



Virtual Event | Corruption in International Sports: Delivering Justice with the Rodchenkov Act

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- Paul Massaro, *Policy Advisor, U.S. Commission on Security and Cooperation in Europe*
- Julia Pacetti, *President & Founder, JMP Verdant Communications*
- Travis Tygart, *CEO, U.S. Anti-Doping Agency*
- Jim Walden, *Managing Partner, Walden Macht & Haran LLP*
- Joseph Gillespie, *Unit Chief/Program Strategist, Transnational Threats, Federal Bureau of Investigation (FBI)*
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A video of the event is available: <https://www.hudson.org/events/1904-virtual-event-corruption-in-international-sports-delivering-justice-with-the-rodchenkov-act22021>

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Hudson seeks to guide public policy makers and global leaders in government and business through a vigorous program of publications, conferences, policy briefings, and recommendations

Nate Sibley:

Hello and welcome to Hudson Institute's latest online event during the coronavirus shut down. My name is Nate Sibley and I'm a research fellow here at Hudson, and I run something called the Kleptocracy Initiative, which conducts policy research into countering corruption from authoritarian regimes.

Today, though, we'll be exploring something a little different, something we certainly don't tend to focus on or associate with the foreign policy, national security issues that we usually discuss here at Hudson, and that is the problem of doping and associated corruption, particularly bribery, in international sports. The impetus for today's discussion comes from the recent passage through the US Congress of the Rodchenkov Anti-Doping Act, which has created a new criminal offense of doping fraud and grants extensive powers to US law enforcement to pursue those who engage in it around the world.

But I'm not going to tell you too much about that at this stage or on the topic of doping and corruption more broadly, because I'm very privileged to be joined today by a group of experts who know, frankly, a lot more about it than I do. As you can also see, there's a lot of us on the call today, so in the interest of time management, I'm going to dive right in with the introductions and then we can get going on what's actually a really fascinating topic with some surprising broader ramifications for the global struggle against authoritarian kleptocracy.

I guess in what will be order of appearance then, pleased to welcome Jim Walden, who is managing partner at Walden Macht & Haran LLP and counsel to Dr. Gregory Rodchenkov. Paul Massaro is a repeat guest here at KI Events. He is a policy advisor at the US Helsinki Commission in Congress and he's worked extensively on this new law. Next up will be Travis Tygart, who is the CEO of US Anti-Doping Agency which strongly supported the passage of the Rodchenkov Anti-Doping Act. Then we'll be hearing from Joseph Gillespie, who's the unit chief of transnational threats at the Federal Bureau of Investigation, talk about a bit about how it's going to be enforced. Then last but not least, we'll be hearing from Julia Pacetti, who is a publicist and the president and founder of JMP Verdant Communications and worked extensively on the external civil society push to get the Rodchenkov act passed.

I guess without ado, we'll turn to you Jim, and if you could just kick us off by explaining who is Dr. Gregory Rodchenkov and also tell us a bit more about the big Russian doping scandal that he exposed.

Jim Walden:

Absolutely. Nate, before I do that, I just want to say thank you so much for having me, and I want to say what an honor it is for me to be a part of this, particularly with these panelists. Putting present company aside, you're looking at the people that were the most critical to the passage of the Rodchenkov Anti-Doping Act. It could not have happened without Paul, who was the point of the spear, without Travis, who helped draft a lot of the content and gave us tremendous support, both at the USADA level and across all of the major leagues, and Julia, who had a brilliant engagement with Congress with Paul's help. I also want to thank the FBI, Joe and many other unnamed people on his team that have been so critical to Dr. Rodchenkov's safety.

Dr. Rodchenkov was, for many years, the head of what you would consider anti-doping in Moscow, and he was the head of the laboratory that was supposed to make sure that athletes were clean. But Dr. Rodchenkov harbored a secret, and the secret was that for many, many years before he took over his position and for all of the years since he took his position as head of the Moscow anti-doping lab, the

Russians had been doping their athletes. This was part of Kremlin policy, it was known throughout the entire ranks from Putin on down. The head of Ministry of Sports was responsible for the doping program and Dr. Rodchenkov, once he became part of the apparatus, realized that he wanted to do it in a way that was safer for the athletes.

He devised a system with the help of the successor of the KGB, it's called the FSB, to implement an elaborate system that used safer performance enhancing drugs so that it would not cause the kind of longterm damage to an athlete, but was still banned. Let's not be unclear about that, these were banned substances. And that he introduced a way for them to take them so they were less detectable, but still detectable. In order to mitigate the risk of detection with the FSB, he implemented an elaborate doping control system that allowed athletes to substitute clean urine for dirty urine, so when they were tested during international competitions, they would appear to be clean when in fact they were dirty.

That system was used for many years. It was used successfully during international competitions. It was used successfully during the Winter Olympics in Sochi in 2014. As a result of the work of the hundreds of people that were responsible for implementing this system in Sochi, Russia earned more medals than any other country and more medals than it had ever won at any Olympics previously. Putin's popularity skyrocketed in the aftermath of the Winter Olympics so much so, that according to Dr. Rodchenkov, he became emboldened to take over geopolitical control of parts of the Ukraine and kill many, many people.

