



Major Victory for Clean Sports Rodchenkov Anti-Doping Act Passes

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(New York City, USA) – “I need to escape or Putin will kill me.” --Grigory Rodchenkov

“Holy sh*t.” —Bryan Fogel

In a series of critical moves as news events unfolded, Bryan Fogel legendary for thinking fast on his feet made an extraordinarily important and quick calculation during a Skype video call with Dr. Grigory Rodchenkov, deciding to get the RUSADA director immediately out of Moscow safely that night on a plane to Los Angeles as two Russian FSB agents waited inside Rodchenkov’s fifth floor apartment for him to return home.

This came directly on the heels of the deaths of two other Russian anti-doping executives RUSADA founder Vyacheslav Sinev and former RUSADA director Nikita Kamaev who died a short time apart only days later. Both deaths are considered suspicious.

Vitaly Mutko, Russian Sport Minister said: "It's a very unexpected death. Mr Kamaev seemed healthy and everything was fine."

From whistleblower evidence to law

Hours later Rodchenkov who was next in line down on the RUSADA staff chart arrived in the USA with his bags, a vast treasure trove of vital information, documents, data bases, hard drives, doping plans, photos, building schemata, diaries, USB sticks and other whistle blower evidence over decades that was documented in the Academy Award winning film ICARUS and the ground breaking story published by the *New York Times* all now culminating three years later in the passage of the Rodchenkov Anti-Doping Act (H.R. 835).

A major victory

It is a major victory for anti-doping and clean sports. The Rodchenkov Anti-Doping Act (RADA) is “ground breaking legislation” that was passed in the U.S. House of Representatives and will now go through to the U.S. Senate for a further vote before becoming law.

The bipartisan representatives in the House sponsoring the bill include: Ms. Jackson Lee, Mr. Burgess, Mr. Cohen, Mr. Hudson, Ms. Degette, Mr. King, Mr. Hastings, Mr. Long, Mr. Johnson, Mr. Smith, Ms.

Moore, Mr. Rush, Mr. Tonko, Ms. Clarke, Ms. Fudge, Ms. Lee, Mr. Johnson, Mr. Bishop, Ms. Watson Coleman, Mr. Davis, Mr. Richmond, Mr. Clyburn, Mr. Veasey, Ms. Bass, Mr. Fitzpatrick, Mr. Jordan, Mr. Thomson, Mr. Rouda, and Ms. McBath.

U.S. Senate support is underpinned by Senators Sheldon Whitehouse, Roger Wicker, Ben Cardin and Marco Rubio.

This is the first major bipartisan legislation that will create a legal framework for prosecution of doping conspiracies that frequently include elements of other crimes such as money laundering, extortion, fraud, bribery, murder and others, creating a “legal remedy to the deep problems that have afflicted the international sports community for decades.”

RADA is far more important to Olympic sports and anti-doping than what many athletes and sport executives around the world realize, doing what the IOC and WADA could never do- giving a broad prosecutorial “tool set” to government authorities to fight the corruption in sports at the highest levels globally wherever it leads.

The genius is in its legal design in that it can also be adopted and replicated by other countries around the world similar to the Magnitsky Act.

RADA is designed to protect clean athletes, sponsors, media companies, general public, supporters and codifies that “Doping fraud conspiracies in Major International Sporting Competitions undermine the integrity and value of not only those events but all organized sport around the world, including the United States” by being able to impose criminal sanctions and extract restitution for those victims.

Avni P. Patel, counsel for Dr. Gregory Rodchenkov, Walden, Macht and Haran LLP, New York, USA and who worked on drafting the law stated: “Tuesday was a great day in our fight against doping fraud in international sports. When Dr. Grigory Rodchenkov unveiled information about a state-sponsored doping scheme four years ago, he shattered notions that the existing framework was strong enough to guarantee clean sport by policing athletes alone. Every day since, Dr. Rodchenkov has demonstrated enormous courage in his efforts to assist and work with regulatory bodies to lay bare the extent and criminal nature of international doping schemes and conspiracies.”

