

**REPORT TO THE COMMISSIONER OF BASEBALL
OF AN INDEPENDENT INVESTIGATION INTO
THE ILLEGAL USE OF STEROIDS AND OTHER
PERFORMANCE ENHANCING SUBSTANCES
BY PLAYERS IN MAJOR LEAGUE BASEBALL**

SUMMARY AND RECOMMENDATIONS

Summary and Recommendations

For more than a decade there has been widespread illegal use of anabolic steroids and other performance enhancing substances by players in Major League Baseball, in violation of federal law and baseball policy. Club officials routinely have discussed the possibility of such substance use when evaluating players. Those who have illegally used these substances range from players whose major league careers were brief to potential members of the Baseball Hall of Fame. They include both pitchers and position players, and their backgrounds are as diverse as those of all major league players.

The response by baseball was slow to develop and was initially ineffective, but it gained momentum after the adoption of a mandatory random drug testing program in 2002. That program has been effective in that detectable steroid use appears to have declined. But the use of human growth hormone has risen because, unlike steroids, it is not detectable through urine testing.

This report, the product of an intensive investigation, describes how and why this problem emerged. We identify some of the players who were caught up in the drive to gain a competitive advantage through the illegal use of these substances. Other investigations will no doubt turn up more names and fill in more details, but that is unlikely to significantly alter the description of baseball's "steroids era," as set forth in this report.

From hundreds of interviews and thousands of documents we learned enough to accurately describe that era. While this investigation was prompted by revelations about the involvement of players with the Bay Area Laboratory Co-Operative, the evidence we uncovered indicates that this has not been an isolated problem involving just a few players or a few clubs. It has involved many players on many clubs. In fact, each of the thirty clubs has had players who have been involved with performance enhancing substances at some time in their careers.

The illegal use of these substances was not limited to the players who are identified in this report. There have been many estimates of use. In 2002, former National League Most Valuable Player Ken Caminiti estimated that “at least half” of major league players were using anabolic steroids. Dave McKay, a longtime coach for the St. Louis Cardinals and the Oakland Athletics, estimated that at one time 30% of players were using them. Within the past week, the former Cincinnati Reds pitcher Jack Armstrong estimated that between 20% and 30% of players in his era, 1988 to 1994, were using large doses of steroids while an even higher percentage of players were using lower, maintenance doses of steroids. There have been other estimates, a few higher, many lower, all impossible to verify.

However, it is a fact that between 5 and 7 percent of the major league players who participated in anonymous survey testing in 2003 tested positive for performance enhancing substances. Those figures almost certainly understated the actual level of use since players knew they would be tested at some time during the year, the use of human growth hormone was not detectable in the tests that were conducted, and, as many have observed, a negative test does not necessarily mean that a player has not been using performance enhancing substances.

Mandatory random testing, formally started in 2004 after the survey testing results, appears to have reduced the use of detectable steroids, but players switched to human growth hormone precisely because it is not detectable. Players who use human growth hormone apparently believe that it assists their ability to recover from injuries and fatigue during the long baseball season; this also is a major reason why players used steroids. Human growth hormone was the substance most frequently sold to players by Kirk Radomski, a former New York Mets clubhouse employee who was a significant source of illegal performance enhancing substances until late 2005. Separately, a number of players reportedly purchased human growth hormone

through “anti-aging” centers using dubious prescriptions written by physicians who never examined, or even met, the customers for whom they were writing prescriptions.

At the beginning of this investigation, I said that I would conduct a “deliberate and unbiased examination of the facts that will comport with basic American values of fairness.” To honor that commitment, I invited each current or former player about whom allegations were received of the illegal possession or use of performance enhancing substances to meet with me so that I could inform him of the evidence supporting the allegations and give him a chance to respond. The explanations provided by those players who we did interview were taken into account and are reflected in this report.

Among current players I asked to interview were five who have spoken publicly about the issue. When I did so, I made clear that there was no suggestion that any of the five had used performance enhancing substances, and I repeat here that clarifying statement. Four of the five declined. One of them, Frank Thomas of the Toronto Blue Jays, agreed. His comments were informative and helpful.

Since 1986, drug testing has been subject to collective bargaining in Major League Baseball. For many years, citing concerns for the privacy rights of players, the Players Association opposed mandatory random drug testing of its members for steroids or other substances. On the other side of the bargaining table, the owners and several Commissioners proposed drug testing programs but gave the issue a much lower priority in bargaining than economic issues. But when the opportunity was presented in 2002 to achieve agreement on a system of mandatory random drug testing, the Commissioner pressed hard on the issue and the Players Association agreed to the basic elements of the program that is in place today.

No drug testing program is perfect. The current drug testing program in Major League Baseball is the product of the give and take inherent in collective bargaining. It appears to have reduced the use of detectable steroids but by itself has not removed the cloud of suspicion over the game. Even as this investigation was underway, developments in several government investigations exposed the depth and breadth of the continuing illegal use of these substances in baseball (and in other sports) and made clear that this problem continues, years after mandatory random testing began and stringent penalties for failing those tests were adopted.

Plainly, baseball needs to do more to effectively address this problem. I have never met or talked with Jeff Kent of the Los Angeles Dodgers, but he appears to have understood this when he said in September, as reported in several newspapers: “Major League Baseball is trying to investigate the past so they can fix the future.”

That is the purpose of the recommendations that are set forth in detail in this report. In summary, they fall into three categories: (1) Major League Baseball must significantly increase its ability to investigate allegations of use outside of the testing program and improve its procedures for keeping performance enhancing substances out of the clubhouse; (2) there must be a more comprehensive and effective program of education for players and others about the serious health risks incurred by users of performance enhancing substances; and (3) when the club owners and the Players Association next engage in collective bargaining on the joint drug program, I urge them to incorporate into the program the principles that characterize a state-of-the-art program, as described in this report.

Although I sought and received a wide range of views, including the opinions of many experts in the field, the conclusions and recommendations in this report are mine alone,

following close consultation and extensive discussions with the very talented members of the staff I assembled to assist me in this effort.¹

A. The Investigation and this Report

On March 30, 2006, the Commissioner of Baseball, Allan H. (“Bud”) Selig, asked me to investigate allegations that a number of players in Major League Baseball had illegally used steroids and other performance enhancing substances. I accepted on the conditions that (1) I have total independence in conducting the investigation and in preparing this report; and (2) I have full freedom and authority to follow the evidence wherever it might lead, so that the investigation would not be limited to any one player or team. The Commissioner readily agreed. He pledged that this report, when completed, would be made public, a decision I agreed with. He promised his full support and he kept his promise.

