

**WADA SHAME: SWIMMING IN DENIAL OVER  
CHINESE DOPING**

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**HEARING**

BEFORE THE

SUBCOMMITTEE ON CONSUMER PROTECTION,  
TECHNOLOGY, AND DATA PRIVACY

OF THE

COMMITTEE ON COMMERCE,  
SCIENCE, AND TRANSPORTATION  
UNITED STATES SENATE

ONE HUNDRED NINETEENTH CONGRESS

FIRST SESSION

—————  
JUNE 17, 2025  
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SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED NINETEENTH CONGRESS

FIRST SESSION

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## **WADA SHAME: SWIMMING IN DENIAL OVER CHINESE DOPING**

**TUESDAY, JUNE 17, 2025**

U.S. SENATE,  
SUBCOMMITTEE ON CONSUMER PROTECTION,  
TECHNOLOGY, AND DATA PRIVACY,  
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,  
*Washington, DC.*

The Subcommittee met, pursuant to notice, at 2:30 p.m., in room SR-253, Russell Senate Office Building, Hon. Marsha Blackburn, Chairwoman of the Subcommittee, presiding.

Present: Senators Blackburn [presiding], Cruz, Curtis, Hickenlooper, and Cantwell.

### **OPENING STATEMENT OF HON. MARSHA BLACKBURN, U.S. SENATOR FROM TENNESSEE**

Senator BLACKBURN. The Committee will come to order. It is rare that these things start on time, but we are starting on time. And I want to thank each and every one of you. Thank you to our witnesses for being here today.

Nearly a year ago I held a press conference with a bicameral, bipartisan group of colleagues, demanding answers as to why the World Anti-Doping Agency betrayed its mission and allowed 23 Chinese swimmers to get away with doping. Unfortunately, almost a year after the explosive *New York Times* report exposing the scandal, WADA has failed to provide answers. Instead, all that they have provided are threats, stonewalling, and intimidation.

My message remains the same. My colleagues and I will not be threatened or silenced for promoting fair play and advocating for clean sport.

Here are the facts. In 2021, credible allegations emerged that 23 Chinese swimmers tested positive for a banned substance just months before the Tokyo Olympics. What did WADA do? Instead of launching a thorough investigation, they turned a blind eye. They accepted a deeply questionable explanation and allowed these athletes to go ahead and compete. Many of them went on to win medals. This was not just a lapse in judgment. It was a cover-up.

Just as disturbing is WADA's effort to use our own Olympic bids as leverage. In response to legitimate U.S. Senate concerns, WADA and the IOC threatened our country's bid to host the 2034 Winter Olympics in Salt Lake City. And now we have reports of secretive contract arrangements and backroom deals between WADA, the IOC, and parties connected to Salt Lake City's bid, all while

WADA's own failures go unaddressed. This is nothing short of a scandal, and it actually strikes at the heart of the Olympic spirit.

Fast-forward to today and the World Anti-Doping Agency refused to appear before this Committee and answer our questions. Now, WADA's refusal to engage on this issue or work in good faith with the U.S. leads me to one question: What exactly are they hiding? Let me remind everyone, the U.S. is WADA's largest financial contributor. American taxpayers help fund this agency, and yet WADA has treated our concerns with disdain and our athletes have been treated with disrespect.

Their pattern of inconsistent enforcement does not stop with China. From Russia's long history of state-sponsored doping to weak penalties for other nations, WADA has sent a dangerous message. If you are an authoritarian regime with a willingness to bribe and cheat, the rules do not apply to you, and our door is open.

As we look forward to the 2028 Summer Games in L.A. and the 2034 Winter Games in Salt Lake City, the stakes could not be higher. These games must not be tainted by the same corruptions and cover-ups. American athletes who compete with integrity deserve to know that their competitors are held to the exact same high standards.

We have heard from athletes who are tired, tired of watching cheaters take the podium, tired of the mental and emotional strain, and tired of institutions who refuse to protect them. Their voices matter, and today we are listening.

This hearing is about accountability. It is about ensuring that WADA no longer shields corrupt regimes from consequences. It is about making sure our athletes can compete fairly and safely on the world stage. WADA is not above the law, and this Committee will not rest until the agency is reformed and held responsible for its failures.

I now recognize the Ranking Member.

**OPENING STATEMENT OF HON. JOHN HICKENLOOPER,  
U.S. SENATOR FROM COLORADO**

Senator HICKENLOOPER. Thank you, Chair Blackburn, for organizing today's hearing. This is our first hearing for the Subcommittee on Consumer Protection, Technology, and Data Privacy in the 119th Congress. With that in mind, I wanted to share how much I look forward to working with you, Madam Chair, on so many of the important issues our Subcommittee oversees, safeguarding American sensitive data, promoting transparency and innovation in the artificial intelligence world, elevating Team USA, and helping collegiate athletics earn fair compensation, and protecting the Federal Trade Commission, the Consumer Product Safety Commission from overly influential efforts from the Executive Branch, and making sure that their Senate-confirmed commissioners who have been fired are either swiftly reinstated or replaced.

Today we are going to discuss how to strengthen anti-doping enforcement, as you have described, about the recent scandals that have brought a dark cloud over the integrity of Olympic sports.

I went to my son's graduation a couple of days ago and the commencement speaker was Katie Ledecky, so I don't have to tell you

what school we were at, and she gave a spectacular speech, a really impressive, impactful speech.

And my son later pointed out that athletes now are commonly asked to give commencement addresses because they have been under the heat lamp of media attention. They have spent a lot of time explaining themselves and describing circumstances and situations, and they do a very good job at summing things up in a way that people can understand, and certainly Katie Ledecky. If we had more time, I would walk you through the first couple points she made. Maybe Ms. McLaughlin will help fill it in.

Every four years the world comes together around the Olympic Games to celebrate and cheer on their players, their teams. And each year over these four-year periods, we expand the field of competitions and we attract new fans to stadiums around the world. We inspire our youth to dream big. Athletes dedicate their lives, often almost always from a very early age, for that sole honor of representing their country, in this case the United States, where they get to wear the red, white, and blue, and they get to hear our national anthem played in medal ceremonies.

Among the athletes who competed on behalf of Team USA in the Olympic and Paralympic Games in Paris, 29 of them call Colorado home, which we are very proud about. With a proud home of the U.S. Olympic and Paralympic Committee that oversees Team USA and our Olympic preparations. We are home to the Olympic and Paralympic Training Center, where we train over 15,000 athletes every year. We are home to the U.S. Olympic Museum, which displays the original scoreboard from the Miracle on Ice, for those of you old enough to remember that, the victory over the Soviet Union. We are home to the U.S. Center for SafeSport, investigating the instances of substance abuse against athletes. We are home to many of the governing bodies, the NGBs for Olympic Sports, and home to the U.S. Anti-Doping Agency, USADA, which enforces doping rules for our athletes.

To ensure fairness and transparency in Olympic competitions, the World Anti-Doping Agency, WADA, as Chair Blackburn has described, they are responsible for enforcing the anti-doping regulations in international sports federations.

In the months leading up to the Tokyo 2021 Summer Olympic Games, the China Anti-Doping agency, CHINADA, found that 23 Chinese swimming athletes tested positive for banned substance, trimetazidine. This substance increases stamina and shortens recovery time, is widely banned as a performance-enhancing drug. What actions did World Anti-Doping Agency take following the test? They refused to investigate how China's swimmers consumed the banned substance. They failed to disclose the testing results to the public until after *The New York Times* broke the news in spring of 2024.

During the Tokyo Olympics, these same swimmers who tested positive, won several medals including three medals, and ironically defeated Katie Ledecky, one of the few times she has lost in a final. Since the fallout the world has, I think it is fair to say, lost faith in WADA.

In response to the doping scandal, the United States took decisive action, withheld its \$3.6 million contribution to WADA, the

first time the Nation has ever taken this action, withholding funds. The United States withheld funding to WADA because their past conduct now raises important questions about the future of Olympic sports.

In the next few years the United States is hosting the FIFA World Cup, next summer in 2026, the Summer Olympics in Los Angeles in 2028, the Winter Olympics in Salt Lake City in 2034, and countless world championships across several sports. How can athletes across Team USA and around the world have confidence that they stand on a level playing field with their competitors?

The Olympic torch has burned for 129 years to represent unity, to shine a light on athletic achievement and excellence, to bring the world together during times of peace, times of tension. We should not let WADA's misconduct tarnish the next Olympic Games or rob another member of Team USA from their rightful place on a podium. Fairness and transparency is what Team USA and literally every international team deserves and what this Committee continues to demand.

That is why, on a bipartisan basis, last year we joined Senators Cantwell, Cruz, Blackburn, and Blumenthal to send one strong message to the World Anti-Doping Agency. Essentially, we said enough is enough. WADA must increase transparency in its investigations and regain the athletic community's trust. We must shine a light on past misconduct, both in WADA and what they examine and ensure that U.S. athletes, from Katie Ledecky to Katie McLaughlin, who is with us today, that they are never undercut again.

I am pleased that in addition to Ms. McLaughlin, who proudly represented Team USA in swimming, we are joined by an expert witness panel of individuals who enforce anti-doping rules in the U.S., who have represented the U.S. in international anti-doping deliberations, and are leading voices in sport law. Just as the United States remains at the forefront of all-time Olympic medals—2,761, although I don't need to brag too loudly about it—we also need to lead the world in transparency and accountability.

Thank you all for coming here, for your testimony, for taking time out of your busy lives. It means a great deal. I yield back to the Chair.

Senator BLACKBURN. And I recognize Chairman Cruz for his opening.

**STATEMENT OF HON. TED CRUZ,  
U.S. SENATOR FROM TEXAS**

Chairman CRUZ. Thank you, Madam Chair, and thank you for convening this hearing today.

Sports are more than “just a game.” They are a critical part of our culture that teaches valuable life lessons such as teamwork, discipline, communication, respect, and perseverance. Sports are also a cultural unifier that brings Americans together to cheer on Team USA at the Olympics.

The Olympics provide some of the most iconic moments in sports history. Who can forget the legendary 1980 “Miracle on Ice” when Team USA Hockey brought home the gold and triumphed over the

Soviet Union? It is one reason why Team USA athletes are often considered our cultural heroes who inspire the next generation.

But our athletes did not just wake up one day being able to compete at an elite level. They earned it from the blood, sweat, and tears, literally, produced from countless years of training and sacrifice to pursue their dreams of earning that coveted title “Olympian.”

To pursue that dream with confidence, sports require a culture of integrity built on fair competition and following the rules of play. When an athlete cheats, it undermines the value and existence of sports. Cheating can take many forms, including the use of performance-enhancing drugs, known as “doping,” that give an athlete an unfair edge over their opponents. Doping should have no place in sports. And I would say I am glad doping is not a major problem in the U.S. Senate, or else we might have Senators with unusually enlarged tongues and an ability to be loquacious at a level that was truly painful.

But it is also why 190 countries, including the United States, support the World Anti-Doping Agency’s mission to “lead a collaborative worldwide movement for doping-free sport” which is mandatory for participation in the Olympic movement.

In fact, the United States withheld \$3.6 million of taxpayer funding in dues for WADA in Fiscal Year 2024, the most of any other country, to monitor and enforce against doping in sports, including at the Olympics. The next highest contributor is Japan who spends \$1.5 million per year, less than half of what the U.S. pays.

Sadly, confidence in WADA is at an all-time low. Recent news reports revealed that WADA did not enforce the doping rules to block 23 Chinese swimmers, who tested positive for performance-enhancing drugs, from competing in the 2021 Tokyo Olympics.

WADA’s decision to not enforce these rules may very well have impacted the Olympic swimming competition results for Ms. McLaughlin, one of our witnesses today, who competed against these athletes in Tokyo. This not only harms Team USA, but it undermines the integrity of the doping-free sports mission that WADA claims to uphold.

In advance of the 2024 Paris Games, Senator Cantwell and I jointly sent a letter to WADA asking for documents regarding the 2021 doping scandal. We also called for action to guarantee fair competition for Team USA at the upcoming Paris Olympics.

WADA not only refused to provide answers to this inquiry, and other government inquiries, but allowed the same Chinese athletes to compete again in the 2024 Paris Olympic games without any consequence.

Shortly thereafter, the International Olympic Committee announced that Salt Lake City, Utah, would be the host city for the 2034 Winter Olympic games. News reports indicated that the IOC, likely in cooperation with WADA, took an unprecedented move to demand that Utah officials sign a contract to recognize the “supreme authority of the WADA” in order to host the Olympic games in Salt Lake City.

It is shocking that WADA—whom we rely on to ensure fair competition—not only refuses to be transparent and accountable, but appears to have made unfair demands of a United States city to

stymie legitimate Federal investigations into its role in the swimmer doping scandal.

Last year, I explicitly called for withholding U.S. taxpayer dollars from WADA until it returns to its mission and is transparent about its handling of the swimmer doping scandal. I intend to continue this call.

I look forward to hearing from our witnesses on what else we can do to ensure WADA is held accountable and that our American athletes are fully protected. Thank you.

Senator BLACKBURN. Ranking Member Cantwell, you are recognized.

**STATEMENT OF HON. MARIA CANTWELL,  
U.S. SENATOR FROM WASHINGTON**

Senator CANTWELL. Thank you, Chair Blackburn, and thank you and Chairman Cruz for holding this important hearing. I want to thank our witnesses for being here.

Congress has a critical role to play to ensure that America's athletes are provided every opportunity to succeed. This means committing to a level playing field across all aspects of sports, from equal pay to anti-doping. In 2022, we passed the Equal Pay for Team USA Act, that I led with Senator Capito, which codified equal pay and treatment at the highest level of competition. This means ensuring our athletes are free of abuse, mistreatment, by supporting the U.S. Center for SafeSport and pushing for necessary reforms to ensure the Center is living up to its potential. U.S. athletes continue to face another hurdle with the immense amount of work that goes on into competing at an elite level. We owe it to them to ensure that it is a fair competition.

I, too, am concerned that the lack of transparency with the World Anti-Doping Agency demonstrated with the cover-up of the positive test by Chinese swimmers ahead of the Tokyo Summer Olympics in 2021, and the lack of accountability WADA has taken since. We should not have to wait for an investigation reporting to uncover positive tests from elite athletes. That is what our anti-doping agencies are supposed to do. But even in the wake of the press reports, WADA has failed to be transparent.

Last summer, Chairman Cruz and I wrote a letter to the anti-doping agency to understand why they did not challenge the findings from the Chinese anti-doping authority. We also want to assure that WADA takes additional measures to ensure that the Paris Olympic Games were fair and free from doping, and their response to that letter was inadequate. It is a refusal to participate in what is an important accountability.

I am sure that today that we will hear from witnesses about this issue. I am sure Katie McLaughlin, who has competed and exceeded at the highest level of swimming, can speak to how much effort it takes to stay in compliance with anti-doping rules. I am glad to see that we have Dionne Koller here today, whom I appointed to serve as the Co-Chair of the Commission on the U.S. Olympic and Paralympics, which was established by Congress in 2020. The Commission, in its 2024 report, found that the United States Anti-Doping Agency is the model of success in the Olympic movement, as over three-quarters of the athletes and coaches reported trusting

them as an organization. This speaks to Mr. Tygart's success in leading that agency. So thank you to Professor Koller and to the entire bipartisan commission for your work on this important subject.

To ensure clean sports, USADA receives funding from the Office of National Drug Control Policy to invest in anti-doping research. It is because of this research that rigorous adherence to anti-doping rules, that the U.S. is the leader in anti-doping. I am concerned that the Trump administration's severe cuts to scientific research and development could hinder this impressive work done by the U.S. in anti-doping research. I hope they will reverse that. Cutting funding for sciences is the wrong message to the rest of the world and for us to maintain our U.S. leadership.

I am glad to see Dr. Gupta here. Thank you for being here. He served in the Biden administration and can speak to the importance of scientific development to ensure U.S. leadership in anti-doping.

We have a responsibility to ensure our athletes are able to compete in the fullest extent of their abilities at the highest level. To do that, the competition must be fair. As we approach the 2026 World Cup and the 2028 Olympics, both hosted by the United States, we must ensure that the competition will be fair and free from doping.

We also need to support the cities that are hosting these games, including Seattle, Kansas City, Houston, Los Angeles, and have the infrastructure in place for this experience to go well. That is why Senator Moran and I introduced legislation, the Transportation Assistance for Olympic and World Cup Cities Act, to provide the grants and other assistance to improve the regional transportation for those cities. I ask the Chairman to put this on a bill at the next markup.

So thank you again, Chair Blackburn, and to Ranking Member Hickenlooper, for holding this important hearing.

Senator BLACKBURN. I thank the Ranking Member.

I would like to introduce our witnesses today. Mr. Travis Tygart, our first witness, who is the CEO for the U.S. Anti-Doping Agency, otherwise known as USADA. USADA manages the anti-doping program for all U.S. Olympic and Paralympic Committee recognized sport, national governing bodies, their athletes, and events.

Dr. Rahul Gupta, our second witness, is President of GATC Health. From November 2021 to 2025, Dr. Gupta was the Director of the White House Office of National Drug Control Policy. He helped coordinate the U.S. anti-doping activities, including representing the U.S. at the World Anti-Doping Agency.

Ms. Katie McLaughlin, a U.S. Olympian specializing in freestyle swimming events. She won a silver medal at the Tokyo 2020 Olympic Games as a member of the U.S. Women's 4x200 freestyle relay. Katie is also a three-time gold medalist at the World Championships, and a three-time NCAA champion.

Ms. Dionne Koller, our final witness, is a professor of law and Director of the Center for Sport and Law at the University of Baltimore School of Law. Her academic focus is Olympics and Amateur Sports Law.

Welcome to each of you. At this time, I recognize Mr. Tygart for your five-minute statement.

**STATEMENT OF TRAVIS T. TYGART, CHIEF EXECUTIVE OFFICER, UNITED STATES ANTI-DOPING AGENCY**

Mr. TYGART. Thank you. Ninety-six. Ninety-six. That is the number of medals that were potentially impacted at the 2021 and 2024 Olympic Games—96. This includes 18 American medals, 14 of which were potentially gold. These 96 medals were potentially impacted by China, sweeping dozens of positive tests on their elite-level swimmers under the rug, while the global regulator, the World Anti-Doping Agency, otherwise known as WADA, did nothing about it.

Madam Chairwoman, members of the Committee, thank you for the opportunity to be here to discuss how we can protect the rights of American athletes and fairness in all Olympic and Paralympic competition. Unfortunately, we find ourselves once again at a crossroads for the soul of sport. Fairness, integrity are yet again under attack by the failures of the global anti-doping system.

