

107TH CONGRESS
1ST SESSION

S. 1085

To provide for the revitalization of Olympic sports in the United States.

IN THE SENATE OF THE UNITED STATES

JUNE 21, 2001

Mr. WELLSTONE introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To provide for the revitalization of Olympic sports in the United States.

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 “Olympic Sports Revi-
5 talization Act”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress makes the following find-
8 ings:

9 (1) Chapter 2205 of title 36, United States
10 Code (commonly referred to as the Ted Stevens
11 Olympic and Amateur Sports Act), requires the

1 United States Olympic Committee (USOC) to obtain
2 for the United States “the most competent represen-
3 tation possible in each event of the Olympic Games”.

4 (2) A traditional route in the United States to
5 participation in the Olympic Games has been partici-
6 pation in athletics at United States four-year col-
7 leges and universities.

8 (3) United States four-year colleges and univer-
9 sities are producing a much smaller number of par-
10 ticipants in certain sports of the Olympic Games
11 than they have in the past. A 2001 report of the
12 General Accounting Office entitled “Intercollegiate
13 Athletics: Four-Year Colleges’ Experiences Adding
14 and Discontinuing Teams” reveals that, between
15 1981 and 1999, in five Olympic women’s sports—
16 gymnastics, fencing, field hockey, archery, and bad-
17 minton—and eleven Olympic men’s sports—wres-
18 tling, tennis, gymnastics, rifle/shooting, fencing, out-
19 door track, swimming, skiing, ice hockey, water polo,
20 and archery—discontinuations of teams by such col-
21 leges and universities have resulted in a net loss in
22 the number of such teams nationwide. The largest
23 percentage loss in such teams occurred in women’s
24 gymnastics (a 53 percent loss) and in men’s wres-
25 tling (a 40 percent loss). The report also indicates

1 that while the number of women participating in col-
2 lege athletics increased between 1981 and 1999, the
3 number of men participating in college athletics in
4 1999 still significantly exceeded the number of
5 women participating in college athletics in that year.

6 (4) According to the report, such
7 discontinuations stem from declining student inter-
8 est in the Olympic sports referred to in paragraph
9 (3) and from administrative decisions of colleges and
10 universities regarding the allocation of resources.

11 (5) While there has been a loss of teams at col-
12 leges and universities in the Olympic sports referred
13 to in paragraph (3), three other Olympic sports,
14 called “Emerging Sports for Women” by the Na-
15 tional Collegiate Athletic Association, have yet to be
16 fully established. These sports are team handball,
17 synchronized swimming, and equestrian. These
18 sports merit additional support if the USOC is to
19 meet the basic requirement referred to in paragraph
20 (1).

21 (6) Because the Olympic sports referred to in
22 paragraphs (3) and (5) tend not to generate revenue
23 for colleges and universities, such sports have little
24 leverage in decisions of colleges and universities

1 about the allocation of their resources for sports pro-
2 grams.

3 (7) The discontinuation by colleges and univer-
4 sities of teams in the Olympic sports referred to in
5 paragraphs (3) disrupts the amateur careers of ath-
6 letes participating in such sports and makes it more
7 difficult for the USOC to fulfill one of its primary
8 missions.

9 (8) In addition to the basic requirement re-
10 ferred to in paragraph (1), the Ted Stevens Olympic
11 and Amateur Sports Act also identifies other objec-
12 tives of the USOC, including—

13 (A) that it “assist organizations and per-
14 sons concerned with sports in the development
15 of amateur athletic programs for amateur ath-
16 letes”;

17 (B) that it “encourage and provide assist-
18 ance to amateur athletic activities for women”;
19 and

20 (C) that it “encourage and provide assist-
21 ance to amateur athletes of racial and ethnic
22 minorities for the purpose of eliciting the par-
23 ticipation of such minorities in amateur athletic
24 activities in which they are underrepresented”.