Late in his tenure, Dr. Rodchenkov started to develop grave misgivings about the state sponsored doping system, but also the world at large started to see the fabric of the doping system starting to tear and whistleblowers coming forward. Eventually, there was both a documentary and an investigation by the World Anti-Doping Agency that laid the blame for it largely at Dr. Rodchenkov's feet, when Dr. Rodchenkov knew that it was being controlled by the Ministry of Sport, Vitaly Mutko, and Putin himself, according to the client.

Dr. Rodchenkov was trying to decide what to do when a friend called him from the Kremlin and told him that he was going to be assassinated and the blame for the program would be laid at his feet. With the help of the Icarus team, that you mentioned earlier, and in particular I think it would be a sad moment if I didn't mention Dan Cogan, and Jake Swantko, and Bryan Fogel, three of the people that were critical to the Icarus documentary. But in particular, Bryan Fogel got the client on a plane, brought him to Los Angeles and debriefed him. Ultimately, Bryan and Dr. Rodchenkov, not only broke the story to the New York Times, but also broke the story to WADA, as WADA should have known by this point, Russia was running an elaborate state sponsored doping system.

From there, we've all seen what's happened. There've been a number of international investigations, the weakness of WADA and the IOC as doping enforcers has been exposed, and now thankfully, because of the work of this group and many other people, including my colleague, Avni Patel, who you don't see on camera today, the Helsinki Commission ultimately helped introduce the Rodchenkov Anti-Doping Act, and we're really, really grateful that the FBI is taking that act so seriously and it is going to meaningfully move forward the exposure of this Petri dish that is doping in sport, because it's not really just doping, it's doping, it is bribery, it is other forms of corruption, it is hacking, it is murder. All of these forms of illegality are part of the doping fabric and they infect international sports. And for the benefit of clean athletes, we look forward to the dawn of a new day.

Nate Sibley:

Thank you, Jim, for that fantastic introduction to what we'll be talking about today. You set it up nicely as well by mentioning the relationship between doping and other forms of what I deal with day to day at the Kleptocracy, the more conventional corruption like bribery and so on and so forth.

Taking a step back, Paul, I wonder if I could ask you to explain why Helsinki Commission got interested in this from the point of view of why do these authoritarian countries, these kleptocracies... we've heard about the Russia case, but it's not just them. Why do they see fit to exploit global sports competitions, global sports organizations? What's in it for them? Jim mentioned Putin's popularity skyrocketed in the aftermath of this incredibly successful Sochi Olympics. Is that the only reason or are there other things that we should be thinking about there?

Paul Massaro:

Yeah. Nate, I'm the same as you. I mean, it's an excellent question and I'm an anti-corruption guy. I'm an anti-illicit finance guy. I never in a million years would have thought I'd be working on sport corruption. I mean, it wasn't until way back, over three years ago now, that Julia and Jim came to me and said, "You got to look at this. If you care about anti-corruption, you care about anti-corruption in this region, the Europe Eurasia region, you got to be looking at this." that I dug into it, and eventually, our members got involved and that sort of thing.

We had a briefing with Jim and we eventually brought Dr. Rodchenkov himself to meet with our members, and then we had a hearing as of July 2018 with Travis and Jim and others, that there really is no bottom to this. It's pretty extraordinary, the corruption in international sport. It's very, very, very deep. It's not only limited to doping. Doping is an extremely important part of it, but it's certainly not limited to doping. It's bribery, its money laundering, its performance enhancing drug trafficking. And there's a really sick kind of quasi child abuse part of this where some of these individuals are being doped when they're children, child doping and that sort of thing. So I mean, it gets sick really fast.

But Nate, you would be very, very familiar with some of the MO's of these people, right? Envelopes of cash, vote buying, international organizations where you get envelopes of cash left on your bed, and that sort of thing. I mean, it's almost more visible in international sport than it is anywhere, and that's largely thanks to this crazy kind of system that they've been able to build at the international sport governance level where it looks legit, and they even have their own little Court of Arbitration for Sport to make it look even more legit than it is, but that's, in fact, an arbitration court, largely, again, in part controlled by some of these other organizations, like the IOC, or FIFA, or whatever.

And in that way, they've been able to build this kind of barrier, this legitimacy, even though again, and again, and again, and again, it leaks out, the corruption in this organization. So, it's no wonder, really, that you see authoritarian states taking advantage of this because it's fertile ground, right? I mean, as Jim pointed out very well, you get the prestige, you get to look like you're an active part of the international community.

If I recall correctly, it was the head of the Skiing Federation that said, "Everything is easier and dictatorships," that is to say they want to work with dictatorships, it's their MO, they get it. It's not democratic values, it's not the rule of law, they sort of understand how these authoritarian states function, they understand envelopes of cash, and vice versa. Kleptocracies, as we know, understand corruption extremely well. It's their lifeblood, it's the way they do foreign policy.

