

**Commission on Security & Cooperation in Europe:
U.S. Helsinki Commission**

**“The State of Play: Globalized Corruption, State-Run Doping, and
International Sport”**

Committee Members Present:

**Representative Christopher Smith (R-NJ), Co-Chairman;
Senator Benjamin Cardin (D-MD), Ranking Member;
Representative Michael Burgess (R-TX);
Representative Sheila Jackson Lee (D-TX);**

Participants:

**Dagmar Freitag, Chairwoman, Sports Committee of the German Bundestag;
Yuliya Stepanova, former Russian Olympian and anti-doping whistleblower;
Travis Tygart, CEO, U.S. Anti-Doping Agency;
Katie Uhlaender, U.S. Olympian;
Jim Walden, Partner, Walden Macht & Haran LLP; attorney for Dr. Grigory
Rodchenkov**

**The Hearing Was Held From 2:12 p.m. To 4:01 p.m. in Room 562, Dirksen
Senate Office Building, Washington, D.C., Representative Michael Burgess
(R-TX), Commissioner, Commission for Security and Cooperation in Europe,
presiding**

Date: Wednesday, July 25, 2018

CARDIN: (Sounds gavel.) Let me welcome you to this Helsinki hearing on “The State of Play: Globalized Corruption, State-Run Doping, and International Sport.”

On behalf of Senator Wicker, our chairman, Dr. Burgess is going to be chairing the hearing. The House is a little late getting here. I’m going to apologize in the beginning. This is an extremely important hearing, but unknown to us when this hearing was scheduled, the House has votes scheduled now. Of course, they’re trying to adjourn tomorrow until September. The Senate is nowhere near as fortunate; we’ll be here forever. But we have votes scheduled at 2:30. And then the Senate Foreign Relations Committee, which I serve on, is holding a hearing with Secretary of State Pompeo. It’s our first opportunity of any congressional committee to question the Trump administration on the Helsinki summit with Mr. Putin and the Singapore summit with Kim Jong-un. So, there’s a lot going on today, and that’s just an apology to tell you that there may be some interruptions in our hearing, and we apologize for that. But we wanted you to know that this is an extremely important hearing.

What happened in regards to the doping should not be a surprise to any of us. It comes right out of Mr. Putin’s playbook. Six months ago, I authored a report on behalf of the Senate Foreign Relations Committee in regards to Mr. Putin’s asymmetrical-arsenal attack against democratic institutions. It went through a whole host of tools that are used by Mr. Putin, including the weaponization of corruption, which is exactly what we saw in the doping issue. We know that Mr. Putin is interested in winning the battle on form of government. His main target is Europe, but he’s also been very active in the United States.

But what is less understood is that he uses these weapons against his own people in order to be able to get the type of support that he has within the Russian government. And we saw that very clearly in regards to the Sochi Olympics. His popularity before the Sochi Olympics were approximately 54 percent, and it soared to 83 percent after Russia won the most medals. So clearly this was not done by legitimate methods.

What we need to do to counter what Mr. Putin is doing is in the report I authored. We need a greater defense against misinformation. We’ve got to watch the social media. We’ve got to diversify our energy sources. We have to not only enforce our sanctions but look at stronger sanctions against Russia. And we need to support those brave people who are the partisans in Russia that stand up to this type of activity.

That’s why we are so pleased to recognize those that have been on the forefront of standing up to Mr. Putin. I, along with Senator McCain, the authors of the Sergei Magnitsky law – Sergei Magnitsky to many of us is a hero. He stood up to corruption in Russia, representing a client, doing what any lawyer should do when he discovers corruption: advising the public, advising the authorities. As a result, as you all know, he was arrested, tortured, and killed. We passed, with a lot of leadership through this Committee, the Sergei Magnitsky law first towards Russia, but later globally, to recognize the strength of one individual, but recognizing that we need to act against those who violate basic human rights.

Whistleblowers in Russia are, too, patriots of Russia, and we want you all to know that. I had the opportunity to meet with Dr. Grigory Rodchenkov when he was here in Washington to hear firsthand about his efforts in regards to exposing the doping scheme, and how he discovered it, and what he tried to do about it, and how they tried to engage him. We certainly want to welcome all of the witnesses, but I particularly want to thank Ms. Stepanova for being here today. You are a brave person, and we thank you very much, and you do represent what the Russian people need today.

So we welcome all of our witnesses and we look forward to your testimony.

And, with that, I will start with Mr. Travis Tygart, you are our first witness. I should have some introduction for you. Mr. Tygart is the CEO of the U.S. Anti-Doping Agency. We welcome and look forward to your testimony.

TYGART: Thank you, Senator, and good afternoon to you as well. My name is Travis Tygart, as you've just said, and I'm the CEO at the U.S. Anti-Doping Agency, or what is commonly known as USADA. I want to thank you, but also the other members of the Commission, for their interest in clean sport and for the opportunity to testify here today.

We have arrived, as you noted, 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 – hang in the balance. They've been abused and they are currently under attack.

You're going to hear from Yulia, who with powerful dreams coupled with a nugget of the truth, did the unimaginable by standing up to Russian thugs and the corruption of sport in her country. Yulia, like Dr. Grigory Rodchenkov, should be thanked and recognized for their sacrifice for fair play, the rule of law, literally at the risk of their own lives.

You will also hear about the crushed dreams from American slide athlete Katie Uhlaender, an innocent victim of this morally bankrupt Russian scheme. Athletes like Yulia and Katie, and their powerful stories, are our guiding light. They're our North Star. Their stories give us hope, they remind us of our purpose, and they provide us the fuel to continue to fight.

Sport is under attack because of the astounding lengths to which Russia's corrupt system went to deceive and defraud the world. You've heard the facts: shadow laboratories; tampering with bottles; and then cyberattacks to smear innocent athletes, including U.S. athletes, by Russia's intelligence officers; swapped samples; directives from the sport minister's office deciding which athletes who doped would be protected.

Unfortunately, when the moment of truth came to confront this fraud, the International Olympic Committee chose not to stand up for clean athletes and against institutionalized doping. The IOC missed or ignored a defining moment to confront in the clearest way possible the win-at-all-costs behavior that Russia has perpetrated.

Despite this, however, two silver linings have emerged. First, athletes are mobilizing for clean sport like never before. Frankly, we wish more corporations – both sponsors and

broadcasters – that profit off of athletes and from these competitions would stand up and speak out. Seriously, where are they? Why aren't they here testifying today?

Second, we have a one-in-a-lifetime opportunity to disrupt entrenched positions for the good to make sure that this kind of thuggery is never again allowed to rear its ugly head. To us, it all starts with independence. I've had the privilege to speak to Congress a few times before about the elements of an effective program, one to actually win the battle for clean athletes not just for sport brand purposes. In the U.S. and in many countries around the globe, these key elements are part of the program: year-round testing, no advanced notice out-of-competition testing, conducting robust intelligence gathering and partnerships on investigations with law enforcement. They have proved successful.

We have long advocated for a clear separation between those who promote sport and those who police sport. To do so is to have the fox guard the henhouse. You simply can't both promote and police. This matter of independence is the most important issue, we think, facing global sports and antidoping today.

The good news is that WADA's failed governance model, the global body overseeing sport, could be fixed immediately by simply removing the sport leaders from the executive functions from WADA's leadership. Basically, take the blindfolds off, take the handcuffs off, and let the global regulator – the watchdog – actually grow teeth and use them. At least 37 national antidoping organizations like USADA around the world support specific proposals to fix these problems, and they're outlined in the Copenhagen Reform Declaration. And they include independence, confirming WADA's ability to investigate sanction and monitor compliance, significant and meaningful recognition of athletes who have lost medals to doped athletes, increased support and protection for whistleblowers.

The Russian corruption, and sport's failure to do the right thing when it mattered and had the chance to do it, is what has directly led us here today. And it is, frankly, time for us all who value these principles of fair play to fight back.

We wholeheartedly support the goal of ensuring corrupt organizations or corrupt governments, like we saw in this sordid affair, that defraud athletic competitions never happens again, and ensuring protection for truthful whistleblowers. Several of these concepts are in the legislation that is before us. Additionally, we are also ready to assist to help ensure any legislation that is ultimately passed is precise, effective, and ultimately successful to protect clean athletes' rights.

Senator, members of the Committee, for those of us who value the rights of clean athletes and the preservation of a fair, safe, and healthy playing field, this is the moment. And it's not just a moment about elite Olympic athletes, but about every kid on a playground who has an Olympic dream and asks, what do I have to do to make my dream come true? The truth is, if we don't push, if we don't win, we will likely find ourselves back in this same position a few years from now, staring another state-supported doping system in the face – one that has abused its athletes and robbed another generation of clean athletes from what is rightfully theirs. I think we'll all be wondering at that point why didn't we do more today when we had the chance.

Thank you.

CARDIN: I thank you very much for your testimony.