1 (9) Due to a lack of public dissemination of
 2 data collected by the Department of Education
 3 under the Equity in Athletics Disclosure Act, pro-
 4 spective student-athletes often lack information to
 5 determine what athletic opportunities colleges and
 6 universities provide their students.

7 (10) According the report referred to in para-
 8 graph (3), colleges and universities often discontinue
 9 sports teams in a manner that gives student-athletes
 10 no advance notice of consideration of such
 11 discontinuations and no opportunity for appeal of
 12 the decision—thereby disrupting the amateur ca-
 13 reers affected by such discontinuations.

14 (b) PURPOSE.—The purpose of this Act is to encour-
 15 age United States representation in the events of the
 16 Olympic Games by—

17 (1) promoting the revitalization of amateur ath-
 18 letics; and

19 (2) encouraging amateur careers in athletics.

20 **SEC. 3. GRANTS FOR SUPPORT OF CERTAIN AMATEUR ATH-**
 21 **LETICS.**

22 (a) AUTHORITY.—Chapter 2205 of title 36, United
 23 States Code (commonly referred to as the Ted Stevens
 24 Olympic and Amateur Sports Act), is amended by adding
 25 at the end the following new subchapter:

1 “SUBCHAPTER III—MISCELLANEOUS

2 “§ 220541. Grants for support of certain amateur ath-
3 letics

4 “(a) AUTHORITY TO MAKE GRANTS.—The Secretary
5 of Commerce may, from funds authorized to be appro-
6 priated by subsection (d), make grants to the corporation
7 to provide funds for the purpose described in subsection
8 (b).

9 “(b) PURPOSE.—(1) The corporation shall use
10 amounts received under subsection (a) for the purpose of
11 encouraging participation in covered Olympic sports by in-
12 dividuals under 18 years of age, with particular emphasis
13 on the participation in such sports of such individuals who
14 have previously had limited opportunity for participation
15 in such sports.

16 “(2) The corporation may use amounts so received
17 for the purpose described in paragraph (1) directly or by
18 making grants for that purpose to national governing bod-
19 ies of covered Olympic sports recognized under subchapter
20 II.

21 “(3) To the maximum extent practicable, participa-
22 tion in covered Olympic sports shall be encouraged under
23 paragraph (1) through the establishment or support of ap-
24 propriate community sports organizations.

1 “(c) COVERED OLYMPIC SPORTS.—For purposes of
2 this section, a covered Olympic sport is as follows:

3 “(1) Women’s gymnastics.

4 “(2) Women’s fencing.

5 “(3) Women’s field hockey.

6 “(4) Women’s archery.

7 “(5) Women’s badminton.

8 “(6) Women’s team handball.

9 “(7) Women’s synchronized swimming.

10 “(8) Women’s equestrian.

11 “(9) Men’s wrestling.

12 “(10) Men’s tennis.

13 “(11) Men’s gymnastics.

14 “(12) Men’s rifle/shooting.

15 “(13) Men’s fencing.

16 “(14) Men’s outdoor track.

17 “(15) Men’s swimming.

18 “(16) Men’s skiing.

19 “(17) Men’s ice hockey.

20 “(18) Men’s water polo.

21 “(19) Men’s archery.

22 “(20) Any other Olympic women’s or men’s
23 sport determined by the Secretary of Education to
24 be—

1 “(A) a sport in which the discontinuation
 2 of teams in the sport by four-year colleges and
 3 universities in the United States has resulted in
 4 a net decrease in the number of college and uni-
 5 versity teams in the sport nationwide; or

6 “(B) an emerging sport.

7 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
 8 is hereby authorized to be appropriated for the Depart-
 9 ment of Commerce for purposes of activities under this
 10 section, \$10,000,000 for each of fiscal years 2002 through
 11 2006.”.

