

107TH CONGRESS  
1ST SESSION

# S. 718

To direct the National Institute of Standards and Technology to establish a program to support research and training in methods of detecting the use of performance-enhancing drugs by athletes, and for other purposes.

---

IN THE SENATE OF THE UNITED STATES

APRIL 5, 2001

Mr. McCAIN (for himself, Mr. BROWNBACK, and Mr. JEFFORDS) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

---

## A BILL

To direct the National Institute of Standards and Technology to establish a program to support research and training in methods of detecting the use of performance-enhancing drugs by athletes, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Amateur Sports Integ-  
5 rity Act”.

1           **TITLE I—PERFORMANCE**  
2                   **ENHANCING DRUGS**

3   **SEC. 101. SHORT TITLE.**

4           This Title may be cited as “Athletic Performance-En-  
5   hancing Drugs Research and Detection Act”.

6   **SEC. 102. RESEARCH AND DETECTION PROGRAM ESTAB-**  
7                   **LISHED.**

8           (a) **IN GENERAL.**—The Director of the National In-  
9   stitute of Standards and Technology shall establish and  
10  administer a program under this title to support research  
11  into the use of performance-enhancing substances by ath-  
12  letes, and methods of detecting their use.

13          (b) **GRANTS.**—

14               (1) **IN GENERAL.**—The program shall include  
15   grants of financial assistance, awarded on a competi-  
16   tive basis, to support the advancement and improve-  
17   ment of research into the use of performance-en-  
18   hancing substances by athletes, and methods of de-  
19   tecting their use.

20               (2) **BANNED SUBSTANCES.**—In carrying out the  
21   program the Director shall consider research pro-  
22   posals involving performance-enhancing substances  
23   banned from use by competitors in events sanctioned  
24   by organizations, such as the International Olympic  
25   Committee, the United States Olympic Committee,

1 the National Collegiate Athletic Association, the Na-  
2 tional Football League, the National Basketball As-  
3 sociation, and Major League Baseball.

4 (3) RESEARCH CONCENTRATION.—In carrying  
5 out the program, the Director shall—

6 (A) fund research on the detection of natu-  
7 rally-occurring steroids, such as testosterone,  
8 and other testosterone precursors (e.g.,  
9 androstendione), and other substances, such as  
10 human growth hormone and erythropoietin for  
11 which no tests are available but for which there  
12 is evidence of abuse or abuse potential;

13 (B) fund research that focuses on popu-  
14 lation studies to ensure that tests are accurate  
15 for men, women, all relevant age, and major  
16 ethnic groups; and

17 (C) not fund research on drugs of abuse,  
18 such as cocaine, phencyclidine, marijuana, mor-  
19 phine/codeine, benzodiazepines, barbiturates,  
20 and methamphetamine/amphetamine.

21 (c) TECHNICAL AND SCIENTIFIC PEER REVIEW.—

22 (1) IN GENERAL.—The Director shall establish  
23 appropriate technical and scientific peer review pro-  
24 cedures for evaluating applications for grants under  
25 the program.

1 (2) IMPLEMENTATION.—The Director shall—

2 (A) ensure that grant applicants meet a  
3 set of minimum criteria before receiving consid-  
4 eration for an award under the program;

5 (B) give preference to laboratories with an  
6 established record of athletic drug testing anal-  
7 ysis; and

8 (C) establish a minimum individual grant  
9 award of not less than \$500,000 per fiscal year.

10 (3) CRITERIA.—The list of minimum criteria  
11 shall include requirements that each applicant—

12 (A) demonstrate a record of publication  
13 and research in the area of athletic drug test-  
14 ing;

15 (B) provide a plan detailing the direct  
16 transference of the research findings to lab ap-  
17 plications in athletic drug testing; and

18 (C) certify that it is a not-for-profit re-  
19 search program.

20 (4) RESULTS.—The Director also shall estab-  
21 lish appropriate technical and scientific peer review  
22 procedures for evaluating the results of research  
23 funded, in part or in whole, by grants provided  
24 under the program. Each review conducted under  
25 this paragraph shall include a written report of find-

1        ings and, if appropriate, recommendations prepared  
2        by the reviewer. The reviewer shall provide a copy of  
3        the report to the Director within 30 days after the  
4        conclusion of the review.

5        (d) AUTHORIZATION OF APPROPRIATIONS.—There  
6        are authorized to be appropriated to the Director of the  
7        National Institute of Standards and Technology  
8        \$4,000,000 per fiscal year to carry out this section for  
9        fiscal years 2002, 2003, 2004, 2005, and 2006.

