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Mr. Chairman, members of the Committee, good morning. My name is Travis T. Tygart, and I am the Chief Executive Officer (CEO) of the United States Anti-Doping Agency (USADA). I want to thank this Committee for its interest in clean sport and for the opportunity to appear before you today to discuss how we can better protect the rights of athletes and the integrity of competition.

It is an honor for me to be here representing the USADA Board, our small but talented professional staff, and clean athletes from across the United States for whom we advocate every day. It is also an honor for USADA, a 501(c)(3), not-for-profit, incorporated in Colorado, to be a part of such an important discussion. We also greatly appreciate the ongoing support of Congress and the President's Office of National Drug Control Policy in our efforts to protect the health, safety and rights of clean athletes and the integrity of competition.

We have arrived at a critical juncture for the soul of sport – a moment of truth, if you will. And today, I want to speak to the Committee about not only the significant and urgent threats facing clean athletes and fair play, but also about the very feasible solutions to these problems.

First, the challenges: The truth is, fairness and integrity in athletic competition — two principles at the very heart of why we play sports — hang in the balance. They are under attack. And, if we don't act soon to enact reforms necessary to protect the rights of clean athletes and to preserve a level playing field – both here in the United States and around the world – we will be committing an unacceptable injustice to today's athletes, fans, broadcasters and sponsors who believe in, and invest in, fair and clean competition; and equally intolerable, we risk shattering the dreams of tens of millions of young people from around the world.

You will hear from Adam Nelson, the American shot putter who, nine years after the 2004 Summer Olympics, was awarded a gold medal after the athlete originally declared the gold medalist tested positive for doping. You will hear Adam's sad and tragic "podium" story —how he received his delayed gold medal in an airport food court. And, you will also hear from Michael Phelps, the most decorated Olympian in history, who despite his unprecedented success

still questions whether – on the international stage – he ever truly competed on a level playing field.

As an independent anti-doping organization, we view these athletes — and their powerful stories — as our guiding light, our North Star. Their stories give us hope, they remind us of our purpose, and they provide us the fuel to continue to fight for their right to clean and fair competition.

But, we need to ask ourselves something. And we need to be honest. How many more Adam Nelsons? How many more podium moments stolen? How many more medals will be handed over in a food court — nearly a decade after a competition — before we finally understand the importance of enforcing clean sport and fair competition? Adam Nelson ... Michael Phelps ... and millions of other clean athletes from around the world who can't be here today ... they are why this matters.

Now, in order to effectively protect the integrity of competition, we must first understand how and why the system is under threat. And there is no more topical example than the recent discovery of Russia's widespread, state-supported doping system. The astounding lengths to which Russia's doping system went to deceive the world, anti-doping officials and other athletes, was in many ways, a nightmare realized.

By now you've probably read and heard the facts: Shadow laboratories, tampering by Russian intelligence officers, samples swapped and passed through a hole in a wall under the cover of darkness, male DNA in female samples, and emails to and from the Russian Ministry of Sport determining which doped athletes the system would protect, and which ones it would sacrifice.

As I speak to you today, over 1,000 Russian athletes have been implicated in this doping program proven to have been orchestrated and supported by officials within the state-and-sport-run-system. The scandal spread across more than 30 sports, lasting from at least 2011 to 2015. The evidence clearly shows at least, two Olympics Games were corrupted, failing to fully deliver on

their promise, and at the Rio Olympic Games this past summer, scores of athletes competed despite not having been subject to credible anti-doping programs.

Consider this: Of the 82 medals Team Russia took home from London 2012, at least 15 of those medal winners were later found to have used prohibited performance-enhancing drugs. How many clean athletes were robbed? How many podium moments stolen? How many dreams shattered?

At the end of the day, despite mountains of evidence and vocal opposition from anti-doping groups — ourselves included — the IOC chose not stand up for clean athletes and against institutionalized doping. Instead, the IOC welcomed the Russian Olympic Committee to the Rio Games and punted the question of the eligibility of Russian athletes to international sport federations who — with few exceptions — had neither the time nor expertise to deal effectively with the fallout from this sporting fraud. This decision received sharp criticism by athletes, the public, the media and was described as “creating massive confusion amongst international federations”.

On behalf of those we serve along with anti-doping leaders from around the world, we have been consistent and firm, the IOC missed — or ignored — a defining moment to confront, in the clearest way possible, the win-at-all-costs culture of doping in global sport. It was an opportunity to draw an unambiguous line in the sand; a chance to stand up for clean athletes -- a chance to show clean athletes they cared, to send a message, loud and clear, that this type of criminal behavior will not be tolerated in Olympic sport. Yet, when the decisive moment arrived, when the lights were shining brightest, the IOC failed to lead.

