



September 25, 2007

Head of  
Africa

Assistant  
Secretary

Secretary  
Lynne Cannon

Treasurer  
Ed Koch

and  
Craig A. Washburn

William Boyd, III  
Boyan, Gordis & Regas, LLP  
310 Monument Circle  
Suite 900  
Indianapolis, IN 46204-3123

Re: 2001 USATF and IAAF Anti-Doping Policies

Dear Bill:

I enclose a copy of Regulation 20.1(b) from the 2001 USA Track & Field (USATF) Governance Manual. This regulation was operative when the athlete received the adverse analytical finding at issue. Regulation 20.1(b) referenced the applicable IAAF anti-doping regulations in place at that time. Accordingly, I also attach the pertinent IAAF policy regarding Therapeutic Use Exemptions. You will note that it is quite terse and much less detailed than the current IAF regulations.

In the interests of economy of effort, we have copied what we think are the pertinent provisions. If you need the entire set of regulations from the pertinent time frame or if I have misinterpreted your request, please let us know and we will work with you to get you what you need.

Very truly yours,

Lynne Jones  
General Counsel and Director of Business Affairs

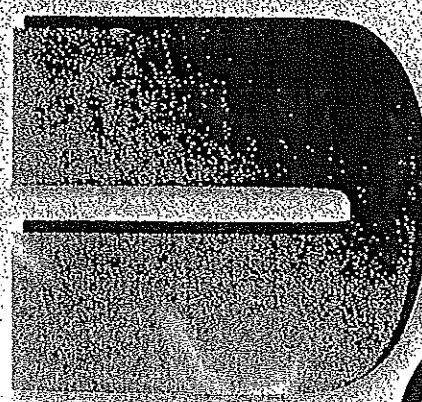
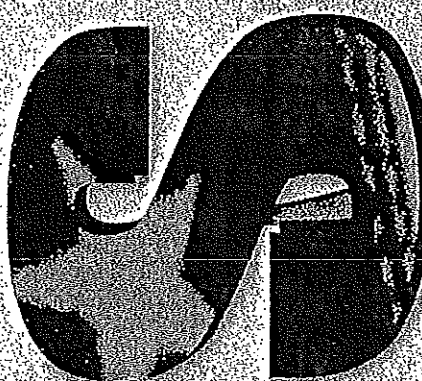
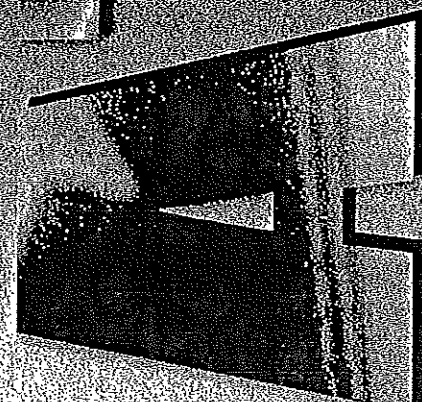
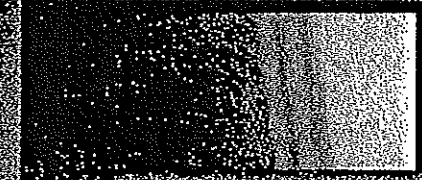
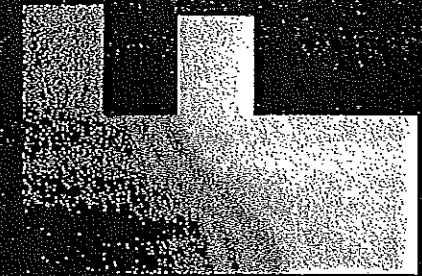
Enclosure

USA TRACK & FIELD

ONE HUNTERTON  
SUITE 100  
INDIANAPOLIS, IN  
46226

IN RE: BOYD  
CASE NO. 07-1017  
www.usatf.org

# 2001 GOVERNANCE MANUAL





### USA Track & Field, Inc.

(see also page 11)

