



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF NATIONAL DRUG CONTROL POLICY
Washington, D.C. 20503

September 15, 1999

MEMORANDUM FOR MICKEY IBARRA; THURGOOD MARSHALL, JR.

FROM: ROB HOUSMAN *RFH*
RE: ANTI-DOPING STRATEGY

Attached are two copies of the penultimate draft of the anti-doping strategy. The Director had wanted to have all comments in before he sent it over to you. However, in the interest of getting it over to you faster he asked that I provide it to you in near final draft form.

TPC?
We have received comments on the draft from our inter-agency counter-drug partners (specifically, HHS, DEA, and SAMSHA). The comments of these agencies have been supportive and we have incorporated their additional thinking. We have also received and reflected the very positive comments from key athletes (e.g., Frank Shorter, Edwin Moses) and other critical athletic stakeholders (e.g., SLOC). We have also gotten comments from key members of the USOC leadership in their individual capacities, which have also been addressed. We are, however, waiting for the final comments from the USOC as an organization. We had a very positive meeting with the USOC leadership this past Monday. They promised to get comments to us no later than Friday. We expect to be able to incorporate their thinking and address any concerns they may have. (My sense is that this process will be finalized with the Director's travel to Salt Lake and Colorado Springs next week.)

The Director's plan is to finish the key stakeholder comment process and then provide the White House team a "final draft" for your full review. However, the Director would very much welcome your comments on the draft at any time.

I have also taken the liberty of enclosing a survey released today by Blue Cross/Blue Shield in conjunction with their launch of "the Healthy Competition Foundation." The survey has not yet been incorporated into the strategy. The most interesting findings are: 1) 1-in-4 teens and pre-teens personally know someone using performance enhancing drugs; 2) over 70 percent of youth say they are less likely to watch the Olympics if they know athletes are using drugs; and, 3) the American people want and support stronger efforts to combat this problem. At today's event, the athletes -- including Donna DeVeronna and Edwin Moses -- all spoke out strongly in support of what the Administration has done to date to build a solution.

**ONDCP STRATEGY:
ENHANCING U.S. AND INTERNATIONAL ANTI-DOPING PROGRAMS**

September 21, 1999

PURPOSE:

The purpose of this Strategy is to provide:

- a framework for enhanced U.S. amateur (or nonprofessional) athletic anti-drug and doping programs; and
- a strategy for Congressional, constituent and public diplomacy efforts to facilitate the implementation of the above framework.

Section I of this Strategy sets out the nature of the problem of drug use and doping in amateur (or nonprofessional) athletics. Section II of this Strategy sets out the failure of current approaches to effectively address this problem. Section III discusses the need for a new approach to the problem. Section IV provides recommendations for actions at the national, binational and international levels to help build such a new and effective approach.

EXECUTIVE SUMMARY:

A. The Problem

1. While performance enhancing drugs can give athletes a competitive edge, they do, in addition, pose significant risks to health, especially among the young.
2. Despite the risks, many athletes nevertheless use these drugs. Indeed, such drug use is growing among the young and has led to highly visible and embarrassing moments in Olympic, world championship, and world record competitions.
3. The use of performance enhancing drugs in competitive sports is bad for health, bad for sports, bad for our youth, and bad for international relations.

A. The Failure of Current Approaches

1. Current drug testing and enforcement systems have not been able to solve this problem. Indeed, because of their mixed message (the use of these drugs is banned, but the ban won't be enforced very consistently), the systems may even dare some athletes who may be using the drugs. Such systems will continually put the health of athletes at risk. In addition, they will gradually erode the credibility of competitive sports and sporting records.

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1. Major national and international athletic organizations have, unfortunately, been unable to address this problem effectively. And, while in some countries it is the national governments that oversee major competitive sports and monitor the use of performance enhancing drugs, in this country the Federal government has had virtually no role at all.

A. The Need for a New Approach

1. Clearly, the US Federal government could do more. First and foremost, from the prevention perspective, it must emphasize the need for an anti-drug system based on ethical and moral values. From an enforcement perspective, it could work with athletic organizations and other countries to develop, promulgate, and implement effective drug testing and enforcement systems that are fair and credible. Such systems could be based on the well-established, legally tested, and highly credible Federal drug-free workplace program.
2. But a sustained process would have to be put in motion, to thoroughly involve the major public and private sector groups that are interested in ensuring that athletes and athletic competitions are free of drugs. This process should explore options for drug testing and enforcement in competitive sports, recognizing the high degree of autonomy that now reigns.
1. ONDCP should convene an interagency working group to revise the draft paper and plan and convene a small national meeting to consider and agree on steps that can be taken. Out of that meeting would come a White Paper and a process for coordinating further work in this area.

SECTION I – THE PROBLEM OF DOPING AND DRUG USE IN SPORT

A. The Threat of Drugs in Sports

1. **Athletics can play a critical role in the development of healthy, fit young people. International athletics also can play an important role in advancing diplomacy. These potential contributions should be safeguarded.**
 - Participation in sports is critical to the healthy physical development of our nation's young people. Participation in sports also plays an important role in the development of positive values within our children. According to the Department of Health and Human Services, a child who plays sports is 49 percent less likely to get involved with drugs than a peer who does not play sports.
 - International athletic competitions have long provided opportunities to advance understanding and goodwill among nations. For example, the warming of relations between the United States and China in the 1970s began with "ping pong diplomacy." Recent efforts with Cuba, through a "home and away" baseball

series, have increased goodwill between the people of our two nations, without bolstering the Castro regime. The 1999 Women's Cup not only advanced the standing of women's sports, but was also a tremendous moment for the world community. (Moreover, the U.S. victory strengthened not just women's sports, but the game of soccer in the U.S. as a whole.).

2. Drug use in the athletic world continues to be a significant problem.

- The use of performance enhancing and other drugs (such as marijuana and cocaine) continues to plague the athletic world.
- The use of illegal drugs by elite athletes sends the wrong messages about drugs and contributes to the allure of these dangerous substances to our youth.

3. The use of performance enhancing drugs (doping) in the United States is increasing, with increases greatest among youth.

- The rate of steroid use by both teenage boys and girls has increased steadily from 1991 – among teenage girls use is up 100 percent from 1991 to present.
- In 1998, the well-respected journal *Pediatrics* reported that 3 percent of girls ages *8 to 13* have used steroids. Use among boys was found to be just under 3 percent. This is the first time that the use of steroids among girls was found to surpass use among boys. For both boys and girls, these levels are on par with use of other drugs of abuse (for example, the 1997 National Household Survey found that lifetime cocaine use by children ages *12-17* was 3 percent) that are considered to be major threats to the health and safety of young people).
- Similarly, the National Institute on Drug Abuse (NIDA) has found that half-a-million high school age children have tried steroids -- not to mention the full panoply of other performance enhancing drugs.
- Makers of Androstenedione (Andro) self-report that Andro sales are up roughly five-fold since last year. (Andro is currently classed as a food supplement. However, the body metabolizes Andro into testosterone, a regulated steroid.)
- The majority of young people report that steroids are easily available through their friends and their coaches.