I want to point out, for example, the recent case of Thomas Ayan, who was the head of the International Weightlifting Federation, and there was this incredible German ARD, which by the way, ARD is just all over the doping stuff, but investigation where he'd just been taking bribes, payoffs for clean doping tests and all sorts of stuff, in every single way for... gosh, must have been three decades or something like that. And Travis knows this even better than I do, but it's just an unbelievably dirty business. I mean, you really are just scratching the surface. Even with the Rodchenkov Anti-Doping Act and how powerful that is, there's just so much more work to do in this sphere.

The DOJ, of course, knows it too, and even got to the fray before we did in Congress. I mean, the DOJ, so inspirational, the work done on 2015 FIFA case, the first where they blow the top on this thing and demonstrate what a corrupt enterprise is. I mean, it was a RICO case. I mean, those things are so difficult to get done, but they were able to get it done, and we just saw even further indictments coming down the line in 2020. It really is just an unbelievable thing, but it should come as no wonder that kleptocracies play in this space, because it's a natural space for them to play in, and it is their modus operandi. They get it. It's natural.

Nate, did you ask me the other question on what is in the bill, because I know that you'd sent that beforehand?

Nate Sibley:

No. So, that was going to be the second part of my question. You're quite right. We've been talking a bit about the Rodchenkov Anti-Doping Act, but if you could just run this succinctly and very precisely, what exactly is in this bill and what does it... I'll talk to Travis in a minute about what it does and what it's going to do for American athletes and so on and so forth, but what is actually in this bill?

Paul Massaro:

Yeah. So, before I talk about the substance of the bill, I want to point out the incredible leadership of our commissioners here. Of course, this was introduced in the House in 2018 by Sheila Jackson Lee, representative Sheila Jackson Lee of Texas and Representative Michael Burgess of Texas, and then it was reintroduced to the next Congress in four corners with senators Sheldon Whitehouse of Rhode Island and Senator Roger Wicker of Mississippi, and then again, representatives Sheila Jackson Lee and Burgess. I mean, this is really sort of a groundbreaking approach, a groundbreaking piece of legislation that moves forward on this idea of extraterritorial criminal law enforcement, which, as you know, is the big way that we fight corruption, sort of the International sphere of corruption, and back in '73, with the passage of the Foreign Corrupt Practices Act, makes it illegal for a company to pay a bribe abroad, a US company or listed entity to pay a bribe abroad.

That was really the beginning of this tradition that's now kind of been established in enforcing US criminal law in this way, which again, makes perfect sense because these competitions are attached to the US economy and rely on the US economy. And in fact, the extraterritorial criminal jurisdiction attached to this bill applies to competitions only where the organizer is making money in the United States. So, either receiving sponsorship from an organization doing business in the USA, or compensation for the right to broadcast in the USA.

And what this bill does is it makes it criminal to engage in what's called a scheme in commerce to influence a competition by use of prohibited substances or methods. And these definitions actually come from the UNESCO treaty, the Convention Against Doping In Sport, a ratified international treaty

that everybody signed up to, everybody agrees to. So, it's a very, very powerful way of doing this sort of thing because of the legitimacy that comes with international law. So, it's agreed upon, and then we brought it down and gave it teeth. And that's the idea behind this.

Notably, it does not criminalize athlete conduct. And that was very important for us to ensure that we're going after the structural elements of the crime, we're going after the corrupt doctors, we're going after the corrupt administrators, we're going after the corrupt coaches, and so on and so forth, corrupt government officials, of course, but we're not going after the athletes themselves who, of course, there are lone wolf dopers, there are doping circles run by athletes, but there are systems in place to detect those and break those. And Travis, of course, has an incredible experience in doing precisely that. But there's much, much less in the way of how do you actually get punishment for those that enable this sort of thing.

And in many cases, again, not all, but many, the athletes themselves are strongly encouraged, urged and are told they will not compete if they do not dope. And this is, of course, the case in Russia. Yuliya Stepanova, an earlier doping whistleblower on the Russian doping program, lay this out very clearly in the hearing we had in 2018, that it was you dope or you don't compete. So, it's important that we go after the structural elements.

Finally, the bill includes restitution for athletes. So, if we are able to indict an individual, take them to court in the United States, convict them of this crime, then restitution will be paid out for prize money, for lost sponsorships, and that sort of thing, which at the end of the day is what enables elite competition to begin with. If these athletes lose their payday, I mean, that's it, this is their job. It'd be like you or I losing our payday because we were cheated out, we were defrauded of our payday. So, that kind of comes to the core, and this is the creation of doping fraud. And that's what this. This is not trafficking, this is not illegal drugs or substances, which it is, but the way we're approaching this issue is as a fraud issue. These individuals are being defrauded.

Nate Sibley:

That's great. Thank you so much, Paul. Which brings us to the other important question about the bill, what's the practical effect going to be? Travis, I don't have anyone better to talk about that than you. I wonder if you could just begin by what is the US Anti-Doping Agency and why did you push for this bill? What is the benefit going to be to American athletes, and interestingly, their sponsors?