Katie Uhlaender, who is a four-time Olympian, world champion, two-time World Cup champion, six-time world champion medalist, 11-time World Cup gold medalist, and holds a total of 22 World Cup career medals for the sport of skeleton. Congratulations on your achievement.

UHLAENDER: Thank you, sir. Yeah, the only medal I'm missing is the one we're going to discuss today. (Laughter.).

Thank you for the opportunity to be here. It's inspiring to know that the leaders of our nation have not given up on protecting athlete rights. I've dedicated my life to running headfirst onto a sled 80 miles an hour, hurtling down an icy chute with my chin just a couple inches off the ice, proudly wearing USA on my uniform.

I've competed holding personal growth, integrity, and character at the forefront of my goals and duties as an Olympian. I learned these things from my father, who was a Major League Baseball player. In the 1972 World Series against the Oakland A's he was presented with the opportunity to take performance-enhancing drugs and he told me his response was: If you're at your best, it's enough.

The lesson to me was whatever path I chose in life should be something of pure grit and all I had to offer. Excuses should never get in the way of success, and your heart in the effort will define you. The effort, integrity, and how I pursue excellence are worth more than the results or the career I choose. I chose to be an athlete like my father, which actively delayed my education, finding a home or a career. But my decision to be an Olympian was one that I saw challenging my growth, giving me inspiration that was also an opportunity to inspire those around me. It's a noble path that allows iron to sharpen iron, and one that I believe honors my father's legacy, what he taught me, my country, and God. And giving the Olympic movement all I have is the way to do that.

Sport is a space in which all races, political parties, and nations come together. The Olympics hold their participants to a higher standard than any other place, and I'm an ambassador for my country and for that movement that touches the world.

I'm not government-funded. (Laughs.) I don't have any sponsorship. There's very little money to be made essentially racing a super-fast American flyer down an icy chute. (Laughs.)

None of the challenges I've faced have deterred me from my dream or grit. It's a privilege to compete for the United States.

The dream, though, was to one day stand on the podium, – sorry; it's emotional –

CARDIN: That's all right.

UHLAENDER: – to see my country's flag raised, and be able to say thank you to the people that supported me and helped me get there, the people that believe in pursuing excellence over glory.

But my moment was stolen. Oh my goodness, sorry.

CARDIN: Take your time.

UHLAENDER: The glory was in my effort, and I truly believe that medal is not mine. My joy is to get to put my best steps forward. The medal was America's.

I fell short of that opportunity in Sochi at the Olympics. I missed it by four-hundredths of a second over four miles. That's quicker than you can blink. I lost to a Russian named in the McLaren Report who benefitted from the state conspiracy. Due to a lack of enforcement, she and Russia have kept the medal.

When The New York Times revealed the extent of the state-sponsored conspiracy, my heart broke. This was a defining moment for all involved. A line was crossed. It erased the meaning of sport and the Olympics as I knew it. But I resolved that I had done all I could with integrity and I couldn't lose twice.

But I was wrong. The IOC stripped the medals from those named in the McLaren Report in November 2017 and I was a bronze medalist. It felt like the good guy could win. But six weeks later, the day I arrived at my fourth Olympic Games, they announced the Court of Arbitration overturned that decision and gave the medals back to Russia and that athlete. I was no longer a bronze medalist and now had lost twice at the same Olympics. No one is disputing Russia's conspiracy to cheat, the fraud, or doping. And yet, nothing was done to protect the athletes or prevent this from happening again.

I don't know how, in light of all the evidence presented, that there was no accountability held. All of the virtues I was taught to hold above all else were left standing alone, without support, seeming no longer valuable to the Olympic movement – and it scares me.

As an athlete, I've done all I can. I compete with integrity. I represent my nation. I will continue to do so with honor and show gratitude for the opportunity to represent my nation.

It seems clean athletes like myself have no choice but to turn to you, the leaders of our nation, for help. We need help protecting the ideals that passed from my father to myself and the things that children are raised believing to inspire them to a lifetime of dedication and self-belief, the self-belief that creates American heroes.

So thank you for your time. I'm sorry for the tears.

CARDIN: Well, you know, thank you for the moments you gave to our country. We can only imagine how hard the work is to train and to be at your best, and to know that you're a winner but for the doping it's not been recognized. It's very difficult. But we're very proud of you sticking to your principles and doing everything you could to represent our nation with great pride and dignity. So thank you very much.

I'm going to turn the gavel over to Dr. Burgess. As I said earlier, there are votes currently on the floor of the United States Senate and then there's the hearing with Secretary of State Pompeo, so I will not be able to return. But I want to thank all of you for participating in this hearing. This is an extremely important hearing and we appreciate your participation.

BURGESS: Thank you, Mr. Chairman. I'm just proud to know you have votes on the Senate floor from time to time.

CARDIN: (Laughs.) It happens every once in a while. Not too often.

BURGESS: And my apologies to the witnesses. We had votes on the House floor called right before the top of the hour.

Chairman Cardin has already called the meeting to order. And let me just pause from your statements. I have a statement that I'm going to make. And if we're joined by any other House members we'll allow them an opportunity to make their statements as well.

This Commission is mandated to monitor compliance with commitments freely undertaken by the participating states of the Organization for Security and Cooperation in Europe, given the size and scope of the Russian state-run doping program and the rampant corruption corroding the integrity of international sport, we are compelled to speak out and to take action. In May 2014, Ms. Yuliya Stepanova, who we are pleased to have with us today, appeared on German TV and blew the whistle on Russian state-run doping program. This led to the formation of an independent commission through the World Anti-doping Agency, which investigated Ms. Stepanova's claims and found that a deeply rooted culture of cheating exists in Russia.

The fallout of this report in Russia eventually led Dr. Grigory Rodchenkov, fearing retaliation from President Putin, to flee Russia for the United States, where he revealed an astonishing amount of data and detail on Russia's state-run doping program that he accumulated while the head of the Moscow anti-doping lab. A New York Times exposé revealed the unprecedented extent and complexity of an illegal program that sought to swing many international sports in favor of the Russians. This was accomplished through an elaborate scheme which involved numerous Russian state agencies, including the Russian Ministry of Sport and the FSB, the successor to the former Soviet KGB.

From 2011 to 2015, over 1,000 Russian athletes in 30 sports benefitted from the coverup operation, to the detriment of athletes who were not so involved. President Putin himself ordered the state-run doping program in order to drum up support for oppression at home and aggression abroad. To President Putin, international sport is not a competition between skilled individuals

but a geopolitical tool equal to Russia's use for corruption in energy availability and disinformation to influence other states and the population at home. Those who attempted to challenge this state-run apparatus are fighting a losing battle. It is only thanks to whistleblowers like Ms. Stepanova and Dr. Rodchenkov that we have any idea of the enormity of the Russian state-run doping operation.

The World Anti-Doping Agency, while it has done what it can, has a budget of \$30 million a year, and is going up against a well-funded state conspiracy. Moreover, after years of mounting evidence, the only significant action taken by the International Olympic Committee has been the suspension of Russia from the PyeongChang Olympic Games, a suspension that has already been lifted. In addition, Russian athletes were still allowed to compete under the Olympic flag. As was written in *The Economist*: "The World Anti-Doping Agency is wielding a knife in a highly charged arms race. Even when it finds clear evidence of systematic doping, as it did in Russia, there is no guarantee that the International Olympic Commission will act on it quickly or decisively."

Clearly, a new approach is needed to counter this method of authoritarian influence. That's why I, along with my fellow commissioner from Texas, Shelia Jackson Lee, introduced the Rodchenkov Anti-Doping Act. This act would criminalize doping at international competitions in which the United States participates, and so as to provide a deterrent against those who would engage in doping fraud. It would put every Russian doping facilitator on notice that their name may appear in a U.S. indictment should they attempt to defraud athletes in the future.

We have already heard some of the testimony from a distinguished panel today, who will provide valuable insight into the state of international sport and what can be done to counter corruption and state-run doping. We are particularly pleased to have with us today Mr. Travis Tygart, the CEO of the U.S. Anti-Doping Agency, or USADA. Mr. Tygart has led the USADA through some of its most impactful efforts to keep international sport free of doping. It has been notable instrumental in Operation Raw Deal, one of the largest international steroid busts in history, as well as the investigation of the BALCO labs conspiracy, in which the San Francisco lab supplied performance-enhancing drugs to professional athletes. Mr. Tygart also led the agency's investigation in the U.S. Postal Service pro-cycling team doping conspiracy and spearheaded the publication of the recent decision in the Lance Armstrong case.

Next, and I think we've already heard from, is Katie Uhlaender. Ms. Uhlaender is a U.S. Olympian who has won five medals at the International Bobsled and Skeleton Federation. She has won three bronze medals, a silver medal, and in 2012 a gold medal – winning her first skeleton world championship. She has also won the Women's Skeleton World Cup twice. Congratulations on your victories. We are grateful to have you represent us and the United States of America at the Olympics.

