

One area where Federal support can be most valuable is in carrying out advanced research designed to end the "cat and mouse game" of current anti-doping programs by closing the existing scientific loopholes. Federally supported research has put a man on the moon and developed drug detection systems that can find a few ounces of drugs hidden within an entire truckload of produce. It seems nonsensical to suggest that we cannot find a way to determine if an athlete is chemically engineering his body.

- **Assisting the Salt Lake Games.** In 2002, the eyes of the world will turn to Salt Lake and the United States. Over the next two years, we have an important opportunity to set the standard for a drug-free Olympics. As the host nation it is our responsibility to ensure that we provide for the world's athletes a level playing field in Salt Lake. The Salt Lake Organizing Committee (SLOC) is committed to this goal. It is incumbent that we assist them in their efforts.

Binational Efforts—Australia and the United States

Our binational efforts focus upon building a partnership against drugs and doping between the Sydney and Salt Lake games. The anti-doping program being implemented for the Sydney games is impressive. For example, the Australians have also committed roughly \$3 million to develop new drug testing and detection methods alone. Our goal in working with the Australians is to assist them as they prepare for the 2000 games and to learn from their efforts as we prepare for the 2002 games. The SLOC has already begun efforts in partnership with ONDCP to build such a team approach to combating doping—which is unheard of among host nations. Through effective teamwork, we have an opportunity to ensure that the last games of this millennium and the first games of the next millennium can begin a new drug-free era for the Olympic movement.

3. International Efforts At the international level, our efforts are focused on achieving five commonsense principles within the world of international competition:

- A truly independent and accountable international anti-doping agency;
- Testing on a 365 day-a-year, no notice basis;
 - No statute of limitations—whenever evidence becomes available that an athlete cheated by doping they will be stripped of their honors;
 - Deterrence through the preservation of samples for at least ten years—while a dishonest athlete may be able to defeat today's drug test, he or she has no way to know what will be detectable through tomorrow's scientific advances; and,
 - Advanced research to end the present cat and mouse game of doping by closing the loopholes created by gaps in science.

These principles were first presented by ONDCP on behalf of the United States government to the IOC at the February, 1999 World Conference on Doping in Sport. Since the Lausanne meeting at which these markers were set out, the IOC has held a series of meetings to develop an anti-doping agency and program. The United States and the USOC were not included in these discussions—even though the United States is the largest market for the games, the bulk of the funding for the IOC and the games originates in the U.S. and we consistently field one of the largest teams in both summer and winter games. Nor were we consulted on the resulting text. Similarly, other nations—such as the Australians, the British, the Germans, the French and the Canadians—who are committed to the fight against drugs in sport were also not consulted. Of equal importance, only a few select athletes were part of this process.

As a result the IOC process has produced a proposal that does not meet the requirements we have set out. In general, it is our view that the IOC is rushing forward to build an institution that we cannot support—one which is more public relations ploy than public policy solution. Our central concerns include:

- The IOC's proposal provides the agency no real authority over anti-doping programs. Under the IOC's new Medical Code, anti-doping decisions of the agency would serve as mere recommendations to the IOC. This is not a model for either independence or effectiveness.
- The proposal should have stronger guarantees that the agency will be independent and operate based on basic principles of good governance and democracy, such as transparency and no conflicts of interest.
- The proposal asks national governments to pay half the bill for the agency, but fails to accord these governments a sufficient role in the policy-making process.

* Important decisions, such as the parameters of testing, have not been addressed—instead they have been *de facto* delegated to a small executive board of IOC-related appointees to decide in secret.

With respect to funding, it seems inappropriate to assume that national governments will fund half the cost of an agency that they had no involvement in developing—and which they will have an inadequate role in operating. Further, while the international community should provide support for an adequate anti-doping agency of this sort, the “pay for a say” formula that has been set out fails to recognize that the nations hosting the upcoming games must also have a say in the agency—as is the case with the IOC’s present Medical Commission. Additionally, the current IOC proposal fails to recognize the other contributions that many nations, such as the United States, have made and will make to the games—and the fight against drug use in sport.

We have once again consulted with many of our key partners, such as Australia, Canada and Great Britain. They continue to share the concerns that I have outlined. Further, while certain international organizations may have expressed agreement with the general direction of the IOC proposal, these organizations have not “endorsed the IOC’s proposal in the strict sense of the word (e.g., they have not taken it back to their member states for approval). Most importantly, the EU has informed us that during the discussions leading up to the IOC proposal, the EU made it clear that such a proposal could not appropriately move ahead without the involvement of the United States, the Australians, the Canadians and other national governments. These responses seem to refute the view expressed in public by IOC official Mr. Pound that the IOC’s proposal has already been adequately endorsed internationally. However, we do have reason to believe that Mr. Samaranch will be open to a reasonable discussion to achieve a rational consensus position.

Given this state of play, it is up to the international community to work with the IOC to ensure that an effective anti-doping regime is put in place. Ultimately, in order for any anti-doping regime to be effective, it must have the involvement of the international community, including the IOC, which is (rightly) a significant stakeholder in this effort.

ONDCP has begun efforts to develop an international consensus approach to rectify this situation. Over the coming months we will work closely with our U.S. stakeholders and international allies (e.g., the Australians, the Canadians, the British, the French, the Germans) and international organizations (e.g., the U.N. Drug Control Programme, and the Council of Europe) to develop such a consensus. This week, I will lead a U.S. interagency team to Europe to meet with our European allies. In November, I will lead a delegation to a Summit of Governments on how to combat drug use in sports, which is being sponsored by the Australian government in Sydney.

Our purpose is to build a consensus sufficiently rational to bring the IOC to the table and require that these shortcomings be fixed. We look forward to helping the IOC work with the community of nations and the other stakeholders—in particular the athletes—to develop a truly independent and fully effective international anti-doping agency. We believe that the Australia Summit affords the IOC an important opportunity to move such a process ahead.

Mr. Chairman, knowing of your interest in this issue, we will keep you informed of developments on this front. If the IOC fails to seize this opportunity to work cooperatively with us and the rest of the international community, we will need your support to force change. In short, your leadership and that of the Committee will be critical to the creation of a truly independent agency and a fully effective international anti-doping regime.

C. Implementation of the National Strategy

The Strategy before you is a living document. Between now and the 2002 games in Salt Lake the world of athletics—and the worlds of science and medicine—are likely to change dramatically. This Strategy provides a framework capable of evolving in parallel. In the near term we will convene the federal task force called for under the Strategy. This task force will be chaired jointly by ONDCP, the White House Olympic Task Force Chairs and HHS. This task force will include representatives from across the involved federal spectrum, including, but not limited to, the Office of Management and Budget, Justice (including DEA), State, the National Institute on Drug Abuse and the Substance Abuse and Mental Health Services Administration. The primary purposes of this task force will be to refine the Strategy, set priorities for implementation and undertake the task of implementing real reforms.

We believe that this should be an open and participatory process. We will reach out to the widest possible range of stakeholders—athletes young and old, coaches, doc-

tors, the leaders of the National Governing Bodies, parents, sports organizations, and others. And, we will continue to work closely with the SLOC, USOC, and the USOC Athletes Advisory Council—key actors in this effort. Congressional leadership on sports issues has been strong. We recognize the important role that Congress plays in these matters. To this end, we will also seek out bipartisan Congressional representation on this task force and specifically look forward to working with the Chairman, Senator Hollings and this Committee.

CONCLUSION

Drug use in sports today has reached a level at which it jeopardizes both the integrity and legitimacy of athletics, as well as the health and safety of athletes and our youth. Athletes who want to compete fairly and without doping fear that they stand no chance against competitors who will accept any cost—debilitating injury, illness and even death—to win. Doping undermines the public trust in organized sport and the integrity of the vast majority of participating athletes who do not use drugs or dope. Every great victory is subject to doubt. Drug-using athletes verge on creating records that honest human performance cannot best. We seriously risk the creation of a chemically engineered class of athletic gladiators.