4. Performance enhancing drugs, put the health and safety of those who use these substances at serious risk.

- These risks are particularly high for young people; the use of exogenous hormones during a child's development can seriously impair and/or alter the normal cycle of

development.

- The risks of steroid use include: elevated cholesterol levels; increased risks of heart disease; serious liver damage (e.g., blood filled cysts and tumors); androgenizing of females (the irreversible development of male secondary sex characteristics by girls, including clitoral hypertrophy, breast atrophy and amenorrhea); behavioral changes, particularly heightened aggressiveness; and, feminization of males (including shrinking of the testes, low sperm counts, the development of high-pitched voice and breast development). Adolescents are also at risk of permanently stunting their growth.
- The adverse health impacts of performance enhancing drugs on athletes as documented in the German criminal doping trials have been devastating.
- The *Stasi* (the German secret police who ran East Germany's national doping program) files also document similar health horror stories. One *Stasi* report describes the changes to a young girl as follows: "The legs including the inner parts of the thighs are strongly hirsute and the pubic hair extends already to the navel." Androgen-induced amenorrhea, severe ovarian cysts, advanced liver damage, and fetal malformation among pregnant women were also regularly documented.

The drug erythropoietin (EPO) is widely thought to have contributed to the deaths of 18 Dutch and Belgian cyclists and 12 Scandinavian orienteers in the late 1980s and early 1990s. Documented incidences of deaths related to the use of performance enhancing drugs go back more than a century ago.

5. Trafficking in performance enhancing substances is a large and growing criminal industry.

- In the last year, the Drug Enforcement Administration has carried out a number of steroid investigations. In Dallas, authorities broke up a ring that smuggled steroids from Mexico for distribution to local gyms and high schools. In Pittsburgh, DEA agents worked with Thai counterparts to identify an international steroid ring that illicitly sold steroids over the Internet. In New York, the DEA arrested 15 members of a Russian organized crime group that reportedly smuggled more than two tons of anabolic steroids into the United States. The DEA is also conducting ongoing investigations of the importation of products labeled as androstenedione that actually contain steroids.
- According to the DEA, these and other investigations indicate that the international sale of steroids is becoming an increasingly sophisticated and entrenched in criminal networks.

B. Factors that Drive the Use of Drugs in Sports

- 1. Increases in youth doping are, in great measure, driven by the belief among young people striving to succeed in sports that it is necessary to dope not just to gain an advantage, but to merely be competitive.**
- 2. This perception that doping is a *sine qua non* for athletic success is, in large measure, derived from perceptions that large numbers of elite athletes are using performance enhancing drugs. This perception is, in turn, fueled by a series of high profile incidents in recent decades.**
 - All three medallists in the shotput at the 1992 Barcelona Games were at other times sanctioned for doping.
 - An investigation last year by the French police found that large numbers of the Tour de France cycling teams were doping – eight teams were forced to drop out of the race.
 - Over the past decade, twenty-nine Chinese swimmers have tested positive for performance enhancing drugs. Over the last nineteen months alone, 10 Chinese swimmers and coaches have been banned from competition or coaching for drug use.
 - The German courts have held that many of the athletic successes of the former East Germany were won through a government-run doping system, which drugged tens of thousands of young children, some younger than 14 years old, many without any form of consent. (From its inception in 1979 through the early 1990s, the program involved over 2,000 athletes per year.)
- 3. The use of performance enhancing drugs is also being driven by the desire of young people to improve their appearances through drug use as a replacement for healthy physical activity.**
 - Increasing numbers of young people – who are not athletes, let alone elite athletes – are turning to performance enhancing drugs to improve their appearance.
 - The emergence of a “drug buffed chic” dramatically expands the circle of individuals, in particular youth, who are at risk of performance enhancing drug use.

SECTION II – THE FAILURE OF CURRENT APPROACHES

A. Current Anti-Doping regimes fail to safeguard sports, athletes and young people.

1. **Current anti-drug and -doping regimes are inadequate to deter drug use and other doping.**

- Current systems fail to provide athletes with the assurance that a level playing field exists for those who do not want to cheat. Moreover, many athletes believe that the existing systems are public relations tools, not effective counter-drug programs run in such a way as to catch unknown athletes, but not stars or potential medallists.
- A significant number of positive samples are alleged to have been mishandled or lost by a senior IOC doping control official during the Atlanta and the Los Angeles Olympic games. During the Atlanta Games only two positive samples were announced. However, in an interview with the *London Sunday Times*, an internationally recognized expert who helped with the testing in Atlanta stated that “There were several other steroid positives from around the end of the Games which we [the lab] reported.” Lab officials subsequently reported that in each of these instances the samples were passed along to Prince de Merode, the Director of the IOC anti-doping program. Prince de Merode has publicly stated that he discarded the samples for unstated “technical difficulties.” Neither the lab reports, nor the names of the athletes in question, nor the purported technical difficulties have been disclosed.
- Credible reports indicate that an Italian national laboratory, which was certified by the International Olympic Committee as a doping control lab, was found to be assisting elite Italian athletes in developing ways to defeat the very tests they were certified by the IOC to be conducting.
- The current U.S. Olympic Committee (USOC) drug testing program has been able to achieve less than a 75 percent success rate in testing athletes out-of-competition -- roughly one-quarter of the time, athletes who are selected for out-of-competition tests are not tested for logistical reasons (e.g., the athlete could not be found). Yet, effective no-notice, out-of-competition testing is critical to any successful anti-doping regime.
- With the exception of the USOC and its National Governing Bodies and the NCAA’s football and track and field out-of-competition drug testing programs, and that of certain international federations, and the testing of all U.S. competitors within 120 days of the Olympic and Pan Am games, U.S. amateur athletes are almost without exception tested only at the close of competition -- a system athletes say is designed to catch only the stupid.

