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COMMITTEE ON OVERSIGHT AND

GOVERNMENT REFORM,

U.S. HOUSE OF REPRESENTATIVES,

WASHINGTON, D.C.

DEPOSITION OF: WILLIAM ROGER CLEMENS

Tuesday, February 5, 2008

Washington, D.C.

The deposition in the above matter was held in Room 2157 Lounge, Rayburn House Office Building, commencing at

9:34 a.m.

Appearances:

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Mr. Barnett. Good morning, Mr. Clemens.

Mr. Clemens. Good morning.

Mr. Barnett. This is a deposition in the committee's investigation into the illegal use of performance-enhancing drugs in Major League Baseball. And would you please state your name for the record?

Mr. Clemens. William Roger Clemens.

Mr. Barnett. The person transcribing the interview is a House reporter and notary public authorized to administer oaths, and the reporter will now place you under oath.

[Witness sworn.]

Mr. Barnett. My name is Phil Barnett, and I will be doing the questioning for the majority for the first round. And I am accompanied by several members of our staff, and they will identify themselves for the record.

Mr. Schiliro. Phil Schiliro.

Mr. Gordon. Michael Gordon.

Mr. Cohen. Brian Cohen.

Mr. Barnett. There is also minority staff who is present here and will be doing questioning in a second round. And would you mind identifying yourself?

Ms. Safavian. Jennifer Safavian.

Mr. Castor. Steve Castor with the Republicans.

Mr. Ausbrook. Keith Ausbrook.

Mr. Barnett. We thank you very much for being here today and being here voluntarily.

We know it is an unusual experience for people the first time they come before a congressional committee. Let me just review some of the procedures for you.

Mr. Clemens. Okay.

Mr. Barnett. Your counsel may have already done that, but we will go over it to make sure there is no questions. After a review of the procedures, you will have a chance to make any statement that you would like to make before we get into questioning.

The way the questioning goes is as follows. I will ask you questions for up to an hour, maybe less. When I am finished, the minority counsel -- we will switch places -- minority counsel will sit here, and they will have the opportunity to question you for up to an hour. And then, if there are additional questioning, we will just continue back and forth in rounds like that.

There is a court reporter here who will take down everything you say and make a written record of the deposition. You need to give verbal, audible answers, because the reporter can't record a nod or a gesture.

Mr. Clemens. Okay.

Mr. Barnett. For the record to be clear, if you wait until I am finished answering a question and I will wait

until you are finished -- until I am finished asking the question, and then I will wait until you are finished answering the question. If you don't hear a question or don't understand it, of course just ask me to rephrase it, or if I said it in a confusing way.

If I ask you about conversation or events in the past that you are unable to recall exact words or details, just testify to the substance of such conversations or events to the best of your recollection. If you recall only a part of a conversation or event, you should give us your best recollection of those parts that you do recall. Does that make sense?

Mr. Clemens. It does.

Mr. Barnett. Because you have been placed under oath, your testimony here has the same force and effect as if we are actually out in the open committee hearing. If you knowingly provide false testimony, you could be subject to criminal prosecution for perjury, false statements, and other offenses. Do you understand this?

Mr. Clemens. I do.

Mr. Barnett. Is there any reason you are unable to provide truthful answers in today's deposition?

Mr. Clemens. No.

Mr. Barnett. Under the committee rules, you are allowed to have an attorney present to advise you; and, for

the record, I see you do have attorneys present. Would the counsel for Mr. Clemens please state your name for the record?

Mr. Hardin. Surely. Rusty Hardin.

Mr. Breuer. Lanny Breuer.

Mr. Barnett. Do you have any questions before we begin?

Mr. Clemens. I do not.

Mr. Barnett. Great. And would you like to make a statement at the beginning?

Mr. Clemens. I do not.

EXAMINATION

BY MR. BARNETT:

Q The focus of our investigation is, in a lot of ways, the Mitchell Report; and the Mitchell Report contains allegations about your use of anabolic steroids and human growth hormones, HGH. And you have been very clear in your public statements that these allegations about your use are not true.

