

United States Department of Justice

For Immediate Release

August 19, 2010 **United States Attorney's Office**
District of Columbia

Former Major League Baseball Player Roger Clemens Indicted, Charged with Obstruction of Congress, Making False Statements, and Committing Perjury Before Congressional Committee - Panel Was Investigating Steroid Use in Major League Baseball

WASHINGTON—United States Attorney Ronald C. Machen Jr. and Shawn Henry, Assistant Director in Charge of the FBI's Washington Field Office, announced today that Roger Clemens was indicted by a federal grand jury in Washington, D.C. and charged with one count of obstruction of Congress, three counts of making false statements, and two counts of perjury in connection with his February 2008 testimony before the House Committee on Oversight and Government Reform.

The indictment was returned today in the U.S. District Court for the District of Columbia. If convicted of all charges, Clemens, 48, of Houston, Texas, faces a combined maximum sentence of 30 years in prison and a \$1.5 million fine. Under the advisory United States Sentencing Guidelines, the range of imprisonment is presently 15-21 months.

In January and February 2008, the House Committee held a hearing titled, "The Mitchell Report: The Illegal Use of Steroids in Major League Baseball." The hearing examined the allegations contained in a comprehensive report issued in December 2007 by former Senator George J. Mitchell titled, "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." The Committee's 2008 hearing followed a Committee hearing in March 2005 that was titled, "Restoring Faith in America's Pastime: Evaluating Major League Baseball's Efforts to Eradicate Steroid Use."

During its 2008 hearing, the Committee took sworn testimony from Senator Mitchell, Clemens and several others. Clemens, a Major League Baseball pitcher from 1984 to 2007, made statements under oath denying his use of anabolic steroids and human growth hormone (HGH). Anabolic steroids and HGH are performance enhancing drugs. Following his testimony, the Committee formally referred this matter to the Department of Justice to investigate whether Clemens committed any federal crimes in connection with his testimony.

The charges in this federal grand jury indictment are a result of that referral. They are set forth in detail in the six-count indictment.

"The Department of Justice takes referrals from Congressional Committees very seriously. Americans have a right to expect that witnesses who testify under oath before Congress will tell

the truth,” United States Attorney Machen stated. “Our government cannot function if witnesses are not held accountable for false statements made before Congress. Today the message is clear: if a witness makes a choice to ignore his or her obligation to testify honestly, there will be consequences.”

“The FBI has a responsibility to ensure the integrity of the investigative process is maintained, and that includes the obligation of witnesses to testify truthfully,” said FBI Assistant Director Henry. “This has been a long investigation, and I commend the special agents for their dedication collecting and analyzing the facts that have led to these charges.”

This is the Committee’s second referral to the Department of Justice that resulted from its investigation into steroid use in Major League Baseball. In February 2009, MLB player Miguel Tejada pleaded guilty to making misleading statements to Committee investigators concerning his knowledge of performance enhancing drugs. Tejada’s case stemmed from statements he made in August 2005.

The case is being prosecuted by the United States Attorney’s Office for the District of Columbia and was investigated by the FBI’s Washington Field Office, with the assistance of the Internal Revenue Service-Criminal Investigation.