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- Existing federal standards also require improvement. A 1995 DOJ/DEA conference determined that “current provisions of the Federal Sentencing Guidelines establish grossly inadequate sentencing standards for steroid traffickers.”
- 2. The current patchwork of anti-doping standards and authorities puts the health and competition interests of athletes at risk.**
- Clean athletes are at an extreme disadvantage when competing against athletes who are doping. The uncovered *Stasi* doping files indicate that over a four year period a female athlete can better her performance through steroid use by as much as 4 to 5 meters in one shot put; 4 to 5 seconds in one 400 meter run, and 7 to 10 seconds in one 800 meter run.
 - Widely divergent regimes also create confusion and put athletes’ interests at risk. NCAA athletes who are Olympians often face widely divergent sets of standards and systems – for example, NCAA rules, Olympic rules, rules of international federations and rules of National Governing Bodies (NGBs). The rights and protections accorded to athletes -- both the due process protections in testing and the broader assurances that their competitors are not cheating without being caught and punished -- under these multiple systems often conflict.
 - The inadequacies of the current systems are such that the reputations of athletes can be damaged.
 - Current lab and other practices are simultaneously insufficient to uncover doping athletes and protect honest competitors, while simultaneously protecting innocent athletes from positive findings for drug use.
- 3. Doping undermines the legitimacy of competition and sport.**
- The inadequacy of drug testing also has diminished public confidence in the Olympic Games and sports in general. Widespread disbelief surrounds every great athletic performance. Rumors about drug use among elite athletes are common and can harm their reputations.
 - Doping risks the creation of athletic records that are beyond the capacity of human performance unaided by drugs. For example, the winning shot put toss at the 1996 Atlanta Games would have placed sixth at the 1980 Moscow Games -- this despite progress in training methods, equipment and sports methodologies that should have caused performances to improve over time. Moreover, the 1996 winning throw was two meters shorter than the 1980 winning throw, which is a significant shortfall in this sport. (In the late 1970s the first methodologies for detecting steroids were developed. In the early 1980s the first significant

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enforcement efforts against these drugs began. These account for the peak in steroid use before and while these capabilities were being implemented. Steroid use patterns have since become more sophisticated to avoid detection.) When athletic records are out of honest reach, the human spirit will suffer.

B. The Failures of the Current Regime Hurt U.S. interests.

1. The inadequacy of the current anti-doping regime puts U.S. teams at a disadvantage and hurts our athletes.

- While some U.S. athletes may resort to cheating through drug use, the vast majority of U.S. athletes are competing honestly and fairly. These honest athletes must compete against a number of nations that have systemic doping programs.
- Evidence from prosecutions in Germany now shows that U.S. athletes for years competed against East German teams that were aided by a national doping program managed by *Stasi*. In one case, U.S. swimmer Shirley Babashoff took 6 silver medals behind East German swimmers. Ms. Babashoff was highly criticized by the U.S. and international press for her accusations that these gold medallists were steroid users. Now, information obtained through the German prosecutions validates Ms. Babashoff's claims. Nevertheless, the IOC refuses to recognize those athletes who were deprived of medals through cheating.
- The impact on these athletes has been great. Despite winning eight Olympic swimming medals (a record in and of itself) and setting six world records during her career, Ms. Babashoff has retired to California where she works as a mail carrier – she no longer swims nor does she even discuss the sport.
- Many of the East German coaches who perfected cheating through doping have now moved abroad and continue to coach young athletes.
- Cheating through the systemic use of drugs and other doping measures continues today. The July 5, 1999, edition of *Sports Illustrated* includes an article by a "masseur" for elite cycling teams who was arrested by French Customs officials for smuggling controlled substances. He has admitted to administering performance enhancing drugs to hundreds of cyclists – kicking off the Tour de France fiasco. While hard to fathom, even after last year's Tour fiasco, drug use remains seriously problematic in cycling. Swiss officials are now examining new drug use allegations against the Lampre-Daikin team.

2. The inadequacy of the system undermines the international standing of the United States.

- Other nations have almost universally placed doping control under governmental

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oversight. In Australia, the government runs the Australian Sports Drug Agency, which has jurisdiction over both amateur and pro sports. The Canadian Centre for Ethics in Sport, which functions as an independent government agency, oversees such programs in Canada. The enforcement efforts undertaken by the French sports ministry against the Tour de France riders reflects the strong role that other national governments play in this area.

- In the United States, sporting entities are self-regulating with the US national governing bodies enforcing our anti-doping rules. For example, the USOC runs the U.S. Olympic anti-doping program and the NCAA runs the college anti-doping program. The potential for conflicts here is great. The primary task of these entities is to promote their sports. However, they must also police drug use, which if done effectively can hurt the sport -- a doping violation by an elite athlete can seriously harm the sport's image.
- The perception internationally -- justified or not -- is that the inherent, unchecked conflicts of interests in such a self-regulation approach results in a less than adequate program.
- These perceptions hamper U.S. efforts to provide leadership internationally in ending drug use in sports. For example, at the IOC's Lausanne Conference certain individuals attempted to deflect criticisms of the IOC's current anti-doping regime by discussing the shortfalls of the U.S. self-regulating domestic approach.

SECTION III – THE NEED FOR A NEW APPROACH

1. The United States now has an unprecedented opportunity to strengthen both domestic and international anti-doping regimes.

- Domestically, the USOC recognizes the concerns of the international community with respect to its self-regulating system and is now investigating the delegation of its drug control efforts to an independent entity. (This is known within the USOC as “externalization.”) The USOC remains committed to an effective anti-doping program.
- This external independent entity may provide a critical vehicle to conduct testing and collection of samples, direct research, provide for education and implement an adjudication process to ensure a highly effective anti-doping program in the United States.
- At the international level, recent scandals have forced the International Olympic Committee to review its anti-doping program. The IOC is now in the process of developing an independent international anti-doping agency.
- The United States will host the next Winter Games, providing the U.S. with an opportunity to demonstrate that an effective “in competition” drug testing system is possible.
- Similarly, Australia, which has a strong anti-doping commitment and program, has the next Summer Games. Anti-doping relations between our two nations are strong, providing a solid foundation for even greater cooperation in this area. Working together, the U.S. and Australia can use the Summer and Winter Games to demonstrate best practices and set the international standard.
- Australia has already committed to a broad range of governmental enforcement efforts against chemical cheating at the Sydney Games. The Sydney Games will require athletes to sign waivers allowing for searches in the village and will deploy Australian Customs intelligence and operations to stop trafficking before and during the games. These efforts are being run by an Australian law enforcement official trained by the U.S. Drug Enforcement Administration. The Australians have also committed roughly \$3 million to develop new drug testing and detection methods.
- The bulk of the money that supports the IOC and other international Olympic competition comes from the United States. These funds, and the actions taken with them, may under certain circumstances be subject to U.S. laws, such as the Foreign Corrupt Practices Act, tax laws, and basic wire fraud laws. In these instances, the United States has an obligation under law to police the system.