The current messages being sent by illicit, undetected, unreported or unresponded to drug use in sport continue to place our nation's young people at great risk. Each day, growing numbers of young people turn to untested and unproven chemicals to gain an edge. The age at which children—and in turn parents—are being confronted with the decision whether to use drugs or forgo them and face a competitive disadvantage is growing younger each year. Young people are confronted with the use of drugs, ranging from marijuana to steroids, among the ranks of elite athletes and consequently are led to the false belief that they can use drugs and succeed in life. At risk youth are not limited to a few isolated elite athletes; on soccer fields, baseball diamonds and swimming pools all across the nation, hundreds of thousands of American children strive for greatness. Each of these young people are within the at-risk population.

First and foremost, doping control measures must be rooted in sports ethics and values. They must also be founded on respect for personal rights and the fairness of due process. Current doping and drug control programs have proven inadequate to the task. In general, they are limited in their ability to either effectively detect drug use or deter current or future athletes from cheating. Conflicts of interest—both real and apparent—abound. The current approach places honest athletes at risk of false accusations—and fails to ensnare those who actually cheat. Overall, today's systems fail to provide athletes with the assurance and confidence that the playing fields are level and that the clean competitors stand a fair chance at victory.

Absent real reform, we risk not only irreparable damage to the beauty and glory of sports but also to the long-term health of our athletes and young people. Athletes willing to cheat will continue to push the envelope of science to find new ways to steal even the slightest advantage. Increasing numbers of ever younger children will acquiesce to the risks of drugs in order to pursue their athletic dreams. Absent change, the value of sports in our society will diminish and the human spirit will be poorer for its loss.

United States government leadership is critical if we are to succeed in eliminating the threat of drugs in sports. With such leadership, a strategy comprising national, binational and international efforts can help bring about needed reforms. Working with stakeholders (athletes, youth, the USOC (including the USOC Athletes Advisory Council), the NCAA, NGBs, the leagues, coaches, doctors, parents, schools and others), we have an important window of opportunity to preserve the values of athletic competition and to safeguard the futures of our children.

Athletics at all levels play a major role in American society. Aside from their recreational value, we look to sports to help us as parents and as a nation to develop healthy children and instill positive values and mores in our youth. Feats of athletic greatness—the victory of the 1999 U.S. Women's World Cup soccer team, the U.S. hockey team's miracle on ice, Jessie Owens victories in the face of Nazism—inspire us and remind us to strive to be better in all that we do in pursuit of excellence. Athletics shape our culture, heritage and history. In this nation, sports provide us with rallying points around which diverse groups of people can unite and cheer with one voice. By working to safeguard sports we help preserve these important contributions to our nation.

The CHAIRMAN. I thank you very much, General for your involvement and your commitment to this issue. I also want to thank you

for the staff and other members of the executive branch who are here today and who have also been involved in this matter.

Let us talk PR problem here for a second. The International Olympic Committee, in the view of many, falls far from the jurisdiction of the Congress of the United States.

This Committee and the Congress of the United States does have the responsibility to oversee amateur sports in America, including the USOC.

As you pointed out in the beginning of your statement, the IOC and the USOC are not the same, to say the least. They are two separate entities.

Already, the United States has been accused, on this issue and other issues, of big footing around and trying to force the International Olympic Committee into discriminating against smaller nations. And, you know, there even has been criticism directed at this Committee for us exercising our oversight role.

I think it is also worthy to note that, I believe it is around 60 percent of the funding of the Olympic games come directly from sources within the United States of America.

Do you think these problems will make it difficult for the United States to play a constructive role in the process?

General MCCAFFREY. To begin with, I cannot imagine why there should be a difference of opinion over the ultimate objective between the IOC, the National Governing Bodies, and this Committee, and this government.

We all ought to be fixed on the same outcome, which is to deter and to prevent doping in sports, not only in the Olympic movement, but in international and national competition. So, it is mystifying to me why there would be a sense of protectionism on the part of the IOC for this concept.

The CHAIRMAN. Do you believe there exists that sense of protectionism?

General MCCAFFREY. I absolutely do. I think that is why this draft proposal five was developed without any involvement of national governments, any direct involvement of the international bodies. I think we are going to be able to bridge that gap.

I am sort of optimistic. I have been dealing with Dr. Henry Kissinger, a brilliant man. He is, of course, involved in IOC Reform 2000, but I think using his good offices, we are about to open a dialog with Mr. Samaranch, which I hope can result in some common viewpoint of where we are trying to go.

But the current results, I think, are unacceptable, and were devised without any participation or involvement of U.S. authorities, the Australians, the Canadians, the Brits directly, the French, the Germans, et cetera.

The CHAIRMAN. But do you have some guarded optimism that there will be some, shall I say, more cooperative attitude or serious consideration given on the implementation of your recommendations and those of others?

General MCCAFFREY. I would hope so. And to boot, we should recognize, there is a certain leverage there. The Olympics will be held in Australia, and that operation is subject to Australian national law. The Olympics later will be held in Salt Lake City and subject to U.S. national law.

More than \$1 billion, somewhere probably greater than \$2 billion in TV rights, et cetera, are subject to U.S. Federal legislation. And there is a huge amount of money that comes out of Western Europe.

The athletes, themselves, are really the foundation stone. A good number of the athletes involved are either U.S. or European Union.

The CHAIRMAN. What would you like to see the Congress of the United States do?

General McCAFFREY. I am not yet sure. I would like to put together a task force and make sure I have widely consulted and listened to the viewpoints, particularly of the people who are in this room, and to come back to you with a recommendation. But, clearly, one thing—

The CHAIRMAN. When would you be able to do that?

General McCAFFREY. Soon. Certainly by December, we need to have completed our consultation process of the international community.

The CHAIRMAN. As you know, on the overall issue of the Olympic scandals of the Salt Lake City and now the revelations about Atlanta, the very important commission headed by Senator Mitchell recommended that we wait until the end of the year before we take any actions as a Congress.

Perhaps it would be a smart thing for us to do, Senator Stevens, to combine both—review of their recommendations and implementation and get recommendations from General McCaffrey on this issue at that time as well. So, we will look forward to that, and I thank you.

Senator Stevens.

Senator STEVENS. Well, thank you very much.

General, I commend you on what you are doing. I share that we want to find a way to assure that we reach a process of consensus. I appreciate very much what you stated at the very beginning about looking for a consensus.

It is an area, I think, that is going to try our patience a little bit to work out an acceptable arrangement with the IOC.

Let me ask you about one of your provisions in your five points, and that is the preservation of the tests. I ask that because my state happens to be the repository now of a whole series of items that are preserved for international interests, the potato spat, and other things. I do not know if you know what it costs to store and maintain such specimens for years and years and years.

Have you set up a level of testing? You certainly would not keep every athlete's tests, I assume. Have you talked over what level we would test? Would it be at the national level? Would it be at the international level that we would keep and preserve these tests for future use?

General McCAFFREY. I think the primary answer to that ought to come from our ongoing work with CASA, with the National Institute of Drug Abuse. You have one of the world's experts here, Dr. Gary Wadler.

I prefer to defer to their judgment on what is achievable in the mid-term and then the long run. I do not think we are going to get very far by January. I do not want to be naive about this, but I do think that we ought to begin a process that will inexorably lead

in the coming 5 years to creating a largely drug-free, international as well as national, competition.

I think something can be done to begin in the Australian games. The Australians are better organized, in my judgment, than we are. There is a lot to be learned from what they will try and achieve for the Sydney competition.

Senator STEVENS. Because I have been down there once and I am going down again, but I am interested in not just the taking of the—requiring the test, but the preservation of that test.

General MCCAFFREY. I understand.

Senator STEVENS. How many years and who has the responsibility? That opens up a vast cost area to me that is not existent in the world of sports now.

I think we have to be very careful about how we mandate that and whether or not it is a government responsibility, or an international responsibility, or a basic sports responsibility. That is something that is going to take a lot of research, and, I think, consideration.

I agree with Mr. Chairman. I do not think we should be expected to do anything on this this year, but I hope we can turn to it fairly early next year and see what Australia is going to require.

