

118–50, Apr. 24, 2024, 138 Stat. 934, known as the Fentanyl Eradication and Narcotics Deterrence Off Fentanyl or the FEND Off Fentanyl Act, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 2341 of this title and Tables.

CHAPTER 29—INTERNATIONAL SPORTS DOPING

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§ 2401. Definitions

(1) Anti-doping organization

The term “anti-doping organization” has the meaning given the term in Article 2 of the Convention.

(2) Athlete

The term “athlete” has the meaning given the term in Article 2 of the Convention.

(3) Code

The term “Code” means the World Anti-Doping Code most recently adopted by WADA on March 5, 2003.

(4) Convention

The term “Convention” means the United Nations Educational, Scientific, and Cultural Organization International Convention Against Doping in Sport done at Paris October 19, 2005, and ratified by the United States in 2008.

(5) Major international sport competition

The term “Major International Sport Competition”—¹

(A) means a competition—

(i) in which one or more United States athletes and three or more athletes from other countries participate;

(ii) that is governed by the anti-doping rules and principles of the Code; and

(iii) in which—

(I) the competition organizer or sanctioning body receives sponsorship or other financial support from an organization doing business in the United States; or

(II) the competition organizer or sanctioning body receives compensation for the right to broadcast the competition in the United States; and

(B) includes a competition that is a single event or a competition that consists of a series of events held at different times which, when combined, qualify an athlete or team for an award or other recognition.

(6) Person

The term “person” means any individual, partnership, corporation, association, or other entity.

(7) Prohibited method

The term “prohibited method” has the meaning given the term in Article 2 of the Convention.

(8) Prohibited substance

The term “prohibited substance” has the meaning given the term in Article 2 of the Convention.

(9) Scheme in commerce

The term “scheme in commerce” means any scheme effectuated in whole or in part through the use in interstate or foreign commerce of any facility for transportation or communication.

(10) USADA

The term “USADA” means the United States Anti-Doping Agency.

(11) WADA

The term “WADA” means the World Anti-Doping Agency.

(Pub. L. 116–206, §2, Dec. 4, 2020, 134 Stat. 998.)

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 116–206, §1, Dec. 4, 2020, 134 Stat. 998, provided that: “This Act [enacting this chapter and amending section 3663A of Title 18, Crimes and Criminal Procedure] may be cited as the ‘Rodchenkov Anti-Doping Act of 2019’.”

§ 2402. Major international doping fraud conspiracies

(a) In general

It shall be unlawful for any person, other than an athlete, to knowingly carry into effect, attempt to carry into effect, or conspire with any other person to carry into effect a scheme in commerce to influence by use of a prohibited substance or prohibited method any major international sports competition.

(b) Extraterritorial jurisdiction

There is extraterritorial Federal jurisdiction over an offense under this section.

(Pub. L. 116–206, §3, Dec. 4, 2020, 134 Stat. 999.)

§ 2403. Criminal penalties and statute of limitations

(a) In general

(1) Criminal penalty

Whoever violates section 2402 of this title shall be sentenced to a term of imprisonment for not more than 10 years, fined \$250,000 if the person is an individual or \$1,000,000 if the defendant is other than an individual, or both.

(2) Forfeiture

Any property real or personal, tangible or intangible, may be seized and criminally forfeited to the United States if that property—

(A) is used or intended to be used, in any manner, to commit or facilitate a violation of section 2402 of this title; or

(B) constitutes or is traceable to the proceeds taken, obtained, or retained in connection with or as a result of a violation of section 2402 of this title.

(b) Limitation on prosecution

(1) In general

No person shall be prosecuted, tried, or punished for violation of section 2402 of this title

¹ So in original. Term is not capitalized as used in this chapter.

unless the indictment is returned or the information is filed within 10 years after the date on which the offense was completed.

(2) Tolling

Upon application in the United States, filed before a return of an indictment, indicating that evidence of an offense under this chapter is in a foreign country, the district court before which a grand jury is impaneled to investigate the offense shall suspend the running of this statute of limitation for the offense if the court finds by a preponderance of the evidence that an official request has been made for such evidence and that it reasonably appears, or reasonably appeared at the time the request was made, that such evidence is, or was, in such foreign country.

(Pub. L. 116-206, § 4, Dec. 4, 2020, 134 Stat. 999.)

§ 2404. Coordination and sharing of information with USADA

Except as otherwise prohibited by law and except in cases in which the integrity of a criminal investigation would be affected, in furtherance of the obligation of the United States under Article 7 of the Convention, the Department of Justice, the Department of Homeland Security, and the Food and Drug Administration shall coordinate with USADA with regard to any investigation related to a potential violation of section 2402 of this title, to include sharing with USADA all information in the possession of the Department of Justice, the Department of Homeland Security, or the Food and Drug Administration which may be relevant to any such potential violation.

(Pub. L. 116-206, § 6, Dec. 4, 2020, 134 Stat. 1000.)