The urgency to act has never been greater, given that we, right now, are in the golden age of international sport in the United States. Major events, as we have already heard, like next summer's FIFA World Cup, the 2028 Summer Olympic and Paralympic Games, the 2034 Winter Games, are all coming to the United States. It is our time, and we all know that a home field advantage is important. But it does not overcome a doped field advantage, and America will be robbed again if we don't act and get WADA straight.

This moment is not just about medals. It is about showcasing America's values and excellence. We are going to welcome the world and celebrate our commitment to fairness, to equal opportunity and clean competition.

Athletes, like Katie who you are going to hear from, and their powerful stories, are our shining light. They are our North Star. This is why we are here pleading for help, to allow athletes to have a level playing field, and ensure America fulfills the promise of a fair mega-decade of sport in the United States.

This China scandal is happening on the heels of the Russia state-sponsored doping scheme. It is no wonder why the world's athletes are incensed once again. And Madam Chairwoman, how does WADA respond? Instead of acknowledging and fixing its failures, WADA has dug in to protect the Chinese and its backroom secret decisionmaking process. If WADA had any legitimate answers, they would be here. This is the third time they have been invited but declined to come to Congress.

So what can be done? First, WADA must disclose the entire Chinese TMZ dossier. Justice for athletes demands it. Second, the time for blind trust in WADA is over. WADA must be audited by independent experts.

Finally, Madam Chairwoman, members of the Committee, WADA must be independent. One of the core principles of an effective anti-doping system is it must be free from sports influence. You cannot have the fox guarding the henhouse. It is a concept that is as simple as it is effective.

Unfortunately, WADA is not independent. WADA promised the U.S. it would make their President and Vice President independent. They have betrayed that promise and they did a classic bait and switch. We should continue to hold U.S. funding until this promise has been delivered.

In the first Trump administration, the White House took three impactful steps. First, working in a bipartisan way with Congress, authority was granted to ONDCP to withhold U.S. taxpayer funding unless WADA reformed and did its job. Also, the White House convened a landmark global summit on WADA and brought the world together, seeking change. Last, President Trump signed into law a very bipartisan Rodchenkov Anti-Doping Act, that allowed the prosecution of those who prey on athletes, such as coaches, trainers, doctors, and dirty officials.

These actions sent a clear message, that the U.S. will not allow American athletes to get robbed, and that U.S. taxpayers will not continue to bankroll a broken system. We must continue to build on the momentum for change in a bipartisan way. We should work with our domestic partners, such as the United States Olympic and Paralympic Committee, domestic sponsors, including Comcast, Coca-Cola, Procter & Gamble, Visa, and others. Also, a coordinated government strategy with Congress, ONDCP and the State Department, working with our government partners and allies around the world to fix WADA.

As the host of the upcoming games, the IOC and international sport are going to be expecting a lot from us. Congress and the White House should ensure the investment we are making into hosting these events is properly insured to protect the right of American athletes to win the right way on our home soil. We do not want to fund fraudulent games.

Let me be very clear—we need a strong WADA. We support the mission. But we need a WADA that is truly independent, a global regulator, not a lapdog to interest other than anything besides clean athletes and fairness in sport.

Thank you for your attention to this important matter and we look forward to your questions, but also ways we can continue to help fix this global system. Thank you.

[The prepared statement of Mr. Tygart follows:]

PREPARED STATEMENT OF TRAVIS T. TYGART, CHIEF EXECUTIVE OFFICER,  
UNITED STATES ANTI-DOPING AGENCY

Madame Chairwoman, members of the Committee, good morning. My name is Travis T. Tygart, CEO of the United States Anti-Doping Agency (USADA), a 501(c)(3), not-for-profit, incorporated in Colorado. I want to thank this Committee for its interest in clean sport and for the opportunity to appear before you to discuss how we can better protect the rights of athletes and the fairness of Olympic and Paralympic sport competition around the world.

I want to speak to the Committee not only about the significant and urgent threat facing clean athletes and fair sport, but also the very feasible solutions to the current crisis.

Once again, we find ourselves at a critical juncture for the soul of sport. Fairness and integrity in athletic competition—two principles at the very heart of why we play sports—are under attack. We need to act now to ensure accountability, justice for athletes, and reforms at the World Anti-Doping Agency (WADA). These reforms are necessary to protect the rights of clean American athletes and to preserve a level playing field. If we don't, we will be committing an unacceptable injustice to today's athletes, fans, and sponsors who believe in and invest in fair and clean com-

petition. And equally intolerable, we risk undermining the dreams of tens of millions of youth all around the world who rely on the global anti-doping system to protect their ability to compete clean, safe, and on a fair playing field, not one stacked against them in favor of WADA's chosen few.

The urgency to act could never be greater given the collapse in confidence in WADA right as America is preparing to host many major international competitions over the next 10 years, including the 2026 FIFA World Cup, the 2028 LA Summer Olympic and Paralympic Games, and the 2034 Winter Olympic Games in Salt Lake City.

We all know a home-field advantage does not overcome a doped field advantage and we will get robbed again if we don't act now! America isn't just hosting competitions—it's setting the standard. This moment isn't just about medals and trophies; it's about showcasing American values and excellence, welcoming the world, and reaffirming our commitment to fairness, opportunity, and clean competition.

We view athletes—and their powerful stories—as USADA's guiding light, our North Star. Their stories give us hope, they remind us of our purpose, and they fuel us to continue to advocate for their right to clean and fair competition. This is why we have been outspoken about the failures of the Chinese Anti-Doping Agency (CHINADA) and WADA more broadly. This is why we are here today pleading for help to fix this mess and allow all athletes to truly have a level playing field. The system meant to protect clean sport needs to regain the trust of athletes who compete clean. Athletes must believe that the global regulator will have their back and change the rules to make them fair for athletes, not secretly change how they apply the rules to serve their own interests.

Candidly, Madame Chairwoman, enough is enough. For clean athletes, it is yet again Groundhog Day, and this WADA horror show has run too long. As many of you may recall, in 2017, The House Energy and Commerce Subcommittee held a hearing where we, alongside Olympic medalists, Michael Phelps and Adam Nelson, testified about WADA's ineffectiveness, lack of leadership, and conflicted governance. We called for change then due to WADA's inept handling of the Russian state-sponsored doping scandal that robbed hundreds of athletes from around the world and stole their dream of Olympic and Paralympic success.

In that devastating Russian affair, which is still on-going, WADA hoped to simply limit the damage, pacify Russia, and put the whole corrupt scheme in the rearview mirror. At that 2017 hearing, WADA supplied excuse after excuse for not uncovering Russia's drug program earlier and then leaned on technical justification for its failure to handle it 'effectively' after courageous whistleblowers exposed it to the press.

Also, as you may recall, in early 2020, this Committee held a hearing to discuss what could be done to fix WADA to protect American athletes and ensure a fair and clean 2028 LA Olympic and Paralympic Games. And, today, here we are again seeking answers after another scandalous affair.

#### NEW REVELATIONS OF WADA'S FAILURE.

Thanks again only to courageous whistleblowers and the media, the world has learned once again of WADA's failures and, that on the eve of the 2021 Olympic Games in Tokyo, WADA sat back and allowed China to disregard the rules and sweep 23 TMZ positive cases under the rug. These were not low-level athletes, these were the elite of the elite, the best of the best. And 13 of these swimmers who tested positive represented China in the 2021 Olympic Games in Tokyo. The Chinese swimming team won 13 medals, including 8 gold, at these Games. Worse yet, 11 of the TMZ 23 competed as part of the Chinese Olympic swim team at the 2024 Paris Games. *A total of 96 medals were potentially impacted by these Chinese swimmers in the 2021 and 2024 Olympic Games with 18 being from the United States including 14 potential gold medals.* Clean American athletes trained for years, only to be potentially robbed on the world's biggest stage.

Make no mistake, TMZ or trimetazidine is a potent performance-enhancing drug. It is banned at all times, not just during competition, due to the benefits it can give athletes in recovery and training. The prescribed sanction for testing positive for TMZ is a 4-year sanction. It is a controlled prescription drug not available in many parts of the world, including in the United States. It is not found in the water supply, the environment, or in any food or food ingredient. And it is not given to cattle or other livestock in the meat supply.

At the 2017 House Energy & Commerce hearing, WADA testified that they needed an investigations team, using the lack of one as an excuse for failing to uncover the Russia state-sponsored doping scheme. Well, they got their wish for a big investigations team and a 65 percent increase in their annual budget to help fund investigations. U.S. taxpayers provide a significant part of WADA's budget, more than

\$3.6 million each year. In fact, the U.S. is the single-highest payor of all the public authorities. Despite this large and experienced investigations team and new funding, WADA's investigators did not lift a finger to investigate these Chinese TMZ positives even with glaring evidence staring them in the face.<sup>1</sup>

Shockingly, since 2018, China has paid an extra \$1.8 million, well over its required annual dues which are dramatically less than the U.S. annual dues. Out of the extra payments to WADA, China earmarked \$500K specifically for Investigations and Intelligence work. As of May 2023, WADA has also entered into a partnership agreement with ANTA, a Chinese sports equipment company, for an undisclosed amount. This Chinese company has been a key sponsor of the Chinese Olympic Committee and 25 Chinese national teams, including the Chinese National Swimming Team. WADA's relationship with China raises even deeper concerns given that WADA's Vice President is a Chinese sport representative and just one day after CHINADA sent WADA their decision to disregard the rules and sweep the 23 TMZ positives under the rug, WADA's Director General and Senior Director of Science and Medicine had a phone call with the Chinese Vice Minister of Sport, a member of the WADA Foundation Board.<sup>2</sup> And, while no evidence of a quid pro quo has surfaced, the appearance of a conflict is quite troubling given these extra payments, WADA leadership's failure to involve its Intelligence and Investigations Team, and its obvious closeness with top leaders of Chinese sport and government.

On top of that, Madame Chairwoman, these 23 TMZ positive cases came on the heels of WADA deciding to close an investigation into allegations of systemic doping in China during which they found the whistleblower to be credible.<sup>3</sup> This whistleblower is a defector from China now living in Germany. She met with WADA investigators and informed them that, according to WADA's own investigations report, *China was giving its athletes TMZ for performance-enhancing purposes.*

A little over 9 months after this report, WADA received notice of 23 Chinese athletes' positives for low levels of TMZ. And yet, WADA still claims to not have had enough evidence to even open an investigation. Incredible. It is the Keystone Cops at their worst. WADA handcuffed and blindfolded themselves. Their inaction will forever haunt athletes who competed against the 13 swimmers in the 2021 Tokyo Olympic Games, as well as those who competed against 11 of those same Chinese swimmers in the 2024 Paris Olympic Games.<sup>4</sup>

#### WHAT HAS BEEN WADA'S RESPONSE TO THESE REVELATIONS?

Instead of acknowledging mistakes and failures, WADA dug in to protect the Chinese and WADA leaders' secret decision making. Shortly after the news broke, at WADA's global press conference, WADA President and former Polish Sports Minister, Witold Banka stated, *"at every stage, WADA followed all due process and diligently investigated every lead and line of inquiry in this matter. If we had to do it over again now, we would do exactly the same thing."*<sup>5</sup>

However, facing a global demand for accountability by the United States and others, WADA scrambled to stage-manage its response, parading out what it boldly labeled an "independent prosecutor's report" on its handling of the Chinese TMZ positives. But the so-called independent investigation was stifled from the start. The scope of the investigation was severely restricted, and as the WADA investigator, Mr. Cottier even acknowledged in the report, *"the sense of justice or injustice, how-*

<sup>1</sup>"It should be noted that at the time of the events (*i.e.*, from March to August 2021) the I&I Department was not involved in the handling of the case." Cottier, Eric. *Final Report on the Case of 23 Chinese Swimmers*. Translated by World Anti-Doping Agency, 10, Sept. 2024, [www.wada-ama.org/sites/default/files/2024-09/202408\\_final\\_cottier\\_report\\_english\\_translation.pdf](http://www.wada-ama.org/sites/default/files/2024-09/202408_final_cottier_report_english_translation.pdf).

<sup>2</sup>See *Exhibit 1*—Cottier Interim Report Annex, Summary of the Main Investigative and Analytical Acts carried out by WADA from the receipt of CHINADA's decision to the decision not to file an appeal (15.06.2021–31.07.2021), 1, July 2024.

<sup>3</sup>See *Exhibit 2*—WADA Investigation and Intelligence Report on Allegations by Chinese Whistleblower of systemic doping in China.

<sup>4</sup>See *Exhibit 3*—Letter to CHINADA of June 5, 2024 in which USADA offered assistance to CHINADA for transparency in this matter. We have genuine empathy for the 23 Chinese athletes, as the system failed them and now they are under a cloud of suspicion. Also, those Chinese athletes that competed against the 23 rightfully deserved the wins and any associated money or prizes from the event at which the 23 tested positive. If the rules would have been enforced as required, and these positive tests truly resulted from contamination, the Chinese athletes-without positive tests-would have been reallocated to their rightful place in that event since disqualification of the 23 athletes was mandatory.

<sup>5</sup>World Anti-Doping Agency. "WADA Publishes Media Conference Recording Regarding Environmental Contamination Case of Swimmers from China." *World Anti-Doping Agency*, 22 Apr. 2024, [www.wada-ama.org/en/news/wada-publishes-media-conference-recording-regarding-environmental-contamination-case-swimmers](http://www.wada-ama.org/en/news/wada-publishes-media-conference-recording-regarding-environmental-contamination-case-swimmers).

ever, goes far beyond the scope of this investigation.”<sup>6</sup> Even so, the information that Mr. Cottier gathered clearly showed that China did not follow the rules and WADA leaders stepped aside to allow this to happen. WADA’s hand-picked investigator concluded:

“CHINADA’s handling of the case had deviated significantly and fundamentally from the procedures laid down in anti-doping standards, that these deviations were particularly serious given that they had enabled the athletes concerned—in the absence of an appeal by WADA—to benefit from an absence of an ADRV (as well as an absence of any consequences). . . .”<sup>7</sup>

On top of the failure to enforce the rules, any justification China gave for these cases being mass contamination is faulty at best and a complete lie at worst, one that WADA willingly accepted and regurgitated as it attempted to pull the wool over the world’s eyes in an effort to defend why it allowed China to sweep these positives under the rug. However, the science did not solely justify this reasoning, anti-doping scientists called China’s and WADA’s conclusions “not intellectually honest,” and Cottier’s scientist said the following in his WADA funded report:

“On the basis of these pharmacokinetic data alone, it is not possible to rule out intentional (or unintentional) intake of TMZ for doping or therapeutic purposes in the weeks leading up to the competition . . . I see no scientific argument of a pharmacokinetic nature in favor of one hypothesis over another.”<sup>8</sup>

Unbelievably, WADA was telling the world a different story. In a CBS News report and elsewhere, WADA stated:

“compelling scientific evidence that pointed **EXCLUSIVELY** (emphasis added) to the fact that this was a case of no-fault contamination and not doping. WADA followed every process and line of inquiry when reviewing this file.”

Further, WADA, by its letter of July 9, 2024, informed this Committee that the science, specifically the fluctuating positive-negative-positive (and, negative-positive-negative) of the Chinese athletes tests, confirmed contamination stating in this same letter, “the positive-negative fluctuations were also inconsistent with deliberate prior use and consistent with low-level food contamination.”

However, even the scientist retained by WADA’s self-selected reviewer found this false stating, the “sequence of positivity/negativity of each athlete’s samples . . . makes it impossible to distinguish between athletes who may have intentionally taken TMZ in therapeutic doses well before the competition, and those who may have been contaminated in situ in the hotel by food/drink containing low doses of TMZ.”<sup>9</sup>

No source of contamination was ever found by the Chinese.<sup>10</sup> And yet, WADA accepted this flimsy excuse and launched attacks on anyone brave enough to question the charade.

It would be easier to believe that WADA’s failure was a mistake and not an intentional and systemic willingness to grant special treatment to China had WADA not done the same thing at least three other times for China in the last couple of years. As media also revealed, two separate elite Chinese swimmers tested positive for a banned substance in late 2022 and were secretly, in violation of the mandatory rules, cleared of doping based on a contaminated hamburger theory.<sup>11</sup> One of these athletes went on to win a bronze medal in the Paris Olympic Games ahead of five Team Canada relay athletes who could potentially claim today that they are Olympic medalists.

Even more recently, WADA again showed its true colors by first appealing the case of Jannik Sinner, the world’s number one ranked tennis player who tested positive for the anabolic agent clostebol. After rattling the saber and appealing for a sanction of 1–2 years under the rules, WADA capitulated and agreed at the final hour to drop its appeal and settle for a brief 3-month suspension through a rarely used provision allowing WADA to agree to resolutions otherwise outside the rules. This isn’t justice—it’s unfair and unequal enforcement by the global regulator.

<sup>6</sup> Cottier, Eric. *Final Report on the Case of 23 Chinese Swimmers*. 53.

<sup>7</sup> Cottier, Eric. *Final Report on the Case of 23 Chinese Swimmers*. 32.

<sup>8</sup> Cottier, Eric. *Final Report on the Case of 23 Chinese Swimmers*. 25.

<sup>9</sup> Cottier, Eric. *Final Report on the Case of 23 Chinese Swimmers*. 26.

<sup>10</sup> “The Chinese had not found anyone on the kitchen or hotel staff taking TMZ. . . No traces of TMZ were found inside the containers, nor in the food itself.” Cottier, Eric. *Final Report on the Case of 23 Chinese Swimmers*. 19.

<sup>11</sup> See Exhibit 4—Schmidt, Michael S., and Tariq Panja. “Top Chinese Swimmers Tested Positive for Banned Drug, Then Won Olympic Gold.” *The New York Times*, 20 Apr. 2024, [www.nytimes.com/2024/07/30/us/politics/china-swimmers-doping-food.html](http://www.nytimes.com/2024/07/30/us/politics/china-swimmers-doping-food.html).

When defending itself from wide-criticism by the world's top tennis players, WADA revealed for the first time that this provision has been used at least 67 times.<sup>12</sup> These backroom deals—apparently close to 70 in just four years since the provision was enacted—barely, if ever, see daylight.<sup>13</sup> Meanwhile, even the WADA Executive Committee and Foundation Board are also left in the dark, with apparently only 13 of these cases disclosed in detail in their meeting documents. Transparency? Only when it suits them. Fairness? No, as a handful of people at WADA grant certain athletes, certain countries, secret and special treatment under the rules.