2. The need for U.S. Government leadership is clear.

- During the Lausanne Conference, athletes and other national governments routinely thanked the United States delegation for the efforts of our government.
- Track legend Edwin Moses and gold medal marathoner Frank Shorter have publicly called upon the United States government to play a major role in reforming the use of drugs in sport. On the pages of the *New York Times*, Mr. Moses eloquently made the case as follows:

“The problem of drug use by elite athletes must continue to be addressed on the Federal level by General McCaffrey and others who are responsible for children and the public welfare The United States is unique among Western democracies in not having a ministry of sport, because Americans generally believe that less government is good and that private organizations and the market can be trusted to do work that affects the public trust. Whatever the merits of this perspective in other contexts, the traditional deference to the private organizations that govern sport is not warranted in the case of doping. . . . Notwithstanding the efforts of some well-intentioned individuals, the sports governing bodies in this country and internationally have shown time and time again that they are not structurally equipped for this work, nor are they sufficiently accountable to the larger interests of society that are affected by doping.”

- The United States Olympic Committee has asked the White House to assist them in IOC reform efforts and has expressed to ONDCP its willingness to work together to address the problem of doping and drug use. The Salt Lake Organizing Committee (SLOC) has also expressed its willingness to work with the federal government to address this situation.
- Other nations -- including Canada, Australia, the United Kingdom, France, New Zealand and Germany -- have requested the United States government take a larger role in efforts to combat doping and drug use in sports and have expressed a willingness to work with us.

3. Without U.S. Government support, the likelihood that real reforms will be adopted is low.

- It is unlikely that the IOC, without external impetus, will adopt an effective anti-drug use

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regime. The IOC has a tradition of strong rhetoric but limited action against drug use. For example, IOC President Samaranch has conferred Olympic Orders (the IOC's highest honor) on Manfred Ewald and Erich Honecker – the senior-most German officials responsible for the East German state-supervised doping program, which included providing steroids to unwitting adolescents. While it is unlikely that the IOC knew of these actions when it gave these honors, the IOC has done nothing since the German criminal trials uncovered this abhorrent doping scheme. Their honors have not been stripped.

- In 1994, over 100 French athletes sent IOC President Samaranch an open letter seeking protection from the threat of black market criminals pushing performance enhancing drugs. Throughout the 1990s, German athletes have attempted to force stronger anti-doping provisions. Leading United States athletes, such as Donna DeVarona, Edwin Moses and Frank Shorter, have advocated for a more effective system for decades. Yet, very little has changed.
- The IOC has held Working Group meetings to discuss a framework for an independent doping agency. However, these discussions have not been public, nor has the IOC helped interested parties to review and influence these discussions. These closed, limited discussions give reason for great concern about the entity that the IOC will eventually propose.
- Moreover, ONDCP's analysis of the direction the IOC process has taken (as derived from a July 1999 draft of the agency charter) gives reason for real concern. The IOC process to date has lacked accountability and transparency. The current draft fails to provide the necessary independence and accountability for an "Independent Agency." The current draft also provides national governments an inadequate role in the agency, but seeks their funding for half the costs of the agency.
- Similarly, because of structural and other impediments, repeated efforts to strengthen US anti-doping programs have failed to develop a more effective approach. In 1989, the USOC announced an "aggressive out-of-competition drug testing program, which was to include oversight by an independent auditor" However, at present the USOC's out-of competition testing program only achieves a 75 percent success rate. Roughly one-quarter of the time an athlete is called for out-of-competition testing, no test is actually performed due to logistical and/or other problems. Only this year has the USOC taken steps to provide independent oversight for its drug testing program. In a very positive show of leadership, the USOC itself now recognizes the shortfalls in its own program and is fully committed to developing a better approach.

SECTION IV -- RECOMMENDATIONS FOR BUILDING A NEW APPROACH:

The United States government should undertake the following efforts at the national, binational and international levels to strengthen anti-doping regimes. The goals of these initiatives are to protect the health and safety of athletes and young people and to safeguard the legitimacy of sports competition. These substantive initiatives should be augmented by efforts to inform the American public and the international community about our actions and our goals.

A. National Efforts

- 1. Begin a consultative process with all stakeholders to improve U.S. anti-doping programs and enhance U.S. participation in international anti-doping programs (see action item 2).**
 - ONDCP, the White House Olympic Task Force Chairs and HHS should immediately convene an interagency working group to review this White Paper and further develop the federal response to the problem of drug use and doping in sport. This meeting should result in an action plan and process for further work in the area. This meeting should include the involvement of critical stakeholders, such as athletes, the USOC and the NCAA.
 - We should also convene a National Conference on Drug Use and Doping in Sports. This Conference should be chaired jointly by ONDCP, the White House Olympic Task Force Chairs and HHS, with the critical involvement of the USOC and the USOC Athletes Advisory Council. This Conference should include representatives from all stakeholders, including (but not limited to) athletes, youth, coaches, sports organizations, parents, physicians, scientists, manufacturers, teams, federations, NGBs, the NCAA and other stakeholder groups (such as the National Federation of State High School Associations). The purposes of this Conference will be to examine the state of the problem; the effectiveness of existing institutions; the effectiveness of current Federal legislation; and options for increased Federal efforts.
 - Recognizing that the United States does not have a ministry of sports, we should put in place a broad inter-agency process to identify Federal programs that can aid in reducing drug use in sports and consider ways that such programs could be improved and expanded. As part of this effort we should convene a White House Anti-Doping Inter-Agency Working Group under the auspices of ONDCP, the White House Olympic Task Force Chairs and HHS. This inter-agency process should include representation of key stakeholders, including, for example, the USOC and the USOC Athletes Advisory Council. The mission of this group will be to develop and implement recommendations for eliminating the problem of doping.

