Congressional Interest in Professional Sports During the Steroid Era

by

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Introduction (Section I)

Over the past two decades there have been advances in science and medicine in the creation of performance- enhancing drugs. These drugs give athletes the ability to perform beyond their natural capabilities. The media’s exposure of performance-enhancing drugs and these idolized athletes has caused a transformation of the integrity of professional sports in the United States. This transformation has given rise to many public policy questions, concerns, and debates over whether the use of such drugs should be allowed, how it should be handled, and who should be responsible to restore the integrity of professional sports in the United States.

Professional sports play a vital role in the United States, not only socially but economically as well. Socially professional sports provide citizens with a source of entertainment, and give people a common interest among one another. Professional sports has proven to be a crucial part of the economy as well; professional sports is a multi-billion dollar a year industry, it provides for countless jobs and opportunities for people to have careers within the sporting industry. This is why ensuring the integrity of professional sports is an important issue to the federal government. Any decline in fanfare and revenue could have detrimental consequences for society as a whole. It is essential to understand the history of performance- enhancing drug use in the United States to know why this is an important topic to do research on.

Steroid use not only in sports but also in the general public is a highly debated issue that continues to change and evolve (Yesalis 1969; Saka 2007; Collins 2005). Understanding the full context of the use of steroids helps us understand why Congress
needs to continue to discuss and regulate their use. Developing a strict performance-enhancing drugs test for professional athletes, while not imposing on these athletes’ individual privacy rights has proven to be quite a difficult task. However while these performance drugs continue to develop, so do the methods of testing for them.

Research has been done on congressional regulation of professional sports. However this research focuses on the actions the federal government has taken to regulate professional sports (Arcella 1997; Collins 2006), and if the federal government should be regulating professional sports in the first place (Hudson 2002; Whitman 2008). The question of what makes the federal government interested in regulating professional sports has yet to be answered, and remains the missing piece of the puzzle to understand the relationship between professional sports and the federal government. Professional sports, as a business is a quite different and complex entity to understand. Making the relationship between sports and the legislative branch of the federal government an essential part of how sports are regulated.

The purpose of this paper is to ask how Congress determines what issues it should be interested in. To complete the puzzle and gain a complete understanding of the relationship between professional sports and the federal government, the specific question I will be answering is: what causes Congress to have an interest in professional sports? For purposes of this paper I define congressional interest as a topic being on the agenda as an issue to discuss for the House of Representatives or the Senate, a piece of legislation (passed, amended, or vetoed), or a congressional hearing. My main hypothesis is that the media motivates Congress to have an interest in professional sports. I believe that there is a causal relationship between the media and congressional agenda, and that
once something appears in the media it will then increase congressional interest in the subject. This establishes the media as my independent variable for this study, and congressional interest as the dependent variable. For this paper I refer to the media as the number of times stories on this subject matter (performance-enhancing drugs in professional sports and regulation) have been written. By answering this question I will highlight the role of the media in influencing congressional agenda. It will show the real power and influence that the media has on the federal government, and demonstrate how the government determines what issues are important to its citizens. I also believe that public opinion plays a role in motivating Congress to be concerned with professional sports, and will highlight any changes in public opinion versus any changes in the level of congressional interest.

I will develop my argument for the media’s influence on congressional agenda in three main sections. In section one I will highlight what has happened to make regulation of performance-enhancing drug use an issue that the public is concerned with. It is crucial to explain what exactly has happened in professional sports that cause people to study congressional involvement in the regulation in the first place. It is important to outline what happened for Congress to feel the need to get involved in the regulation of professional sports. I will discuss what has happened over the last two decades to make Congress even question how professional sports are being regulated. To that affect I will highlight the advances in medicine with the development of performance-enhancing drugs and discuss what these advances have meant to professional sports in the United States. I will also discuss The Clean Sports Act of 2005 that was proposed by Congress but did not pass.
In the second section I will show how I came up with my particular theory that the media causes congressional interest in professional sports. I will do this by discussing other theories on how the media, public opinion, and congressional interest work together and influence each other. I will outline how I used these other theories to come up with my hypothesis and study, and how what I do differs from what scholars have done in the past.

The third section will determine if my theory that the media causes congressional interest in professional sports can either be rejected or confirmed. In this section I will outline how I collected my media, public opinion, and congressional data and converted them into comparable factors. I will provide the data sets for all three variables, and proceed to analyze and compare the data. I will conclude this section by stating if my theory can either be confirmed or rejected based on the data.
Background and History (Section II)

The goal of this section is to outline what has happened to make the federal government concerned with performance-enhancing drug use by professional athletes. I will do this by: establishing the economic importance of professional sports as a business, tracing the trajectory of the increased performance-enhancing drug use by Major League Baseball players, and detailing the response of both Major League Baseball and the federal government. I will then conclude the section by explaining what is currently going on in regards to performance-enhancing drugs and professional athletes.

Performance-enhancing drugs in professional sports is an issue that is continually discussed in today’s society, and examining the role of Congress is necessary to completely understand the issue of performance-enhancing drugs. The professional sports market in the United States is a multi-billion dollar industry that thrives on the revenues it generates from its fans (the public). Given the size and the revenue professional sports generate, they mean a great deal to the United States economy and therefore any recession in the professional sports industry could have vital consequences for the economy as a whole. This is a reason why re-establishing fans’ confidence in athletes given all of the steroid scandals that have come out in the past is a concern of the federal government, to help prevent a drastic recession in the sporting industry.

