



COMMITTEE ON GOVERNMENT REFORM
U.S. HOUSE OF REPRESENTATIVES
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Fact Sheet

Bill Comparison: The Clean Sports Act (H.R. 2565) and the Drug-Free Sports Act (H.R. 1862)

The Clean Sports Act (H.R. 2565), introduced by Reps. Tom Davis, Henry Waxman, Mark Souder, and Elijah Cummings, and the Drug-Free Sports Act (H.R. 1862), introduced by Rep. Cliff Stearns, share the same goals and the same general approach: they both establish drug-testing standards for professional sports based on the Olympic model.

On two key issues — the drugs that players will be tested for and the penalties for positive tests — the bills are similar. Both bills would require professional sports leagues to test for the range of performance-enhancing drugs banned in Olympic competition. And both bills require a two-year suspension for a first violation, followed by a lifetime ban for a second violation.

But there are important differences:

- **Number of Tests.** H.R. 1862, the Commerce Committee legislation, requires that players face only two tests per year; the Clean Sports Act requires sports leagues to randomly test each player at least three times during the regular season and twice during the off-season for a total of five times. Multiple tests during both the playing season and the off-season are necessary to ensure a strong program. A two-test policy as in H.R. 1862 is a signal to a player who has been tested once during the off-season and once during the regular season that he can start using steroids without fear of detection.
- **Promulgation of Standards.** The Clean Sports Act requires leagues to consult with the U.S. Anti-Doping agency to develop its drug testing protocols and provides the Office of National Drug Control Policy Director — the nation's Drug Czar — with the authority to require additional leagues to the list of professional sports. The Drug Free Sports Act gives the Secretary of Commerce the responsibility to issue regulations.
- **Testing Protocols.** The Clean Sports Act requires that the testing protocols follow the Olympic standards; the Commerce bill does not. The Government Reform hearings revealed that the Major League Baseball policy lets players leave the test facility for an hour with no supervision. By requiring compliance with the Olympic protocols, and requiring that leagues consult with the U.S. Anti Doping Agency in developing protocols, the Clean Sports Act prevents professional leagues from adopting loopholes like this.

- **Designer Steroids.** The Olympic policy addresses the problem of designer steroids by requiring the preservation of urine samples, so that the preserved samples can be tested for newly discovered designer steroids. The Clean Sports Act requires professional sports to have the same policy or one that is at least as effective. The Commerce bill does not require the leagues to have any designer steroid policy.
- **NCAA and High School Sports.** The Clean Sports Act calls for a study of the problem of steroid use in high school and college sports and gives the Office of National Drug Control Policy (ONDCP) the authority to extend the bill to NCAA Division I and Division II sports. The Commerce bill does not have a comparable provision for college athletics.