

**TESTIMONY OF JIM SCHERR  
CHIEF EXECUTIVE OFFICER  
UNITED STATES OLYMPIC COMMITTEE**

**BEFORE THE**

**HOUSE ENERGY AND COMMERCE SUBCOMMITTEE ON  
COMMERCE, TRADE and CONSUMER PROTECTION**

**Wednesday, February 27<sup>th</sup>, 2008**

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Good morning Mr. Chairman and Members of the Subcommittee. My name is Jim Scherr and I am the Chief Executive Officer of the United States Olympic Committee. My experience goes beyond the management of an organization overseeing all Olympic activity in the United States. I am a former NCAA championship wrestler and an Olympic athlete, and have experienced the pressures and challenges that confront athletes on all levels, and which is at the heart of the discussion today. I am pleased to have been invited to appear before this subcommittee because the subject, the use of certain dangerous and prohibited chemical substances to improve athletic performance, is one about which the USOC has considerable concern on many levels. But it is also an area where the USOC has made significant strides through the development of an anti-doping program that has become a model for the world.

Let me begin by briefly explaining who and what the USOC is. Chartered by Congress through the Ted Stevens Olympic and Amateur Sports Act, we have numerous responsibilities that impact the national interest, among the most obvious being the fielding of athletes to compete for the United States in the Olympic, Paralympic, and Pan American Games. In reach and scope we are a large organization, overseeing the governance of forty-five national sports governing bodies and have in our membership numerous educational, community, military, and disability groups whose activities collectively involve and impact millions of Americans of all ages and all levels of athletic competency.

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In addition, we are guided by a provision of the USOC's mission statement that proclaims that we are committed to "preserving the Olympic ideal." The Olympic ideal, as enumerated in the Olympic Charter to which all participating Olympic nations must subscribe, stresses the attributes of fair play, and the respect for fundamental ethical principles. The use by any athlete in the Olympic Movement of any banned drug to improve his or her athletic performance is a gross betrayal of those principles.

In discussing what has contributed to our progress and success in the fight against doping in sport, I should note that the USOC operates in a unique environment. Participation in the international events we oversee is governed by rules and protocols that are put in place at the International level which impact the dynamics between us and the athletes we oversee. We do, however, have Congressionally-granted control over who is named to the U.S. Olympic Team. In order to be eligible for membership on a U.S. Olympic Team, we require that an athlete comply totally with the USOC's anti-doping policies and programs, which include unlimited and unannounced out-of-competition examinations.

I won't go into the details of the mechanics of these tests and the manner in which positives are adjudicated because those are subjects that are better addressed by Travis Tygart, the CEO of the United States Anti-Doping Agency, otherwise known by its acronym, "USADA." However, I believe it is important to highlight for the Subcommittee that USADA was created by the USOC and established by the USOC in 2000 to function as an independent drug testing and adjudication entity. Further, I will

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comment about certain of USADA's characteristics which, I am pleased to say, are consistent with the generally accepted best practices for anti-doping programs.

Although USADA today is jointly funded by the USOC and the federal government, it is operationally independent of the USOC and any of the sports governing bodies whose athletes are subject to the anti-doping programs USADA conducts and the USOC requires. Dedicated to the fulfillment of a mission that concentrates on testing, adjudication, education, and research, USADA conducts its business in a highly transparent manner that virtually eliminates any question of conflict of interest.

The USOC is pleased with the progress made by USADA and the success of the USOC's stringent anti-doping program, but recognizes that more must be done if we are to win the battle against doping in sport.

Two areas which I would like to address where additional efforts and improvements should be made are in the areas of research and education.

First of all is the matter of research. Effective drug testing is dependent upon not only the willingness of an individual to submit to an examination, but also to the efficacy of a test to determine whether that individual's body is carrying one or more prohibited substances. Athletes who choose to cheat, are increasingly sophisticated in identifying methods to beat anti-doping programs.

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Substances such as human growth hormone as well as other “designer” drugs being developed and refined on an ongoing basis by those who would seek to cheat are complicated and difficult to detect through current testing protocols. Better, more reliable tests are needed and those will require considerable research. However, the resources that have been devoted to research are limited, and while other organizations may be independently pursuing work in this area, the efforts tend to be uncoordinated and fragmented. It was because of this that the USOC proposed a collaborative effort in the area of research, the “Partnership for Clean Competition”. I am pleased to recognize those organizations who have initially joined in this effort and thank them for their leadership and commitment.

The new Partnership for Clean Competition that we are launching will invest more funds, targeted more directly and, presumably, more effectively, toward research that may result in more reliable, non-invasive, and cost-effective tests that will easily reveal the presence of a variety of substances in an individual. But what is accomplished will still be limited and we need to expand the resources of our partnership. In light of this, perhaps there is an opportunity for the federal government to consider support of these efforts through federal grants or other contributions. Additionally, we would welcome an exploration by the government of whether there may be government health-related organizations that can also help with this effort.

The second area I would like to briefly address is education.

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People, particularly young people, are educated as much by observing what happens in their world as what is presented in the classroom. And when it is disclosed that certain athlete role models have used banned substances to improve their performance, it sends a terrible message on many levels.

First of all it implicitly condones cheating. The use of banned or illegal substances to improve athletic performance is nothing more than cheating. Secondly, there is the perception that aside from the ethical concerns, there are few, if any, deleterious health consequences of using these substances. Both children and adults are exposed to a constant barrage of advertising, news stories regarding how celebrities have used certain drugs to retain or renew their youth, and suggestions that certain exotic “natural substances,” readily available in health food stores, offer a panacea for health, fitness and well-being. Such information often masks reports of the tragic consequences that can lead to depression, suicides, and the development of other fatal conditions, all of which appear to have resulted from the use of certain of these substances.

On the education front the leagues, certain government agencies such as the Office of National Drug Control Policy, private coalitions, and others have launched campaigns to educate society against both the dangers and the ethical contradictions of using chemical substances to improve athletic performance. These have all been quite effective but there are still gaps and the message still seems not to be getting through at least to some segments of society. With proper support, I see an opportunity for the USOC to join

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with others in the area of education. In this way we might fill a gap in communicating an effective message that is otherwise eluding some young people.

Some observers have questioned the legitimacy and advisability of the federal government involving itself in matters that may be better addressed by and are the province of the private sector. We offer no opinion regarding what is best for the professional leagues but would note for the Subcommittee that we believe that the USOC's and the Olympic Movement's stringent system far surpasses any program that could readily be required by the federal government. If the USOC has the ability to address these issues without government oversight, we fully believe that the professional leagues have the ability as well. It is only a question of when and how. But we nevertheless recognize that there are areas such as research and education where we need to work together as a team. That, I am convinced, is the appropriate role for the government to play in this important challenge and ask my colleagues in the professional leagues to join the United States Olympic Committee in extending this invitation to the federal government to partner with us in this area.

Thank you for your consideration of these thoughts but more importantly, thank you for your attention to this issue which poses a considerable threat to American society if left unchecked.