You are right. They are out in the lead on this because they have the first games that will be affected by this new anti-doping movement. And I think we should work with them as closely as possible to make sure that what we do is not going to embarrass them and, by definition, that we do not drop the ball and lessen the level of control that they have put into effect. Would you agree with that?

General MCCAFFREY. I certainly would, Senator.

The CHAIRMAN. Very briefly, General. You mentioned 10,000—according to Stasi files, 10,000 young East German women who were harmed by this practice. How were they physically harmed?

General MCCAFFREY. I probably ought to enter my statement that has a pretty good snapshot of it, and my deputy, Dr. Donald Vereen, a nationally recognized authority on doping, has done a considerable amount of effort to bring together research on it, but it really is distressing.

Essentially, boys end up with shrunken testes and breast enlargement, and girls end up with possibly permanent androgynization of female physique, and it is irreversible.

When you end up—some of them are at a dramatic and tragic situation, with sex change operations on a young woman who has been moved so far along that hormone developmental process, and it is irreversible once these adolescent years have passed.

The CHAIRMAN. Are you not concerned—and I know you are concerned, but how concerned are you that every time we seem to get a handle on some of these new performance enhancing drugs, there is another generation that comes along, and another generation that is either undetectable or less detectable? Are we playing kind of a catch-up game here?

General MCCAFFREY. I think so, but we are not very well organized. We do not have a serious research focus on it. I would not think this is huge dollars, to be blunt. The Olympic Sports Movement, we are talking multiple billions of dollars of profits.

Again, I remind all of us, there are not 100 people on the face of the earth who could possibly win a gold medal in any one of these sports. We know their names. We know where they train and compete.

We have 9 million transportation workers in drug testing as well as 1.5 million members of the Armed Forces. This is not heavy lifting. It requires good science and some cooperative international agreement.

The CHAIRMAN. I thank you. I am sure we will work out a way to store some of this in Alaska.

[Laughter.]

The CHAIRMAN. We have a vote on.

The climate indicates that we should be able to do that.

Senator Stevens: We would only have to freeze it for half a year.

The CHAIRMAN. Absolutely.

[Laughter.]

The CHAIRMAN. Unfortunately, there is another vote on.

So, we thank you, General, for being here.

If the other panel would stand by, we will be over to—

General MCCAFFREY. Yes, sir.

The CHAIRMAN. We look forward to working very closely with you.

I will be back in about five or 6 minutes. I thank the patience of the witnesses.

Senator WYDEN [presiding]. Thank you very much for your thoughtfulness, General. I will not keep you but a minute. I will tell you, I am very troubled by the comments that you made about the International Olympic Committee.

I think that there is an extraordinary record of foot-dragging with respect to the International Committee. My understanding is it goes back somewhere in the vicinity of 30-plus years, to the sixties, that we have had one proposal after another.

They have always found a way to duck out of the specifics that you are calling for this morning, which are essentially transparency and accountability.

What is your reaction to the concept we have been talking about in this committee of trying to move forward with legislation to apply the U.S. anti-bribery laws to the IOC? I mean, you specifically mentioned in your testimony their unwillingness to deal with these conflict of interest issues. Clearly, we will have to wrestle with various questions of sovereignty and the like. But it is hard to see how they are going to get the message without a strong step along those lines.

What is your reaction to that?

General MCCAFFREY. I think the IOC has been suddenly thrust onto the world stage. They have been shocked by the scrutiny they have been subjected to. They are literally in denial that people would expect them to act as do other international organizations. It never occurred to them.

As you take a snapshot of the IOC as it existed in January, when I last dealt directly with it, it is a self-selected body with no term limits, with no requirement to report to a constituent body, with no requirements to open its financial books, for public inspection.

It is an astonishingly parochial organization, and in my view its power represents more a fiction than a recognition of its real position in this movement. That is my own thought.

I think before we are done with this, it will be an international body that responds first to athletes, and second, it will take into account the thinking of the European Union, the U.S. Government, and with other actors.

So I am sort of optimistic that they are going to move along that process. We have some spectacular people in the world community, Senator George Mitchell, Dr. Henry Kissinger and others, who are involved in that effort.

Now, my portfolio, Senator, obviously is not IOC reform. I am not too sure that we can get to doping without IOC reform.

But I do believe there will be a growing realization on the part of the IOC members that, first of all, this is inexorably going to happen. The money, the protection of athletes' health and safety, the beauty of the Olympics is not something that responds to an IOC committee, but to all of us who are engaged.

I think that Congress ought to watch this extremely closely. And if legislation is required, we would certainly be willing to respond to your own requirements for information.

Senator WYDEN. So you would be willing consider the anti-bribery legislation. I guess what I find so troubling, and I am so pleased at your persistence at this, is that there have been discussions about draining this swamp, as far as I can tell, since at least 1961. And it has come up every time there is a particular incident.

I mean, even with airtight evidence, as when the secret East German records were opened after the fall of the wall and the athletes and the coaches admitted to doping, even then the IOC refused to go back. I guess I am very pleased that you are willing to hang in there.

My only other question—as I say, I appreciate the extra time—is: How much longer would you give them? I mean, we have been at it almost 40 years now. These people set a land speed record for inertia, as far as I can tell. So how much longer do you think the U.S. Senate and this committee ought to give them?

General MCCAFFREY. Well, Senator, again, one of the sources of information I have learned from is listening to sports reports. It is a very unusual group. Unlike the political reporters, the sports reporters care deeply about the issue. They have the whole picture. They are hopeful that something will be done, but they are sort of discouraged that we can pull this off.

So there is a sense of skepticism. You know, we have been here before. Here comes the latest effort. They will wait you out. I am pretty optimistic.

I was in Lausanne. I listened to the intervention of the British sports minister, who was outraged, of the German sports minister, of Madame Bouffet from France. I listened to the Australians' thinking.

They are not kidding around with this. They are not going to have a system in place that tolerates ruining a bunch of young kids. They have a new national strategy that makes a lot of sense to me.

I think at some point I hope we can go very respectfully to Mr. Samaranch with a consensus view. It does not have to be charted out by the United States, although certainly Dr. Wadler and others have ideas that should be taken into account.

I do believe we will get a response out of the IOC, but that we should not be unmindful of the power of money and the fact that both Australia and the United States, these two Olympic Games, can be run in a drug-free environment.

Senator WYDEN. One last question, if I might. Do you envisage any role for the World Health Organization in these discussions in the days ahead? You can probably gather, I am looking for some other set of forces that can help prod the IOC.

I am glad that you are being persistent. I have my staff trying now to document the specific instances since the early sixties, when we heard the rhetoric about how things were going to change. There never was any follow-through.

I am looking for ways in which the IOC could be prodded. And I wonder if you think there is a role for the World Health Organization.

General McCAFFREY. There may well be. When we talk about an independent drug testing agency, 5 years from now, 10 years from now, all sorts of things are possible. In the interim, we probably need to take an institution that exists, that is widely respected, that has independence, that has scientific integrity, and embody that with the responsibility of carrying out this test.

The World Health Organization, there are some French institutions, some Austrian, some Brits, all of whom might do this. I, again, do not think we have a fixed view. The World Health Organization might well be useful.

Senator WYDEN. Well, I will tell you, I remain very, very skeptical. I think the IOC is obviously feeling the heat now. We have the 2000 games coming up. I think their effort is to do as much as they possibly can to kind of blunt and dilute the kind of real reform efforts that would bring about transparency and accountability the way you are talking about. And once the 2000 games are over, they go back and sit in those opulent Swiss offices and do business as usual.

So God speed to you, and do everything you can to keep the heat on them. You have a variety of us up here on a bipartisan basis who will do everything we can to back you up.

General McCAFFREY. Senator, I think the other thing we need to do is focus on the U.S. national problem. It has been interesting to me that the IOC—one aspect of denial has been to suggest the U.S. is a broadly based, drug riddled society.

We made no effort to clean up our own professional or amateur sports. Why do we not get off their back and focus on our own problems?

Now to some extent, that is true. We ought to focus on the U.S. national drug problem. I am more concerned about 56 million American school children by far than I am the Olympic competition. But the Olympic competition is important to us because it is the beauty and the symbolism of sports. We cannot get there in Little League competition unless we can also act responsibly with our world-class athletes.

