

Subcommittee on Consumer Protection, Product Safety, and Data Security of the Committee on Commerce, Science and Transportation

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Introduction

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

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

WADA was established in November 1999.² Its mission is to promote and coordinate, internationally, the fight against doping in sport. WADA was created as an initiative of the International Olympic Committee with the support and participation of governments, national anti-doping organizations and other public and private bodies fighting against doping in sport. As the sole international regulatory body against doping in sport, WADA has a unique responsibility to ensure that international competitions, especially the Olympic and Paralympic Games, are fairly conducted with the highest possible standards of integrity. WADA's leadership structure consists of equal representatives from the Olympic Movement and public authorities (national governments).

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

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

² https://www.usada.org/wp-content/uploads/ONDCP-2021-WADA-Report-to-Congress_Final.pdf

³ https://www.wada-ama.org/sites/default/files/resources/files/2021_wada_code.pdf

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

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

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

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

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

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

I. Role of the White House Office of National Drug Control Policy (ONDCP), and its Partners

The Office of National Drug Control Policy (ONDCP) plays a significant role in the United States' relationship with the World Anti-Doping Agency (WADA), and this role is overseen and

influenced by Congress.⁴ On behalf of the United States government, Congress directs ONDCP to coordinate anti-doping activities at international level including at WADA. Partners include the U.S. Anti-Doping Agency (USADA), U.S. Olympic & Paralympic Committee (USOPC), Athletes' Advisory Council, Team USA, partner nations and others.⁵ Each year, Congress appropriates funds to ONDCP for anti-doping activities as well as for United States membership dues at WADA.

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

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

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

Additionally, as per the directions of Congress, I communicated to WADA leadership the need for significant additional reforms to the way WADA is structured and functions to ensure that the organization is able to operate with independence and transparency of its operations, enhancing the role of athletes in WADA decision-making, and restoring confidence in clean competition.⁸ Our renewed engagement with WADA underscored the United States' commitment to promoting clean

⁴ <https://www.congress.gov/crs-product/R46889#:~:text=ONDCP%20coordinates%20U.S.%20anti%2Ddoping,U.S.%20membership%20dues%20to%20WADA.>

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

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

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

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

sport and ensuring that anti-doping efforts are transparent, effective, and fair. By actively participating in WADA's governance, we aimed to restore trust in the global anti-doping system and uphold the integrity of international athletics.

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

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

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

The impact of WADA's failures extends beyond the sporting community itself. The credibility of international competitions is at stake, and the very foundation of fair play is being questioned. As Michael Phelps, the most decorated Olympian in history, testified before Congress, "As athletes, our faith can no longer be blindly placed in the World Anti-Doping Agency, an organization that continues to prove that it is either incapable or unwilling to enforce its policies consistently around the world."¹¹

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

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

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

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

II. The Erosion of Trust: A Case Study in Governance Failure

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

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

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

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

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

¹³ https://www.wada-ama.org/sites/default/files/2024-07/summary_report_en_0.pdf

¹⁴ https://www.wada-ama.org/sites/default/files/2024-09/202408_final_cottier_report_english_translation.pdf

why would he bury those in his Report and not expand his investigation despite having the directives of the Executive Committee members to do so.¹⁵

III. ONDCP Holds WADA Accountable by Withholding Dues Payment

Regardless of the good faith efforts of the United States government to seek basic governance reforms including an independent code compliance operational audit and bringing more transparency and accountability into the institution, longstanding concerns over WADA's governance and handling of doping cases has remained.¹⁶ It was particularly troubling that WADA leadership failed to disclose to its own Executive Committee the decision to quietly accept CHINADA's explanation in a major doping case — a decision that effectively allowed a powerful nation to circumvent the rules without independent scrutiny.

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

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

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

¹⁶ https://bidenwhitehouse.archives.gov/wp-content/uploads/2023/07/ONDCP-WADA-Report_July-2023.pdf

United States would continue its service as the Americas representative to the WADA Executive Committee.

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

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

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

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

IV. Systemic Governance Failures: A Closer Examination

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

1. **Lack of Effective Leadership:** The leadership of WADA, under its current President and Director General has been widely criticized for a consistent pattern of opacity, lack of accountability, and dismissiveness toward internal and external scrutiny. The acceptance of CHINADA's contamination explanation without conducting an independent investigation, and crucially, failing to timely inform its governing board or the public about

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

the positive tests until they were exposed by media reports are just one of the several examples.

Further concerns have arisen from WADA's unilateral selection of Swiss attorney Eric Cottier to lead the investigation into the case and later compelling the Executive Committee to accept the selection without providing terms of reference. Critics questioned his impartiality due to his longstanding ties to WADA and its former auditor, Jacques Antenen, raising doubts about the independence of the inquiry.¹⁸ These actions—or lack thereof—demonstrate a troubling disregard for the principles of transparency and accountability that are essential to maintaining trust in the global anti-doping system. The failure to address internal complaints and the apparent reluctance to engage with constructive criticism further undermine WADA's credibility and effectiveness in its mission to ensure fair competition in international sports.

