

107TH CONGRESS
1ST SESSION

S. 338

To protect amateur athletics and combat illegal sports gambling.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 14, 2001

Mr. ENSIGN (for himself and Mr. REID) introduced the following bill; which
was read twice and referred to the Committee on the Judiciary

A BILL

To protect amateur athletics and combat illegal sports
gambling.

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 “National Collegiate
5 and Amateur Athletic Protection Act of 2001”.

6 **SEC. 2. TASK FORCE ON ILLEGAL WAGERING ON AMATEUR**
7 **AND COLLEGIATE SPORTING EVENTS.**

8 (a) ESTABLISHMENT.—The Attorney General shall
9 establish a prosecutorial task force on illegal wagering on
10 amateur and collegiate sporting events (referred to in this
11 section as the “task force”).

1 (b) DUTIES.—The task force shall—

2 (1) coordinate enforcement of Federal laws that
3 prohibit gambling relating to amateur and collegiate
4 athletic events; and

5 (2) submit annually, to the House of Represent-
6 atives and the Senate a report describing specific
7 violations of such laws, prosecutions commenced,
8 and convictions obtained.

9 (c) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated to carry out this section
11 \$4,000,000 in fiscal year 2002 and \$6,000,000 in each
12 of the fiscal years 2003 through 2006.

13 **SEC. 3. INCREASED PENALTIES FOR ILLEGAL SPORTS GAM-**
14 **BLING.**

15 (a) INTERSTATE TRANSMISSION OF BETS OR INFOR-
16 MATION ASSISTING IN PLACING BETS ON SPORTING
17 EVENTS.—Section 1084(a) of title 18, United States
18 Code, is amended by striking “two” and inserting “5”.

19 (b) INTERSTATE TRANSPORTATION OF WAGERING
20 PARAPHERNALIA.—Section 1953(a) of title 18, United
21 States Code, is amended by adding at the end the fol-
22 lowing: “If the matter carried or sent in interstate or for-
23 eign commerce was intended by the defendant to be used
24 to assist in the placing of bets or wagers on any sporting

1 event or contest, the maximum term of imprisonment for
2 the offense shall be 10 years.”.

3 (c) ILLEGAL GAMBLING BUSINESS.—Section 1955(a)
4 of title 18, United States Code, is amended by adding at
5 the end the following: “If the gambling business included
6 the placing of bets or wagers on any sporting event or
7 contest, the maximum term of imprisonment for the of-
8 fense shall be 10 years.”.

9 (d) INTERSTATE TRAVEL TO PROMOTE AND CON-
10 DUCT AN ILLEGAL GAMBLING BUSINESS.—Section 1952
11 of title 18, United States Code, is amended by adding at
12 the end the following:

13 “(d) If the offense violated paragraph (1) or (3) of
14 subsection (a) and the illegal activity included the placing
15 of bets or wagers on any sporting event or contest, the
16 maximum term of imprisonment for the offense shall be
17 10 years.”.

18 (e) SPORTS BRIBERY.—Section 224(a) of title 18,
19 United States Code, is amended by adding at the end the
20 following: “If the purpose of the bribery is to affect the
21 outcome of a bet or wager placed on any sporting event
22 or contest, the maximum term of imprisonment for the
23 offense shall be 10 years.”.

1 **SEC. 4. STUDY ON ILLEGAL SPORTS GAMBLING BEHAVIOR**
2 **AMONG MINORS.**

3 (a) IN GENERAL.—The Director of the National In-
4 stitute of Justice shall conduct a study to determine the
5 extent to which minor persons participate in illegal sports
6 gambling activities.

7 (b) REPORT.—Not later than 2 years after the date
8 of enactment of this Act, the Director of the National In-
9 stitute of Justice shall submit to the Speaker of the House
10 of Representatives and the President pro tempore of the
11 Senate, a report—

12 (1) describing the extent to which minor per-
13 sons participate in illegal sports gambling activities;
14 and

15 (2) making recommendations on actions that
16 should be taken to curtail participation by minor
17 persons in sports gambling activities.

18 **SEC. 5. STUDY OF GAMBLING ON COLLEGE AND UNIVER-**
19 **SITY CAMPUSES.**

20 (a) ESTABLISHMENT OF PANEL.—Not later than 90
21 days after the date of enactment of this Act, the Attorney
22 General shall establish a panel, which shall be composed
23 of Federal, State, and local government law enforcement
24 officials, to conduct a study of illegal college sports gam-
25 bling.

1 (b) CONTENTS OF STUDY.—The study conducted by
2 the panel established under subsection (a) shall include
3 an analysis of—

4 (1) the scope and prevalence of illegal college
5 sports gambling, including unlawful sports gambling
6 (as defined in section 3702 of title 28, United States
7 Code);

8 (2) the role of organized crime in illegal gam-
9 bling on college sports;

10 (3) the role of State regulators and the legal
11 sports books in Nevada in assisting law enforcement
12 to uncover illegal sports gambling and related illegal
13 activities;

14 (4) the enforcement and implementation of the
15 Professional and Amateur Sports Protection Act of
16 1992, including whether it has been adequately en-
17 forced;

18 (5) the effectiveness of steps taken by institu-
19 tions of higher education to date, whether individ-
20 ually or through national organizations, to reduce
21 the problem of illegal gambling on college sports;

22 (6) the factors that influence the attitudes or
23 levels of awareness of administrators, professors,
24 and students, including student athletes, about ille-
25 gal gambling on college sports;

1 (7) the effectiveness of new countermeasures to
2 reduce illegal gambling on college sports, including
3 related requirements for institutions of higher edu-
4 cation and persons receiving Federal education
5 funds;

6 (8) potential actions that could be taken by the
7 National Collegiate Athletic Association to address
8 illegal gambling on college and university campuses;
9 and

10 (9) other matters relevant to the issue of illegal
11 gambling on college sports as determined by the At-
12 torney General.