Advances in medicine have allowed for the development of performance-enhancing drugs. These drugs enhance the abilities of athletes allowing them to perform at a level otherwise unachievable. Obviously when a new pharmaceutical drug is introduced to the market, the government will take an interest. Other than passing the
standards of the U.S Department of Health and Human Services, the government will take an interest in the long-term effects of these drugs. It is the government’s obligation to protect the health of its citizens, which is why they choose to regulate their distribution. These performance-enhancing drugs undoubtedly play a role in the popularity of professional sports in the United States. Athletes competing at a higher more competitive level make viewing sports more entertaining. The growing popularity of sports in the United States has resulted in the growing public knowledge of performance-enhancing drugs, and the athletes that use them. The increasing popularity of sports has allowed professional athletes to become public figures. The government has reacted to this by increasing their interest in professional sports because of the possible effects (such as public health) these idolized stars may have on the rest of the public.

With the on field success of athletes that have been proven users of performance-enhancing drugs such as Mark McGwire, Jose Canseco, Rafael Palmeiro, and Alex Rodriguez there is a motivation for other professional athletes to begin using these drugs. In 2003 in an anonymous test conducted by Sports Illustrated between 5 percent and 7 percent of all Major League Baseball players tested positive for performance-enhancing drugs,¹ this confirmed people’s suspicions that an increased number of professional athletes were using performance-enhancing drugs. During the 2003 season Barry Bonds set the single season home run record by hitting 73 home runs, breaking the previous record of 70 recently set by Mark McGwire during the 1998 season. This means that in a span of 5 years there were 2 players that each had a single season in which they hit 70 or more home runs. Since this had been done 0 times since the founding of Major League

Baseball in 1869 rumors began to spread, that these bulked-up sluggers setting all sorts of home run records were taking more than vitamins (performance-enhancing drugs). The positive test of 5 percent to 7 percent of Major League Baseball players did more than just confirm rumors that steroids are a crucial issue in Major League Baseball; it also meant that steroid testing with penalties for a positive test would now be used on professional players. The collective bargaining agreement signed by the Major League Baseball Players Association in September of 2002 had a clause in which performance-enhancing drug testing with penalties for positive tests would begin after any season in which at least 5 percent of the players tested positive. Originally a positive test resulted in either a fine or suspension with players having the ability to test positive for performance-enhancing drugs 5 times before receiving a lifetime ban.

In March 2005 Bud Selig the commissioner of Major League Baseball gave his testimony to the Committee on Oversight and Government Reform on the state of steroids in baseball and the overall effectiveness of their current drug testing system. Selig believed that their current system was working because the numbers of players that tested positive during the 2004 season was a meager 12, compared to the roughly 100 that tested positive in 2003. Selig believed the drug-testing program was working, however Congress had a different view. The committee was informed that the 2004 testing in Major League Baseball was partially shut down because of the federal investigation of the Bay Area Laboratory Co-operative steroid ring; the lab was responsible for the testing of Major League Baseball. Congress concluded that the drastic decline in positive steroid

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3 Same as footnote 2
tests resulted from not testing players during the entire season, rather than from a decline in steroid use by players. Coming to this conclusion Congress urged commissioner Selig to implement a tougher testing system with harsher penalties for positive tests.  

In response to the wishes of Congress for a stricter testing system, before the beginning of the 2005 Major League Baseball season a new testing policy was agreed upon by both the Major League Baseball Players Association and the owners of all 30 Major League Baseball teams. The new system included: random tests during the offseason, a 10 day suspension for the first positive test, a 30 day suspension for the second positive test, a 60 day suspension for the third positive test, and a 1 year suspension for the fourth positive test. All suspensions are without pay, and there is no maximum number of times a player can be tested. 

Also in 2005 Congress tried to pass the Clean Sports Act of 2005, however this acts was vetoed. This piece of legislation was proposed to Congress and sponsored by senator John McCain (republican from Arizona), with the goal of strengthening testing procedures and enhancing the penalties for the use of performance-enhancing drugs in all professional sports in the United States. A major part of the bill was the penalties that athletes would face for a positive test of a banned substance. The act proposed a 1 year ban without pay for the first positive test, a 2 year ban without pay for a second positive test, and a life time ban for a third positive test. The bill proposed that athletes be tested 5 times total each year, 3 times during the season of play and 2 times during the off season.

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4 All information on this hearing from Congress came from: Michael Schmidt, “Testimony on Steroids in Baseball is Questioned”, *The New York Times* (June 9, 2008)

5 Information on the testing for the 2005 season: Hal Bodley, “ Baseball officials announce tougher steroids policy”, *USA Today* (January 12, 2005)
The act also required that leagues use laboratories approved by the United States Anti-Doping Agency to analyze each test sample. It is puzzling to me why this piece of legislation was not passed in Congress since it was proposed and vetoed in 2005.

Congress had already urged commissioner Selig to implement a stronger test when he tried to use skewed data to prove that steroid use among Major League Baseball Players had decreased. After this instance occurred I would expect them to pass this piece of legislation, which would guarantee that, the wishes of Congress would be fulfilled. However this act was not passed for various reasons, some members of Congress may have believed the penalties the act proposed were too strict, some members may have felt that the testing procedure would have been too costly for sports leagues, and others may actually approve of professional athletes use of performance-enhancing drugs.

To test the effectiveness of the new steroids policy and to provide a more accurate and detailed outline of the history of performance-enhancing drugs in baseball, commissioner Selig appointed former senator George Mitchell to do an investigation into Major League Baseball steroid use. After a 21 month long investigation Mitchell released his findings on December 13, 2007 in what is referred to as The Mitchell Report. The report lists 86 former and current Major League Baseball players, of which there are 7 MVP’s and 31 All-Stars named. The report contains detailed information on the usage for each one of these and provides the necessary information to show that performance-enhancing drugs have left a permanent mark on Major League Baseball and have threatened the integrity of Major League Baseball as well. Since the release of the Mitchell Report in 2007, Major League Baseball has adopted its current and stricter

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steroid policy. For the current test that Major League Baseball uses: a player failing the test for the first time receives a 50 game suspension, for a second failed test the player receives a 100 game suspension, and third failed test results in a life time ban, all suspensions are without pay.