The Commissioner retained the authority to determine whether any activities in the conduct of this investigation might violate his obligations under the Basic Agreement, including the joint drug program. I agreed to be bound by his decisions in that regard.

The Commissioner also retained the right to prohibit publication in this report of any information that he is under a legal duty to keep confidential. To enable him to make that determination, I agreed to provide his office the opportunity to review this report three business days before it was released publicly. No material changes were made as a result of that review.

I was assisted in this investigation by lawyers from the firm of DLA Piper US LLP and by several experts. They include Richard V. Clark, M.D., Ph.D., a leader in the fields

¹ I personally conducted many of the interviews that form the basis for this report, but because more than 700 interviews were taken during this investigation it was not possible for me to conduct all of them. Lawyers on my staff from the law firm of DLA Piper conducted the interviews that I did not attend. In this report, I use the pronouns “I” and “we” interchangeably because its findings are based on our work collectively, under my direction.

of andrology and endocrinology and Richard H. McLaren, HBA, LL.B., LL.M., C. Arb., a professor of law at the University of Western Ontario and a distinguished arbitrator for the Court of Arbitration for Sport.²

I requested the production of relevant documents from the Commissioner's Office, each of the thirty major league clubs, and the Players Association. We received and reviewed more than 115,000 pages of documents from the Commissioner's Office and the thirty clubs and over 20,000 electronic documents that were retrieved from the computer systems of the Commissioner's Office and some of the clubs. We also gathered and reviewed many documents from other sources, some of them public.

In the course of the investigation, we interviewed more than 700 witnesses in the United States, Canada, and the Dominican Republic. Over 550 of these witnesses were current or former club officials, managers, coaches, team physicians, athletic trainers, or resident security agents. We also interviewed 16 persons from the Commissioner's Office, including Commissioner Selig, president and chief operating officer Robert DuPuy, executive vice president for labor relations Robert D. Manfred, Jr., and former senior vice president for security and facility management Kevin Hallinan.

We sought to interview as many current and former players as possible. We attempted to reach almost 500 former players. Many of them declined to be interviewed, but 68 did agree to interviews. In addition, interviews of 3 former players were arranged through the assistance of federal prosecutors and law enforcement agents.

² Lawyers from Foley & Lardner LLP played a separate but important role as counsel for the Commissioner and Major League Baseball. Lawyers from Foley & Lardner did not participate in many of the interviews that we conducted and had no role in preparing this report other than reviewing it, as representatives of the Commissioner, three days before its release.

The Players Association was largely uncooperative. (1) It rejected totally my requests for relevant documents. (2) It permitted one interview with its executive director, Donald Fehr; my request for an interview with its chief operating officer, Gene Orza, was refused. (3) It refused my request to interview the director of the Montreal laboratory that analyzes drug tests under baseball's drug program but permitted her to provide me with a letter addressing a limited number of issues. (4) I sent a memorandum to every active player in Major League Baseball encouraging each player to contact me or my staff if he had any relevant information. The Players Association sent out a companion memorandum that effectively discouraged players from cooperating. Not one player contacted me in response to my memorandum. (5) I received allegations of the illegal possession or use of performance enhancing substances by a number of current players. Through their representative, the Players Association, I asked each of them to meet with me so that I could provide them with information about the allegations and give them a chance to respond. Almost without exception they declined to meet or talk with me.

My goal in preparing this report was to provide a thorough, accurate, and fair accounting of what I learned in this investigation about the illegal use of performance enhancing substances by players in Major League Baseball. To provide context for my conclusions and recommendations, I also include in the report the medical, legal, and historical issues that are part of this complex problem.

I have not included every allegation that we received or the results of every interview we conducted or every document we reviewed. Inevitably, much of that information was cumulative, not relevant, or of only marginal relevance. None of it would have materially altered the account that is provided.

B. The Problem Is Serious

The illegal use of performance enhancing substances poses a serious threat to the integrity of the game. Widespread use by players of such substances unfairly disadvantages the honest athletes who refuse to use them and raises questions about the validity of baseball records. In addition, because they are breaking the law, users of these substances are vulnerable to drug dealers who might seek to exploit their knowledge through threats intended to affect the outcome of baseball games or otherwise.

The illegal use of these substances to improve athletic performance also carries with it potentially serious negative side effects on the human body. Steroid users place themselves at risk for psychiatric problems, cardiovascular and liver damage, drastic changes to their reproductive systems, musculoskeletal injury, and other problems. Users of human growth hormone risk cancer, harm to their reproductive health, cardiac and thyroid problems, and overgrowth of bone and connective tissue.

Apart from the dangers posed to the major league player himself, however, his use of performance enhancing substances encourages young athletes to use those substances. Young Americans are placing themselves at risk of serious harm. Because adolescents are already subject to significant hormonal changes, the abuse of steroids and other performance enhancing substances can have more serious effects on them than they have on adults.³

Some estimates appear to show a recent decline in steroid use by high school students; they range from 3 to 6 percent.⁴ But even the lower figure means that hundreds of

³ See *Restoring Faith in America's Pastime: Evaluating Major League Baseball's Efforts to Eradicate Steroid Use: Hearing Before the H. Comm. on Gov't Reform*, 109th Cong. 307 (2005) (statement of Dr. Kirk Brower).

⁴ National Institute on Drug Abuse, *Monitoring the Future: Nat'l Survey Results on Drug Use, 1975-2006*, Vol. 1, at 44 (2006); Centers for Disease Control and Prevention, *National*

thousands of high school-aged young people are still illegally using steroids. It's important to devote attention to the Major League Baseball players who illegally used performance enhancing substances. It's at least as important, perhaps even more so, to be concerned about the reality that hundreds of thousands of our children are using them. Every American, not just baseball fans, ought to be shocked into action by that disturbing truth. The recent decline is welcome, but we cannot be complacent.

Don Hooton, whose son committed suicide after abusing anabolic steroids, created the Taylor Hooton Foundation for Fighting Steroid Abuse. In 2005 congressional testimony, Mr. Hooton said:

I believe the poor example being set by professional athletes is a major catalyst fueling the high usage of steroids amongst our kids. Our kids look up to these guys. They want to do the things the pros do to be successful.