Travis Tygart:

Yeah. Well, thanks, Nate, and really appreciate the kind words that were said about the effort here earlier by Jim and Paul, and obviously, Julia being a key part of the team to get this done. And it doesn't happen but for folks who have seen the damage that this type of corruption can do to individuals and the victims who are always at the front of our mind. And Jim and Paul and Julia, thanks for all your efforts to get this done. And also thanks, Nate, to you and the Hudson Institute for hosting this. I think it's obviously a really important topic.

And as Paul indicated, coming out of the Helsinki Commission, it is an exceptional law, I will absolutely echo that, and I think it's exceptional because the lawmakers on the hill and, ultimately, the president at the time recognized the depth of the problem and the seriousness of the problem, and were willing to take pretty exceptional steps to put a law like this in place. I got to mention Joe and his team at the FBI. I think the model that we always talked about, both on the hill, but also around the world was the FIFA

case. And I think that was the first time, in a really big way, the world saw the type of corruption from a money laundering and bribery standpoint, and bank and wire fraud that these sports organizations are involved with, and that there is at least one country, but I think many others who are willing to step up and stop that type of corruption, because it ultimately harms kids who have a dream of playing one day and the organization of sport around the world.

So, we've seen episode after episode that continues to demonstrate the need, both in the doping front, but also from a general fraud and corruption standpoint. These sports organizations, who are established around the world, essentially are above the law, and the amount of money... You asked Paul the question about, is it any different? It's not. What might be different is the amount of money that is flowing into sport. And you open the spigot in Russia, they paid 50 billion dollars for the 2014 Sochi Winter Olympic Games. You put that kind of money flowing into these sport events that are run by people that are unaccountable and truly above the law in their own countries, and you see, unfortunately, this type of corruption that happens.

So, we're thrilled with it. We can't wait for the partnership to continue to be strengthened with the FBI and other agencies to enforce it, and we're really hoping it's going to do wonderful things. I mean, I indicated that it was a monumental effort and achievement, and I firmly believe that. I think it's going to be a game changer, both for athletes, for fans, and for sponsors. Look, sponsors, hopefully, finally, will get the return on the investment and the value to what they're paying for when it comes time to them broadcasting. NBC has paid several billion dollars to broadcast the Tokyo 2020 games that will happen this summer into the United States. And you look back in 2016, 2014, 2012, what they paid for, they didn't get. They got a rigged competition, the state sponsored doping that Jim described earlier rigged the outcome and poisoned and tainted what they ultimately got. So, hopefully, the sponsors are going to be thrilled by this.

Now, look, they may have to pay more because they're actually going to get a much better product, hopefully, but I think that's a fair trade off.

I think it's going to do primarily three really practical things. One, hopefully, it's going to deter bad actors, like we've seen in the past, and actually give clean athletes, for the first time, real hope, wherever they compete, wherever they're from, that their right and opportunity to a fair playing field is going to be upheld. So, let's hope the law never has to be used, right? Because it sends enough of a signal that you better comply with these rules that are already in place that you've all agreed to and not take advantage of those rules or break those rules. Now, we're not naive enough to think that's going to happen.

So, the second practical outcome, it's going to hold accountable, finally, these folks that live kind of in this never-never land, who are above the rules, but yet intentionally knowingly break the rules by defrauding, through doping, these competitions. Paul mentioned Thomas Ayan, the head of the IWF, International Weightlifting Federation, who was in his position for over 40 years, who took money to delay, cover up these types of doping cases, knowingly allowed doped and cheating athletes from certain countries to go to major international competitions and beat other clean athletes from other countries.

He, when got caught red handed, simply retired from his position, and I've jokingly said, is probably sitting on a beach somewhere counting all the money he made and misappropriated and sipping cocktails and having the time of his life. And it's hard to imagine that someone like that also sat on the foundation board at the World Anti-Doping Agency. So, he not only oversaw his sport and controlled

how the rules were enforced, but he also sat at what is supposed to be the global watchdog, and we know how that plays out.

And just recently, a sport we didn't mention, but two weeks ago, the International Biathlon Union, the head of its sport, Besseberg, who's the president, same exact scenario. You talk about cash in envelopes, prostitutes, other types of favors were being given to turn a blind eye. The investigators who looked at it from an independent standpoint said that his role as the enforcer of the anti-doping rules was a charade. And yet again, he as the head of the sport, sat at the World Anti-Doping Agency's governing table.

So, this concept of these foxes who are guarding the henhouse being able to get away with anything and not be held to account, I think that comes to a dramatic end when the evidence is presented that is going to stop them.

The third piece I'll mention, and Paul touched on it, but is sort of restitution but also, I think, the whistleblower protection. Paul described the restitution that's there that I think will be a wonderful addition to the rules that will help athletes who are the true victims in this to be compensated where it's appropriate and the evidence presents, but also the federal whistleblower protection. It's borrowed from other statutes that are commonly used by law enforcement in this country, can be now used for whistleblowers. So, hopefully, it's going to incentivize. Last year, we had 500 tips that came into our Play Clean line, it's effectively a whistleblower line, and our positivity rate, when we test off of that information, is close to 22%, which is up from the normal half to 1% positivity rate. So, imagine that being done on a global scale now, really being able to detect, but also provide an avenue for whistleblowers now to have even more incentive to come forward because there's going to be protection under the federal laws that exist here in the United States.

