

Calendar No. 340

119TH CONGRESS }
2d Session }

SENATE

{ REPORT
119-111 }

RESTORING CONFIDENCE IN THE WORLD
ANTI-DOPING AGENCY ACT OF 2025

R E P O R T

OF THE

COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION

ON

S. 233



FEBRUARY 23, 2026.—Ordered to be printed

U.S. GOVERNMENT PUBLISHING OFFICE

69-010

WASHINGTON : 2026

SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED NINETEENTH CONGRESS

SECOND SESSION

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RESTORING CONFIDENCE IN THE WORLD ANTI-DOPING AGENCY ACT OF 2025

FEBRUARY 23, 2026.—Ordered to be printed

Mr. CRUZ, from the Committee on Commerce, Science, and
Transportation, submitted the following

R E P O R T

[To accompany S. 233]

[Including cost estimate of the Congressional Budget Office]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 233) to amend the Office of National Drug Control Policy Reauthorization Act of 2006 to modify the authority of the Office of National Drug Control Policy with respect to the World Anti-Doping Agency, and for other purposes, having considered the same, reports favorably thereon with an amendment in the nature of a substitute and recommends that the bill, as amended, do pass.

PURPOSE OF THE BILL

The purpose of S. 233 is to require the Office of National Drug Control Policy (ONDCP) to annually review and determine whether the World Anti-Doping Agency (WADA) has implemented certain governance models and reforms. The bill would further provide ONDCP with the permanent authority to voluntarily withhold annual dues from WADA if WADA does not meet such governance models or reforms.

BACKGROUND AND NEEDS

WADA was established in 1999 as an “international independent agency to lead a collaborative worldwide movement for doping-free sport,” with its main mission to ensure and monitor implementa-

tion of the World Anti-Doping Code.¹ WADA is funded through world governments and the Olympic movement. Government contributions are calculated via a regional split agreed upon in 1999, and the Olympic movement matches those contributions up to 50 percent of WADA’s budget.²

The United States allocates funding to WADA through ONDCP. ONDCP has been authorized to make financial contributions to WADA since 2000 through Executive Order 13965.³ In 2021, following frustrations with WADA’s handling of the Russian doping scandal, ONDCP issued a report to Congress that demonstrated that the United States was not getting its money’s worth for its annual contributions to WADA.⁴ The Subcommittee on Financial Services and General Government of the Committee on Appropriations of the Senate has included report language in appropriations bills, including for fiscal year 2024, that grants ONDCP the authority and discretion to withhold future funding in response to WADA’s handling of high-profile doping controversies in Olympic sports.⁵

In December 2024, ONDCP withheld payment of the United States’ dues of \$3.7 million to WADA as a result of a dispute with WADA declining to exercise its authority to block Chinese athletes suspected of doping from competing in the Tokyo Olympics in 2021.

In January 2021, the Chinese Anti-Doping Agency (CHINADA) performed drug tests on competitors at a national swim meet—23 of whom tested positive for the PED, Trimetazidine (TMZ).⁶ Three months later, in March, CHINADA reported the positive tests to WADA.⁷ WADA, however, did not open an investigation until June 21—6 days after CHINADA issued its determination that the swimmers had not violated anti-doping rules because they were “inadvertently ... exposed to the substance through food/environment contamination as a result of [Trimetazidine] detected in the [hotel] kitchen (including spice containers [and] the extraction fan above the hob and the drains).”⁸ CHINADA did not address how TMZ—a manufactured pharmaceutical drug that can increase

¹“Who We Are,” WADA, <https://www.wada-ama.org/en/who-we-are>; “What We Do,” WADA, <https://www.wada-ama.org/en/what-we-do>.

²“Funding,” WADA, <https://www.wada-ama.org/en/who-we-are/funding>.

³Executive Order 13165 of August 9, 2000, “Creation of the White House Task Force on Drug Use in Sports and Authorization for the Director of the Office of National Drug Control Policy To Serve as the United States Government’s Representative on the Board of the World Anti-Doping Agency,” *Federal Register* 65, no. 157 (2000): 49469–49470, <https://www.federalregister.gov/documents/2000/08/14/00-20670/creation-of-the-white-house-task-force-on-drug-use-in-sports-and-authorization-for-the-director-of>.

⁴Executive Office of the President Office of National Drug Control Policy, *Report on World Anti-Doping Agency Governance*, May 17, 2021, <https://www.usada.org/wp-content/uploads/ONDCP-2021-WADA-Report-to-Congress-Final.pdf>.