Currently the federal government is involved with trials involving former athletes that have been proven performance-enhancing drug users. Right now during the summer of 2011 one of the most notable steroid users, Barry Bonds is in the middle of a perjury trial. The federal government is trying to prosecute him for allegedly lying to federal agents about knowingly taking steroids during his playing career, and obstructing justice by supposedly not answering truthfully to federal agents on his performance-enhancing drug use.7 Another notable player Roger Clemens is facing similar charges by the federal government. Clemens case is set to begin in July 2011, and he is also being charged for allegedly lying to federal agents about his performance-enhancing drug use throughout his career and obstructing justice. Both of these players are named in the Mitchell report released in 2007, but each still denies the findings in this report. It is also interesting to note that no proven steroid user has been inducted into the Major League Baseball Hall of Fame. Although two have made it onto the ballot so far Rafael Palmeiro and Mark McGwire, neither has been voted in. Denying these former players entrance shows the firm stance and attitude that voters for the Hall of Fame are taking on proven steroid users, and the difficulty that these proven users face in getting into the Hall of Fame.

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7 Associated Press, “Charge Dropped in Bonds Case”, ESPN.com
Theory (Section III)

This section is meant to outline how I derived my theory that the media causes congressional interest in professional sports. I will do this by detailing how I used previous scholarly works to: come up with my research question, derive my specific study, decide which specific characteristics I would focus on, quantify and compare my variables, and how to analyze the relationship between the variables.

Performance-enhancing drugs have had an enormous influence on professional sports in the United States. Professional sports, as a business is a complex entity to understand because it does not follow the same rules and restrictions that normal businesses operate. There are certain rules and restrictions placed on owners, players, agents, and other competing leagues that are essential to understand the procedures and methodology that professional sports leagues operate. Guidelines such as the reserve clause, which restricts players and their privileges, the Collective Bargaining Agreement between owners and players, and the exemption from the Sherman-Anti Trust act based on interstate commerce all, play a vital role in making the operations of professional sports leagues very difficult to understand (Columbia Law Review 1953; Saka 2007)\(^8\). Since professional sports are subject to these particular rules and guidelines to operate, it is easy to see that the relationship between Congress and professional sports as a business is complex. The Sherman-Anti Trust act gives the federal government the authority to

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\(^8\) All these facts on regulation were found in two articles:


prevent monopolies in the marketplace and provides the basis for the relationship between professional sports and Congress in the United States. The fact that professional sports is one of only a handful of businesses in the United States that is exempt from this act means that the way professional sports operate and its relationship to Congress is unique compared to other businesses (Topkis 1949). This is what led me in the direction of my research question. I wanted to answer a question that was interesting and important; and in looking at the uniqueness and complexity of the relationship between professional sports and the federal government I realized that there are many interesting and important questions to be answered.

However the fact that professional sports are exempt from the Sherman-Anti Trust act does not mean that it exempts these professional sports leagues from congressional regulation in general. Professional sports is a business, and like other businesses professional sports generally follow any pressures or suggestions that Congress imposes for fear of stricter regulation by Congress. (Keim, Zeithaml 1986; Saka 2007). This gives an idea of what motivates changes made to the operations of professional sports leagues; that the actions of Congress such as regulation do in fact result in changes to the operations of these professional leagues. This tells us why we should be concerned with the actions and level of interest Congress has with professional sports, because we know that there will be a response to Congress from these professional sports leagues. Even though there are specific rules and regulations that make the relationship between professional sports and Congress unique; professional sports like other businesses can be motivated to change by Congress, the pressure from Congress on professional sports are simply more indirect.
Many people believe that there is only one motivation for members of Congress and that is re-election (Baumgartner, Jones 1993; Mayhew 1972). These members of Congress act with their own self-interest in mind, and their actions are supposed to prevent them from losing a re-election. The theory that members of Congress are motivated by re-election led me to hypothesize that it is the media that causes congressional interest in professional sports. The media is a source of news and information for the general public in the United States; and if members of Congress hope to be re-elected than they will take an interest in the topics that they believe the general public has an interest in, as in the ones appearing in the media. This is how I came up with the media to be my independent variable for this study. I believe that an increased amount of media coverage on a particular topic will result in an increased amount of congressional interest.

Interpreting congressional hearings and understanding the relationship between Congress, the media, and public opinion is essential. Learning how to interpret congressional hearings and the level of interest is crucial to quantify the data (Baumgartner, Jones, Wilkerson 2008). Realizing the type of relationship and influence the media has on public opinion allows us to understand that the media is also an influence on congressional agenda through public opinion (McCombs 2004). This is why I will focus on the media, and will note on whether or not the degree of negativity or positivity makes a difference on congressional agenda.

To come up with this particular study I looked at several pieces of scholarly works involving the same variables. One of the works I analyzed and used is the Policy Agendas Project by Frank Baumgartner, Bryan Jones, and John Wilkerson. Their project
has given me a basis of how to look at and analyze congressional agenda, and looking at
how others have used their work helped me come up with this study. Part of their study is
a dataset containing information on each congressional hearing from 1946 to 2008, the
data set contains a small description of the main topic of the hearing, date of the hearing,
which specific committees were involved in the hearing, and which policies were passed.
The project looks at congressional hearings in particular, so Congress has already
expressed that the issue is important enough to them that a hearing is necessary. This is
why for my study if a hearing is held relating to professional sports in some way, than
congressional interest is increased. In the project they go on to identify several other
important factors regarding congressional hearings, they specify which specific
committee was involved and if policies were passed. These are the other factors that will
be considered to measure congressional interest; however in the study I will measure
them differently. I will count the fact that if a committee is assigned to anything
involving professional sports as increased congressional interest, and if a bill or
resolution is passed, suspended, or amended for anything regarding professional sports
than interest again will be increased. My study will also differ because I will count the
topic of professional sports simply appearing on the congressional agenda as
congressional interest as well.