I will in a bit go through some specific statements in the Mitchell Report, but, before I do that, I want to give you an opportunity for you to raise with us areas where you think are the most glaring inaccuracies or problems in the Mitchell Report as it relates to you.

A Well, I haven't read the entire Mitchell Report. I

will just say that. I have read the report, what it pertains to me. I don't know how many pages it is. I have actually the report in front of me.

And, like I have stated in the press conferences and when I first came out to make my statements when I heard about these allegations, basically it pertains to what Brian McNamee is saying about me. It is false. I have not used steroids or growth hormone.

Q One of the issues in this investigation is we have a situation where two individuals are saying different things. You are saying one thing. Mr. McNamee is saying something else. So, in that situation, as investigators, we try to look and see, understand the two accounts, but we also try to see, well, where is there evidence or facts that would substantiate one account or another. And are there --

I think you said this was frustrating in the 60 Minutes or maybe in your press conference, but in some ways you have said you are asked to prove a negative. What I would like to ask you now, if there are areas, going through what Mr. McNamee has said in the Mitchell Report, where you think there is substantiation or evidence that show what he is saying is not accurate.

A Would you like me to go through the report? I am not really sure I understand.

Q We are going to go through the report. I thought we

would go through it sort of paragraph by paragraph so we could cover it that way.

You have had -- obviously, you have had -- we know you have had private investigators, you have great counsel that is here, you have been looking in this; and one of the things we are trying to understand is, well, where is there facts, where is there specific concrete evidence on one side or the other?

And so this was an opportunity, a general opportunity -- I wanted to ask you whether there were things -- are we -- from your perspective, is this a situation where it is one person saying one thing, one person contradicting it, or have you been able to uncover facts or evidence that would refute what Mr. McNamee is saying?

A I don't know of to get into the details. You would have to ask my two lawyers here on that. I am just making it as possibly as clear as I can. I haven't done steroids or growth hormone. And there is a guy in here, McNamee telling me that that's what -- that's what he has given me.

Mr. Breuer. And, Phil, I am just going to comment, to the degree you want argument, Rusty Hardin and I are happy at some point to meet with you and to explain why we think that you shouldn't be moving forward and why it is clear that Roger Clemens has not used steroids. But, for the

purposes of this deposition, I think you ought to ask him fact-specific questions; and to the best of his memory and ability he will give you answers.

Mr. Barnett. Let me go through the report. I think we have it here as an exhibit. You may have it in front of you. I will give it to the court reporter. I think it is the same as what you already have. And what I will do --

Mr. Hardin. Excuse me, Phil. What he was asking is, if it is okay, he made some notes on his copy, if he looked at those when you were asking him questions. I told him, sure, okay.

Mr. Barnett. Yeah. Absolutely.

Mr. Hardin. Go ahead.

[Clemens Exhibit No. 1
was marked for identification.]

BY MR. BARNETT:

Q What I am going to do is just-- I think I will take this sort of paragraph by paragraph --

A That's great. Thank you.

Q -- and then I will read it through and then ask you is this accurate, isn't it accurate.

I am beginning on page 167, the first paragraph: Roger Clemens is a pitcher who, from 1984 to 2007, played for four teams in Major League Baseball, the Boston Red Sox, 13 seasons; Toronto Blue Jays, 2 seasons; New York Yankees, 6

seasons; Houston Astros, 3 seasons. He has won more than 350 games, seven Cy Young Awards, and was the American League Most Valuable Player in 1986. He was named to All-Star teams 11 times.

Is that accurate?

A That's correct. I think 11 times. I think.

Q It is obviously quite an impressive record.

Some of these statements don't directly -- paragraphs don't directly involve you, they involve Mr. McNamee, his relationship with the Federal prosecutors or other people. I will go through them anyway --

A Please.

Q -- and ask you if you know anything about the paragraphs. But if you don't, just say you don't; and we will move through quickly.

Second paragraph: During the Radomski investigation, Federal law enforcement officials identified Brian McNamee as one of Radomski's customers and a possible sub-distributor. McNamee, through his attorney, entered into a written agreement with the U.S. Attorney's Office for the Northern District of California. The agreement provides that McNamee will cooperate with the U.S. Attorney's office. No truthful statements can be used against McNamee in any Federal prosecution by that office. If, however, he should be untruthful in any statements made pursuant to that

agreement, he may be charged with criminal violations, including making false statements, which is a felony.

