

**STATEMENT OF COMMISSIONER SELIG**  
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**UNITED STATES SENATE COMMITTEE ON COMMERCE, SCIENCE & TRANSPORTATION**  
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**SEPTEMBER 28, 2005**

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I would like to thank the Chairman, the Ranking Member and the Committee members for inviting me to testify today.

I have the distinct privilege of serving as the ninth Commissioner of Baseball. As Commissioner, the most important point I want to make this morning is that my top priority is to eradicate performance enhancing substances from baseball. That is why I proposed last April a tough, new 50-games, 100-games, life suspension discipline schedule for cheaters who use steroids. Members of the Committee, it is time for this proposal to be accepted.

Five members of Baseball's Hall of Fame – Hank Aaron, Lou Brock, Phil Niekro, Robin Roberts, and Ryne Sandberg – have joined me today to support my proposal to toughen Major League Baseball's drug-testing program. I also have with me a letter from the President of Little League Baseball urging tougher penalties for those who use steroids.

I have often spoken about baseball's role as a social institution, and how Jackie Robinson breaking the game's color barrier on April 15<sup>th</sup>, 1947 was baseball's proudest moment. As the National Pastime, we have social responsibilities that we take very seriously. But meeting those responsibilities can be difficult and complex.

Baseball presently has a problem with performance enhancing substances. This is a problem for several reasons. First, players who use steroids are cheating which directly affects the integrity of the game. Second, the use of steroids presents serious health issues for those who are taking them. Third – and this directly impacts the social responsibility that the game has to its fans and to the communities in which we play – the use of steroids by our players influences the youth of America. Whether we and our players like it or not, they are role models and kids who admire them are likely to emulate what they do. If the young athletes of our country believe that taking steroids may help them become major leaguers, they will take those substances. This must not happen. It is my goal as the Commissioner of Baseball to eradicate the use performance enhancing substances from the game and I won't leave one stone unturned until that happens.

Before the BALCO investigation and before President Bush brought up the subject in the State of the Union speech, Major League Baseball had recognized the seriousness of the steroid problem and had begun to address it. We banned performance enhancing substances throughout the minor leagues and began testing there. But I could not unilaterally impose testing in the major leagues, because drug testing is a matter for collective bargaining. The Major League Baseball Players Association had long opposed any kind of testing. During our 2002 labor negotiations, testing for performance enhancing substances was a priority and we were successful, for the first time, in negotiating a testing program. Although it was not as comprehensive as I would have liked, it was a first step.

But we did not stop there. In March, 2004, due in part to the message from the President and this Committee, we went back to the Players Association and told them that the program we had was insufficient. Last January, in an unprecedented move, Major League Baseball and the Players Association re-opened the Basic Agreement and devised a tougher, more comprehensive drug-testing program that was much more effective.

There is no doubt in my mind that the current testing program is working. But whether or not the program is working is no longer the issue. The issue is integrity... my integrity ... the players' integrity ... the owners' integrity ... and, most importantly, the game's integrity. The integrity issue is transcendent. We must put a stop to the use of steroids and the best way is to put in place a drug-testing program that has tough discipline and independent testing. In April, I sent a letter to Don Fehr, the executive director of the Players Association, proposing that violators of the program be suspended for 50 games for a first offense, 100 games for a second, and a lifetime ban for a third. I also proposed an extension of testing to include amphetamines, increased random testing, and turning over the administration of the testing program to an independent authority.

I believe so strongly in the proposal that I have already implemented the "three strikes and you're out" program in the Minor Leagues for the 2006 season. At the Major League level, my staff has diligently pressed the Players Association and, in recent weeks, has negotiated – as required by the National Labor Relations Act – to effectuate the goals I articulated in my letter to Mr. Fehr. Unfortunately, the Players Association has yet to agree to the proposal I made to them five months ago. This week, I received a letter from Mr. Fehr that

moves in the right direction, but his reply does not go far enough.

Notwithstanding my impatience and profound disappointment, I refuse to give up and will continue to press to strengthen the program.

Senator John McCain and Senator and Hall of Famer Jim Bunning each has introduced legislation that would regulate drug-testing programs in professional sports. It would be preferable to handle this issue through collective bargaining, but after waiting five months I stand ready to support appropriate federal legislation if Congress becomes convinced that the collective bargaining process will not yield an acceptable drug-testing program.

While this process continues, we have increased our efforts where we can act unilaterally. For example, in 2005, we significantly increased our drug testing in the minor leagues and in the Dominican Republic and Venezuelan Summer Leagues. We conducted more than 7,000 tests and imposed more than 100 suspensions in the minor leagues alone for players who tested positive for performance enhancing substances.

Recognizing the need to keep the science of drug testing on the cutting edge, Major League Baseball has committed to fund research by Dr. Donald Catlin, the renowned scientist who heads the World Anti-Doping Agency-accredited UCLA Laboratory, in his endeavor to create a valid urine test for Human Growth Hormone. We are also active on the educational side of this issue and have joined forces with the Partnership for a Drug Free America and the Taylor Hooton Foundation to help warn America's youth and their parents about the health dangers of steroids and performance enhancing drugs.

There can be no question that Major League Baseball takes this issue very seriously. As I have said many times, the elimination of steroids and

performance enhancing substances from our game through a tougher and more effective testing program is essential to restoring integrity to the game. I appreciate the attention you are giving this issue and thank you for allowing me the opportunity to appear before you today.