Following Katie, Yuliya Stepanova will share her experiences with us. Ms. Stepanova is a world-class Russian athlete and an anti-doping whistleblower. Vitaly Stepanov, her husband, is a former employee of the Russian Anti-Doping Agency and witnessed firsthand the Russian state doping program. Mrs. Stepanova bravely began collecting evidence by recording

conversations with fellow athletes and coaches and uncovered a large-scale doping fraud. Yuliya and her husband currently reside in the United States after receiving death threats. We thank you and your husband for your courage to speak out.

Dagmar Freitag, who we are very honored to have with us today, will provide her perspective from the German Bundestag. Ms. Freitag is the chairwoman of the Sports Committee and is an expert in combatting doping at both national and international levels. She has been part of the Bundestag since 1994 and became chairwoman of the Sports Committee in 2009. Most recently, Ms. Freitag has become the deputy chairwoman of the German-U.S. Parliamentary Friendship Group. Ms. Freitag, we are grateful for your being with us on this side of the Atlantic today.

Finally, we will hear from Jim Walden, the attorney for Dr. Grigory Rodchenkov. Unfortunately, Dr. Rodchenkov himself is unable to be with us here today due to the ever-present threat of Russian retaliation against him. Mr. Walden is a partner at Walden, Macht & Haran. He participated in a Helsinki Commission briefing on the Russian state doping program back in February and has been a constant source of insight on these issues. Thank you for being here and representing the doctor today.

Again, thank you all for being here and participating this afternoon. Let me recognize the exalted chairman for life of the Helsinki Commission – (laughter) – Chris Smith of New Jersey for his opening statement.

SMITH: I want to thank Dr. Burgess for his opening and for his leadership. He also is the chair of the Health Committee for Energy and Commerce. So nothing happens in the area of health care without that man taking a lead on it. So we thank you for that leadership, which has been extraordinary.

Welcome, everyone. Athletic doping obviously is really a low. That anyone can cheat in a competition and then take any satisfaction or pride in winning is really beyond comprehension, to say nothing of the profound unfairness of the other competitors and fans and damage to the sport itself, but state-run doping compounds these injustices with serious human rights violations. It naturally leads to pressuring athletes to dope and threatening the whistleblowers. I want to thank Yuliya Stepanova and Dr. Grigory Rodchenkov, represented here today by Jim Walden, for their remarkable courage in revealing the Russian government state-run doping program, as well as they have done.

It is not only the rest of the world, but Russia itself is indebted to them. In blowing the whistle on what their government was doing to cheat in international sporting events, they acted as true patriots. For any country, it is better to lose a medal than to lose the country's honor. This state-run doping campaign is totally unworthy of the great spiritual heritage of Russia, and takes something away from every Russian person, as it makes it impossible for them to take an honest and natural pride in their country's performance in sporting events.

Since this hearing addresses globalized corruption in sport, I would like to mention a whistleblower who is not here with us today, Dr. Xue, a Chinese doctor who worked with

China's Olympic team in the 1980s, and at one point served as the chief medical supervisor to the Chinese gymnastic team. Dr. Xue claims that 10,000 athletes – let me say that again – 10,000 athletes were involved in a Chinese state-run doping program during the 1980s and 1990s. They had to accept the drugs, she says, “face punishment or criticism.” She adds, “if you refused to dope, you had to leave the team.” She also discussed the abhorrent practice of doping young athletes, as young as 11 years old, resulting in devastating physical effects. Given the extent of the program, she concludes that all medals won by China at this time should be returned.

Like too many whistleblowers, however, she has been forced to flee her home for fear of retaliation. I would note, parenthetically, in addition to Helsinki Commission I also chair the China commission. We have raised these issues at hearings in the past. Again, the price that she has paid is huge, but she nevertheless has been a whistleblower. She has commented, “Anyone against doping damaged the country, and anybody who endangered the country now sits in prison in the PRC.” She is now seeking asylum in Germany. It would be a terrible thing if her claim were to be denied and she is forced to return to China. As we are greatly honored by Dagmar Freitag, a German member of the Bundestag and chairwoman of the Bundestag Sports Committee, who is with us today, I would also ask her to check into the good doctor's fate, particularly in this asylum claim.

And I yield back to my distinguished chairman.

BURGESS: Thank you, Mr. Chairman. And thank you for being here today, Mr. Chairman. Since we had votes on the House floor, Chairman Cardin had actually called the hearing to order. And I came in as Ms. Uhlaender was finishing her statement. Of course, we have your written statements, but who else has already provided statements? If either of you would just summarize for Chairman Smith and I just the key points from your testimony of which you want us to be aware, and then we can hear from the other witnesses. Mr. Tygart, why don't we do to you first?

TYGART: Without re-reading my testimony, I think the key points are obviously that it's well known Russia corrupted the games and international competition like we've never seen before. The International Olympic Committee, as well as the World Anti-Doping Agency, didn't handle it effectively in our opinion, most importantly, because they're conflicted. It's the fox guarding the henhouse. You can't both promote and police. The IOC had an interest in the decision to sanction or not the Russia state-sponsored doping and chose not to put any meaningful sanctions in place.

It's time to act. These sports organizations are beyond the long arm of most jurisdictions. And it's time to act and ensure that athletes like Katie Uhlaender and their rights are protected in a more effective way, and that these types of totalitarian states don't get away with corrupting the games that we love and cherish so much.

BURGESS: Thank you. And thank you for recapitulating that. Ms. Uhlaender, again, I came in as you were finishing your testimony. And I appreciate that it was significantly

emotional for you. But if there are any points you want to recapitulate for Chairman Smith and myself.

UHLAENDER: Thank you so much for the opportunity to do that. I'll try to do it without tears this time.

I'm a four-time Olympian. My father was a Major League Baseball player who instilled all my virtues and ethics and perseverance and approach to life, essentially. One of the most memorable moments I remember him telling me about is when he played with the big red machine in 1972. And he was on his way out to the field, and a teammate gave him the opportunity to take a performance-enhancing drug. And he said: "When you're at your best, it's enough. We're at the World Series." That lesson, to me, was that the substance you give, your grit and the effort, are where the glory lies. The results and the medals are the those that are supporting you and helped you get there.

I don't know if you know this, but I missed a medal by four-hundredths of a second in the Sochi Olympics. I missed that medal to a Russian athlete named in the McLaren Report who benefited from the conspiracy. And yet, despite all the evidence that no one is disputing – everyone seems to agree there was a conspiracy to cheat, there was doping, and there was fraud, but there's no accountability. She currently still holds the medal, along with Russia.

However, the process in which this has unfolded has been extremely dramatic. I lost once, and I had resolved that I couldn't learn twice. Then the IOC stripped the medals from Russia in November 2017. So I was a bronze medalist. And for a second, I thought that the good guy had won. I had missed the opportunity to stand on the podium and say thank you to all those that supported me and helped me get there. But in the end, it felt like we had won something bigger than just a medal. But that was short-lived.

The day I arrived at the Olympics in South Korea, they gave the medal back. They overruled that decision. I have to say, that was a gut punch. It felt worse than the first time, because it crushed the spirit of sport for more than just myself. What concerns me the most is that there are policies and rules in place. Everyone agrees the rules were broken, but nothing has been done about it. I don't understand the lack of enforcement.

I think that this is a pinnacle moment in history where the athletes like myself are having to turn to the leaders of our government and ask for help to enforce these rules. The reason why it's so scary is I look at examples of the youth and junior athletes. If there are no consequences to doping, what's to stop Russians or another nation from forcing young athletes to dope that changes the course of their lives forever, with no consequence to the sport? But once they're done, there's no one to protect their lives. There's no one to explain to them that what they're doing is hurting themselves.

By Russia keeping the medals, it scares me. No accountability. No protection. And nothing to stop it from happening again. So thank you for the opportunity to discuss this and uphold the ideals that my father taught me, and also that create American heroes.

BURGESS: Well, thank you so much for being with us today and, again for reprising the testimony. And I'll apologize for Chairman Smith for being late. He'll never do it again. (Laughter.)

SMITH: We did have votes.

BURGESS: We did have votes.

Yuliya Stepanova, you have not testified yet. We have written testimony. Are you wishing to give a statement? Please proceed.

STEPANOVA: Thank you very much for inviting me to share with you some of my journey as an elite track and field athlete inside of Russia's doping system, and now a whistleblower hoping to make sport clean. I would like to begin by apologizing about my past. Unfortunately, I cannot change my past. I was in the Russian doping system. I cheated and now I am talking about it. When I was 14 years old, I watched the 2000 Olympics. When watching Russian athletes compete, I looked at them as gods, as people out of this world. They were my heroes and I wanted to represent my home country just like them.

