal or declaration of support for the same position, a Declared Supporter must withdraw, in writing, any previously-submitted candidate proposal or declaration of support. Once the Nominating and Governance Committee has announced the candidature of a candidate in accordance with Section 2(e) below, a Declared Supporter may not withdraw a letter of support/nomination. If a potential candidate publicly declares that the potential candidate declines to seek office prior to the deadline specified in the Federation Bylaws, any declaration of support already submitted for that declining candidate will be deemed withdrawn, and the Declared Supporters for the declining candidate may choose to propose, or submit a declaration of support for, another candidate, provided the Declared Supporter can do so by the deadline noted in Section 1(a)(1), above. If a

candidate proposal or declaration of support is received for more than one candidate from the same Declared Supporter, all declarations from that Declared Supporter will be considered invalid.

(b) Background Check and Conflicts Disclosures.

- (1) the candidate must submit to and pass a background check to be completed by the vendor selected by the Nominating and Governance Committee; and,
- (2) the candidate must complete a conflict of interest disclosure form in compliance with the Federation's Policy Concerning Conflicts of Interest and Business Ethics, which must be submitted to the Nominating and Governance Committee.

**Section 2. Submission of Candidatures**

- (a) Candidates either directly or through Organization Members must notify the USSF CEO/Secretary General, in writing, of candidature for the office of USSF President or Vice-President no later than sixty (60) days before the National Council Meeting as provided in Bylaw 401. The notification must include an initial conflicts of interest disclosure form required by Section 1(b)(2), above, which disclosure must be supplemented as provided in Section 2(d) below.
- (b) The USSF CEO/Secretary General shall forward all candidatures without any undue delay to the Nominating and Governance Committee for examination and for passing a decision on admission of the candidate.
- (c) Upon receipt of the proposed candidature, the Nominating and Governance Committee shall require the proposed candidates to complete a background check authorization form. The Nominating and Governance Committee will complete the background check within thirty (30) days of receiving the authorization form. Should the candidate submit the authorization form more than six months before the Annual General Meeting, the Committee will repeat the background check within thirty (30) days of the National Council Meeting.
- (d) Each Candidate will be required to supplement their conflict of interest disclosure form, consistent with the Federation's Policy Concerning Conflicts of Interest and Business Ethics, no later than thirty (30) days prior to the National Council Meeting and again no later than three (3) days prior to the National Council Meeting. The disclosures on these forms will be made public on the page dedicated to the election at [www.ussoccer.com](http://www.ussoccer.com). In addition, any candidate who is elected remains obligated to supplement his or her disclosure to the RAC Committee promptly following his or her election.
- (e) The Nominating and Governance Committee shall announce each candidature upon review of the background check and accompanying paperwork to confirm compliance with the Federation Bylaws and this Policy.

**Section 3. Campaign**

- (a) Campaign Conduct. Candidates shall conduct campaigns with dignity and

moderation and with respect for any other candidate(s), for the Federation and its Organization Members. In conducting the campaign, all candidates shall comply with the Bylaws and Policies of Federation, including without limitation the Policy Concerning Conflicts of Interest and Business Ethics, and all applicable law.

- (b) Delegate Lists. The Nominating and Governance Committee shall oversee the creation of a list of registered delegates, which list will be made available to all requesting candidates, who have been announced as a candidate by the Nominating and Governance Committee, have executed and returned an appropriate release and indemnity agreement in favor of Federation, and agree to use the delegate list information solely for the Federation campaign and no other purpose. The Nominating and Governance Committee will make the delegates list available to such candidates starting not more than 120 days before the National Council meeting and will provide updated lists of registered delegates to such candidates sixty (60) and thirty (30) days before the National Council Meeting.
- (c) Campaign Finance Disclosures. In compliance with the Federation's Policy Concerning Conflicts of Interest and Business Ethics, all candidates must disclose to the Nominating and Governance Committee any financing or donations in excess of \$50 that they receive from any third party, individual, entity, Organization Member or otherwise, and the identity of the donor. The limit of \$50 shall also apply to in-kind donations. If a candidate decides to utilize crowd funding to support his or her campaign, the candidate shall be responsible for identifying and disclosing all donors who donate more than \$50. The Nominating and Governance Committee will provide a disclosure form to the candidates and will make these disclosures available to the Risk, Audit and Compliance Committee pursuant to Federation policy. The disclosures on these forms will be made public on the page dedicated to the election at [www.ussoccer.com](http://www.ussoccer.com).
- (d) Candidate Compliance. A candidate's failure to comply with these requirements may result in a candidate being declared ineligible or subject to other disciplinary actions as determined by the Independent Ethics Committee.

## **II. RATIONALE**

This new proposed policy will replace the nomination process previously approved by the Nominating and Governance Committee and the Board. Federation Staff received requests from some Organization Members to include the process as a policy in the policy manual. We have made some additional modifications/clarifications to the process based upon experience from the most recent presidential election (most significantly requiring candidates to complete a conflicts disclosure and provide campaign finance disclosure), but the bulk of the process (e.g., dates, number of letters of support) will be the same. Based upon feedback from the candidates, the Nominating and Governance Committee plans on approving candidates on a rolling basis.