

Senate Committee on Foreign Relations

“Hearing on the International Convention Against Doping in Sport”

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Testimony of Travis T. Tygart

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Mr. Chairman, members of the committee, good morning. My name is Travis Tygart and I am the CEO of the United States Anti-Doping Agency (USADA). I want to thank this Committee for its interest in clean sport and for the opportunity to appear before you today to discuss the United Nations Education, Scientific and Cultural Organization International Convention Against Doping in Sport (Convention).

In its purest form, sport builds character and promotes the virtues of selfless teamwork, honest dedication and commitment to a greater cause. The use of performance enhancing drugs eats away at these important attributes and compromises everything valuable about sport. USADA's interest in this discussion is driven by a motive to not only protect the rights of today's Olympic athletes to play drug free but just as important to protect America's next generation of athletes. Doping is an ethical and public health problem that reaches right to the core of our collective values and our future.

Put simply, doping is dangerous cheating that can only be truly eradicated through the collective efforts of both government and sport organizations.

Accordingly, we welcome and appreciate this Committee's leadership on this topic and strongly support the Convention. USADA strongly urges the Committee to vote this treaty out as expeditiously as possible. With the commencement of the 2008 Olympic Games in Beijing, China only a few months away, quick action will further demonstrate the U.S. Government's commitment to a strong anti-doping policy.

Governments of the world play a critical role alongside and in cooperation with sport organizations to ensure a level playing field for all athletes. This treaty will help ensure cooperation among nations, and help ensure that international sporting events are played without the use of performance enhancing drugs.

The U.S Congress along with Office of National Drug Control Policy and other federal agencies deserve a significant amount of credit for being at the forefront of the anti-doping efforts since the late 1990s. There are many important instances of the U.S. government's support for anti-doping efforts and the following highlight a few of them.

- In 1998 the Senate Commerce Committee spearheaded the anti-doping movement in Congress by holding hearings questioning the prevalence of anabolic steroids and their precursors in Olympic sport. The hearing concluded that the National Governing Bodies of Olympic sport, such as USA Track and Field and USA Weightlifting, had the impossible task of both promoting their sport and policing their sport.
- In February 1999 the United States participated in the first World Conference on Doping in Sport. The U.S. played a leadership role in the formation of the World Anti-Doping Agency, a world-level anti-doping organization tasked with promoting and coordinating a uniform global approach to fighting doping in sport. As a member of WADA's Executive Committee, the U.S. continues to have a strong influence in WADA's governance and policy setting including the WADA Code, the uniform set of anti-doping rules that has applied to the global Olympic sports movement since August 2004.
- In October 2000, the United States Anti-Doping Agency was formed to remove the conflict of interest that was faced by the NGBs within the United States. Congress determined and recognized USADA as the independent, national anti-doping agency for Olympic, Paralympic and Pan American sport in the United States. The creation of USADA triggered a radical transformation in the world's perception of anti-doping efforts by the United States. USADA subjects our athletes to the most rigorous anti-doping programs in the world. Because of this, the U.S. is now viewed as the world leader in Olympic anti-doping, drawing other national anti-doping agencies; such as Russia and Australia, to the U.S. in order to learn from our policies and programs.
- In 2003, with the leadership of Senator Biden, Senator McCain, and Senator Stevens, Congress again demonstrated its commitment in this arena by passing the 2004 Anabolic Steroid Control Act that amended the Controlled Substances Act to schedule many pro hormones and other dangerous steroids such as androstenedione, norbolethone and THG as Schedule III drugs.
- In May 2004 the Senate exhibited one of its strongest acts of support for clean sport when, by unanimous consent, it agreed to provide approximately 9300 pages of documentary evidence seized at BALCO by U.S. law enforcement to USADA in order to aid in its investigation of the BALCO doping conspiracy. This investigation resulted in the uncovering of one of the most sophisticated international performance enhancing

drug conspiracies and to date has led to the successful discipline of 16 people including Marion Jones and Tim Montgomery for cheating their sport through doping. Today, all of the U.S.'s efforts in BALCO are viewed by the world as the model for success in best anti-doping operation.

The U.S. has made great strides in the arena of Olympic competition. Our athletic successes have been reinforced by our success in leading the world in doping intolerance. Congress deserves its recognition as an integral piece of this puzzle. However, we cannot now let complacency dull the sharp edges of the doping problem. If the Convention is not ratified it is plausible that the U.S. may look as though it no longer takes the anti-doping issue seriously. In order for the U.S. to maintain its reputation as a world leader, it must also ratify the Convention. This treaty does not place a burden on the nation that does not already exist; it simply solidifies the principle still followed by millions of kids on today's playgrounds that winners never cheat and cheaters never win.

The Convention encourages the implementation of the basic elements of the most effective anti-doping programs. The tenets of an effective program have been in place in the U.S. Olympic movement since late 2000 and are now codified into the WADA Code and the USADA Protocol for Olympic Movement Testing. In addition to true independence and transparency, these elements include:

- Effective out of season and out of competition, no advanced notice testing;
- A full list of prohibited substances and methods that would capture new, designer drugs such as THG as they are developed;
- Implementation of best legal and scientific policies and practices as they evolve which must include adequate sanctions and due process protections for those accused of doping violations;
- Investments into education to truly change the hearts and minds of would be cheaters and to teach the lessons of life that can be learned only from ethical competition;
- Investments into scientific research for the detection of new doping substances and techniques and for the pursuit of scientific excellence into anti-doping;

- And most importantly, partnerships with law enforcement to ensure that in addition to holding athletes accountable, those who illegally manufacture, traffic and distribute these dangerous drugs and who are typically outside of sports jurisdiction are also held accountable for their illegal behavior. It is the success of this very cooperation seen here in the U.S. through the BALCO investigation and others like it such as Gear Grinder and Operation Raw Deal that has demonstrated to the world the importance of sport and government partnership in fighting doping.

The U.S. Olympic movement is fortunate to have a strong group of athletes who recognize the importance of this issue and are looking for ways to become even more involved. Our Olympic athletes support all of our efforts including passage of the Convention because they want us to protect their right to compete clean and they want American sports fans to be able to once again believe in their Olympic heroes. Ultimately, this is a fight for the soul of sport and this fight most directly impacts the clean athletes.

I would like to thank this Committee for its time and its interest in this important ethical and public health issue and for inviting me to share USADA's experience and perspectives. We strongly support your passage of the International Convention Against Doping in Sport and remain willing to assist you in this effort in any manner possible.