The Policy Agendas Project is used by researchers doing work on agenda-setting
theory, citing either the project itself or using the data from the project. Most that cite or
use the data from the policy agenda project use the data to test the impact certain actors
have on agenda setting, allowing agenda-setting theory to develop. Michael Mintrom’s
theory on policy entrepreneurs uses the project data to prove, that when policy
entrepreneurs promote policy ideas their presence will raise the probability of legislative consideration and approval of policy innovations. One specific theory looks at the same independent variables that I do just from a different perspective. Maxwell McCombs book *Setting the Agenda: The Mass Media and Public Opinion* examines the theory that the media is responsible for agenda setting through its influence on our views of public affairs. He does this by looking at issues such as drugs or crime, and compares the news coverage and concerns of the American public on such issues to the number of policies concerning the same issues. The theory is based on the belief that the media sets the agenda of public opinion, and decides which issues the American public should be interested. McCombs work has helped me derive the study I will use. By isolating a particular variable and checking to see if Congress has a tendency to be influenced by its actions. Like McCombs I am isolating the independent variables media and public opinion; however I am looking at them with the perspective that the media doesn’t determine public opinion. I believe they are separate independent variables, and each has its own independent influence on congressional interest.

However there are theories that suggest something other than re-election is the motivating factor for the behavior of members of Congress. Glenn Parker argues that once the seniority system was put into place for congressmen, it made legislative service more attractive. He describes the seniority system as an informal way of choosing committee chairs, that seniority gets members of Congress more important and powerful positions as committee chairs. He then outlines how once the seniority system was put into effect the mean years of congressional service time increased. He uses the increase in service time of members of Congress since the creation of the seniority system to argue
that members of Congress are motivated by two personal goals: income and discretion. Parker’s theory differs from Mayhew’s re-election theory because Parker believes that elections are “a means to an end rather than an end themselves” (Parker, 239). Parker believes that members of Congress use elections to obtain: power, influence, and money. For Parker is it more about what the members of Congress will do to further their personal goals once they are elected, rather than winning the election.

Another argument is that the actions of members of Congress are driven by goals of: legislators, parties, and party leaders. That the members of Congress are motivated by a combination of their own personal goals and other legislators, the goals of their party, and the particular goals of their party leaders at the time. This theory is deeply grounded in the belief that members of Congress consider priorities of their party along with their own personal priorities when making decisions, and are not solely motivated by their own personal goals. This again differs from Mayhew’s re-election theory, which is the belief that members of Congress are motivated by re-election, and based on the assumption that members of Congress put their personal priorities and goals ahead of their parties’ priorities and goals. This is a somewhat more positive view of members of Congress, believing that they consider the goals and priorities of their party when making decisions, and are not only motivated by benefiting themselves.

After examining the rules and regulations that professional sports must operate I was able to derive an interesting and important question. Looking at what others have done in the past I was able to come up with testable implications of characteristics of

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Congress, the media, and public opinion that I could quantify and compare. Giving me a non-bias study to answer the research question.
Hypothesis (Section IV)

Here I will explain the study I use to determine if the theory that the media causes congressional interest in professional sports can be confirmed or rejected. I outline: the specific research question the study intends to answer, hypothesis to answer the research question, methods used to collect data and operational definitions of the variables, the analysis of the collected data, and then determine if the theory is confirmed or rejected based on the data. To determine if the theory is confirmed or rejected depends on whether or not I can reject the null hypothesis that there is no relationship between the media and congressional interest in professional sports. If the data allows the null hypothesis to be rejected than the theory is correct and there is a relationship between the media and congressional interest in professional sports. If the null hypothesis cannot be rejected than the hypothesis that there is no relationship between the media and congressional interest in professional sports is a possibility and no conclusions can be made.

The research question is: what determines congressional interest in professional sports? I argue the answer to this question is the media, when an issue continues to appear in the media it will then increase congressional interest on the issue. The study also intends to confirm or reject a relationship between public opinion on professional athlete’s use of performance-enhancing drugs and congressional interest, if a more negative public opinion has an effect on congressional interest. It uses media coverage of performance-enhancing drugs in professional sports, public opinion surveys, and the agenda and actions of Congress.
Data and Methods

While going through the congressional agenda from the Thomas Library I noted the number of Congress the topic of professional sports appearing on the agenda came from, the specific date of congressional agenda, whether or not a hearing was held or if committees were involved, and then a summary of the main issue that was being discussed. It is the last 3 characteristics that I am concerned with in terms of congressional interest; they determine what the congressional interest is on a scale of 1 to 4. If none of the last 3 characteristics were present, than interest would be 1 because the issue did appear on congressional agenda, which shows some level of interest by Congress. However to quantify the rest of it: if there was a hearing than interest increased by 1, if any committee was involved than it also increased by 1, and if a piece of legislation was passed, vetoed, or amended than it also increased by 1.

Once each particular issue identified on the congressional agenda was quantified, it was then added up by year. This gave the congressional interest of each given year, which had a range of 0 (when professional sports did not appear on the congressional agenda for a year), to infinity (there is no maximum for the level of congressional interest) this information is presented in table1.