I do believe that our own support of the U.S. Olympic Committee and keeping an eye on the NBA—and thankfully we got their contract modified, as you remember. We now have “no pot” written into their contract. We do need to get steroid testing in American baseball. We do need to complete our analysis of Andro. It is a steroid, yes or no? I have the DEA doing the scientific analysis.

There is a body of work there in the United States to be done. But at the same time, it is silly for the IOC, or anyone else, to point at European cycling, European soccer, American football—and by the way, the NFL is doing pretty well in all this—and say, go solve those problems. When you are done with it, we will then address Sydney and Salt Lake.

I think they are just going to have to recognize before we are done with this, we are going to do the right thing.

Senator WYDEN. Well, as the parent of a 15-year-old lacrosse player and a 10-year-old basketball player, I can tell you that I very much share your feelings about those kids. I would just hope that we not look at these mutually exclusive.

You have one strategy to go as aggressively and comprehensively as you possibly can at this issue of drugs in this country. Andro is a very serious problem. I mean, I think that practically every kid who plays baseball knows about Mark McGwire and the situation there. And that is why I touched on it in my opening statement.

But I would hope that we not see these as mutually exclusive kinds of problems. The fact is that the IOC still remains the most visible international kind of forum. To think that for 30 years plus, they would just drag their feet and stonewall, do everything they can to duck on the questions you outline yet again today, the questions of accountability and transparency, leaves me concerned, concerned about them.

Glad you are out there making the case. As you heard this morning, you will have bipartisan support in the Senate for it.

General McCaffrey. Senator, one question you might want to ask, because in my mind you learn through anecdotes in some ways. The anecdote that grabbed my attention was the Atlanta games, which I hope the FBI aggressively pursues its investigation.

At the Atlanta games we ended up with Prince Demarod, the IOC doping expert, losing some unknown number of alleged dirty samples out of a safe in his hotel room. The explanation was given at the time, as I understand, that the lost was due to some technical difficulties, which he has never explained to anyone's satisfaction since then.

Mitt Romney has this superb team at Salt Lake City -- I walked through their drug testing laboratory. They are going to do it right. But at the end of the day that sample is going to go to an IOC body for a decision. We cannot have the integrity of the games decided by a body that currently lacks any transparency, accountability or credibility.

That is the challenge all of us face.

Senator WYDEN. Well, you are being logical. Heaven forbid that all of that should just break out with respect to the IOC and the reform. Just know that we are going to hang in there and glad that you are making this fight.

Unless you have anything further, I think the chairman wants to excuse you at this time.

General MCCAFFREY. Thanks, Senator.

Senator WYDEN. The chairman will be returning very briefly.

But let us bring forward our next panel: Mr. Scott Serota, Executive Vice President and Chief Operating Officer of Blue Cross and Blue Shield; Mr. Frank Shorter, U.S. Olympic gold medalist; and Ms. Nancy Hogshead, U.S. Olympic gold medalist. If you all would come forward.

[Pause.]

Senator WYDEN. All right. We thank you all for your patience this morning, apologize for the fact that we have a hectic floor schedule. My understanding is the chairman would like to ask you to try to keep it in the vicinity of 5 minutes or thereabouts. And we will not adhere brutally to that kind of requirement.

Why do we not begin with you, Mr. Serota?

STATEMENT OF SCOTT SEROTA, EXECUTIVE VICE PRESIDENT AND CHIEF OPERATING OFFICER, BLUE CROSS AND BLUE SHIELD ASSOCIATION

Mr. SEROTA. Thank you, Senator. Good morning. I am Scott Serota, the Executive Vice President and Chief Operating Officer of the Blue Cross and Blue Shield Association. Thank you for the opportunity to testify today about our major new public health campaign to reduce the use of performance-enhancing drugs.

I would like to ask if my written statements can be introduced into the record.

Senator WYDEN. Without objection, so ordered.

Mr. SEROTA. Thank you.

I am honored to appear today on behalf of the thousands of physicians, nurses and insurance professionals who work in the nation's 51 independent Blue Cross and Blue Shield companies. I would also like to thank this committee for their statement of support for our anti-doping program, which is formerly known as the Healthy Competition Campaign.

Both Senator McCain and Congressman Jim Ryun of Kansas are leaders in shedding light on this growing problem of athletic doping. We welcome lawmakers' interest in this critical public health issue and look forward to working with you toward eradicating drug use in sports.

I can assure you that today's hearing is both timely and relevant to the American people. In a public opinion survey we recently commissioned, 76 percent of American adults said Congress should take steps to ensure that athletes who compete in the 2002 Salt Lake Games are drug free.

Along with these poll results, many media outlets have extensively written about the need for drug testing to preserve the Olympic Games' fairness and integrity.

But Blue Cross and Blue Shield believes the Olympic problem is just the tip of the iceberg. The much larger issue is the proliferation of performance-enhancing drugs at all levels of competition, especially among America's youth.

That is precisely the reason why the Blue organization recently launched our Healthy Competition Campaign. Our campaign will

use research, a website, and grassroots activism to eliminate the use of performance-enhancing drugs at all levels of athletic competition.

We have submitted for the record a packet of our educational material. This packet is also available to the public on our website, www.healthycompetition.org. Throughout the coming year, we will sponsor a series of school- and community-based events, urging young people to sign the Healthy Competition Pledge and to wear the symbol of drug-free athletics.

We are reaching out to parents, teachers, doctors, coaches and other community leaders who can make a difference in the lives of our nation's youth. To oversee this campaign, Blue Cross and Blue Shield has endowed a new nonprofit foundation known as the Healthy Competition Foundation. This foundation will serve as a permanent watchdog on doping issues.

Along with Blue executives, the foundation's board of directors include six Olympic medalists: Frank Shorter, the world-class marathoner, who is joining me on this panel; Edwin Moses, the legendary hurdler; swimming stars Donna de Varona and John Naber; basketball gold medalist and current Cleveland Rockers guard Suzy McConnell-Serio; and the wrestling hero Bruce Baumgartner.

Let me briefly describe the reasons why Blue Cross and Blue Shield and our Olympian partners have decided to tackle the problem of doping in sports. We believe this growing epidemic is one of the greatest challenges facing young people today. The use of performance-enhancing drugs has reached crisis proportions, threatening the health and safety of thousands of athletes.

Furthermore, doping is not limited to elite levels of athletic competition. In fact, performance-enhancing drugs are widespread at the community and interscholastic level. Steroids and other dangerous substances, including peptide hormones, stimulants, diuretics and various dietary supplements are increasingly available to athletes at ever-younger ages.

As you heard earlier, there are estimates that in excess of a half a million children have used steroids during the past year. That is in excess of 175,000 teenage girls and 325,000 teenage boys.

In a recent survey we commissioned, one in four young people said they personally know of someone who uses these drugs. Further, while two-thirds of the kids said their parents are aware of performance-enhancing drug use by young people, less than one-third said their parents have actually talked to them about the dangers of these drugs. Parents are simply not talking to their children about the problems that these drugs can cause.

Performance-enhancing substances pose tremendous risks to the long-term health of the young people who use them. Many of these complications are difficult to predict, and often they do not become evident until years after substance abuse has occurred.

Moreover, the available research on the health effects of these drugs is quite limited because the young people taking them are using unusually high doses and hiding their usage from their parents and physicians.

The limited information that we do have about the long-term complications of these drugs is extremely frightening. These drugs can cause a host of immediate health problems, including ele-

vations in blood pressure and cholesterol, fluid retention, menstrual irregularities or enlargement of the prostate gland. Over the longer term, these drugs can cause liver cancer and contribute to serious behavioral and psychiatric disorders.

Here is how we propose to help. Our Healthy Competition Foundation will fund further research among athletes who admit to drug use. We will work to better understand the long-term health challenges they face and help their doctors determine how best to treat them.

Along with this research and our educational activities, we have called upon the International Olympic Committee to take stronger action to ensure that the Olympics are drug free and fair to all. We urge the IOC to establish an independent anti-doping agency and to unify drug testing standards around the world.