WADA lacks the will and determination to do things right.<sup>14</sup> In May of 2024, immediately prior to the 2024 Paris Olympic Games, WADA lawyers informed top management that massive database issues were plaguing WADA's system; more than 900 athlete testing results that showed the presence of a banned substance were not showing up in WADA's database. Over 1,700 cases had information linking samples to individual athletes missing, and another 750 didn't have enough information to connect them with any athlete.<sup>15</sup> And yet, until the New York Times broke the story, leaders at WADA would have apparently continued to keep the world's athletes, the public, and even the WADA Executive Committee and Foundation Board in the dark. This cannot continue.

This level of disregard for athletes worldwide, and outright dereliction of their charter hasn't been the exception at WADA; recently, it has been the norm. Cottier, in his review of the TMZ 23 even found this to be true, stating that "Keeping track of the Agency's work and activities has been very complicated and tedious. Establishing a chronology has been a long and complex process, full of uncertainties."<sup>16</sup> He further criticized WADA's dysfunction:

*"the non-existence of the file—is unsatisfactory . . . The Agency should formalize the handling of cases by creating files that include a structure, a nomenclature, a summary document, a "living chronology." This should cover everything from file opening to file closure. In particular, the latter should take the form of a formal memo, other than an e-mail circulated by the Director of the Legal Department within the Agency."*<sup>17</sup>

And though WADA hopes our memories are short, let us not forget WADA's egregious mishandling of cases in the sport of weightlifting which was also exposed by whistleblowers and the media. We know, based on the ITA Report on Anti-Doping Violations in the International Weightlifting Federation (IWF), that WADA failed to successfully follow up on 146 international weightlifting cases between 2009–2019 such that elite level weightlifters competed at major international competitions including the Olympic Games and World Championships with pending positives. Some athletes escaped justice completely as a result of WADA's failure to oversee these cases which resulted in the tolling of the statute of limitations, giving cheating athletes a free pass.<sup>18</sup>

It is even more shocking to know that the President of the IWF during this time, Tamás Aján, was also a founding WADA board member and sat on the WADA Foundation Board—the main decision-making body of WADA—from its inception until 2018.

<sup>12</sup> See Exhibit 5—Nick Kyrgios called it a "sad day for tennis" and declared that "fairness in tennis does not exist." Stan Wawrinka was just as blunt, saying, "I don't believe in a clean sport anymore. . . ." Daniil Medvedev said, "I hope everyone can discuss with WADA and defend themselves like Jannik Sinner from now on." And the Professional Tennis Players Association, co-founded by Novak Djokovic and Vasek Pospisil, issued a sharp statement: "Supposed case-by-case discretion is, in fact, merely cover for tailored deals, unfair treatment, and inconsistent rulings." ESPN News Services. "Jannik Sinner Doping Deal 'Sad Day for Tennis'—Nick Kyrgios." *ESPN*, 15 Feb. 2025, [www.espn.com/tennis/story/\\_/id/43858770/jannik-sinner-doping-deal-sad-day-tennis](http://www.espn.com/tennis/story/_/id/43858770/jannik-sinner-doping-deal-sad-day-tennis).

<sup>13</sup> See Exhibit 6—Axon, Iain. "WADA Settlement on Three-Month Ban Not Unique to Sinner Case, Says Chief Counsel." *Reuters*, 19 Feb. 2025, [www.reuters.com/sports/tennis/wada-settlement-three-month-ban-not-unique-sinner-case-says-chief-counsel-2025-02-19/](http://www.reuters.com/sports/tennis/wada-settlement-three-month-ban-not-unique-sinner-case-says-chief-counsel-2025-02-19/).

<sup>14</sup> See Exhibit 7—Schmidt, Michael S., and Tariq Panja. "WADA Faces Trust Crisis Amid Doping Database Concerns." *The New York Times*, 27 Sept. 2024, [www.nytimes.com/2024/09/27/world/wada-doping-database-crisis.html](http://www.nytimes.com/2024/09/27/world/wada-doping-database-crisis.html).

<sup>15</sup> *Id.*

<sup>16</sup> Cottier, Eric. *Final Report on the Case of 23 Chinese Swimmers*. 54.

<sup>17</sup> *Id.*

<sup>18</sup> International Testing Agency. *Final Report: Anti-Doping Rule Violations and related allegations of misconduct from 2009 to 2019*. 24 June 2021, <https://ita.sport/resource/ita-report-on-iwf-anti-doping-rule-violations-and-related-allegations-of-misconduct-from-2009-to-2019/>

## DOPING THREAT IS UNIVERSAL.

To be clear, the threat of doping is a global problem, and the U.S. is not immune. As a nation of laws established on the ideals of justice, fairness and equality, the United States Olympic and Paralympic movement must lead the way and ensure we are doing everything we can do to set an example and protect athletes so that their decision to compete by the rules is honored. And, so that they can be the true heroes that they are when competing here at home and representing America in competitions around the globe. Clean athletes in many ways are the best example of our values and the importance of our principles when they compete and win the right way. These are the same Olympic and Paralympic values and it's why we have asked for answers.

There are widely accepted core principles of an effective anti-doping program—the application of year-round, no-advance-notice, out-of-competition testing, certified labs, an active scientific research program to stay ahead of the cheaters, and a proactive, preventative education program for all athletes. But the most important part of the criteria is the idea that an effective anti-program must be free from the influence of sport and individual government interests. *It must be independent.*

The word 'independent' is thrown around a lot in the global Olympic and Paralympic movement. From our experience and perspective, however, the only true definition of 'independence' is that those who govern or otherwise make decisions affecting others cannot have any actual or perceived interest in the outcome of their decision. We are proud of the fact that no one on the USADA Board can also serve in a paid or voluntary governing or employment position for any organization for which we administer an anti-doping program or for the government. Many of you have heard me say that you cannot have the fox guarding the henhouse. It is a concept that is as simple as it is effective.

Unfortunately, WADA is not independent. The International Olympic Committee (IOC) pays half its budget; controls many governing seats and appointments and can essentially control WADA's decisions. It is "pay to play" for sport. Governments of the world, including the U.S., pay the other half of WADA's budget.

As it stands, WADA's governance structure allows for its board members to serve in an executive capacity for sports organizations simultaneously. For example, during the Russian affair, WADA's President was also an IOC member and even served as an IOC Executive Board member while also serving as WADA President. WADA staff have admitted to not informing its Executive Committee of its decision to allow China to hide the 23 positive tests, acknowledging it did not do so to protect itself from public scrutiny. WADA has failed to answer whether the WADA President, or Vice President from China, were directly involved with the decision on the TMZ 23 and the more than 900 lost cases, or if the IOC, WADA's largest single-funder, was involved, or when they were made aware of decisions.

But at WADA, with last month's Presidential and vice-presidential process, there was no real election. There was only a coronation. No open, competitive election, no other candidates, no willingness to speak about the vision for the future. Just WADA extending the incumbents term in office and allowing the handpicked heirs to continue to refuse needed reform. Athletes deserve better.

With this election, WADA broke good governance practices and conned America and the entire world. As this Committee may recall from its 2020 hearing, U.S. Appropriators began to include legislative language accompanying the U.S. dues requiring WADA governing boards to become more independent and incorporate athletes' voice and vote. WADA also went through two formal, global 'reform processes' where a special governance working group was established to consult with stakeholders through surveys and in-person meetings. The sole purpose of these elaborate, expensive processes was to reform WADA to make it more effective and independent.

Arising out of these processes, sparked by the U.S. demands for independence, WADA agreed to change and make the WADA President and Vice President *independent* positions, not ones appointed from sport and governments, as was the status quo. This reform was applauded by stakeholders including the U.S. and was supposed to take effect at the start of 2026.

However, even after these lengthy 'reform processes' where agreement was had for WADA to become more independent by making the WADA President and Vice President positions independent ones, in a closed-door meeting in May 2023, WADA leaders unilaterally disregarded the world's position and agreed to extend the term limits for the current government and sport appointed WADA President and Vice President. So, late last month, the former Polish Sports Minister and current WADA President and the Chinese sport appointment WADA Vice-President, will be ap-

pointed for another 3-years; thereby, delaying the installation of an independent President and Vice President until 2029, at the earliest.

WADA made an agreement to become more independent, received the U.S. funding at the time, and then backed out of the deal. Classic 'bait and switch'.

If the IOC were to remove themselves and other sports organizations from critical anti-doping functions—the anti-doping landscape would be exponentially stronger. Clean athletes could trust the global system and be much better protected. Sport involvement in critical anti-doping enforcement 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.

There is renewed hope with Kirsty Coventry's recent election to lead the IOC—an indication that real change might still be possible—but only time will tell, and time has pretty much already run out for clean athletes.

#### SO, WHAT CAN BE DONE?

USADA believes multiple solutions can be pursued to ensure accountability, transparency, and justice for athletes.<sup>19</sup> First and foremost, American tax dollars shouldn't fund secrecy and double standards. We must continue to demand real transparency and tie every penny of funding to truth and accountability, not polished PR and anti-American attacks. That is how we stand up for clean sport and for the values this country was built on. This starts with the China dossier. Congress must require the entire China dossier, with all of the testing and scientific documents be made public. There are no credible reasons the entire dossier cannot be published. Anything less than that will not satisfy those who want to ensure justice for all athletes involved.

Second, the time for blind trust is over—WADA must also be audited, and the curtain pulled back on the performance behind the podium. As the global regulator, WADA has compliance powers and a large staff to perform audits, as it chooses, on other anti-doping organizations. WADA alone goes un-audited and unaccountable. Like athletes and anti-doping agencies around the world and throughout the WADA Code, including in Code Article 20.7, WADA has detailed roles and responsibilities. It has been over 25 years, and it is time for WADA to finally go through an independent, legitimate compliance audit of its roles and responsibilities under the WADA Code. Athletes and most anti-doping organizations are supposed to all be held to the strictest compliance standard by WADA, so it's time that WADA is also held to the standards in place for them.

For example, even though WADA admits that CHINADA did not follow mandatory rules of the World Anti-Doping Code in its handling of the TMZ 23 positives, shockingly, WADA did not appeal the cases wrongly handled or conduct a compliance investigation or otherwise hold CHINADA accountable for its deliberate and blatant failure to follow the mandatory rules as is WADA's role under the World Anti-Doping Code.

Third, the U.S. should not allow WADA to hustle us or the world by breaking its promise to install a truly independent WADA President and Vice President at the start of 2026. Allowing them to insult the world and good governance practices in this way should not be condoned but rejected. We should only restart our WADA dues payment when there is an independent WADA President and Vice President in the seats as was promised by WADA years ago.

Fourth, we should support the current Administration through ONDCP and the State Department and non-government partners like the United States Olympic and Paralympic Committee (USOPC) to collaborate with other willing national and international partners to unite behind requiring WADA to do the right thing for the right reasons for athletes in a fair, transparent, and accountable way as has been discussed today. Of course, we are for collaboration and working together with WADA to achieve a strong, fair, and effective global anti-doping system.

Up until late 2014, WADA and USADA worked hand and hand together and many of the successes were achieved in lock step with WADA and others around the world. We continue to stand ready to work with WADA and have reached out to them to have a constructive dialogue on the Chinese file to attempt to find common ground and a way forward. Unfortunately, despite repeated requests, WADA leaders refuse to meet even with intermediaries present and instead, only attempt to rewrite history on the Chinese file, divert, attack, and refuse to answer basic questions.

<sup>19</sup> See *Exhibit 8*—Letters from U.S. Athlete Committees and ONDCP Director Dr. Gupta to WADA President Banka. All USADA's requests are consistent with what U.S. athletes and ONDCP have also asked for.

Finally, WADA must set up an independent expert committee that makes the decision on all positive tests that do not result in an anti-doping rule violation and public announcement.<sup>20</sup> The rules require this in all positive cases of this type and WADA has now finally admitted that China should have determined these 23 TMZ cases to be violations and therefore should have announced them back in 2021. This is a necessary check, to balance the power.

Since WADA leadership did not inform the WADA Executive Committee about the decision to let China circumvent the rules, we should require that the WADA Executive Committee must be notified of all of these types of decisions. It can't be that a couple of WADA insiders in secret backrooms are allowed to pick and choose which countries and athletes have to follow the mandatory rules, and which ones get to follow an unwritten set of rules.

#### MOMENTUM FOR REFORM BUT AMERICA MUST LEAD.

Despite global pleas and countless opportunities for accountability, WADA has slammed the door on transparency, deaf to the chorus of athletes and nations demanding the truth. If WADA truly believes in accountability and transparency, then an audit should be a welcome step, not a threat. Until then, every excuse sows more doubt across the world. The time for scripted statements is over. The world is watching and it's time for the truth.

With broad support in the U.S., including from USADA, ONDCP under the steadfast leadership of Dr. Rahul Gupta and professional staff, Debbie Seguin, Rich Baum, and Anthony Jones, the Biden White House did the right thing and made 2024 U.S. funding to WADA conditional on several important outcomes including: WADA submitting to an independent code compliance operational audit; WADA dropping the ethics complaint it filed against Dr. Gupta in his role as a WADA Executive Committee member and the defamation lawsuit against USADA; WADA attending an in-person meeting with U.S. sports and anti-doping stakeholders; WADA suspending efforts to issue sanctions and consequences for "Voluntary" Public Authorities' non-payment of WADA dues; and, WADA implementing the Executive Committee Working Group Recommendations following the release of the Cottier Report.

WADA did not agree, and the U.S. payment was rightfully withheld by the U.S. government for 2024.

We are all disappointed that WADA has continuously declined to testify before any U.S. Congressional Committee and continues to double, even triple down, on deflecting fault and pointing fingers at the United States. In response to the legitimate questions, WADA again levied allegations that those from the U.S. were politically motivated against WADA, implying that these facts of the Chinese 23 TMZ cases were somehow made up. There was a clear violation of the rules, and WADA chose to do the politically expedient, rather than their job, and avoid answering the basic questions. It is also disappointing to repeatedly hear comments by the WADA President where he has the audacity to throw U.S. athletes under the bus by attempting to discredit their hard work and integrity. WADA has gone so far as to throw baseless lawsuits and ethics complaints against USADA and the former White House Director of National Drug Control Policy, Dr. Gupta. Both of these were tactics to weaponize the legal process against truth seekers. These were new lows, especially for a supposed "values" based integrity organization. It seems clear that WADA will apparently stop at nothing to avoid accountability so that they can retain the power to decide which countries and athletes get special treatment.

The U.S. is not alone in this assessment and concern. In 2022, a multi-national group of National Anti-Doping Organizations (NADOs), recognized threats to the legitimacy and credibility of the anti-doping community as a result of WADA's governance failures and developed guiding principles for a more fair and just system. Not but a year later, more than 20 NADOs from the Latin American region wrote the Ibero-American Anti-Doping Network (RILD) Manifesto, aimed at bringing to WADA's attention issues of compliance and Code integration and recommending that WADA undergo an audit in order to improve the global anti-doping system.<sup>21</sup> WADA lashed out at this. More recently, an equally robust global group of over a dozen NADOs, including USADA, have requested to increase independence and facilitate more transparent preventive policies. Similarly, foreign governments are

<sup>20</sup> See *Exhibit 9*—White Paper Written by Legal Expert, Steve Teitler from the Netherlands Anti-Doping Authority.

<sup>21</sup> See *Exhibit 10*—Red Iberoamericana de Lucha contra el Dopaje ("RILD"), Manifesto of the Parties for the Improvement, Review, and Updating of the Global Anti-Doping System. October 6, 2023.

calling for change. A German Parliamentary State Secretary following a hearing similar to today's, stated that WADA is "gambling away all acceptance and right to exist." This year, Former WADA Vice-President and current Norwegian Parliamentary Member, Linda Helleland, stated:

*"We have a global anti-doping organisation stripped of integrity and failing to fulfil its duties. Its role is to combat doping and ensure fair competition among athletes, yet it now appears more focused on protecting the interests of the dark forces undermining sports. As long as Wada fails to operate independently and transparently and shows no willingness for internal reform and change, Norwegian taxpayers should not contribute to the organisation. The government should follow the U.S. lead and withhold our funding. Failing to support the Americans would mean siding with Wada and China."*<sup>22</sup>

Additionally, Nordic Ministers have expressed concern with the recent cases, stating they undermine trust in anti-doping work which has now also influenced the newly established Parliamentary Alliance at the Council of Europe on Good Governance and Integrity in Sport. In response, WADA has either ignored its stakeholders or tried to pit them against each other.

Many have attempted to battle WADA's failures, sound the alarm, and push for reform, only to be stonewalled at every turn by powerful international sports politics. But the U.S. is uniquely positioned to affect change. As the single largest government contributor to WADA, withholding funds and advancing legislation like the Restoring Confidence in the World Anti-Doping Agency Act of 2025, shows how serious the U.S. is about change and the rights of all athletes. This effort for change doesn't impact our athletes' ability to compete internationally and it doesn't impact WADA's ability to serve athletes . . . only its leader's ability to take first-class flights and stay at five-star hotels. WADA will continue to say that withholding funds negatively affects athletes but there is nothing in their charter, statutes or Code to back it up. It's fear-mongering, banking on confusion over facts. But if we give in and release funds, we're telling WADA and the world that they can take our money, fail to do the job which results in American athletes losing unfairly, and get away with it. We cannot condone this behavior.

With the golden age of sports coming to America, we must continue to support the united American stand against this misconduct. In its first administration, the Trump White House took three decisive and impactful actions that reasserted American leadership in the global fight for clean sport. First, working with Congress, they secured authority to withhold U.S. funding for WADA unless meaningful reforms were implemented. This is a critical leverage point, and one that was utilized by the Biden administration last year. In 2018, the Trump White House also convened a landmark summit on WADA reform, bringing together athletes and Government Sports Ministers from around the globe, all working together to achieve accountability. And perhaps most importantly, President Trump signed into law the Rodchenkov Anti-Doping Act, establishing U.S. jurisdiction to prosecute international doping conspiracies. These actions send a clear message that the U.S. will not bankroll a broken system and we must not stop now.

Let me be very clear: athletes, sport, and the public need a strong and independent WADA. A fierce, fair, and effective global watchdog is absolutely essential to protecting the Olympic and Paralympic movement. But we need WADA to be a truly independent, global regulator, not merely the sport-controlled organization many want it to remain. WADA has the resources it needs to do right by athletes—now it just needs the will to do the right thing.

That's what is so frustrating for us at USADA and for the athletes we serve. The solutions are reasonable and within reach but finding leaders with the political will to implement those solutions has, so far, proven to be out of reach. Passing legislation focused on continuous accountability and prudent money management could be the first wake-up call, moving WADA and the IOC from complacency to sustained relevancy.

With the Games coming to America, we have one shot to get it right. We cannot allow history to repeat itself, not on our watch, not in our country. This is our moment to protect clean athletes, uphold integrity, and show the world what fair, clean competition truly looks like.