Do you have any knowledge whether that is true or not true?

A I don't know anything about the -- I had no idea that Brian McNamee knew of Radomski. Obviously, I know now that Brian McNamee is a drug dealer.

Q Next paragraph: As part of his cooperation with the U.S. Attorney's Office, and at its request, McNamee agreed to three interviews by me and my staff, one in person and two by telephone. McNamee's personal lawyer participated in the interviews. Also participating were Federal prosecutors and agents from the FBI and Internal Revenue Service. On each occasion, McNamee was advised that he could face criminal charges if he made any false statements during these interviews, which were deemed by the prosecutors to be subject to his written agreement with the U.S. Attorney's office.

Anything to add there?

A I have nothing there.

Q McNamee attended St. John's University in New York from 1985 to '89, majoring in athletic administration. At St. John's, he played baseball. From 1990 to May 1993, he was a New York City police officer.

Anything to add there?

A He did at some point tell me he played -- he was a ballplayer at St. John's University, and he did say that he was a New York police officer. I don't know -- other than reading it here, I don't know the length.

Q In 1993, McNamee, met Tim McCleary, the assistant general manager of the New York Yankees, who also attended St. John's. McCleary hired McNamee as a bullpen catcher and batting practice pitcher for the New York Yankees. In 1995, McNamee was released from his duties after Joe Torre was named the New York Yankees manager. From 1995 to 1998, McNamee trained Olympic caliber athletes outside of baseball.

A In this paragraph, Tim McCleary -- Tim McCleary was the general manager of the Yankees. He did come to the Blue Jays as the general manager. I think he was placed as the general manager, not assistant general manager. I didn't know that McCleary was -- attended St. John's, and I don't know about Olympic caliber athletes that he trained.

Q All right. I think we have got, it looks like --

A I am sorry?

Q Let me read the next paragraph. I was going to say we are going to get to paragraphs about you shortly.

A I see where you --

Q That's what I was about to say.

In 1995, McCleary was hired as the assistant general

manager for the Toronto Blue Jays. In 1998, that club hired McNamee as its strength and conditioning coach, and he served in that position from 1998 to 2000.

A I know '98 I was with him. I think he was -- I was with him in '98 in Toronto. That's all I am going to say there. I don't know.

Q Roger Clemens signed with Toronto in 1997, after spending the first 13 years of his career with the Red Sox. After McNamee began working for the Blue Jays in 1998, he and Clemens both lived in the Toronto SkyDome -- there is a hotel attached to the stadium. McNamee and Clemens became close professionally while in Toronto, but they were not close socially or personally.

Is that accurate?

A I would say that's accurate. The only problem with the -- it says we both lived in the Toronto SkyDome hotel. I don't know that to be true.

He stayed -- I had a -- excuse me, I had a -- it was an apartment or hotel that was like three rooms. I had a king room, I had a middle room, and I believe this room was done for a player or two that played in Toronto previously. The third room was a connecting room that you could close off. And when family wasn't there or if we came back from a road trip or something like that and McNamee asked me to stay there, he could stay there. In '98, if I had to guess, it

would have been about four, four home stands out of maybe 15 or 20 that you have during the season.

Q Okay.

A I don't know where he lived other than that.

Q Jose Canseco was playing for the Blue Jays in 1998. On or about June 8 to 10, 1998, the Toronto Blue Jays played an away series with the Florida Marlins. McNamee attended a lunch party that Canseco hosted at his home in Miami. McNamee stated that, during this luncheon, he observed Clemens, Canseco, and another person he did not know meeting inside Canseco's house, although McNamee did not personally attend that meeting. Canseco told members of my investigative staff that he had numerous conversations with Clemens about the benefits of Deca-Durabolin and Winstrol and how to cycle and stack steroids. Canseco has made similar statements publicly.

What is accurate or not accurate about that paragraph?

A Well, first of all, it is very offensive. Because Brian McNamee has me being a drug dealer. And, second of all, I never was at the party.