Further, we urge you to expand existing athletic oversight programs, not only to test for banned substances, but also, and perhaps more importantly, to help educate athletes and coaches about the health risks these substances pose. As your committee explores these issues further, we encourage you to focus not only on the questions of fairness and integrity, but also on the public health consequences of an athletic culture in which drug use is quietly tolerated or, worse yet, ignored.

We are most concerned about trying to work on the demand side of this equation. When we focus our efforts on testing, in many instances the battle is already lost.

We are very interested in reaching out to our young people and, through their role models, setting good examples for them on how to compete fairly and how to compete effectively. That is the critical public health issue that we are concerned about.

I am sure you share our outrage about the growing epidemic of performance-enhancing drug use. As parents, many of us are shocked to learn that our children can be exposed to harmful substances while competing in sports activities that should be both healthy and educational. As a former competitive athlete and the father of children each of whom compete, I am personally concerned about young people who, in the pursuit of a few extra inches in their vertical leap or a few extra pounds in the bench press, will risk their lives.

Competitive sports should support the ideals which have long been the cornerstone of success in any endeavor: hard work, dedication, teamwork and desire. A win-at-all-cost approach cannot and should not be the cheating which is occurring today.

Thank you for the opportunity to testify today and for your ongoing attention to this crucial public health issue. I will be more than happy to answer any questions you might have.

[The prepared statement of Mr. Serota follows:]

PREPARED STATEMENT OF SCOTT SEROTA, EXECUTIVE VICE PRESIDENT AND CHIEF OPERATING OFFICER, BLUE CROSS AND BLUE SHIELD ASSOCIATION

Good morning, Mr. Chairman and Members of the Subcommittee, I am Scott Serota, executive vice president and chief operating officer of the Blue Cross and Blue Shield Association. Thank you for the opportunity to testify today about our major new public health campaign to reduce the use of performance-enhancing drugs. I would also like to thank the Chairman for his recent statement of support for our program, formally known as the Healthy Competition Campaign. Both Senator

McCain and Congressman Jim Ryun of Kansas are leaders in shedding light on the growing problem of athletic doping. We welcome lawmakers' interest in this critical public health issue, and we look forward to working with you toward eradicating drug use in sports.

The witnesses appearing today are not alone in our eagerness to see congressional action to help reduce drug use in the Olympic movement. In a public opinion survey recently commissioned by Blue Cross and Blue Shield, 76 percent of American adults said Congress should take steps to ensure that athletes who compete in the 2002 Salt Lake Games are drug-free. Clearly, the American public supports your efforts to address this crucial issue.

Much has been written about the need for drug testing to preserve the Olympic Games' fairness and integrity. But Blue Cross and Blue Shield believes the Olympic problem is just the tip of the iceberg. The much larger issue is the proliferation of performance-enhancing drugs at all levels of competition — especially among America's youth. I speak today on behalf of the hundreds of thousands of physicians, nurses, and insurance professionals who work in the 51 independent Blue Cross and Blue Shield companies throughout the United States. My colleagues and I believe that athletic doping is much more than a regulatory issue or a sports issue. It is also a silent — but deadly — *health* issue. Make no mistake: The abuse of these drugs is profoundly dangerous, and the long-term health effects are devastating. That's why the Blue organization recently launched our Healthy Competition Campaign. This campaign uses research, a Web site, and grassroots activism to eliminate the use of performance-enhancing drugs at all levels of athletic competition — from the neighborhood to the schoolyard to the Olympic Games. We have submitted for the record a packet of our educational materials. This packet also is available to the public at www.healthycompetition.org. Throughout the coming year, we will sponsor a series of school- and community-based events urging young people to sign the Healthy Competition Pledge and to wear the symbol of drug-free athletics. We also are reaching out to parents, teachers, coaches, and community leaders who can make a difference in the lives of our nation's youth.

To oversee this campaign, Blue Cross and Blue Shield has endowed a new, nonprofit foundation known as the Healthy Competition Foundation. This foundation will serve as a permanent watchdog on doping issues. Along with Blue executives, the foundation's Board of Directors includes six Olympic medallists: Edwin Moses, the legendary hurdler; Frank Shorter, the world-class marathoner who is joining me on this panel; swimming stars Donna de Varona and John Naber; basketball gold medallist and current Cleveland Rockers guard Suzy McConnell-Serio; and wrestling hero Bruce Baumgartner. We believe the active participation of these internationally renowned, elite athletes provides a positive role model for young people. We are honored to have them join us in communicating the drug-free pledge to children who seek success on the field or on the court.

Let me briefly describe the reasons why Blue Cross and Blue Shield decided to tackle the problem of doping in sports. We believe the growing epidemic of steroids and other performance-enhancing drugs is one of the greatest challenges facing young people today. The use of these drugs has reached crisis proportions — threatening the health and safety of thousands of athletes. Furthermore, doping is *not* limited to elite levels of athletic competition. In fact, performance-enhancing drugs are widespread at the community and inter-scholastic levels. Steroids and other dangerous substances — including peptide hormones, stimulants, diuretics, and various dietary supplements — are increasingly available to athletes of ever-younger ages. The rapid proliferation of these drugs poses a serious threat to the long-term health of America's next generation.

The National Institute of Drug Abuse estimates that more than 500,000 children — 175,000 teen-age girls and 325,000 teen-age boys — have used steroids during the past year. In a recent survey we commissioned, one in four young people said they personally know someone who uses these drugs. Further, while two-thirds of kids said their parents are aware of performance-enhancing drug use by young people, fewer than one-third said their parents have actually talked to them about the dangers of these drugs.

Performance-enhancing substances pose tremendous risks to the long-term health of the young people who use them. Many of these complications are difficult to predict; often, they do not become evident until years after the substance abuse has occurred. Moreover, the available research on the health effects of these drugs is quite limited — because young people are taking them in unusually high doses and hiding their usage from their parents and physicians.

It is important to note that most of these drugs have legitimate medical uses. For example, certain steroids are commonly prescribed to treat disorders of the pituitary or adrenal gland. Steroids may also be used to reduce inflammation, resulting from

a medical problem. Similarly, many drugs used to control cold and flu symptoms include small doses of stimulants.

Each of the drugs I've just described has been extensively tested for safety and efficacy when used appropriately. But athletes are obtaining these legal substances in illegal ways — and then taking them in much greater doses than intended. Little is known about the long-term health effects of this drug abuse, because the compounds involved have never been tested at such excessive doses. Even less is known about the long-term effects of over-the-counter dietary supplements, such as "andro" and amino acids.

The limited information that we *do* have about the long-term complications of these drugs is frightening. For example, anabolic steroids can have adverse effects on virtually every organ of the body. Steroids cause elevations in blood pressure and cholesterol, increasing the athlete's risk of heart disease and stroke. These drugs also cause fluid retention and produce menstrual irregularities in women, along with enlargement of the prostate gland in men. Additionally, steroids can contribute to serious behavioral and psychiatric disorders, as well as a host of liver diseases.

These complications may barely scratch the surface of the medical problems caused by performance-enhancing drugs. New problems are becoming increasingly evident as more and more athletes admit to doping and seek help. Clearly, doctors need more information about the long-term consequences of abusing these drugs and how those complications can be treated. Here's how we can help. The Healthy Competition Foundation will fund further research among athletes who admit to drug use. We will work to better understand the long-term health challenges they face. By demonstrating the courage to come forward and admit their problems, these athletes will help us turn the tide on the epidemic of performance-enhancing drug use. Along with our research and educational activities, we have called upon the International Olympic Committee to take stronger action to ensure that the Olympics are drug-free and fair to all. We urge the I-O-C to establish an independent anti-doping agency and to unify drug testing standards around the world. We believe action by the I-O-C is critical, because internationally elite athletes have tremendous visibility and serve as role models for millions of young people spanning the globe.