12 (b) ANNUAL REPORT.—Section 220511 of that title
 13 is amended—

14 (1) in subsection (a)—

15 (A) by inserting “OF QUADRENNIAL RE-
 16 PORT” after “SUBMISSION”; and

17 (B) by striking “transmit” and inserting
 18 “submit”;

19 (2) by redesignating subsection (b) as sub-
 20 section (c);

21 (3) by inserting after subsection (a) the fol-
 22 lowing new subsection (b):

23 “(b) SUBMISSION OF ANNUAL REPORT TO PRESI-
 24 DENT AND CONGRESS.—The corporation shall, on or be-
 25 fore January 31 each year, submit simultaneously to the

1 President and to each House of Congress a detailed report
 2 on its activities under section 220541 of this title during
 3 the preceding year.”; and

4 (4) in subsection (c), as so redesignated, by
 5 striking “the report” and inserting “each report
 6 under this section”.

7 (c) CONFORMING AND CLERICAL AMENDMENTS.—

8 (1) The section heading of section 220511 of that title
 9 is amended to read as follows:

10 **“§ 220511. Reports”.**

11 (2) The table of sections at the beginning of that
 12 chapter is amended—

13 (A) by striking the item relating to section
 14 220511 and inserting the following new item:

“220511. Reports.”; and

15 (B) by adding at the end the following:

“SUBCHAPTER III—MISCELLANEOUS

“220541. Grants for support of certain amateur athletics.”.

16 **SEC. 4. EXPANSION OF OLYMPIC SCHOLARSHIP PROGRAM.**

17 Title XV of the Higher Education Amendments of
 18 1992 (Public law 102–235) is amended by inserting after
 19 part E the following:

20 **“PART F—OLYMPIC SPORTS REVITALIZATION**

21 **“SEC. 1544. OLYMPIC SPORTS REVITALIZATION.**

22 **“(a) OLYMPIC SPORTS REVITALIZATION.—**

1 “(1) IN GENERAL.—The Secretary of Education
 2 may provide funds to the United States Olympic
 3 Committee, or the national governing body of the
 4 sport concerned, for distribution to institutions of
 5 higher education for disbursement to students of
 6 such institutions who—

7 “(A) participate in an intercollegiate ath-
 8 letic program in an Olympic sport described in
 9 paragraph (4); and

10 “(B) are full-time students.

11 “(2) DISTRIBUTIONS.—

12 “(A) IN GENERAL.—The United States
 13 Olympic Committee or the national governing
 14 body concerned shall, from funds received under
 15 paragraph (1), make distributions to institu-
 16 tions of higher education for purposes of dis-
 17 bursements under paragraph (3) to students of
 18 such institutions of higher education who are
 19 described in paragraph (1). Each such distribu-
 20 tion shall be for purposes of students of the in-
 21 stitution of higher education concerned in one
 22 particular intercollegiate athletic program de-
 23 scribed in paragraph (1).

24 “(B) AMOUNT OF DISTRIBUTION.—The ag-
 25 gregate amount of the distribution under this

1 paragraph for a particular intercollegiate ath-
2 letic program may not be less than \$100,000
3 or exceed \$200,000.

4 “(C) ALLOCATION OF DISTRIBUTION.—

5 The amount of the distribution under this para-
6 graph shall be allocated to the institution of
7 higher education concerned in equal portions
8 over four years.

9 “(D) LIMITATION ON NUMBER OF RECIPI-

10 ENT ATHLETIC PROGRAMS.—No more than
11 three intercollegiate athletic programs of an in-
12 stitution of higher education may have a dis-
13 tribution in effect under this paragraph at any
14 one time.

15 “(E) CANCELLATION OF ATHLETIC PRO-

16 GRAM.—Notwithstanding subparagraphs (B)
17 and (C), if an institution of higher education
18 receiving a distribution under this paragraph
19 for an intercollegiate athletic program cancels
20 the program, no further portion of the distribu-
21 tion may be allocated to the institution of high-
22 er education under this paragraph for the pro-
23 gram.