⁵U.S. Senate Committee on Appropriations, *Financial Services and General Government Appropriations Bill, 2024*, Senate Report 118–61, 2023, <https://www.congress.gov/congressional-report/118th-congress/senate-report/61/1>.

⁶“Contamination Case of Swimmers From China: Fact Sheet/Frequently Asked Questions,” WADA, April 29, 2024, www.wada-ama.org/sites/default/files/2024-04/2024-04_fact_sheet_faqs_chinese_swimming.pdf; Samuel Joseph, “Trimetazidine: What Is the Competition-Banned Drug That Russian Figure Skater Kamila Valieva Tested Positive For?,” CNN, January 30, 2024 <https://www.cnn.com/2024/01/30/sport/trimetazidine-what-is-the-competition-banned-drug-that-russian-figure-skater-kamila-valieva-tested-positive-for/index.html>; Notably, this was not the first time some of those swimmers tested positive for performance enhancing drugs: the New York Times recently revealed that three had tested positive for the banned steroid, clenbuterol, in 2016 and 2017. See Michael S. Schmidt and Tariq Panja, “Doping Regulator Knew of Previous Positive Tests by Chinese Swimmers,” *The New York Times*, June 14, 2024, <https://www.nytimes.com/2024/06/14/world/asia/china-swimming-doping.html>.

⁷Fact Sheet, *supra* note 7.

⁸Fact Sheet, *supra* note 7.

stamina and endurance—popped up in the spice jars of a commercial kitchen.⁹

Less than a month after opening an investigation into the Chinese swimmers, WADA claimed to have “no basis under the World Anti-Doping Code to challenge CHINADA’s findings of environmental/food contamination.”¹⁰ As a result, several of the Chinese swimmers who tested positive for TMZ not only competed in the 2021 Olympics, but also won medals, including three gold medals.¹¹

WADA’s decision to accept CHINADA’s findings stands in stark contrast to its decision to challenge the Russian Anti-Doping Agency’s initial exoneration of a figure skater who tested positive for TMZ because of supposed food contamination less than 6 months later.¹² The Russian figure skater was ultimately disqualified from the 2022 Olympic Winter Games and sanctioned with a 4-year period of ineligibility.¹³ Meanwhile, many of the same Chinese swimmers who tested positive for TMZ before the 2021 games competed in the Paris 2024 Olympics.¹⁴

On June 17, 2025, the Commerce Committee’s Subcommittee on Consumer Protection, Technology, and Data Privacy held a hearing titled “WADA Shame: Swimming in Denial Over Chinese Doping.” One of the witnesses was an Olympic silver medalist who competed against a winning Chinese team at the Tokyo Olympics and testified to the challenges of an uneven playing field for athletes. Another witness, Travis Tygart, chief executive officer of the U.S. Anti-Doping Agency (USADA), spoke on the insufficiency of WADA’s explanations for accepting CHINADA’s findings and in favor of restricting dues from the United States until WADA enacts reforms. Dr. Rahul Gupta, former Director of ONDCP, spoke about the importance of withholding funds unless WADA enacts reforms to level the playing field for athletes. WADA was invited to testify but declined. WADA also declined to testify at a hearing held by the Subcommittee on Oversight and Investigations of the Committee on Energy and Commerce of the House of Representatives in June 2024.

This bill would give ONDCP the voluntary power to withhold the U.S. annual dues payment to WADA if they do not enact necessary governance reforms to keep U.S. athletes on an even playing field with their international competitors.

SUMMARY OF PROVISIONS

S. 233 would do the following:

- Require ONDCP, in consultation with USADA, the United States Olympic and Paralympic Committee, and the Athlete’s Advisory Council, to annually determine whether WADA has met specific reform criteria, including the implementation of

⁹Michael S. Schmidt and Tariq Panja, “Top Chinese Swimmers Tested Positive for Banned Drug, Then Won Olympic Gold,” *The New York Times*, April 20, 2024, <https://www.nytimes.com/2024/04/20/world/asia/chinese-swimmers-doping-olympics.html>.

¹⁰Fact Sheet, *supra* note 7.

¹¹Schmidt and Panja, *supra* note 10.

¹²“Court of Arbitration for Sport Hands Kamila Valieva Four-Year Suspension for Anti-Doping Rule Violation,” *Olympics.com*, January 30, 2024, <https://olympics.com/en/news/court-arbitration-sport-kamila-valieva-four-year-suspension-anti-doping-rule-violation>.

