

**S. 529, TO AUTHORIZE APPROPRIATIONS FOR
THE U.S. ANTI-DOPING AGENCY**

HEARING

BEFORE THE

**COMMITTEE ON COMMERCE,
SCIENCE, AND TRANSPORTATION**

UNITED STATES SENATE

ONE HUNDRED NINTH CONGRESS

FIRST SESSION

MAY 24, 2005

Printed for the use of the Committee on Commerce, Science, and Transportation



U.S. GOVERNMENT PRINTING OFFICE

24-722 PDF

WASHINGTON : 2005

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512-1800; DC area (202) 512-1800
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SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED NINTH CONGRESS

FIRST SESSION

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**S. 529, TO AUTHORIZE APPROPRIATIONS FOR
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TUESDAY, MAY 24, 2005

U.S. SENATE,
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
Washington, DC.

The Committee met, pursuant to notice, at 10:03 a.m. in room SR-253, Russell Senate Office Building, Hon. John McCain, presiding.

**OPENING STATEMENT OF HON. JOHN MCCAIN,
U.S. SENATOR FROM ARIZONA**

Senator MCCAIN. Good morning. I want to thank Chairman Stevens for calling this hearing and for extending the courtesy of the gavel to me this morning, and I appreciate it very much. I would also like to thank the witnesses for being here to discuss the authorization of the United States Anti-Doping Agency, known as USADA, and the sports doping challenges our country faces.

For 5 years USADA has served as the official anti-doping agency for Olympic sports in the United States. In that role USADA has shown a tremendous dedication to eliminating doping in sports through research, education, testing, and adjudication efforts. Most recently, USADA was instrumental in the identification and adjudication of several Olympic athletes implicated in the ongoing BALCO scandal. With the assistance of documents subpoenaed by this Committee and released last year to the agency by the unanimous consent of the Senate, USADA helped ensure that the Olympic team the U.S. sent to the Athens Olympics last summer was as clean as it could be.

Despite USADA's successes, the fact remains that we may be falling behind in what is truly an arms race of doping. As soon as a new doping substance is discovered, it seems that we know that there is a new and undetectable substance that is being used by athletes. I look forward to the witnesses' testimony on USADA's and others' efforts to keep up with doping innovations.

In addition, I would appreciate the views of the witnesses on the performance of USADA to date, as well as its role in the ongoing effort to take doping out of sports. For example, I would appreciate hearing whether USADA could help clean up professional sports, which have been a major focus because of the influence that professional athletes, like Olympic athletes, have on our Nation's youth.

Ultimately, the anti-doping effort is one that I endorse because I want to protect our youngest generations from the dangers of steroids and other substances that may unfairly enhance perform-

ance and that take a serious toll on the health and safety of America's kids.

I want to thank Senator Stevens again for calling this hearing and I thank the witnesses. I would also like to take this opportunity to thank Senator Stevens for his efforts in the coordination between the Greek Government and the U.S. Government in ensuring a successful Olympics in Athens, thanks in large part to the coordination of security forces of the United States and Greece.

I thank you, Senator Stevens.

**STATEMENT OF HON. TED STEVENS,
U.S. SENATOR FROM ALASKA**

The CHAIRMAN. Thank you very much, Senator McCain. I too welcome the witnesses, who traveled great distances to be here today. I want to thank you, Senator McCain, for chairing this hearing and for your continued commitment to the U.S. Olympic movement and to drug-free sports in general.

The actions we took as a Committee last year ensured that the United States did not send athletes who were not drug-free to Athens. Those were unprecedented actions and I thank the U.S. Olympic Committee and the people who are here, for this unprecedented action.

As someone who worked for the creation of the U.S. Olympic Committee and who has been involved now with Olympic issues in the Senate for almost 37 years, I reflect back with great pride on the tremendous accomplishments of our U.S. Olympic teams. I have grown increasingly concerned about the dramatic increase in doping at all levels of athletics, particularly among our youth. Several years ago I traveled with Donna DeVerona to Geneva to meet with the International Olympic Committee to express our great concern over doping.

In 2003, in a survey of over 15,000 high school students, the U.S. Center for Disease Control found that more than 6 percent of high school students admitted using non-prescription illegal steroids at some point in their lives. To me that is unacceptable. Doping is a stain at all levels of athletes that taints the accomplishments of our elite athletes, creates unattainable expectations for our young athletes, and threatens their physical well-being.

I do commend the work of the U.S. Anti-Doping Agency. It is doing great work on behalf of the U.S. Olympic Committee and much more remains to be done. But I do look forward to working with you, Senator McCain, and the rest of the Committee to carry out your commitment, all of our commitment, to mitigate the problem of doping.

I have another committee meeting this morning, so I hope you will excuse me. Thank you all very much.

Senator MCCAIN. Thank you very much, Mr. Chairman. I appreciate your continued involvement.

Our panel this morning is: Mr. Jim Scherr, who is the Chief Executive Officer of the U.S. Olympic Committee; Mr. Terrence Madden, Chief Executive Officer of USADA; Ms. Kelli White, former U.S. Olympic athlete; Mr. Roger Blake, Assistant Executive Director of the California Interscholastic Federation; and Mr. Don

Catlin, Professor of Molecular and Medical Pharmacology at the UCLA Medical School.

Welcome. We will begin with you, Mr. Scherr, and move down the line. It is good to see you again and thanks for being here.

**STATEMENT OF JIM SCHERR, CHIEF EXECUTIVE OFFICER,
U.S. OLYMPIC COMMITTEE**

Mr. SCHERR. Thank you. Good morning, Mr. Chairman. My name, as you know, is Jim Scherr and I am the Chief Executive Officer of the United States Olympic Committee. I am here representing the USOC and its entire board of directors. Our Chair, Peter Ueberroth, is currently in Europe. He has been meeting with the organization committee in China and the IOC. Otherwise he would have been more than happy to be here himself.

On their behalf, I am presenting testimony in support of the authorization for the United States Anti-Doping Agency, known by the acronym "USADA," an independent entity that the USADA as well as this Committee had a hand in creating back in 2000 to lead the fight against doping in Olympic sport. Quite simply, in the opinion of the USOC, USADA is doing the job it was created to perform and in doing so has become the model national anti-doping agency and organization for the world. It can do more and should do more, but perhaps it should become a resource for performance and college sports as well. For it to do more, USADA would require additional resources from sources other than the USOC, yet to be determined.

But before considering the future, let me briefly summarize how the USOC and the Senate Commerce Committee brought USADA to this point. On October 20, 1999, against the backdrop of increasing public and media attention to the issue of performance-enhancing drug use in sports, this Committee conducted a hearing at which a number of experts, athletes, academicians, and interested parties testified. Among the witnesses were representatives of the USOC. In their testimony and subsequent exchanges with Committee members, they described the existing drug testing program for U.S. Olympic and Paralympic athletes, noting that, with the exception of actual Olympic and Paralympic competition and some world-level competitions, the USOC was responsible for testing its athletes. They observed that this practice would appear to represent a conflict because the USOC is charged with the responsibility of fielding a team whose objective is to win medals and one might not have the greatest confidence that this same organization would penalize a potential medal winner for a drug infraction.

In addition, these athletes and their public personas dictate in large part our television revenues and marketing revenues. In addition but more important, with the development of so-called "designer drugs" that avoided detection by standard analytical means, it became apparent that a more professional and sophisticated process for testing would have to be developed and an organization created to conduct a comprehensive ongoing program that would ensure that America's Olympic and Paralympic athletes would be clean and competing on a level playing field.

Describing the findings of the USOC task force that had been formed to address this issue, key recommendations were outlined,

which included the creation of an external, independent, transparent organization that would conduct a comprehensive anti-doping program on behalf of the U.S. Olympic Committee. Its responsibilities would include testing, adjudication, education, and research, and it would operate with a professional staff under the oversight of a board of directors drawing from the sports, medical, and at-large community—I might add, an independent board of directors.

Initial funding would come from the USOC, with the expectation that for this entity to do the job expected of it by the USOC and this Committee funding would have to come from other sources, primarily the Federal Government.

This proposal, thankfully, was well received by this Committee and partially on that basis, and with its implicit support, this independent drug agency, soon to be named USADA, was launched, taking complete responsibility for the testing of U.S. Olympic and Paralympic athletes, on October 1, 2000. With initial funding provided jointly by the USOC and the Federal Government, during its first 15 months USADA conducted nearly 7,000 in-competition athlete drug tests and approximately 3,700 unannounced out of competition tests of American athletes.

