

Congress of the United States
Washington, DC 20515

July 9, 2021

Travis T. Tygart, CEO
United States Anti-Doping Agency
5555 Tech Center Drive, Suite 200
Colorado Springs, CO 80919

Dear Mr. Tygart:

We write to oppose the inclusion of cannabis as a prohibited substance within the United States Anti-Doping Agency's (USADA) athlete code. Recently, U.S. sprinter Sha'Carri Richardson was disqualified from the Women's 100 meter race at the 2020 Tokyo Olympics for her prior cannabis usage off of the track. As a result, she was suspended for one month and was not included on the U.S. Olympic team roster¹. This cannabis ban is outdated and restrictive.

As you may be aware, cannabis is currently legal for either medicinal use or adult use in 36 states and 4 territories, including Oregon where the Olympic trial took place. Currently, there is no testing mechanism that shows whether an individual is actively incapacitated from cannabis or if it is based on past usage; traces can be found in one's system for nearly a month after usage. While we agree that athletes should not be under the influence of any substances during competition, we disagree that cannabis should be included in the list and that prior usage in an athlete's private life should be grounds for sanction when no such testing mechanism exists.

As stated in the World Anti-Doping Agency's (WADA) list of prohibited substances, "a substance must meet two of the three inclusion criteria: 1) it has potential to enhance or enhances sport performance, 2) it represents an actual or potential health risk to the athlete, 3) it violates the spirit of sport."² Unlike drugs such as steroids, cannabis does not enhance an athlete's performance. Additionally, cannabis has been recognized as having potential medicinal benefits and research and trials are underway, contradicting the second item of criteria above. Furthermore, the USADA's press release announcing Ms. Richardson's sanction states "...her use of cannabis occurred out of competition and was unrelated to sport performance,"³ which clearly states the usage was unrelated to sports performance, contradicting the inclusion criteria listed in the WADA criteria. The spirit of the sport is a subjective term and can be used to alienate practices and behaviors by athletes that would otherwise be acceptable in broader culture. It can be misused, intentionally or unintentionally, to limit participation in competitive sports by certain demographics or to try to justify any decisions made by the agency.

¹ <https://www.usatf.org/news/2021/team-usatf-announces-roster-for-2020-tokyo-olympic>

² <https://www.usada.org/wp-content/uploads/2021-Athlete-Handbook.pdf>

³ <https://www.usada.org/sanction/shacarri-richardson-accepts-doping-sanction/>

We are concerned that cannabis is on this list while alcohol, which has proven health risks associated with its use and abuse, is not. Moreover, the USADA cites a decade-old paper “Cannabis in Sport” in *Sports Medicine* to justify why marijuana meets the criteria to be in the World Anti-Doping Agency’s list⁴. Over the last year, many sports leagues have announced the suspension of inclusion of cannabis in drug testing, such as the Major League Baseball⁵ and the National Football League⁶. Furthermore, many leagues have recognized the potential health benefits associated with cannabidiol or CBD. We urge USADA to use updated scientific data and rationale in determining which substances should be prohibited.

We urge the USADA and WADA to re-evaluate its criteria and decision to include cannabis, specifically tetrahydrocannabinol (THC) as a prohibited substance. We believe that cannabis does not meet the description of scientifically proven risk or harm to the athlete and the USADA is perpetuating stereotypes and rhetoric fueled by the racist War on Drugs by claiming its usage, in private use and outside of competition, violates the “spirit of the sport.” USADA states that it “retains the right to test athletes at any time and location,” and these results, outside of competition can be used to sanction an athlete. We find it troubling that athletes are not permitted to consume cannabis in their private life, despite it being legal in the majority of states and territories. We respectfully ask for a response and a detailed rationale of why cannabis has been included as a prohibited substance for athletes in their private life in states and territories with legal cannabis by July 22, 2021. We welcome the opportunity to work with you further on this matter.

Sincerely,



Barbara Lee
Co-Chair, Congressional Cannabis Caucus



Earl Blumenauer
Co-Chair, Congressional Cannabis Caucus

Eleanor Holmes Norton
Member of Congress

Gerald E. Connolly
Member of Congress

Rashida Tlaib
Member of Congress

Ayanna Pressley
Member of Congress

Bonnie Watson Coleman
Member of Congress

Betty McCollum
Member of Congress

⁴ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3717337/pdf/nihms486945.pdf>

⁵ <https://www.mlb.com/press-release/press-release-mlb-mlbpa-agree-to-changes-to-joint-drug-program>

⁶ <https://www.insider.com/nfl-players-can-smoke-marijuana-without-discipline-starting-420-2021-4>

Dina Titus
Member of Congress

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Member of Congress

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Member of Congress

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Member of Congress

CC: World Anti- Doping Agency
CC: U.S. Track and Field Association