¹³*Ibid.*

¹⁴Janie McCauley, “Olympic Swimmers Speak Out About Chinese Doping; and Britain’s Adam Peaty Says They Should Be Out,” *AP*, August 4, 2024, <https://apnews.com/article/chinese-doping-olympics-2024-swimming-21d41f66a2d3cc6e7d8e506ac7872ffa>.

governance reforms to ensure both independent governance and fair representation of the United States as well as the establishment of fair process and procedures to select independent athletes for decision-making roles.

- Permit ONDCP, in consultation with Congress, to voluntarily withhold up to the full amount of any funds made available for the payment of the United States membership due to WADA if ONDCP determines WADA has not met the reform criteria laid out above. Any funds withheld would be required to be returned to the general fund at the end of the applicable fiscal year, unless otherwise specified by law.
- In the case of a determination that WADA is not meeting the above reform criteria, require ONDCP, in consultation with USADA, the United States Olympic and Paralympic Committee, and the Athlete's Advisory Council, to file a report to Congress describing the barriers to participation and fair representation of the United States on WADA's Executive Committee and other decision-making bodies within WADA if the ONDCP decides to withhold funds.
- Require ONDCP to submit a spending plan to the appropriate committees of Congress along with an explanation of proposed uses of the funds.

LEGISLATIVE HISTORY

S. 233 was introduced on January 23, 2025, by Senator Blackburn (for herself and Senators Van Hollen, Capito, Blumenthal, and Wicker) and was referred to the Committee on Commerce, Science, and Transportation of the Senate. Senators Blunt, Rochester, and Luján were later added as cosponsors. On June 25, 2025, the Committee met in open Executive Session and, by voice vote, ordered S. 233 reported favorably with an amendment (in the nature of a substitute).

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S. 4839, the Restoring Confidence in the World Anti-Doping Agency Act of 2024, was introduced on July 30, 2024, by Senator Blackburn (for herself and Senator Van Hollen) and was referred to the Committee on Commerce, Science, and Transportation of the Senate. Senator Blumenthal was later added as a cosponsor.

ESTIMATED COSTS

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

S. 233, Restoring Confidence in the World Anti-Doping Agency Act of 2025			
As ordered reported by the Senate Committee on Commerce, Science, and Transportation on June 25, 2025			
By Fiscal Year, Millions of Dollars	2025	2025-2030	2025-2035
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	*	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2036?	No	Statutory pay-as-you-go procedures apply?	No
		Mandate Effects	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2036?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

S. 233 would require the Office of National Drug Control Policy (ONDCP), in consultation with the U.S. Olympic and Paralympic Committee and the Athletes' Advisory Council, to report on activities of the World Anti-Doping Agency (WADA). Specifically, ONDCP would determine whether WADA has an independent governance model, is making appropriate reforms, and has fair processes to include athletes in decisionmaking or advisory roles who are unaffiliated with any Olympic Committee or WADA. The legislation also would permit ONDCP to unilaterally withhold dues from WADA for noncompliance with those criteria.

Each year, the Congress appropriates funds for ONDCP for anti-doping activities and to pay U.S. membership dues to WADA. (In 2024, the United States withheld its dues payment of \$3.6 million.) Because the legislation would not significantly change current authorities, policies, or practices, CBO estimates that implementing S. 233 would cost less than \$500,000 over the 2025–2030 period for administrative costs. Any related spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is Matthew Pickford. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

REGULATORY IMPACT STATEMENT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation, as reported:

NUMBER OF PERSONS COVERED

S. 233, as reported, would set requirements for ONDCP. S. 233 would require ONDCP to submit a spending plan to the appropriate authorizing committees with an explanation of the proposed uses of the funds they request as well as a report if ONDCP de-

cides to withhold annual dues from WADA. Additionally, WADA could be impacted by S. 233, to the extent ONDCP chooses to withhold funds pursuant to the Act.

ECONOMIC IMPACT

S. 233 is not expected to have an adverse impact on the Nation's economy.

PRIVACY

S. 233 is not expected to have an impact on the personal privacy of individuals.

PAPERWORK

S. 233 would require the ONDCP to file a report to Congress that describes the barriers to participation and fair representation of the United States on WADA's Executive Committee and other decision-making bodies within WADA.

CONGRESSIONALLY DIRECTED SPENDING

In compliance with paragraph 4(b) of rule XLIV of the Standing Rules of the Senate, the Committee provides that no provisions contained in the bill, as reported, meet the definition of congressionally directed spending items under the rule.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title.

This section would provide that the Act may be cited as the "Restoring Confidence in the World Anti-Doping Agency Act of 2025".

Section 2. Authority of National Drug Control Policy with respect to the World Anti-Doping Agency.

This section would amend the Office of National Drug Control Policy Reauthorization Act of 2006 to add new definitions for the terms "amateur athlete", "amateur athletic competition", "independent athlete", and "United States Olympic and Paralympic Committee".