This was and is a remarkable accomplishment during what was essentially a startup period for a new organization that had to establish procedures, develop protocols, and attend to the most basic tasks, such as securing office space and building a staff that could attend to the many mechanical and administrative details required to operate in the manner expected of it by the USOC and by Congress.

Since that time, USADA has expanded its scope of activity, increased its aggressiveness, and greatly improved its overall effectiveness of operation, earning widespread respect both domestically and internationally. In doing so, it has largely dispelled what was previously a widespread international impression that some American athletes were drug cheaters with their behavior condoned by their respective sports federations.

This hearing today, as well as ones conducted recently by other Congressional Committees on the issue of doping in professional sports, suggests that Congressional leaders believe that the Federal Government has a role to play in addressing the issue of drug use in sports at all levels. We also think that it does. The reality is that, while professional as well as college and Olympic sports are private activities, the actions of the athletes are in the public arena and have far-reaching social and health consequences. We are in agreement that performance-enhancing drug use has become a national issue that must be attacked at the Federal level, with the Federal Government serving as a major participant and bringing with it the necessary financial resources to do the job.

During the recent hearings on drug testing programs in professional sports, it was suggested that perhaps USADA should be expanded to perform the same function for the professional leagues and perhaps the NCAA that it does for the American Olympic movement. Without addressing the legal, structural, and logistical challenge, as well as complicated collective bargaining agreements

and other concerns, we believe that that proposal warrants serious consideration.

Our experience with USADA has been positive and has freed us up to devote more attention and financial resources to the development and support of American Olympic and Paralympic athletes, and it has brought credibility, much needed credibility, to our efforts to combat doping in sport as we have led by example. We would expect that other sports bodies would experience similar benefits and therefore we believe they would welcome externalization of the whole drug testing program and adjudication process, as we have done.

But regardless of whether USADA becomes the entity for use by professional and other sports leagues, because the USOC is reaching the limits of its ability to increase our funding to USADA, USADA should receive all the support possible from the Federal Government so that it can continue its aggressive program that has been so effective in eliminating drug use in Olympic and Paralympic sport and to expand its research activities that are so important in staying ahead of those who are constantly trying to develop substances intended to defy detection.

We thank you for the opportunity to speak on behalf of USADA today and for the ongoing support and partnership of this Committee in our joint effort to address this very important issue. We think the fruit of this partnership, USADA, has more than fulfilled our early expectations when we first discussed this concept nearly 6 years ago and believe that with increased Federal support it will become an even more effective weapon to be used to eradicate this growing national problem.

I would also conclude with again thanking you and Senator Stevens for the very important support that we received to field a team at Athens and the support that the Athens organizing committee received from our government to support their Olympic games and for the successful performance of the U.S. team.

Thank you.

[The prepared statement of Mr. Scherr follows:]

PREPARED STATEMENT OF JIM SCHERR, CHIEF EXECUTIVE OFFICER,
U.S. OLYMPIC COMMITTEE

Good morning Mr. Chairman and Members of the Committee. My name is Jim Scherr and I am the Chief Executive Officer of the United States Olympic Committee. I am here representing the USOC and its entire Board of Directors, whose Chairman, Peter Ueberroth, is currently in Europe. On their behalf I am presenting testimony in support of an authorization for the United States Anti-Doping Agency, known by the acronym "USADA," an independent entity that the USOC as well as this Committee had a hand in creating back in 2000 to lead the fight against doping in Olympic Sport.

Quite simply, in the opinion of the USOC, USADA is doing the job it was created to perform, and in so doing, has become the model national anti-doping organization for the world. It can and should do more, and perhaps it should become a resource for professional and college sports as well, but for it to do more USADA will require additional resources from sources other than the USOC yet to be determined.

But before considering the future let me briefly summarize how the USOC and the Senate Commerce Committee brought USADA to this point.

On October 20, 1999, against the backdrop of increasing public and media attention to the issue of performance-enhancing drug use in sports, this Committee conducted a hearing at which a number of experts, athletes, academicians and interested parties testified. Among the witnesses were representatives of the United States Olympic Committee. In their testimony and subsequent exchanges with Com-

mittee Members, they described the existing drug testing program for U.S. Olympic and Paralympic athletes, noting that with the exception of actual Olympic and Paralympic competition, the USOC was responsible for testing its athletes. They observed that this practice would appear to represent a conflict because the USOC is charged with the responsibility of fielding a team whose objective is to win medals, and one might not have the greatest confidence that this same organization would penalize a potential medal-winner for a drug infraction. But more important, with the development of so-called "designer drugs" that avoided detection by standard analytical means it became apparent that a more professional and sophisticated process for testing would have to be developed and an organization created to conduct a comprehensive ongoing program that would ensure that America's Olympic and Paralympic athletes would be competing on a level playing field.

Describing the findings of a USOC task force that had been formed to address this issue, key recommendations were outlined which included the creation of an external, independent, transparent organization that would conduct a comprehensive anti-doping program on behalf of the USOC. Its responsibilities would include testing, adjudication, education, and research, and would operate with a professional staff under the oversight of a board of directors drawn from the sports, medical, and at-large community. Initial funding would come from the USOC, with the expectation that for this entity to do the job expected of it by the USOC and this Committee, funding would have to come from other sources, primarily the Federal Government.

The proposal was well-received by the Committee, and partially on that basis and with its implicit support, this independent drug agency, soon to be named USADA, was launched, taking complete responsibility for the testing of U.S. Olympic and Paralympic athletes on October 1, 2000. With initial funding provided jointly by the USOC and the Federal Government, during its first fifteen months USADA conducted nearly 7,000 in-competition athlete drug tests and approximately 3,700 unannounced, out-of-competition tests of American athletes. This was a remarkable accomplishment during what was essentially a start-up period for a new organization that had to establish procedures, develop protocols, and attend to the most basic tasks such as securing office space and building a support staff that could attend to the myriad mechanical and administrative details required to operate in the manner expected of it by the USOC and by Congress.

Since that time USADA has expanded its scope of activity, increased its aggressiveness, and greatly improved its overall effectiveness of operation, earning widespread respect both domestically and internationally. In so doing it has largely dispelled what was previously a widespread international impression that some American Olympic athletes were drug cheaters, with their behavior condoned by their respective sports federations.

This hearing today as well as ones conducted recently by other Congressional Committees on the issue of doping in professional sports suggests that Congressional leaders believe that the Federal Government has a role to play in addressing the issue of drug use in sports at all levels. We also think that it does. The reality is that while professional as well as college and Olympic sports are private activities, the actions of the athletes are in the public arena, and have far-reaching social and health consequences. We are in agreement that performance-enhancing drug use has become a national issue that must be attacked at the federal level, with the Federal Government serving as a major participant, and bringing with it the financial resources to do the job.

During the recent hearings on drug testing programs in professional sports it was suggested that perhaps USADA should be expanded to perform the same function for the professional leagues and perhaps the NCAA that it does for the American Olympic Movement. Without addressing the legal, structural, and logistical challenges as well as complicated collective bargaining and other concerns, we believe that the proposal warrants serious consideration. Our experience with USADA has been positive and has freed us up to devote more attention and financial resources to the development and support of American Olympic and Paralympic athletes, and it has brought credibility to our efforts to combat doping in sport as we have led by example. We would expect that other sports bodies would experience similar benefits and, therefore, they would welcome externalizing the whole drug testing and adjudication processes as we have done.

But regardless of whether USADA becomes the entity for use by professional and other sports leagues, because the USOC is reaching the limits of its ability to increase its funding of USADA, USADA should receive all the support possible from the Federal Government so that it can continue its aggressive program that has been so effective in eliminating drug use in Olympic and Paralympic sport, and to

expand its research activities that are so important in staying ahead of those who are constantly trying to develop substances intended to defy detection.

We thank you for the opportunity to speak in support of USADA today and for the ongoing support and partnership of this Committee in our joint effort to address this important issue. We think that the fruit of this partnership—USADA—has more than fulfilled our early expectations when we first discussed the concept nearly 6 years ago, and believe that with increased federal support it will become an even more effective weapon to be used to eradicate this growing national problem.

Senator MCCAIN. Thank you and congratulations.
Mr. Madden, welcome back.

