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May 21, 2024

The Honorable Merrick Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue N.W.
Washington, D.C. 20530

The Honorable Christopher Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue N.W.
Washington, D.C. 20535

Dear Attorney General Garland and Director Wray,

We write today to request that the U.S. Department of Justice and Federal Bureau of Investigation use its extraterritorial jurisdiction to investigate individuals involved in doping schemes at international sports competitions that involve U.S. athletes as outlined in the Rodchenkov Anti-Doping Act of 2019 (RADA). We specifically request that you investigate troubling reports that “[t]wenty-three top Chinese swimmers tested positive for the same powerful banned substance seven months before the Tokyo Olympic Games in 2021” and “continue[d] to compete after top Chinese officials secretly cleared them of doping and the global authority charged with policing drugs in sports chose not to intervene.”¹

According to recent media reports, “[i]n the two years before the World Anti-Doping Agency (WADA) signed off on clearing 23 Chinese swimmers of intentionally taking performance enhancers, [the Chinese] government contributed nearly **\$2 million above** its yearly requirements to WADA programs.”² Antidoping officials from around the world—including from the United States—provided WADA with evidence showing doping by Chinese swimmers and a cover-up by authorities.³ Still, WADA refused to open up an independent review—relying on an investigation conducted by Chinese authorities—and held no swimmers accountable.⁴

¹ Michael Schmidt & Tariq Panja, *Top Chinese Swimmers Tested Positive for Banned Drug, Then Won Olympic Gold*, N.Y. TIMES (Apr. 20, 2024) available at www.nytimes.com/2024/04/20/world/asia/chinese-swimmers-doping-olympics.html.

² Eddie Pells, *Chinese generosity in lead-up to cleared doping tests reflects its growing influence on WADA*, ASSOCIATED PRESS (Apr. 22, 2024) available at www.apnews.com/article/olympics-china-doping-6598f950a62c7da8acc22c8209b54540.

³ *Supra*, n. 1.

⁴ *Id.*

This scandal raises serious legal, ethical, and competitive concerns and may constitute a broader state-sponsored strategy by the People's Republic of China (PRC) to unfairly compete at the Olympic Games in ways Russia has previously done.⁵ In the leadup to the 2014 Olympic Games in Sochi, dozens of Russian athletes were involved in a state-sponsored doping program.⁶ The Rodchenkov Anti-Doping Act of 2019 was enacted by the United States government “to impose criminal sanctions on certain persons involved in international doping fraud conspiracies, to provide restitution for victims of such conspiracies, and to require sharing of information with the United States Anti-Doping Agency to assist its fight against doping.”⁷ The law affords the Department of Justice with extraterritorial jurisdiction to investigate and prosecute wrongdoing.

It is imperative to assess whether these alleged doping practices were state-sponsored, which could warrant further diplomatic measures by the United States and the international community. Furthermore, with less than 100 days until the 2024 Olympic Games in Paris, understanding the full scope of the scandal is critical in ensuring our U.S. athletes are competing in a fair competition.

According to reports, the “FBI learned in the past year about the positive tests” and “[f]ederal investigators have taken steps in recent weeks to learn more about what occurred.”⁸ We respectfully request a briefing to better understand the alleged doping by Chinese swimmers and the potential cover-up by Chinese authorities and international organizations.

We respectfully request you provide this briefing as soon as possible but no later than June 5, 2024. To schedule the briefing or ask any follow-up related questions, please contact Select Committee staff. Thank you for your attention to this important matter.

Sincerely,



John Moolenaar
Chairman



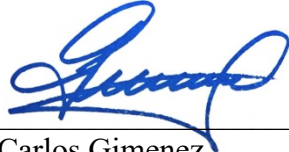
Raja Krishnamoorthi
Ranking Member

⁵ *Id.*

⁶ Patrick Reeve, *Russia banned from Olympics again over doping cover-up*, ABC NEWS (Dec. 9, 2019) available at www.abcnews.go.com/ABCNews/russia-banned-olympics-doping-cover/story?id=67591877#:~:text=The%20doping%20scandal%20first%20broke,that%20Russia%20hosted%20in%202014.

⁷ H.R. 835 – Rodchenkov Anti-Doping Act of 2019

⁸ *Supra*, n. 1.

A handwritten signature in blue ink, appearing to read 'Gimenez', written over a horizontal line.

Carlos Gimenez
Member of Congress

A handwritten signature in blue ink, appearing to read 'Carson', written over a horizontal line.

André Carson
Member of Congress