* * *

Our youngsters hear the message loud and clear, and it's wrong. "If you would want to achieve your goal, it's OK to use steroids to get you there, because the pros are doing it." It's a real challenge for parents to overpower the strong message that's being sent to our children by your behavior.⁵

Finally, the illegal use in baseball of steroids and other performance enhancing substances victimizes the majority of players who do not use those substances. A September 2000 study by the National Center on Addiction and Substance Abuse observed that:

'Clean' athletes face three choices: (1) compete without performance-enhancing substances, knowing that they may lose to competitors with fewer scruples; (2) abandon their quest because they are unwilling to use performance-enhancing substances to achieve a decisive competitive

Youth Risk Behavior Survey: 1991-2003: Trends in the Prevalence of Marijuana, Cocaine and Other Illegal Drug Use (2004).

⁵ *Restoring Faith in America's Pastime: Evaluating Major League Baseball's Efforts to Eradicate Steroid Use: Hearing Before the H. Comm. on Gov't Reform*, 109th Cong. 307 (2005) (statement of Donald M. Hooton, president & director, Taylor Hooton Foundation).

advantage; or (3) use performance-enhancing substances to level the playing field.⁶

We heard from many former players who believed it was grossly unfair that some players were using performance enhancing substances to gain an advantage. One former player told us that one of the “biggest complaints” among players was that a “guy is using steroids and he is taking my spot.”

C. Governing Laws and Major League Baseball Policies

Anabolic steroids are listed as controlled substances under the federal Controlled Substances Act. Since 2004, the dietary supplement androstenedione and other steroid precursors have been as well. That means that it is illegal to use or possess steroids or steroid precursors without a valid physician’s prescription. Violations of this law carry penalties similar to those applicable to the illegal use or possession of narcotics. Human growth hormone is a prescription medication. It is illegal to issue a prescription for human growth hormone except for very limited purposes. Human growth hormone never has been approved for cosmetic or anti-aging uses, or to improve athletic performance. Issuing a prescription for human growth hormone for any of these unauthorized purposes is a violation of federal law.

Many have asserted that steroids and other performance enhancing substances were not banned in Major League Baseball before the 2002 Basic Agreement. This is not accurate. Beginning in 1971 and continuing today, Major League Baseball’s drug policy has prohibited the use of any prescription medication without a valid prescription.⁷ By implication,

⁶ National Center on Addiction and Substance Abuse at Columbia University, *Winning at Any Cost*, at 3 (Sept. 2000).

⁷ See Notice No. 12, Memorandum from Major League Baseball Office of the Commissioner to Administrative Officials of Major and Minor League Ball Clubs Re: Drug Education and Prevention Program, dated Apr. 5, 1971, ¶ 9 (“Baseball must insist its personnel

this prohibition applied to steroids even before 1991, when Commissioner Fay Vincent first expressly included steroids in baseball's drug policy. Steroids have been listed as a prohibited substance under the Major League Baseball drug policy since then, although no player was disciplined for steroid use before the prohibition was added to the collective bargaining agreement in 2002.

It is also inaccurate to assert, as some have, that baseball's drug policy was not binding on players before it was added to the collective bargaining agreement. Many players were suspended for drug offenses before 2002, even though none of those suspensions related to the use of steroids or other performance enhancing substances. Some suspensions were reduced in grievance arbitrations brought by the Players Association, but no arbitrator ever has questioned the authority of the Commissioner to discipline players for "just cause" based on their possession, use, or distribution of prohibited drugs.

For many years before 2002, the Players Association opposed any drug program that included mandatory random testing, despite several proposals for such a program from different Commissioners. The early disagreements on this issue centered around testing for cocaine and other "recreational" drugs, not steroids, but the effect of the Players Association's opposition was to delay the adoption of mandatory random drug testing in Major League Baseball for nearly 20 years.

However, opposition by the Players Association was not the only reason that mandatory random drug testing was not adopted. In 1994, Commissioner Selig and the club owners proposed a drug program that would have included some forms of testing and would have listed steroids among baseball's prohibited substances. Robert D. Manfred, Jr., who is now

comply with the federal and state drug laws. It is your obligation to be familiar with these drug laws.").

executive vice president for labor relations in the Commissioner's Office, recalled that anabolic steroids were included in the 1994 proposal to be proactive, and the decision to include steroids in the proposal was not based on any particular concern about the use of those substances in baseball at that time. He acknowledged that at the time the drug program was not as high a priority as economic issues.

The Players Association did not agree to the proposal. Officials of the Players Association said that the clubs did not appear to regard the 1994 proposal as a high priority and did not pursue its adoption vigorously. Indeed, Players Association executive director Donald M. Fehr recalled that the proposal never even reached the main bargaining table during negotiations.

Later that year, a work stoppage ended the season and resulted in the cancellation of the World Series. Play resumed in 1995 without a collective bargaining agreement, and the owners made no attempt to renew the drug program proposal when collective bargaining resumed. That bargaining resulted in an agreement that remained in effect until 2002, so the next proposal for a mandatory random drug testing program was made in those negotiations with the Players Association in early 2002.

In 2001, the Commissioner had unilaterally implemented drug testing throughout baseball's affiliated minor leagues. He used that program as the basis for his 2002 proposal to the Players Association for a major league program. The proposal included many of the elements of the current Major League Baseball joint program. Building from that proposal, the Players Association and the clubs negotiated the terms of a joint drug program as part of the 2002 Basic Agreement. For the first time, there was a program; it provided for the possibility of mandatory random drug testing of all major league players if more than 5% of players tested

positive for steroids during anonymous survey testing in 2003. After that did in fact occur, mandatory random drug testing began in Major League Baseball in 2004. That year, there were 12 undisputed positive tests for steroids. No player was suspended because the program did not provide for suspensions of first-time offenders at that time.

The Major League Baseball Joint Drug Prevention and Treatment Program has been modified twice since it originally was agreed to in 2002. In January 2005, human growth hormone (along with seventeen other compounds) was added to the list of prohibited substances. In addition, the Players Association agreed to more stringent penalties for a positive test for steroids (or similar substances) including, for the first time, a suspension of ten days for a player's first positive test. In 2005, 12 players tested positive for steroids and were suspended for ten days.

Later that year, further revisions were agreed to, including significant increases in penalties: a 50-game suspension for a first positive test; a 100-game suspension for a second positive test; and a permanent suspension for a third positive test. The penalties are unchanged since those revisions. The penalties for positive drug tests under the major league program are the strongest in major U.S. professional sports leagues.⁸ In 2006, two players tested positive for steroids and were suspended for 50 games. In 2007, three players were suspended for 50 games each for positive steroids tests.