**STATEMENT OF TERRY MADDEN, CEO, U.S. ANTI-DOPING
AGENCY (USADA)**

Mr. MADDEN. Thank you, Senator. I appreciate it. Since this is my fourth appearance before this Committee and the eighth appearance by USADA before some committee on Capitol Hill, I am going to set aside my testimony and ask you to admit it into the record and just talk for a few moments directly with you.

Senator MCCAIN. Without objection.

Mr. MADDEN. When I accepted this position 5 years ago as CEO of USADA, I made a few international trips abroad. We wanted to steal the best ideas from other international drug testing agencies. In my travels I quickly learned that the international community, sporting community, viewed the United States athletes, both professional and amateur, at any level as the biggest cheaters in the world. In fact, some people wanted to equate us with the East German system.

I did not believe that for a minute then and I do not now. I think the large majority of our athletes are attempting to compete clean. They want to do it the right way. But it pointed up the fundamental reason why USADA was created and that was that the testing had to be externalized from the USOC, an independent agency had to be created, and the prosecution of athletes who had tested positive needed to be removed from the sporting federations, the national governing bodies of sport in this country.

So USADA was created in 2000. We were given four mandates: testing, adjudication, research, and education. Our bywords are independence and transparency. By “transparency” I mean we announce everything. Once the athlete has either admitted to the drug testing positive or has gone through our protocols and procedures and the hearing process, we announce it. Nothing is covered up any more. There can be no more of those accusations against United States athletes.

In the area of testing, that first year we did 4,000 tests. This past year in 2004, we did about 8,150 tests, of which about 58 percent were out of competition tests. As you know, that is where we go and test at their home or at their place of work or at their training site. We are most proud of our out of competition testing program because it is totally no-notice and it is a year-round program.

As Jim stated, most of our funding now comes from the Federal Government. Sixty-five percent comes from the Federal Government and 35 percent from the United States Olympic Committee.

Getting to the basic facts here, though, sport has become ingrained in our culture. It is part of our fabric, part of our everyday life. Your children and grandchildren, my children, everybody's

children in this room, are participating in sport at some level, whether it is stickball in the New York City streets or a highly organized track and field meet at the high school or collegiate level in California. It has become an important part of our existence, an important part of American lives.

Performance-enhancing drugs, though, have become a significant issue within sport at every level. This junk or crap, whatever you want to refer to it, is seeping down through the professional ranks, to the collegiate level, to the high school level. Unfortunately, now we are finding it in the middle schools and the grade school level.

The latest survey I saw out last week, one that is rather surprising and will address both issues that I want to bring here today, is that 7 percent of middle school and pre-high school girls are now taking performance-enhancing drugs, not necessarily to compete as athletes, but to get the buff look and look well among their friends.

What I am leading up to here is this Nation is facing not only a crisis in sport by the use of performance-enhancing drugs, but we are facing a health crisis. Dr. Catlin can go into all the effects of steroids, and they are numerous, both in men and women, and especially our children. But this stuff is now seeping down into the grade school level and we, the Congress, USADA, all sporting organizations, need to address this as a health issue as well as a competitive issue.

Make no mistake about it. Taking performance-enhancing substances to compete in athletics is cheating. You are a drug cheat when you do that. There is no other way around it. And you are also harming your personal health.

I just want to say, so many times the rights of the accused are addressed, and the rights of the accused in the USADA system are addressed by us. They have all the rights based upon the United States Constitution and our judicial system. But the rights of clean athletes are too long, too often ignored or not mentioned in the media. Those are the rights we have to be concerned with. Those are the rights that USADA wants to address, the rights of clean athletes.

I will tell you, I bet if a poll is taken, a private poll of professional athletes, amateur athletes, athletes at the high school level, whatever level you want to address, I will assure you that those athletes when they get in the starting blocks, when they are at bat, when they are in the swimming lane, whatever it is, they want to know that they are competing on a level playing field. They want to know that all the other people, all the other participants in that event, are clean.

Those are the rights of the clean athletes. Those are the rights that need to be addressed, whether in competing on a professional or amateur level. Those are the rights we are concerned with.

I want to just bring up the BALCO situation for a minute. USADA has addressed 15 cases so far. One of those includes Duane Chambers, the British athlete who received a 2-year suspension for THG. We have 2 more cases on line to come up in June and July involving Tim Montgomery and Christie Gaines. USADA has won all 13 cases. These cases—we are thankful for the documents this Committee involved—excuse me—this Committee delivered to us.

I will say to you now, once we saw the indictments for the criminal defendants in BALCO last February, we requested from the U.S. Attorney those documents. As you know, the Privacy Act they believe precluded them from delivering those documents. You, as your Committee of jurisdiction over the Olympic movement, asked, subpoenaed those documents from the Department of Justice. After a thorough review by your staff and the Senators—and I want to bring up Senator Hollings here as well—by unanimous consent it was passed and those over 9,000 documents were delivered to USADA.

They have been used in prosecutions to date. They will be used in further prosecutions. I will tell you I do not think we have seen the end of BALCO, nor will it end very soon.

Thank you very much.

[The prepared statement of Mr. Madden follows:]

PREPARED STATEMENT OF TERRY MADDEN, CEO, U.S. ANTI-DOPING AGENCY
(USADA)

Mr. Chairman, Members of the Committee, good morning. My name is Terry Madden and I am the CEO of the United States Anti-Doping Agency (USADA). I want to thank this Committee for its long-standing interest in clean sport and for the opportunity to testify this morning.

USADA has been recognized by Congress as the independent, national anti-doping agency for Olympic and Paralympic sport in the United States. Our mission is to protect and preserve the health of athletes, the integrity of competition, and the well-being of sport through the elimination of doping. Since it began operations on October 1, 2000, USADA has been responsible for managing the testing and adjudication process for Olympic and Paralympic athletes. USADA is also deeply committed to education and research initiatives, which are fundamental to our efforts to end doping in sports.

USADA welcomes the increased attention that has recently been focused on the use of performance-enhancing drugs in sport. In this age of dramatically increased awards for athletic success, doping has, unfortunately, become an issue that affects every sport and threatens to undermine the integrity of athletics as a whole. The true victims of doping are today's clean athletes who want to compete in clean sport, the young athletes of tomorrow who are being deceived into believing that doping is an acceptable path to winning and the public who is being defrauded by athletic performances that are dependent on the use of drugs.

Since its inception in 2000, USADA has worked hard to protect the rights of the overwhelming majority of the United States Olympic movement athletes who compete clean, by instituting policies that ensure that athletes who choose to cheat will be held accountable.

The USADA anti-doping program, which was developed with the assistance and approval of athletes in the Olympic movement, begins with a comprehensive sample collection plan that includes appropriately timed, year-round, no-advance-notice testing. A drug testing program will be ineffective if athletes know during what times of the year they will be tested. In 2004 USADA collected 7,630 samples from Olympic movement athletes. Over 4,400 of those samples were collected as part of USADA's out-of-competition testing program.

One lesson reinforced by the ongoing BALCO investigation, is that to be effective, an anti-doping program must incorporate sufficient flexibility to deal with the creation and use of "designer drugs." Accordingly, USADA's program is also based on a regularly updated, comprehensive list of prohibited substances and methods.

An effective program must also combine clearly defined sanctions of sufficient magnitude to deter drug use with a fair means of imposing such sanctions. In the Olympic movement the sanction for a first steroid offense is a 2-year suspension. A second steroid offense results in a lifetime ban. Accordingly, USADA's adjudication system includes numerous protections for athletes to ensure that only athletes who commit a doping violation are sanctioned. Significantly, while USADA believes the privacy rights of individuals accused of doping must be respected, no individual's privacy right should outweigh the rights of all athletes to compete in clean sport and to be assured that those who break the rules are appropriately sanctioned. For these reasons, in the USADA system, once an athlete has been found to have com-

mitted a violation there is complete public disclosure of the athlete's name and the nature of the offense.

Another important focus of USADA's program is the education of athletes regarding the health risks associated with doping and the inherent value that is found in choosing to compete clean. To date more than 10,000 elite athletes and coaches have participated in education presentations by USADA. The 100% Me program, targeting adolescent youth will soon be expanded to focus on high school age youth. Also, USADA's goal is to expand "Crossroads", the 5th grade in-school curriculum which was developed with Scholastic Magazine. It is critical that both the elite athletes of today and the aspiring athletes of tomorrow learn that there are no shortcuts to true athletic achievement and that success through doping is winning without honor.