<table>
<thead>
<tr>
<th>Year</th>
<th>1998</th>
<th>1999</th>
<th>2000</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Numerical Congressional Interest</td>
<td>6</td>
<td>20</td>
<td>10</td>
<td>27</td>
<td>25</td>
<td>22</td>
<td>28</td>
<td>33</td>
<td>16</td>
<td>9</td>
<td>13</td>
<td>19</td>
<td>0</td>
</tr>
</tbody>
</table>

Above is a summary of congressional interest on a year-to-year basis, starting in September 9, 1998 and going to December 31, 2010. The average level of congressional interest in professional sports per year is 17.5. The year with the highest level of congressional interest is 2005, and 2010 ended up being the year with the lowest level of congressional interest with 0 congressional interest in professional sports during 2010.
Next I collected the data for my independent variable, which for my hypothesis is the media. For this I counted the number of articles that each of the top 5 newspapers in terms of circulation and ESPN has published containing the words steroids or performance-enhancing drugs and regulation, and then counted the total for the year, which is presented below. I expect the year with the lowest total to be 1998 because for 1998 I count the number of articles spanning from September 9 to December 31, as compared to all the other years that span from January 1 to December 31. I believe 1998 will have the lowest total because it is the only year that does not cover a 12 month span. This information is presented in table 2.

**Figure 2**

<table>
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<tr>
<th>Wall Street Journal</th>
<th>0</th>
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<th>0</th>
<th>0</th>
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<tbody>
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<td>USA Today</td>
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<td>0</td>
<td>3</td>
<td>1</td>
<td>0</td>
<td>4</td>
<td>6</td>
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<td>4</td>
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<td>2</td>
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<tr>
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<td>8</td>
<td>16</td>
<td>15</td>
<td>11</td>
<td>21</td>
</tr>
</tbody>
</table>

I am surprised with the data that I collected because 1999 has the same total as 1998. This surprises me because 1999 covers an entire 12 month period and 1998 does not. Another part of this data that is surprising is that the Wall Street Journal has not published an article containing the words steroids or performance-enhancing drugs, and regulation. Although the Wall Street Journal is not primarily a sporting newspaper, it does have a sports section publishing articles regarding professional sports. One thing that I did expect was the significant increase in the articles published after 2003. During the 2003 season 5 to 7 percent of all Major League Baseball Players tested positive for steroids and therefore a steroids testing with punishments was enacted. This was the first time that players would be tested for performance-enhancing drugs and have to face the
consequences for a positive test, which is why I expected the number of articles on the subject to significantly increase after the 2003 season. During this season it was a popular topic of discussion in both the media and public.

Next is the data for public opinion the second independent variable, for 2004 to 2009. For this I characterized answers to public opinion questions as positive, negative, and no opinion. Positive refers to a positive attitude towards professional athletes using performance-enhancing drugs, so answers that show support of their use by athletes. Negative refers to a negative attitude towards professional athletes using performance-enhancing drugs; these are answers that show a person’s disapproval in any way of their use by professional athletes. The first question examined is, what should be done to players that test positive for steroids or other performance-enhancing drugs? This question had 3 answer choices: should be punished (negative), should not be punished (positive), and I don’t know (no opinion). The next question is, should Major League Baseball players be tested for steroids? This had answer choices of: yes (negative), no (positive), and I don’t know (no opinion). Another question that was examined is, when it comes to curbing the use of steroids and other performance-enhancing drugs, is Major League Baseball doing too much (positive), not enough (negative), or about the right amount (negative)? The last question included in this is, how much do you care if professional baseball players use steroids or other performance-enhancing drug? This had answer choices of a lot (negative), a little (negative), I don’t mind (positive), and I don’t know (no opinion). So sample size would not be an issue I calculated answers by percentages, and then calculated the average between positive and negative answers for each year, which is presented in figure 3.
Figure 2

<table>
<thead>
<tr>
<th></th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Positive</td>
<td>7.5%</td>
<td>17%</td>
<td>21%</td>
<td>5%</td>
<td>9%</td>
<td>22%</td>
</tr>
<tr>
<td>Negative</td>
<td>85%</td>
<td>77%</td>
<td>76%</td>
<td>88%</td>
<td>89%</td>
<td>77%</td>
</tr>
<tr>
<td>No Opinion</td>
<td>7.5%</td>
<td>6%</td>
<td>3%</td>
<td>7%</td>
<td>2%</td>
<td>1%</td>
</tr>
</tbody>
</table>


**Operational Definitions**

To measure the media coverage of professional sports and regulation I will look at the number of articles on performance-enhancing drugs in professional sports that appear in the media, and the agenda or legislation of Congress. I believe that when this issue appears in the media it will then appear in Congress in the form of being on the congressional agenda, hearings, or legislation. Examining the number of articles that appear in the media and the number of times professional sports appear in congressional agenda establishes that congressional interest is a reaction to the media. This is the best way to answer this question because I am using the congressional agenda directly from Thomas the Library of Congress, and the specific articles on performance-enhancing drugs and regulation. This method is both valid and reliable, and allows the data to be quantified in terms of number of articles and level of congressional interest. The fact that this is all quantifiable makes this the best method and allows me to establish whether or not there is a relationship.
I collected data beginning on September 9, 1998 the day after Mark McGwire broke the single season home run record and go to December 31, 2010. To collect the media data I will use Google News to quantify and count the number of times the topic of professional sports regulation appears each year. This is done by running a search in Google News of articles containing the words steroids or performance-enhancing drugs and regulation. I only count the articles that appear in the top five newspapers in terms of circulation during 2010 which are: The Wall Street Journal, USA Today, The New York Times, Los Angeles Times, Washington Post and also ESPN which is the worldwide leader in sports entertainment and news. Theoretically for the number of articles appearing in one of these sources and containing the words steroids or performance-enhancing drugs and regulation there is a range of zero to infinity.