In addition, in June 2006 Arizona Diamondbacks pitcher Jason Grimsley was suspended for 50 games based on "non-analytic" evidence that he had violated the policy,

⁸ In major professional sports leagues in the United States, athletes are represented in collective bargaining by players associations. Under federal law, drug testing is a subject of collective bargaining and, in this context, requires the agreement of the players associations. That is not the case with the Olympics or other traditionally amateur sports; there the governing bodies may unilaterally impose any program of their choice.

specifically, his reported admissions to federal agents that he had used steroids and human growth hormone. In September 2007, Cincinnati Reds catcher Ryan Jorgenson also was suspended for 50 games based on non-analytic evidence that he had violated the joint program. In December 2007, two players, Jay Gibbons and Jose Guillen, were each suspended for 15 days based on non-analytic evidence of past violations of the joint program.

D. The Rise of the “Steroids Era”

Reports of steroid use in Major League Baseball began soon after the widely publicized discipline of Canadian sprinter Ben Johnson at the Summer Olympic Games in September 1988. Jose Canseco of the Oakland Athletics was the subject of the first media speculation about his use of steroids, and Boston Red Sox fans taunted him for his alleged steroids use during the 1988 American League Championship Series.

News reports about alleged steroid use in baseball grew more frequent throughout the 1990s. In 1996, after a dramatic increase in offense throughout Major League Baseball, Ken Caminiti of the San Diego Padres was voted the National League’s Most Valuable Player. In a 2002 Sports Illustrated article, he admitted that he had been using steroids that season and credited them for his increased power. In August 1998, coverage of the issue reached what seemed at the time to be a peak, when an article reported that Mark McGwire was using the then-legal steroid precursor androstenedione while chasing the single-season home run record.

With the benefit of hindsight, it is clear that baseball missed the early warning signs of a growing crisis. Then, beginning in the summer of 2000, a number of incidents involving steroids or drug paraphernalia came to the attention of club and Commissioner’s Office officials, and the Players Association. They included:

- In June 2000, state police in Boston discovered steroids and hypodermic needles in the glove compartment of a vehicle belonging to a Boston Red Sox infielder;

- Also in June 2000, a clubhouse attendant found a paper bag containing six vials of steroids and over two dozen syringes in the locker of a pitcher with the Florida Marlins;
- In mid-September 2000, a clubhouse employee discovered a bottle of steroids and several hundred diet pills in a package that had been mailed to the ballpark for an Arizona Diamondbacks infielder;
- In October 2001, officers with the Canadian Border Service discovered steroids, syringes, and other drugs in an unmarked bag that came from the entourage of a Cleveland Indians outfielder;
- In September 2002, a bullpen catcher with the Montreal Expos was arrested for trying to send marijuana back to Florida with the Florida Marlins' luggage. He later told Major League Baseball security officials that he had supplied drugs to nearly two dozen major league players, including eight players for whom he said he had procured steroids.

Further inquiries were made in the Arizona and Montreal incidents, but in some of these cases, little investigation was conducted. Almost without exception, before this investigation began active major league players were not interviewed in investigations into their alleged use of performance enhancing substances.

Instead, players under suspicion frequently were subjected to "reasonable cause" testing for steroid use. Prior to the 2002 Basic Agreement those tests were the subject of an informal arrangement between the Commissioner's Office and the Players Association that involved negotiations in each case as to whether testing of a player would be conducted and, if

so, when. As a result, when they did occur, the tests were administered long after the allegations were received, and no suspected player ever tested positive for steroids in these tests.

Commissioner Selig and Rob Manfred both recognized the flaws in “reasonable cause” testing as it was conducted during those years. In 2002, Manfred told a Senate subcommittee that the process was “ad hoc at best, and dysfunctional at worst.”⁹ To remedy the problems, they focused their efforts on negotiating a comprehensive drug program with the Players Association which, when it was agreed to, included both mandatory random drug testing and its own formal procedure for reasonable cause testing.

More recently, the Commissioner’s Office has been more aggressive in responding to allegations of the use of steroids or other performance enhancing substances.

Examples include:

- In June 2004, a minor league athletic trainer discovered a vial of steroids in a package that had been mailed by a player on a major league 40-man roster. Manfred and his deputy investigated the incident and negotiated a resolution with the Players Association under which the player was immediately separated from his team and was required to submit to a drug test if he ever attempted to return to Major League Baseball;
- In June 2006, the Commissioner suspended Arizona Diamondbacks pitcher Jason Grimsley for 50 games based on admissions he reportedly made to federal law enforcement officers about his illegal use of performance enhancing substances.

The joint drug program did not expressly provide for a suspension under those

⁹ *Steroid Use in Professional Baseball and Anti-Doping Issues in Amateur Sports: Hearing Before the Subcomm. on Consumer Affairs, Foreign Commerce and Tourism of the S. Comm. on Commerce, Science and Transp.*, 107th Cong. 7 (2002).

circumstances, but as part of a later settlement the Players Association agreed that the suspension was appropriate and could be a precedent in the future;

- During 2007, the Commissioner's Office interviewed several players, and to date has suspended two of them, after news articles appeared alleging their past illegal use of performance enhancing substances.

E. The BALCO Investigation

Commissioner Selig asked me to conduct this investigation after the publication of *Game of Shadows*, a book that contained allegations about the illegal use of performance enhancing substances by major league players that were supplied by BALCO and the personal trainer Greg Anderson.

Throughout this investigation, a federal criminal investigation related to BALCO was ongoing. On November 15, 2007, former San Francisco Giants outfielder Barry Bonds was indicted for perjury and obstruction of justice based on his grand jury testimony in that investigation. The ongoing criminal investigation, and the resulting unwillingness of many participants to cooperate with me, limited my ability to gather information that was not already in the public record about the involvement of major league players with BALCO. The information that we did obtain is set forth in Chapter VII.

F. Evidence Obtained of Other Players' Possession or Use

Through the efforts of the United States Attorney's Office for the Northern District of California and federal law enforcement agencies, we obtained the cooperation of former New York Mets clubhouse employee Kirk Radomski. Radomski was interviewed by me and members of my investigative staff on four occasions, with federal law enforcement representatives participating in all interviews and his lawyer participating in three of them.

Radomski identified a large number of current or former major league players to whom he said he illegally sold steroids, human growth hormone, or other substances.