Certainly, history will not judge that decision kindly.

However, out of the Russian doping scandal, two silver linings have emerged. The first: More than ever before athletes are mobilizing, voicing their opinions and fighting for a level playing field. And second: We have a once in a lifetime opportunity to break through entrenched positions for the good of clean athletes and the future of sport. We have the chance to implement

the reforms necessary to make sure the kind of state-supported doping we saw in Russia – and East Germany before it – is never again allowed to abuse athletes by forcing them to endanger their health and safety to use dangerous drugs for a sport and government system’s bad purpose.

To get there... the road to reform starts with independence. I’ve had the privilege to speak to Congress before about the “matrix of effectiveness” for anti-doping programs, about the elements of an effective anti-doping program – one armed not just to say there is “drug testing” for sport brand value purposes but to actually win the battle for clean athletes. In the U.S. and in many countries around the globe, these key elements such as, ensuring year-round, no-notice, out-of-competition testing for both blood and urine and conducting robust intelligence gathering and investigations, have been implemented and proved successful.

Yet, the problems which currently plague the global anti-doping system are even more basic. The most vital principle of an effective anti-doping system is that it must be free from the influence of sport governing bodies. It must be independent.

Since our founding in 2000, we at USADA have advocated for a clear separation between those who promote sport and those who police it. To do so otherwise, we believe, is to encourage the fox to guard the henhouse. No matter how well intended it might begin, it simply does not work. The conflict of interest is too great and clean athletes will always lose out.

This matter of independence is without question the most important issue facing global anti-doping efforts today. In fact, it’s likely the entire Russian state-supported doping scandal would have been exposed much sooner by the many good men and women staffed at the global oversight body for anti-doping in sport — the World Anti-Doping Agency (WADA) — had its governance not been hamstrung by its own lack of true independence.

Clean athletes need and we, along with, 22 other National Anti-Doping Agencies (NADOs) from around the world including those from England, Japan, France, Norway, Ireland, Germany, Canada, Singapore, support a strong and independent WADA. But, we all also agree we need WADA reformed from the current status quo to become a truly independent, global regulator, not

merely the sport service organization many in international sport hope it remains.

As it stands, half of WADA's 38-member Foundation Board and its 12-person Executive Committee is selected by the Olympic sports movement. These sport members are not mere figureheads but are lifetime sport executives with strong incentive to influence WADA decisions to advance their own sport interests. One IOC leader who simultaneously sat on WADA's Board for years until this year, expressed his position on clean sport to *The New York Times* in November 2016 by stating, "***We need to stop pretending sport is clean. It's a noble principle but in practice? Its entertainment. Its drama.***" While surprisingly open and candid, not exactly the type of independent leadership clean athletes can or should depend on to protect their rights.

WADA's current President is also an IOC member and served as an IOC Executive Board member through the Rio Olympic Games. The lack of a clear conflict of interest policy or term limits perpetuates the ability of sport interested decisions to take precedence over the right decisions for clean athletes. Additionally, the IOC is by far the single largest funder of WADA providing WADA \$14.8M in 2017. And, while this number is paltry compared to the IOC's annual revenue according to its 2015 Annual Report of \$1.5 Billion or compared to its \$3.9 Billion total assets including a \$1.4 Billion fund balance, it is significantly larger than the next single WADA contributor, the U.S. government which contributes \$2.1M in 2017.

Unfortunately, WADA's governance structure, lacking any meaningful conflict of interest policy to separate sport interests from WADA governance, combined with this funding disparity has repeatedly undermined confidence in WADA, as when it dragged its feet in the early phases of its investigatory efforts into Russia.

We know now that WADA and the IOC had compelling evidence, from whistleblowers, about systematic Russian cheating for several years prior to the 2014 Sochi Winter Olympic Games. Yet, action to protect clean athletes only happened after the whistleblowers – frustrated, they said, by inaction – took their story to the media. Even then, however, it took persistent lobbying by clean sport advocates including some within WADA's own internal staff to finally convince its leaders to open up the initial Russian investigation which began in January 2015.