Finally, USADA dedicates significant resources to research for the detection of new doping substances and techniques and the pursuit of scientific excellence in doping control. USADA is also strongly committed to funding continued research regarding the long term health risks associated with the use of prohibited substances. USADA's ongoing commitment to research is demonstrated through the approximately 2 million dollars per year in grants that USADA awards to fund research initiatives aimed at fighting doping in sport. To date, USADA has awarded approximately \$1,250,000 for the development of a scientifically reliable test for human growth hormone, a substance being used by dopers.

We believe that the USADA program contains all of the important elements of a comprehensive and effective drug deterrence program and we continue to work each day to improve our system and further protect the rights of clean athletes. Specifically, we are focused on increasing the number of no-advance-notice tests that we perform. We are also seeking to improve our ability to systematically identify and sanction those athletes and other individuals who are engaged in the effort to create designer substances or otherwise gain an advantage over athletes who are competing clean. To this end, we continue to work with the Department of Justice and the United States Attorney for the Northern District of California in the ongoing investigation into the BALCO doping conspiracy.

The BALCO investigation has also highlighted the great lengths that some athletes will go to in an effort to obtain an unfair advantage through doping. The science of doping is constantly evolving and complex issues, including genetic enhancement, must be addressed. If USADA's efforts to uncover these sophisticated efforts to cheat, through comprehensive testing, research and education programs is to be successful then appropriate resources must continue to be allocated to the fight against doping.

Since its inception in 2000, USADA has been funded through a combination of contractual payments from the United States Olympic Committee (USOC) and annual appropriations from Congress, ranging from \$3 million in 2000 to \$7.4 million in 2004.

USADA appreciates the support of the USOC in this important struggle against doping in the Olympic movement. USADA is also extremely appreciative of the commitment that Congress has demonstrated to USADA over the last 5 years. The funds designated for USADA in Senate Bill 529 would provide much-needed fiscal stability for USADA and would significantly advance USADA's mission.

As the Committee with jurisdiction over this important issue, I thank you again on behalf of USADA and all of America's athletes for your interest in and commitment to clean sport and ask that you approve the funding for USADA set forth in Senate Bill 529.

Thank you for your time this morning.

Senator MCCAIN. Thank you very much.

Ms. White, welcome.

STATEMENT OF KELLI WHITE, FORMER U.S. ATHLETE

Ms. WHITE. Thank you very much. Mr. Chairman, esteemed Members of the Committee. I would like to say thank you very much for allowing me the opportunity to appear before you today. My name is Kelli White and I appear here today having made the regrettable mistake of using steroids and other performance-enhancing drugs during my athletic career.

With my experience and knowledge regarding use of performance-enhancing drugs, I welcome the opportunity to assist in ef-

forts to remove doping from sport. By way of background, I competed in track and field for most of my life, having begun at the age of 10. In my early teen years I began working with renowned coach Remy Korchemny, who would remain a significant figure in my life over the next decade and a half.

Senator MCCAIN. Out of curiosity, how did you—how were you matched up with him?

Ms. WHITE. He and I were training on the same track and he asked my father if I could train with him, and my dad said that was fine.

Senator MCCAIN. I see.

Ms. WHITE. I went on to compete collegiately and graduated from the University of Tennessee before turning professional in the year of 2000. In the year of 2000 I returned home to the San Francisco Bay area and began training full-time with Mr. Korchemny. Shortly thereafter, in December 2000, my coach introduced me to BALCO founder Victor Conte.

Conte initially gave me a package containing both legal supplements as well as the substance later known as designer steroid THG. At the time I was unaware that anything I received from Mr. Conte was a prohibited performance-enhancing substance, as I was told by both my coach and Mr. Conte that the vial they had given me contained flaxseed oil.

A few weeks later Mr. Conte admitted to me that the substance he had given me was indeed not flaxseed oil, but rather a prohibited substance that, if not taken properly, could yield a positive drug test. I immediately ceased using the liquid because at that time in my career I did not believe it was necessary to take performance-enhancing drugs to be competitive.

I competed over the next 2 years without the use of any performance-enhancing substances, despite being constantly urged to do so. I was continuously being told that the usage of performance-enhancing substances was necessary to be competitive because everybody else was doing so.

My 2002 season was very difficult. I struggled with injuries most of the year. I had a great deal of uncertainty regarding my status for the 2003 season and I did not want to miss any part of that year. I failed to make the 2003 world indoor team and was receiving more pressure to start a performance-enhancing drug regimen. My advisers were pointing to other performances of other athletes, saying that I needed to do what they were doing in order to compete on that level.

In March of 2003, I made the choice that I will forever regret. I visited Mr. Conte at his lab, which was near my home, and we sat down and devised a program to utilize performance-enhancing drugs in my training and competition. At that time I began taking EPO, the clear, which is known as THG, the cream, which is a testosterone, and stimulants. I remained on the program over the course of 4 months and with the help of Mr. Conte I was able to pass 17 drug tests, both in and out of competition, while utilizing these prohibited performance-enhancing substances.

In a relatively short time period, I had gone from being a very competitive sprinter to being the fastest woman in the world. In June of 2003, I captured both the 100 and 200 meter United States

championships, and followed that by winning the same events in the world championships in August in Paris.

Although I crossed the finish line first in all those events, I knew in my heart it was accomplished partially because of the other line I had crossed. Instead of what should have been the high point of my career and a tremendous accomplishment in my life, I was ashamed of the choices I had made. In addition to enhancing my performance on the track, there were other physical effects I encountered while taking this mix of substances. My blood pressure was elevated. I also experienced an acne problem, increased menstrual cycle, and a slight vocal cord problem.

The first and only failed drug test I experienced was following the world championship meet in Paris, when a stimulant known as modafinil was discovered in my urine sample. But the penalty for that substance would not even have been a suspension from track and field.

A few weeks after the world championships, the FBI and other law enforcement agencies raided the BALCO laboratory. A few months later I admitted to the United States Anti-Doping Agency officials what I had done, as I outlined for you today. I received a 2-year ban from competition for my actions as well as a loss of results from my previous 4 years of competition. I also agreed to assist USADA in its mission to clean up sport and now offer to be of service to this Committee in any way you see fit.

I believe athletes who use performance-enhancing drugs are hurting themselves, cheating the public, and betraying our youth. A performance-enhancing drug user trades his or her overall health, wellbeing, and integrity for a shot at fame and fortune. I believe it is important that you understand the reasons I made the choice to in essence cheat. I strongly believe that the use of steroids and other prohibited performance-enhancing drugs are wrong and there is no place for such use in sports.

However, athletes who have made that choice are not necessarily bad people. In my own situation, there were many factors contributing to the very poor decision I made, which included the influence of a long-time trusted coach. But most importantly, I began using these substances not to give me an advantage, but because I had become convinced I needed them, I needed to use them, to level the playing field with my competitors.

It is a very troubling situation to have trained to compete in a sport at the highest level, but feel those with which you are competing have an unfair advantage. I make neither an excuse nor justification for my horrible choice. I merely hope to lend understanding to this Committee as to how someone who loved her sport and trained cleanly for most of her life got involved in this awful abuse.

My attorney Jerrold Colton and I have worked with assisting USADA in its efforts and we believe this Committee should further support USADA as the fight is a very difficult one. Being mindful that my use of steroids and other performance-enhancing drugs was not detected through the extensive testing I received, USADA needs the resources to go further in its fight to detect the people who are breaking the rules. The BALCO scandal may not have been discovered without a competitor's coach anonymously sending

a syringe of THG to USADA testers, which ultimately led to the discovery of this previously unknown steroid.

Although I have been troubled by the disparity of the penalties facing track athletes versus other sports, I am mindful we are not protected by a players association. I appreciate the many reasons why this Committee previously subpoenaed the BALCO documents pertaining only to the track and field athletes and turned them over to USADA, rather than the other sports, but would like to see more equal treatment of all sports.

I also believe the roles of some national governing bodies involved in sports and the coaches which either assist in the wrongdoing or turn their backs on what they see must have responsibility, culpability, and penalty for their role in making sport unclean.

The fight against drugs in sport is an extremely difficult battle. I am sorry that I cheated myself, my competitors, my sport, my family, and the public, and for the choices I made in the past. As athletes, we know that we are role models and I betrayed my responsibility as such. Please feel free to call on me to play any role I can in assisting your Committee, USADA, and anyone else you see fit in this very important matter. I hope in doing so I help the sport I love more by what I do off the track than anything I could have ever done on it.

Thank you very much for your attention and for allowing me to appear here today.