Radomski also provided me with a number of documents relating to his transactions with players in Major League Baseball, including copies of deposited checks that he retrieved from his banks, copies of some shipping labels or receipts, his telephone records for two years, and a copy of his address book in the form in which it was seized by federal agents when they executed a search warrant at his home.

We also obtained information from sources other than Radomski about players' possession or use of performance enhancing substances. These included several former major league players and two former strength and conditioning coaches, some of whom met with us voluntarily; others did so at the request of federal law enforcement officials.

As a result, we gathered sufficient evidence about their alleged illegal possession or use of performance enhancing substances to identify in this report dozens of current or former players in Major League Baseball. Each of the players was invited to meet with me to provide him with information about the allegations against him and give him an opportunity to respond.

Both pitchers and position players are named in this report. Some of those named are prominent, including winners of significant post-season awards. Many played in the World Series or in All-Star games. Others are less well known, and some had only brief careers at the major league level. The players were with clubs spread throughout Major League Baseball, as Radomski's customers referred their friends and teammates to him as they moved from club to club.

I carefully reviewed and considered all of the information we received about the purchase, possession, or use of performance enhancing substances by Major League Baseball players.

1. Kirk Radomski provided substantial information about the distribution of performance enhancing substances, and in many cases his statements were corroborated by other evidence. He did not, however, observe or participate in the use of performance enhancing substances by any player named in this report, with one exception that is described below.

The corroboration took many forms, including: (a) the admission by eleven players that Radomski had supplied them with performance enhancing substances, as he had said in our interviews of him;¹⁰ (b) checks or money orders written to Radomski by some players in appropriate amounts; (c) mailing receipts for shipments of performance enhancing substances by Radomski to some players; (d) statements by other witnesses supporting the allegations of use by some players; (e) the names, addresses, and/or telephone numbers of many players were found in Radomski's seized address book; (f) telephone records showing calls between Radomski and some players; and (g) a positive drug test.

I did not include in this report the names of three players to whom Radomski said he sold performance enhancing substances: two of them because the players had retired from Major League Baseball by the time of the alleged sales; and one of them because the player admitted that he had purchased and possessed the substances but denied that he had used them and his version of events was corroborated by other credible evidence.

I interviewed Radomski four times (in June, July, October, and November 2007), three times in person, once by telephone. His personal lawyer participated in three of the

¹⁰ Two players admitted receipt and possession of illegal performance enhancing substances sold by Radomski but denied they ever used them.

interviews. Federal law enforcement officials and members of my staff participated with me in all of the interviews. No one from the Commissioner's Office, any club, or the Players Association participated in these interviews.

During each of the interviews, the law enforcement officials warned Radomski that if he made any false statements he would forfeit their commitment to recommend a more lenient sentence and he would face further criminal jeopardy. Before the interviews, Radomski had been debriefed extensively by federal prosecutors and agents. They subsequently confirmed that the information he provided to us in his interviews was consistent with the information he had previously provided to them.

2. Six players are named based on information obtained from persons other than Radomski or former major league strength and conditioning coach Brian McNamee. In each case, these allegations are supported by one or more of the following: (a) checks; (b) prior consistent statements; (c) a statement made about a player's use where the witness was a friend of the player identified and under circumstances in which the witness faced criminal exposure for making a false statement; (d) statements reporting a witness's direct observation of the player using a performance enhancing substance; (e) the player's own admission of his use.

3. Brian McNamee said that he was a direct eyewitness and participant in alleged illegal use by three players who he served as a personal trainer. I interviewed him three times (in July, October, and December 2007), once in person and twice by telephone.¹¹ His personal lawyer participated in each interview. Federal law enforcement officials and members of my staff participated with me in all of the interviews. No one from the Commissioner's Office, any club, or the Players Association participated in these interviews.

¹¹ In addition, a member of my investigative staff interviewed him by telephone on a fourth occasion in December 2007; his personal lawyer also participated.

During each of the interviews, the law enforcement officials warned him that he faced criminal jeopardy if he made any false statements. With respect to two of the players, McNamee was acting against his financial interest in disclosing this information. Before the interviews, McNamee had been debriefed extensively by federal prosecutors and agents. They subsequently confirmed that the information he provided to us in his interviews was consistent with the information he had previously provided to them.

In some cases, I include statements by club personnel in emails or other documents commenting on a player's alleged drug use. Those statements are cited as corroboration of other evidence that a player possessed or used performance enhancing substances; they did not serve as the primary basis for any of the decisions I made. No player is identified in this report on the basis of mere suspicion or speculation.

Radomski met with many players while they were in New York, where he lives. Most of his business, however, was conducted by telephone and mail or overnight delivery. He sent drugs to their homes, to hotels, and in some cases to major league clubhouses. He was paid by check, by money order, or in cash.

Even before mandatory random drug testing began in Major League Baseball, Radomski observed players moving away from oil-based steroids that stay in the body for a long time, to water-based steroids that clear the body faster. Because human growth hormone cannot be detected in a urine test, as mandatory random drug testing was implemented many players switched to it even when they concluded that it was less effective than steroids.

A detailed discussion of Radomski's network of customers, and other players for whom evidence has been obtained of their alleged possession or use of performance enhancing substances, is provided in Chapter VIII of the report.

G. Players' Use of Substances Purchased from Anti-Aging Centers

In February 2007, a government task force executed search warrants on Signature Compounding Pharmacy in Orlando, Florida and other businesses, including several so-called "rejuvenation centers," exposing another source of illegal performance enhancing substances. Some businesses that describe themselves as anti-aging or rejuvenation centers sell steroids or human growth hormone and arrange for buyers to obtain prescriptions for those substances from corrupt or suspended physicians or even, in some cases, a dentist. The prescriptions are then filled by a compounding pharmacy affiliated with the center and delivered to the buyer either through the mail or at the "clinic."

In a series of news reports during 2007, eight active major league players and eight former players were identified as appearing in the customer records of either anti-aging clinics or compounding pharmacies that are involved in this illegal trade. Those players reportedly purchased steroids, human growth hormone, and other drugs used to counteract the effects of steroid use.

Several players mentioned in these news reports admitted that they purchased human growth hormone from an anti-aging clinic or rejuvenation center and claimed that the purchases were to treat an injury or other medical condition. The Food and Drug Administration has never approved the use of human growth hormone to treat an athletic injury, to become more lean, or to improve athletic performance. The use of human growth hormone is a violation of federal law if not for an authorized purpose, even if with a prescription. In any event, based on the news reports it is doubtful that the prescriptions were valid.