This section would also require ONDCP, in consultation with the United States Anti-Doping Agency, the United States Olympic and Paralympic Committee, and the Athletes' Advisory Council, to make an annual determination as to whether WADA meets the following criteria:

- Has a credible and independent governance model that provides for fair representation of the United States;
- Fully implements or has implemented governance reforms to ensure independent governance; and
- Has fair processes and procedures to select independent athletes, including athletes from the United States and other democratic countries (or their representatives), for decision-making roles within WADA.

In the event WADA cannot meet these criteria, this section would (1) require ONDCP to use all available tools to bring WADA into compliance with such criteria; and (2) file a report to Congress

that describes the barriers to participation and fair representation of the United States on WADA's Executive Committee and other decision-making bodies within WADA.

This section would also permit ONDCP, in the event WADA cannot meet the above criteria, to voluntarily withhold up to the full amount of any funds made available for the payment of the United States membership dues to WADA. This section would further provide that any funds withheld would be required to be returned to the general fund at the end of the applicable fiscal year, unless otherwise specified by law.

This section would require that if ONDCP were to obligate funds to WADA, it would need to submit a spending plan to the appropriate committees of Congress along with an explanation of how WADA meets the above criteria.

Finally, this section would define the appropriate committees of Congress as the Committee on Commerce, Science, and Transportation of the Senate; the Committee on Appropriations of the Senate; the Committee on Energy and Commerce of the House of Representatives; and the Committee on Appropriations of the House of Representatives.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new material is printed in *italic*, existing law in which no change is proposed is shown in roman):

OFFICE OF NATIONAL DRUG CONTROL POLICY REAUTHORIZATION ACT OF 2006

* * * * *

TITLE VII—ANTI-DOPING AGENCY

[21 U.S.C. 2001; Public Law 117–103]

Sec. 701. DESIGNATION OF UNITED STATES ANTI-DOPING AGENCY.

[(a) DEFINITIONS.—In this title:

[(1) UNITED STATES OLYMPIC COMMITTEE.—The term “United States Olympic Committee” means the organization established by the “Ted Stevens Olympic and Amateur Sports Act” (36 U.S.C. 220501 et seq.).

[(2) AMATEUR ATHLETIC COMPETITION.—The term “amateur athletic competition” means a contest, game, meet, match, tournament, regatta, or other event in which amateur athletes compete (36 U.S.C. 220501(b)(2)).

[(3) AMATEUR ATHLETE.—The term “amateur athlete” means an athlete who meets the eligibility standards established by the national governing body or paralympic sports organization for the sport in which the athlete competes (36 U.S.C. 22501(b)(1)).]

(a) *DEFINITIONS.—In this subchapter:*

(1) *AMATEUR ATHLETE.*—The term “amateur athlete” has the meaning given that term in section 220501(b)(1) of title 36, United States Code.

(2) *AMATEUR ATHLETIC COMPETITION.*—The term “amateur athletic competition” has the meaning given that term in section 220501(b)(2) of title 36, United States Code.

(3) *INDEPENDENT ATHLETE.*—The term “independent athlete” means a current or former amateur athlete who does not serve, in any capacity—

(A) on the International Olympic Committee;

(B) on the International Paralympic Committee;

(C) at an international sports federation recognized by the International Olympic Committee or the International Paralympic Committee;

(D) on the United States Olympic and Paralympic Committee;

(E) at a national governing body (as defined in section 220501(b)(9) of title 36, United States Code); or

(F) at the World Anti-Doping Agency.

(4) *UNITED STATES OLYMPIC AND PARALYMPIC COMMITTEE.*—The term “United States Olympic and Paralympic Committee” means the organization established by chapter 2205 of title 36, United States Code.

(b) *IN GENERAL.*—The United States Anti-Doping Agency shall—

(1)(A) serve as the independent anti-doping organization for the amateur athletic competitions recognized by the United States Olympic and Paralympic Committee;

(B) be responsible for certifying in advance any testing conducted by international organizations under the World Anti-Doping Code for international amateur athletes and athletic competitions occurring within the jurisdiction of the United States; and

(C) be recognized worldwide as the independent national anti-doping organization for the United States;

(2) ensure that athletes participating in amateur athletic activities recognized by the [United States Olympic Committee] *United States Olympic and Paralympic Committee* are prevented from using performance-enhancing drugs or prohibited performance-enhancing methods adopted by the Agency;