Q Let me ask a couple -- you said you were not -- you were not at this -- you weren't at this party?

A That's correct.

Q Have you ever been to Mr. Canseco's home?

A I may have. I know I wasn't at a Toronto Blue Jay

party, though. I may have been at -- I may have been at -- I know I played golf down at Westin, the golf course. It is down in that area. So -- he talks about, again, these steroids. I couldn't tell you all the first thing about cycled or stacked or -- and Canseco's statements, I have never heard that.

Q Right. I think before -- this, by the way --

A I am sorry?

Q This, by the way, I believe, is Mr. Canseco saying this to -- Canseco told members of my investigative staff. I think that is Canseco speaking to Senator Mitchell's staff.

Let me just go back here. So you have or you haven't been to Mr. Canseco's house?

A I sure could have been. I wasn't here at this -- at a party that he had. I could have gone by there after a golf outing. So -- but I was not at this party.

Q And could you have been at his house during this time period, June 8th to 10, 1998?

A No.

Q Why do you say that?

A I wasn't at the party. I know I wasn't at the party.

Q I want to ask on some of these paragraphs whether there is any written records or facts that you know that

would substantiate that you weren't there. I realize I am asking you sometimes to prove a negative, which is a hard thing to do --

A Yeah.

Q -- but it is helpful for us. For instance, if you knew you didn't attend this series in the Blue Jays because you weren't playing then, that would be, obviously, helpful information for us to know.

A I just know for a fact I wasn't at the party. I mean, I don't -- I wasn't there.

Q Could you have been at Mr. Canseco's house on other dates in 1998?

A I don't believe so.

Q Do you have a -- you said you could have been at Mr. Canseco's house. What would have been the most likely time frame if you were at his house?

A I was teammates with him in '95 in Boston. He was my teammate in '98. He was my teammate in New York in 2000. And we have golfed before. So it could have been any of those -- any of those times. It wasn't like I was, again, staying at his house or there was a party at his house. I was golfing. I think if I remember correctly his house was around the Westin golf course area.

Q Great. Let me move onto the next paragraph.

A Okay.

Q Toward the end of the road trip which included the Marlins series, or shortly after the Blue Jays returned to Toronto, Clemens approached McNamee and, for the first time, brought up the subject of using steroids. Clemens said that he was not able to inject himself, and he asked for McNamee's help.

Is that accurate?

A That is false.

Q The next paragraph: Later that summer, Clemens asked McNamee to inject him with Winstrol, which Clemens supplied. McNamee knew the substance was Winstrol because the vials Clemens gave him were so labeled. McNamee injected Clemens approximately four times in the buttocks over a several-week period with needles that Clemens provided. Each incident took place in Clemens's apartment in the SkyDome. McNamee never asked Clemens where he obtained the steroids.

Is that a true paragraph?

A It is not true. And, again, this man has me being a drug dealer. Very upsetting about that, as I think -- if you have seen my interviews. Very upsetting.

Q You said earlier that Mr. McNamee sometimes stayed over with you. How did that come about that he would stay over? He would stay over in your apartment?

A Maybe coming back from a road trip. You know, you

mentioned that nobody is at the -- you know, he knew about my arrangement there at the SkyDome. So -- I mean, it wasn't -- if somebody wasn't staying there, I would have offered it to -- I can't tell you anybody else. I am sure I have had friends or guests stay in that third room, also; and it was -- you know, it was private for them. They didn't have access to my other rooms. It was like a hotel, where you would enter with a key.

Q Aside from family, did you have -- in '98, did you have a lot of other people staying there?

A I am sure, yeah.

Q Okay. Let's go to the next paragraph:

During the 1998 season, and around the time of the injections, Clemens showed McNamee a white bottle of Anadrol-50. Clemens told McNamee that he was not using it but wanted to know more about it. McNamee told Clemens not to use it. McNamee said he took the bottle and gave it to Canseco. McNamee does not know where Clemens obtained the Anadrol-50.

Is this true?

A It is not true.

Q And, again, in these paragraphs you don't have evidence to provide the committee, other than your testimony today, that this didn't happen. And I am not trying to say that in a way that is implying we expect you to have

evidence --

A Right.