In the section of this report entitled "Alleged Internet Purchases of Performance Enhancing Substances By Players in Major League Baseball," I briefly describe alleged purchases by sixteen players. The information in that section was obtained from public sources,

primarily news articles. All of these disclosures arose out of investigations by federal and state law enforcement agencies.

H. Major League Baseball's Joint Drug Prevention and Treatment Program

The joint drug prevention and treatment program was added to the Basic Agreement in 2002. Under that program, testing has been conducted of players in Major League Baseball since 2003, first in the form of anonymous survey testing in 2003, and thereafter in mandatory random testing that now carries with it severe penalties for violations. The program has been amended formally twice since 2002 as the result of negotiations between the Commissioner and the Players Association, and other minor modifications also have been made. As a result, penalties have been increased, the list of prohibited substances has been lengthened, and some improvements in procedures have been made.

Adoption of the current program was a positive first step. The information obtained in this investigation suggests that the use of detectable steroids by players in Major League Baseball has declined but the use of human growth hormone has increased. In some respects, however, the program still falls short of current best practices in drug testing for the use of performance enhancing substances.

The drug testing programs in all sports, including the Olympics, have evolved over time through a process of trial and error, as the programs were modified to address problems and concerns. In that respect, baseball's program has been like all the others. The challenge now is to take the program to a new and higher level and to then continue the process of improvement to deal with the problems and concerns which cannot be foreseen but which inevitably will arise. Certain characteristics are now widely recognized as essential to an effective testing program. These are: independence of the program administrator; transparency

and accountability; effective, year-round, unannounced testing; adherence to best practices as they develop; due process for athletes; adequate funding; and a robust education program.

Programs based on these principles can more readily adapt to changing circumstances in the ongoing contest between athletes who compete clean and those who do not, although even the strongest program by itself cannot entirely eradicate the use of banned substances. The Major League Baseball joint drug program can be strengthened in several of these areas. Most notably, the program is not administered by a truly independent authority. Although in their latest revisions to the program the parties established an “independent program administrator,” the Commissioner’s Office and the Players Association continue to retain authority over the program administrator and other important issues.

The current program also lacks transparency, an essential attribute to demonstrate the integrity and effectiveness of the program to outside observers. Transparency is most often obtained by issuing periodic reports on a program’s operations, including reporting aggregate data on testing, and by regular audits, neither of which is now done under the joint program.

Concerns have been raised about the collection procedures used, including allegations that some players received advance notice of testing. In *Game of Shadows*, and in an earlier San Francisco Chronicle article, the authors described a surreptitious recording of a conversation that reportedly occurred in spring 2003 between Greg Anderson and an unidentified person. In that conversation, Anderson reportedly claimed that he would receive notice of upcoming tests between one and two weeks in advance. He also reportedly claimed that testing was “going to be either at the end of May or beginning of June . . .”

I could not obtain a copy of the recording or otherwise confirm that Anderson made these statements, or that he made them before late May 2003 as reported by the authors.

However, records that we obtained from the contractor who administered his tests show that Bonds was tested on May 28 and June 4, 2003. Therefore, if the report of this conversation is accurate Anderson correctly predicted the dates of testing, at least for his client Barry Bonds.

We interviewed the relevant personnel from Comprehensive Drug Testing, Inc., the company responsible for sample collection under the Major League Baseball joint drug program. Those witnesses denied that they provided advance notice of test dates to Bonds or anyone else. CDT witnesses also told us that advance notice of testing dates was never provided to Quest Diagnostics, Inc., the laboratory that processed test samples, so Quest personnel could not have been the source of advance notice to anyone else. A Quest spokesman was reported to have said the same thing in the original news article about the recording.

I also investigated other allegations that some players received advance notice of tests in 2004. In April 2004 federal agents executed search warrants on the two private firms involved in the 2003 survey testing, Comprehensive Drug Testing, Inc. and Quest Diagnostics, Inc.; the warrants sought drug testing records and samples for ten major league players connected with the BALCO investigation. In the course of those searches, the agents seized data from which they believed they could determine the identities of the major league players who had tested positive during the anonymous survey testing.

Shortly after these events, the Players Association initiated discussions with the Commissioner's Office regarding a possible suspension of drug testing while the federal investigation proceeded. Manfred said the parties were concerned at the time that test results that they believed until then raised only employment issues had now become an issue in a pending criminal investigation. Ultimately, the Commissioner's Office and the Players Association agreed to a moratorium on 2004 drug testing. While the exact date and length of this moratorium

is uncertain, and the relevant 2004 testing records have been destroyed, Manfred stated that the moratorium commenced very early in the season, prior to the testing of any significant number of players. Manfred stated that the Players Association was not authorized to advise its members of the existence of the moratorium.

According to Manfred, the moratorium lasted for a short period. For most players, drug tests then resumed. With respect to the players who the federal agents believed had tested positive during 2003 survey testing, however, the Commissioner's Office and the Players Association agreed that: (1) the Players Association would be permitted to advise those players of this fact, since that information was now in the hands of the government; (2) the testing moratorium would continue with respect to those players until the Players Association had an opportunity to notify them; and (3) the Players Association would not advise any of the players of the limited moratorium.

Sometime between mid-August and early September 2004, Manfred contacted Orza because the Players Association had not yet notified the players involved. The 2004 season was drawing to a close without those players having been tested because they remained under the moratorium. Manfred said that he pressed Orza to notify the players as soon as possible so that they could be tested. All of the players were notified by early September 2004.

A former major league player stated that in 2003 he was tested as part of the survey testing program. He said that in September 2004, Gene Orza of the Players Association told him that he had tested positive in 2003 and that he would be tested in the next two weeks. Independently, Kirk Radomski told us that this former player had earlier told him the same thing about Orza's statements shortly after the conversation between Orza and the former player

occurred. In addition, the former player Larry Bigbie told us that the same former player had told him the same thing about his conversation with Orza.

Furthermore, according to Bigbie, in 2004 a current player admitted to Bigbie that he also had been told by a representative of the Players Association that he had tested positive for steroids in 2003.

I am not permitted to identify either the former player with whom we spoke or the current player who made the admission to Bigbie because the Commissioner's Office and the Players Association have concluded that for me to do so would violate the confidentiality provisions of the joint program.