To a large extent, the personal well-being of the next generation of athletes hangs in the balance. This is not just about elite Olympic and Paralympic athletes—this is about every kid on a playground who has an Olympic or Paralympic dream and

<sup>22</sup>Rob Draper. *UK and EU urged to follow U.S. and block funding for World Anti-Doping Agency*. The Guardian. 15 Jan. 2025. <https://www.theguardian.com/sport/2025/jan/15/uk-and-eu-urged-to-follow-us-and-block-funding-for-world-anti-doping-agency>.

asks, "What do I have to do to make my dreams come true and represent the U.S.A. on the biggest stage of competition?" And, the truth is, if we as a movement don't push, if we don't win on all the issues that affect athletes, we will likely find ourselves back in this same position, years from now, staring down another egregious scandal that has abused athletes and robbed another generation of athletes in the process.

And we will all be wondering why we didn't do more when we had the chance. Thank you for the invitation to appear before you today for your help in getting this right.

Thank you, I look forward to your questions.

Senator CURTIS [presiding]. Thank you. Dr. Gupta, you are recognized for 5 minutes.

**STATEMENT OF DR. RAHUL GUPTA, MD, MPH, MBA,  
PRESIDENT, GATC HEALTH CORP AND FORMER DIRECTOR,  
OFFICE OF NATIONAL DRUG CONTROL POLICY,  
THE WHITE HOUSE**

Dr. GUPTA. Good afternoon. Thank you. Thank you, Madam Chair, Ranking Members, and this Committee.

My name is Dr. Rahul Gupta. I serve as President of GATC Health Corp, a tech bio company, and formerly led the White House Office of National Drug Control Policy, representing the United States as well as the Americas region on WADA's Executive Committee.

I am honored to testify here today on a matter that goes to the very heart of sport, fairness, and American values, the governance of the World Anti-Doping Agency, or WADA. We must never forget that behind every medal, every anthem, and every flag, there is an athlete, often a teenager or a young adult, who has dedicated their life to honest competition. They train in the dark before sunrise. They sacrifice their bodies, their free time, and sometimes futures, in pursuit of excellence, and they do it clean. Yet today, their dreams are being undermined, not by a rival but by the very institution meant to protect them.

WADA was created to ensure that every athlete, in every country, plays by the same rules, but WADA has strayed from that mission, and the evidence is now undeniable. When 23 Chinese swimmers tested positive for a banned substance before the Tokyo Olympics, WADA did not open an independent investigation. It did not inform its executive committee. It quietly accepted an explanation of contamination, and let those athletes compete while clean athletes from other countries watched the podium slip away. No athlete should have to ask, "Did I lose because someone cheated and no one stopped it?" Yet, that is exactly what happened.

And when I, as the U.S. representative to WADA, asked questions, why we were not told, why no sanctions, why no transparency, we were met with deflection. The so-called independent investigator offered no recommendations, no accountability, and no answers. This is not a technical lapse. It is a governance failure, and it breaks faith with every clean competitor.

The United States, as WADA's largest public funder and founder, could not, in good conscience, continue business as usual. That is why we withheld our dues and demanded reforms. We need transparency in decisionmaking, true conflict of interest protections, independent oversight, and a permanent U.S. seat at the table.

WADA leaders responded by removing us from its executive committee, and that is not because we broke rules, but because we dared to challenge a broken system.

The United States was a democratically elected member representing the Americas region. That is now not how global institutions should operate. That is not leadership. That is fear of accountability. And the timing could not be more critical. As has been said here, in the next few years the world's eyes will turn to the United States for 2026 FIFA World Cup, 2028 L.A. Olympics, and 2034 Salt Lake City Winter Games. If WADA's dysfunction goes unaddressed, we risk hosting events under a cloud of doubt and distrust.

This is not about vengeance. It is about vigilance. It is about restoring fairness, not just for American athletes, but for every athlete from every country who dares to play by the rules. Congress now has a once-in-a-generation opportunity to act, by passing legislation that ties U.S. funding to reform, by insisting that WADA includes athletes' voices and national accountability, and by making it clear that integrity is not negotiable. It is indeed the price of our support.

Let me be very clear. This is not about medals. It is about meaning. It is about telling every clean athlete, from the swimmer in Nebraska, to the gymnast in Georgia, to the fencer in France, that we have your back, that doping will not win, that integrity still matters, and that the United States will not just play on the field, we will lead off it.

Thank you and I look forward to your questions.

[The prepared statement of Dr. Gupta follows:]

PREPARED STATEMENT OF DR. RAHUL GUPTA, MD, MPH, MBA, PRESIDENT, GATC HEALTH CORPORATION AND FORMER DIRECTOR, OFFICE OF NATIONAL DRUG CONTROL POLICY, THE WHITE HOUSE

#### INTRODUCTION

Good afternoon, Madame Chairwoman, Senator Blackburn, and members of the Committee. My name is Dr. Rahul Gupta, the President of GATC Health Corp, a tech-bio company and former Director of the White House Office of National Drug Control Policy. I appreciate the opportunity to testify today on a matter of critical importance to the integrity of international sports and the protection of clean athletes worldwide—the governance and effectiveness of the World Anti-Doping Agency (WADA). We must all be steadfast in our commitment to ensuring that American athletes compete on a level playing field and that our Nation's investments in anti-doping efforts are utilized effectively and responsibly and I thank this committee for holding this important hearing.

I sit before you today not merely as the former member of the Executive Committee of WADA representing the Americas Region, but as a staunch advocate for the integrity of sports and the sanctity of fair competition. The United States has long been a leader in the fight against doping in sports, both domestically and internationally. With strong support from the United States, WADA was established with the noble intent to safeguard clean athletes and uphold the principles of fair play and now it finds itself at crossroads. Recent events have cast a long shadow over its credibility, and it is imperative that we, as stewards of justice and fairness, address these concerns with the urgency and gravity they deserve.<sup>1</sup> These concerns are not only about specific incidents but also about systemic issues within WADA's governance and operations that undermine its credibility and effectiveness.

<sup>1</sup> <https://bidenwhitehouse.archives.gov/ondcp/briefing-room/2024/07/09/ondcp-director-dr-rahul-gupta-statement-on-world-anti-doping-agency-interim-report/>

WADA was established in November 1999.<sup>2</sup> Its mission is to promote and coordinate, internationally, the fight against doping in sport. WADA was created as an initiative of the International Olympic Committee with the support and participation of governments, national anti-doping organizations and other public and private bodies fighting against doping in sport. As the sole international regulatory body against doping in sport, WADA has a unique responsibility to ensure that international competitions, especially the Olympic and Paralympic Games, are fairly conducted with the highest possible standards of integrity. WADA's leadership structure consists of equal representatives from the Olympic Movement and public authorities (national governments).

It is the responsibility of WADA to oversee anti-doping programs, which encompass drug testing not only during the Olympic Games but throughout the entirety of the year.<sup>3</sup> Elite athletes who engage in doping often do so with the assistance of highly specialized scientists, who meticulously design and refine protocols aimed at minimizing or even eliminating the likelihood of detection.

These illicit efforts may be facilitated, supported, or shielded by corrupt entities within sports organizations, governmental bodies, law enforcement agencies, or intelligence networks.

It remains WADA's primary responsibility to ensure that anti-doping programs are not only comprehensive but also resilient, verifying that laboratories worldwide possess the capability to detect all forms of doping substances and methodologies. Furthermore, WADA must diligently monitor the execution of testing procedures across the globe, ensuring uniformity and reliability. Given the critical nature of this responsibility, it is imperative that WADA takes every precaution to avoid even the slightest appearance of conflicts of interest. The agency's integrity and credibility hinge on its unwavering commitment to impartiality and transparency in its operations.

The United States government and the American people must remain heavily invested in ensuring WADA's success and integrity. This investment is not merely financial—it is a moral and strategic commitment to preserving the core values of sport. American athletes devote countless hours, years, and often their entire youth to training and perfecting their craft. Their journeys are marked by resilience, discipline, and personal sacrifice. These athletes do not compete solely for medals or records; they represent a broader ideal—the belief that greatness can be achieved through honesty, hard work, and fair competition.

In a global athletic arena, where the temptation and pressure to seek unfair advantage through performance-enhancing drugs remain ever-present, the role of WADA is indispensable. By championing anti-doping efforts, the agency protects not only the health and safety of athletes but also the very credibility of international competition.

Support for WADA and calls for its reform are, therefore, a reflection of America's commitment to global leadership, fairness, and justice in sport. It ensures that clean athletes—whether they wear red, white, and blue or any other colors—compete on a level playing field. Continued investment also signals to the world that the United States will not tolerate corruption in sport and will lead by example in upholding the values that inspire millions.

Ultimately, WADA's success is not just about catching cheaters—it's about protecting dreams, preserving the spirit of honest competition, and ensuring that when an athlete stands atop a podium, their achievement is untainted and fully earned.

#### I. ROLE OF THE WHITE HOUSE OFFICE OF NATIONAL DRUG CONTROL POLICY (ONDCP), AND ITS PARTNERS

The Office of National Drug Control Policy (ONDCP) plays a significant role in the United States' relationship with the World Anti-Doping Agency (WADA), and this role is overseen and influenced by Congress.<sup>4</sup> On behalf of the United States government, Congress directs ONDCP to coordinate anti-doping activities at international level including at WADA. Partners include the U.S. Anti-Doping Agency (USADA), U.S. Olympic & Paralympic Committee (USOPC), Athletes' Advisory Council, Team USA, partner nations and others.<sup>5</sup> Each year, Congress appropriates

<sup>2</sup> [https://www.usada.org/wp-content/uploads/ONDCP-2021-WADA-Report-to-Congress\\_Final.pdf](https://www.usada.org/wp-content/uploads/ONDCP-2021-WADA-Report-to-Congress_Final.pdf)

<sup>3</sup> [https://www.wada-ama.org/sites/default/files/resources/files/2021\\_wada\\_code.pdf](https://www.wada-ama.org/sites/default/files/resources/files/2021_wada_code.pdf)

<sup>4</sup> <https://www.congress.gov/crs-product/R46889#:~:text=ONDCP%20coordinates%20U.S.%20anti%20doping,U.S.%20membership%20dues%20to%20WADA>

<sup>5</sup> <https://bidenwhitehouse.archives.gov/ondcp/briefing-room/2021/11/16/readout-of-anti-doping-forum-hosted-by-ondcp-with-olympic-athletes-sponsors-broadcasters-and-other-stakeholders/>

funds to ONDCP for anti-doping activities as well as for United States membership dues at WADA.

When I assumed the role of Director at the Office of National Drug Control Policy (ONDCP) in November 2021, I was dismayed to discover that the United States had been systematically outmaneuvered and excluded from key governance bodies of WADA. This marginalization was particularly evident in the absence of American representation on WADA's Executive Committee, a critical decision-making body. I found this situation unacceptable, as it undermined our Nation's influence in shaping global anti-doping policies and protecting the interests of clean athletes.

In response, we took decisive action. In April 2023, the United States was unanimously elected to the presidency of the American Sports Council (Consejo Americano del Deporte, or CADE), a 41-member association of Western Hemisphere sports ministers representing the Americas Region at WADA. As the new president of CADE, the United States automatically assumed a seat on WADA's Executive Committee, marking our participation in this capacity historic.<sup>6</sup>

This strategic move allowed us to reassert our leadership in the global anti-doping community. At the May 2023 Executive Committee meeting in Montreal, I pressed for accountability regarding Russia's past doping violations and advocated for the development of eligibility criteria that subject all athletes, including Russian athletes, to a minimum number of required doping tests.<sup>7</sup> I also emphasized the importance of meaningful medal ceremonies for athletes affected by delayed investigations, such as the Kamila Valieva case, and strongly encouraged WADA to continue refining its governance reforms to ensure fair athletic competition.

Additionally, as per the directions of Congress, I communicated to WADA leadership the need for significant additional reforms to the way WADA is structured and functions to ensure that the organization is able to operate with independence and transparency of its operations, enhancing the role of athletes in WADA decision-making, and restoring confidence in clean competition.<sup>8</sup> Our renewed engagement with WADA underscored the United States' commitment to promoting clean sport and ensuring that anti-doping efforts are transparent, effective, and fair. By actively participating in WADA's governance, we aimed to restore trust in the global anti-doping system and uphold the integrity of international athletics.

However, in April 2024, a shocking revelation emerged that further underscored the agency's failures. On a Sunday morning, The New York Times published an investigative report revealing that 23 Chinese swimmers had tested positive for the banned substance trimetazidine (TMZ) before the 2021 Tokyo Olympics.<sup>9</sup> Despite the positive tests, WADA accepted China's explanation of contamination without conducting an independent investigation, allowing the athletes to compete in the Tokyo Olympics without sanctions. This revelation was not disclosed during any Executive Committee meeting or official WADA communication but came to light through a media report, catching us all by surprise.

This incident had far-reaching consequences. American athletes, who had trained tirelessly for the opportunity to compete on the world stage, found themselves questioning the integrity of the competition. Swimmer Allison Schmitt, a four-time Olympic gold medalist, expressed the unfading uncertainty felt by athletes: "Many of us will be haunted by this podium finish that may have been impacted by doping."<sup>10</sup>

The lack of transparency and accountability in handling this case raised serious concerns about WADA's commitment to enforcing anti-doping regulations impartially and effectively. The erosion of trust has not been limited to individual athletes. The United States Anti-Doping Agency (USADA) and the U.S. Olympic and Paralympic Committee (USOPC) Athletes' Advisory Council have all called for immediate reforms at WADA, citing systemic failures and a lack of transparency.

The impact of WADA's failures extends beyond the sporting community itself. The credibility of international competitions is at stake, and the very foundation of fair

<sup>6</sup> <https://bidenwhitehouse.archives.gov/ondcp/briefing-room/2023/04/19/united-states-elected-to-the-presidency-of-the-american-sports-council-will-serve-on-the-world-anti-doping-agencys-executive-committee/>

<sup>7</sup> <https://septewhitehouse.archives.gov/ondcp/briefing-room/2023/05/11/readout-of-wada-executive-committee-meeting-as-usa-participates-as-member-for-first-time-since-2015/>

<sup>8</sup> From House Report 116-456, which reads in part: "The Committee directs ONDCP to closely monitor WADA's reform efforts to determine whether WADA is making sufficient progress in increasing the independence and transparency of its operations, enhancing the role of athletes in WADA decision-making, and restoring confidence in clean competition." See page 42, CRPT-116hrpt456.pdf (congress.gov).

<sup>9</sup> <https://www.nytimes.com/2024/04/20/world/asia/chinese-swimmers-doping-olympics.html>

<sup>10</sup> <https://www.scmp.com/sport/other-sport/article/3268072/michael-phelps-allison-schmitt-call-wada-reform-over-handling-chinese-swimmers-case>

play is being questioned. As Michael Phelps, the most decorated Olympian in history, testified before Congress, “As athletes, our faith can no longer be blindly placed in the World Anti-Doping Agency, an organization that continues to prove that it is either incapable or unwilling to enforce its policies consistently around the world.”<sup>11</sup>

The time for complacency has passed. The United States, as a leading proponent of clean sport, must take decisive action to ensure that WADA reforms its governance structures and operations. By doing so, we reaffirm our commitment to fairness, integrity, and the protection of clean athletes worldwide, regardless of nationality.

## II. THE EROSION OF TRUST: A CASE STUDY IN GOVERNANCE FAILURE

Madame Chairwoman and members of this esteemed Committee, WADA’s governance challenges can be likened to buying a certified pre-owned vehicle from a reputable dealership. You expect that the car has been thoroughly inspected, that it’s safe and roadworthy. But as soon as you drive it off the lot, the brakes fail and the engine sputters—and only then do you learn that the dealership has a history of skipping inspections altogether. The problem isn’t just the faulty vehicle; it’s the broken system that promised trust and delivered negligence.

This allegory mirrors the situation with WADA. The agency, entrusted with the monumental responsibility of ensuring clean competition, has repeatedly failed to act decisively in the face of doping scandals. The case of 23 Chinese swimmers who tested positive for trimetazidine before the 2021 Tokyo Olympics is only one example. WADA’s decision to accept China’s explanation of contamination without conducting an independent investigation has eroded trust in WADA’s commitment to clean sport and its ability to hold all nations accountable, regardless of their stature or political influence.

The situation was further complicated by the appointment of Swiss prosecutor Eric Cottier to investigate the case. His appointment was effectively imposed by WADA management on the Executive Committee and the Foundation Board, neither of which was really afforded a fair and transparent opportunity to weigh in on alternative choices that may have been more independent. Critics, including the U.S. Anti-Doping Agency (USADA), questioned Cottier’s independence due to his long-standing ties to WADA and its former auditor, Jacques Antenen as well as Mr. Cottier agreeing to the extremely limited scope of the investigation set by WADA which prevented a meaningful review.<sup>12</sup> This raised concerns about the impartiality of the investigation and the transparency of WADA’s decision-making processes.

Indeed, on July 01, 2024, Mr. Cottier issued an interim summary report and committed to provide a full list of recommendations to the WADA in its final Report.<sup>13</sup> In his final Report in September 2024 Mr. Cottier provided no such list of recommendations and specifically noted, “the Investigator has decided not to make any recommendations.”<sup>14</sup> At WADA’s Executive Committee meeting in Türkiye, when I questioned Mr. Cottier about this significant deviation from his commitment, he became agitated and was unable to provide a cogent response. Similarly, he could not articulate that while he found significant deficiencies in CHINADA’s (Chinese Anti-Doping Agency) actions in dealing with the positive TMZ findings as well as the contamination scenario, why would he bury those in his Report and not expand his investigation despite having the directives of the Executive Committee members to do so.<sup>15</sup>

## III. ONDCP HOLDS WADA ACCOUNTABLE BY WITHHOLDING DUES PAYMENT

Regardless of the good faith efforts of the United States government to seek basic governance reforms including an independent code compliance operational audit and bringing more transparency and accountability into the institution, longstanding concerns over WADA’s governance and handling of doping cases has remained.<sup>16</sup> It

<sup>11</sup> <https://www.theguardian.com/sport/article/2024/jun/26/michael-phelps-says-us-athletes-losing-faith-in-wada-before-paris-olympics>

<sup>12</sup> <https://www.cbc.ca/sports/olympics/summer/aquatics/wada-china-prosecutor-defence-1.7189645>

<sup>13</sup> [https://www.wada-ama.org/sites/default/files/2024-07/summary\\_report\\_en\\_0.pdf](https://www.wada-ama.org/sites/default/files/2024-07/summary_report_en_0.pdf)

<sup>14</sup> [https://www.wada-ama.org/sites/default/files/2024-09/202408\\_final\\_cottier\\_report\\_english\\_translation.pdf](https://www.wada-ama.org/sites/default/files/2024-09/202408_final_cottier_report_english_translation.pdf)

<sup>15</sup> <https://bidenwhitehouse.archives.gov/ondcp/briefing-room/2024/09/13/readout-of-ondcp-meetings-with-world-anti-doping-agency-executive-committee-international-olympic-committee-and-united-states-antidoping-agency-members/>

<sup>16</sup> [https://bidenwhitehouse.archives.gov/wp-content/uploads/2023/07/ONDCP-WADA-Report\\_July-2023.pdf](https://bidenwhitehouse.archives.gov/wp-content/uploads/2023/07/ONDCP-WADA-Report_July-2023.pdf)

was particularly troubling that WADA leadership failed to disclose to its own Executive Committee the decision to quietly accept CHINADA's explanation in a major doping case—a decision that effectively allowed a powerful nation to circumvent the rules without independent scrutiny.