And I think it really gives now, to Joe and his team and the unit there that are doing yeoman's work to try to protect sport around the world and in the United States, the tools to finally have causes of action to investigate and to then follow up on and ideally prosecute.

Nate Sibley:

Travis, thanks so much for that fascinating overview of what this bill is going to do. A lot of what you said made things a lot clearer for me, even as you were speaking about the importance of this. Just one really quick follow up question for you, Travis. Are you aware of any sort of sister agencies in European countries or other democratic partners of the US who are interested in this issue?

One of the big things that came out of Helsinki Commission a while back was the Global Magnitsky Act, where the US was a world leader on that, sanctioning people who commit human rights abuses and corruption. Other countries are picking this up now all across Europe, Japan's even doing their own version. Have you had discussions with any other countries about them maybe doing their own version of this? Obviously, the US is the global sheriff, it matters the most that the US has done this, but of course, things are better when we work together with friends. So, is that something you sense will happen or is this really going to be the US leading all the way?

Travis Tygart:

Well, listen, I think we're leading a large part on it, in part because, as Paul described, the US money and corporations prop up, to a large extent, a lot of the International Olympic movement, quite frankly, I

mentioned the TV contract earlier. But no, we have heard from other countries. Norway has drafted some legislation, we understand that could be introduced soon. And we've heard from the Canadian, our counterparts there who are also interested in it. Keep in mind, some countries, Germany, Austria, for example, they actually criminalized doping already in their country, so it may be duplicative in certain countries.

But what also I can share with you is we have a wonderful network of our equivalence, what are called NATOs, National Anti-Doping Organizations around the world, and they're the democratic ones who really want to see clean sport prevail and athletes' rights prevail. In this regard, they're excited about the opportunity to be able to use this tool in their country to protect the events as well in their country. So, even if they don't ultimately pass legislation that would protect their investment outside of their countries, their nodose as well as their law enforcement are excited about this network that we finally can collaborate on and have a law, not unlike what was done in the FIFA case where the FBI cooperated closely with law enforcement in Switzerland, for example, to help enforce this law. We see this playing out very similarly. It's going to incentivize them to have even more success, I think, protecting the global playing field.

Nate Sibley:

That's great to hear. That brings us to the issue where we're at now, which is we have a law on the books. Let's talk about enforcement. And there's no one better to talk about that than Joseph Gillespie from the FBI who will be presumably overseeing those measures. So, thanks for joining us, Joe.

I wonder if you could start by just explaining a bit about, the other guests have mentioned, the FIFA case. What has been the FBI/US law enforcement's approach to corruption in international sports to date, and maybe you can talk about some of the major achievements and successes you've had, maybe some frustrations you've had as well?

Joseph Gillespie:

Thank you very much for having me and I appreciate the conversation with the other panel members, and again, for Hudson Institute for inviting us to have this discussion. It's an exciting realm for us in terms of having this law now in place to help give us another facet to our enforcement. But to your question, as far as historically, the way we've addressed it is, organized crime historically has been associated with sports, and historically, back in the day, it was mostly associated with La Cosa Nostra or the Italian organized crime in the United States. That has since, over the last few decades, obviously expanded into Russian organized crime and kleptocratic practices that we also do pay attention to.

My unit specifically within the transnational organized crime global section of the FBI view this phenomenon as a transnational threat issue, whether it's a Singapore market, whether it's the Asian markets, or the European markets, or in the US, it's intertwined. The betting circles in one theater apply to the games and the sports that are happening in another theater. So, it falls within our umbrella on transnational threats, and that's how we kind of approach it.

Obviously, there's a whole bunch of other illegality from illegal gambling, kickbacks associated with it, but it's basically organized crime will figure out any way that they can to monetize variables associated with the sports, to leverage whether it's gambling, or to just leverage individuals for money, instances like extorting professional players for weaknesses that they may be hiding that they do not want to be

made public. So, there's lots of leverage points that organized crime and other illicit actors will try to prey on the athletes and the organizations.

One particular thing I wanted to mention in terms of the exclusion of the athletes, we also shared that policy in the sense that our intent is to go after organized groups that are victimizing players, victimizing our sporting institutions and eroding the integrity of what they are for the American public. It's very important for us to maintain the integrity of the sports, the organizations, and we have the benefit of not having as bad historical sense as the European market and Asian markets, and we're thankful for that, but we don't want that to come to our shores to the extent that it has.

You mentioned and quite frequently, FIFA is a huge highlight for us in the sense that the kickback schemes associated as sports gets bigger and the financial spheres that go around, that gets bigger, the more illicit actors and organized crime will prey on that. And in the FIFA incidents, that's just the kickback schemes. And there's a whole bunch of other peripheral spheres in terms of kleptocratic practices that were involved with FIFA that weren't even a part of those indictments. And there are extensions of that that we still pay attention to, whether it's oligarchs looking to influence to get the Sochi Olympics and also to get the World Cup, whether or not they're nationalistic or financial motivated, those are things that we need to pay attention to and discourage.