According to the redacted affidavit filed in support of a search warrant sought for Jason Grimsley's residence, Grimsley told federal agents that he, too, was informed that he had tested positive for anabolic steroids in 2003. The identity of the person who so advised Grimsley is redacted in the public version of the affidavit, and I did not have access to the unredacted version.¹²

Other players may have received similar notice, since (1) the program required that each player be tested once during the 2004 season, (2) the Commissioner's Office and the Players Association agreed that, since the government had the names of the players who they believed had tested positive in 2003, those players should be notified and should not be tested in 2004 until that notification had taken place, and (3) that notification did not take place until late August or early September 2004, just weeks before the season ended.

Orza declined my request for an interview.

¹² Affidavit of IRS Special Agent Jeff Novitzky in Support of Search Warrant, sworn to on May 31, 2006, ¶ 16.

Officials of the Commissioner's Office emphasized that the circumstances described above represented an emergency response to an unforeseen event: a government investigation that obtained the names of players who had tested positive in the 2003 survey testing, information that the parties had agreed in advance would be anonymous. Consequently, they assert that it does not describe the normal operation of the program.

The Players Association objected to my making any reference to this matter in this report. I offered to include a statement by the Association and they provided me with the following:

Because of certain actions by the Government in 2004 (which led to litigation, much of which has been under seal), the parties were forced to confront a serious threat to the confidentiality and integrity of our program. To combat that threat, and indeed to save the credibility of our program, the parties undertook certain measures in that year only. These were not unilateral actions undertaken by the MLBPA, but actions discussed and agreed upon between the MLBPA and the Commissioner's Office. Each party was fully aware and in agreement with the steps the other was taking.

The MLBPA believes that, by publishing in this Report anything related to these subjects, Senator Mitchell and the Commissioner's Office are breaching promises of confidentiality made to the MLBPA and to its members.

I. Recommendations

To prevent the illegal use of performance enhancing substances in Major League Baseball, I make a series of recommendations. Some can be implemented by the Commissioner unilaterally; some are subject to collective bargaining and therefore will require the agreement of the Players Association.

The recommendations below focus on three principal areas: investigations based upon non-testing evidence; player education; and further improvements in the testing program. These recommendations are designed to work in combination with one another to more

effectively combat performance enhancing substance violations. It bears emphasis that no testing program, standing alone, is enough. Certain illegal substances are difficult or virtually impossible to detect, and law enforcement investigations of Kirk Radomski and compounding pharmacies and anti-aging clinics show that, even in this era of testing, players can continue to use performance enhancing substances while avoiding detection. Indeed, one leading expert has argued that “testing only scratches the surface.” The ability to investigate vigorously allegations of performance enhancing substance violations is an essential part of any meaningful drug prevention program.

First, the Commissioner should create a Department of Investigations, led by a senior executive who reports directly to the president of Major League Baseball, to respond promptly and aggressively to allegations of the illegal use or possession of performance enhancing substances. The success of that official will depend in part upon his interaction with law enforcement officials, who in the course of their own investigations obtain evidence of athletes’ possession or use of illegal substances that, under appropriate circumstances, can be shared with sports leagues, as recent events in both Major League Baseball and other sports have demonstrated.

The Commissioner also should strengthen existing efforts to keep illegal substances out of major league clubhouses. Given the evidence that many players have had steroids and human growth hormone shipped to them at major league ballparks, packages delivered to players through their clubs should be logged and tracked. Clubs also should be required to adopt policies to ensure that allegations of a player’s possession or use of performance enhancing substances are reported promptly to the Department of Investigations.

Second, improved educational programs about the dangers of substance use are critical to any effort to deter performance enhancing substance use. Over the last several years, the Commissioner's Office and the Players Association have made an increased effort to provide players and some club personnel with educational materials on performance enhancing substances. Some of these efforts have been effective, but we heard criticism from both former players and club personnel about the anti-steroids education programs.

Most of the educational programs we reviewed address the side effects of performance enhancing substance use and the deleterious health effects of long-term use. According to Dr. Jay Hoffman, a former professional athlete and expert in the field, discussions of health risks alone, although important, generally will not deter a player from using these substances because players who consider using performance enhancing substances do not view them as dangerous if used properly. To counter this skepticism, Dr. Hoffman proposes that education about the dangers of performance enhancing substances be combined with education on how to achieve the same results through proper training, nutrition, and supplements that are legal and safe.

Another health risk associated with performance enhancing substances is the unknown nature and origin of the substances. Players need to be aware of the risks associated with buying black market drugs.

The public outcry over the use of performance enhancing substances in professional sports has provided the substance dealer with an opportunity to exploit his relationship with a player. Those players who buy and use illegal performance enhancing substances place their livelihoods and reputations in the hands of drug dealers. Players also

should be reminded of their responsibilities as role models to young athletes, who in emulating major league players' illegal substance use will place themselves at risk.

Third, although it is clear that even the best drug testing program is, by itself, not sufficient, drug testing remains an important element of a comprehensive approach to combatting the illegal use of performance enhancing substances. In Major League Baseball, however, the Commissioner does not have the authority to act unilaterally on drug testing; the agreement of the Players Association is required. The current joint drug program is part of the Basic Agreement that was agreed to in 2006 and will remain in effect until 2011. Any changes to the program therefore must be negotiated with and agreed to by the Players Association. Neither party is obligated to agree to reopen the Basic Agreement to address the program, even though that is what happened in 2005. There is no way for me to know whether that will happen again.

In recognition of the uncertainties associated with both the timing of further action on drug testing and the position of the parties when that action does take place, I set forth in this report the principles that presently characterize a state-of-the-art drug testing program. Every program should be updated regularly to keep pace with constantly changing challenges and best practices. It will be for the clubs and the Players Association to decide when to undertake a fresh review of these issues. When they do, I urge them to incorporate into the Major League Baseball joint drug program the principles described in this report.

The program should be administered by a truly independent authority that holds exclusive authority over its structure and administration. This could be in the form of an independent expert who cannot be removed except for good cause, an independent non-profit corporation, or another structure devised and agreed to by the Players Association and the major league clubs.

The program should be transparent to the public, by allowing for periodic audits of its operations and providing regular reports of aggregate data on testing and test results. The program should include adequate year-round, unannounced testing and employ best practices as they develop. How the program achieves those objectives is best left to a truly independent administrator to decide. To ensure that he can accomplish these objectives, the program should receive sufficient funding. The program should continue to respect the legitimate privacy and due process rights of the players.