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(see also page 12)

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(see also page 12)

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# Mission Statement

*The mission of USATF is to provide vision and leadership to the sport of Athletics in the United States, and to promote the pursuit of excellence from youth to masters, from grass roots to the Olympic Games.*

#### LAW & LEGISLATION CHAIR

Edward Koch (retiring)

#### EDITOR/DESIGNER

Bill Roe (retiring)

An official publication of USA Track & Field, One RCA Dome, Suite 140, Indianapolis, IN 46225. USA Track & Field is the national governing body in the United States for track & field, long distance running, cross country running, and race walking, and is the United States' member of the International Amateur Athletic Federation.

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- 1 **Appeal time frame:** A person charged may appeal an adverse Decision of the AAA panel. The appeal shall be made by means of a written notice of appeal signed by the appellant and filed with AAA Appeals Panel and the USATF CEO, not later than twelve (12) days after the appellants receipt of the written Opinion of the panel. The appellant shall bear the cost of filing the appeal. If no timely notice of appeal is filed, the Decision of the AAA panel shall be final.
- 3 **Appeals panel:** The AAA Appeals Panel shall hear all appeals of AAA panel Decisions, pursuant to this Regulation, and the AAA Appeals Panel Decision shall be final. An athlete may elect to have a three-person panel, provided that the athlete shall pay for the two additional panelists.
- a **Communications:** Once an appeal is made, the AAA Appeals Panel shall receive all information pertinent to the appeal. Thereafter, members of the panel shall not communicate with anyone concerning the hearing or appeal except:
- i the other panel members;
  - ii AAA Appeals Panel office staff members;
  - iii representatives of charged parties; and/or
  - iv the presenter of the evidence supporting the charge.
- b **Hearing method:** Appeals shall be held by telephone conference call only. All appeals shall be closed to the public.
- c **Additional appeal parameters:** No new evidence may be presented to the AAA Appeals Panel unless circumstances have changed or new facts have been discovered that were unavailable at the time of the hearing.
- 4 **Reinstatement:** Applications for reinstatement shall be made in accordance with Regulation 12 (page 100).
- 5 **Other disciplinary proceedings and appeals:** Any matter relating to disciplinary proceedings and appeals not specifically set forth in this Regulation shall be subject to the provisions of Regulations 11 (pages 97-99) and 12.
- 6 **Notification of penalties:** If the person charged has been declared ineligible by the AAA or AAA Appeals Panel, the CEO shall notify him or her of the penalties imposed by means of a letter sent by facsimile transmission and overnight mail.
- F **Other disciplinary proceedings:** In all cases involving a doping offense as defined by subparagraph D-10 above, proceedings shall be initiated as expeditiously as possible after a written allegation is filed with the CEO. No such proceedings shall be initiated if the alleged transaction or omission occurred more than six (6) years prior to the filing of the allegation. Disciplinary proceedings under this Regulation shall be submitted by the CEO to the AAA.
- G **Confidentiality and publication of test results and doping offenses:** The names of athletes who have tested negative or who have provided valid excuses for failure to appear for testing shall upon a final decision having been rendered, be published by USATF. The names of athletes determined to have committed a doping offense shall be published by USATF only after an athlete has exhausted all the domestic administrative proceedings available, including but not limited to a declaration of ineligibility by the AAA or when the findings of the AAA have been reaffirmed by the AAA Appeals Panel, if an appeal has been filed. Any other information will be made available only with prior consent of the athlete.
- NOTE: If the athlete or the athlete's representatives breaches confidentiality, USATF may make an appropriate response.*
- H **Alternate process:** The disciplinary proceedings conducted pursuant to this Regulation may instead be conducted for USATF under the authority of the USOC pursuant to a procedure approved by the Board.

