

117TH CONGRESS
2D SESSION

S. 3617

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 and the United States Anti-Doping Agency, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 9, 2022

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

A BILL

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 and the United States Anti-Doping Agency, 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 “Restoring Confidence
5 to the World Anti-Doping Agency Act of 2022”.

1 **SEC. 2. AUTHORITY OF THE UNITED STATES ANTI-DOPING**
 2 **AGENCY WITH RESPECT TO THE WORLD**
 3 **ANTI-DOPING AGENCY.**

4 Section 701 of the Office of National Drug Control
 5 Policy Reauthorization Act of 2006 (21 U.S.C. 2001) is
 6 amended—

7 (1) in subsection (a)—

8 (A) by amending paragraph (1) to read as
 9 follows:

10 “(1) UNITED STATES OLYMPIC AND
 11 PARALYMPIC COMMITTEE.—The term ‘United States
 12 Olympic and Paralympic Committee’ means the or-
 13 ganization established by chapter 2205 of title 36,
 14 United States Code.”;

15 (B) by redesignating paragraphs (1) and
 16 (3) as paragraphs (4) and (1), respectively, and
 17 moving the paragraphs so as to appear in nu-
 18 meric order; and

19 (C) by inserting after paragraph (2) the
 20 following:

21 “(3) INDEPENDENT ATHLETE.—The term
 22 ‘independent athlete’ means an amateur athlete who
 23 does not serve, in any capacity, in—

24 “(A) the International Olympic Committee;

25 “(B) the International Paralympic Com-
 26 mittee;

1 “(C) an international sports federation rec-
 2 ognized by the International Olympic Com-
 3 mittee or the International Paralympic Com-
 4 mittee;

5 “(D) the United States Olympic and
 6 Paralympic Committee; or

7 “(E) the World Anti-Doping Agency.”;

8 (2) in subsection (b)—

9 (A) by striking “United States Olympic
 10 Committee” each place it appears and inserting
 11 “United States Olympic and Paralympic Com-
 12 mittee”;

13 (B) in paragraph (4), by striking the pe-
 14 riod at the end and inserting “; and”; and

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

16 “(5) carry out responsibilities with respect to
 17 the World Anti-Doping Agency, as described in sub-
 18 section (c).”; and

19 (3) by adding at the end the following:

20 “(c) AUTHORITY WITH RESPECT TO THE WORLD
 21 ANTI-DOPING AGENCY.—

22 “(1) IN GENERAL.—The Office of National
 23 Drug Control Policy, in conjunction with the United
 24 States Anti-Doping Agency, shall—

1 “(A) use all available tools to ensure
2 that—

3 “(i) the World Anti-Doping Agency
4 maintains a proper conflict-of-interest pol-
5 icy that prohibits an individual from serv-
6 ing as a member of the Executive Com-
7 mittee of the World Anti-Doping Agency if,
8 during the preceding 2-year period, the in-
9 dividual served in any capacity for a sports
10 federation that is or was under the juris-
11 diction of the World Anti-Doping Agency;
12 and

13 “(ii) independent athletes from the
14 United States and other democratic coun-
15 tries, or representatives of such athletes,
16 have voting positions on the Executive
17 Committee and governing bodies of the
18 World Anti-Doping Agency, including the
19 foundation board and all standing commit-
20 tees and working groups;

21 “(B) demonstrate leadership within the
22 global community;

23 “(C) have strict standards that work to-
24 ward countering the state-sponsored doping sys-

tem of the Russian Federation and other state-sponsored, systemic fraud through doping; and

“(D) work collaboratively with democratic countries.

“(2) DETERMINATION.—

“(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this subsection, the Office of National Drug Control Policy, in conjunction with the United States Anti-Doping Agency, shall make a determination as to whether the World Anti-Doping Agency—

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

“(ii) maintains a conflict-of-interest policy described in paragraph (1)(A)(i); and

“(iii) allows independent athletes from the United States and other democratic countries, or representatives of such athletes, to have voting positions on the Executive Committee and governing bodies of the World Anti-Doping Agency, including

1 the foundation board and all standing com-
2 mittees and working groups.

3 “(B) ACCOUNTABILITY.—In the case of a
4 determination under subparagraph (A) that the
5 World Anti-Doping Agency does not have such
6 a governance model, maintain such a conflict-
7 of-interest policy, or allow such voting positions,
8 the Office of National Drug Control Policy, in
9 conjunction with the United States Anti-Doping
10 Agency, shall—

11 “(i) submit a request to the Govern-
12 ment Accountability Office to indicate the
13 amount of United States taxpayer dollars
14 used to pay dues to the World Anti-Doping
15 Agency;

16 “(ii) demand that the United States
17 have fair representation in World Anti-
18 Doping Agency, including not fewer than
19 one representative on each of—

20 “(I) the Executive Committee of
21 the World Anti-Doping Agency; and

22 “(II) any other governing body of
23 the World Anti-Doping Agency for
24 which the United States pays dues;
25 and

1 “(iii) issue a report that describes the
 2 justifications, and the countries respon-
 3 sible, for blocking the United States from
 4 the Executive Committee of the World
 5 Anti-Doping Agency.

6 “(3) UNITED STATES PARTICIPATION IN EXEC-
 7 UTIVE COMMITTEE OF THE WORLD ANTI-DOPING
 8 AGENCY.—

9 “(A) IN GENERAL.—As a condition of
 10 United States participation in the World Anti-
 11 Doping Agency—

12 “(i) the United States shall be allotted
 13 not fewer than one seat on the Executive
 14 Committee of the World Anti-Doping
 15 Agency for as long as such Executive Com-
 16 mittee is a representative body as struc-
 17 tured on the date of the enactment of this
 18 subsection; and

19 “(ii) the World Anti-Doping Agency
 20 shall make a legal commitment to the Of-
 21 fice of National Drug Control Policy and
 22 the United States Anti-Doping Agency
 23 that states there will be not fewer than one
 24 representative of the United States on such
 25 Executive Committee at all times.

1 “(B) REFUND OF DUES.—If such Execu-
2 tive Committee appoints not fewer than one
3 representative of the United States during the
4 one-year period beginning on the date of the en-
5 actment of this subsection, the Office of Na-
6 tional Drug Control Policy or the United States
7 Anti-Doping Agency may not appeal to the
8 World Anti-Doping Agency for a refund of dues
9 paid during the period in which the United
10 States did not have a representative on such
11 Executive Committee.”.

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