* * *

All of these recommendations are prospective. The onset of mandatory random drug testing, the single most important step taken so far to combat the problem, was delayed for years by the opposition of the Players Association. However, there is validity to the assertion by the Players Association that, prior to 2002, the owners did not push hard for mandatory random drug testing because they were much more concerned about the serious economic issues facing baseball.

To prolong this debate will not resolve it; each side will dig in its heels even further. But it could seriously and perhaps fatally detract from what I believe to be a critical necessity: the need for everyone in baseball to work together to devise and implement the strongest possible strategy to combat the illegal use of performance enhancing substances, including the recommendations set forth in this report.

I was asked to investigate the use of performance enhancing substances by major league players and to report what I found as fairly, as accurately, and as thoroughly as I could. I have done so.

Only the Commissioner is vested with authority to take disciplinary action. Any such determination is properly for the Commissioner to make, subject to the players' right to a hearing.

I urge the Commissioner to forego imposing discipline on players for past violations of baseball's rules on performance enhancing substances, including the players named in this report, except in those cases where he determines that the conduct is so serious that discipline is necessary to maintain the integrity of the game. I make this recommendation fully aware that there are valid arguments both for and against it; but I believe that those in favor are compelling.

First, a principal goal of this investigation is to bring to a close this troubling chapter in baseball's history and to use the lessons learned from the past to prevent the future use of performance enhancing substances. While that requires us to look back, as this report necessarily does, all efforts should now be directed to the future. That is why the recommendations I make are prospective. Spending more months, or even years, in contentious disciplinary proceedings will keep everyone mired in the past.

Second, most of the alleged violations in this report are distant in time. For current players, the allegations of possession or use are at least two, and as many as nine years old. This covers a period when Major League Baseball made numerous changes in its drug policies and program: it went from limited probable cause testing to mandatory random testing; since 2002, the penalties under the program have been increased several times; human growth hormone was not included as a prohibited substance under the joint drug program until 2005. Under basic principles of labor and employment law, an employer must apply the policies in place at the time of the conduct in question in determining what, if any, discipline is appropriate.

Until 2005, there was no penalty for a first positive drug test under the joint drug program, although the Commissioner has always had the authority to impose discipline for “just cause” for evidence obtained outside of the program.¹³

Third, and related, more than half of the players mentioned in this report are no longer playing in Major League Baseball or its affiliated minor leagues and thus are beyond the authority of the Commissioner to impose discipline.

Fourth, I have reported what I learned. But I acknowledge and even emphasize the obvious: there is much about the illegal use of performance enhancing substances in baseball that I did not learn. There were other suppliers and there have been other users, past and present. Many of those named in this report were supplied by Kirk Radomski. Yet plainly he was not the only supplier of illegal substances to major league players. Radomski himself said that some players told him they had other sources. And the evidence demonstrates that a number of players have obtained performance enhancing substances through so-called “rejuvenation centers” using prescriptions of doubtful validity.

Fifth, the Commissioner promised, and I agreed, that the public should know what I learned from this investigation. Perhaps the most important lesson I learned is that this is a serious problem that cannot be solved by anything less than a well-conceived, well-executed, and cooperative effort by everyone involved in baseball. From my experience in Northern Ireland I learned that letting go of the past and looking to the future is a very hard but necessary step toward dealing with an ongoing problem. That is what baseball now needs.

¹³ It should be noted, however, that the rule that there would be no discipline for the first positive test was part of the quid pro quo for the Players Association’s agreement to mandatory random drug testing. Indeed, the Basic Agreement protects a “First Positive Test Result” from discipline but does not similarly protect the first use of steroids from discipline. The primary evidence of wrongdoing in this report was not obtained from baseball’s testing program but rather from an independent investigation.

The Commissioner should give the players the chance to make a fresh start, except where the conduct is so serious that he must act to protect the integrity of the game. This would be a tangible and positive way for him to demonstrate to the players, to the clubs, to the fans, and to the general public his desire for the cooperative effort that baseball needs to deal effectively with this problem. It also would give him a clear and convincing basis for imposing meaningful discipline for future violations.

J. Conclusions

There has been a great deal of speculation about this report. Much of it has focused on players' names: how many and which ones. After considering that issue very carefully I concluded that it is appropriate and necessary to include them in this report. Otherwise I would not have done what I was asked to do: to try to find out what happened and to report what I learned accurately, fairly, and thoroughly.

While the interest in names is understandable, I hope the media and the public will keep that part of the report in context and will look beyond the individuals to the central conclusions and recommendations of this report. In closing, I want to emphasize them:

1. The use of steroids in Major League Baseball was widespread. The response by baseball was slow to develop and was initially ineffective. For many years, citing concerns for the privacy rights of the players, the Players Association opposed mandatory random drug testing of its members for steroids and other substances. But in 2002, the effort gained momentum after the clubs and the Players Association agreed to and adopted a mandatory random drug testing program. The current program has been effective in that detectable steroid use appears to have declined. However, that does not mean that players have stopped using performance enhancing substances. Many players have shifted to human growth hormone, which is not detectable in any currently available urine test.

2. The minority of players who used such substances were wrong. They violated federal law and baseball policy, and they distorted the fairness of competition by trying to gain an unfair advantage over the majority of players who followed the law and the rules. They - the players who follow the law and the rules - are faced with the painful choice of either being placed at a competitive disadvantage or becoming illegal users themselves. No one should have to make that choice.

3. Obviously, the players who illegally used performance enhancing substances are responsible for their actions. But they did not act in a vacuum. Everyone involved in baseball over the past two decades - Commissioners, club officials, the Players Association, and players - shares to some extent in the responsibility for the steroids era. There was a collective failure to recognize the problem as it emerged and to deal with it early on. As a result, an environment developed in which illegal use became widespread.

4. Knowledge and understanding of the past are essential if the problem is to be dealt with effectively in the future. But being chained to the past is not helpful. Baseball does not need and cannot afford to engage in a never-ending search for the name of every player who ever used performance enhancing substances. The Commissioner was right to ask for this investigation and report. It would have been impossible to get closure on this issue without it, or something like it.

5. But it is now time to look to the future, to get on with the important and difficult task that lies ahead. Everyone involved in Major League Baseball should join in a well-planned, well-executed, and sustained effort to bring the era of steroids and human growth hormone to an end and to prevent its recurrence in some other form in the future. That is the

only way this cloud will be removed from the game. The adoption of the recommendations set forth in this report will be a first step in that direction.