[The prepared statement of Ms. White follows:]

PREPARED STATEMENT OF KELLI WHITE, FORMER U.S. ATHLETE

Mr. Chairman, esteemed Members of the Committee, thank you very much for allowing me the opportunity to appear before this very prestigious group. My name is Kelli White, and I appear here today having made the regrettable mistake of using steroids and other performance enhancing drugs during my athletic career as a sprinter. With my experience and knowledge regarding use of performance enhancing drugs, I welcome the opportunity to assist in the efforts to remove doping from sport.

By way of background, I competed in track and field for most of my life, having begun at the age of 10. In my early teen years, I began working with renowned coach Remi Korchemny, who would remain a significant figure in my life over the next decade and a half. I went on to compete collegiately and graduate from the University of Tennessee before turning professional in the year 2000. At that time, I returned home to the Bay area of California and began training full time with Mr. Korchemny.

Shortly thereafter, in December 2000, my coach introduced me to BALCO founder Victor Conte. Conte initially gave me a package containing both legal supplements, as well as a substance which later became known as the clear or the designer steroid THG. At the time, I was unaware that anything I received from Mr. Conte was a prohibited performance enhancing substance as I was told by both my coach and Mr. Conte that the vial they had given me contained flaxseed oil. A few weeks later, Mr. Conte admitted to me that the substance he had given me was indeed not flaxseed oil, but rather a prohibited substance that if not taken properly, could yield a positive drug test. I immediately ceased using the liquid because at that time in my career I did not believe it was necessary to take performance enhancing drugs to be competitive. I competed over the next 2 years without the use of any performance enhancing substances despite being constantly urged to do so. I was continuously being told that the usage of performance enhancing substances were necessary to be competitive because everyone else was doing so.

My 2002 season was very difficult, as I struggled with injuries for most of the year. I had a great deal of uncertainty regarding my status as I entered the 2003 season, and I did not want to miss it. I failed to make the 2003 Indoor World Team, and was receiving more pressure to start a performance enhancing drug regimen.

My advisors were pointing to other performances of athletes, and saying I needed to do what they were doing in order to compete on that level.

In March of 2003, I made a choice that I will forever regret. I visited Mr. Conte at his lab which was near my home, and we sat down and devised a program to utilize performance enhancing drugs in my training and competition. At that time, I began taking EPO, the clear (or THG), the cream and stimulants. I remained on this program over the course of 4 months, and with the help of Mr. Conte, I was able to pass 17 drug tests both in and out of competition while utilizing these prohibited performance enhancing substances.

In a relatively short time period, I had gone from being a very competitive sprinter to being the fastest woman in the world! In June 2003, I captured both the 100 and 200-meter United States Championships, and followed that by winning the same events in the World Championships in August in Paris. Although I crossed the finish line first in all of those events, I knew in my heart it was accomplished partially because of the other line I had crossed.

Instead of what should have been the high point of my career and a tremendous accomplishment in my life, I was ashamed of the choices I had made. In addition to enhancing my performance on the track, there were other physical effects I encountered while taking this mix of substances. My blood pressure was elevated, and I also experienced an acne problem, increased menstrual cycle and slight vocal chord trouble. The first and only failed drug test I experienced was following the World Championship meet in Paris when a stimulant known as Modafinil was discovered in my urine sample, but the penalty for that substance would not have been even a suspension from track and field.

A few weeks after the World Championships, the FBI and other law enforcement agencies raided the BALCO Laboratory. A few months later, I admitted to the United States Anti-Doping Agency (USADA) officials what I had done as I have outlined for you today. I received a 2-year ban from competition for my actions, as well as lost all of the results from my previous 4 years of competition. I also agreed to assist USADA in its mission to clean up sport, and now offer to be of service to this Committee in any way you see fit. I believe athletes who use performance-enhancing drugs are hurting themselves, cheating the public and betraying our youth. A performance-enhancing drug user trades his or her overall health, well-being and integrity for a shot at fame and fortune.

I believe it is important that you understand the reasons I made the choice to, in essence, cheat. I strongly believe that the use of steroids and other prohibited performance enhancing drugs are wrong, and that there is no place for such use in sports. However, athletes whom have made that choice are not necessarily bad people. In my own situation, there were many factors contributing to the very poor decision I made which included the influence of a long-time trusted coach. But most importantly, I began using these substances not to give me an advantage, but because I had become convinced I needed to use them to level the playing field with my competitors. It is a very troubling situation when you have trained to compete in a sport at the highest level, but feel those with which you are competing have an unfair advantage. I make neither any excuse nor justification for my horrible choice. I merely hope to lend some understanding to this Committee as to how someone who loved her sport and trained cleanly for most of her life got involved in this awful abuse.

My attorney, Jerrold Colton, and I have worked with assisting USADA in its efforts, and we believe this Committee should further support USADA as the fight is a very difficult one. Being mindful that my use of steroids and other performance-enhancing drugs was not detected through the extensive testing I received, USADA needs the resources to go further in its fight to detect the people who are breaking the rules. The BALCO scandal may not have been discovered without a competitor's coach anonymously sending a syringe of THG to the USADA testers which ultimately led to the discovery of this heretofore unknown steroid.

Although I have been troubled by the disparity of the penalties facing track athletes versus other sports, I am mindful we are not protected by a players' association. I appreciate the many reasons why this Committee previously subpoenaed the BALCO documents pertaining only to the track and field athletes and turned them over to USADA rather than the other sports, but would like to see a more equal treatment of all sports. I also believe the roles of some national governing bodies involved in sports and the coaches which either assist in the wrongdoing or turn their backs on what they see must have some responsibility, culpability and penalty for their role in making sport unclean. The fight against drugs in sports is an extremely difficult battle. I am sorry that I cheated myself, my competitors, my sport, my family and the public for the choices I made in the past. As athletes, we know we are role models, and I betrayed my responsibility as such. Please feel free to call

on me to play any role I can in assisting your Committee, USADA and anyone else you see fit in this very important matter. I hope in doing so, I help the sport I love more by what I do off the track, than anything I could have ever done on it. Thank you very much for your kind attention and for allowing me to appear here today.

Senator MCCAIN. Thank you very much, Ms. White, and we are very appreciative that you would come and share your experiences with us. We thank you.

Mr. Blake, welcome.

**STATEMENT OF ROGER BLAKE, ASSISTANT EXECUTIVE
DIRECTOR, CALIFORNIA INTERSCHOLASTIC FEDERATION**

Mr. BLAKE. Thank you, Mr. Chairman. Thank you for the opportunity to speak to you today. My name is Roger Blake and I serve as the Assistant Executive Director of the California Interscholastic Federation, the governing body of high school sports in California. We are the largest state association in the Nation, with 1,400 high schools and 1.7 million students. I have also been a long-time high school teacher, coach, athletic director, and school administrator.

In my role as the Assistant Executive Director of the CIF, I have been given the responsibility of ensuring that our schools and our governing bodies were given enough information regarding steroids and performance-enhancing substances to make an informed decision. Three weeks ago the CIF made national headlines when the representatives of our schools voted unanimously to pass three proposals that we believe are key fundamentals to slowing down and ultimately eliminating the use of these dangerous drugs in our schools.

But we would not be where we are today without the assistance of USADA, particularly Dr. Catlin, Dr. Gary Green, and Mr. Richard Young. Last fall the CIF in conjunction with the demand reduction program of the U.S. Drug Enforcement Administration, sponsored a steroid summit in Los Angeles. Deputy Director Scott Burns of the ONDCP spoke and Dr. Catlin was one of our key speakers. What we learned that day, that the time has come that we too at the high school level are facing the same issues and the same dilemmas that face professional sports and our Olympic athletes, and that we needed to act immediately.

We also came to realize that the science, the technology, and most importantly the marketing of these products to the user to get bigger, faster, and stronger just by taking this pill or injecting this fluid is an explosive combination. At the high school level, studies have shown that the No. 1 reason that kids play sports is because it is fun. But unfortunately in our society today, the winning at all costs mentality, more and more young people are turning to steroids and performance-enhancing drugs to help give them the edge.

Statistics tell us that just over 7 million high school students participate in sports, but only 1 percent of those athletes will receive that athletic scholarship to college. The competition for those few athletic scholarships is fierce. If we are truly going to make the difference, make a difference in the lives of millions of kids and young adults, then we must all get on the same page. We must speak a common language and send a united message that the ille-

gal use of steroids and performance-enhancers is cheating and should not and will not be tolerated.