Even more alarming was WADA's continued refusal to commit to informing the Executive Committee about such consequential matters in the future. This posture reflects a deliberate choice to preserve opacity over accountability—a status quo that serves bureaucratic comfort and potentially a corruptive mindset at the expense of public trust.

To change this status quo, ONDCP asked WADA, in good faith, to commit to reform as a condition for U.S. dues payment including that WADA: (1) Fully and expeditiously implement the recommendations of the Executive Committee Working Group based on the findings of the Cottier and World Aquatics reports, keeping the Executive Committee informed of its progress; (2) Conduct an independent code-compliance audit, in conjunction with the WADA Risk and Audit Committee, of key components of WADA to identify areas to improve its existing policies and processes to execute its responsibilities under the World Anti-Doping Code; (3) WADA Management shall consult the Executive Committee before making decisions on significant matters that are likely to result in legal liability or reputational harm to the agency including, but not limited to, any non-mandatory litigation or any actions against its Executive Committee or Foundation Board members, including utilizing the ethics process; (4) Given the lack of prior Executive Committee approval, WADA will unconditionally withdraw its litigation impacting the United States Anti-Doping Agency (USADA) by January 18th, 2025, and ensure that WADA's Independent Ethics Board accelerates its process to conclude its meritless conflict-of-interest complaint against the United States Government that had since been withdrawn by WADA; (5) Permanently suspend efforts to institute new sanctions on Public Authorities for the voluntary non-payment of dues while a feasible approach at UNESCO is pursued, in conjunction with WADA, consistent with the International Convention Against Doping in Sport; and (6) Ensure that the United States would continue its service as the Americas representative to the WADA Executive Committee.

WADA leadership declined to tie the receipt of membership dues to any tangible reform, effectively signaling that financial support should come with no conditions, no expectations, and no meaningful oversight. In other words, they want no strings attached, regardless of performance or governance failure. As Director of ONDCP, a steward of public dollars and public trust, I could not in good conscience continue business as usual. That is why I made the decision to withhold the United States' \$3.6 million contribution—the largest in the world—to WADA's 2024 budget. It was a necessary stand for reform, transparency, and the protection of clean athletes everywhere. We received broad support for this action from both institutions like USADA and the Athletes Advisory Council as well as independent athletes.

In January 2025, WADA executed a strikingly unilateral and power-driven maneuver by removing the United States from its Executive Committee—a move widely condemned as unjustified, politically motivated, and emblematic of an organization more concerned with consolidating authority than fostering fair and inclusive governance.<sup>17</sup>

In April 2025, the United States once again ran for and won the presidency of CADE through a transparent, democratic process—securing the mandate to represent the Americas Region on WADA's Executive Committee. Yet, in a troubling display of institutional defiance, WADA has refused to recognize the outcome and continues to block the seating of the region's duly elected representative. This refusal not only disregards the will of the Americas but further underscores WADA's resistance to accountability and representative governance.

These incidents have made it clear to all serious stakeholders in international sport that WADA's governance structures are fundamentally inadequate. There is a growing global consensus that urgent reforms are needed to restore confidence, ensure transparency, and protect the principle of fair play—the heart of international competition.

#### IV. SYSTEMIC GOVERNANCE FAILURES: A CLOSER EXAMINATION

WADA's challenges are not isolated incidents but indicative of deeper systemic issues within its governance structure:

<sup>17</sup> <https://www.reuters.com/sports/us-withholds-wada-dues-calls-reforms-global-watchdog-2025-01-08/>

1. *Lack of Effective Leadership*: The leadership of WADA, under its current President and Director General has been widely criticized for a consistent pattern of opacity, lack of accountability, and dismissiveness toward internal and external scrutiny. The acceptance of CHINADA’s contamination explanation without conducting an independent investigation, and crucially, failing to timely inform its governing board or the public about the positive tests until they were exposed by media reports are just one of the several examples.  
Further concerns have arisen from WADA’s unilateral selection of Swiss attorney Eric Cottier to lead the investigation into the case and later compelling the Executive Committee to accept the selection without providing terms of reference. Critics questioned his impartiality due to his longstanding ties to WADA and its former auditor, Jacques Antenen, raising doubts about the independence of the inquiry.<sup>18</sup> These actions—or lack thereof—demonstrate a troubling disregard for the principles of transparency and accountability that are essential to maintaining trust in the global anti-doping system. The failure to address internal complaints and the apparent reluctance to engage with constructive criticism further undermine WADA’s credibility and effectiveness in its mission to ensure fair competition in international sports.
2. *Lack of Independence in Leadership*: WADA’s leadership has been criticized for its close ties to the International Olympic Committee (IOC) and national sports federations.<sup>19</sup> This interconnectedness raises concerns about the agency’s ability to make impartial decisions free from external influences. In fact, when Salt Lake City was awarded the 2034 Winter Olympics, the IOC added a clause to the contract stating that the Games could be withdrawn if the U.S. government, USADA, or other U.S. bodies did not fully respect WADA’s “supreme authority” in enforcing the World Anti-Doping Code.<sup>20</sup>
3. *Inadequate Representation of Stakeholders*: Despite the significant financial contributions from governments and the critical role of athletes in the anti-doping system, WADA’s decision-making bodies lack adequate representation from these groups. For instance, the Athletes’ Committee, which is supposed to represent the interests of athletes, has been criticized for its limited influence and lack of independence.
4. *Conflicts of Interest*: WADA’s governance structures allow for potential conflicts of interest, particularly among members who have ties to organizations with a direct financial interest in WADA’s decisions. This undermines the agency’s ability to make decisions that prioritize the integrity of sport over the interests of powerful stakeholders. For instance, the involvement of WADA’s General Counsel in defending the agency’s decision not to appeal the acquittal of 23 Chinese swimmers who tested positive for the banned substance trimetazidine (TMZ) before the 2021 Tokyo Olympics has been criticized for violating WADA’s own conflict of interest policy.<sup>21</sup>
5. *Bias Against the United States*: WADA has recently undertaken a series of unauthorized and politically charged actions aimed at discrediting the United States government, its institutions, and its athletes—actions made all the more troubling by the fact that they are, in part, financed by U.S. taxpayer dollars.<sup>22</sup> Without consultation or approval from its own governing bodies, WADA’s leadership initiated a defamation lawsuit against USADA—a case it later withdrew—and filed a baseless conflict-of-interest complaint against the ONDCP Director, which was ultimately dismissed.<sup>23</sup> These maneuvers reflect a disturbing pattern: the misuse of institutional authority and public resources to pursue personal or political vendettas. Rather than fostering collaboration, WADA continues to publicly rail against U.S. anti-doping laws and fuels unnecessary hostility among international partners.<sup>24</sup> For an organization

<sup>18</sup> <https://www.stateofswimming.com/wada-tested-on-state-of-independence-in-go-free-23-chinese-doping-positives-inquiry/>

<sup>19</sup> <https://www.nytimes.com/2024/12/31/us/politics/wada-doping-salt-lake-city-2034-olympics.html>

<sup>20</sup> <https://swimswam.com/salt-lake-city-named-as-host-for-2034-winter-olympic-games-despite-threats-from-dick-pound/>

<sup>21</sup> <https://www.usatoday.com/story/sports/olympics/2024/04/22/chinese-swimmers-doping-controversy-wada/73413439007/>

<sup>22</sup> <https://www.bbc.com/sport/swimming/articles/c78e95403920>

<sup>23</sup> <https://www.nytimes.com/2025/02/20/us/politics/wada-anti-doping-suit.html>

<sup>24</sup> <https://www.france24.com/en/live-news/20240725-us-not-the-world-s-anti-doping-police-man-says-wada-chief-banka>

charged with safeguarding fairness and neutrality in sport, such behavior is not only inappropriate—it is disqualifying.

6. *Ineffective Enforcement Mechanisms*: One of the most consequential deficiencies at WADA lies in its chronically ineffective enforcement mechanisms. Despite its mandate to ensure compliance with the World Anti-Doping Code, WADA lacks the institutional will and operational independence necessary to uniformly and decisively sanction non-compliant countries or organizations. Time and again, this weakness has resulted in inconsistent applications of justice, with some nations facing significant scrutiny while others appear shielded by opaque processes or geopolitical influence.<sup>25</sup>

The 2021 Chinese swimming case is emblematic. The reinstatement of Russia's anti-doping agency in 2018, despite evidence of widespread state-sponsored doping, provides yet another example of the agency's failure to take decisive action against major violators.<sup>26</sup> Such failures to escalate and enforce compliance undermine the integrity of global sport, create a two-tiered system of justice, and send a damaging message to clean athletes: that consequences for doping depend less on facts and more on politics. Without enforceable standards and a credible willingness to act on them, WADA risks becoming a passive observer rather than the active regulator the world's athletes deserve.

#### V. THE NEED FOR COMPREHENSIVE REFORM

Madame Chairwoman and esteemed members of the Committee, to address these systemic issues and restore trust in the global anti-doping system, the following reforms are proposed:

1. *Governance Reform*: WADA must submit to an independent code compliance operational audit that identify areas to improve its existing policies and processes in order to execute its responsibilities under the World Anti-Doping Code. WADA should implement an independent prosecutorial body to oversee investigations and ensure impartiality, particularly in high-profile cases.<sup>27</sup> WADA needs to be more than a 'Paper Tiger' to the cheaters and their national sponsors by significantly and consistently enhancing its compliance monitoring.
2. *Independent and Transparent Leadership*: WADA and the global sports community deserves an independent President, Vice President and Director General, free from ties to the Olympic Movement or sports federations, and free from influence of other major nations.<sup>28</sup> An independent oversight body should review and evaluate WADA's leadership decisions and actions.<sup>29</sup> This body should foster a culture of accountability and non-political approach with the authority to assess leadership effectiveness, transparency, and accountability, ensuring that decisions align with the agency's mission and ethical standards.
3. *United States Representation at WADA*: The exclusion of the United States from WADA Executive Committee represents an existential crisis to the global sports community with profound implications for upcoming international sporting events hosted on U.S. soil. WADA's unilateral meritless decision to remove the legitimately elected representative for the entire Americas Region twice has far-reaching consequences, especially as the United States prepares to host major events such as the 2026 FIFA World Cup, the 2028 Summer Olympics in Los Angeles and 2034 Olympic and Paralympic Winter Games in Salt Lake City. The absence of this representation in WADA's decision-making processes undermines the agency's credibility and raises questions about the integrity of anti-doping efforts during these high-profile events. While U.S. athletes' eligibility to compete is not directly affected by the funding dispute, the global perception of the U.S. commitment to clean sport may be compromised.

Furthermore, the situation risks straining relationships with international sporting bodies, potentially affecting future bids for major events. Specifically, the United States's exclusion from WADA's governing body not only impacts the agency's governance but also casts a shadow over the integrity of all upcoming international sporting events. American athletes cannot be guaranteed

<sup>25</sup> <https://www.insidethegames.biz/articles/1152386/wada-crisis-fight-anti-doping-collapsing>

<sup>26</sup> <https://www.wada-ama.org/en/news/wada-executive-committee-unanimously-endorses-four-year-period-non-compliance-russian-anti#:-:text=The%20September%202018%20decision%20to,of%20the%20new%20Compliance%20Standard.>

<sup>27</sup> <https://www.usada.org/announcement/call-for-independent-prosecutor-wada/>

<sup>28</sup> <https://www.playthegame.org/news/the-wada-presidency-election-or-coronation/>

<sup>29</sup> [https://www.thetimes.com/sport/swimming/article/revealed-lawyer-linked-to-wada-and-silence-over-chinese-drug-scandal-6k6tgrvts?utm\\_source=chatgpt.com&region=global](https://www.thetimes.com/sport/swimming/article/revealed-lawyer-linked-to-wada-and-silence-over-chinese-drug-scandal-6k6tgrvts?utm_source=chatgpt.com&region=global)

a level playing field if this bigotry is not addressed. Restoring U.S. participation in WADA's governing body is crucial to reaffirming our and the world's commitment to clean sport. *Therefore, any future legislation must consider the requirement that WADA provides the United States its own permanent seat at either Executive Committee or the Foundation Board or both.*

4. *Enhanced Stakeholder Representation:* WADA must include greater representation from national anti-doping organizations, independent athletes, and technical experts, ensuring that all relevant perspectives are considered in decision-making processes.
5. *Robust Conflict-of-Interest Policies:* The integrity of any global regulatory body depends fundamentally on the trust it inspires, and this trust is eroded when real or perceived conflicts of interest go unchecked. For WADA, robust conflict-of-interest policies should not be treated as a procedural luxury—which it currently does, but a structural necessity. Recent controversies, including the role of a WADA employee, who reportedly advised against referring the Chinese doping case to the Court of Arbitration for Sport (CAS) before later becoming WADA's General Counsel, highlight the risks of blurred professional boundaries and insufficient internal safeguards.<sup>30</sup>

When senior legal counsel, investigators, or board members have overlapping professional relationships with external parties under investigation—or may personally benefit from institutional decisions—WADA's credibility is imperiled. To remedy this, *WADA must adopt and enforce rigorous, independently audited conflict-of-interest policies for all its leadership employees and board positions. These policies should include full disclosure of all affiliations, mandatory recusals in relevant cases, cooling-off periods for appointments, and an external ethics ombudsman empowered to investigate and report findings publicly.* Without clear, enforceable standards, WADA risks continuing to operate in the shadow of impropriety, eroding the global confidence that clean athletes and national anti-doping bodies demand.

6. *Transparent and Accountable Decision-Making:* Transparent and accountable decision-making must become a central pillar of WADA's operations if it is to maintain legitimacy as the global standard-bearer for anti-doping. At present, key decisions—such as the handling of the 2021 Chinese doping scandal—have occurred without proper disclosure to WADA's own Executive Committee, let alone the public. This failure to communicate critical developments in real time erodes confidence not only among national anti-doping agencies and athletes but also among governments who fund and rely on WADA's impartiality. Transparency is not just about publishing decisions after the fact; it is about creating a culture where deliberations, rationale, and procedural steps are visible and accessible, subject to internal checks and external scrutiny.

Accountability, in turn, demands mechanisms for review, correction, and consequence—including independent audits, appeals processes, and stakeholder oversight. *WADA must adopt practices seen in mature international governance bodies, such as publishing minutes of key meetings, disclosing conflicts, and issuing timely updates on case progress.* Only by embedding transparency and accountability in its DNA can WADA reclaim its moral authority and rebuild the trust of the athletes and institutions it is designed to serve.

7. *Effective Enforcement Mechanisms:* For WADA to fulfill its core mandate and command respect from the global sporting community, it must implement far more effective enforcement mechanisms. *WADA must establish an autonomous, investigative arm with full independence from its political and executive leadership—modeled perhaps after prosecutorial divisions in financial oversight bodies or ethics committees in international law. In addition, WADA must apply its Code uniformly across all member countries, regardless of geopolitical or economic considerations, and ensure that all enforcement decisions are transparently documented and open to review.* Enforcement cannot be selective or politically convenient; it must be principled, consistent, and courageous—or risk rendering the global anti-doping system ineffective and irrelevant.

These reforms are not merely aspirational suggestions or bureaucratic niceties; they are foundational imperatives if WADA is to meaningfully fulfill its mission of protecting clean sport. Without decisive action to address the structural deficiencies in governance, transparency, enforcement, and conflict-of-interest management, WADA risks becoming a passive figurehead—present in name but ineffective in ac-

<sup>30</sup> <https://www.cbc.ca/radio/thecurrent/wednesday-may-22-2024-full-transcript-1.7212131>

tion. The global anti-doping system cannot afford such erosion of trust. Athletes from every nation, especially those who choose integrity over shortcuts, deserve a regulatory body that operates with rigor, independence, and unwavering fairness. These reforms are essential to restore confidence among national anti-doping organizations, to uphold the credibility of international competitions, and above all, to guarantee that the playing field is level—not just in rhetoric, but in reality. The future of fair sport depends not on words, but on action. WADA must either evolve with urgency and resolve—or forfeit the trust of the very athletes and institutions it was created to serve.

#### VI. THE ROLE OF THE UNITED STATES AND UNITED STATES CONGRESS IN DRIVING REFORM

As the largest financial contributor to WADA, the United States has both a responsibility and an opportunity to lead efforts to reform the agency. The United States should continue to engage with international partners and stakeholders to advocate for greater transparency, stronger governance, and meaningful accountability within WADA. However, without decisive structural changes, there is a real danger that WADA will continue to function in an opaque, self-protective manner—imperiling the trust of clean athletes worldwide.

Beyond its governmental contributions, the United States plays a disproportionately large financial role in the broader Olympic ecosystem. U.S.-based companies make up the majority of corporate sponsors supporting the International Olympic Committee (IOC). *For instance, companies such as Coca-Cola, Visa, Intel, and Airbnb collectively contribute billions of dollars to the IOC through the TOP (The Olympic Partner) sponsorship program. These commercial investments are not mere branding exercises; they reflect a commitment to the Olympic values of excellence, respect, and fair play.* However, when doping violations are inadequately investigated or politically suppressed, it tarnishes the integrity of the very competitions these companies are underwriting—and, by extension, erodes the value of their investment.

The United States has long been a global leader in anti-doping policy, both through its funding and through the operational excellence of the U.S. Anti-Doping Agency (USADA). This commitment is more than financial; it is deeply cultural and ethical. To that end, Congress is considering the “*Restoring Confidence in the World Anti-Doping Agency Act*,” which would grant ONDCP the authority to withhold funding from WADA unless the organization implements meaningful governance reforms.<sup>31</sup> This measure underscores the seriousness with which the U.S. Congress regards WADA’s obligations to athletes and to the integrity of global sport. At a time when the world is watching—and the United States is preparing to host landmark events like the 2026 FIFA World Cup and the 2028 Los Angeles Olympic and Paralympic Games—reform is not just appropriate, it is imperative.