I started training competitively when I was 17 years old. When I was 20, my coach started giving me testosterone. That's where it began. I was soon doing EPO injection, taking Oral Turinabol, and more. In the spring of 2012, I started to feel pain my thigh. The pain got stronger every day, but I kept training. Soon, I had to stop running as it was painful to walk. My coach wanted to help me recover faster and advised me to do infusions with Creatinolfosphate sodium and Mydocalm.

So I infused the substances. Shortly after, my heartrate started to increase rapidly. My heart was beating stronger and stronger every second. I was scared. The ambulance came, and they injected something to get my heartrate down. I survived the effect of these drugs. After this, I was scared to injections on my own. Today, I still have health problems after using all these substances. My ferritin level is 20 times more than it should be, and I have a stone in the right buttock from doing iron injections the wrong way. Doctor said that my training helps me to use extra ferritin from my body, but when I stopped I have to find a solution or I could die from iron poisoning.

When in the beginning of 2013 I was facing a ban, Vitaly, my husband, offered me a choice. I could act like most of my teammates did – cry and continue to listen to the lies of the Russian sports officials – or we could try to fight the system together. The Russian doping system does not hate people that stay in this system and get caught. It hates people that fight the system. We decided to fight it. We are now traitors to Russia, but we know we are doing the right thing. From the beginning, it was our hope to get more people to tell the truth, but we understand those that do not become whistleblowers as the fight against corruption in Russian sports is not easy.

You will lose your job, your career, and fear for your life. You will be called a liar and a traitor. I could never imagine that we would get this far in raising our concerns about the doping

situation in Russia. We were not able to find much support inside of Russia, but we were happy to see that most Russian sports officials were not right. Not every country's goal is to cover up doping use of athletes of their own country. In fact, rules do matter and ethics matters in sports. We are glad that the problem in Russian sports is being discussed globally and the fight is not over yet. The best part for us was to learn that there are people that care about fair competition. We just wish those people were louder and stronger.

I believe that criminalizing doping and strongly punishing those that cheat in Olympic sports is a necessary step to make sports better. We, as parents, deserve to know that our children that participate on any level of competition are in safe hands and gaining positive and ethical experiences. Sports officials, coaches, managers, doctors, and anyone that decide to take advantage of our children, the Olympic values and anti-doping rules, must be strongly punished and banned from sports for life. Thank you.

BURGESS: Thank you, Yuliya. Thank you for your powerful testimony.

Ms. Freitag, let's turn to you next. And you're recognized for an opening statement, please.

FREITAG: Chairman Burgess, Congressman Smith, ladies and gentlemen, thank you for inviting me. It's my pleasure to be part of this hearing which focuses on strategic and legal approaches to fight globalized corruption and doping in international sport. My presentation, my remarks are based on my personal and professional experiences gained as member of the German parliament, as chairperson of the Sports Committee, as longstanding vice president of the German Track and Field, that means athletics, Federation, and member of the Authority Board of Germany's national anti-doping agency.

Ladies and gentlemen, the reputation of international sports organizations is simply disastrous. Doping, bribery, manipulation, all this massively damages the integrity of sports and undermines its values. In simple words, we must stand up to international rule breaking. As we witness global sport bodies failing to protect the sports they represent, we as politicians – from my point of view – have to set up an effective framework, regulated by law. By doing so, take the lead to fight the various threats in sport.

Sport and sports organizations are at least, more or less, unable to protect themselves. And I think this should not go unmentioned, in most cases they are recognizably unwilling to do what they could do. Moreover, we have to face the fact that some sports organizations protect or even blackmail cheating athletes. One of the worst examples was former President Lamine Diack in his term of office in the IAAF, the International Association of Athletics Federations. When the Russian doping system was uncovered, the International Olympic Committee, IOC, showed, from my point of view, a significant lack of leadership.

But even those organizations that are willing to take every step necessary to fight doping and corruption in sport at some point have to realize that their means are simply limited. Not only resources – for example, number, intensity, and intelligence of doping tests may be limited. They simply don't have the tools state prosecutors and police bodies have. To make it clear, to

root out doping and corruption in sport not only international cooperation but also national laws are useful and necessary.

Just to name a few examples, referring to the doping cases of Marion Jones or Lance Armstrong, USADA and the U.S. law enforcement agency have really done a great job uncovering the network behind the athletes. It could become a great success, as existing U.S. laws allow close cooperation between authorities and the USADA. U.S. legal authorities used the Racketeer Influence and Corrupt Organizations Act to uncover FIFA's various corruption cases.

Ladies and gentlemen, for many reasons I support the proposed bill, the Rodchenkov Anti-Doping Act. From my point of view, it's a major step forward in the international fight against doping. Let me point out two important aspects. Section 7, statute of limitations, defines that no civil suit may be brought unless brought within 10 years after the offense was completed. As urine and/or blood samples are frozen or stored for up to 10 years and can be reanalyzed, it is consistent that the limitation period does not go below. Should the IOC, the World Anti-Doping Agency, or whatever organization extend that period, it might be useful, of course, to mirror that progress in the law as well.

I also recognize that retaliation shall be unlawful. We all know about individuals who were put under pressure, for example, and forced to keep secrets. Some of those who resisted and testified became outlaws in the world of sports. We have to protect brave whistleblowers, like Yuliya, and penalize individuals who threaten or retaliate, but let me also mention that I suggest to supplement the definition of doping fraud.

Section 3 defines that a doping fraud means the use of any performance-enhancing drugs. In my understanding, it does not include manipulation of blood and blood components, chemical and physical manipulation, or gene doping, named as M1, M2, and M3 in the WADA's listing of prohibited methods. Section 3 also defines that the list of performance enhancing drugs shall be specified by the secretary of health and human science on the basis of scientific and international sports standards. From my point of view, it might be more useful to refer to the World Anti-Doping Code and the prohibited list.

Ladies and gentlemen, fighting doping, manipulation, bribery, for example, in sport is a global challenge, and can only be effectively counteracted by implementing and executing legislation. I'm pretty sure that athletes would think twice about doping if they would risk going to prison because of that, compared to just a temporary ban from sport events. Being imprisoned makes really a difference.

Ladies and gentlemen, some final remarks. In some countries, anti-doping regimes are far more vigorous than in others. Though the discussion is really not new, we are still facing a worldwide discrepancy in anti-doping legislation. We also have to globally promote coordinated anti-doping legislation as a response to counter the threat of cheating. There are several efforts on the political stage. I know a variety of international declarations and resolutions targeting the protection of integrity and good governance in sport.

Ladies and gentlemen let's continue this fight. Let's do our very best for the sake of the clean athletes. It's really time to act. Thank you very much.

BURGESS: Thank you, Representative Freitag.

Mr. Walden, were you planning on giving an opening statement? Can I ask you to suspend for one moment, and we've been joined by Shelia Jackson Lee of Texas, and did you wish to give an opening statement?

JACKSON LEE: I will go after him, Mr. Chairman. Thank you so very much.

BURGESS: OK. All right. Mr. Walden, please proceed.

WALDEN: Chairman Smith, Representative Jackson Lee – let me turn my mic on so you can hear me.

BURGESS: Good plan.

WALDEN: Thank you very much for having me here. I've been honored to consult with the Helsinki Commission during the drafting of the Rodchenkov Anti-Doping Act of 2018. I know, because I spoke to him just today, that Dr. Rodchenkov very much wishes that circumstances were different, and he could be here with you. But he wanted me to make sure to convey his deep gratitude for the meeting he had with you, for the seriousness with which this committee has taken this subject, and for your leadership against doping fraud.

So let's be clear. When we talk about doping, the Commission is absolutely right to consider this doping fraud. It's doping fraud because you heard the words from Ms. Uhlaender, who was defrauded from her medal. The IOC doesn't give purse money for medals, but many countries – including the United States – does. And Ms. Uhlaender could not qualify for a U.S. purse because she was cheated from her medal. Ms. Uhlaender cannot get lucrative endorsements because she was cheated of her medal. And sponsoring corporations put millions of dollars into sponsoring the Olympics. They all have anti-doping provisions in their endorsement contracts and they are defrauded as well. I don't need to tell this Commission that these frauds matter.

Who should be protecting against all of this criminality? Unfortunately, as we've heard from other panelists, that job has fallen to weak self-policing by the International Olympic Committee and other international federations that have neither the tools nor, frankly, the will to address the long-standing and well-known problem. In fact, some of them are conspirators themselves. Dr. Rodchenkov disclosed that Russia paid hundreds of thousands of dollars in bribe money to the International Biathlon Union in order to cover up Russian doping. That evidence, together with other evidence, has now led to a major investigation, headed by criminal authorities in Germany, Austria, and Norway. And the head of the IBU has now been forced to step down.