Furthermore — as health professionals who serve America's athletes — we believe we have earned a place at the table in any international debate about doping. We believe Blue Cross and Blue Shield should be represented on any new anti-doping oversight agency. We urge you to expand existing athletics oversight programs to not only test for banned substances, but also help educate athletes and coaches around the world about the risks these substances pose for athletes' long-term health. As your Subcommittee explores these issues further, I urge you to focus not only on questions of fairness or integrity, but also on the public health consequences of an athletic culture in which drug use is quietly tolerated — or, worse yet, ignored. I'm sure you share our outrage about the growing epidemic of performance-enhancing drug use, and I look forward to your continued participation in spotlighting the problem. This issue really hits home for many of us at Blue Cross and Blue Shield — because many of us are competitive athletes, or the parents of children who play organized sports. Like you, we are deeply troubled by the notion that some young people will risk their lives to gain a few extra pounds on the bench press or a few extra inches in their vertical leap. Blue Cross and Blue Shield believes sports should represent the ideals we hold most dear: Hard work, dedication, and the desire to succeed. We must not let the scourge of drug abuse undermine these important life-long lessons. And we must not let a minor athletic payoff today produce tremendous medical problems tomorrow.

Thank you again for the opportunity to testify today about the Healthy Competition campaign, and for your ongoing attention to this crucial public health issues. I would be happy to answer any questions.

Senator WYDEN. Thank you very much, and we apologize to you. I hope you realize in these last days it is hard to keep a schedule let alone know where you are going to be next.

Mr. SEROTA. I do understand.

The CHAIRMAN [presiding]. But we do appreciate your comments. After the others have commented, I have a question for you. But I think we should proceed to the other witnesses.

Who is next? On our list, Nancy and Mr. Shorter.

**STATEMENT OF NANCY HOGSHEAD,
U.S. OLYMPIC GOLD MEDALIST**

Ms. HOGSHEAD. Mr. Chairman and members of the Committee, Mr. Stevens, it is an honor to be here. And as a member of the group of athletes that urged the Committee to hold the hearing, I am greatly appreciative that you are doing so today.

My name is Nancy Hogshead. I represented the United States swim team in the 1984 Los Angeles Olympics and became a three-time Olympic champion and four-time medalist. I am an honorary board member of the Olympic Advocates Together Honorably, also known as OATH, the world's leading independent athlete-centered organization whose mission is to restore and maintain the values underlying the fundamental principles of the Olympic Charter.

I am also the former president of the Women's Sports Foundation, and I am currently practicing law for the firm of Holland and Knight.

Athletes are at the heart of the Olympics. Without them, we would have no games. It is their dreams, their will, their spirit and their performance that make the games a success and which give the Olympic Movement its sole. It is their experiences with the Olympic Movement that provide a credible point of view, not only for the cleanup of dope in sports, but the overall reform of the Olympic Movement.

Today the Olympic Movement faces two moral crises, the crisis of corruption and the crisis of doping, both of which have the power to destroy it. Corruption in the Olympic Movement became front-page news when allegations surfaced about bribes and awarding the Winter Olympic Games to Salt Lake City.

Since then, we have seen resignations, recriminations and finger pointing. The IOC's response to the corruption crisis has been late, inadequate and inconsequential. A crucial question that should now be asked is whether the IOC can, in fact, reform itself and thereby restore the public's trust in Olympic competition. To date, the evidence is lacking the IOC has the will or ability to do what needs to be done.

Senator Stevens, I know this is reminiscent of the status of the USOC back in the early seventies, when you put together the 1978 Amateur Sports Act. At that time, I know we had unelected, unrepresented, predominantly white males making decisions for the benefit and to the detriment of the athletes.

As a result of that major restructuring that you did, we now have a much stronger USOC. And we have a much better United States Olympic team.

The IOC right now is naturally in tension with itself. On the one hand, the IOC represents ethics and values that make it a player on a stage for world peace and world cooperation.

On the other hand, it manages a sports empire with hundreds of millions of dollars, billions of dollars. Every 2 years it presides over a vast international sporting festival which brings tens of thousands of the world's athletes and media together, which in turn generates billions in revenue for cities, media sponsors and outlets.

At times, the values that make the IOC so noble conflict with the organization's money-generating efforts. The doping issue clearly

demonstrates this natural tension. As somebody who has experienced the Olympic competition first hand and seen the power of the Olympic movement, I am concerned about the doping crisis facing the Olympic family. And I know that athletes around the world share my concern. I know that Frank is going to concur on that point.

There is a question of moral corruption when it comes to doping. Doping is a scourge that afflicts all athletes, those who are clean and those who are not, those who are on the podium and those who dream of greatness on the fields and arenas around the world. It ruins the lives, reputations and health of thousands of athletes worldwide, and it erodes the public trust in the Olympic Movement.

All Olympic medals end up being tarnished by the sad and desperate acts of a few. Great Olympic performances, like that of Florence Griffith Joyner, are undermined by whispers of the use of performance-enhancing drugs. In the seventies and eighties, there were repeated accusations by swimming experts that the East German team was using anabolic steroids. However, the IOC did nothing to prevent them from taking home Olympic gold medals. Few athletes spoke out because it was classified as poor sportsmanship.

At the height of my career, I was changing in a dressing room, and I heard men come in and enter the locker room. They chatted away. I quickly finished dressing and, you know, went around. I rounded the bend there, I saw that who had come in were female East German swimmers, athletes that I had just assumed were men coming into the locker room. These were obvious, flagrant, blatant abuses. We later got absolute confirmation on this. And nothing was done to take away those gold medals.

As previously mentioned, the doping crisis has been prevalent since the seventies and eighties. The IOC's response to it, again, has been late, inadequate and inconsequential. Now is the time for the stakeholders in this public trust to take the leadership role in establishing an anti-doping agency to ensure that the agency is accountable and open to public scrutiny.

New doping control measures must be rooted in sport ethics and values. They must flow from athlete agreement and must respect athletes' rights to privacy. All efforts are in vain unless anti-doping measures are independent, accountable and fairly administered. OATH supports a concept of out of competition, year-round, unannounced random drug testing.

As guardians of the public trust in the Olympic Movement, the IOC must be answerable to their public. The IOC's proven lack of leadership with corruption scandals and the ongoing doping scandals indicates that it is time to put the doping crisis in the hands of those experts who care about preserving the Olympic Movement and the athletes who will be asked to abide by the measures taken to remedy these problems.

International models for a structure, composition and mandate of such an anti-doping agency already exist. These organizations have sought athlete input and consent into the process. As a result, the process respects the right of athletes. They have bought the best experts. The IOC must be prepared to relinquish control of the new

agency in order to secure independence and a genuine international partnership.

In order for there to be overall reform of the IOC, athletes must be allowed to elect their own representatives and participate in the decisionmaking process. Currently, no athletes from the Athletes Commission sit on the IOC's executive board.

It is essential that athletes be formally represented on the executive board, a recent athlete, somebody who has ground zero, first-hand experience and knows what is going on today, and a lifetime athlete, somebody with sort of 20,000 feet experience, somebody who has been around for a long time and has the institutional memory that is so important.

The athletes and the all the stakeholders in this public trust have to work together to build a brighter future for the Olympic movement and for tomorrow's young Olympic champions. As an athlete-led group, OATH members want an Olympic movement which they can be proud of and which they are happy to leave their children and their neighbors.

It is time for an anti-doping agency that is accountable, transparent and independent. It is time to conduct out-of-competition, random, unannounced, year-round drug testing of athletes. It is time for the IOC to work with experts and stakeholders in setting up such an agency. It is time for a new beginning.

My efforts here today with OATH are to ensure the Olympic movement as a public trust continues to thrive and inspire young athletes for generations to come. Thank you.

[The prepared statement of Ms. Hogshead follows.]