#### THE ROLE OF THE UNITED STATES CONGRESS IN REFORMING WADA

Congress has several strategic tools at its disposal to drive reform at WADA and ensure the agency operates with greater transparency, accountability, and effectiveness. They include:

##### 1. *Conditional Funding Legislation*

Congress can pass legislation—such as the proposed “*Restoring Confidence in the World Anti-Doping Agency Act*”—that ties future U.S. funding contributions to specific governance reforms. This approach gives the U.S. leverage by linking its funding to meaningful institutional change without undermining clean athletes.

These conditions may include:

- a) WADA routinely submit to an independent code compliance operational audit
- b) Greater independent athlete representation on WADA’s boards and committees.
- c) Mandatory conflict-of-interest disclosures and recusal policies.
- d) Independent investigations for major doping cases.
- e) Clear and public decision-making processes.
- f) Providing whistleblower protections

<sup>31</sup><https://www.blackburn.senate.gov/services/files/6E1EB3C9-0C3A-4E58-99AC-AF24AE9F4DEE>

- g) WADA permanently suspend its efforts to institute new sanctions on Public Authorities for the voluntary non-payment of dues.

### 2. *Strengthen ONDCP's Oversight Role*

Congress can formally *expand the authority* of the Office of National Drug Control Policy (ONDCP) to oversee U.S. participation in international anti-doping bodies. This would allow ONDCP to:

- a) Represent U.S. interests at WADA by requiring a permanent U.S. representation (seats) on WADA Executive Committee or Foundation Board or both.
- b) Collaborate with USADA to issue public evaluations of WADA's compliance with best practices.

Furthermore, it is noteworthy that the ONDCP has long housed and overseen the U.S. government's role at WADA, aligning with its broader mission of coordinating U.S. anti-doping policy across Federal agencies, international partners, and sport organizations *Congress should reject any proposed transfer of the ONDCP portfolio* to another Federal agency which would risk undermining the U.S.'s leadership role and credibility in global anti-doping efforts.

### 3. *Convene Hearings and Investigations*

Madame Chairwoman, I commend this committee for holding a *public hearing* on WADA's governance failures. Future hearings may include:

- a) WADA's systemic failures to complete governance reforms and become a transparent and accountable international anti-doping body.
- b) The role of conflicted officials at WADA in creating an uneven playing field in sports leading to an inherent disadvantage for American athletes.
- c) The exclusion of the United States from the Executive Committee and Foundation Board.
- d) The role of 'gifts' and other asymmetric influences on WADA leadership from national bodies and private sectors
- e) Consideration of an alternative authority should the WADA anti-doping regime continue to fall short of its commitments to the global sports community.

### 4. *Leverage Diplomatic Channels*

Congress can call on the *State Department* and U.S. representatives to international sporting organizations to:

- a) Build coalitions with like-minded countries seeking reform.
- b) Coordinate with international bodies (such as UNESCO, which hosts the anti-doping convention) to update governance standards.
- c) Demand that WADA be held to international norms for transparency and integrity.

### 5. *Engage with Corporate Stakeholders*

Because *U.S.-based corporations contribute billions of dollars* to the IOC and, indirectly, to the global sports system, Congress can use its platform to engage these companies. By encouraging them to advocate for clean sport and institutional reform as part of their corporate social responsibility, Congress can add economic pressure to the demand for change.

### 6. *Support Alternative Oversight Mechanisms*

Congress could also consider supporting or proposing the establishment of a *new independent anti-doping oversight panel* (or international watchdog) that audits WADA decisions and compliance. This would be a last-resort measure, but it would send a clear signal to WADA that accountability is non-negotiable.

## VII. CONCLUSION

The integrity of global sport hangs in the balance. The failures of the World Anti-Doping Agency—from its opaque handling of the Chinese doping scandal to its disregard for transparency, accountability, and good governance—have eroded the trust of athletes, nations, and the public. These are not abstract missteps; they are real harms inflicted on clean athletes who train their entire lives for a level playing field, only to find that politics and protectionism too often overshadow justice.

The United States has long stood as a global leader in the fight against doping. Our athletes, our institutions, and our taxpayers have invested heavily—not only

financially, but morally—in upholding the ideals of fairness, integrity, and truth in sport. With the 2026 FIFA World Cup, Olympic qualifiers, 2028 Olympic and Paralympic Games on the horizon, and the 2034 Winter Olympic and Paralympic Games in Salt Lake City hosted on U.S. soil, our responsibility to lead is not just national—it is global.

Now is the time for action. WADA must undergo serious and immediate reform to restore its legitimacy. That means new leadership untainted by institutional self-interest, meaningful stakeholder representation, stringent conflict-of-interest policies, and independent enforcement mechanisms that hold every nation equally accountable. It also means ensuring that the United States—as a primary funder and partner—is no longer sidelined from executive decision-making.

Reform is not optional. It is essential. The credibility of WADA and the future of clean sport depend on our willingness—collectively and courageously—to demand better. We owe that to every athlete who competes clean, to every child who dreams of standing on a podium, and to every fan who believes that sport still has the power to inspire.

Thank you for your attention to this pressing matter. I look forward to your questions and to working together to restore confidence in the global anti-doping system.

Senator CURTIS. Thank you, Doctor. Miss McLaughlin, you have the floor for 5 minutes. Thank you for being here today.

**STATEMENT OF KATHRYN “KATIE” McLAUGHLIN,  
FORMER OLYMPIC SWIMMER**

Ms. McLAUGHLIN. Good afternoon, Madam Chairwoman, Ranking Member, and members of the Committee. Thank you guys so much for having me.

My name is Katie McLaughlin. I am an Olympic silver medalist, and I am so honored to be here and share my story with such an accomplished group.

When preparing this, I kept telling my mom, and anyone that would listen to me, how unreal it felt, because I just feel like I am just a girl that had a big dream. And I think that is exactly why I do feel like I belong here. I am just a girl who dreamed of swimming for Team USA, and now it matters so deeply to me that the next version of me, and the next generation who has a dream of doing the same, gets to compete on a level playing field.

Like many swimmers, I grew up glued to the Olympics on TV. In 2008, I was 11 years old and I remember watching Natalie Coughlin, Michael Phelps, and all those Team USA relays, just dominate. And I felt this overwhelming pride to be an American. And I knew I would do anything to be in their shoes one day. No matter how much time or work or sacrifice it would take to get there, I was going to do it.

And as one could imagine, being an elite athlete or Olympian takes a ton of hard work and sacrifice. We show up to the pool 10 times a week, 11 1/2 months out of the year, and hope at the end of it all we are tenths or hundreds of a second better than we were the year prior. We spend that much time training, looking for an edge or just something to set ourselves apart. And again, as a clean athlete, that was the only way and the only option to lead me to achieve my dreams.

And it did. At 15, I made the national team for the first time and was entered into the anti-doping testing program, which meant I had to let officials know where I would be 24/7, every day of the year. They could show up at my house or school or practice anytime, anywhere, for random drug testing. And they did. And over the next 10 years, I was tested more times than I could count.

But I never once questioned it, because I believed that is what we all did. I believed in the system, I believed in fair play and I never even considered that anyone might not feel the same. To me, competing clean wasn't just a rule. It was a responsibility. I was representing my country, my teammates, my family, and when I stood on the blocks, I wanted to know that I earned that place honestly.

When my relay team swam under the world record time in Tokyo, we asked to be tested, even though we had not won gold. We wanted it documented that we were proud to race clean. That is how much we believed in the principle.

So when I learned later that some competitors may not have had that same lead-up, that the rules did not apply to these athletes, it broke my heart and my teammates' hearts. Because, Madam Chairwoman, clean athletes carry the weight of sacrifice and discipline and transparency, and when that is not honored it undermines the whole point of what we are fighting for.

What is particularly disheartening, as well, is to learn that the powers that be, WADA, who is supposed to be the one holding everyone to the same standard, is not holding everyone accountable. It is really hard to understand how the fundamentals of sport, and pride for hard work, and pride for representing one's country, has been tainted by these actions.

In 2016, I was hoping to make my first Olympic team, and 5 months before our trials, I fractured a vertebra in my neck. And I tried to come back in time and I didn't make the team, and it was devastating, but it lit a fire in me and I knew I would be back. And I was. In 2021, I finally made the Olympic team and won a silver medal in the 4x200 relay, and it was an absolute dream. My teammates and I left everything in the pool. We believed in doing it the right way and we were so proud of our hard work that earned that medal for the USA.

In 2016, that personal heartbreak was out of my control, a complete accident that inspired me to be back. But in 2021, when learning about the scandal about the Chinese swimmers, and how that could have been prevented had the correct rules been applied, that one had a different sting. And at the end of the day, we can only control ourselves, and that has given me peace as I have stepped away from the sport, knowing I gave it everything and that my family, coaches and supporters sacrificed so much to help me chase my dreams.

But what about the next young athlete who steps up on the blocks and does not have a shot at fairness? Young athletes get one chance to achieve their dream and they can't on an uneven playing field, and that is what drives me to speak up today. I don't want to stay quiet knowing another young girl like me is out there working just as hard and she might not get a fair shot.

Madam Chairwoman, we Olympians are individuals with individual stories, but what unites us is that we fight for honest, clean, and fair competition. At the end of the day, it is about the people, it is about the pride, sacrifice, and integrity. And it should never have to be a question about whether the playing field is level. I care about the future of my sport, and that everyone dreaming of being in my shoes gets a fair shot at achieving their dreams.

Thank you all for listening, and thank you for your leadership and help protecting the future of sports.  
 [The prepared statement of Ms. McLaughlin follows:]

PREPARED STATEMENT OF KATHRYN “KATIE” McLAUGHLIN,  
 FORMER OLYMPIC SWIMMER

Wow. I’m so honored to be here and to share my story with such an accomplished group.

When preparing this, I kept telling my mom how surreal it felt—because I still feel like I’m just a girl that had a big dream. But that’s exactly why I do feel like I belong here. I am just a girl who dreamed of swimming for Team USA. And now, it matters deeply to me that the next version of me—the next generation who has a dream of doing the same—gets to compete on a level playing field.

Like many swimmers, I grew up glued to the Olympics on TV. In 2008, when I was 11, I watched Natalie Coughlin, Michael Phelps, and the Team USA relays dominate. I felt this overwhelming pride to be American, and I knew I would do anything to be in their shoes one day. No matter how much time, work, and sacrifice it would take to get there, I would do it.

And as one could imagine, being an elite athlete/Olympian takes a ton of hard work and sacrifice. We show up to the pool 10 times a week, 11.5 months out of the year and hope at the end of it all, we are tenths or hundredths of a second better than we were the year prior. We spend that much time training, looking for an edge and something to set ourselves apart. And again, as a clean athlete, that was the only way and the only option to lead me to achieve my dreams.

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And they did. Over the next 10 years, I was tested more than I can count. I never once questioned it. Because I believed that’s what we all did. I believed in the system. I believed in fair play. I never even considered that anyone might not feel the same.

To me, competing clean wasn’t just a rule—it was a responsibility. I was representing my country, my teammates, my family. And when I stood on the blocks, I wanted to know I earned that place honestly.

When my relay team swam under the world record time in Tokyo, we asked to be tested—even though we hadn’t won gold (which is standard practice—gold or world record = testing). We wanted it documented: we were proud to race clean. That’s how much we believed in the principle.

So when I learned later that some competitors may not have had that same lead-up—that the rules did not apply to these athletes—it broke my heart.

Because clean athletes carry the weight of sacrifice, discipline, and transparency. And when that’s not honored, it undermines the whole point of what we’re fighting for.

What is particularly disheartening as well is to learn that the powers at be, WADA—who is supposed to be the ones holding everyone to the same standard, are not holding everyone accountable. It is really hard to understand how the fundamentals of sport and pride for hard work and pride for representing one’s country has been tainted by such actions.

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Winning a silver medal in the 4x200 relay was an absolute dream. My teammates and I left everything in that pool. We believed in the work. We believed in doing it the right way and we were so proud to have earned that medal for the USA because we knew we had done everything we could to be at our best that day.

In 2016, my personal heartbreak was out of my control, a complete accident that inspired me to be back. But in 2021, when learning about the scandal with the Chinese swimmers and how that could have been prevented had the correct policies been applied, that one had a different sting.

At the end of the day, we can only control ourselves. That gave me peace as I stepped away from the sport—knowing I gave it everything, and that my family, coaches, and supporters sacrificed so much to help me chase my dreams.

But what about the next young athlete who steps up on the blocks and does not have a shot at fairness? Who gets one chance to achieve their dream and must do so on an uneven playing field? That's what drives me to speak up today.

I don't want to stay quiet knowing another young girl like me is out there, working just as hard—and she might not get a fair shot.

We Olympians are individuals with individual stories. But what unites us is that we fight for honest, clean, fair competition.

At the end of the day, it's about the people. It's about pride, sacrifice, and integrity. And it should never have to be about whether the playing field was level. I care about the future of my sport and that everyone dreaming of being in my shoes gets a fair shot at achieving their dreams.

Thank you for listening—and for helping protect the future of sport.

Senator BLACKBURN [presiding]. Ms. Koller, you are recognized for five minutes.

**STATEMENT OF DIONNE KOLLER, PROFESSOR OF LAW  
AND DIRECTOR OF THE CENTER FOR SPORT AND LAW,  
UNIVERSITY OF BALTIMORE SCHOOL OF LAW**

Ms. KOLLER. Thank you. Good afternoon. My name is Dionne Koller, and I am a professor of law, and the Director of the Center for Sport and the Law at the University of Baltimore. I have published several articles on the United States' efforts to fight doping in sport, and I also co-chaired the bipartisan Commission on the State of U.S. Olympics and Paralympics, which provided its final report to Congress last year.

I appreciate the opportunity to testify today, and I commend this Committee for taking up the issue of how the United States should respond to WADA's continued failure to fully meet its mission.

Members of the Committee, WADA has suggested that the U.S. is hypocritical and behaving politically. Yet the U.S. has, for decades, been a leader in tackling some of the most important challenging issues affecting elite sport and has never shied away from taking action, even when the target is the United States. From confronting the issue of sexual abuse of athletes to the equal pay for Team USA Act and more, the United States and this Committee have repeatedly stepped up to protect athletes and the integrity of sport.

The U.S. has, for decades, also shown the same resolve concerning doping in sport. Countries like Russia and China have long used doped athletes to win in international competition. And the U.S. certainly has had its own issues. Before USADA was formed, our drug testing program was administered by the entities charged with selecting athletes for international competition. This obvious conflict of interest prevented the U.S. from administering a credible drug testing and sanctioning program.

In the late 1990s, however, the U.S. Government took strong steps to ensure that rather than ever being perceived as cheaters, we would be leaders in the fight against doping in sport. We led international efforts to establish WADA and implement the World Anti-Doping Code, and in 2008, we adopted the International Convention against Doping in Sport.

It is useful to review the principles underlying the convention, which include the belief that doping has serious consequences for athlete health, the principle of fair play and the future of sport, the obligation that the international community cooperate toward the elimination of doping in sport, that public authorities and sport or-

ganizations have responsibilities to prevent and combat doping in sport, and that these authorities and organizations must ensure the highest degree of independence and transparency.

The United States has more than lived up to these obligations. Congress designated USADA as the official anti-doping agency for the U.S. and provided the majority of USADA's funding. This has been taxpayer money that is well spent. In my role as Co-Chair of the Commission on the State of U.S. Olympics and Paralympics, I saw firsthand how USADA has performed.

Although our Commission was not charged by Congress to review USADA's operations, our research, surveys, and interviews repeatedly turned up evidence that USADA is a trusted, respected organization that is fulfilling its mission. USADA operates the way a national anti-doping organization should and, indeed, the way any domestic or international sporting organization should.

Unfortunately, I cannot today say the same about WADA. The way WADA handled the Russian and Chinese doping cases and others have made clear that it is not enough to hope that individual WADA leaders do the right thing. WADA's structure must be such that it can and will always do the right thing.

This is not a partisan issue. Under both the previous Trump and Biden administrations, we have taken steps to ensure that WADA fulfills its promise. Yet despite years of U.S. efforts to work with WADA to achieve the necessary reforms, WADA still has not fully implemented the changes necessary to ensure that the principles reflected in the Convention against doping in sport are consistently upheld and not disregarded when politically expedient.

This is not surprising, as WADA remains far too tethered to the International Olympic Committee and international sport powers and does not operate with the independence and an ethic of transparency that are necessary to meet its mission. Continuing to fund WADA under these circumstances risks endorsing the status quo, and it also sends a message to American athletes and the American public that clean sport and fair competition are no longer a priority.

In conclusion, in 2008, I wrote a law journal article that questioned whether the fight for clean sport could survive in long term. I stated that the fight against doping may not continue with as much force as in the early years of WADA if the international community does not follow through and, quote, "suspicions of athlete doping from countries such as China and Russia persist."

Members of the Committee, we are at that point. If the commitment to clean, fair sport is to endure, the United States must take a lead role to ensure that WADA fulfills its mission.

Thank you for the opportunity to contribute to this important discussion and I welcome your questions.

[The prepared statement of Ms. Koller follows:]

PREPARED STATEMENT OF DIONNE KOLLER, PROFESSOR OF LAW AND DIRECTOR,  
CENTER FOR SPORT AND THE LAW, UNIVERSITY OF BALTIMORE SCHOOL OF LAW

Chairman Blackburn, Ranking Member Hickenlooper, and Members of the Committee:

My name is Dionne Koller, and I am a Professor of Law and the Director of the Center for Sport and the Law at the University of Baltimore. I have published sev-

eral scholarly articles on the United States's efforts to fight doping in sport, and I currently serve on the United States Anti-

Doping Agency's (USADA) Administrative Review Panel. I also co-chaired the bipartisan Commission on the State of U.S. Olympics and Paralympics which provided its report to Congress last year.<sup>1</sup> I appreciate the opportunity to testify about the state of the World Anti-Doping Agency (WADA) and its effectiveness in policing and preventing cheating in international sports through prohibited athlete performance enhancement.

As an initial matter, I would like to commend this Committee for taking up the issue of how the United States should respond to WADA's continued failure to fully meet its mission. WADA has suggested that the U.S. is behaving politically and hypocritically.<sup>2</sup> Yet the U.S., and this Committee, has for decades been a leader in confronting some of the most important, difficult issues affecting elite international sport, and has never shied away from taking action, even when the target is the United States. From addressing the issue of sexual abuse of athletes in American Olympic and Paralympic sport to the Equal Pay for Team USA Act, the U.S., and this Committee, has led the effort to protect athletes and the integrity of sport. The U.S. has for decades also shown the same resolve concerning doping in sport, and the proposed Restoring Confidence in the World Anti-Doping Agency Act is a necessary step in this continuing fight.