CIA, FBI NSA Intelligence Assessment Report

In order to cover up their involvement in the state-sponsored doping program at the Sochi 2014 Olympics and divert negative domestic public opinion Kremlin leadership falsely claimed the U.S. government was involved and behind the Russian doping scandal framing them in a series of news exposés seeking to “defame” Russian sports according to the *CIA FBI NSA Combined Intelligence Assessment Report, Office of the Director National Intelligence, January 6, 2017.*

Nothing could have been farther from the truth.

What Moscow fails to comprehend to this day is that it was the Russian athletes themselves, coaches and individuals like Rodchenkov who voluntarily came forward, who together sent hundreds of whistleblower evidence and information alerts to WADA, the IOC and western journalists wanting to clean up sport in Russia themselves. It’s the bottom fighting against the top.

The early days

“Early on we recognized this was something a lot bigger, a lot larger” Patel explained.

Patel being a hurdler herself, when you get into the starting blocks after setting your fingers and looking up before the start, you can’t see the finish line, only the hurdles. Her training on the track has served her well. It was much the same way in this situation.

Thousands and thousands of hours later Jim Walden, Managing Partner of the law firm of Walden, Macht and Haran and co-counsel Avni Patel have dug deep into the entire global anti-doping legal structure. At a hearing of the Helsinki Commission in February 2018, Jim Walden presented the concept

for codifying doping fraud with unprecedented legislation in the form of RADA to allow for prosecution of criminal doping conspiracies including state-sponsored actors globally.

Strategically thinking, both Walden and Patel over time perceived the gaps and spaces in Olympic sports and specifically the global anti-doping legal framework that existed then and were able to envision what it should become to address the present and emerging scandals on the horizon.

Walden with his high level prosecutorial experience consulted closely with the Helsinki Commission and Congress on the bill, the Rodchenkov Anti-Doping Act that has now victoriously passed a vote in the House of Representatives.

Concerning the anti-doping and the criminal conspiracies that Olympic sports have faced from Patel's viewpoint, "It is complex and complicated. You need to have an understanding from a prosecutor's perspective...for understanding the system," Patel explained.

More important than medals

Wrapping up the conversation Patel said Grigory would not be available for comment except for his statement issued by Walden, Macht and Haran. But she did say "He is extremely pleased to see the progress gained with the new legislation."

Reflecting back Patel added "It has been a long road since he first came forward."

In a Walden, Macht and Haran press release, Rodchenkov stated: "Until now, those who were behind the corrupt and fraudulent practices in manipulating doping programs remained unpunished. With RADA, that can now change. RADA arms the United States and victims of this corruption with the legal tools to pursue and punish all actors who were previously untouchable. This legislation brings a long-awaited weapon to bring doping transgressions to a court of law, advancing our mission to achieve clean sport across borders.

I am filled with gratitude for the Helsinki Commission and its support of this necessary and unprecedented legislation. I am indebted to Representatives Jackson Lee and Burgess, Senators Whitehouse and Wicker, and all of the sponsors of the bill for their indispensable contribution to the cause. Sport and international games are close to my heart and to the hearts of citizens around the world and I am deeply grateful for the promise this bill holds to make fair sport a guaranteed right in our international community."

And now Walden? He has his eyes on the ball and will be monitoring developments and events as they emerge.

And Fogel? He's somewhere in the Malibu hills or Boulder clicking in his helmet chinstrap, fitting his hands onto the brakes of his handle bars, lifting his leg over the saddle and gliding off zipping up his top, getting ready for another ride on his bike somewhere for training. It's another beautiful day to train and take a ride. You can do a lot of thinking when you're outside in the mountains pushing it hard on a climb up to Nederland and the Divide.

Rodchenkov confided in Fogel after arriving in Los Angeles telling him that a former KGB friend in Moscow had called him that day to tell him that the two FSB officers were not in his apartment to "protect him," but to throw him out over the balcony from the fifth floor when he returned home to make it look like a suicide.

How big of an impact have they had? Not every great achievement in sports is measured by Olympic medals, world records, fame or glory. Sometimes for people like Fogel, Rodchenkov, Walden and Patel other contributions are much more important and lasting than those.

Fogel who risked his life protecting others, fighting massive levels of corruption to protect the integrity of sports can ride off knowing that the events he helped place in motion have contributed to the greatest impact for good in sports in Olympic history. ■