PREPARED STATEMENT OF NANCY HOGSHEAD, U.S. OLYMPIC GOLD MEDALIST

Dear Mr. Chairman and Members of the Committee;

I am honored to have the opportunity to testify before this Committee today. My name is Nancy Hogshead, and I represented the United States Swim Team at the 1984 Los Angeles Summer Olympics where I became a three-time Olympic Champion and four-time medalist. I am an Honorary Board Member of OATH (Olympic Advocates Together Honorably), the world's leading independent athlete-centered movement which brings together stakeholders of the Olympic Movement creating an open debate and forum for discussion. Its mission is also to restore and maintain the values underlying the Fundamental Principles of the Olympic Charter and to promote ethical guardianship, responsible governance and effective management of the Olympic Movement. I am also the former President of The Women's Sports Foundation and am currently practicing law for the firm of Holland & Knight LLP. As someone who has experienced Olympic competition first-hand, I am keenly aware of the athletes are especially concerned about the doping crises facing the Olympic Movement. Through the many years of preparation and training for the Olympics, and ultimately winning three gold medals, I realized the incredible power of the Olympics. Now, I want to ensure that as a public trust it continues to thrive for generations of aspiring young athletes to come.

Athletes are the heart of the Olympics. It is their dreams, their will, their spirit and their performances that make the Games the spectacle they are and which give the Movement its soul. It is the athletes' honest blood, sweat and tears that has sustained and hopefully will continue to sustain the Olympic movement. Athletes live the Olympic dream and our voice provides a credible point-of-view not only in the clean up of doping in sport but in the clean up of the Olympic Movement. A crucial question at this time is whether the International Olympic Committee (IOC) can reform itself. To date the evidence is lacking that it has the will or the ability to do what needs to be done.

The IOC has enormous potential. The Olympic Movement, however, faces two moral crises: the crisis of corruption, and the crisis of doping, either which have the potential to destroy it.

Corruption in the Olympic Movement became public knowledge when information was made available to the media about bribes, which were sought and paid in awarding the 2002 Winter Olympic Games to Salt Lake City. A handful of IOC members have resigned rather than face expulsion, but the IOC's response to the corruption crisis has been late, inadequate and inconsequential. It has now come to light that similar events occurred with the Atlanta Bid.

The IOC is naturally in tension with itself. On one hand, the IOC represents ethics and values that make it a player on the stage for peace and world cooperation. On the other hand, it manages a sports empire worth hundreds of millions of dollars. Every two years, it presides over a vast international sporting festival which brings tens of thousands of the world's athletes and media together and which in turn generates tens of billions of dollars in revenue for cities, media outlets and sponsors. At times, the values that make the IOC so noble conflict with the organization's money generating efforts. The doping issue clearly demonstrates this natural tension.

For the purposes of this testimony I will focus on the doping crisis and the need for a meaningful role for athletes on this issue.

Doping is first and foremost an athletes' issue. It is a scourge that afflicts all athletes—those who are clean and those who are not—those on the podium and those who dream of greatness on the fields and arenas around the world. All Olympic medals end up being tarnished by the sad acts of a few. Great Olympic performances like that of Florence Griffith Joyner's feat are undermined by whispers, whispers of use of performance-enhancing drugs. It ruins the lives, reputations and health of thousands of athletes worldwide, and it erodes the public trust in the Olympic Movement.

Doping could destroy the Olympic Movement. Public support for the Olympic Games and the Olympic Movement rests in large measure on the belief that Olympic sport embodies the highest set of values.

From the early 1970's to the late 1980's there were repeated accusations by swimming experts that the East German swim team was using steroids, however the IOC did nothing to prevent them from taking home Olympic Gold Medals and setting new world records. Few athletes spoke out because in the public's naive eye it was classified as "poor sportsmanship". By example, Shirley Babashoff who competed for the United States Swim Team at the 1976 Montreal Olympic Games won 4 silver medals and watched the East German swimmers walk away with the gold medals. Babashoff did speak out and was brandished a sore loser, "Surly Shirley" the press dubbed her.

While the East Germans had a systematic doping program for their swimmers and for virtually all of their world-class athletes, the IOC turned a blind eye for decades. They allowed steroid assisted athletes to go home with Olympic medals. It was only thanks to an independent, outside voice that the steroid use was investigated at all. *Swimming World Magazine* obtained and published Stasi Files in 1993 which indicated that the T/E ratio of four of the top East German swimmers, including 1988 six-time Olympic Gold Medalist and hero Kristine Otto, were all above the acceptable 6/1 level during an internal, pre-competition doping check-up, clearly indicating that they used illegal steroids to enhance their performance. East German doctors utilized clearance curves for each swimmer to discern when the athlete's T/E level dropped back to normal, thus enabling the athletes to take drugs during training, discontinue the drugs prior to competitions and turn in clean drug tests administered at competitions.

After the East German situation was exposed by *Swimming World Magazine*, the problem moved to China and the same pattern repeated itself. Again, the IOC took no action against this flagrant cheating.

As evidenced in the above, the doping crisis has been prevalent since the 1970's. The IOC's response to it has been terribly late, inadequate and inconsequential. Now is time for the stakeholders of this public trust to take the leadership role in establishing an anti-doping agency. Now is the time to ensure that not only is a new agency fully independent, but that it is accountable and open to public scrutiny. The IOC has already wasted decades on this massive problem, and now it is time to put doping in the hands of an independent body of experts whose only motive is to clean up Olympic competition for future generations of athletes. Now is the time to ensure the public trust in the Olympic Movement is restored.

Doping is not a crisis of medicine or science, but rather a crisis of sport ethics and values. First, the judgement that a particular substance or activity is "doping" is an ethical judgement. New doping control measures must be rooted in sport ethics and values; they must flow from athlete agreement; they must respect athletes' rights to privacy; and all efforts are in vain unless and until anti-doping measures

are independently, accountably and fairly administered and testing is performed out-of-competition, year-round, unannounced and random.

The IOC could have been leaders in a vigorous, concerted and world-wide effort to eliminate doping. It has not. The IOC could have led the world in creating a credible, ethics-based, independent, accountable organization to lead the fight against doping. It did not. Instead, it originally proposed an agency, based in Lausanne and to be headed by the IOC President Juan Antonio Samaranch. That idea was rejected by the delegates to the World Conference on Doping in Sport in Lausanne in February of 1999. The IOC has since created a "Medical Commission" without a medical expert as its leader and once again was accountable and answerable to no one. The IOC has failed to reach agreement and the current proposal, based on early discussions and still very much in its infancy stage, is for an agency based in Lausanne, with as yet to be determined partnerships and relations with other agencies or national governments. The IOC has not responded with a proposal for a world agency that would bring together the requisite anti-doping partners; the experts, the governmental liaisons, the International Sports Federations, and the athletes. In the meantime, the lives, reputations and health of countless athletes around the world have been suffered.

Throughout this internal dialogue the IOC is having with itself, the IOC has not reached out to the effected athletes nor to the expert anti-doping agencies who currently conduct successful out-of-competition, random, unannounced, drug-testing. Seven countries (Australia, Canada, Great Britain, Sweden, Norway, the Netherlands, and New Zealand) have worked together to create common standards and protocols. They have experience running effective, open, and accountable testing programs. Has the IOC tapped into their collective wisdom? No.

Until now, the conceptual structure of anti-doping efforts has been the creation of rules based on ill-defined criteria, which are then imposed on athletes from above. Unless the IOC seeks active and informed athlete agreement and consensus, the fight against doping is doomed to the same fate as the IOC's war in the defense of amateurism. The IOC recently published the Olympic Movement Anti-Doping Code, which we find inadequate in key areas:

- Doping control can only be accomplished by effective out-of-competition, year-round, random and no-notice testing. The IOC code refers to such testing but offers no indication of how that testing would be carried out to ensure fairness, effectiveness and respect for the privacy and dignity of athletes.
- The proposed anti-doping agency needs to be independent, open to public scrutiny and accountable in order to be credible. For this credibility, the IOC must be prepared to relinquish control of the new agency in order to secure its independence. The natural tension between doping detection and profit-making must be removed from within IOC's.

Athletes around the world who compete in summer and winter Olympic sports are in favor of anti-doping measures. They want a level playing field. Members of the IOC's Athletes' Commission are proposing a "Doping Passport" which would be an accessible and public indication of an athlete's availability for and history of doping tests. While the details of the "Doping Passport" have yet to be worked out, the creation of an athlete agreement to end doping and accept the testing required to enforce a level and clean playing field are critical in eliminating doping.

