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United States Senate

COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION

WASHINGTON, DC 20510-6125

WEBSITE: <http://commerce.senate.gov>

March 8, 2017

Dr. Thomas Bach
President
International Olympic Committee
Château de Vidy
1007 Lausanne
Switzerland

Dear President Bach:

I am writing regarding the results of the men's pole vault competition at the 2008 Olympic Games in Beijing. Nearly three months ago, in November 2016, the International Olympic Committee (IOC) disqualified Ukrainian pole vaulter Denys Yurchenko from the 2008 Games following a reanalysis of samples that resulted in a positive test for the substance turinabol in violation of the applicable IOC anti-doping rules.¹ Despite this decision, however, it is my understanding that the IOC has not yet taken the necessary steps to correct the record books and award medals to those who would have won them but for this cheating.

As chairman of the U.S. Senate Committee on Commerce, Science, and Transportation, which has jurisdiction over sports, I am deeply committed to ensuring fair competition.² The Committee is responsible for the passage of the Ted Stevens Olympic and Amateur Sports Act,³ which established the U.S. Olympic Committee. The Committee also codified and recently reauthorized the United States Anti-Doping Agency (USADA) and actively oversees USADA's work.⁴ Historically, the Committee has played a leading role in investigating allegations of doping in sports. We have also held cheating American athletes to public account regardless of whether they represent the United States in international events or compete in American professional leagues.

In Beijing, Mr. Yurchenko ranked third in the men's pole vault event and received a bronze medal. In light of his violation of the anti-doping rules, an IOC disciplinary commission decided to withdraw the medal, the medalist pin, and the diploma he obtained in the event. The

¹ Press Release, Int'l Olympic Comm., IOC Sanctions 16 Athletes for Failing Anti-Doping Tests at Beijing 2008 (Nov. 17, 2016), <http://www.olympic.org/news/ioc-sanctions-16-athletes-for-failing-anti-doping-tests-at-beijing-2008>.

² See S. Comm. on Rules & Admin., Standing Rules of the Senate, Rule XXV(f)(1), S. Doc. No. 113-18, at 22 (2013).

³ Ted Stevens Olympic & Amateur Sports Act, Pub. L. 95-606, 36 U.S.C. §§ 220501 – 220512, 220521-220529 (2014).

⁴ United States Anti-Doping Agency Reauthorization Act, Pub. L. 113-280, 128 Stat. 3020 (2014).

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commission further ordered Mr. Yurchenko to return these items and instructed the National Olympic Committee of Ukraine to secure the return of these items "as soon as possible."⁵

Despite these findings and the decision to withdraw the medal, the IOC's official results page for this contest still lists Mr. Yurchenko as the bronze medalist.⁶ Moreover, press reports indicate that the fourth-place finisher, Derek Miles, has not yet received the medal to which he is entitled.⁷ Therefore, I respectfully call upon the IOC to correct the official results of the contest, and to take the necessary steps to recover the bronze medal from Mr. Yurchenko and award it to Mr. Miles, to whom it rightfully belongs. In the event that Mr. Yurchenko will not cooperate with the IOC to return the medal, I ask that the IOC take all appropriate measures to award a bronze medal to Derek Miles.

Thank you for your assistance in this matter. If you have any questions, please have your staff contact Peter Feldman of the Commerce Committee's Majority staff at (202) 224-1251.

Sincerely,



JOHN THUNE
Chairman

cc: The Honorable Bill Nelson, Ranking Member

⁵ *Id.*

⁶ BEIJING 2008 MEN'S POLE VAULT RESULTS, <http://www.olympic.org/beijing-2008/athletics/pole-vault-men> (last visited March 7, 2017) (noting that information contained in the list is not final).

⁷ Mick Garry, *Eight Years Later, USA's Miles May Be in Line for a Medal*, ARGUS LEADER, Nov. 18, 2016, at D3.