Q -- but I am saying it because, if you did have evidence, that would be very helpful to the committee's investigation as we are trying to figure out, well, what's going on here.

A I respect that. And like I am going to say on -- when is our --

Mr. Hardin. Wednesday.

The Witness. Wednesday is that -- again, very offensive -- this man has me being a drug dealer. That hurts me and my family greatly. And I will say again, ever who -- if it was true, ever who gave this to me, I am going to ask them to come forward once again nationally and make that clear. Very upsetting.

BY MR. BARNETT:

Q Let me move to the next paragraph.

According to McNamee, from the time McNamee injected Clemens with Winstrol through the end of the 1998 season, Clemens's performance showed remarkable improvement. During this period of improved performance, Clemens told McNamee that the steroids had a pretty good effect on him. McNamee said that Clemens was also training harder and dieting better during this time.

A I don't have anything to add to that, but --

Mr. Hardin. I think he wants you to answer each question.

The Witness. Well, read it again, please.

Mr. Hardin. I think he is just asking whether it is true or not.

BY MR. BARNETT:

Q Is that accurate?

A No, it is not true.

And, again, I think -- he said I was training harder or better at this time. I have always had a great training routine. Once again, I have been hearing these statements over the past couple weeks. I have had a tremendous workout program my entire career, and that goes either with or without Brian McNamee.

Q Let me --

Mr. Hardin. There were other parts of this statement as to whether or not you agree with, talking about your performance and improvement. You can address the whole statement.

The Witness. I think I did by saying it is not true.

Mr. Hardin. You can address the performance.

BY MR. BARNETT:

Q I am going to do two more paragraphs, and then I am also going to ask the question to you again about substantiation or corroboration. Because that is really

what we are trying to elicit here. Are there other facts that we should know about that would help us in our investigation?

But let me read two more of these. I think you have given a general denial of what is here?

A Yes.

Q And then I will read two more and then come back to that question and then move onto a different subject.

This is on page 171. It is the first paragraph. I will do the first and the second paragraphs.

According to McNamee, during the middle of the 2000 season Clemens made it clear that he was ready to use steroids again. During the latter part of the regular season, McNamee injected Clemens in the buttocks four to six times with testosterone from a bottle labeled either Sustanon 250 or Deca-Durabolin that McNamee had obtained from Radomski.

Is that accurate?

A That is not true. I don't -- again, I have no idea and know nothing about the steroids or what is being said in here.

Q McNamee stated that during this same time period he also injected Clemens four to six times with human growth hormone he received from Radomski, after explaining to Clemens the potential benefits and risks of use. McNamee

believed that it was probably his idea that Clemens try human growth hormone. Radomski instructed McNamee how to inject growth hormone. On each occasion, McNamee administered the injections at Clemens's apartment in New York City.

A Not true. Didn't happen.

Q And let me ask just a general question. Did you during your playing career use steroids?

A I never used steroids. Never performance-enhancing steroids.

Q Could you explain the difference?

A I know that cortisone, I believe, is some type of steroid. I was on -- in Boston, I know I was on prednisone. I remember that because actually I came here to visit the White House when the President was in, and my head looked like a stop sign because you retain so much water. And that was for inflammation in my shoulder, pain, what have you. And I understand those to be a form of steroid. I may be wrong.

Q And I think we have a similar understanding.

Anabolic steroids, which are performance-enhancing steroids, you have never used those?

A That is correct.

Q And human growth hormone, have you ever used human growth hormone?

A Never.

Q Before I leave this, let me just ask this one question. In other paragraphs -- and if you need to consult with your attorneys, that's fine. Are there areas here where you would say to the committee this is not true? It is not true not only because that is your testimony, but we know it is not true because here is documentation, here is someone else the committee could talk to who would say it is not -- who knows it is not true, where there is other evidence, corroboration or substantiation that the committee should know about?

A I would refer to --

Mr. Hardin. Yeah. What I would prefer -- I think that would be fair -- is he answer any questions you have. I think for him to act like a lawyer and go through the report and try to pick out parts he does not -- we will be glad to provide that information to you.