24 “(3) DISBURSEMENTS.—

“(A) IN GENERAL.—An institution of higher education receiving a distribution under paragraph (2) with respect to an intercollegiate athletic program shall disburse the distribution among full-time students of the institution of higher education who are participating in the intercollegiate athletic program.

“(B) LIMITATION.—The amount of the disbursement to a student under subparagraph (A) may not exceed the cost of educational expenses at the institution of higher education concerned.

“(4) OLYMPIC SPORTS.—An Olympic sport described in this paragraph is—

“(A) women’s gymnastics;

“(B) women’s fencing;

“(C) women’s field hockey;

“(D) women’s archery;

“(E) women’s badminton;

“(F) women’s team handball;

“(G) women’s synchronized swimming;

“(H) women’s equestrian;

“(I) men’s wrestling;

“(J) men’s tennis;

“(K) men’s gymnastics;

1 “(L) men’s rifle/shooting;
 2 “(M) men’s fencing;
 3 “(N) men’s outdoor track;
 4 “(O) men’s swimming;
 5 “(P) men’s skiing;
 6 “(Q) men’s ice hockey;
 7 “(R) men’s water polo;
 8 “(S) men’s archery; and
 9 “(T) any other Olympic women’s or men’s

10 sport determined by the Secretary to be—

11 “(i) a sport in which the discontinu-
 12 ation of teams in the sport by four-year
 13 colleges and universities in the United
 14 States has resulted in a net decrease in the
 15 number of college and university teams in
 16 the sport nationwide; or

17 “(ii) an emerging sport.

18 “(b) APPLICATION.—To be eligible to receive a dis-
 19 tribution under subsection (a), an institution of higher
 20 education shall prepare and submit to the United States
 21 Olympic Committee or the national governing body of the
 22 sport concerned an application at such time, in such man-
 23 ner, and accompanied by such information as the Com-
 24 mittee or such body, as the case may be, may reasonably
 25 require.

1 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
 2 is authorized to be appropriated to carry out this section,
 3 \$10,000,000 for each of fiscal years 2002 through 2006.”.

4 **SEC. 5. REPORTING OF EQUITY IN ATHLETIC DISCLOSURE**
 5 **ACT DATA.**

6 Section 485(g) of the Higher Education Act of 1965
 7 (20 U.S.C. 1092(g)) is amended—

8 (1) in paragraph (4)—

9 (A) by redesignating subparagraph (D) as
 10 subparagraph (E); and

11 (B) by inserting after subparagraph (C),
 12 the following:

13 “(D) The Secretary shall ensure that reports
 14 are disseminated to the public under subparagraph
 15 (C) by means that include the Internet and in a
 16 manner that is easily understandable. Beginning in
 17 the year in which data for a 5-year period is avail-
 18 able, such reports shall include information on the 5-
 19 year trends in the data reported.”; and

20 (2) by adding at the end the following:

21 “(F) There is authorized to be appropriated to
 22 carry out this paragraph, \$1,250,000 for each of fis-
 23 cal years 2002 and 2003.”.

1 **SEC. 6. TEAM TERMINATION NOTIFICATION AND APPEAL**
2 **REQUIREMENT.**

3 Part D of title I of the Higher Education Act of 1965
4 (20 U.S.C. 1018 et seq.) is amended by adding at the end
5 the following:

6 **“SEC. 144. TEAM TERMINATION NOTIFICATION AND AP-**
7 **PEAL REQUIREMENT.**

8 “Effective on the date of enactment of this section,
9 an institution of higher education that receives assistance
10 under this Act shall not terminate funding for any inter-
11 collegiate sport, or reduce funding or participation levels
12 to such an extent so as to effectively terminate such a
13 sport, unless such institution provides to the members of
14 the team participating in that sport—

15 “(1) a written statement of the justification for
16 the termination or reduction that includes the rea-
17 sons relating to why the termination is necessary;
18 and

19 “(2) an internal process for appealing the ter-
20 mination.”.

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