Congressional interest is measured using Thomas the Library of Congress congressional record for each meeting of the house and senate, and the congressional hearings data from the “Policy Agendas Project” by Baumgartner, Jones and Wilkerson. The congressional data for each year is gathered by counting the number of times professional sports appear in the congressional agenda and noting several characteristics about them. These characteristics are: whether or not hearings were held, if a bill or resolution is passed, vetoed, or amended by the house or senate, and if a committee was assigned. Each of these characteristics that is present will cause congressional interest to increase by 1, and for simply being on the agenda congressional interest is measured to be 1. If there is a hearing interest goes up by 1, if a bill or resolution is passed, vetoed, or amended it goes up by 1, and if a committee is assigned interest goes up by 1. Each

10 ESPN slogan is: “World Wide Leader in Sports” (ESPN.com)
individual instance of professional sports appearing on the congressional agenda has a range of 1 to 4. Simply appearing on the congressional agenda without a hearing, piece of legislation voted on, or committee assigned is the lowest level of congressional interest. Each one of the other characteristics that is present when professional sports appears on the agenda, interest increases by a factor of 1. Congressional interest is then quantified by year, and compared to the number articles in the media for each of these years.

For public opinion data, polls taken by the public on the use of performance-enhancing drugs by professional athletes are used. However because of the information available only polls taken from 2004 to 2009 are used. In these polls specific questions are examined and responses are compared from year to year. The questions examined are: what should be done to players that test positive for steroids or other performance-enhancing drugs? Should Major League Baseball players be tested for steroids? When it comes to curbing the use of steroids and other performance-enhancing drugs, is Major League Baseball doing too much, not enough, or about the right amount? How much do you care if professional baseball players use steroids or other performance-enhancing drug? These are questions that have been asked consistently to the public concerning performance-enhancing drugs and their use by professional athletes. However in order to quantify and compare these different questions in a similar fashion the answers are sorted into 3 separate categories: positive, negative, and no answer. Positive refers to a positive opinion of professional athletes using performance-enhancing drugs and negative refers to a negative opinion of professional athletes using performance-enhancing drugs. For example, the question asking people what they think should be done to players that test positive for steroids or other performance-enhancing drugs has 3 answer choices: they
should not be punished, they should be punished, and no opinion. The answer choice that they should not be punished is categorized as a positive response and therefore a positive opinion of the use of performance-enhancing drugs by professional athletes because a person with this response feels that the players should not be punished for this. The answer choice that they should be punished is categorized as negative; it is a negative view of professional athletes using performance-enhancing drugs because a person with this response believes athletes should be punished for this. The answers of each individual question are then compared based on percentages, which allows each of the questions to be compared similarly regardless of their sample size. The average is then calculated for each year of responses that were positive and negative.

Data Comparison and Analysis

I compared the media data with the congressional data to see what type of relationship if any they had with one another, and also to see if there were any outliers in the data. To do this I created a scatter plot comparing congressional interest to media coverage of professional sports and regulations, which is in figure 4.
The scatter plot reveals that there are 3 different outliers between the media data and congressional data. The outliers are for the years: 2007, 2008, and 2010. Excluding these outliers reveals a relationship between the media and congressional interest that seems to be positive. As congressional interest increases so do the number of articles that appear in the media.

The next thing to do was see how this data compared over time. To do this I used a line graph for the media data and congressional interest data to get a general idea of their trend from a year-to-year basis, which is presented in figure 5.
The line graph reveals a similar trend between the two data sets over a period of 13 years from 1998 to 2010, showing a relationship between congressional interest in professional sports and the media.

However once I compared the data for my independent variable (media) to the data for my dependent variable (congressional interest) I was proven to be incorrect, and my hypothesis wrong. A summary of the relationship between my independent variable (media), and my dependent variable (congressional interest) from 1998 to 2010 is presented in figure 6.
Testing a null hypothesis that there is no relationship between congressional interest and the media reveals a P-value that is too high to reject the null hypothesis. To confidently state that there is a relationship between the independent and dependent variables and that the observed data points sets are not just completely random the P-value needs to be less than or equal to .05. This means the null hypothesis can be confidently rejected, and the test results are statistically significant. A P-value of .595 means that the findings between the two is not significant, that the chances of obtaining data points just as extreme as these is more than likely. The confidence intervals also do not allow the null hypothesis to be rejected. The null hypothesis has a value of 0, and the fact that the confidence intervals go from negative to positive means that 0 (the null hypothesis) is a possible value. To confidently reject a null hypothesis that there is no relationship between the media and congressional interest in professional sports the confidence intervals need to range in the negative or in the positive, it cannot go from negative to positive. A coefficient value of -.113 implies that even if the two variables are

<table>
<thead>
<tr>
<th>Period of Study</th>
<th>1998 to 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intercept</td>
<td>19.3</td>
</tr>
<tr>
<td></td>
<td>T-Stat (4.57)</td>
</tr>
<tr>
<td>Media</td>
<td>-.113</td>
</tr>
<tr>
<td></td>
<td>T-Stat (-.546)</td>
</tr>
<tr>
<td>Observations</td>
<td>13</td>
</tr>
<tr>
<td>R Squared</td>
<td>.026</td>
</tr>
<tr>
<td>P-Value for Media</td>
<td>.595</td>
</tr>
<tr>
<td>Lower 95% Confidence Interval</td>
<td>-.567</td>
</tr>
<tr>
<td>Upper 95% Confidence Interval</td>
<td>.342</td>
</tr>
</tbody>
</table>
related than there is a negative relationship between them, meaning that congressional interest would increase when media coverage decreases.

After looking at the outliers in the data, and the years that they occurred I then excluded the largest outlier year in terms of the difference between levels of congressional interest and the media. This was 2010 with a congressional interest of 0 and media articles 21. The relationship between congressional interest in professional sports and the media from 1998 to 2009 is presented in figure 7.