Mr. Barnett. Okay. The reason I think -- that's fine. We can follow up with you. I don't need to repeat myself for the reason why we think it is important.

Mr. Hardin. No, and I think it is a fair line of asking of us. I just don't think it is appropriate for him to try to be doing it.

BY MR. BARNETT:

Q I am now going to move on to questions related to

B12 and lidocaine. I am going to move off of the Mitchell Report.

A Sure.

Q And these questions involve your medical records.

A Okay.

Q And I want you to know we try hard to balance our investigative needs with your privacy --

A Okay.

Q -- needs.

We appreciate very much that you provided the medical records to the committee. We know that you or your counsel authorized physicians to talk to us, and we appreciate that. There were -- as we were doing this investigation, individuals suggested we should get all your medical records. Looking at your blood levels and other things, cholesterol levels might be informative. We thought that was too intrusive, and so we are trying to be targeted and balanced as we go into having to ask about your medical records. And I know that talking about anyone's medical records are a sensitive subject. This will be really related to B12, lidocaine, and an abscess --

A Okay.

Q -- is the questions here.

Let me start with B12. And, as you may or may not know, we are going to actually hold a hearing the day before

your testimony on February 12th where we are going to be examining what are the health effects and health benefits of B12 and also human growth hormone, as they are in the news as part or as a result of this investigation to make sure --

The Witness. That is the day before?

Mr. Hardin. Uh-huh.

The Witness. Are you allowed to attend?

Mr. Hardin. I am sure. It is a public hearing.

Mr. Breuer. It is a public hearing.

BY MR. BARNETT:

Q On your January 7th press conference you said this, as I understand it: B12, I have taken it forever during the seasons by shots or injections. I am not the only one. It is quite often, and it is very common.

How many times would you say you received B12 injections?

A If I had to guess, I probably have got -- during the season, liquid B12 probably -- 24 seasons -- let's do the math here.

Q Okay.

A I would say somewhere between -- if I had to guess, six to eight maybe B shots during the -- B12 shots during the season. That's a guesstimation.

Q Right.

A I take the pill form with a multivitamin, a

ThermaGram, ThermaGram M multivitamin, a vitamin E tablet, and a B12 probably every other day in the offseason.

Q And was this throughout your -- at the start, the beginning of your career? We are talking about pretty much the entire duration of your career that you have been taking B12 or shots?

A I would say shots, probably my mother suggested it about 1988. I was a rookie in 1984. I think that I had taken supplements or vitamins all the way back to the University of Texas.

Q When you received these injections, were they from team doctors, nurses, team trainers? Who would give you the injections?

A All of the above.

Q And what was the purpose for the B12 injections, in your mind?

A I understood them to be healthy. If maybe a flu virus was going around on the team, you know, things of that nature.

Q I want to walk you through your career chronologically and ask you about who gave you the shots.

A Oh, okay. I thought you meant my career. I was going to say you were going to ask me to think a little bit.

Q And let me start with the Red Sox. Who did you get shots from while you were with the Red Sox, B12 shots?

A I can tell you -- I am sorry, I didn't mean to cut you off. I can tell you some of the -- I can give you -- actually, from what I can remember, pretty much of staff.

The latter part, where you asked me who I received shots from of B12 --

Q Right.

A -- I can't tell you. I know the team doctor was Dr. Arthur Pappas.

Q Okay.

A I know there was a -- later in my career, a Gil, a doctor -- I think his first name is Gil Morgan. The trainer there would have been Charlie Moss. Rich Zawacki was the assistant trainer. He is a gentleman I trained with also at the University of Massachusetts during the winter. And there were two other trainers there. I can't pull their names in for you. I trained with Steve August. He never gave me a shot of any B12 or pain medicine or anything like that. The Blue Jays' doctor -- I am sorry -- Boston -- go ahead. I will let you --

Q Go ahead to the Blue Jays. That's fine.

A Blue Jays was a Dr. Taylor. Tommy Craig was a trainer. Scottie Shannon was a trainer. There was another trainer there. Obviously, Brian McNamee was there. And there was, I believe, a Dr. Pat Graham. He worked on my -- he was a chiropractor, worked on my back.

Q Now, on the Blue Jays, did Dr. Taylor give you shots?