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- We should begin bipartisan efforts with interested Congressional members to encourage them to play an active role in supporting this overall effort. Senator McCain and Senator Stevens, for example, have been strong supporters of US athletics and have recently undertaken hearings aimed at forcing the IOC to reform. This is one issue area where we can likely bridge partisan division. Keeping Congressional members informed is also important because what little oversight is currently provided over U.S. amateur sports is done through the Congress. Further, since some steps may require statutory changes, working with and maintaining the support of the Congress is vital to our success.
- 2. Explore options for targeted governmental oversight of U.S. amateur sports anti-doping programs, focusing first on programs that receive federal funds.**
- We should examine ways to increase the accountability and efficacy of such programs through enhanced Federal support, technical assistance, research, funding, and other vehicles. Such support should be conditioned upon adequate oversight.
 - We should consider implementing (through statute, memorandum of understanding, or cooperative agreement) an oversight and reporting mechanism requiring Federal review and certification of amateur athletic anti-doping programs. This mechanism should focus on: expanding athlete and public education, improving sample collection, increasing transparency; improving lab procedures and capabilities, developing medical registry capabilities, strengthening adjudication procedures, and enhancing scientific capabilities to test for doping and to detect attempts to suborn such testing. The primary focus will be to educate athletes and youth and to assure the accuracy, reliability and correct interpretation of forensic test results for doping and other illicit substances.
 - We should work with the USOC and other stakeholders to facilitate the development of an externalized and fully independent domestic anti-doping mechanism or body (including research, testing, and adjudication). The development of an effective, transparent, accountable and independent U.S. agency is critical to the success of U.S. anti-doping efforts. With the creation of an effective, transparent, accountable and independent agency, the reporting and certification measures discussed above should focus on oversight, not transfer management and direct control of anti-doping programs.
 - We should place special focus on federal research support to end the "cat and mouse game" that is current anti-doping enforcement. There is wide agreement that federal research support can play a significant role in ending drug use in sport.
 - We should encourage the widest possible adoption of ISO laboratory and other anti-doping standards for U.S. programs

3. Help the Salt Lake Organizing Committee implement a reliable, effective, and accountable anti-doping program for the Salt Lake Games that will set the standard for reliability, effectiveness and accountability to the American and international public.

- Recognizing the role that host nations traditionally play in facilitating anti-doping at the games, working with the SLOC, the USOC and other interested parties, we should provide assistance to the SLOC in seeking to achieve the "cleanest" winter games ever.
- To ensure the integrity of counter-drug efforts, we should help SLOC implement programs to ensure that testing at the games is effective, accountable, and transparent to the American people and the international community. Such an effort might include (through statute, memorandum of understanding, or cooperative agreement) an oversight and reporting mechanism requiring federal review and certification of the Salt Lake Games anti-doping program.
- We should provide SLOC with technical assistance from all relevant Federal agencies to enhance the effectiveness of the Salt Lake Games anti-doping program. This assistance should include, for example, assistance from the National Institutes of Health and SAMSHA to provide research to support forensic drug testing methods, related lab testing and internal/external quality assurance procedures, and the DEA in monitoring trafficking in steroids and other controlled substances used for performance enhancement in addition to general illicit drug use.
- We should examine ways to increase the efficacy of such programs through enhanced Federal technical assistance, funding, and other vehicles. Such support would be conditioned upon adequate oversight.

4. Review Federal laws that govern the manufacture, distribution and sale of performance enhancing substances and, where appropriate, take steps to strengthen these provisions. Strengthen law enforcement efforts to combat trafficking in illegal substances.

- According to the DEA, new stricter legislation is needed in the United States to control the spread of performance enhancing drugs. In the United States one major problem is that the Controlled Substances Act (CSA) covers "anabolic steroids," leaving a range of other substances (such as erythropoietin and clenbuterol) uncontrolled and open diversion and abuse. It may be necessary to amend the CSA by replacing the term "anabolic steroids" with "anabolic agents" in order to close this gap. Such a review should also consider, pursuant to the 1995 DOJ/DEA conference report, whether the existing steroid sentencing structure provides an adequate sanction and deterrent. Such a review should also examine

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the ramifications of the legal framework established under the Dietary Supplement and Health Education Act of 1994 to the health of athletes and young people.

Such a review should be completed before the Salt Lake Games. Australia is now doing such a review prior to the Sydney Games. The review was prompted by the 1998 seizures of performance enhancing drugs by the Australian Customs Service from two athletes attempting to smuggle them into the nation. While the drugs were banned by sport, the athletes could not be punished for smuggling because the drugs were not covered under illegal importation laws.

- Given the growing criminal network role in trafficking and distribution, we should increase intelligence collection on steroids and other illegal performance enhancing drugs. DEA already has one Special Enforcement Program that targets steroids. DEA is ready to step up its collection, analysis and dissemination of intelligence on steroid trafficking internationally and domestically.

We should work with the manufacturers of these substances to try to develop cooperative ways to help track performance enhancing drugs, prevent diversion and explore innovative ways to identify these chemicals. For example, we should discuss with the industry extending the length of patent protections for manufacturers who are willing to put innocuous, detectable markers into their products so that their use in doping could be easily detected. DEA's Diversion Control Office should play a lead role in building further cooperation.

5. Working with the various stakeholder groups – including both governmental and non-governmental entities – strengthen education efforts.

- We should continue and strengthen ongoing efforts to educate young people and athletes in general about the dangers of drug use and doping. DEA has conducted longstanding educational efforts with the National High School Athletic Coaches Association, the National Youth Sports Coaches Association, the Federation of High School Associations and the Women's Sports Foundation to provide young people with sports-related anti-drug education.
- We should expand these efforts to collaborate with a wider range of other stakeholders, including, for example, the USOC, the Salt Lake Organizing Committee, the NCAA, the Center on Addiction and Substance Abuse, the Citizenship Through Sports Alliance and sports sponsors (such as Blue Cross/Blue Shield, which has formed an anti-doping not-for-profit foundation). Special emphasis should also be placed on ensuring that consistency of the messages being delivered by all stakeholders.
- We should also expand existing programs to take into account the problem of performance enhancing drug use. For example, ONDCP will expand the focus of

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its annual National Coachathon Against Drugs to target performance enhancing drugs.

- DEA's Demand Reduction Coordinators will step up their training and technical assistance work through high schools, college athletes and professional sports teams. ONDCP's Athletic Initiative will also increase its similar efforts.
- Overall, we should increase our public diplomacy focus on combating drug use and doping in sports and coordinate this focus with the anti-doping programs of the USOC, the NCAA and other stakeholders. For example, DEA is committed to increasing its attention to the problem in that agency's demand reduction literature and conferences, particularly those directed at school administrators and coaches.

6. Work cooperatively with the professional sports leagues, professional sports teams, professional athletes, the players' associations and sports sponsors to encourage and assist the professional sports tackle the drug use and doping problem.

- Professional sports also play a major role in shaping youth drug use attitudes and driving sports-related drug use and doping.
- While serious workplace drug use issues remain throughout professional sports, cooperative efforts have yielded results. For example, last year's contract negotiations between the NBA and the NBA Player's Association yielded a strengthened drug policy, which will help detect and address individual cases of drug use. Similarly, ONDCP efforts with at least one corporate sponsor resulted in a strong anti-drug use statement. Professional leagues, athletes and coaches have also played a major role in ONDCP's Athletic Initiative Against Drugs.
- Cooperative efforts should be undertaken with the professional sports world to: educate athletes about the health risks of drug use and the rules that apply to international competition; assist and facilitate the development of strong anti-drug policies and programs, including drug treatment and assistance programs; encourage and assist the development of education efforts directed at athletes, the general public, in particular young people.
- We should also work with the professional sports leagues, professional sports teams, professional athletes, players' associations and sponsors to encourage a wider harmonization of anti-drug use and doping policies and standards.

