

**Opening Statement of Chairman Tom Davis  
Government Reform Committee Hearing  
“Restoring Faith in America’s Pastime: Evaluating Major League Baseball’s Efforts  
to Eradicate Steroid Use”  
March 17, 2005**

Good morning, and welcome to the Committee on Government Reform’s hearing on Major League Baseball and the use of performance-enhancing drugs.

Fourteen years ago, anabolic steroids were added to the Controlled Substance Act as a Schedule III drug, making it illegal to possess or sell them without a valid prescription. Today, however, evidence strongly suggests that steroid use among teenagers – especially aspiring athletes – is a large and growing problem.

The Centers for Disease Control and Prevention tells us that more than 500,000 high school students have tried steroids, nearly triple the number just ten years ago. A second national survey, conducted in 2004 by the National Institute on Drug Abuse and the University of Michigan, found that over 40 percent of 12<sup>th</sup> graders described steroids as “fairly easy” or “very easy” to get, and the perception among high school students that steroids are harmful has dropped from 71 percent in 1992 to 56 percent in 2004.

This is but a snapshot of the startling data we face. Today we take the committee’s first steps toward understanding how we got here, and how we begin turning those numbers around. Down the road, we need to look at whether and how Congress should exercise its legislative powers to further restrict the use and distribution of these substances.

Our specific purpose today is to consider MLB’s recently negotiated drug policy; how the testing policy will be implemented; how it will effectively address the use of prohibited drugs by players; and, most importantly, the larger societal and public health ramifications of steroid use.

Yesterday, USA Today reported that 79 percent of players surveyed believe steroids played a role in record-breaking performances by some high-profile players. While our focus is not on the impact of steroids on MLB records, the survey does underscore the importance of our inquiry.

A majority of players think steroids are influencing individual achievements – that’s exactly our point. We need to recognize the dangerous vicious cycle that perception creates.

Too many college athletes believe they have to consider steroids if they’re going to make it to the pros; high school athletes, in turn, think steroids might be the key to getting a scholarship. It’s time to break that cycle, and it needs to happen from the top down.

When I go to Little League opening games these days, kids aren't just talking about their favorite teams' chances in the pennant race; they're talking about which pro players are on the juice.

After the 1994 MLB players strike, rumors and allegations of steroid use in the league began to surface. Since then, long standing records were broken. Along with these broken records came allegations of steroid use among MLB's star players. Despite the circulating rumors of illegal drug use, MLB and the Players Association did not respond with a collective bargaining agreement to ban the use of steroids until 2002. The result was an almost decade long question mark as to, not only the validity of the new MLB records, but also the credibility of the game itself.

In February of this year, former MLB All-Star Jose Canseco released a book that not only alleges steroid use by well known MLB players, but also discusses the prevalence of steroids in baseball during his 17-year career. After hearing Commissioner Bud Selig's public statements that MLB would not launch an investigation into Mr. Canseco's allegations, my Ranking Member Henry Waxman wrote me asking for a Committee hearing to, *quote*, "find out what really happened and to get to the bottom of this growing scandal." *End quote*.

I agreed before I'd even finished reading the letter.

MLB and the Players' Association greeted word of our inquiry first as a nuisance, then as a negotiation, replete with misstatements about the scope of the documents and information we've sought, and inaccurate "legalese" about the committee's authority and jurisdiction.

Fine. I understand their desire to avoid the public's prying eye. I understand this is not their preference. I understand they wish we would go away.

But I think they misjudged our seriousness of purpose. I think they misjudged the will of an American public who believes that sunshine is the best disinfectant. I think they mistakenly believed we got into this on a whim.

We did not. We gave this serious – *serious* -- consideration. And we decided it was time to try to break the code of silence.

I'm a baseball fan. I always have been. I didn't become a political junkie until the Senators left town and I needed something to replace the near-daily routine of memorizing box scores. I'm not looking forward to being relegated to the nosebleed seats.

But there's a cloud over the game I love. Maybe we're late to the game in recognizing it; maybe we're partly to blame in implicitly and wrongly sending the message that baseball's antitrust exemption is also a public accountability exemption.

But the cloud hovers nonetheless, and our hope is that a public discussion of the issues, with witnesses testifying under oath, can provide a glimpse of sunlight.

Why? Because more than just the reputation of baseball is at risk. Our primary focus remains on the message being sent to children. Children who play baseball. Children who idolize and emulate professional baseball players.

I still have faith that Major League Baseball and a lot of players, managers, trainers and fans want to join us in helping kids understand that steroids aren't cool. Our responsibility is to help make sure MLB's strategy – particularly its new testing program – gets that job done.

We need to know if the policy is adequate – in terms of how the tests are done, the punishments, the scope. As Mr. Waxman and I wrote to MLB and the Players' Association yesterday, there are real doubts that this new policy is all that it's been cracked up to be.

The same USA Today survey I referenced earlier found that 69 percent of players believe the new policy is strict enough. Frankly, I'm surprised the number isn't higher. That's like asking trial lawyers if we need more tort reform. The answer's going to be "no."

Over the years, there's been a consistent drip, drip, drip of information about steroids in baseball, with not much of a response from Major League Baseball. After all, it was in large part through congressional pressure that the current policy took shape.

Now, we have not only the BALCO case, but a book by a former big league star naming names. We don't know if the allegations in Jose Canseco's book are accurate, or if they are slander, or a little of both.

That's why the truth needs to come out, however ugly the truth might be. Baseball can not simply turn its back on recent history, pronounce that the new testing policy will solve everything, and move on. You can't look forward without looking back.

I would hope that baseball would see this hearing as an opportunity to talk about the steps it's taken to get a handle on the situation. That's what we're interested in. We're not interested in embarrassing anyone, or ruining careers, or grandstanding. This is not a witch hunt, and I'm not looking to have witnesses "name names."

Furthermore, today's hearing will not be the end of our inquiry. Far from it. Nor will Major League Baseball be our sole or even primary focus. We're in the first inning of what could be an extra inning ballgame.

This is the beginning, not the end. We believe this hearing will give us good information about the prevalence of steroids in professional baseball, shine light on the sometimes tragic results of steroid use by high school and college athletes, and provide leads as to where to take our investigation next.

Leads from Senator Bunning about how to restore integrity to the game.

Leads from medical experts about how to better educate all Americans about the very real dangers of steroid use.

Leads from parents whose stories today will poignantly illustrate that, like it or not, professional athletes *are* role models, and their actions can lead to tragic imitation.

We are grateful to the players who have joined us today to share their perspectives on the role and prevalence of performance enhancing drugs in baseball. Some have been vocal about the need for baseball to address its steroid problem; I applaud them for accepting this calling.

Others have an opportunity today to either clear their name or take public responsibility for their actions, and perhaps offer cautionary tales to our youth. In total, we think the six current and former players offer a broad perspective on the issue of steroids and baseball, and we're looking forward to hearing from all of them.

Finally, we are fortunate to have with us a final panel of witnesses representing MLB, the Players' Association, and front office management. This panel is, quite frankly, where the rubber will meet the road. If the players are cogs, this is the machine. If the players have been silent, these are the enforcers and promoters of the code.

Ultimately, it is MLB, the union, and team executives that will determine the strength of the game's testing policy. Ultimately, it is MLB and the union that will or will not determine accountability and punishment. Ultimately, it is MLB and the union that can remove the cloud over baseball, and maybe save some lives in the process.

**Oh, somewhere in this favored land the sun is shining bright;  
The band is playing somewhere, and somewhere hearts are light;  
And somewhere men are laughing, and somewhere children shout;  
But there is no joy in Mudville – *until the truth comes out.***

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