But, thankfully, even though we've been faced by weak-kneed responses by the IOC and other international federations, other countries have stepped into the breach, passing their own anti-doping laws and creating criminal penalties. Italy, Austria, France, and recently Germany have been leaders. And, frankly, the Austrians have been extremely aggressive, convicting two top sports managers and one team doctor for engaging in a doping conspiracy. But I certainly agree with the Helsinki Commission that the time is now for the U.S. to enter into a leadership position.

And it's not merely because doping victimizes athletes like Ms. Uhlaender and corporations – although that's reason enough to pass this bill. It is because doping fraud is just another mechanism for global animosity toward the United States and, more importantly, the affliction of widespread criminality because, as Ms. Freitag said, doping fraud is just one part of the criminal bundle that you get with doping fraud. You get racketeering. You get drug dealing. You get bribery. And you get other forms of corruption, including most recently hacking which, as you know, Fancy Bear inflicted not just on athletes, but on WADA itself during WADA's investigation, and leaking information that they thought would help Russia.

Now, there are some in our government who refuse to confront Russia for its abject criminality. But simple decency compels us to enhance and enforce legal rights and remedies to protect clean athletes. After all, doping fraud is just one more export of the gangster state the Vladimir Putin has created in Russia. And despite the fact that the world has not stood up to the well-documented and well-known crimes of the Russian Federation, thankfully the Helsinki Commission has. And this bill gives American prosecutors, clean athletes, and whistleblowers the tools that they need to protect the rest of us from these evils.

Quite clearly then, the Rodchenkov Anti-Doping Act fills a very important void, giving the Department of Justice long-armed jurisdiction for the first time to do what other laws and regulations simply can't do. And of special note, making retaliation against whistleblowers in sports a criminal offense, and affording them remedies through civil process, is simply a game-changer. It will allow other whistleblowers to come forward so that other acts of corruption can be exposed to the sanitizing rays of sunlight.

If the Commission will, to close, I'd like to read a short statement directly from Dr. Rodchenkov that he gave me this morning:

“Again, I wish to apologize to the world for my part in the Russian state-sponsored doping system. During the time I ran the Moscow lab, my orders came from the top of the Russian Federation. Putin said, Russia must win at any cost, and the Sports Ministry executed that command by substantially improving our ability to administer performance-enhancing drugs in secret. To refuse to go along would have been a death sentence. I hope that my difficult decision to come forward and tell the truth will lead to continuing reforms. I believe the Helsinki Commission's leadership is critical. And I fully support the proposed legislation. I am humbled and grateful that the bill is named after me. And I hope I can continue to be a force for good.”

Thank you.

BURGESS: Thank you, Mr. Walden. Please convey our thanks to Dr. Rodchenkov as well.

And we're pleased to recognize Shelia Jackson Lee of Texas.

JACKSON LEE: Mr. Chairman, thank you very much.

Today, more than any other day, I'm pleased to be a Helsinki Commissioner and to respond to the call that is an international call, but it is a call for humanity. I'm delighted to join Dr. Burgess in co-sponsoring legislation named after Rodchenkov and his years of, I would say, pain, without him knowing it, and now his effort to remedy, to fix, to make amends, to have a reformatinal change.

I want to acknowledge the witnesses first, before I begin. Thank you, Jim Walden, for indicating Russia's place in all of this, and reading the doctor's letter that indicated that Russia believed they must win no matter what, and for those who refused it was a death sentence. Maybe even those in the clinic or lab, but as well maybe even the athletes. It is important to take note of Mr. Tygart, who represents us on the U.S. Anti-Doping Agency. We thank you for your service.

And, again, thank you to Katie Uhlaender for, first of all, representing your nation and doing the very best that you could. For us, you are a medal winner. And thank you for being here today. Let me thank Yuliya Stepanova, who doped and has now come forward to admit, along with her husband, that she is part of the reformation of international athletics, and certainly the Olympics. And I thank you to Ms. Freitag, I believe, for the words that you have offered us by saying that we have to get even stronger on these issues.

It is amazing. I think everyone sitting here, my colleagues, our Senate colleagues – everyone considers themselves a sports aficionado. And even if they did not play, they take on the armor or the image of athletes who are performing. Sometimes professional sports was, many of you know, I'm sure you've seen video of Americans looking at their professional sports team. But then, of course, there is a special love for our amateur athletics, because there's a sense of patriotism and sacrifice that these young people make.

So doping fraud is a crime in which big money, state assets and transnational criminals, are involved and honest athletes and sponsors are defrauded and abused. Nowhere is this clearer than in the Russian doping scandal, where agents of Russia's FSB, the successor of the Soviet KGB, and other state agencies colluded to systematically cheat the Olympics over the years. That's why I am pleased to join Dr. Burgess in the legislation that we've introduced. As discussed in the Oscar-winner documentary, "Icarus," they did this to shore up support for Putin's kleptocratic regime, which steals in Russia and spends in the West, all while engaging in acts of blatant aggression against its neighbors.

Athletes caught up in doping fraud stand to lose out not only on their life's ambition, but also on the prize money and sponsorships that sustain their livelihood. Because I'm a strong supporter of young people no matter what country they're in, I would offer to say that athletes, if

left to their own devices, want to be honest and competitive. And so I consider in some instances the Russian athletes as victims as well. We need to help the whole international arena.

Take the case of Alysia Montano, a U.S. runner who competed in the 2012 summer Olympics. She finished fifth, with two Russian women in the first and third. These women were later found to have engaged in doping fraud by the World Anti-Doping Agency, WADA, which means that Ms. Montano had rightfully finished third. She would have medaled. She estimates that doping fraud cost her maybe half a million dollars, if you look at roll overs and bonuses. And that's without outside sponsorship maybe coming in. She adds, that's not why you're doing it, but you still deserve it.

Then there is the simple emotional aspect of being told, only years later, that you were cheated out of your victor. In the case of a U.S. bobsledder, Steve Holcomb, he was not even around to see it, having died before his two medals were upgraded from bronze to silver. His teammate, Steve Langton, commented: It's definitely a little bittersweet that Holcomb isn't here to see this happening. He worked hard, and he earned those medals. It would have been very nice if he had a chance to enjoy them.

I'm grateful to have Katie Uhlaender here with us today. And I appreciate your story. I'm also grateful for Ms. Stepanova, and Mr. Walden as well. We thank Ms. Stepanova for her bravery. And again, as I indicated earlier, I hope that many more Russian athletes – but I know that they too might be considered victims. And we hope that your courage will allow them to come forward. We thank the doctor for the work that he has done, and Mr. Walden for the work that you have done with him. He is a courageous individual. He is whistleblowing – his whistleblowing has strengthened the global fight against corruption in international sport and elsewhere. We hope our legislation will be an anchor in the United States to protect him.

We hope that many others who know the ins and outs of Putin's corrupt system will come forward. We thank you for acknowledging the Helsinki Commission. In our last visit to the Helsinki Commission international meeting in Berlin, Germany, – I can assure you, that the U.S. delegation was very strong on these issues, among others. But certainly countries from around the world were aware of the work we need to do in this area.

My fellow commissioners and I have set out to stop the injustices occurring to athletes and to protect whistleblowers with the Rodchenkov Anti-Doping Act – hoping I've gotten his name somewhat close. This long overdue piece of legislation establishes criminal penalties and civil remedies for a doping fraud at major international competitions. It also prohibits retaliation against whistleblowers. And it is unfortunate that such legislation has become necessary. But I would say that it's vital that it pass as soon as possible. International sports bodies have proven time and again that they're not adequately able to investigate and deter doping fraud. I hope we give them a green light – and maybe a red light to stop what they are doing, and a green light to make changes. Doping fraud should matter to any sports fan anyone who cares about fair play. I welcome the fact that we are having this hearing. I hope that this will be an inspiration to the House and the Senate to pass this legislation as quickly as possible.

I do want to make one point on the record, and that is that we know that there is an opinion piece that has circulated that offers an individual's perspective on Dr. Rodchenkov. I would only say that most of what is in the opinion case is in the public forum, is in the documentary – which was well-received with many awards. It is a difficult journey for whistleblowers. Sometimes they do not get the flowers that they deserve. Every opinion writer has the right to express his or her opinion. That is the nature of our nation and the freedom of speech. But I am glad that we have a whistleblower who was willing to step in, maybe in jeopardy of his life. And I'm glad to be with members of Congress who will step in and speak to Russia forthrightly and without fear, maybe where it has not been done in other spaces.

So the opinion piece is there. Our work is continuing. And we are delighted to be able to move this legislation forward in a bipartisan manner. And I feel confident that we will work with our colleagues, and they will see the importance of this legislation to move it as quickly as possible. And I thank the chairman for yielding. And I thank you, Dr. Burgess, for joining us on this legislation. Thank you.

BURGESS: I want to thank the gentlelady from Texas. And, again, thanks to our witnesses for being here today.

We'll move into the interactive portion of the hearing, the question and answer. Let me turn first to Chairman Smith for questions.