So, within the FBI, we've had certain divisions that have been a little bit more prolific at approaching this, but with this law, this is going to give a much better tool for other districts, when they're faced with these elements in their OAR, they're going to have this tool to enforce that. And so we're very excited, because obviously with FIFA and the horse doping case that happened last year, those were out of New York, aggressive district, but we want to be able to permit other districts to be able to have that comfort level that, "Hey, I have this law to be able to enforce this in my AOR."

And for the FBI's role in this, we have been, over the last couple years, been developing an initiative within the FBI called Integrity In Sport and Gaming. It's a platform in which we will interface with the national sporting organizations, we'll also interface with the international watchdog organizations, Interpol, Europol, United Nations, other regional elements that are fighting integrity in sports. So, our internal platform is a focus for us the integrity in sport and gaming.

I had mentioned the FIFA investigation, we had a horse doping investigation that culminated last year, which also affected some change within that industry. And it's another great illustration of how they monetized and used doping to increase the gambling odds. Everything is monetized within those realms. I'll leave it at that. There's obviously other examples that we would like to, but some of them are ongoing and we can't touch upon them.

Nate Sibley:

No, of course, and I understand your restraints there. And thank you so much for that overview. But if I could press you for a little more on how you think this will change the FBI's approach to pursuing these sorts of cases in international sports. Travis went through all the different ways that it's going to benefit US athletes and how this is going to sort of change their calculation. Is that something you agree with? I mean, you won't be able to talk about, obviously, who you're going to go after, but are you having these discussions with the FBI, like, "Oh, how do we use this law? This is a great new law that's come through." Because I know sometimes things comes out of Congress, some of its more useful than others, some of it's kind of like posturing by members, sometimes they create these things, but this seems like there's a

pretty big consensus. This is a really serious law, something that the FBI is really going to be able to use. Is that your sense?

Joseph Gillespie:

That is the sense, and we must seize upon the newness of the law, in my opinion, and we have to make that partnership with DOJ. We could be, in the FBI, creating this infrastructure to look at this, and as we have built these points of contacts in our major cities so that they could be a resource for an organization or a whistleblower to be able to go to. But without DOJ's support and having that fit within a certain component in DOJ, that won't go very far. They'll have to always kind of educate them every time they come to the district. Let's say if it's in California, they'll have to educate that district on the new law, whereas what we're going to do on the headquarters level, we're going to go to main DOJ, we're going to talk with them and see where it fits within their program. Maybe it's in a new unit they'll establish, or maybe it's in their organized crime and gang section.

But once we get that partnership together, then they can push down on the districts and say, "Yes, we are very familiar with this, we support that," and go forward and be aggressive on that. So, the momentum is everything, and that's why we've made sure that it's new for them, with a lot of things changing in government these days, and right now is when we must seize on the opportunity. In fact, we do have meeting set up with DOJ to see where this will fit within their structure.

Nate Sibley:

That's fantastic. Thank you so much, Joe, for that. Now, as I said, last but not least, and thank you so much for your patience, Julia. But we're going to rewind right back to the start of this process, I guess, because the other interesting thing about the passage of this law is the lesson it holds for other anti-corruption campaigners who might have their own issue that they want to bring to the attention of the Congress to get action on. And so you helped lead the efforts to raise awareness of this problem of doping and bribery in international sports. So, with a mind for sort of educating other sort of people who are working on these issues, who are struggling to get traction with good ideas, how did you plan this campaign, if it was planned, or how did you bring this to the awareness of the Congress and get the ball rolling?

Julia Pacetti:

Well, thank you, Nate, and thanks to the Hudson Institute for having all of us, and it's really just been so amazing to work with Paul, and Jim, and Travis on making this bill a reality, and I should also mention Jim Swartz with FairSport, and Rob Koehler from Global Athlete who were really, really instrumental in this entire effort, for which Paul was really our fearless leader along with Jim and Travis.

But it's a really interesting story how this statute came about. I was working on the documentary film, Icarus, I was working with Netflix. The film was just being released, and it was through that that I met Jim and started our wonderful collaboration. So, we were looking for ways to really take the film out of the traditional entertainment box and make a breakthrough campaign where the film was sort of a centerpiece for the issue, for Dr. Rodchenkov's whistleblowing, and for the need for reform in international sports and international sports governance.

I had worked on another human rights film that related to the Maldives called the Island President, and I had worked really closely with the Tom Lantos Human Rights Commission in the House. That had been a

few years before. So, when I started working with Icarus and we started thinking about how we could break out of the box and break through with a campaign that would really garner global attention and global news for the film and the issue, I called up Kimberly Stanton at the Tom Lantos Commission, and I said, "Come on, Kimberly, you've got to watch this film, you've got to screen it for members. Let's get the band back together and do what we did with the other documentary that we had shown, which was called *The Island President*." And it took a while. And I have to say, Kimberly is an unsung hero in this because she could have just said, "Julia, this really isn't for us. Let's catch each other on the next one." But she didn't do that.