**Figure 6**

<table>
<thead>
<tr>
<th>Period of Study</th>
<th>1998 to 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intercept</td>
<td>20.1</td>
</tr>
<tr>
<td>T-Stat (5.34)</td>
<td></td>
</tr>
<tr>
<td>Media</td>
<td>-.068</td>
</tr>
<tr>
<td>T-Stat (-.372)</td>
<td></td>
</tr>
<tr>
<td>Observations</td>
<td>12</td>
</tr>
<tr>
<td>R Squared</td>
<td>.014</td>
</tr>
<tr>
<td>P-Value for Media</td>
<td>.718</td>
</tr>
<tr>
<td>Lower 95% Confidence Interval</td>
<td>-.478</td>
</tr>
<tr>
<td>Upper 95% Confidence Interval</td>
<td>.341</td>
</tr>
</tbody>
</table>

Removing this outlier actually increased the P-value, meaning that the chances of obtaining data points as extreme as these is even more likely, and the findings are even less statistically significant. There is still a negative coefficient value; however it does become more positive with a value of -.068, meaning that if there is a relationship between them its negative. Again the P-value is too high to reject the null hypothesis that there is no relationship between the media and congressional interest. The confidence intervals still range from positive to negative, not allowing the null hypothesis to be
rejected. This means that from 1998 to 2009 there is still a possibility that there is no relationship between congressional interest in professional sports, and the media.

Based on the 3 outliers previously identified in the scatter plot as the years 2007, 2008, and 2010 I excluded the years 2007 to 2010 and looked at the relationship between the independent variable (media) and dependent variable (congressional interest) from 1998 to 2006. A summary of this relationship is presented in figure 8.

**Figure 7**

<table>
<thead>
<tr>
<th>Period of Study</th>
<th>1998 to 2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intercept</td>
<td>11.9</td>
</tr>
<tr>
<td></td>
<td>T-Stat (2.78)</td>
</tr>
<tr>
<td>Media</td>
<td>.971</td>
</tr>
<tr>
<td></td>
<td>T-Stat (-.546)</td>
</tr>
<tr>
<td>Observations</td>
<td>9</td>
</tr>
<tr>
<td>R Squared</td>
<td>.459</td>
</tr>
<tr>
<td>P-Value for Media</td>
<td>.044</td>
</tr>
<tr>
<td>Lower 95% Confidence Interval</td>
<td>.029</td>
</tr>
<tr>
<td>Upper 95% Confidence Interval</td>
<td>1.91</td>
</tr>
</tbody>
</table>

This summary reveals that there is a definite positive relationship between congressional interest in professional sports and the media from 1998 to 2006. A P-value of .044 is small enough to confidently reject a null hypothesis that there is no relationship between congressional interest in professional sports and the media, and say that the results are statistically significant. The confidence intervals range only in the positive meaning that the null value of 0 is not a possibility, and allows the null hypothesis to be rejected. These results are statistically significant because there is less than a 4.4% chance that the individual data points come from two independent variables. The data also reveals that the relationship is positive between the two, a coefficient of .971 means
that for every 1 article that is written on performance-enhancing drugs and regulation, congressional interest in professional sports increases by 1 as well. This data set reveals that from 1998 to 2006 the hypothesis is true. The p-Value is small enough for to reject a null hypothesis that there is no relationship between the media and congressional interest in professional sports from 1998 to 2006. This is significant because it reveals a relationship between the media and what Congress is interested in, that the media influences congressional interest. It shows the power the media has in influencing the federal government, and that Congress determines what is important based on what people see in the media from 1998 to 2006.

However the fact that this is only true from 1998 to 2006 brings up the question of, what happened starting in 2007 to make the relationship between congressional interest in professional sports and the media change? The year 2007 was a presidential election year, and the extensive coverage in the media of the candidates for President could be one possible reason why this relationship changed. Another possible reason that this relationship could have changed is the economic recession of 2007. This would answer why the relationship between the two changed starting in 2007 and for the years after. Congressional interest when the economic recession occurred naturally would shift towards the economy, and how to fix it. The economy since 2007 has been a major topic in Congress, the media, and public debate. A recession of this magnitude would have an effect on the amount of interest Congress has in other topics such as professional sports, and also would change the amount of media coverage on performance-enhancing drugs and regulation. There could be many reasons why the media influence on congressional interest in professional sports changed starting in 2007, however the data does prove that
there is a positive relationship between the media and congressional interest in professional sports from 1998 to 2006.
Public Opinion’s Influence

Part of this study examines the relationship if any, between public opinion on professional athletes use of performance-enhancing drugs and congressional interest in professional sports. I believe that the more negative public opinion is, the more interest in professional sports Congress will show. This theory is tested using the public opinion data, and the congressional interest data to gain an understanding of their relationship. For this I tested for consistency between the negative levels of public opinion and the amount of congressional interest. However because of the public opinion data available, the relationship can only be examined from 2004 to 2009. The hypothesis this part of the study tries to prove is that there is a relationship between public opinion on professional athlete’s use of performance-enhancing drugs and congressional interest in professional sports. To confirm this hypothesis I need to be able to reject the null hypothesis that there is no relationship between the two variables, and to be able to confidently reject the null hypothesis there needs to be a P-value less than or equal to .05. A summary of the relationship between public opinion of professional athlete’s use of performance-enhancing drugs and congressional interest in professional sports from 2004 to 2009 is presented in figure 9.
<table>
<thead>
<tr>
<th>Period of Study</th>
<th>2004 to 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intercept</td>
<td>54.5</td>
</tr>
<tr>
<td></td>
<td>T-Stat (.601)</td>
</tr>
<tr>
<td>Public Opinion</td>
<td>-.162</td>
</tr>
<tr>
<td></td>
<td>T-Stat (-.351)</td>
</tr>
<tr>
<td>Observations</td>
<td>6</td>
</tr>
<tr>
<td>R Squared</td>
<td>.245</td>
</tr>
<tr>
<td>P-Value for Public Opinion</td>
<td>.745</td>
</tr>
<tr>
<td>Lower 95% Confidence Interval</td>
<td>-1.63</td>
</tr>
<tr>
<td>Upper 95% Confidence Interval</td>
<td>1.31</td>
</tr>
</tbody>
</table>