OATH, as the world's leading independent, international athlete-centered organization of stakeholders and experts, can facilitate such undertakings. OATH started as a gathering of advocates who believed in or had lived that Olympic dream. OATH members want to pass on something better than the current corruption—something grand and noble; OATH members want an Olympic Movement which they can be proud of and into which they are happy to lead their children and their neighbors. OATH members felt that the IOC-created reform process would not hear their voices, that they would again be marginalized and excluded. That is the genesis of The OATH Report. The Report was written in consultation with athletes and experts. It is a call to all those who believe in the Olympic Movement, those who watch the games and encourage their children to strive for excellence, those who drive their kids to swimming practice at 6am every morning. It is a call to those who profit from the Games, to sponsors and the media, to care for their investment. It is a call to governments that invest public funds in sport, the Games and bids for Games and to those who support the Movement through favorable tax arrangements. The Report is a call to partners to help the Olympic Movement be the best it can be. Together we want to make the world a better place through sport.

Outlined below are OATH's specific recommendations with respect to an anti-doping agency in which the IOC is one of many stakeholders in a new, independent, accountable, transparent, international, anti-doping agency:

1. The agency be rooted in sport ethics and values and will be driven by athlete agreement. Athletes, scientists, medical and ethical experts must be involved in drafting the anti-doping Code and developing the structure of the new agency. Athletes must formally approve the anti-doping code.
2. Athletes be represented at all levels of the agency.
3. The agency be independent and accountable. The agency must have an independent governing council, scientific, medical, ethical, educational, legal and athletes' commissions.
4. The agency conduct doping control measures to the highest international, independent standards. The Agency adopt the International Anti-Doping Arrangement, International Standard for Doping Control International Organization for Standardization, Publicly Available Specification.
5. The agency conduct all doping control activities with due respect for the athlete, personal rights and the fairness of due process.
6. The agency conduct on-going, independent, legal and ethical reviews of its operations and make the results publicly available.
7. The agency lead in the development of educational and consensus-building programs to pursue ethics and integrity in sport.
8. The agency conduct and sponsor doping and doping detection research to the highest standards of medical and research ethics. In particular, research should not be conducted without the express, written, informed and non-coerced consent of the athletes whose bodies or samples are being studied.

The doping crises and corruption crises are symptomatic of the overall need to clean up the IOC by creating an organization which is more accountable, transparent, inclusive and democratic.

Now, lets consider the clean up of the IOC. The issues confronting the IOC are not new to the Senate. Similar issues arose in the United States in the early 1970s, which ultimately led to the adoption of the Amateur Sports Act of 1978. Thank you, Senator Stevens. The USOC suffered from the same problems; an unelected, unaccountable body of white males without a constituency were not acting in the best interest of the USOC or the athletes. Sweeping reforms have given the United States a more democratic and representational organization. As a result of these dramatic reforms, we have a much stronger and healthier United States Olympic Team.

OATH believes the new IOC should be ethics and values-based and athlete-centered, accountable as the Olympic Movement is a public trust and it stewards that movement on behalf of its stakeholders; democratic so as to make room for democratically elected members drawn from key stakeholder constituencies; and transparent so that it opens its books and its decision-making to public scrutiny and criticism.

The Olympic Games are not just a multi-sport world championships. Olympism is a set of values embodied in the Olympic Movement, which is a movement for social change. When asked, the world public identifies Olympic values of excellence, dedication, fair play and international peace as key ingredients of the Olympic Games. Olympic rings connote a higher set of ethics and values and this is what the public support is based on. If the Olympic Movement loses support, if the public comes to see Olympic values mocked by the practices of the IOC, then the sponsorship value of the Olympic Games will diminish. Preservation of Olympic ideals is therefore not just the right thing to do, but it is also the best way of preserving the success of the Games.

The IOC stands in a management role to the Olympic Games and the Olympic rings, but the IOC is much more; they are stewards of the Olympic Movement. Currently, the IOC members are unelected and unaccountable—ambassadors of the IOC to their home countries rather than representatives of constituencies. Of the one hundred and five current members, all but eleven are men, and they hold office until they are eighty years old. They answer to no one.

The purpose of the Olympic Movement and the Olympic Games is to further "sport development", and to use sport to effect both personal and cultural change. That is Olympism. Formal mechanisms for openness and scrutiny and the development of several key constituencies, so that they can play a role in decision-making, are required.

Although there is an Athletes' Commission it needs to be strengthened to legitimately have the voices of athletes represented.

Working members of the IOC Athletes' Commission are still too few in number and they exercise relatively little direct power within the organization. The IOC Athletes' Commission needs to be strengthened by becoming an independent, even more democratically-based, grass-roots association of athletes.

The IOC athlete members and the athletes that sit on other committees and commissions should be the visible tip of an organization that has an on-going and close connection with athletes around the world. There should also be Paralympic athlete representation on the IOC Athletes' Commission.

Given the size of the full IOC session and the complexity of the IOC, much of the decision-making necessarily falls to a smaller group, the IOC Executive Board. Currently no athletes from the Athletes' Commission sit on the IOC Executive Board. It is essential that athletes be formally represented on the Executive Board, one recent athlete (competed within the last eight years) and one lifetime athlete (or World Olympian).

Outlined below are some other points to consider about the IOC's Athletes' Commission:

1. The Chairman (Peter Tallberg) and Vice-Chairman (HSH Prince Albert of Monaco) are appointed members of the Athletes' Commission and are the only two members who sit in the full IOC session.
2. The "elections" are not fully democratic in that there are varying methods by which NOCs putforward candidates.
3. The athletes who are elected are still in competition and in many instances are unable to fully represent their peers because of their own training and competition schedule.
4. The athletes who are now outside the 8 year rule for being "active" have no voice to represent them and their continuing commitment to the Movement.
5. It is not an independent voice, it reports to the IOC President. It does not ask the IOC to be accountable to wider constituencies.
6. Comprises of 19 members of which 10 members have been elected some way or another in a modified democratic approach.

The World Olympians' Association, which represents the Olympic athlete alumni, needs to be far more active than it has been since its creation and its mission needs to be much more dynamic than social. It should also be the source of a great deal of practical wisdom. Olympians should be encouraged and provided the tools with which to be ambassadors of Olympism. The Olympians' Association needs to be developed into an independent and democratically-structured organization.

This centrality of the athlete means that sport administrators and leaders need to think from the point-of-view of the athlete and evaluate proposals on the basis of how well they promote the growth of athletes as athletes and as people. Sport systems must be designed to promote growth and to ensure fairness, accountability and the protection of athletes' rights.

The Olympic Movement requires a culture of accountability: accountability to athletes, to governments, to NOCs, to IFs, to sponsors, to the press and to the public at large.

The culture of accountability requires openness. The Olympic Movement is a public trust and belongs to the people of the world. We, the people, are its owners. As stakeholders in this social movement, people can know their interests are being handled well only if they can scrutinise the activities of its stewards. As guardians of the Olympic Movement, the IOC must be answerable to their public. The IOC is accountable, when its decisions are demonstrably in the best interests of the Olympic Movement.

If all of this were the private property of a private club perhaps this would not matter. But the Olympic Games and the Olympic Movement are not the private preserve of a set of unelected, unaccountable officials presiding in Lausanne. The Olympic Games and the Olympic Movement were created for the world as a beacon of hope and peace and excellence. The founder of the Games and the Movement, Pierre de Coubertin believed that sport could be a force for good, that it could serve in the cause of peace and in the moral and physical development of youth. It is that vision that gives the Games and the Movement its power. The Olympic Games and the Olympic Movement are a public trust and its guardians are the IOC.

But they have lost their way. The response to IOC corruption comes too little and too late. There have been reports of unethical practices by IOC members dating back to the early nineties. But nothing was done. Finally, when the facts began to emerge about Salt Lake City the IOC created an ethics panel and encouraged some members to resign. But the rules were always there—what was lacking was the will to enforce them. The IOC could have signaled a new beginning. The leader of the IOC could have agreed, as requested, to testify before members of the US Congress, he declined. The IOC could have created a reform process that actively sought input and that embraced its critics. It did not, instead it hand-picked the members of Reform 2000 and structured a process without public hearings and without formal methods of input and consultation.