We cannot afford to be naive about this subject. The marketing of these products is targeting our kids. Recently a California high school athletic director called me and she directed me to her daughter's youth team basketball web page. At the bottom of this web page were two ads, one for muscle-building nutritional supplements and the other, HGH for athletes. This was on a web page that is targeting young girls grades 3 through 12.

We must educate our parents, students, and coaches to the risks, dangers, and the warning signs. The CIF this spring developed a CD-ROM that we sent out to our 1,400 member schools with a PowerPoint presentation with the information so the coaches and school officials could distribute that information to parents and kids. But as the science and technology will continue to advance, the CIF and state associations like us are going to look to USADA for help so that we can continue to inform our stakeholders.

At the high school and the youth level, we must demand that coaches are qualified and trained. In the CIF we strongly believe that coaches are teachers first. Just as we would want in every classroom a qualified and certified teacher, we must hold coaches to the same level. Without a doubt, a student athlete probably spends more time in the presence of their coach than with any other individual, with perhaps the exception of their parents or a peer.

But these can only be the first steps. Testing at the high school level will be venturing into the unknown frontier, as we do not even know at the high school level what steroids or performance-enhancers we should advise schools to be testing for. The banned substance list from USADA and the NCAA, this is a foreign language, one that we do not understand and we do not read.

We have been quoted prices for testing kits for student athletes that range from \$350 to as little as \$25. What is reasonable? What do we tell our member schools? State associations are going to need the help of USADA when our schools move into the testing era.

The marketing of performance-enhancing substances is a multi-billion dollar industry and the high schools of the Nation—and I can speak specifically for California—are going to desperately need the help and guidance of USADA as we move into this new era that has now reached down to the high school and youth sports level.

In closing, I would like to thank you for allowing me the opportunity to speak today, but also urge you to consider increasing the scope of the educational mission of USADA and the funding that increasing that scope will entail.

Thank you very much.

[The prepared statement of Mr. Blake follows:]

PREPARED STATEMENT OF ROGER BLAKE, ASSISTANT EXECUTIVE DIRECTOR,
CALIFORNIA INTERSCHOLASTIC FEDERATION

Mr. Chairman and the distinguished Members of the Committee, thank you for the opportunity to testify today. My name is Roger Blake and I serve as the Assistant Executive Director of the California Interscholastic Federation (CIF), the governing body for high school sports for California. We are the largest state association in the nation with almost 1,400 high schools and 1.7 million students. I have

also been a long time high school teacher, coach, athletic director, and dean and district office administrator.

In my role as the Assistant Executive Director of the CIF, I have been given the responsibility for ensuring our schools and governance bodies were given enough information regarding steroids and performance enhancing substances to make an informed decision. Three weeks ago, the CIF made national headlines when the representatives of our schools voted unanimously to pass three proposals that we believe are fundamental keys to slowing down and ultimately eliminating the use of these dangerous drugs in our schools, but we would not be where we are today without the assistance and USADA, particularly Dr. Catlin, Dr. Gary Green and Mr. Richard Young.

Last fall, the CIF in conjunction with the Demand Reduction Program of the U.S. Drug Enforcement Administration sponsored a "Steroid Summit" in Los Angeles. Deputy Director Scott Burns of the ONDCP spoke and Dr. Catlin was one of our key speakers. What we learned that day was that the time has come that we, too, are facing the same issues and dilemmas that face professional sports and our Olympic athletes and that we needed to act immediately.

We also came to realize that as the science, the technology and most importantly the marketing of these products that promise the user to get bigger, faster and stronger just by taking this pill or injecting fluid is an explosive combination. At the high school level, studies have shown that the number one reason kids play sports is because it is fun, but unfortunately in our society where the winning at all cost mentality prevails, more and more young people are turning to steroids and performance enhancing drugs to help "give them the edge."

Statistics tell us that over 7 million students participate in high school sports and that just over one percent of those athletes will receive an athlete scholarship to college, yet the pressure and the competition for those few athlete scholarships is fierce.

If we are truly going to make a difference in the lives of millions of kids and young adults, then we must all get on the same page. We must all speak a common language and send a united message that the illegal use of steroids and performance enhancers is cheating and should not and will not be tolerated.

We cannot not afford to be naive about this subject, the marketing of these products is targeting our kids. A California high school athletic director whose young daughter plays youth basketball recently called and directed me to the teams' web site. At the bottom of their web page were two advertisements, one for "muscle building nutrition" supplements and the other stating "HGH for Athletes." And this on a web page that is for young girls in grades 3 through 12 in the San Francisco Bay Area.

We must educate our parents, students and coaches to the risks, dangers and warning signs. The CIF has developed and sent to all of our member schools this CD-Rom that contains a PowerPoint presentation so that school officials and coaches could share this information with their players and parents. But as the science and technology continues to advance, we will look to groups such as USADA to help us so that we can continue to inform our stakeholders.

At the high school and youth level, we must also demand that coaches are qualified and trained. In the CIF we believe strongly that coaches are teachers first and just as we would want in every classroom a qualified and certified teacher—the same should hold true for coaches. Without a doubt a student athlete probably spends more time in the presence of their coach than any other individual with the exception of their parents and peers.

But these can be only the first steps; Testing at the high school level will be venturing into the unknown frontier as we do not even know what steroids and performance enhancers we should advise schools to test for and the banned substance lists by USADA and the NCAA are a foreign language that high school coaches do not speak or recognize. We have been quoted prices ranging from \$25 dollars to hundreds of dollars per test screening. What is reasonable? What do we tell our schools? State Associations will need the help of USADA when and if schools implement testing programs. The marketing of performance enhancing substances is a multi-billion dollar industry, the high schools of the nation, and I can speak specifically for California are going to desperately need the help and guidance of the USADA as we move into this new era that has now reached down to the high school and youth sports level.

In closing, I would like to thank the Committee for this opportunity to speak before you and to urge you to consider increasing the scope of the mission of USADA and the funding that increasing that scope would entail. Thank you.

Senator MCCAIN. Thank you very much, Mr. Blake.

Dr. Catlin, welcome back.

**STATEMENT OF DON H. CATLIN, M.D., PROFESSOR OF
MOLECULAR AND MEDICAL PHARMACOLOGY, UCLA
MEDICAL SCHOOL**

Dr. CATLIN. Thank you very much, Senator McCain. It is a pleasure to be here and an honor. I am Don Catlin. I am a professor of molecular and medical pharmacology at UCLA and I am Director of the UCLA Olympic Analytical Laboratory, the only laboratory in the United States currently accredited for sports doping control by WADA, the World Anti-Doping Agency. I have an M.D. degree from the University of Rochester and my specialty is internal medicine. I founded the Olympic Laboratory in 1982 and have been on numerous international medical commissions.

My laboratory serves USADA as a primary client. It also serves the NCAA, the Minor League program for baseball and the National Football League, and several smaller clients.

You may think that testing is wonderful and great. Unfortunately, it is far from being really perfect. Athletes determined to cheat have little trouble beating the test and there are many doctors ready and willing to tell them how to do it.

Bill Llewellyn, a well-known underground chemist, stated in ESPN Magazine, quote: "There are more than 500 steroids in this book"—and he waved the book—and he said, "All the drug tests in the world can maybe find 50." That remains true today. That is why research plays such a vital role in the anti-doping effort.

My lab has taken in several grants from USADA, including a grant to improve EPO testing, a vital area, and a grant to improve the testing for testosterone. These grants have resulted in many publications and substantial advances in our ability to detect these drugs. That type of research, however, is inadequate if a serious effort at eliminating drug use from sport is to be accomplished. The most difficult problems have not yet been solved.

For example, there is no effective test for growth hormone today, after 10 years of work. Athletes determined to beat the system are still able to keep ahead. As the BALCO investigation has brought to light, these athletes and their gurus are well funded and they have resources. With the paltry amount of funding currently available, anti-doping research really does not stand a chance.

Several success stories will make this point. You are all aware of THG. Well, in fact USADA had the wisdom to give us a grant prior to the discovery of THG to do work on any project that came along. It just happened that the first project that came along was the syringe that the coach turned in to USADA. We had \$140,000 of direct costs and we were ready to go. We had the staff and it took a few weeks before we were able to get the structure of THG. We did not have to apply for a grant. We were all ready and willing to go.

After we had identified it, it took another month to develop a test. But it is important to recognize that THG came to USADA and was given to us. We were not out there finding it like we should be. We need to find these drugs before athletes start using them.