7. Strengthen existing U.S. efforts to improve anti-doping and drug use scientific research.

- At present, the body of available research is inadequate to the task of effectively combating doping and drug use in sports. One of the most important contributions the United States can make is through a leadership role in addressing the gaps in scientific research. ONDCP has already committed \$1

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million to help set the research agenda for combating sports doping and drug use. This research agenda will provide an important understanding of how future Federal efforts can help establish the research base to end drug use and doping in sport.

- We should examine ways to strengthen this research commitment.
- These research efforts should be developed in close consultation with experts in the field of drug use in sports, in particular the professional staffs of the USOC, the NCAA, the accredited labs, public health experts and other qualified individuals.

B. Binational Efforts with Australia

1. With the upcoming games in Australia and the United States, develop a binational cooperative effort to share information and technical assistance with Australia.

- Director McCaffrey will travel to Sydney in November of 1999 to expand bilateral and multilateral efforts against drug use in sports.
- The United States should develop and sign a binational agreement on anti-doping cooperation with Australia focusing on the exchange of technical expertise, assistance, education, and intelligence, as well as cooperation with other international initiatives. Such an agreement should build on the existing USOC trilateral agreement with Australia and Canada.
- We should implement this agreement between now and the commencement of the Salt Lake Games. The extension of this agreement beyond the Salt Lake Games should be reviewed at a later date.

2. Facilitate cooperative efforts (for example, technical assistance and information sharing) between the organizing committees of the Sydney Games and the Salt Lake Games.

C. Other International Efforts

1. Strengthen existing U.S. Government efforts to ensure the development of a truly effective, independent international anti-doping agency.

- In conjunction with U.S. stakeholders (in particular, U.S. athletes, the USOC, and U.S. sports bodies), the U.S. should garner international support for the establishment of an anti-doping regime that comports with the U.S. Government Position Paper of November 17, 1998 (presented by ONDCP to the IOC). This effort should focus on other national governments, national Olympic committees, national and international sports federations, and international organizations. including but not limited to the IOC and the United Nations Drug Control Programme.

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- To build such support, the United States will include drug use in sports as an agenda item at the U.S.-U.K. Drug Summit and at the U.S.-E.U. Drug Summit, both of which are planned for the Fall of 1999. At the invitation of the Prime Minister of Australia, Director McCaffrey will also represent the United States at the November 1999 Meeting of Governments to agree on ways to combat drug use in sports, which will be held in Sydney. The US delegation will include representatives of the USOC, SLOC and the athletes community.
 - The United States should also consider joining the International Anti-Doping Arrangement (IADA). Three years ago, the USOC sought membership to the IADA. The USOC was prevented from joining because the IADA is an agreement among nations and the USOC is not a governmental body.
- 2. Strengthen efforts to assist other nations combat drug use and doping in sport.**
- According to the DEA, the laws of other nations also are inadequate to the task of policing against performance enhancing drugs.
 - We should urge other nations to develop and adopt the laws necessary to eliminate drug use and doping in sport. DEA is prepared to assist foreign counterparts in this process.
- 3. Enhance international scientific and technical cooperation through formal information exchange mechanisms, conferences, and public fora.**

SECTION V – CONCLUSION

Drug use in sports today has reached a level at which it jeopardizes both the integrity and legitimacy of athletics, and the health and safety of athletes, in particular our youth. Athletes who want to compete fairly and without doping fear that they stand no chance against competitors who will accept any cost – debilitating injury, illness and even death – to win. Doping undermines the public trust in organized sport and the reputations and integrity of the vast majority of participating athletes who do not use drugs or dope. Every great victory is subject to doubt. Drug-using athletes verge on creating records that honest human performance cannot best. We seriously risk the creation of a chemically engineered class of athletic gladiators.

The current messages being sent by illicit, undetected, unreported, or unresponded to drug use in sport continue to place our nation's young people at great risk. Each day, growing numbers of young people turn to untested and unproven chemicals to gain an edge. The age at which children -- and in turn parents -- are being confronted with the decision whether to use drugs or forgo them and face a competitive disadvantage is growing younger each year. Young people are confronted with the use of drugs, ranging from marijuana to steroids, among the ranks of elite athletes and consequently are led to the false belief that they can use drugs and succeed in life. At risk youth are not limited to a few isolated elite athletes; on soccer fields, baseball diamonds and swimming pools all across the nation hundreds of thousands of American children strive for greatness. Each of these young people are within the at risk pool.

First and foremost doping control measures must be rooted in sports ethics and values. They must also be founded on respect for personal rights and the fairness of due process. Current doping and drug control programs have proven inadequate to the task. In general, they are limited in their ability to either effectively detect drug use or deter current or future athletes from cheating. Conflicts of interest – both real and apparent – abound. The current approach at once places honest athletes at risk of false accusations and fails to ensnare those who actually cheat. Overall, today's systems fail to provide athletes with the assurance and confidence that the playing fields are level and clean competitors stand a fair chance at victory.

Absent real reform, we risk not only irreparable damage to the beauty and glory of sports but also to the long-term health of our athletes and young people. Athletes willing to cheat will continue to push the envelope of science to find new ways to steal even the slightest advantage. Increasing numbers of ever younger children will acquiesce to the risks of drugs in order to pursue their athletic dreams. Absent change, the value of sports in our society will diminish and the human spirit will be poorer for its loss.

United States government leadership is critical if we are to succeed in eliminating the threat of drugs in sports. With such leadership a strategy comprising national, binational and international efforts can help bring about needed reforms. Working with stakeholders (athletes, youth, the USOC (including the USOC Athletes Advisory Council), the NCAA, NGBs, the leagues,

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coaches, doctors, parents, schools and others) we have an important window of opportunity in preserving the values of athletic competition and safeguarding the futures of our children.

Athletics at all levels play a major role in American society. Aside from their recreational value, we look to sports to help us as parents and as a nation to develop healthy children and instill positive values and mores in our youth. Feats of athletic greatness – the victory of the 1999 U.S. Women's World Cup team, the U.S. hockey team's miracle on ice," Jessie Owens victories in the face of Nazism – inspire us and remind us to strive to be better in all that we do in pursuit of excellence. Sport shape our culture, heritage and history. In this nation, sports provide us with rallying points around which diverse groups of people can unite and cheer with one voice. By working to safeguard sports we help preserve these important contributions to our nation.