Kimberly called me and said, "Julia, this is a great initiative, but it's not for us. I want to introduce you to Kyle Parker at the Helsinki Commission. This really falls within their regional expertise." She introduced me to Kyle. Kyle introduced me to Paul, and Paul and I got together with Jim and the rest is kind of history, and then of course, Travis became involved very quickly thereafter. Paul invited Jim to conduct a briefing with him, hosted by the Helsinki Commission on Capitol Hill, public briefing. And at that briefing, Jim came up with a truly innovative and brilliant idea for changing the legal lexicon and codifying doping for what it is, which is fraud.

At the end of that briefing, or during the briefing, actually, Paul proposed to Jim that he work and develop a long arm statute around anti-doping, and that's exactly what Jim did. He went away for a weekend, put pen to paper, and then the draft was obviously a hugely collaborative effort led by the members, shepherded by Paul, and Travis, of course, was instrumental and critical in that.

After that, we kept really consistent effort going to advance this bill. We brought Dr. Rodchenkov down to meet with the commissioners, and met with, I think, Senator Cardin, Gardner, Sheila Jackson Lee, and a number of others, and we really kept the pressure on and the awareness up. I would say, to answer your question more directly, Nate, my advice to anti-corruption campaigners or human rights campaigners is, make sure you're on the right side of things. If you have the truth on your side, you can conduct an extremely aggressive campaign, which is exactly what we did, because there's nothing to hide, there's nothing to fear. The more you engage, the more the truth will come forward.

I mean, Jim, Travis, Paul and I were up in the middle of the night many times and working around the clock to make sure that every time the Russians or WADA or the IOC tried to do something to derail our efforts, we called it out, we engaged openly and we were very consistent and persistent in debunking all of their hype, which was, of course, as Travis really beautifully explained, completely financially motivated, to really bring the truth forth.

I would also say to campaigners, there are really, really smart, dedicated journalists out there, and if you take the time to get to know them and really, really incubate stories with them, and provide them information, background interviews, and really get them familiar with the story, and you have the truth on your side in terms of the agenda you're trying to advance, that is the best strategy. Because we couldn't really have done this without certain sports journalists who have been really, really dedicated to covering this issue incredibly thoroughly and creating a very safe and fertile landing for members of Congress to know that they were supporting a bill that had massive public, media and athletic support.

Eddie Pells, Dan Roan, Rebecca Ruiz, Tariq Panja, Rick Maese at the Washington Post. I mean, I can go on and on and on. Rachel Axon. I mean, there are too many to name, and I'm surely leaving a lot of people out. But those journalists have really... Sean Ingle at The Guardian. They have really been on this story, they have been a friend of the truth. And Travis and Jim know this better than anyone, we engaged

constantly with all of them to really make sure that they had all the facts, and all the story, and we also worked intelligently with them.

I mean, Russia and Putin's propaganda apparatus was constantly trying to put false information into the media bloodstream, and Jim and I had a lot of conversations about that. "What do we address and what do we refrain from amplifying?" And I will say, there are a number of journalists who were really helpful in that regard and would say like, "You can respond to this, but we're not going to cover it because we know that it's false. So, why don't we all get together and make a decision not to amplify false information."

Now, sometimes the false information sort of got out of hand and needed to be addressed, and when it did, we did that with a lot of confidence and with a lot of consistency, I'll stop there, but I think there are a lot of lessons in this campaign that can be really useful in terms of advancing a cause that has very well financed, very, very powerful adversaries who want to see your cause die. Putin, WADA, the IOC, they have a lot of money, they're really well-funded, they deployed some very expensive lobbying agencies to descend on all the committees, the congressional committees that were reviewing the statute, they would descend on them with extraordinarily precise timing immediately after any passage through committee, or through the House, or through the Senate. So, I'm happy to give any more background you would like.

Nate Sibley:

No, that's great. I think that's a really amazing insight into how these things get done, but also amazing lessons for those who are still working on some other very important issues who hope to have the same kind of successes as y'all have had. And it sounds like you came up against some very familiar tactics that I'm well aware of from other aspects of studying kleptocracy. So, thank you all of you for that, and congratulations to you all on this amazing work.

We actually have still a few minutes. I'd like to ask, at the end of every event, is there anything major that I missed that you would just like to shout out about, or did you have any questions for each other, things that came up which you maybe hadn't come across before despite how closely most of you work together? If so, then please shoot now. If not, I'll hand over to Jim for a final word.

Jim Walden:

So, regardless of whether anyone else would say something, and I'll try to leave some time, I do think that there are other unsung heroes of doping enforcement that the world should know about. I mean, there's this unit within the World Anti-Doping Agency, WADA, and an investigator named Gunter Younger, who has done some incredible, incredible work. And there are criminal authorities in Norway, in Austria, that have really drilled into the issue with respect to the IBU, the Biathlon Union.

But the truth of the matter is that the deck is stacked against clean athletes, and there has to be a leveling force to try to root out this corruption. And I have a lot of confidence that Joe and his team will treat these doping structures, which are well known, right? These are open secrets. We know who the doctors are, we know who the coaches are, right? We know who the politicians are that are controlling the money, and laundering money, and distributing the drugs. And I hope that very much before the next set of Olympics that the bureau teams up with a dedicated unit within DOJ, because that is what is necessary, right?