SMITH: Thank you, Chairman. I appreciate it, Dr. Burgess.

Thank you, again, for your tremendous testimonies and your courage to be here. But, more importantly, to raise your voices knowing that especially back in Russia there is a retaliation. And so we're all very grateful for your willingness to be so candid and upfront here in Washington.

Let me just ask a couple of questions. So much of your testimony anticipated, I think, what we would want to know. And I thank you for the comprehensiveness of those testimonies. We all know that Lance Armstrong was tested like 250 times. And when he was detected he said it was inflammatory. And it somehow got out from under each and every time. The new drugs we believe were designer drugs, maybe you can elaborate on them—are they designed to be undetectable? And if you could just tell us what those drugs are, how they work, and how do they become undetectable? And are there strategies to surface them and make them detectable so that in a very systematic way we can know whether or not they're being taken?

What are the risks to athletes who take these drugs in the short, intermediate, and long term? We know that in the past there's been much talk about suicide, heart attacks, miscarriages, children who suffer disabilities. Chemicals are a dangerous thing when they're not used properly or when they carry agents or substances that have a very deleterious long-term effect. Could you elaborate, if you would, on what the individual athlete experience is? How they're out of the limelight. How they have to suffer in private as they get sick.

And if I could ask Ms. Freitag, if you would, I mentioned Xue Yinxian earlier. She is the one who exposed about 10,000 athletes, in her estimation, in China who were part of the state-run doping process. She sought asylum in Germany last year. We know she hasn't gotten it yet. Do you have any insights or if you could check into that to see if she could, again, receive that asylum so she could be protected?

And finally, in the spirit of the Magnitsky Act, which we have pushed very hard in this Commission, I'm always worried about the athlete who is not drugging, who is part of a national team, who then gets blacklisted and cannot participate because she or he is part of a team that has coaches and others who are doing the wrong thing. And along those veins, should they be allowed to participate if they are indeed clean? And also, what about the coaches? I mean, that's where you really throw the book at them, and all the bureaucrats in the government level who have committed these crimes and, again, caused people to not win where they would have won who are not doping – and we heard riveting testimony on that. So if you could speak to that, whether or not a Magnitsky approach needs to be looked at here even more where we go after the perpetrators and the abusers, but hold harmless those who are athletes, in this case, who have not doped?

TYGART: Was that directed at me, sir?

SMITH: Yeah. Anyone who'd like to go first. Please go ahead.

TYGART: Yeah, well, I'll take a couple and then defer to you all as well. Yeah, listen, I think as far as new drugs on the market, athletes who want to cheat and have no moral compass and will willingly go down that path want to find the cheapest drug that will maximize performance and reduce the chance they get caught. And so as, pharmaceutical companies continue to put drugs on the market, us at USADA and Anti-Doping have to ensure that our tests are able to –

SMITH: And what are those drugs?

TYGART: Peptides right now. Very serious problem. We've got amendments to the Controlled Substance Act that we're trying to push through that will deal with SARMS, selective androgen receptor modulators, which you can walk into a sports nutrition store and buy right now. They ought to be controlled. They're not legal in the United States. They're going through the NDA process. And they're just as potent, if not more effective, for building muscle mass as any other drug. We can test for them, so I don't worry that our elite athletes are using them. I worry that kids, frankly, are using them, and parents are walking into nutrition stores to buy them to give to their kids to make them better. And they will make them better, there's no doubt about it. And the toxic side effects that those have are also very concerning.

On the Magnitsky Act, I'm glad you raised that. I think in addition to some of the other concepts we've talked about here today, and assume will talk about further, an easy amendment to the Magnitsky Act, excuse me, would be to ensure that it encompasses the type of corruption that we're talking about here. Now, we believe there's an argument it currently does, and that many of those that perpetrated this fraud could be listed under the current test of the Magnitsky

Act. But a simple thing would be to make it really clear, that if you corrupt international sport from a doping standpoint, doping fraud standpoint, then there's a mechanism already in existence where we could add those people to the Magnitsky Act.

SMITH: If you would yield for one second. Magnitsky is about gross violations of human rights. I was talking about a Magnitsky-like approach, where those athletes who are not in any way, shape, or form doping get blackballed and cannot be part of the team, because they have been summarily told: That team does not participate. I'm thinking of those Russian athletes who may not be doping. I mean, should they be broad brushed, and so they should not participate either?

TYGART: Yeah, listen, I think the system has to be held to account. And when it's so ingrained in the system, it's unfair on the balancing test whose rights are more important – the clean athlete from a country competing against a clean athlete from a country where we don't know whether or not they participated for sure in the system. You have to tip to the clean athlete from a country that had no system in place, I think. That said, certainly an individual assessment – which several of the sport federations have done, is a fair way to resolve that particular case. We would say to those clean athletes certainly we're compassionate for them, care for them. We would hope they would take the steps like Dr. Rodchenkov has done and like Yuliya's has done to stand up and fight against their system, to ensure that the system is dismantled from within as best as we possibly can.

SMITH: You know, and on these designer drugs, the new ones, does anybody have a clue as to how – what the consequences are to the athlete, particularly long term, intermediate term?

TYGART: Yes and no. I mean, many are manufactured overseas, and come in through supplements where 90 percent of the ingredients are coming from Asia, and the quality control is not very good. The NDA that I mentioned earlier on SARMS, Ostarine, we've talked to the developer of that. And at certain doses, it's highly toxic. And it's why we think it should be put on the controlled substance act as quick as we possibly can, to ensure that it's off store shelves and can't be reasonably brought as a fraudulent supplement, as it's currently being sold as.

SMITH: Katie, did you want to speak?

UHLAENDER: Oh, I was wanting to comment on your question of what to do about the athletes in Russia that may not be doping. And I would hope there would be some. However, from my perspective, having dedicated 15 years of my life to the Olympic movement, I signed up for the best testing possible. And the USADA does a fantastic job of regulating us. And until this instance came up, I had no idea that other nations did not follow the same processes. And I think that this highlights the instability of the enforcement of the rules that are out there. And this is where you guys, the leaders of our nations, can come in, as well as looking to Germany and what they've established, and how we rise those rules up and make them enforceable.

I mean, I guess they tried. But, again there was so much evidence presented and nothing was done. And to your point, those athletes that may not be doping had to either walk away

from the sport or risk their lives. That's an infringement not just on the athletes who are clean, but also the ones that were forced to dope.

I'm concerned, and I think many athletes are, for the protection of our rights, not just doping, but who's going to protect the state from abusing power? And I think that there are multiple reasons why the systems and processes that Germany is establishing could be a good model for us all.

SMITH: Thank you.

Ms. Freitag?

BURGESS: Would the chairman yield to me for one moment?

SMITH: Yeah, of course.

BURGESS: And I was intrigued because Ms. Stepanova's testimony referenced a compound that I was not familiar with, Turinabol.

So through the miracle of "Dr. Google," I Googled it and, oh, my gosh, the website that came up, the stuff you can buy, Chairman, it is absolutely unbelievable. And this compound was one that was actually used by East Germans back in 1962. And it had very potent anabolic muscle-building activities, but limited androgenic or male hormone activities, which is one of the reasons that it was so ideal for this purpose.

I thank you for bringing that to our attention. I mean, I had no idea that that was even out there. And now I've opened up an entirely new world and probably alerted the NSA to the fact that I'm purchasing bodybuilding steroids.

But thank you, Mr. Chairman. I'll yield back to you.

SMITH: Ms. Freitag.

FREITAG: Yes. Thank you. I would like to give a few remarks about the consequences of doping. You already mentioned German experiences, especially in the former GDR. In the early '60s, they started a state-run doping program. And up to today, we in reunified Germany now are facing the consequences of the state doping programs.

We passed a special law in order to give some financial support to those victims of doping in the former GDR because we have, more or less, Gepler's (ph) recording of what the athletes were administered. They wrote down everything, so we know a lot about it.

But what I do not want to forget to mention, many of those former athletes died an early death. Many of them are facing severe health problems. And the worst case you really can imagine happened to a young female shot putter named Heidi Krieger. She was administered so many male anabolic steroids like testosterone and things, so today he lives as Andreas Krieger.

It's simply impossible to understand what happened to that young woman due to those people who did not care for everything they did to that young woman. And Andreas Krieger today is one of the best witnesses of what doping can affect to young bodies, be it female or male young athletes.

And another question was about the coaches. Yes, I think we have to look at the whole entourage of the athletes. It's not only the coaches. It's medical doctors, of course. It's the dealers who provide them with doping substances. And our German antidoping legislation also focuses on the entourage of the athletes. It's not only the athletes that are in the focus. And I think it's important to point out that they are responsible at least as much as the athlete who says yes or no.

You see, in Western democracies, athletes more or less have the chance to say no. But in authoritarian states, I think – and I think Yuliya can say more about it – you don't really have a choice. Otherwise, you will have to finish your career. That's my impression.