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Notes:

See HHS, *Adolescent Time, Risky Behavior, and Outcomes: An Analysis of National Data* (September 1995); see also NFHS, *The Case for High School Activities* (undated) (available at www.nfhs.org) (discussing Hardiness Center study finding that roughly 92 percent of participants in high school sports were non-drug users, received above average grades and had better chances of attending and succeeding in college); T. Collingwood, *et al.*, *Physical Fitness Effects on Substance Abuse Risk Factors and Use Patterns*, 21 J. Drug Education 73-84 (1991); E. Shields, *Sociodemographic Analysis of Drug-Use Among Adolescent Athletes: Observations – Perceptions of Athletic Directors-Coaches*, 30 Adolescence 839-861 (1995).

See, e.g., Associated Press, *More Allegations of Drug Use*, June 17, 1999 (discussing testimony offered by Reggie Lewis' doctor and friends that MR. Lewis had a cocaine problem); Associated Press, *Whitaker Failed Second Drug Test* (discussing reports of boxer Pernell Whitaker's second drug test failure); Michelle Faul, *Chris Weber Controversy Grows*, Los Angeles Times, Aug. 17, 1998 (discussing reports of basketball star Chris Webber's second arrest for drugs); Selena Roberts, *Drug Use Could Tarnish NBA's Global Image*, Chicago Tribune, Nov. 16, 1997 (discussing reports that upwards of 60 to 70 percent of NBA players smoked marijuana – these reports occurred prior to the NBA's 1999 contract provisions on drug use). Drug use within Olympic remains is also a major problem. In November of 1997, less than a week after the USOC announced plans to develop a more stringent anti-drug regime, nine of USA Weightlifting's fifteen resident athletes were reportedly dismissed from the Colorado Springs training facility for violations of the substance abuse policy dealing with illegal drugs.

HHS, National Household Survey on Drug Abuse (1998)(roughly 175,000 teenage girls now report taking an anabolic steroid at least once); see also Holcomb Noble, *Steroid Use by Teen-Age Girls Is Rising*, New York Times, June 1999, D8.

See A.D. Faigenbaum, *et al.*, *Anabolic Steroid Use by Male and Female Middle Students*, Pediatrics, May 1998; see also Noble, *supra* note 3.

See Steve Wilstein, *Baseball Unlikely to Rule on Andro*, Associated Press, Feb. 27, 1999 (citing tenfold increase). The industry's own study noted a three-fold increase between the time of the McGwire revelation (August 1998) and December 1998 alone. See Steve Wilstein, *McGwire Powers Andro Sales to 100,000 users, Doctors Fear Hazards*, Associated Press, Dec. 8, 1998.

See S.M. Tanner, *et al.*, *Anabolic Steroid Use by Adolescents: Prevalence, Motives, and Knowledge of Risks*, 5 Clin. J. Sports Med. 108-115 (1995). Fifty-five percent of young people report that steroids are easily attainable. *Id.* Friends and coaches were the two most often reported sources for these drugs. *Id.*

See, e.g., Werner Franke, Brigitte Berendonk, *A Secret Governmental Program of Hormonal Doping and Androgenization of Athletics: The German Democratic Republic* (unpublished manuscript) (documenting health impacts on GDR athletes who used performance enhancing drugs)[hereinafter "Franke 1"]; A.B. Middleman, *et al.*, *Anabolic Steroid Use and Associated Health Risks*, 21 Sports Med. 251-255 (April 1996); S.M. Tanner, *et al.*, *Anabolic Steroid Use by Adolescents: Prevalence, Motives, and Knowledge of Risks*, 5 Clin. J. Sports Med. 108-115 (1995); M.A. Nelson, *Androgenic-Anabolic Steroid Use in Adolescents*, 3 J. Pediatric Health Care 175-180 (Jul-Aug 1989); C.E. Yesalis, *et al.*, *Anabolic Steroid Use Among Adolescents: A Study of Indications of Psychological Dependence*, in C.E. Yesalis, ed., *Anabolic Steroids in Sport and Exercise* 215-229 (1993); C.E. Yesalis, *et al.*, *Anabolic-Androgenic Steroid Use in the United States*, 270 JAMA 1217-1221 (1993); M. Johnson, *et al.*, *Steroid Use in Adolescent Males*, 83 Pediatrics 921-924 (1989); K.E. Friedl, *Effects of Anabolic Steroids on Physical Health*, in C.E. Yesalis, ed., *Anabolic Steroids in Sport and Exercise* 109-150 (1993); R.H. Durant, *et al.* *Use of Multiple Drugs Among Adolescents Who Use Anabolic Steroids*, 328 N. Eng. J. Med. 922-926 (1993).

See Richard Panek, *Tarnished Gold*, Women's Sports and Fitness, May 1, 199, 124. "Rica Reinisch, winner of

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three golds in 1980, blamed her ovarian cysts on hormones she'd taken . . . Shot-putter Heidi Krieger, the 1986 European champion, contended that her unwitting ingestion of male hormones had led to facial hair, an Adam's apple and her eventual decision to undergo a sex change.

Werner Franke, Brigitte Berendonk, *A Secret Governmental Program of Hormonal Doping and Androgenization of Athletics: The German Democratic Republic*, 43 *Clinical Chem.* 1262-1279 (1997)[hereinafter "Franke 2"].

Id.

See Sean Fine, *et al.*, *Canadian Cyclist Watches Dream Die*, *The Globe and Mail*, Nov. 7, 1998; Dr. Gary Wadler, *Drug Abuse Update*, *The Medical Clinics of North America*, 439-455 (1994).

See G. Wadler and B. Hanline, Introduction, in *Drugs and the Athlete*, 1-17 (1989). In 1886, an English cyclist died from an overdose of the stimulant trimethyl. See Gary Wadler, *Doping in Sport: From Strychnine to Genetic Enhancement, It's a Moving Target*, presentation before the Duke Conference on Doping, May 7, 1999. In 1904, marathoner Thomas Hicks became the first death in the modern Olympics from the stimulant strychnine. *Id.* In 1960, Danish cyclist Knud Jensen died during the Rome Olympics from amphetamines. In 1967, English cyclist Tom Simpson died during the Tour de France. The autopsy revealed high levels of amphetamines. See E.M. Swift, *Drug Pedaling*, *Sports Illustrated*, June 5, 1999, at 65. Among the most egregious drug use practices reported by Mr. Voet, is the use of the so-called "Belgian cocktail" – a mix of amphetamines, cocaine, caffeine and heroin.