13 (c) REPORT TO CONGRESS.—Not later than 12
14 months after the establishment of the panel under this
15 section, the Attorney General shall submit to Congress a
16 report on the study conducted under this section, which
17 shall include—

18 (1) recommendations for actions colleges, uni-
19 versities, and the National Collegiate Athletic Asso-
20 ciation should implement to address the issue of ille-
21 gal gambling on college sports;

22 (2) recommendations for intensive educational
23 campaigns which the National Collegiate Athletic
24 Association could implement to assist in the effort to
25 prevent illegal gambling on college sports;

1 (3) recommendations for any Federal and State
2 legislative actions to address the issue of illegal gam-
3 bling on college sports; and

4 (4) recommendations for any administrative or
5 private sector actions to address the issue of illegal
6 gambling on college sports.

7 **SEC. 6. REDUCTION OF GAMBLING ON COLLEGE CAM-**
8 **PUSES.**

9 (a) COLLEGE PROGRAMS TO REDUCE ILLEGAL GAM-
10 BLING.—

11 (1) COMPREHENSIVE PROGRAM.—Each institu-
12 tion of higher education (as defined in section 101
13 of the Higher Education Act (20 U.S.C. 1001))
14 shall designate 1 or more full-time senior officers of
15 the institution to coordinate the implementation of a
16 comprehensive program, as determined by the Sec-
17 retary of Education, to reduce illegal gambling and
18 gambling control disorders by students and employ-
19 ees of the institution.

20 (2) ANNUAL REPORTING.—An institution de-
21 scribed in paragraph (1) shall annually prepare and
22 submit to the Secretary of Education a report, in a
23 form and manner prescribed by the Secretary, con-
24 cerning the progress made by the institution to re-

1 duce illegal gambling by students and employees of
2 the institution.

3 (3) CONTINUED ELIGIBILITY.—An institution
4 described in paragraph (1) shall make reasonable
5 further progress (as defined by the Secretary of
6 Education) toward the elimination of illegal gam-
7 bling at the institution as a condition of the institu-
8 tion remaining eligible for assistance and participa-
9 tion in other programs authorized under the Higher
10 Education Act of 1965 (20 U.S.C. 1001 et seq.).

11 (b) GAMBLING ENFORCEMENT INFORMATION AND
12 POLICIES.—

13 (1) IN GENERAL.—Each institution described in
14 subsection (a)(1) shall include—

15 (A) statistics and other information on ille-
16 gal gambling, including gambling over the
17 Internet, in addition to the other criminal of-
18 fense on which such institution must report
19 pursuant to section 485(f) of the Higher Edu-
20 cation Act of 1965 (20 U.S.C. 1092(f)) in the
21 form and manner so prescribed; and

22 (B) a statement of policy regarding under-
23 age and other illegal gambling activity at the
24 institution, in the form and manner prescribed
25 for statements of policy on alcoholic beverages

and illegal drugs pursuant to such section 485(f), including a description of any gambling abuse education programs available to students and employees of the institution.

(2) REVIEW OF PROCEDURES.—Notwithstanding paragraph (2) of section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)), the Attorney General, in consultation with the Secretary of Education, shall periodically review the policies, procedures, and practices of institutions described in subsection (a)(1) with respect to campus crimes and security related directly or indirectly to illegal gambling, including the integrity of the athletic contests in which students of the institution participate.

(c) ZERO TOLERANCE OF ILLEGAL GAMBLING.—

(1) REVOCATION OF AID.—A recipient of athletically related student aid (as defined in section 485(e)(8) of the Higher Education Act of 1965 (20 U.S.C. 1092(e)(8))) shall cease to be eligible for such aid upon a determination by either the institution of higher education providing such aid, or the applicable amateur sports organization, that the recipient has engaged in illegal gambling activity, including

1 sports bribery, in violation of the policies or by-laws
2 of the institution or organization.

3 (2) REPORT.—An institution of higher edu-
4 cation that provides athletically related student aid,
5 and an amateur sports organization that sanctions a
6 competitive game or performance in which 1 or more
7 competitors receives such aid, shall annually report
8 to the Attorney General and the Secretary of Edu-
9 cation on actions taken to implement this subsection.

10 **SEC. 7. SENSE OF CONGRESS.**

11 It is the sense of Congress that—

12 (1) illegal sports gambling poses a significant
13 threat to youth on college campuses and in society
14 in general;

15 (2) State and local governments, the National
16 Collegiate Athletic Association, and other youth,
17 school, and collegiate organizations should provide
18 educational and prevention programs to help youth
19 recognize the dangers of illegal sports gambling and
20 the serious consequences it can have;

21 (3) such programs should include public service
22 announcements, especially during tournament and
23 bowl game coverage;

24 (4) the National Collegiate Athletic Association
25 and other amateur sports governing bodies should

1 adopt mandatory codes of conduct regarding the
2 avoidance and prevention of illegal sports gambling
3 among our youth; and

4 (5) the National Collegiate Athletic Association
5 should enlist universities in the United States to de-
6 velop scientific research on youth sports gambling,
7 and related matters.

○