SMITH: And if you could, please check into the Chinese athletes.

FREITAG: Honestly, not really. We know, of course, about people.

SMITH: No, no, would you check into Xue who is seeking asylum in Germany?

FREITAG: Pardon?

SMITH: If you could check into the woman who is seeking asylum for being a whistleblower in the People's Republic of China. And if she were to be forcibly repatriated, she'd go right to prison.

FREITAG: Well, that's typical for states like that. Whenever those people reenter their home countries, they will have to face severe consequences. I think, yeah, I understand.

SMITH: The appeal is that she obtains asylum in Germany where she has applied for it. That would be our appeal to you.

FREITAG: Yes, you are right. I am sorry, I didn't understand the word.

WALDEN: And, Mr. Chairman, if I may just contextualize one thing. I certainly share your concern about clean athletes. And certainly, I think, as the Commission well knows, Dr. Rodchenkov's testimony was actually very important in exonerating two Russian athletes that were initially suspected of participating in the state-sponsored doping system, but ultimately were determined not to.

The difficulty in this case is Russia's intransigence. I mean, after the first report came out from the World Anti-Doping Agency, they put a roadmap in place, they put a path to Russia rejoining the world community. And it wasn't a complicated path. All they had to do was to give WADA access to their lab and turn over the backup data for their computers and turn over

whatever stored samples they had. And so if there were a tremendous number of clean Russian athletes, you would think that Russia would be very happy to cooperate. Well, we're now two years later and Russia still refuses to do what it needs to do to comply with the roadmap, including simply admit that the allegations, as Ms. Uhlaender said is as plain as the nose on anyone else's face, just simply admit that they're true.

And so, in a system where they're committed to lying, they're committed to deception, they're committed to gangsterism, it's very difficult for outside folks to help them protect their own clean athletes, assuming some still exist.

UHLAENDER: To add to that, I feel like this is a moment in history that's important. Because in this respect, drawing a line will actually create unity. And I think from what I can observe, Russia is a culture in which they would respect that. But until we draw that line, they're going to continue to push the limits as we've seen in multiple areas from their culture. So, again, I thank you for this opportunity and I ask – us as athletes, all of us, we're asking for your help. So thank you.

BURGESS: Thank you, Chairman Smith.

I recognize the gentlelady from Texas, Ms. Sheila Jackson Lee, for your questions.

JACKSON LEE: Let me ask, Mr. Walden, in your representation, how devastating is the impact of doping on the losers? Meaning that an athlete wins who has doped, but behind those winners are losers who have much invested – their lives, years of training, expectations. What have you seen?

WALDEN: Well, I would say that Ms. Uhlaender is probably in a much better position than me from my limited vantage point. First of all, I just want to say, again, how grateful we are to both Representative Burgess and Representative Jackson Lee for sponsoring this very important bill.

But this obviously ruins lives. I mean, your comments before about putting aside the financial rewards, which are a distant second for the athletes to being deprived of the moment on the podium only to find out that you were cheated all along. And in the case of Ms. Uhlaender, having essentially been robbed twice. I give her an incredible amount of respect and admiration that she still wants to go on and win and win and win for the United States.

So your question is a perfect one. And I hope it's one that every single representative and senator asks themselves. How many devastated American athletes were there after not just the Sochi game results were disclosed, because it wasn't just Sochi, it was London, it was Beijing? This has been going on since 1968 in Russia. And so this bill is critical in order to save the next generation of not just U.S. athletes, but athletes from clean countries that same devastation.

JACKSON LEE: You set up Katie very well. I just wanted to know, from your perspective, but I would like to hear from you on that question of how devastating it is, so people

can understand and be on the record what the depth of commitment an athlete has to make to even get to the Olympics or any competition.

UHLAENDER: Honestly, it's intangible and indefinable to communicate what that is in words. But I dedicated 15 years of my life, and all of my adult life to sport. But I feel blessed that my father gave me something to hold onto, which are principles and virtue that helped me to understand that the glory is in my efforts and in that I'll represent my country and the people supporting me and God as well. So I try to hold onto that and remember that everything I do I'll earn. And then by continuing a path focused on those goals, so I can inspire others to pursue excellence.

But I'm left with hope, hope that by doing so I can inspire others to stand up and define a line that would prevent someone else from losing an Olympic medal, and in my case twice, the same medal. There are no words really to describe what it feels like to lose the opportunity once every four years to stand on the podium and say thank you to the people that have supported me, that believed in me, that helped me get there, see my flag raised and have that moment to show them it was – I'm sorry, I'm getting emotional.

JACKSON LEE: That's all right. That's all right.

UHLAENDER: It's a platform that is rare. And I feel like I missed the opportunity to inspire others to pursue excellence and show my country how proud I am to represent them and how grateful I was to have that opportunity. That medal, in my opinion, wasn't mine. My glory is in my effort, honestly, and that was my opportunity to say thank you and earn something for what I believe our nation stands for.

The Olympics inspire a virtuous character because it holds its participants to a higher standard than any other arena and it keeps it more pure, at least that's what I grew up believing in. And in that, that self-belief that it develops and the virtue, is something that could create American heroes, people that are dedicated to their passions and avoiding mediocrity. It exemplifies the best of humanity.

And this scandal ruined all of those beliefs. It struck out the Olympic flame. And I'm hoping that with these discussions and the leadership of our country that we can help relight it.

JACKSON LEE: That was worthy of listening to you for a longer period of time. And forgive us if we've struck an emotional chord. You've struck an emotional chord in all of us. And those words will be very vital to our colleagues to try to understand.

Let me just ask, how soon after the Olympics were you made aware of the doping influence, in both instances?

UHLAENDER: That answer is somewhat complicated in that in the season of 2015-16, in December, I was informed that Russia had destroyed over 1,600 samples when WADA had attempted to collect information at their lab. And I was in disbelief because I was naïve. I was

sure that the big people would take care of it because integrity is what we all believe in, that's the Olympic spirit.

And then when The New York Times revealed the depth of the conspiracy, the lengths that the country went to ensure that they would win, my heart literally broke, because not just me, but all of my competitors in that race can never get that moment back. We dedicated our lives to that moment, to fair competition. And I have to say there is nothing more exhilarating than the best in the world standing up to the line and just saying "see you at the bottom."

But to know that that competition was tainted, to know that it was not what any of us thought it was, and then on top of that the evidence and everything that had happened had been presented and there was nothing done about it. So I found out about it in 2015. I was temporarily a bronze medalist from November 2017 to February 2018. And now I'm back to fourth.

JACKSON LEE: You are a remarkable young woman, and thank you so very much.

Let me just, if I might, Mr. Chairman, indulge Ms. Stepanova.

If I could ask you a question. Thank you for being here. I think you have heard Ms. Uhlaender's comments. And we are appreciative of your presence. And so, would you share with us the importance of leaders stopping doping, cleaning up competition? And how much pressure are on Russian athletes or other athletes to participate in doping?

Thank you so much for being here.

STEPANOVA: In Russia, I believe there is a culture of doping. Russian athletes all believe that all athletes around the world use prohibited substances. They believe you cannot achieve a medal without prohibited substances.

Nobody pushes you physically to use prohibited substances, it's more social, psychological. When I started to compete, I started to hear about prohibited substances from other athletes. And my coach told me many stories how when he was an athlete, he used prohibited substances. And it was, like, people all around me spoke to me only about prohibited substances, about how they were the way to prepare for winning medals, not about other ways, like other ways don't exist.

JACKSON LEE: Did you know it was illegal or wrong? Was there any discussion in Russia that it was wrong, it was unfair? And did they tell you that everyone in the world used it, or you knew that other people did not?

STEPANOVA: When I was in Russia, I only met athletes who used on the Russian team. I didn't meet any clean athlete who could say that "I never used and I got this medal because I never used." And Russian athletes, they don't feel like they're doing something wrong because they believe all athletes around the world do the same.

JACKSON LEE: Are you glad or do you believe we should stop doping and fix it around the world?

STEPANOVA: From my experience, when I was in Russia, I also believed that all athletes used it, because of what I saw around me, I only saw athletes who were using. But when I decided to try to and fight it with my husband and I started to meet athletes from other countries, I started to meet clean athletes and I started to believe yes, clean athletes exist. And I'm glad that I have enough courage to tell the truth because it's not easy to tell truth about yourself, about how I cheated.

JACKSON LEE: Well, your courage is, as well, amazing and powerful. We thank you. We hope – and my last question to you, and just one more question, Mr. Chairman, to the representative from Germany – but I want to let you know how much we appreciate it. And do you think we could ever get Russia to stop doping in its athletic programs?

STEPANOVA: I hope, but I know it's not easy. It's not easy to change minds. It should be started from the top, because if it started from the top and they'd start to really fight this doping, athletes would stop doping. I believe it.

JACKSON LEE: If Mr. Putin had a different attitude and expressed that nationally, it would stop.