The initial Independent Commission Report released in November of 2015, prompted calls for WADA leaders to expand its investigations outside of just Track and Field from athletes from around the world including WADA Athletes Committee Chair, Beckie Scott, which was undoubtedly the right thing to do but WADA President resisted expanding the investigation. Months later, again in response to media investigations by both 60-Minutes and the New York Times, WADA leadership finally embraced these calls to conduct the comprehensive investigation that had long been demanded. Only after a growing chorus of clean athletes, whistleblowers, journalists and independent anti-doping experts came together to demand a truly independent investigation did WADA finally do the right thing and appoint the esteemed sport judge, Professor Richard McLaren to lead an expanded investigation.

By all accounts and as evidenced in his exhaustive report, Professor McLaren did an outstanding job, and his investigation showed beyond a reasonable doubt, what many already knew to be true: that the Russian state-and-sport-run doping system had corrupted international competition on a massive scale for years, including at least two Olympic Games, leaving countless stolen dreams and broken promises to athletes, fans, and sponsors in its wake.

Ultimately, on the heels of the McLaren investigation, WADA acted in the best interests of athletes and recommended to the IOC that the Russian delegation be banned from the summer Olympic Games in Rio de Janeiro. However, the IOC rejected WADA's response to Russian doping. As a result, hundreds of Russian athletes competed in Rio who had not been adequately tested under a reliable anti-doping program.

The good news is that WADA's conflicted governance model could be easily solved by removing sport leaders from the WADA governance and implementing a proper conflict-of-interest policy which prohibits governing members from simultaneously holding a governing role within a sports organization under WADA's jurisdiction.

The fix for the IOC – which has experienced significant backlash from clean athletes in the wake of its inaction – is just as simple. In fact, we've said publicly on numerous occasions that if the IOC really wanted to put clean athletes and fair play first, they could. We believe that. They

could do it today.

If the IOC made the decision to remove itself and other sports organizations from critical anti-doping functions and to properly finance efforts to keep performance-enhancing drugs out of sport – the anti-doping landscape would be exponentially stronger, more fair and clean athletes would trust the global system – and be much better protected. Sport involvement in these critical anti-doping functions is a glaring conflict of interest, and we know from experience that it's too much to expect any organization to effectively promote and police itself.

That's what is so frustrating for us at USADA and for the athletes we serve. The solutions are relatively easy, but the will to implement what should be uncontroversial solutions has been absent from those claiming to have zero tolerance for doping in sport.

With a truly independent WADA and an IOC which did not fear relinquishing the power to police sport and supported those who dare to stand up for clean sport – the future could be bright. As I have said, the solutions are relatively simple. But if we continue down the road we are on... if we do nothing or take only cosmetic steps and merely wait for the headlines to pass... or worse yet if we react to criticism by seeking to retaliate against those who are advocating reform. . . we risk inflicting irreparable damage to all the good things for clean athletes gained by WADA and NADOs over the past decade and completely lose the confidence of clean athletes and thus, the future viability and promise of sport.

Over the past few months, National Anti-Doping Organizations from around the world, with the support of athletes, coaches, National Federations and others have put forth a series of specific proposals designed to reform and strengthen the global anti-doping model.

The path forward is outlined in what has been called the “Copenhagen Reform Declaration.” The reforms are simple:

- Remove the fundamental conflict of interest that exists when anti-doping decisions are controlled by sport organizations.
- Strengthen WADA through improved independence, transparency, and increased

investment.

- Increase and make clear WADA's ability to investigate, monitor compliance and impose sanctions, so that countries and organizations which engage in state-supported doping are held accountable.
- Provide the opportunity for athletes who have been robbed by doping to have significant and meaningful recognition and celebration, including the swift reallocation of any medals.
- Increase support and protection for whistleblowers around the world.

In support of these reforms, athletes from the United States have embraced these proposals. But make no mistake, it's not just athletes in the United States that are growing more vocal on these issues. Athletes around the world have taken up this cause.

Mr. Chairman, members of the Committee, for those of us who value the rights of clean athletes and the preservation of a fair, safe and healthy playing field – this is our moment. The solutions are here – right in front of us. The governance issues which continue to cast a shadow over the Olympic flame could be resolved today. As a global community that deeply cares about athletes' rights and health, we must merely find the resolve and the courage, and sport must be selfless. Sport must put clean athletes first and relinquish its desire to control anti-doping.

The personal well-being of the next generation of clean athletes hangs in the balance. This is not just about elite Olympic athletes -- this is about every kid on a playground who has an Olympic dream and asks "what do I have to do to make my dreams come true?" And the truth is, if we don't push, if we don't win, we will likely find ourselves back in this same position, years from now, staring another state-supported doping system in the face – one that has abused its athletes, and robbed another generation of clean athletes in the process.

And, we will all be wondering why we didn't do more when we had the chance.