

House Leaders at Boiling Point at Hearing on Drugs in Sports

**By Edward Epstein**

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Key House leaders warned all organized sports Thursday, particularly Major League Baseball, that if they don't crack down more vigorously on steroids and other illegal drugs, Congress will do the job for them.

"I don't want to have the United States Congress have to pass a bunch of standards on steroid abuse. But if we have to, we will," House Energy and Commerce Committee Chairman Joe Barton, R-Texas, said at a hearing called to look into the use of illegal drugs in athletics, from high school through the professional ranks.

"I'd rather you did it yourself," he told representatives of baseball, the National Football League and the NCAA. "I'm tired of people putting their heads in the sand."

Barton noted that as Giants slugger Barry Bonds pursues the home run marks of Babe Ruth and Hank Aaron, "we have to worry, did Barry Bonds do that naturally or was it chemically enhanced?"

"It's time to say enough is enough," he added. "With Babe Ruth, people didn't worry about him taking steroids. They worried about him eating another hot dog."

The 3 1/2-hour joint hearing of two Energy and Commerce subcommittees served as a warm-up for the main event, next Thursday's scheduled hearing before the Government Reform Committee, with a witness list that includes seven current and former star baseball players.

The players and a host of documents have been subpoenaed by the committee for next week's hearing. Baseball and its players union initially said they would fight those subpoenas -- a move that stirred ire on Capitol Hill -- but began softening their position on Thursday.

Baseball Commissioner Bud Selig, NFL Commissioner Paul Tagliabue, National Basketball Association Commissioner David Stern and NCAA head Miles Brand declined to appear at Thursday's hearing, sending lower-ranked executives in their place, said Rep. Cliff Stearns, R-Fla., who chaired the joint session.

Their failure to appear only added to the congressional displeasure.

"The commissioners are notably absent. They must take guardianship of this issue if we are to succeed," Stearns said. "We're signaling today we may have another hearing, and we expect them," leaving open the possibility that the top sports executives may face another round of subpoenas.

Stearns suggested that all major professional sports leagues devise a uniform policy on drug testing and on penalties for those who violate the policies.

Major League Baseball's toughened new drug testing policy was slammed repeatedly at the hearing for not being tough enough. The policy, negotiated with the players union, calls for unannounced, year-round testing. The penalty for a first positive test is a 10-game suspension in a 162-game season, compared with a four-game suspension in a 16-game season in the NFL and one year in the NCAA.

Several committee members said baseball's penalties were far too lenient, although Frank Coonelly, baseball's senior vice president for labor, said the new policy will provide a deterrent to drug use.

"Justify for me how what amounts to a slap on the wrist sends a deterrence," said Rep. Jan **Schakowsky**, D-III.

"The real deterrent is that these people will be publicly outed as cheaters," Coonelly said. "Those identified as cheaters will be identified by the fans and their fellow players." He pointed to the cases of Pete Rose, the Cincinnati Reds star banned from the Hall of Fame for alleged gambling, and former Chicago Cubs slugger Sammy Sosa, who was suspended for seven games in 2003 for using a corked bat.

That drew **Schakowsky's** scorn. "If we're going to rely on reputation and history writers rather than sanctions, we're in deep trouble," she said.

The hearing repeatedly returned to the example that big-leaguers set for young people who idolize them. Government reports estimate that steroid use is jumping among teenagers, who yearn to succeed in sports or look buff but are either unaware of or don't care about the serious health problems steroids can cause.

The government estimates that 1 million teenagers are using or have tried steroids. In 1993, it was estimated that 1 out of every 45 high school students had used them. That fell to 1 in 27 in 1999 and to 1 in 16 in 2003.

"This trend is alarming because this trend is so dangerous," said Rep. Henry Waxman, D-Los Angeles.

One witness at the hearing was Don Hooton of Plano, Texas, whose 17-year-old son, Taylor, suffered severe depression and committed suicide in 2003 after using steroids in an effort to put on weight to improve his baseball performance.

Several witnesses, including Hooton, called for greater education for young people and more testing of student-athletes to deter them from using the drugs. But financially strapped high schools will find it hard to conduct urine testing on all their athletes.

Hooton blasted Major League Baseball for trying to block the subpoenas to next Thursday's hearing.

"It shows them to be the cowards they are," he said in an interview.

"They aren't men enough to step before the public and ticket holders and admit what's going on. They're hiding behind some right of privacy. Well, where's Taylor's right of privacy?"

"There's something more important than whether they need to put an asterisk behind some player's name in the record book," Hooton added.

Coonelly told the hearing that baseball's tougher new policy is working. "The policy is well on its way to eradicating steroid use from baseball," he assured the House members.

But Dr. Charles Yesalis of Penn State University, one of the nation's leading experts on steroids in sports, said cheaters remain ahead of the testing technology, thanks to undetectable steroids, human growth hormone, masking agents and other illegal substances.

"Drug testing is no panacea. They are so full of loopholes, I could drive every Abrams M1A2 tank we own through them without scraping the sides," he said.

Yesalis said more police and prosecutorial efforts, similar to the steroid distribution prosecution against the Bay Area Laboratory Co-Operative, send a powerful message.

Yesalis said he didn't know if the public is ready to see sports heroes hauled into court.

"Do we have the fire in our belly to do sting operations against college or pro teams? I don't know," he said. E-mail Edward Epstein at [eedstein@sfchronicle.com](mailto:eedstein@sfchronicle.com).