10    **SEC. 103. PREVENTION AND INTERVENTION PROGRAMS.**

11        (a) IN GENERAL.—The Director of the National In-  
12        stitute of Standards and Technology shall develop a grant  
13        program to fund educational substance abuse prevention  
14        and intervention programs related to the use of perform-  
15        ance-enhancing substances described in section 102(b)(2)  
16        by high school and college student athletes. The Director  
17        shall establish a set of minimum criteria for applicants  
18        to receive consideration for an award under the program.  
19        The list of minimum criteria shall include requirements  
20        that each applicant—

21                (1) propose an intervention and prevention pro-  
22                gram based on methodologically sound evaluation  
23                with evidence of drug prevention efficacy; and

24                (2) demonstrate a record of publication and re-  
25                search in the area of athletic drug use prevention.

1 (b) MINIMUM GRANT AWARD.—The Director shall  
 2 establish a minimum individual grant award of not less  
 3 than \$300,000 per fiscal year.

4 (c) AUTHORIZATION OF APPROPRIATIONS.—There  
 5 are authorized to be appropriated to the Director of the  
 6 National Institute of Standards and Technology  
 7 \$3,000,000 per fiscal year to carry out this section for  
 8 fiscal years 2002, 2003, 2004, 2005, and 2006.

## 9 **TITLE II—GAMBLING**

### 10 **SEC. 201. PROHIBITION ON GAMBLING ON COMPETITIVE** 11 **GAMES INVOLVING HIGH SCHOOL AND COL-** 12 **LEGE ATHLETES AND THE OLYMPICS.**

13 (a) IN GENERAL.—The Ted Stevens Olympic and  
 14 Amateur Sports Act (chapter 2205 of title 36, United  
 15 States Code) is amended by adding at the end the fol-  
 16 lowing new subchapter:

#### 17 **“SUBCHAPTER III—MISCELLANEOUS** 18 **“§220541. Unlawful sports gambling: Olympics; high** 19 **school and college athletes**

20 **“(a) PROHIBITION.—It shall be unlawful for—**

21 **“(1) a governmental entity to sponsor, operate,**  
 22 **advertise, promote, license, or authorize by law or**  
 23 **compact, or**

1           “(2) a person to sponsor, operate, advertise, or  
2           promote, pursuant to law or compact of a govern-  
3           mental entity,  
4 a lottery, sweepstakes, or other betting, gambling, or wa-  
5           gering scheme based, directly or indirectly, on a competi-  
6           tive game or performance described in subsection (b).

7           “(b) COVERED GAMES AND PERFORMANCES.—A  
8           competitive game or performance described in this sub-  
9           section is the following:

10           “(1) One or more competitive games at the  
11           Summer or Winter Olympics.

12           “(2) One or more competitive games in which  
13           high school or college athletes participate.

14           “(3) One or more performances of high school  
15           or college athletes in a competitive game.

16           “(c) APPLICABILITY.—The prohibition in subsection  
17 (a) applies to activity described in that subsection without  
18 regard to whether the activity would otherwise be per-  
19 mitted under subsection (a) or (b) of 3704 of title 28.

20           “(d) INJUNCTIONS.—A civil action to enjoin a viola-  
21 tion of subsection (a) may be commenced in an appro-  
22 priate district court of the United States by the Attorney  
23 General of the United States, a local educational agency,  
24 college, or sports organization, including an amateur

1 sports organization or the corporation, whose competitive  
2 game is alleged to be the basis of such violation.

3 “(e) DEFINITIONS.—In this section:

4 “(1) HIGH SCHOOL.—The term ‘high school’  
5 has the meaning given the term ‘secondary school’ in  
6 section 14101 of the Elementary and Secondary  
7 Education Act of 1965 (20 U.S.C. 8801).

8 “(2) COLLEGE.—The term ‘college’ has the  
9 meaning given the term ‘institution of higher edu-  
10 cation’ in section 101 of the Higher Education Act  
11 of 1965 (20 U.S.C. 8801).

12 “(3) LOCAL EDUCATIONAL AGENCY.—The term  
13 ‘local educational agency’ has the meaning given  
14 that term in section 14101 of the Elementary and  
15 Secondary Education Act of 1965 (20 U.S.C.  
16 8801).”.

17 (b) CLERICAL AMENDMENT.—The table of sections  
18 at the beginning of that Act (chapter 2205 of title 36,  
19 United States Code) is amended by adding at the end the  
20 following:

“SUBCHAPTER III—MISCELLANEOUS

“220541. Unlawful sports gambling: Olympics; high school and college ath-  
letes.”.

○