## REGULATION 10B DOPING CONTROL

*This Regulation 10B shall apply to all doping controls conducted on or after December 2, 2000.*

- A **Definitions:** The following terms shall have the indicated meaning when used in this Regulation:
- 1 **Doping:** The administration of prohibited substances or techniques.
  - 2 **Doping offense:** Pursuant to IAAF Rule 55 and 56 (pages 139-140), a doping offense is committed when an arbitration panel determines beyond a reasonable doubt that: a prohibited substance was found to be present within an athlete's body fluids; or an athlete has used or taken advantage of a prohibited technique; or an athlete has admitted having used or taken advantage of a prohibited substance or technique; or when a person has been determined to have committed a doping violation pursuant to the Olympic Movement Anti-Doping Code.
  - 3 **IAAF Protocol:** Procedures set forth by the IAAF in its current Procedural Guidelines for Doping Control, or any successor publication. The IAAF Procedural Guidelines govern drug testing pursuant to the authority of the IAAF.
  - 4 **In-Competition Drug Testing:** Drug testing that takes place during a selected competition.
  - 5 **Olympic Movement Anti-Doping Code:** That version of the IOC Medical Code applicable at the time of the alleged doping violation. The current version can be found at <http://www.olympic.org>.
  - 6 **Out-of-Competition Drug Testing:** Drug testing that takes place when an athlete is not competing.
  - 7 **Prohibited Substances:** The prohibited substances identified in either the Olympic Movement Anti-Doping Code or the IAAF Procedural Guidelines for Doping Control.
  - 8 **USADA:** The United States Anti-Doping Agency, 1265 Lake Plaza Drive, Colorado Springs, CO 80906; Telephone 719/785-2002; <http://www.usantidoping.org>
- B **Doping programs:** USATF participates in two doping control programs conducted by the USADA, under the auspices



of the USOC, and the IAAF as follows:

- 1 **In-Competition Program (ICP):** This program involves the testing of athletes during USATF sanctioned events for prohibited substances and techniques. The selection of athletes shall be pursuant to procedures established by either the IAAF and/or USATF Protocol. The organization responsible for drug testing will determine which protocol will apply; and
  - 2 **No-Advance-Notice Program (NAN):** This program involves the testing of selected athletes for prohibited substances and techniques. The NAN shall include a program of unannounced, walk-up testing. The selection of those athletes to be tested pursuant to the NAN program shall be determined by USATF, in conjunction with USADA, on the one hand, or by the IAAF, on the other hand. Athletes that are eligible to be drug tested, pursuant to this provision, are required to keep one (1) current address on file with USATF and USADA, and must notify USADA if s/he travels away from this location for more than two (2) days. Failure to adhere to this requirement may result in the athlete being charged with a doping offense. Those athletes wishing to be removed from the NAN program must meet the retirement requirements set forth in subparagraph E below.
- C **Anti-doping program:** The applicable IAAF, USADA and/or USOC protocols, or other USATF approved protocol. During the Olympic and Pan American Games, the applicable Olympic Movement Anti-Doping Code shall govern doping control.
- NOTE: The text of the applicable IOC, IAAF, USADA and/or USOC rules, protocols, and guidelines, relating to doping control in effect as of January 1, 2001, are set forth in the attached exhibits.*
- D **Disciplinary procedures:** The disciplinary proceedings related to positive drug tests of USATF athletes shall be conducted by USADA, on behalf of USATF.
- 1 **Proceedings:** When USATF is notified by the IAAF that an athlete's A sample has tested or has been deemed positive for a prohibited substance, the matter shall be referred to USADA for a determination of whether a doping offense has occurred.
  - 2 **National team participation and expedited hearing process:** An expedited hearing pursuant to the provisions of this regulation shall be provided to determine the national team status of any athlete who, at the time of selection for a national team relay or a team scoring position, has provided a urine sample that has tested A positive or A and B positive. The hearing shall be heard by one AAA arbitrator, within forty-eight (48) hours of the athlete's notification that his or her national team status is in jeopardy. The athlete may voluntarily waive the right to an expedited hearing and withdraw from a national team relay or national team scoring position.
  - 3 **Request for expedited hearing:** A request for an expedited hearing pursuant to the preceding subparagraph 10-D-2 shall be filed by USATF with the AAA. The scope of the hearing shall be limited to a determination of whether the athlete shall be excluded from the national team relay or national team scoring position at issue. The AAA shall endeavor to hold the expedited hearing within forty-eight (48) hours of the filing of the request for the expedited hearing. When appropriate, the hearing may be held by telephone conference and/or video conferencing. The disposition of the hearing shall be under the direction of the chair of the panel as to all procedural matters.
  - 4 **Ineligibility:** If an athlete is found to have committed a doping offense or the individual waives the right to a hearing, the individual shall be declared ineligible to participate in Athletics competition, as provided below. In addition, if testing was conducted in competition, the athlete shall be disqualified from that competition and all competitions s/he competed in prior to the final decision of the hearing or appeals panel, and the result(s) amended accordingly. Ineligibility shall begin:
    - a from the date the period of ineligibility was imposed by an arbitration panel; or
    - b as otherwise determined by the IAAF; or
    - c in the case of a doping offense listed in subparagraph D-6 below, from the date the period of ineligibility was imposed by an arbitration panel. If an athlete competes while ineligible, the period of ineligibility shall be deemed to recommence from the time the athlete last competed, as though no part of a period of ineligibility had been served.
  - 5 **Period of ineligibility:** In events conducted under the jurisdiction of the IOC, the penalties provided by the applicable Olympic Movement Anti-Doping Code shall apply. In all other situations, an athlete who commits a doping offense will be ineligible as follows:
    - a **Part I substances:** For an offense under IAAF Rule 60.1 (i) or (iii) (page 141) involving the substance listed in Part I of Schedule 1 of the IAAF Procedural Guidelines for Doping Control (Exhibit L, pages 113-135) or, for any of the other offenses listed in IAAF 60.1 or in subparagraph D-6 below:
      - i **first offense** for two (2) years from the date the decision on ineligibility was issued by an arbitration panel. If the athlete has served a period of IAAF suspension prior to a declaration of ineligibility such period of suspension shall be deducted from the period of ineligibility imposed by the panel; or
      - ii **second offense** for life.
    - b **Part II substances:** For an offense under IAAF Rule 60.1 (i) or (iii) involving the substance listed in Part II of Schedule 1 of the IAAF Procedural Guidelines for Doping Control (Exhibit L):
      - i **first offense** disqualification from the competition at which the sample was collected and a public warning;
      - ii **second offense** for two years from the date the decision on ineligibility was issued by an arbitration panel. If the athlete has served a period of IAAF suspension prior to a declaration of ineligibility such period of suspension shall be deducted from the period of ineligibility imposed by the panel; or
      - iii **third offense** for life.
  - 6 **Separate doping offenses:** In addition to all doping offenses defined in IAAF Rules 55 and 56 (pages 139-140), the

following shall be regarded as separate doping offenses:

- a **Agent intimidation:** Inducing or attempting to induce, by threat, coercion, intimidation, bribery, or other improper means, a person involved in the collection or testing of a sample, or in the administration of this Regulation, to take any action or refrain from taking any action respecting a sample or a person who may be charged with a doping offense; and
  - b **Other interference:** Intentionally destroying or attempting to destroy a sample prior to its testing or otherwise interfering with the proper collection, shipping, storage, or testing of a sample.
- E Retirement:** Athletes wishing to retire from competition must complete and submit to USATF, prior to retirement, the official USATF retirement form. A copy of the retirement form is reproduced in Appendix 8 (page 220). Retired athletes are ineligible to return to competition for a minimum of four (4) years and must undergo out-of-competition drug testing, in accordance with IAAF Rule 57.5 (Exhibit M, page 140), before being eligible to return to competition. Failure to properly notify USATF of an athlete's retirement may result in a determination that a doping offense has been committed.
- F Unexcused failure:** An unexcused failure to provide a sample shall be considered as being the same as a confirmed A positive test for anabolic steroids, except that the athlete shall have the burden of proving to the panel a permissible excuse pursuant to the ICP or OCP, as the case may be.
- G Reinstatement:** Applications for reinstatement shall be made in accordance with Regulation 12 (page 100).
- H Other disciplinary proceedings and appeals:** Any matter relating to disciplinary proceedings and appeals not specifically set forth in this Regulation shall be subject to the provisions of Regulations 11 (pages 97-99) and 12.
- I Notification of penalties:** If the person charged has been declared ineligible by an arbitration panel, the CEO shall notify him or her of the penalties imposed by means of a letter sent by facsimile transmission and overnight mail.
- J Other disciplinary proceedings:** In all cases involving a doping offense as defined by subparagraph D-6 above, proceedings shall be initiated as expeditiously as possible after a written allegation is filed with the CEO. No such proceedings shall be initiated if the alleged transaction or omission occurred more than six (6) years prior to the filing of the allegation. Disciplinary proceedings under this Regulation shall be submitted by the CEO to the AAA.
- K Confidentiality and publication of test results and doping offenses:** Except as provided in this paragraph, no information shall be disclosed with respect to doping matters handled by USADA. The names of athletes who have tested negative or who have provided valid excuses for failure to appear for testing shall upon a final decision having been rendered, be published by USATF. The names of athletes determined to have committed a doping offense shall be published by USATF only after an athlete has exhausted all the domestic administrative proceedings available. Any other information will be made available only with prior consent of the athlete.

**NOTE:** If the athlete or the athlete's representatives breaches confidentiality, USATF may make an appropriate response.

# PROHIBITED SUBSTANCES

## PART 1

(a) Anabolic Agents:

(1) Androgenic Anabolic Steroids e.g.  
androstenedione

bolasterone	methyltestosterone
boldenone	nandrolone
chlorodehydromethyltestosterone	norethandrolone
clostebol	oxandrolone
dehydroepiandrosterone	oxymesterone
dihydrotestosterone <sup>(1)</sup>	oxymetholone
fluoxymesterone	stanozalol
gestrinone	testosterone <sup>(2)</sup>
mesterolone	fluoxymesterone
methandienone	norethandrolone
methenolone	

and chemically or pharmacologically related compounds

(1) Dihydrotestosterone: a sample will be deemed to be positive for dihydrotestosterone where the concentrations of dihydrotestosterone and its metabolites and/or their ratios to non-5alpha-steroids in urine so exceed the range of values normally found in humans as not to be consistent with normal endogenous production.

(2) Testosterone: a sample will be deemed to be positive for testosterone where either the ratio in urine of testosterone to epitestosterone, or the concentration of testosterone in urine, so exceeds the range of values normally found in humans as not to be consistent with normal endogenous production.

A sample will not be regarded as positive for dihydrotestosterone or testosterone where an athlete proves by clear and convincing evidence that the abnormal ratio or concentration is attributable to a pathological or physiological condition.

(2) Other Anabolic Agents e.g.

beta-2-agonists<sup>(3)</sup>  
(e.g. bambuterol, clenbuterol, formoterol, reproterol)

(3) Exceptionally, the administration of the beta-2-agonists salbutamol, salmeterol, or terbutaline are permitted by inhalation where prescribed for therapeutic purposes by properly qualified medical personnel and where prior clearance has been given by the relevant National Federation or the IAAF (For IAAF procedure, see Chapter 5).

(b) Amphetamines: e.g.

amineptine	
amphetamine	methoxyphenamine
amphetaminil	methylamphetamine
benzphetamine	methylphenidate
bromantan	morazone
carphedon	pemoline
dimethylamphetamine	phendimetrazine
ethylamphetamine	phenmetrazine
fenethylline	pipradol
fenproporex	pyrovalerone
furfenorex	selegiline
mefenorex	
mesocarb	

and chemically or pharmacologically related compounds

(c) Peptide, Glycoprotein, and Glucocorticoid Hormones and Analogues: e.g.