You can't have this situation where you have some US Attorney's office that knows nothing about doping in sports leading one of these investigations. It's got to be done in main justice with a team of prosecutors that knows how to do these investigations. But they can do the advanced work now, right? Just like they know who the organized crime members are, and who the bosses, and the consiglieri, they can get their face chart of all of the coaches, and the doctors, and the corrupt politicians. And when the proof comes out, because the proof will come out in the form of adverse doping tests during these Olympic Games, then it can start to find the whistleblowers necessary to bring these people to justice.

Because, like Travis, I don't believe this is a weapon that will never have to be used, but I do believe that if DOJ and FBI team up to use this weapon a couple of times quickly, the problem will start to fade away and people will realize that if they don't conform to the rules that everyone has agreed to, that people will be cooling their heels inside of US jail cells.

Nate Sibley:

Great point, Jim. Julia, I think you just told me you had something quick to add as well.

Julia Pacetti:

I just wanted to touch on a very important point that Jim made in his introductory remarks, which is that doping carries with it many other crimes. It is one piece in the puzzle, and the fabric of crime that doping engenders also include other crimes like hacking, money laundering, financial crimes, and even attempted assassination of whistleblowers. So, that was certainly something that Paul and I agreed on very early on that needed to be very much part of our strategy.

International games are not a lever of political soft power, necessarily, in the United States, but that is not the case culturally in the rest of the world. The soft power importance, as Jim was describing, how Putin's popularity skyrocketed after the win at Sochi, we need to understand those cultural differences and kind of adapt the message for our domestic legislative audience and domestic public. But I'm so pleased that Joe Gillespie is on this talk and has explained to us everything that can be done, because while doping is important, it's also important to remember all of the other crimes that doping brings with it.

Nate Sibley:

Absolutely. On that note, Joe, did you have a final word for us from the FBI?

Joseph Gillespie:

Yes, I did. Thank you again. And to echo what Julia said, we, in the past, have had to rely on some of these peripheral crimes to get to the group in order to stop their activity. And right now with this Act, this just gives that huge hammer that we have to go on them. And I will say this, that in terms of the tenacity with which the group on this panel have gone to get this passed, us in the FBI, we're deeply appreciative of that fight. We're there with you, and if it comes to be that certain districts still don't get behind that, we will find a district that will, and as oftentimes, we will find venue to defeat whatever criminal enterprise is going on, and if we have to shop it, we'll shop it. But we appreciate the fervor that we display.

I know Jim Walden and Travis know of the agents in New York that they dealt with initially, we have those across the United States, and we would love to not have to do that. The FBI loves not having to go after criminal activity because it's not happening, if it's not happening, but it's happening. And the transnational aspect of this, the Russians penetrate everywhere. Russian, Balkan and Italian organized crime are my three main mainstays, and they are the biggest hitters in this space. So, I just want to say we appreciate the continued fight on your side and we're going to be on our side, and I appreciate it. Thank you.

Nate Sibley:

Thank you all so much. I want to thank you all so much for your time today. I just wanted to hand over to Jim for just a very, very brief final word on Dr. Rodchenkov himself. He took an extraordinary risk exposing this doping scandal. You represent him, you presumably know him as well as anyone, what do you think this means for him personally, to have this amazing revolutionary bill come out with his name on it, and how do you think it will inspire other whistleblowers around the world to follow his example?

Jim Walden:

Well, Nate, it's a great question, and thank you very much for the opportunity to say something about Dr. Rodchenkov. He thanks you, he thanks the Hudson Institute, and he thanks the Helsinki Commission, USADA and the FBI because, honestly, without all of their work, it would be a very, very different outcome for him.

He is obviously regretful of the role that he played. He's grateful that he was able to take, at least around the margins, places where he could do good even within the Russian system, but he's also extraordinarily proud that he has given up quite a bit to try to create the dawn of a new day for clean athletes. At the end of the day, he wants to be a force for good and he hopes there is a day where no athlete feels the kind of pressure that Paul was describing before, to take part in this, and where clean athletes can compete fairly. And so he hopes that the bill, the attention that this has drawn, the amazing work that USADA is doing in order to reinforce the messages again and again with our international partners, some of whom take this less seriously, the work that Paul and the Helsinki Commission are doing to champion other anti-kleptocrat provisions and anti-corruption provisions, all of this is deeply pleasing to Dr. Rodchenkov and he's happy to be finally the force for good he always wanted to be.

Nate Sibley:

That's fantastic. Thank you so much, Jim. Thank you to everyone for your time today. You're clearly very industrious people having got this done, so I know you need to move on and do whatever you're fighting for next. But I hope you'll be able to come back and join us again soon at Hudson Institute when Joe and his colleagues at the FBI have some Rodchenkov cases and prosecutions for us to talk about [crosstalk 00:58:31].

Paul Massaro:

Looking at the first indictment. Yeah, can't wait.

Nate Sibley:

Okay, well, thank you so much, and bye for now.

Jim Walden:

Thanks, guys.