2. **Lack of Independence in Leadership:** WADA's leadership has been criticized for its close ties to the International Olympic Committee (IOC) and national sports federations.¹⁹ This interconnectedness raises concerns about the agency's ability to make impartial decisions free from external influences. In fact, when Salt Lake City was awarded the 2034 Winter Olympics, the IOC added a clause to the contract stating that the Games could be withdrawn if the U.S. government, USADA, or other U.S. bodies did not fully respect WADA's "supreme authority" in enforcing the World Anti-Doping Code.²⁰
3. **Inadequate Representation of Stakeholders:** Despite the significant financial contributions from governments and the critical role of athletes in the anti-doping system, WADA's decision-making bodies lack adequate representation from these groups. For instance, the Athletes' Committee, which is supposed to represent the interests of athletes, has been criticized for its limited influence and lack of independence.
4. **Conflicts of Interest:** WADA's governance structures allow for potential conflicts of interest, particularly among members who have ties to organizations with a direct financial interest in WADA's decisions. This undermines the agency's ability to make decisions that prioritize the integrity of sport over the interests of powerful stakeholders. For instance, the involvement of WADA's General Counsel in defending the agency's decision not to appeal the acquittal of 23 Chinese swimmers who tested positive for the banned substance trimetazidine (TMZ) before the 2021 Tokyo Olympics has been criticized for violating WADA's own conflict of interest policy.²¹

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

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

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

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

5. **Bias Against the United States:** WADA has recently undertaken a series of unauthorized and politically charged actions aimed at discrediting the United States government, its institutions, and its athletes — actions made all the more troubling by the fact that they are, in part, financed by U.S. taxpayer dollars.²² Without consultation or approval from its own governing bodies, WADA's leadership initiated a defamation lawsuit against USADA — a case it later withdrew — and filed a baseless conflict-of-interest complaint against the ONDCP Director, which was ultimately dismissed.²³ These maneuvers reflect a disturbing pattern: the misuse of institutional authority and public resources to pursue personal or political vendettas. Rather than fostering collaboration, WADA continues to publicly rail against U.S. anti-doping laws and fuels unnecessary hostility among international partners.²⁴ For an organization charged with safeguarding fairness and neutrality in sport, such behavior is not only inappropriate — it is disqualifying.
6. **Ineffective Enforcement Mechanisms:** One of the most consequential deficiencies at WADA lies in its chronically ineffective enforcement mechanisms. Despite its mandate to ensure compliance with the World Anti-Doping Code, WADA lacks the institutional will and operational independence necessary to uniformly and decisively sanction non-compliant countries or organizations. Time and again, this weakness has resulted in inconsistent applications of justice, with some nations facing significant scrutiny while others appear shielded by opaque processes or geopolitical influence.²⁵

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

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

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

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

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

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

V. The Need for Comprehensive Reform

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

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

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

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

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

²⁹ https://www.thetimes.com/sport/swimming/article/revealed-lawyer-linked-to-wada-and-silence-over-chinese-drug-scandal-6k6tgvrts?utm_source=chatgpt.com®ion=global

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

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

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

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

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

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

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

These reforms are not merely aspirational suggestions or bureaucratic niceties; they are foundational imperatives if WADA is to meaningfully fulfill its mission of protecting clean sport. Without decisive action to address the structural deficiencies in governance, transparency, enforcement, and conflict-of-interest management, WADA risks becoming a passive figurehead — present in name but ineffective in action. The global anti-doping system cannot afford such erosion of trust. Athletes from every nation, especially those who choose integrity over shortcuts, deserve a regulatory body that operates with rigor, independence, and unwavering fairness. These reforms are essential to restore confidence among national anti-doping organizations, to uphold the credibility of international competitions, and above all, to guarantee that the playing field is level — not just in rhetoric, but in reality. The future of fair sport depends not on words, but on action. WADA must either evolve with urgency and resolve — or forfeit the trust of the very athletes and institutions it was created to serve.

VI. The Role of the United States and United States Congress in Driving Reform

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

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

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

The Role of the United States Congress in Reforming WADA

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

1. Conditional Funding Legislation

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

These conditions may include:

- a) WADA routinely submit to an independent code compliance operational audit
- b) Greater independent athlete representation on WADA's boards and committees.
- c) Mandatory conflict-of-interest disclosures and recusal policies.

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

- d) Independent investigations for major doping cases.
- e) Clear and public decision-making processes.
- f) Providing whistleblower protections
- g) WADA permanently suspend its efforts to institute new sanctions on Public Authorities for the voluntary non-payment of dues.

2. Strengthen ONDCP's Oversight Role

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

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

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

3. Convene Hearings and Investigations

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

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

4. Leverage Diplomatic Channels

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

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

5. Engage with Corporate Stakeholders

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

6. Support Alternative Oversight Mechanisms

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

VII. Conclusion

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

The United States has long stood as a global leader in the fight against doping. Our athletes, our institutions, and our taxpayers have invested heavily — not only financially, but morally — in upholding the ideals of fairness, integrity, and truth in sport. With the 2026 FIFA World Cup, Olympic qualifiers, 2028 Olympic and Paralympic Games on the horizon, and the 2034 Winter Olympic and Paralympic Games in Salt Lake City hosted on U.S. soil, our responsibility to lead is not just national — it is global.

Now is the time for action. WADA must undergo serious and immediate reform to restore its legitimacy. That means new leadership untainted by institutional self-interest, meaningful stakeholder representation, stringent conflict-of-interest policies, and independent enforcement

mechanisms that hold every nation equally accountable. It also means ensuring that the United States — as a primary funder and partner — is no longer sidelined from executive decision-making.

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

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