Additionally, it is important to highlight the basis for WADA calling the U.S. "hypocritical" in decrying WADA's, and nations like China and Russia's, failure to consistently follow the rules for clean international sport. WADA asserts that because U.S. professional sports leagues and colleges and universities, which participate in sport according to National Collegiate Athletic Association (NCAA) rules, are not subject to USADA's anti-doping controls, USADA and the U.S. are not doing what is necessary domestically to fight doping in sport.

This critique at best reflects a fundamental misunderstanding of the structure of U.S. sport and the many features of it that differ significantly from the conduct of sport throughout the world. The United States does not have a sports ministry or government agency that controls the private entities such as the National Football League or NCAA that oversee sport in their respective contexts. Additionally, millions of athletes participate in sports programs that are embedded in schools. For those occurring in public schools, constitutional issues, among others, would likely arise with the types of doping controls used in international sport, and such controls would also involve significant disruptions to the educational setting and impact parents' rights. For sports occurring in the professional context, international doping protocols would have to be reconciled with athletes' labor and employment rights. In short, the statement that the U.S. is hypocritical fails to account for the unique way in which American sport is legally organized and implemented.

It also fails to account for the fact that because of this unique approach to sport, the United States enacted the Ted Stevens Olympic and Amateur Sports Act. Under that statute's terms, any athlete—whether professional, intercollegiate, interscholastic, or grassroots youth—who also represents the U.S. in Olympic or Paralympic Movement competition or is affiliated with a sport national governing body—must comply with all anti-doping protocols administered by USADA and mandated by the World Anti-Doping Code (WADC). The integrity of purely domestic sport, some of which occurs in educational institutions, has always been an important law and policy issue in the United States. It is not subject to WADA's jurisdiction. WADA's claims about the U.S. are therefore an unfortunate deflection away from the real issue, which are the serious and continuing challenges to the integrity of international sport.

There is a long history of doping in the Olympic movement. Countries like the former East Germany and the Soviet Union, now Russia, as well as China, have for decades used doped athletes to win in, and disrupt, international competition. The pressure to meet this cheating even drove some United States athletes in the past to engage in doping. Since as far back as 1973, Congress has held hearings on the issue,<sup>3</sup> and at that time, athletes made clear that they felt intense pressure to dope to keep up with the drug-tainted athletes from nations determined to subvert the integrity of international sports to win medals. It should never be this way.

<sup>1</sup>Passing the Torch: Modernizing Olympic, Paralympic & Grassroots Sports in America, The Final Report of the Commission on U.S. Olympics and Paralympics (2024). The report was transmitted to every member of Congress and may also be found here: <https://www.csusop.org/>

<sup>2</sup>See, e.g., <https://english.news.cn/20240626/97b3a19c2074452db180de1c77aa6768/c.html>.

<sup>3</sup>Dionne Koller, *Sports, Doping, and the Regulatory Tipping Point*, 26 Marq. Sports L. Rev. 181 (2015).

The United States certainly has had its own issues in the fight against sports doping. Before USADA was formed, the former United States Olympic Committee (now the United States Olympic and Paralympic Committee) administered drug testing through each sport's National Governing Body (NGB), which was also charged with prosecuting athletes for doping violations under the NGB's own administrative procedures. This meant that the entities charged with selecting athletes for Olympic and international competition also administered drug testing and determined the sanctions, and the obvious conflict of interest prevented the United States from administering a credible drug testing and sanctioning program. Congress took notice. In the words of the late Senator John McCain, Olympic doping scandals "harm our image and will contribute to our image, whether deserved or undeserved, that the United States is a bully and unethical."<sup>4</sup> The United States government took steps to ensure that rather than being perceived as cheaters, we would be leaders in the fight against doping in sport.

In the late 1990s, General Barry McCaffrey, former head of the Office of National Drug Control Policy (ONDCP), made fighting drug use in Olympic Movement and professional sports a top priority, adopting a national strategy to combat drug use and doping in sports. This strategy included leading the international efforts to develop WADA, which began operations in 1999, and USADA, which began operations in 2000. The United States also was a leader in drafting the WADC, initially adopted in 2003.

Given that governments cannot be signatories to the WADC, in 2005 UNESCO adopted the International Convention Against Doping in Sport, which was the vehicle for governments to formally recognize WADA and the WADC. The United States ratified the convention in 2008, and the International Olympic Committee and International Paralympic Committee require that all nations that seek to host an Olympic or Paralympic Games sign on. It is useful to review the rationales for, and underlying beliefs cited in the Convention, which include:

- The belief that doping has serious consequences for athlete "health, the principle of fair play . . . and the future of sport";
- The obligation that the international community cooperate "towards the elimination of doping in sport";
- That public authorities and sport organizations "have . . . responsibilities to prevent and combat doping in sport"; and
- That these authorities and organizations must ensure "the highest degree of independence and transparency."

Based on these principles, the Convention obligates state parties, among other things, to fight doping within their jurisdiction and support the mission of WADA, and makes clear that state parties have an obligation to "withhold some or all financial or other sport-related support from any sports organization or anti-doping organization not in compliance with" the WADC. The United States has lived up to these obligations.

USADA was established as a private corporation and truly independent entity tasked with implementing the WADC. Congress has designated USADA as the "official" anti-doping agency for the United States, and its mission has been to ensure that American athletes train and compete clean. To that end, Congress has provided the majority of USADA's funding. This has been taxpayer money that is well spent.

In my role as co-chair of the Commission on the State of U.S. Olympics and Paralympics, I saw first-hand how USADA has performed. Although our commission was not charged by Congress to review USADA's operations, our research, surveys, and interviews regarding the topics of our study repeatedly turned up evidence that USADA is a trusted, respected organization that is fulfilling its mission. Since its formation, it has not hesitated to test and sanction even America's most accomplished, decorated athletes. USADA operates the way a national anti-doping organization should, and indeed the way any domestic and international sporting organization should. As the Commission stated in its report, USADA stands as "a beacon of confidence within the movement."

Unfortunately, I cannot today say the same about WADA. In its early years, WADA appeared to have leadership that was committed to the goals of clean sport and enforcing the WADC no matter the political circumstances. However, several doping scandals in recent years prompt important questions about whether WADA is willing and able to meet its mission. In 2014, Russia orchestrated a state-run campaign of systematic athlete doping and cover-ups that tainted the Sochi Games.

<sup>4</sup>Dionne Koller, *From Medals to Morality: Sportive Nationalism and the Problem of Doping in Sports*, 19 Marq. Sports L. Rev. 91 (2008).

In 2022, Russian skater Kamila Valieva competed in the Beijing Olympics despite a positive doping test. And, of course, 23 Chinese swimmers tested positive for a banned, performance-enhancing drug in 2021 but were cleared to compete in subsequent Olympic Games. Only through courageous whistleblower reports did the international community learn the truth. These cases and others have made it apparent that it is not enough to *hope* that individual WADA leaders do the right thing. WADA's structure must be such that it *can and will* do the right thing. As the largest government contributor to WADA's budget, the United States must continue to demand greater accountability.

Seeking greater accountability from WADA and protecting clean sport for American athletes is not a partisan issue. Under both the previous Trump and Biden administrations, we have taken steps to ensure that WADA fulfills its promise and the U.S. remains committed to the international anti-doping effort. For instance, in 2019, Congress passed the Rodchenkov Anti-Doping Act, authorizing prosecutors to go after those who execute doping schemes in major international sports competitions. In 2020, an ONDCP report detailed the ways WADA needed to be reformed to be able operate with the transparency, accountability, and fairness the international sporting community, and sports fans, deserve. Most recently, the United States has withheld its contribution to WADA. Yet despite years of efforts to work with WADA to achieve the necessary reforms, WADA still has not fully implemented the changes necessary to ensure that the principles reflected in the International Convention Against Doping in Sport are consistently upheld and not disregarded when politically expedient.

This is not surprising, as WADA remains far too tethered to the International Olympic Committee and international sport powers and does not operate with the independence necessary to meet its mission. In my role as Commission co-chair, I saw clearly the importance of institutional independence. With its dedicated government funding and independent governance structure, USADA has fulfilled its obligations to international sport and the American public, and within the U.S. Olympic and Paralympic movement it enjoys the highest levels of trust and respect. In contrast, our Commission found that SafeSport, with its ties to the USOPC and its funding structure, is not nearly as trusted. Similarly, WADA's structure and susceptibility to political influence mean that its legitimacy is continuously subject to question, and its actions in recent cases have not dispelled the concern that it is unable to fully ensure clean sport. Since at least 2016, WADA has been working to strengthen its governance, with an eye toward making enhancements to its structure to ensure its independence. The latest issue with the Chinese swimmers demonstrates that this work is not finished, and further delays are unacceptable.

Given our history in WADA's founding and its status as its largest government funder, the United States is in a unique position to demand the promised reforms. Indeed, continuing to fund WADA without doing so risks endorsing the status quo. It also sends a message to American athletes and the American public that clean sport and fair competition are no longer a priority. This Committee should continue its leadership around the most pressing issues in elite international sport by seeking to ensure that WADA follows through on its governance reforms and provides the type of transparency—on the issue of the Chinese swimmers and other high-profile cases—that will restore the confidence of the international sports community and international sports fans.

In conclusion, in 2008 I wrote a law journal article that questioned whether the fight for clean sport would survive in the long term, stating that “while it is hard in the current climate to imagine the anti-doping zeal waning . . . the international political climate is susceptible to change, [and] it may be that the anti-doping effort is not continued with as much force as it is today . . . if several nations which purport to adopt the World Anti-Doping Code do not follow through, and suspicions of athlete doping from countries such as China and Russia persist.”<sup>5</sup> Members of the Committee, we are at that point. If the commitment to clean, fair international sport is to endure, the United States must take a lead role, as it did in establishing WADA, to ensure that WADA follows through and fulfills its mission.

Thank you for the opportunity to contribute to this important discussion. I welcome your questions.

Senator BLACKBURN. We thank all of our witnesses for their testimonies and each of you for your commitment to this cause. I do have a short video. There are other athletes in the video that want-

<sup>5</sup>Dionne Koller, *From Medals to Morality: Sportive Nationalism and the Problem of Doping in Sports*, 19 Marq. Sports L. Rev. 91 (2008).

ed to be present with us today and are unable to do so. So if the clerk will play the video.

[Video plays.]

Senator BLACKBURN. I recognize Senator Hickenlooper for five minutes of questions.

Senator HICKENLOOPER. Again, thank you, Madam Chair. Thank you all for being here.

Let me start with Ms. McLaughlin again, and thank you for your dedication, your service to Team USA. It really is remarkable. You stepped inside the lines to compete for your country at the highest level. Given all that we have heard, can you see, can we rebuild the confidence in having a level playing field?

Ms. MCLAUGHLIN. I think that there is definitely hope amongst us athletes that we can. It is super important to us all when we are dedicating so much of our time and our lives, and people in our lives are sacrificing for us as well, that there is potential for us, too. And I think that by doing things like this and putting trust in you guys and USADA and everything, I think we are making the right step.

Senator HICKENLOOPER. Great. Thank you. I appreciate it. You are a role model for so many young people. I really appreciate that.

Ms. Koller, I am going to swim off a little bit here. A recent House settlement ruled that NCAA Division One schools must pay former athletes over \$2 billion in total compensation. Football, basketball, the money flows. Not so much with swimming, track and field. While the aftermath of the House settlement is recent, some Division One schools are considering cutting funding to the non-revenue sports, in the aftermath of the House settlement. What options do universities have, in your opinion, to, across all levels of the NCAA, to grow non-revenue sports?

Ms. KOLLER. Well, I think there are lots of options, Senator, and thank you for that question. I think the House settlement does not need to be the death knell for Olympic and Paralympic movement sports at our colleges and universities. I think there is much more to say about this. Every school is in a different position. We know that there are different levels of athletic programs, but I think the solutions are there. And I think the idea that we have to cut Olympic and Paralympic movement programs is wrong.

I think there is a lot that can be done, and I would be very happy to follow up with you in the questions for the record to provide you with a lot of specific ideas that have been out there.

Senator HICKENLOOPER. Great. We will pursue that.

And Ms. McLaughlin, again, you obviously have a vested interest in this and you have lived it firsthand. How important is it, in your opinion, to maintaining that all the Olympic sports and making sure that swimming and diving, how important is that to the future competitiveness of Team USA?

Ms. MCLAUGHLIN. Yes, totally. I loved my time swimming in the NCAA. It was some of my most fond memories as an athlete, and I think it gives so many young swimmers and athletes something to dream of and look forward to. And yes, I think it was an amazing experience, so thank you.

Senator HICKENLOOPER. Good. I am glad to hear that.

Ms. Leducky, when she spoke on Sunday, I think she estimated she swam 26,000 miles and looked at every mile as an investment in who she was to become. And I am sure that all of you had that same kind of commitment and that investment in yourselves, which is truly powerful for the next generation.

Mr. Tygart, thank you for your work with leading the U.S. Anti-Doping Agency. Is it clear that the World Anti-Doping Agency, that WADA, has lost the confidence of many athletes? I think we know what that is, but what reforms or actions do you think WADA needs to take to rebuild trust within sporting federations and athletes before the 2028 Olympics?

Mr. TYGART. Thank you, Senator, for the question. Listen, we hear from athletes every day, and you heard from the video not just based here in the United States, who are frustrated, who are upset, who realize the global regulator does not actually have their back, in fact. And so, I think the confidence has been undermined and it is coming on the heels of the Russia state-sponsored doping. If you see in my long testimony about the weightlifting, it was biathlon before that, it was track and field before that. Here we go again. And we have to get this cleaned up to be effective going forward.

Senator HICKENLOOPER. Obviously, transparency and accountability—

Mr. TYGART. I think the silver bullet on reform, to answer the second question is independence, and I think with independence, then flows transparency, accountability, effective use of resources, engaging in dialogue to how to better themselves—

Senator HICKENLOOPER. And trust.

Mr. TYGART.—and then, ultimately, trust, which is the most important aspect for a system that is supposed to give confidence to athletes doing it the right way is the only way to win.

Senator HICKENLOOPER. Right.

And Dr. Gupta, how do you think we can build the international collaborative efforts to get back to this goal of trust?

Dr. GUPTA. Thank you for that question, Senator. I think it is going to be important that the United States works with other countries like-minded. We have worked within the Americas 41 nations where we were elected for the second time just this past April. I think we have to continue to do that with the European partners, allies in New Zealand, in Australia, in Japan, and others to make sure that, again, the transparency, accountability is first and foremost in order to build that trust into WADA.

Senator HICKENLOOPER. Great. Thank you very much. I yield back to the Chair.

Senator BLACKBURN. We thank you and know you have to rush off.

Senator HICKENLOOPER. I appreciate it.

Senator BLACKBURN. So go make that speech well.

Senator HICKENLOOPER. I will. Thank you.

Senator BLACKBURN. We are depending on him.

Ms. McLaughlin, I want to come to you first. Talk to me a minute about how it made you feel when you read *The New York Times* exposé and you felt like it was confirmed to you that you had been beat because somebody was a cheater, and here you were put-

ting your heart and soul into your training, and you get to that moment to get that medal and it is not there because somebody cheated you out of it.

Ms. McLAUGHLIN. Yes, thank you for your question. It was devastating, honestly. I remember getting the call from USADA, letting me know that *The New York Times* article was going to break. I was just so taken aback and heartbroken. And I think I spent a lot of my career trusting in the powers that be, and it was really sad to find out that that is not someone who could be trusted, meaning WADA.

I think a lot of my teammates and I were just pretty let down, and I think at the end of the day, all I can control was myself and my own race, and my teammates could only control their part of the race. So that is something to kind of hold onto. But I think just pretty devastating, heartbreaking all around. But thank you.

Senator BLACKBURN. Mr. Tygart, as we have mentioned before, as soon as the allegations came to light, I got a letter out to WADA demanding to know why they felt like they could ignore this doping. And their answer back to me was insufficient. And, of course, they blame everyone but themselves, which is not a surprise to us. And they even said that there was no basis to challenge that contamination and that the source was TMZ. And so, there you go. We find out, of course, that they have lied about this. And I know you have reviewed their response.

I want you to just talk for a minute about why it is completely implausible that the Chinese swimmers were unwittingly contaminated?

Mr. TYGART. Thank you for the question, Senator Blackburn, and for your efforts, including the introduction of the Restore Confidence in WADA Act that is before this Subcommittee.

Listen, I think we have attempted to get answers, just as you all have, to what really happened. We have seen what they have produced, which is very little. They appointed a very limited review of their own actions. And you do not have to take it from me. You can take it from what he determined, and he determined that they did not prove contamination, and that it was just as plausible to be intentional use.

You then couple that with the fact that WADA did no investigation, just blindly accepted the factual scenario that was provided by the Chinese. And, in fact, months before these positive tests showed up on their desk, they had interviewed a defector, a whistleblower from China, who had indicated to them that TMZ was being given in a systemic fashion to athletes, but yet WADA leaders never brought in their independent investigative unit. They have a 16-person, very experienced investigative unit. They were not involved at all with investigating the facts of this case.

TMZ is a prescription medication in some countries. It does not just show up in the kitchen. It is unbelievable to think that Tinkerbell showed up and sprinkled it within the kitchen. The Chinese did not find anyone using it. They did not find it in the food. And the amount of food, the amount of contaminated drink you would have to actually eat or consume to get these levels was a few micrograms. I think we did the analysis based on the information

that is out there. It is like 11 pounds of food and over, I think, seven gallons of liquid in order to get the levels.

And to think that Chinese athletes at the top of their game are going to do that type of diet the day before an event or the day after one event before the next day's race is just absolutely ludicrous, and it is why we have asked for the questions, why hasn't this followed the process and the protocols that are in place?

Senator BLACKBURN. Let me ask you this, kind of following on to that. Why do you think that WADA thought they could intimidate the U.S. and the U.S. Olympic Committee and the Salt Lake City officials, and why was there a capitulation there?

Mr. TYGART. Listen, I think it is what happened in Paris, I think you are referring to. I think it is Exhibit A of the value and the importance of independence in anti-doping enforcement. You have the perception that the IOC leveraged the giving of the Olympic Games in exchange for us bowing down, as Senator Cruz mentioned, to the supreme authority of WADA. Those should not be co-mingled whatsoever.

Now, we have been assured from the United State Olympic and Paralympic Committee that it is meaningless, there was no quid pro quo in their mind, and we must give credit to the United States Olympic and Paralympic Committee because they did make the independent decision to create USADA. You have heard from some of the other witnesses about the effective model of independence.

