

108TH CONGRESS
1ST SESSION

S. 1002

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

MAY 6, 2003

Mr. MCCAIN (for himself, Mr. BROWNBACK, Mr. EDWARDS, and Mr. GRAHAM of South Carolina) 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”.

TITLE I—PERFORMANCE ENHANCING DRUGS

SEC. 101. SHORT TITLE.

This Title may be cited as “Athletic Performance-Enhancing Drugs Research and Detection Act”.

SEC. 102. RESEARCH AND DETECTION PROGRAM ESTABLISHED.

(a) IN GENERAL.—The Director of the National Institute of Standards and Technology shall establish and administer a program under this title to support research into the use of performance-enhancing substances by athletes, and methods of detecting their use.

(b) GRANTS.—

(1) IN GENERAL.—The program shall include grants of financial assistance, awarded on a competition basis, to support the advancement and improvement of research into the use of performance-enhancing substances by athletes, and methods of detecting their use.

(2) BANNED SUBSTANCES.—In carrying out the program the Director shall consider research proposals involving performance-enhancing substances banned from use by competitors in events sanctioned by organizations, such as the International Olympic 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 drug testing;

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

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

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

1 by the reviewer. The reviewer shall provide a copy of
2 the report to the Director within 30 days after the
3 conclusion of the review.

4 (d) AUTHORIZATION OF APPROPRIATIONS.—There
5 are authorized to be appropriated to the Director of the
6 National Institute of Standards and Technology
7 \$4,000,000 per fiscal year to carry out this section for
8 fiscal years 2004, 2005, 2006, 2007, and 2008.

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

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

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

23 (2) demonstrate a record of publication and re-
24 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 2004, 2005, 2006, 2007, and 2008.

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.”.