Again the data does not allow the null hypothesis to be rejected. A P-value of .745 is much higher than the .05 needed to reject a null hypothesis that there is no relationship between the independent variable (public opinion) and dependent variable (congressional interest). Since the null hypothesis cannot be rejected than the data proves that there is a possibility that the null hypothesis is true. This means that there is a possibility that there is no relationship between public opinion on professional athlete’s use of performance-enhancing drugs and congressional interest in professional sports, and for this reason the results are statistically insignificant. The fact that the correlation coefficient is negative means that even if there is a relationship between the variables than it is a negative one. This contradicts the hypothesis that there is a positive relationship between negative public opinion and congressional interest in professional sports. Not only does this data prove that there is no relationship between these two variables from 2004 to 2009, it also reveals that if there is a relationship than the less negative (more positive) public opinion is than the congressional interest there will be higher. This directly contradicts the hypothesis for this question. The data reveals that from 2004 to 2009 there is no
relationship between the independent variable (public opinion) and dependent variable (congressional interest), and if there is a relationship it is a negative one. Based on the data, public opinion of professional athletes taking performance-enhancing drugs does not have an effect on congressional interest in professional sports from 2004 to 2009.
Conclusion (Section V)

The purpose of this study was to what determines congressional interest in professional sports? The hypothesis is the media causes congressional interest in professional sports. I thought that the more articles that appeared in the media on performance-enhancing drugs and regulation than the more interest Congress would show in professional sports as well. Another part of this study was the role that public opinion has on congressional interest in professional sports. I believed that the more negative public opinion is on professional athlete’s use of performance-enhancing drugs than the more Congress would show an interest in professional sports. However the end results of the study did not allow me to prove if the hypothesis is in fact incorrect. That from 1998 to 2010 media coverage of performance-enhancing drugs and regulation it is more likely did not have an effect on congressional interest. According to the data for this entire time frame it is more likely that they are two independent variables that do not affect each other, and therefore do not have a relationship with one another.

Also because of the data available relationship between public opinion on professional athlete’s use of performance-enhancing drugs and congressional interest in professional sports could only be examined from 2004 to 2009. However this data was sufficient enough to determine that it is more than likely that no such relationship exists between these two. That they are for at least this period of time, appear to be two independent variables that do not effect each other and are not related to one another.

However the data can be used to draw several conclusions on the relationship between media coverage of performance-enhancing drugs and regulation, and congressional interest in professional sports. The data proves that there is in fact a causal
positive relationship between the media and congressional interest from 1998 to 2006. That from this period of time for every 1 article that appears in one of the top 5 newspapers in terms of circulation (The Wall Street Journal, The New York Times, The Los Angeles Times, The Washington Post, and USA Today), or the number one media outlet of professional sports in the world (ESPN) than the level of congressional interest will go up by 1. This is an extremely important conclusion because it shows how Congress determines what issues they should take an interest in, the ones that the media chooses to cover.

The findings of this experiment add support to Mayhew’s theory that members of Congress are motivated by re-election. It shows that they take a particular interest in what is currently in the media, and that if something appears enough in the media it will eventually make its way onto the congressional agenda. What appears in the media has an unquestionable effect on public discussion and interest. For members of Congress to make themselves more appealing to voters they will show an interest in issues that the public is concerned with. When members of Congress want to determine what the public is concerned with, a likely source they will look is the media. By taking an interest in the same topics that the general public is concerned with, members of Congress make themselves more appealing for re-election. If members of Congress show the public that they are concerned with similar issues such as professional sports, than it makes it seem as though they have more in common with the average voter, making them that much more attractive to vote for in the eyes of the public.

The data also proves that something happened in 2007 to change the relationship between congressional interest in professional sports and the media. The relationship
changed from there actually being a relationship between the two, to the relationship being non-existent during 2007 and after. The relationship also changed from being clearly positive; when for every article written in the media on performance-enhancing drugs and regulation, congressional interest would increase by 1. To a negative relationship, when the more articles that appeared in the media, the less congressional interest there is. Although the hypothesis is proven to be wrong for the entire length of time the study focuses on (1998 to 2010), the data does prove that the hypothesis was correct for a significant portion of that time frame (1998 to 2006), and that something happened to change the relationship between the media and congressional interest in professional sports. However these results make me question even more, about why Congress did not pass the Clean Sports Act of 2005. There is a positive relationship between media coverage of performance-enhancing drugs and regulation, and congressional interest in professional sports from 1998 to 2006. So based on these results I would expect a piece of legislation proposing stricter regulations and penalties during this time period to be passed. Since it was not and is not consistent with the findings, I am lead to believe that there are other outside factors effecting the actions and decisions of members of Congress in regard to their attitude towards performance-enhancing drug use by professional athletes.

It is important to note that I did this study only for professional sports within the United States. Since collegiate athletes are strictly regulated and governed by the National College Athletics Association (NCAA) and have not had a history with performance enhancing drugs I left college athletics out of the study. I have also left Olympic athletics out of the study because the International Olympic Committee (IOC),
which operates internationally, regulates them and, as an entity is not subject to the power of the federal government. To improve the study I could open it up to all athletics not just professional sports, and use a longer time frame. This would provide a better understanding of the relationship between Congress and athletics in general, not just professional athletics. A longer time frame would give a better idea of the overall relationship between the media and congressional interest in professional sports, and allow more conclusions to be made regarding the relationship and what it means. I would also look at the interest Congress shows towards each individual sport. I would like to see if Congress shows more interest in some sports versus others, I believe that this could help explain congressional behavior, and provide a better understanding of what motivates congressional actions.
References