They took the courage back in late 1999, early 2000, to say we are going to be involved to help fund, but we are not going to be involved from a decisionmaking standpoint. We are going to remove the fox from guarding the henhouse here in the United States. And we think, and Professor Koller testified to it, we think that has made all the difference in enforcement. And unfortunately, that is not what has happened and occurred with the IOC and with the World Anti-Doping Agency.

Senator BLACKBURN. All right, five minutes to the gentleman from Utah.

**STATEMENT OF HON. JOHN CURTIS,  
U.S. SENATOR FROM UTAH**

Senator CURTIS. Thank you, Madam Chair, and thank you to our witnesses. Mr. Tygart, as you know, Utah hosted the 2002 Winter Olympics. I think by everybody's standards it was a tremendous success, both for the state and for the Olympics. Today, imagine our pride in hosting the 2034 games, and to us building on that legacy that we had in 2002 is just really important.

And to be honest, if you asked the average person on the street in Utah about WADA or USADA, they would not know what was going on. But they do know this. They want the Olympics in 2034 to be the cleanest Olympics in the history of Olympics. So, what has to happen? What does WADA—can they restore trust? And to restore trust, specifically, not in generalities, what do they need to do?

Mr. TYGART. Listen, I think the silver bullet to restoring trust is independence. They promised an independent President and Vice President; they broke, betrayed that promise. And that was part of why the U.S., back in 2020, agreed to fund WADA, was making it

more independent. That was in the legislative language to the funding that U.S. taxpayers agreed to send to WADA, and that was supposed to go into effect, but they changed the rules mid-game. A bait and switch is what happened.

I do firmly believe if you put an independent President and Vice President on the Executive Committee, which then also means it is on the foundation board—they are the same people—then we can begin the process of ensuring that it is trustworthy, that it is transparent, has accountability, and change the culture so it is not a service or lapdog to sport, but it is actually a dedicated, faithful servant to clean athletes.

Senator CURTIS. Great. Thank you. Katie, thank you for being here today. There are not many people that have done what you did, and there are not many people who could come here today and fill the role that you are filling. I think, in many ways, there are a lot of people, both in Congress and professionally, who are working on getting this fixed. But you represent the athletes, so what do we need to do so that the next person that stands on that pool deck feels like, “You know what? This is going to be fair.”

Ms. McLAUGHLIN. Thank you for your question. I do not have the specific ground rules of a plan of what I think should be done, but I think just echoing what Travis has said of independence and finding a way to find a way for the athletes to be able to trust WADA is super important. And I think that is pretty much it.

Senator CURTIS. Good, good. Well said.

Dr. Gupta, we have talked about transparency. In your legal opinion, in your professional opinion, how does that happen, and is there possible legal action under Rodchenkov Anti-Doping legislation, do we need to do?

Dr. GUPTA. Thank you, Senator, and I really appreciate the work of this Committee, actually, on this issue. It is really critical.

I do echo my colleagues’ thoughts here about the true independence. I also think having the independent code compliance audits is important. I think making sure there are no conflicts of interest in the leadership of WADA is important. I think independent athletes’ representation is important. I think strengthening our oversight of it and having that representation.

What I have found is if we are not at the seat, we cannot impact change and we are about the most independent. And you have heard Katie talk about what U.S. athletes do, and we want to make sure that everybody is doing it, first of all. But more importantly, we want to make sure that cheaters are not part of that system. And then, of course, engaging our corporate stakeholders and leveraging much more diplomatic channels.

I think all of those things, we cannot give up our authority under the Rodchenkov Act to go after the entourage of bad actors. And that is where the supreme authority language kind of does not work for the United States, when these games are coming to you and U.S., and we are so proud of those as well. Thank you.

Senator CURTIS. Let me ask this. Athletes are going to get more and more innovative at cheating. What resources do we need to bring to the table to deal with that?

Dr. GUPTA. I think we do, Congress has to think about more resources in terms of supporting USADA’s work, because I do think

that more R&D and more work will be required in the future because we have a decade, a golden decade in the United States, where we will have so much more sports. But also ensuring that—you know, I withheld the funding because we were not getting results. So, we have to be more accountable ourselves, as well as expect accountability out of WADA.

Senator CURTIS. Good. Ms. Koller, I have just a few seconds left. Would you like to weigh in on any of the questions that I asked?

Ms. KOLLER. No, Senator. I think it has been well covered. Thank you.

Senator CURTIS. OK, yes, thank you. Madam Chair, I yield.

Senator BLACKBURN. Thank you. I have got a couple of more questions. You all have been generous with your time, and we do appreciate it so much, because we do want to get this legislation across the line, and get something on the books, and be able to hold WADA to account. And we know WADA and their allies are going to fight this. As I said earlier, they have refused to come to the Committee. They have refused to provide an explanation. I am certain part of that is they do not want to be under oath and have to admit what is done.

But Dr. Gupta, you have been somebody who made the decision to withhold those funds, and that was an impactful decision. And I want you to talk for the record, for just a minute, about why it is so important that Congress pass this legislation, give the ONDCP the permanent authority to oversee these funds, and then why it was important to withhold those funds?

Dr. GUPTA. Thank you, Madam Chairwoman. Congress passed the authority in the first Trump administration, gave us the authority to withhold that. We exercised that for the right reasons. I think it is really important in legislation to ensure that ONDCP has that oversight authority to work in conjunction closely with USADA, as well as the U.S. Olympic and Paralympic Committees, to ensure that American athletes are getting a level playing field. And only once that is done is we pay our dues.

Of course, WADA is not in favor of conditional dues payment, because the argument is, well, every country will do that. But not every country is paying \$3.6 million and that is matched by IOC, which is over \$7 million. So, it is a large amount. I do think we have to have both the ability to withhold funds, but also appropriate representation on the governing bodies of WADA so we can hold folks accountable, as well as address the bureaucratic aspects. Sometimes, as we saw with this scandal, that often becomes the reason for delaying or deferring or deflecting, really, incompetence and malfeasance.

Senator BLACKBURN. Thank you. Mr. Tygart, I want to ask you about, I think it is Jannik Sinner, and that case. And of course that had to do with the International Tennis Integrity Agency, and they determined that there was a positive test for a banned steroid, and then they decided that Sinner bore no fault or negligence for the positive test. And then WADA, about a month later, announced that it would appeal that decision. And so you have got the athlete and WADA entering into a resolution that resulted in a three-month ban.

But it seems that WADA approached that very differently from how they approached the Chinese swimmers' case. And I do not know if you have insight into why you think they would have approached these cases so differently?

Mr. TYGART. It is impossible, based on what we have seen, to give even speculation of why they were approached so differently. And what was so distressing, and why you hear some of the world's top tennis players so outspoken about the unfairness now that they perceive in tennis, was because how WADA treated this Sinner case, where they appealed it, rattled the sabers, that it should be a 1- to 2-year suspension, and then on the eve of the hearing, cut a deal with a very rarely used provision, and in their explanation, attempted to say there were 67 other cases where they treated it similarly. We have gone out and tried to find those cases and they are nowhere to be found.

And so it raises once again this idea that WADA is unilaterally making decisions not in line with the transparency, the disclosure rules, which are absolutely mandatory.

And I neglected to say it earlier, but make no mistake on the Chinese cases. Even if there was contamination, Madam Chairwoman, they still had to announce those cases. They still had to disqualify those athletes. So, there is no justifiable reason, these basic rules of transparency, even if it was contamination, which of course we do not believe that it was, and Cottier decided it was not necessarily proven, they still had to disclose them.

Senator BLACKBURN. I want to ask you about something in your testimony. You said China has paid an extra \$1.8 million. That is much more than their required dues. And they have done that since 2018. Correct?

Mr. TYGART. Yes, ma'am.

Senator BLACKBURN. And in 2022, the Chinese earmarked \$500,000 specifically for investigations and intelligence. And WADA turned a blind eye to every bit of this and allowed the Chinese swimmers to go ahead and come in. So, do you believe there was a quid pro quo in this?

Mr. TYGART. It is impossible to answer. However, what is clear is the perceived, at best case for WADA, the perceived conflict of, on the one hand, accepting, in addition to what you just mentioned, they have a private sponsorship with ANTA, the biggest Chinese—it is the Nike of China, that also sponsors the Chinese swim team and the Chinese Olympic team.

So, they are getting extra gifts from China on the one hand, including the \$500,000 you mentioned specifically for investigation effort. And then on the other hand, they do not apply the rules, even if you believed it was contamination to China, and do not even investigate the facts that came across their desk. So, at a minimum, the perception of that is what is destroying the credibility in this system.

Senator BLACKBURN. Well, indeed it has.

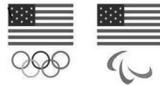
And I want to thank each of you for being here today and for your testimony and for your patience as we were running back and forth to the Capitol for votes.

I will remind all of our Senators on this Committee that they have until the close of business on June 24 to submit their questions for the record. And then you, as our witnesses, will have until July 8, to respond to each of those.

This concludes our hearing today. The Committee stands adjourned.

[Whereupon, at 3:44 p.m., the hearing was adjourned.]

# A P P E N D I X



United States  
Olympic & Paralympic  
Committee  
1 Olympic Plaza  
Colorado Springs, CO 80909

June 13, 2025

The Honorable Marsha Blackburn  
Chairman  
Senate Commerce, Science, &  
Transportation Subcommittee on  
Consumer Protection, Technology,  
& Data Privacy  
357 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable John Hickenlooper  
Ranking Member  
Senate Commerce, Science, &  
Transportation Subcommittee on  
Consumer Protection, Technology,  
& Data Privacy  
316 Hart Senate Office Building  
Washington, DC 20510

Dear Chairman Blackburn, Ranking Member Hickenlooper, and Members of the Subcommittee:

On behalf of the United States Olympic & Paralympic Committee (USOPC), we are grateful for the opportunity to provide this letter for the record for the subcommittee hearing on May 22, 2025, affirming our unwavering commitment to clean sport and our active role in fostering collaboration among key organizations in the global anti-doping community.

Clean sport is the foundation of fair competition and athlete integrity. For the USOPC, it is a fundamental principle that guides all our activities. Our dedication to clean sport extends beyond mere compliance—it is a proactive commitment to safeguarding the health, safety, and rights of athletes.

We collaborate with partners such as the U.S. Anti-Doping Agency (USADA), the World Anti-Doping Agency (WADA), the International Olympic Committee (IOC), and the International Paralympic Committee (IPC) to ensure consistent and rigorous application of anti-doping measures worldwide. Together with USADA, Major League Baseball, and the National Football League, we co-founded and continue to lead the Partnership for Clean Competition, a U.S. non-profit organization advancing anti-doping science through financial support for critical research. Our commitment to clean sport is not just about enforcing rules—it is about cultivating a culture of ethical excellence in sport, ensuring athletes can compete on a level playing field. This includes robust education programs, proactive testing protocols, and unwavering transparency and accountability.

Last year, the Salt Lake City-Utah bid to host the 2034 Olympic and Paralympic Games became involved in a broader debate within the anti-doping community due to the inclusion of a clause in the 2034 Host City Contract. This clause reaffirms respect for WADA's role within the international anti-doping framework. Unfortunately, some mischaracterized this language as

imposing new obligations or even as coercion. To clarify, this clause simply reflects existing commitments of World Anti-Doping Code signatories, including the USOPC. It does not create any new or unmanageable obligations for the USOPC, Salt Lake City–Utah 2034 (SLC-UT 34), or our partners.

The IOC has confirmed that it will continue to require such compliance with the Code and the support of the fight against doping in future Olympic Host Contracts thereby enforcing clean sport as a core value of the Olympic and Paralympic Games, regardless of host location. As an organization, the USOPC consistently upholds the principles of the World Anti-Doping Code, actively fostering dialogue between WADA and USADA to strengthen global anti-doping standards while respecting the distinct roles of each organization. While disagreements may arise between these entities, we believe they should be addressed through collaboration, not division. Finally, we wish to correct any misconceptions regarding our position on the Rodchenkov Anti-Doping Act (RADA). The USOPC has never lobbied, nor agreed to lobby, against RADA. We remain fully committed to supporting effective anti-doping measures that protect athletes' rights and ensure fair competition.

By hosting the 2028 and 2034 Olympic and Paralympic Games in the United States, we have a unique opportunity to model an effective and collaborative anti-doping structure for the world—demonstrating our unwavering support for clean sport and honoring the commitment of athletes today, tomorrow, and for generations to come.

We thank the Committee for its leadership in supporting clean sport and for the opportunity to clarify the USOPC's role and commitment. We remain available to answer any questions you may have.

Sincerely,



Gene Sykes  
Chairman of the Board



Sarah Hirshland  
Chief Executive Officer

Cc:

The Honorable Ted Cruz, Chairman  
The Honorable Maria Cantwell, Ranking Member  
Members of the Senate Committee on Commerce, Science, and Transportation

RESPONSE TO WRITTEN QUESTION SUBMITTED BY HON. AMY KLOBUCHAR TO  
TRAVIS T. TYGART

**Question Topic: Independence**

Your testimony made clear that the World Anti-Doping Agency (WADA) does not operate with the independence necessary to meet its mission—and that increased independence will help generate other needed reforms.

*Question.* What can this Committee do to ensure WADA operates with more independence?

*Answer.* The Committee can ensure WADA implements the reforms which promised an independent President and Vice-President of WADA and by supporting an independent, external, World Anti-Doping Code compliance audit of WADA to evaluate WADA's compliance with their roles and responsibilities under the World Anti-Doping Code. In addition, the Committee can ensure WADA's operates with more independence by supporting independent athlete representation, as defined in bill S.233, the Restoring Confidence to WADA Act of 2025, at WADA governing bodies. Finally, the Committee could also condition future U.S. taxpayer funding to WADA on these factors being achieved at WADA.

RESPONSE TO WRITTEN QUESTION SUBMITTED BY HON. AMY KLOBUCHAR TO  
DR. RAHUL GUPTA

**Question Topic: Increasing Transparency**

The *New York Times* investigative report revealed that 23 Chinese swimmers had tested positive for the banned substance trimetazidine before the 2021 Tokyo Olympics. As you described in your testimony, "This revelation was not disclosed by any Executive Committee meeting or official WADA communication but came to light through a media report, catching us all by surprise."

*Question.* What specific, proactive steps can we take now, especially in advance of the 2028 Olympics, to ensure such a "surprise" does not happen again?

*Answer.* Senator Klobuchar, thank you for this important question. I believe that Congress has multiple policy and strategic levers it can use to push for reform at WADA and enhance the agency's transparency, accountability, and overall effectiveness to ensure that this type of "surprise" does not happen during any international sporting event on U.S. Soil with WADA's involvement.

These include:

**1. Conditional Funding Legislation**

Congress has the authority to advance legislation—such as the proposed "*Restoring Confidence in the World Anti-Doping Agency Act*"—that conditions future U.S. funding for WADA on the implementation of key governance reforms. This strategy would allow the United States to assert meaningful influence and promote institutional accountability, while safeguarding the interests of clean athletes.

Potential conditions tied to funding could include:

- a) Routine, independent audits of WADA's code compliance operations
- b) Increased independent athlete representation on WADA's governing bodies and committees
- c) Mandatory conflict-of-interest disclosures and enforceable recusal standards
- d) Independent oversight and investigation of major doping cases
- e) Transparent and publicly accessible decision-making processes
- f) Robust whistleblower protections
- g) A permanent halt to WADA's efforts to penalize public authorities for choosing not to pay voluntary dues

**2. Expand ONDCP's Oversight Authority**

Congress can enhance the Office of National Drug Control Policy's (ONDCP) role by granting it formal authority to oversee U.S. engagement with international anti-doping organizations. This would empower ONDCP to:

- a) Work with like-minded partners to change WADA rules that would allow permanent U.S. representation on WADA's Executive Committee, Foundation Board, or both, ensuring consistent advocacy for American interests.
- b) Partner with U.S. Anti-doping Agency (USADA) to publish independent assessments of WADA's adherence to international standards and governance best practices.

### 3. Convene Hearings and Investigations

Congress can continue to demonstrate that it takes the issue of protecting clean American athletes as well as those across the world by continuing to have future hearings which would further examine:

- a) WADA's persistent failure to implement meaningful reforms and operate as a transparent, accountable international anti-doping organization
- b) The influence of conflicted officials within WADA and how this has contributed to an uneven playing field that disadvantages American athletes
- c) The ongoing exclusion of the United States from WADA's Executive Committee and Foundation Board
- d) The impact of undisclosed gifts, preferential treatment, or other disproportionate influences exerted by national governments or private entities on WADA leadership
- e) The potential need for an alternative anti-doping authority if WADA continues to fall short of its obligations to the global sports community

### 4. Utilize Diplomatic Influence

Congress can call upon the U.S. Department of State and American delegates to international sports bodies to:

- a) Forge alliances with reform-minded nations committed to fair play and transparency
- b) Collaborate with global institutions—such as UNESCO, which oversees the anti-doping convention—to modernize governance frameworks
- c) Advocate for WADA to adhere to internationally recognized standards of integrity, transparency, and accountability

### 5. Mobilize Corporate Influence

Given that American corporations contribute billions to the International Olympic Committee and, by extension, the global sports ecosystem, Congress can use its voice to engage these stakeholders. Encouraging them to champion clean sport and institutional reform as part of their corporate social responsibility initiatives would add meaningful economic pressure for change.

### 6. Explore Independent Oversight Options

Congress can continue its oversight and monitoring role and evaluate whether and when to support the creation of an independent international oversight body to monitor WADA's decisions and ensure compliance. While this would be a last-resort approach, it would demonstrate that accountability in global anti-doping efforts is not optional, and the United States Congress remains committed in standing up for clean athletes at international levels.

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RESPONSE TO WRITTEN QUESTION SUBMITTED BY HON. AMY KLOBUCHAR TO  
KATHRYN McLAUGHLIN

#### **Question Topic: Concern for Next Generation of American Swimmers**

I appreciate your commitment to protecting the next generation of American swimmers and upholding the integrity of international swimming competitions.

*Question.* Are you concerned that without a strong and independent WADA the next generation of American swimmers will feel pressure to use performance-enhancing drugs?

*Answer.* The landscape of USA Swimming has always been fiercely competitive, with athletes constantly on the rise, breaking new barriers, and striving to gain any possible edge. The culture places a strong emphasis on pride, discipline, and hard work. Which are values that drive American swimmers to go above and beyond in pursuit of excellence. While I don't believe that distrust in WADA will lead American athletes to use performance-enhancing drugs, I do think it can be discouraging. When the hope for a level playing field is lost, it becomes harder for athletes to stay motivated and inspired.