(3) implement anti-doping education, research, testing, and adjudication programs to prevent United States Amateur Athletes participating in any activity recognized by the [United States Olympic Committee] *United States Olympic and Paralympic Committee* from using performance-enhancing drugs or prohibited performance-enhancing methods adopted by the Agency;

(4) serve as the United States representative responsible for coordination with other anti-doping organizations coordinating amateur athletic competitions recognized by the [United States Olympic Committee] *United States Olympic and Paralympic Committee* to ensure the integrity of athletic competition, the health of the athletes, and the prevention of use by United States amateur athletes of performance-enhancing

drugs or prohibited performance-enhancing methods adopted by the Agency; and

(5) promote a positive youth sport experience by using a portion of the funding of the United States Anti-Doping Agency to provide educational materials on sportsmanship, character building, and healthy performance for the athletes, parents, and coaches who participate in youth sports.

(c) **DUE PROCESS IN ARBITRATION PROCEEDINGS.**—Any action taken by the United States Anti-Doping Agency to enforce a policy, procedure, or requirement of the United States Anti-Doping Agency against a person with respect to a violation of Federal law, including an investigation, a disciplinary action, a sanction, or any other administrative action, shall be carried out in a manner that provides due process protection to the person.

(d) **AUTHORITY WITH RESPECT TO THE WORLD ANTI-DOPING AGENCY.**—

(1) **ANNUAL DETERMINATION.**—*Not later than 180 days after the date of the enactment of this subsection, and annually thereafter, the Office of National Drug Control Policy, in consultation with the United States Anti-Doping Agency, the United States Olympic and Paralympic Committee, and the Athletes' Advisory Council (established and maintained under section 220504(b)(2)(A) of title 36, United States Code) shall make a determination as to whether the World Anti-Doping Agency—*

(A) has a credible and independent governance model that provides for fair representation of the United States;

(B) fully implements or has implemented governance reforms to ensure independent governance; and

(C) has fair processes and procedures to select independent athletes, including athletes from the United States and other democratic countries, or representatives of such athletes, for decision-making roles on the Executive Committee and the Foundation Board, and in all relevant expert advisory groups, standing committees, permanent special committees, and working groups of the World Anti-Doping Agency.

(2) **ACCOUNTABILITY.**—*In the case of a determination under paragraph (1) that the World Anti-Doping Agency has not met the criteria set forth in subparagraphs (A), (B), or (C) of that paragraph, the Office of National Drug Control Policy, in consultation with the United States Anti-Doping Agency, the United States Olympic and Paralympic Committee, and the Athletes' Advisory Council (established and maintained under section 220504(b)(2)(A) of title 36, United States Code), shall use all available tools and best efforts to bring the World Anti-Doping Agency into compliance with the criteria set forth in that paragraph.*

(3) **REPORT.**—*In the case of a determination under paragraph (1) that the World Anti-Doping Agency has not met the criteria set forth in subparagraphs (A), (B), or (C) of that paragraph, not later than 180 days after the date on which that determination is made, the Office of National Drug Control Policy, in consultation with the United States Anti-Doping Agency, the United States Olympic and Paralympic Committee, and the*

Athletes' Advisory Council (established and maintained under section 220504(b)(2)(A) of title 36, United States Code) shall submit to the appropriate committees of Congress a report that describes the barriers to participation and fair representation of the United States on the Executive Committee, the Foundation Board, and all relevant expert advisory groups, standing committees, permanent special committees, and working groups of the World Anti-Doping Agency.

(4) VOLUNTARY NONPAYMENT OF DUES.—

(A) IN GENERAL.—In the case of a determination under paragraph (1) that the World Anti-Doping Agency has not met the criteria set forth in subparagraphs (A), (B), or (C) of that paragraph, the Office of National Drug Control Policy, in consultation with the appropriate committees of Congress, may voluntarily withhold up to the full amount of any funds made available for the payment of the United States membership dues to the World Anti-Doping Agency.

(B) RETURN OF FUNDS AFTER NONCOMPLIANCE.—Unless otherwise specified by law, any funds made available for the payment of the United States membership dues to the World Anti-Doping Agency that have been voluntarily withheld pursuant to subparagraph (A) and have not been obligated prior to the end of an applicable fiscal year shall be returned to the general fund of the Treasury.

(5) SPENDING PLAN.—Not later than 30 days before the Office of National Drug Control Policy obligates funds to the World Anti-Doping Agency, the Office of National Drug Control Policy shall submit to the appropriate committees of Congress a spending plan and explanation of proposed uses of such funds.

(6) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ‘appropriate committees of Congress’ means—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on Energy and Commerce of the House of Representatives; and

(D) the Committee on Appropriations of the House of Representatives.

* * * * *