Corticosteroids by oral, intramuscular, or intravenous application.

Chorionic Gonadotrophin (HCG-human chorionic gonadotrophin): it is well known that the administration to males of human chorionic gonadotrophin (HCG) and other compounds with related activity leads to an increased rate of production of endogenous androgenic steroids and is considered equivalent to the exogenous administration of testosterone.

A sample will be deemed to be positive for HCG where the concentration of HCG in urine so exceeds the range of values normally found in humans as not to be consistent with normal endogenous production.

A sample will not be regarded as positive for HCG where an athlete proves by clear and convincing evidence that the abnormal ratio or concentration is attributable to a pathological or physiological condition.

Corticotrophin (ACTH): corticotrophin has been misused to increase the blood levels of endogenous corticosteroids notably to

obtain the euphoric effect of corticosteroids. The application of corticotrophin is considered to be equivalent to the oral, intramuscular, or intravenous application of corticosteroids.

Growth Hormone (HGH, somatotrophin): the misuse of growth hormone in sport is deemed to be unethical and dangerous because of various adverse effects, for example, allergic reactions, diabetogenic effects, and acromegaly when applied in high doses.

Erythropoietin (EPO): is a glycoprotein produced principally in the kidneys which stimulates the production of red blood corpuscles.

All the respective releasing factors of the above-mentioned substances are also banned.

- (e) Cocaine
- (f) Prohibited Techniques:  
(see Schedule 2)

## PART 2

- (a) Stimulants: e.g.  
amiphenazole

caffeine <sup>(1)</sup>	fencamfamin
cathine	methylephedrine
chlorphentermine	nikethanide
clobenzorex	pentetrazol
clorprenaline	phentermine
clorpropamide	phenylpropanolamine
crothamide	prolintane
ephedrine	propylhexedrine
etafedrine	strychnine
ethamivan	

and chemically or pharmacologically related compounds

- (1) For caffeine, the definition of a positive finding is one in which the concentration in urine exceeds 12 micrograms/millilitre.

A sample may not be regarded as positive for caffeine where an athlete proves by clear and convincing evidence that the abnormal concentration is attributable to a physiological condition.

- (b) Narcotic analgesics: e.g.

alphaprodine	levorphanol
anileridine	methandone
buprenorphine	morphine <sup>(2)</sup>
dextromoramide	nalbuphine
diamorphine	pentazocine
dipipanone	pethidine
ethoheptazine	trimeperidine

and chemically or pharmacologically related compounds

Note - codeine, dextromethorphan, dextropropoxyphene, dihydrocodeine, diphenoxylate, ethylmorphine, and pholcodine are permitted.

- (2) For morphine, the definition of a positive finding is one in which the concentration in the urine exceeds 1 microgram/millilitre of free and conjugated morphine.

## PART 3

### Substances and Prohibited Techniques to be detected during Out-Of Competition Testing.

- (a) Anabolic Steroids  
(see Schedule 1a)
- (b) Peptide, Glycoprotein, and Glucocorticoid Hormones and Analogues  
(see Schedule 1c)
- (c) Prohibited Techniques  
(see Schedule 2)



**SCHEDULE 2**  
**PROHIBITED TECHNIQUES**

The expression prohibited techniques shall include:

- (i) Blood doping, including the use of erythropoietin (EPO)(See Schedule 1c);
- (ii) Use or attempted use of substances and of methods e.g. diuretics which alter the integrity and validity of urine samples used in doping controls. Examples of prohibited techniques are catheterisation, urine substitution, and/of tampering, inhibition of renal excretion, e.g. by probenecid, bromantan, and related compounds.
- (iii) Epitestosterone: a sample will be deemed to be positive for epitestosterone where either the concentration of epitestosterone in urine, or the ratio of epitestosterone to other endogenous steroids in urine, so exceeds the range of values normally found in humans as not to be consistent with normal endogenous production.