Two models of success that most resemble the type of research that should be going on all the time are darbepoetin and norbolethone. Darbepoetin is an improved form of EPO. We have known it was coming for years. We know it is going to replace EPO, and late in 2000 it was actually approved by the FDA, and it was launched just before the Salt Lake City games. We read in the paper that people were kind of laughing at us because we would not be able to detect it; it was too new.

Well, we had done some homework and we were prepared for it, and in fact we caught three athletes who won a total of eight medals at the Salt Lake City games.

There are countless other pharmaceuticals that come to the market every year. Many of them do enhance performance and may be undetectable by current methods. One of the cardinal rules of drugs in sport is that if the drug might work it will be used until its rightful place in the cheater's armamentarium is known. The lesson learned from this is that an effective anti-doping research program must be flexible enough to immediately respond when such pharmaceuticals hit the market.

Another example is norbolethone, a steroid that was actually in development 40 years ago, but it was abandoned because it was too toxic. None of the labs were looking for it. We did not know it existed. But then one day some very clever scientists in my lab noticed something peculiar about a sample. Eventually we narrowed it down and, sure enough, we found norbolethone 40 years after it was put on the shelf.

Ultimately we learned quite a bit about norbolethone. We called a positive and soon the underground e-mails were explaining that we had already found it and that anybody who was taking it ought to lay off. No other cases of norbolethone have ever been found. We think it was placed in service around the time of the Sydney games in 2000. This dramatic illustration underlines the importance that we keep these projects confidential as well as highly scientific.

These stories should make it clear to everyone exactly what we are up against. Athletes that cheat have sophisticated advisers and chemists. These underground chemists do not have to meet any FDA regulations. They have extraordinary resources. We cannot fight them effectively using the system and resources that are in place.

What is needed is long-term substantial funding so that teams of scientists with decades of experience in anti-doping can work to develop new tests, keep up with the new drugs, think like dopers, and have tests ready to go when they come out.

In May of 2003, a bill was introduced in the Senate that would have helped address these very issues, S. 1002, the Athletic Performance-Enhancing Drug Research and Detection Act. That bill would have provided the much-needed, long-term, well funded research to the labs that have extensive experience in anti-doping. Unfortunately, that bill never got off the ground.

It is also vital to keep the work private and secret. As the cases of norbolethone and THG both teach us, as soon as athletes know what designer drugs are detectable they stop instantly and move on to something else. Remember the words of Llewellyn waving the book: "There are 500 steroids in here."

As I mentioned at the beginning, the kind of research currently funded by USADA is a necessary part of the anti-doping effort. It keeps labs worldwide up to date on their methods. It is, unfortunately, completely inadequate to keep up with cheaters. If you want to seriously address drugs in sport, then a long-term, well-funded, flexible and confidential research program is what is needed.

To help this fight, I have recently established the Anti-Doping Research Institute. Our efforts will focus on many of these areas I have outlined for you. It is one small step. Without adequate funding for USADA, independent anti-doping efforts are doomed to always be behind the cheaters.

Thank you.

[The prepared statement of Dr. Catlin follows:]

PREPARED STATEMENT OF DON H. CATLIN, M.D., PROFESSOR OF MOLECULAR AND MEDICAL PHARMACOLOGY, UCLA MEDICAL SCHOOL

My name is Don Catlin. I am a Professor of Molecular and Medical Pharmacology at the University of California at Los Angeles Medical School and the Director of the UCLA Olympic Analytical Laboratory, the only lab in the U.S. accredited for sports doping control by WADA, the World Anti-Doping Agency. I have an M.D. degree from the University of Rochester and my specialty is Internal Medicine. I founded the UCLA Olympic Lab in 1982 and have been on the International Olympic Committee Medical Commission for many years, contributing expertise on scientific policy, medical issues, and laboratory methods. I have served on numerous national and international committees concerned with drugs in sports.

You may think testing is great, but it is far from perfect. Athletes determined to cheat have little trouble beating the test . . . and there are legions of doctors telling them how to do it. Bill Llewellyn, a well-known underground chemist, stated in ESPN magazine "There are more than 500 steroids in here" he says, flipping [a private book he keeps] to make his point. "All the drug tests in the world can maybe find 50." That remains true today. This is why research plays such a vital role in the anti-doping effort. My lab has taken in several grants from USADA, including a grant to dramatically improve urine testing for EPO, a blood booster, and a grant to improve carbon isotope ratio, or CIR, analysis. The grants resulted in substantial advances in our ability to detect prohibited drugs.

That type of research, however, is inadequate if a serious effort at eliminating drug use in sports is to be accomplished. The most difficult problems have still not been solved. For example, there is no effective test for growth hormone today. Athletes determined to beat the system are still able to keep ahead of the game. As the BALCO investigation has brought to light, these athletes have sophisticated resources and are well funded. With the paltry amount of funding currently available, anti-doping research does not stand a chance. Several success stories will help illustrate this point.

All of you are aware of designer steroid THG. USADA provided my lab with approximately \$140,000 in direct costs to defray the costs of identifying an unknown substance in a used syringe. This money was only available because USADA had given my lab a small unrestricted grant to provide us some flexibility—only a few weeks before the syringe was turned over to USADA. Thus we did not have to apply for a grant to determine the contents of the syringe—a process that takes months—we were ready to go. It took our team of scientists—a team that represents over a century of total years of experience in anti-doping—one month to identify it and another six weeks to develop a test. It's important to remember this research was done on a substance brought to us. In other words we were not out looking for designer steroids—it just came to us. If it were not for the unidentified coach bringing USADA the syringe, it is possible that THG would still be in wide use today. We need to find these drugs before athletes start using them.

Two models of success that most resemble the type of research that should be going on all the time are darbepoetin and norboletone. Darbepoetin is an improved form of EPO. Late in 2001 just before the Salt Lake Olympic Games opened, it was approved for medical use by the FDA. The product was launched approximately three months prior to the Games. Media publications before the Games had warned of its likely use because it was "undetectable." Our lab, however, had done the nec-

essary work to obtain reference standards required to report potential positive cases. Our insight was correct; it was in use and because we came prepared, three athletes who had won a total of eight medals were all caught as darbepoetin users. There are countless other pharmaceuticals that come to the market every year. Many of them are performance enhancing drugs that may be undetectable by the methods currently employed world wide in anti-doping. One of the cardinal rules of drugs in sport is that if the drug might work it will be used until its place in the cheater's armamentarium is known. The lesson learned from this is that an effective anti-doping research program must be flexible enough to immediately respond when such pharmaceuticals hit the market.

Another example is norbolethone—a steroid that was abandoned by the pharmaceutical industry before it ever made it to market over 40 years ago. It was not looked for in the normal steroid test used by all anti-doping labs world-wide. In this way it was essentially like THG—an unknown and undetectable steroid. Some very clever scientists at my lab noticed something peculiar about a sample. After review by our team, we all agreed something was there and we set out to determine what it was. Ultimately we determined its structure and began monitoring it in our routine screen. Although this was not known at the time, it did not take long after we reported a norbolethone positive for e-mails to circulate among the underground chemists informing cheating athletes that my lab was on to them. Just as with THG, it is now part of the testing process world wide, but no other case of norbolethone use has ever been found. This dramatic illustration underlines the importance of confidentiality.

These stories should make clear to everyone exactly what we are up against. The athletes that cheat have sophisticated advisors and chemists. These underground chemists do not have to meet FDA regulations. They also have extraordinary resources. We cannot fight them effectively using the system and resources that are in place. What is needed is long-term, substantial funding so that teams of scientists with decades of experience in anti-doping (1) can work, sometimes with drug companies, to develop tests for new pharmaceuticals before they are even available to the public; and (2) can spend the time thinking like the dopers and develop tests for these designer drugs before athletes start using them. In May of 2003 a bill was introduced in the Senate that would have helped address these very issues, S. 1002—the “Athletic Performance-Enhancing Drugs Research and Detection Act.” That bill would have provided the much-needed long term, well-funded research to the labs that have extensive experience in anti-doping. Unfortunately that bill never got off the ground.

It is also vital to keep the work secret. As the cases of norbolethone and THG both teach us, as soon as the athletes know that the designer drug they are using is detectable they stop using that particular drug and move on to something else. (Remember the words of Llewellyn—“there are more than 500 steroids in here.”)