See S.M. Tanner, *et al.*, *Anabolic Steroid Use by Adolescents: Prevalence, Motives, and Knowledge of Risks*, 5 *Clin. J. Sports Med.* 108-115 (1995). Among youth athletes who report taking anabolic steroids, the majority indicates this use was done to improve their performance and ability to compete successfully. *Id.* at 110. Among youth who were *not athletes* who reported steroid use 45 percent indicated it was to improve appearance, 18 percent said it was to enhance performance, 12 percent reported it was due to peer pressure, the remainder reported no reason. *Id.*

See Franke 1, *supra* n. 7; Franke 2, *supra* n. 9.

See E.M. Swift, *Drug Pedaling*, *Sports Illustrated*, June 5, 1999, at 65.

See Richard Panek, *Tarnished Gold*, *Women's Sports and Fitness*, May 1, 1999, 124; Associated Press, *Swimmers Fail Drug Tests*, *Jun. 8, 1999*.

See, Associated Press, *Swimmers Fail Drug Tests*, *Jun. 8, 1999*.

See, e.g., John Powers, *Blood Sport*; E. *Germans Admit Doping, So US Wants Medals*, *Boston Globe*, Dec. 11, 1998, C1.

See Tanner, *supra* n. 13.

See John Hoberman, *SmithKline Beecham and the Atlanta Olympic Games* (unpublished paper on file at ONDCP).

Id.; Steven Downes, *Revealed: Four More Olympic Drug Users*, *Sunday Times* (London), Nov. 19, 1996.

See *Das Erbe von Atlanta: Vier vertuschte Dopingsfalle*, *Suddeutsche Zeitung*, Nov. 19, 1996; Hoberman *supra* n. 19.

See *supra* n. 22.

See Agence France-Presse, *Drug Cheats Reportedly Used Doping Lab*, Oct. 1, 1998. The head of the Italian

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Olympic Committee's research and experiments division, Sandro Donati, has stated that the country's Rome drug control lab and up to 700 Italian doctors assisted cheating athletes in doping and defeating drug testing. *Id.* He also placed the economic value of doping in sports worldwide at \$3 billion per year, with \$600 million occurring in Italy alone. *Id.* Further, because of this economic incentive, Mr. Donati warned of Mafia involvement. *Id.* As these allegations leaked out, there has been a backlash in Italy. *See* Agence France-Presse, *For Italian Olympic Boss, Performance Enhancers Bring Downfall*, Sept. 28, 1998;

John Powers, *Supplement User Striking Out*, Boston Globe, Sept. 6, 1998.

See U.S. Department of Justice, Drug Enforcement Administration, Conference on the Impact of National Steroid Control Legislation in the United States, June 1995.

See Franke 1, *supra* n. 7, at 11; *see also* Franke 2, *supra* n. 9.

See Franke 1, *supra* n. 7 at 13; Franke 2, *supra* n. 9 at 1266.

See generally, Franke 1, *supra* n. 7; Franke 2, *supra* n. 9.

See Dan Albano, *Babashoff's Sinking Feeling Over East Germans Last*, Orange County Register, Aug. 16, 1998.

Id.

Presentation by John Hoberman, before the American Society of Sports Medicine, June 5, 1999, Seattle, Washington; *See* Franke 1, *supra* n. 7; Franke 2, *supra* n. 9.

See E.M. Swift, *Drug Pedaling*, Sports Illustrated, July 5, 1999, 60.

See www.cnnsi.com, *FSC Opens Probe*, posted June 25, 1999.

See www.ausport.gov.au/asda/fs_drugs.html. The Australian Sports Doping Agency is a Commonwealth statutory agency, which was established by the Australian Sports Drug Agency Act 1990.

See Canadian Centre for Ethics in Sport, Annual Report (1998).

See generally, E.M. Swift, *Drug Pedaling*, Sports Illustrated, July 5, 1999, 60 (discussing how French officials inspected cycling team vehicles, refused to allow last year's race to continue until drug tests were taken, and have criminally indicted those involved with performance enhancing drug trafficking); *see also* www.cnnsi.com, *The Right Decisions Have Been Taken*, posted June 22, 1999 (discussing how French officials at this year's Tour de France have banned riders implicated in drug use).

See Australian Olympic Committee, Anti-Doping Policy (undated document on file with ONDCP); Associated Press, *Australia Outlines New Policy*, May 12, 1999 (noting Australia will increase by 25 percent their number of sports drug tests administered). Australian Olympic officials are also pressing their government for more stringent laws to govern sports doping. *See* Reuters, *Australian Officials Want Tougher Drugs Laws*, Oct. 14, 1998.

See, e.g., Stefan Fatsis, *Unrest Rising Among Olympics Sponsors*, Wall Street J., Feb. 11, 1999. IBM alone spent over \$100 million sponsoring the 1998 Winter Games. *Id.*

See Memorandum for the President, The International Olympic Committee World Conference on Doping, Feb. 11, 1999.

See Edwin Moses, *McCaffrey Must Not Stop at Andro*, New York Times, May 23, 1999, 13:

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See Associated Press, *USOC Calls on White House*, Mar. 3, 1999.

See John Hoberman, *How Drug Testing Fails* (unpublished paper) (1998); *Rückgabe des IOC-Ordens*, *Süddeutsche Zeitung*, May 14, 1993.

See John Hoberman, *Learning From the Past*, paper presented at the Duke Conference on Doping, May 7, 1999; *Schweig oder stirb*, *Der Spiegel*, Jan. 24, 1994.

See John Hoberman, *Learning From the Past*, paper presented at the Duke Conference on Doping, May 7, 1999.

See Letter from Dr. Robert Voy, Center for Sports Medicine, Family Practice and Fitness, to the USOC, dated July 13, 1992 (proposing a structure for a more effective, independent system).

U.S. Committee Adopts Drug Plan, *New York Times*, Oct. 23, 1989.

John Powers, *Supplement User Striking Out*, *Boston Globe*, Sept. 6, 1998.

See Amy Shipley, *For USOC, Questions About Drug Control Testing May be Shifted to Outside Agency*, *Wash. Post*, Aug. 20 1998, C1.

Id.

See Reuters, *Australian Officials Want Tougher Drug Laws*, Oct. 14, 1998.

See Dr. Gary Wadler, *Doping in Sport: From Strychnine to Genetic Enhancement – It's a Moving Target*, presentation to the Duke Conference on Doping, May 7, 1999. Dr. Wadler notes that as we approach the next millennium genetic manipulation to enhance performance is not far behind.