STEPANOVA: Yes, I think so.

JACKSON LEE: Thank you for your courage.

Ms. Freitag, there is an important point in the bill about protecting whistleblowers in the legislation. And I want to know from you how important that is in highlighting doping around the world if we, the United States, has in its legislation protecting whistleblowers and how much we should try to push such legislation internationally.

FREITAG: Thank you for the question. I think protecting whistleblowers belongs to the most important points in the whole case. Without people like Yuliya and her husband or Mr. Rodchenkov, we would not know, we by far would not know enough about the state-run doping system in Russia. And they were the ones who started to reveal it. There were journalists from Germany, from Great Britain as well who worked into the case. But without those whistleblowers, we wouldn't know what we have to know.

And we only can fight doping successfully if we know as much as possible. And that is why the protection of whistleblowers worldwide is an important issue. And that is why I support the proposed bill because, among others, it focuses on that.

And maybe allow me one or two more remarks to your question number one, the impact of doping on the loser. Of course, I cannot say it so emotionally like Katie because she had the personal impact, but from my time in the German Athletics Federation, I have had many

conversations with athletes who got their medals maybe 10, 12 years later. Some of them found their medals in the mailbox without anything.

We have a German shot putter, a female German shot putter who told me she had been upgraded 13 times, not only to the medal rings, but maybe from positions, seven to five or so. But 13 times, imagine what that means for an athlete.

I would have lost all the motivation to go on competing. And these athletes are the ones we as politicians should fight for. We should do it together and we should do it on our national levels. And then we can encourage young people to do top-level sports. Otherwise, why should they do that if the fear to be cheated is so big that you say what should I do that for? We need those national heroes as role models for our young people, but they must have a chance to reach their goal, the Olympic dream, like Katie said.

Thank you.

BURGESS: And thank you for your time and questions. I'm going to have to draw your time to a close. I've got a House Rules Committee that's coming up very, very quickly.

JACKSON LEE: I just want to thank you very much and also indicate we should work without ceasing to get the legislation passed. Thank you very much.

BURGESS: Yeah. There actually are a couple of questions that I would like to get in.

And we've heard, of course, about Russia. And Chairman Smith brought up China, and East Germany in the 1960s, so other countries have been involved. So what are the signs and symptoms that a country is involved in this? Are there any tripwires that should have been evident to other members of perhaps the International Olympic Committee that this requires additional scrutiny? It does seem a little unfair to push it all off onto the athletes. So does anybody have any thoughts on that?

Yes, Mr. Tygart?

TYGART: Two points. First, and it's not related directly to that question, but I'll come back to that. While we sit here and listen to athletes who have been abused by a state-run doping system, hear the obvious emotional story and heartfelt feelings from someone whose dream's been crushed, the corporations, eight of the 13 for the United States, are the top sponsors of the International Olympic Committee paying \$25 million each. And the sport leaders who oversaw this program are not here. We need to hold them accountable. We hear crickets from them and that's something that we should seriously address.

BURGESS: But let me ask you: is there some indication, some sign or symptom that those groups should see as a red flag that there is a problem here?

TYGART: If someone, if a country is winning, you look at Russia's 2010 winter games placement at seventh and then immediately went to number one at home in 2014, all of us said this is not being done by athletic skill alone.

BURGESS: OK.

TYGART: So you can go down the list of winners in countries, and it's a generality, and look at those countries, and we've done it. Who are running effective programs to ensure athletes from those countries are showing up at those international games?

BURGESS: All right, that's valuable. Thank you.

Katie, you wanted to say something?

UHLAENDER: Yeah. I just attended the executive board meeting of WADA and the Global Athlete Forum with them. And they recently developed the CRC, which is the Compliance Review Committee, where they have created standards that all international federations and countries are meant to stand by.

And I think – did USADA have a part in that?

I think, that the USADA and Germany, like other nations, are following those rules. And right now, it's a matter of finding a way to get all of the nations to be compliant.

And I think Travis has a great idea. If we have governments on the board instead of sport leaders, it would eliminate the conflict of interest. There are rules and policies in place that seem like they would work. And the CRC would be transparent, open to the public, making recommendations to the board through another independent investigations committee.

And I think right now, from my objective perspective, I would just want to know if it's possible for our government to get involved or others to make it enforceable and actually create unity that the Olympics are meant to, instead of having individual sports, as Travis is pointing out, have investments with sponsors or other conflicting interests that have dollar signs as a priority over the movement.

BURGESS: I think that's what we're going to find out.

Yes, Mr. Walden?

WALDEN: Yeah, Representative Burgess, just to answer your question another way, WADA also publishes and has since 2013 published yearly statistics of antidoping rule violations. And if you look at that report, you can look at the top 10, there's not a lot of movement in the top 10. I would say that wherever you're in the top 10 of all nations, that is a huge red flag.

For the last three years, Russia has been the leader in antidoping rule violations by a wide margin, but there are some other countries in there that at least seem to have the earmarks of a systematic problem, whether or not they have a state-run doping system.

BURGESS: Can you tell us those countries?

WALDEN: I don't want to.

BURGESS: OK.

WALDEN: I don't have it off the top of my head and I don't want to falsely accuse someone. Sorry.

BURGESS: Fair enough, sure. I got it.

UHLAENDER: I also competed in Olympic weightlifting. I competed in the 2012 Olympic trials and trained under Zygmunt Smalcerz, who is a 1972 Olympic champion. And he pointed out to me one day at training, you can go onto the Junior Olympic site where all weightlifting athletes are juniors and the number of athletes that were testing positive among certain countries was staggering. And that was also the aspect that scared me so much because those athletes could take a four-year ban at 14 years old or at the Youth Games, even younger, and then come back and have a full career. But then after they're done, when the state is done with them, athletes, like those that Ms. Freitag encountered, are then dying early and facing severe health consequences for those actions that they didn't fully understand when they were participating in them.

I believe that there are statistics and data that we could collect. It's just I think we need or – I'm not really a part of it, I'm a participant – but, like, the government could assist in data collection and analyzing it.

BURGESS: Let me just ask you a question. I am a physician by background and, obviously, know about the intersection of the medical community with this. And I realize there are different jurisdictions in different countries, but surely there are some country or, in our case, state licensing boards, specialty societies. I mean, is there no accountability to the physicians that were involved in this?

I mean, in Ms. Stepanova's case, it almost sounds like child abuse. I mean, that seems punishable by criminal statute in this country. Am I missing something here? Is the medical community not allowed to step up, are they fearful of stepping up, or are they just a too-willing a participant here?

TYGART: Well, I would just say, in the U.S., certainly, if we have jurisdiction over them and they participate and we have the evidence, we'll bring cases. And that's, you know, a key primary effort of ours to hold them accountable. And then we have also made referrals to the licensing boards in various states of doctors who knowingly participated in this type of behavior.

But on an international scheme, of course, they can be held under the sport rules. But whether or not their own countries have those types of bodies that can withdraw their license is a – is a question for each one of those countries, I think.

BURGESS: Ms. Freitag?

FREITAG: Yes, maybe an additional remark. In Germany, the medical doctors who take care of our athletes have to sign a special paper that they are deeply committed to clean sports. And every year, the sports federations have to report to the government about their efforts in the antidoping fight. And whenever we as members of the sports community would have the feeling they are not complying to what we want them to do, we could reduce the amount of money, for example, they get from the state for their work.

And I think this is very interesting. The medical doctors are a key towards clean or dirty sports. And yes, that is why we should have a look. And our legislation says, whenever a medical doctor is involved in doping cases, they will be punished as well.

BURGESS: And I think that's critical. I mean, you referenced those difficulties in East Germany in the early 1960s.

And, Katie, obviously you've experienced some problems.

But, Yuliya, oh, my gosh, I mean, your story is just beyond compelling. And I just can't tell you how badly I feel for you and that that was administered at the hands of someone who had taken an oath only to heal. And they harmed you and that's wrong.

And I hope whatever else happens that the medical community acknowledges to the extent that there's complicity in this and that they put a stop to it. I think it's on them to do so.

So you've all been very generous. It's been really a very emotional afternoon. I appreciate you sharing with us.

As you can see from the testimony of Ms. Jackson Lee and Mr. Smith, this is something that – to answer your question, Katie – we're going to find more out, we're going to find out if we can do this. I was skeptical myself when it was brought to me. Can we even do this? But we will find out.

And it is clearly important. And the commitment that exists now from having had this very powerful afternoon, it is even stronger, at least in this commissioner.

So thank you very much. We're going to stand in adjournment.

There may be a few additional questions that the Helsinki Commission has for each of you as witnesses. And if you receive those questions, I would ask you to respond promptly. And thank you for your participation this afternoon.

We'll stand in adjournment. Thank you.

TYGART: Thank you.

[Whereupon, at 4:01 p.m., the hearing ended.]