As I mentioned at the beginning, the kind of research currently funded by USADA is a necessary part of the anti-doping effort. It keeps labs world wide up to date on their testing methods. It is, unfortunately, completely inadequate to keep up with the cheaters. If you want to seriously address drugs in sport then long term, well-funded, flexible and confidential research is what is needed.

To help this fight, I have recently established the Anti-Doping Research Institute (ADR). Our efforts will focus on many of these areas I have outlined for you today. But it is just one small step. Without adequate funding and independence, anti-doping efforts are doomed to always be behind the cheaters.

Senator McCAIN. Thank you very much, and I want to thank the witnesses for being here.

I guess one of the simple questions is, how do you keep up? Every witness just about talks about the fact that there are many substances that are being developed all the time to enhance performance. How do you keep up, Mr. Madden?

Mr. MADDEN. Senator, I would agree with Dr. Catlin. We have got a monstrous job here. We are contributing \$2 million a year to research on average. The World Anti-Doping Agency I believe in the last few years has been in the \$2 to \$3 million range. Around the world there is not much beyond that, a little in Australia, a little here and there.

I would guess, the experts have told me—I do not know, Don—we need a good \$15 million out there per year to do the research. I will tell you that since the BALCO investigation began—and the U.S. Attorney’s investigation was some 10 months ahead of anything we found out about with the syringe—that we have received a constant stream of information from athletes, coaches, and athletes’ support personnel directing us in the right direction to follow-up leads and investigate cases. So the good news is the clean athletes want to participate in our program and they are participating two ways: one, by testing; but the other is by providing us with information we can act on.

But I am sure we need a minimum of \$15 to \$20 million in the research area to get ahead of the game.

Senator MCCAIN. Dr. Catlin, do you have anything to add to that?

Dr. CATLIN. Part of the issue is to be able to recruit really good scientists and maintain them and keep them. Small grants that last for a couple years will not do that. A top-level scientist is looking for a job in perpetuity and they take about \$250,000 a year just to maintain them and to pay them and to get them with supplies. So we need to have people like that who are working and will come. We need to attract them. They are out there. They are just not working for us. We need to pull them in and get them really tuned in to this.

I think—I know this can be done. We get really good people from time to time, but we cannot keep them because I only have funding for a year or two.

Second, we need to be able to purchase really high-end equipment, equipment that costs \$500,000 to \$1,000,000 a year. That is expensive, but this is the kind of thing you need if you want to detect growth hormone and other things that are out there.

Senator MCCAIN. Thank you.

Mr. Madden, several NFL players have been involved with BALCO and only an average of six players per season over the past three seasons have been suspended by the NFL for drug use. Do you believe that the NFL’s testing program is rigid or adequate?

Mr. MADDEN. I would say, Senator, it is the best program in the professional leagues by far. I would say that no drug program is perfect. I am sure USADA’s could be improved in many ways. We are working together with the NFL and the new laboratory at Utah that we hope will open late this year or early next year. But it is the best the pro sports are offering, but we all need to improve our drug testing systems.

Senator MCCAIN. Marion Jones called USADA “a secret kangaroo court.” How do you respond to that?

Mr. MADDEN. Well, we do not comment on athletes that—whether we are investigating them or not, until we bring forth a case. Our procedures in regard to the legal aspects are foolproof. We have an A test, we have a B test, we have an independent review board that tells us to go forward, acting as a grand jury. The athletes then have a right to a hearing, a right to an appeal, a right to counsel, a right to cross-examination. They have all the inherent rights within the United States justice system.

We are very proud of the way we act. We are very proud of everything we do.

Senator MCCAIN. Ms. White, I want to thank you again for being here today. In your statement you say you were able to pass 17 drug tests both in and out of competition while utilizing prohibited performance-enhancing substances. Is it just that they were not testing for the substances you were using?

Ms. WHITE. Correct. At the time they did not have THG in their possession. And we also had different substances that were covering up the steroids that we were using also.

Senator MCCAIN. In your written testimony you made a very interesting statement. It was interesting to me. You say: "But most importantly, I began using these substances, not to give me an advantage, but because I had become convinced I needed to use them to level the playing field with my competitors."

I infer from that that you believe your competitors were also using performance-enhancing substances. Is that correct?

Ms. WHITE. It is very sad. I can look at quite a few people and say that they are, they were doing the exact same thing that I was doing.

Senator MCCAIN. So basically, if you wanted to stay in the top level you had to do what at least you believed that your competitors were doing; is that correct?

Ms. WHITE. Correct.

Senator MCCAIN. That is kind of a sad commentary and I am sorry that you—that that may have been the case.

You also say: "I believe the roles of some national governing bodies involved in sports and the coaches which either assist in the wrongdoing or turn their backs on what they see must have some responsibility, culpability, and penalty for their role in making the sport unclean." Would you care to elaborate a little on that?

Ms. WHITE. I look at myself and for my actions I have been suspended from my sport for 2 years. But my coach continues to coach. Although he has been indicted in the BALCO case, he is still coaching at this time, which there is no effect to him. He still makes money.

I believe that USA Track and Field has not helped the fight with USADA and the communication there I think is broken and they need to help also in this fight.

Senator MCCAIN. Mr. Scherr, it does not seem fair, as Ms. White pointed out, that the individual athlete tests positive, but the coach who bears some responsibility continues to coach and to receive money. Do you have a comment on that?

Mr. SCHERR. I believe that her position is absolutely correct. I think there are mechanisms, but we have not bridged that gap into pursuing those opportunities to penalize coaches, doctors, trainers, or others who surround the athletes who might encourage the cheating, and I think those penalties need to be looked at, they need to be imposed, and they need to be harsh.

Senator MCCAIN. Well, I hope that we would—that particularly the Olympics, because of the relationship between coaches and athletes, that they would look at the responsibility that coaches have as well as the athletes. I hope you would have a look at that, Mr. Scherr.

Mr. Blake, you testified that 7 percent of pre-high school young women in America are using performance-enhancing drugs; is that correct?

Mr. BLAKE. I believe that was his testimony [indicating].

Senator MCCAIN. Why would they be doing that?

Mr. BLAKE. Well, there are two types. At the high school and youth sports level, surveys are showing two types of users of performance enhancers. One is the athlete looking to get that scholarship, to move to the next level, to get the edge. The other is the vanity user that we are starting to see now in society, of kids taking performance enhancers, not because they are athletes and in competition, but they want to look perfect. They want to have the perfect cut muscles, that model look that you see in a magazine.

Senator MCCAIN. Dr. Catlin, it seems to me that the overwhelming testimony here means that the lesson we should draw is not only that we need rigorous and enforced testing but also that it really matters who does the testing.

Dr. CATLIN. It does. We are up against it. We are the only lab today in the United States, and have been for 23 years. There is a reason for that. But our work is really not widely understood outside of the lab, unfortunately, the kinds of things we have to do, the kinds of tests. The documents that we have to pile up are huge.

So when a Terry Madden and his group of attorneys go into court against an athlete, they have got a stack of papers like that [indicating] and we prepare all of that. But we are facing people out there who do not follow any rules. They do not have to go to the FDA and get THG approved. They just mix, mix up a batch of it, and they have figured out a way to do it so that we cannot detect it, at least at first.

Once we finally get hold of the steroid and get our grip on it, then we can detect it, and then they stop and they go to something else. This goes on and on. I know how to do testing. I have been doing it for 23 years. I do not want to wake up in 5 years with another THG. I want to put an end to it now and I think I know how to do it, and it can be done and it should be done.

This is not a situation where you need 25 laboratories. You need very few labs, but ones who can focus more and more research on the problems.

Senator MCCAIN. Mr. Scherr, you mentioned that you supported increased funding for USADA in order to help have meaningful enforcement. Would you submit for the record a statement about how much money and what those uses would go to for us, please?

Mr. SCHERR. Yes, we can. We will submit that.

Senator MCCAIN. Ms. White, again, I noticed in your testimony that you said you began competitive track at the age of 10. How old were you when you started feeling these pressures? Were you in high school when you became aware that people were—that this use of performance-enhancing drugs was taking place?

Ms. WHITE. No, I was out of college by then, that is when I started really seeing the people around me, when I was professional.

Senator MCCAIN. I see. Well, again we thank you for being here today.

I thank the witnesses. We will be introducing legislation with our friends on the House side today to hopefully address some of this issue. We thank you for being here and thank you for all you do.

This hearing is adjourned.

[Whereupon, at 10:57 a.m., the Committee was adjourned.]