A I believe so.

Q And would he have been the regular person to give you shots? Do you know how many shots he would have given you?

A I don't. I know he has given me shots, but I can't tell you. I believe there was another doctor. Each team had at least -- I would think at least two doctors, that if one wasn't -- if it was a weekend game -- again, I am -- I know there was another doctor. I don't know the name.

Q And the trainer, Mr. Craig, did he give you shots of B12?

A Sure could have. Like I said, I --

Q And Mr. Shannon, do you remember if he gave you shots?

A I don't remember.

Q We got your medical records, and in the Blue Jays there is one medical record that has a reference to B12. From your experience, did teams -- if you got a B12 shot from the doctor or from someone working for the team, did they keep a record of the B12 shots?

A I don't know that.

Q The Yankees, who gave you -- as you moved onto the Yankees, who was giving you your B12 shots there?

A Again, I can remember a number of times, but the guy, Dr. Hershon, was one of the doctors -- of several doctors that we have seen there. Gene Monahan was a trainer. Steve Donahue was a trainer.

Moving onto Houston, which is my fourth club, I have only played for four teams --

Q Sure.

A -- there was a Dr. Lintner. There was a Dr. Mehlhoff. A McCann did some back work on me. He is a doctor. Dave Labossiere is a trainer, considered a trainer. Or he is a trainer, not considered. Rex Jones is a trainer. I have seen Dr. James Andrews -- I think he is very well known -- from 1985 to '95 to present. I have trained with Tim Halmark, also. He was a guy I trained with in the offseason in Houston.

Q You have -- for the record, you have a document that lists the names --

A Pretty much.

Q -- of people that were your doctors or trainers.

Mr. Hardin. This is just his memory of --

The Witness. This is my memory, trying to -- so I didn't ruin anybody's name. Trying to pull them in.

Mr. Barnett. We appreciate that.

BY MR. BARNETT:

Q Before I leave this, can you recollect who on that

list would have given you shots?

A I know they have given me shots. I don't know that all of them on this list have given me shots.

Q Okay.

A So I --

Mr. Hardin. That's okay. If you don't know --

The Witness. I can't. I mean --

Mr. Barnett. The medical records for July and August of 1998 indicate that you had an injury on your buttocks, and I think we have those medical records. Do we have that as an exhibit here?

[Clemens Exhibit No. 2
was marked for identification.]

Mr. Barnett. And I am going to ask you a few questions about these records.

The Witness. Okay.

BY MR. BARNETT:

Q On July 28th -- this is a 1998 record -- indicates you complained of a soreness in your buttocks, and the doctor initially described it as a small pool of blood. Do you remember this?

A I remember just for the fact they brought -- you know, bringing it to my attention now and before. I have not seen this before. So are you talking about right at the very top here?

Q I think it is at the very top, right.

A B12. That sounds familiar. There is a Dr. Gross who -- in here that I don't -- I mean, I am sure -- I explained earlier that, you know, there could have been other doctors. Yeah, so I remember -- I remember vaguely from in just reading this.

Q There is also a record that says you were sent for an MRI and prescribed antibiotics, and it was described I think on page 3 of this document as a palpable mass. This is during the MRI evaluation. Do you remember that? Do you remember going for an MRI?

A I don't. I just know that I have had a lot of MRIs, but I don't -- I can't pull that one in.

Q And on the last page here says there was also a palpable mass on your left buttocks. And I think that is highlighted in this copy. And further in the earlier record we were talking about the right buttocks. Do you remember this, having a palpable mass on both?

A Again, I remember over my career -- and it sure could have been in Toronto -- you know, I have had a strain in my glute before from pushing off the mound. But, yeah, I mean, I don't -- I am just reading what I read here today that --

Q Do you know what caused these injuries?

A I don't know what caused those, other than it says

right here Dr. Taylor had given me a B12 shot, so that surely could have happened. And I just -- again, I am trying to think back, to pull it in for you, that I know I have strained my glute on a couple occasions. I wish I could tell you how many occasions it has happened. But I have had that, too.

Q If you strained your glute, would that lead to a palpable mass in an MRI and this kind of procedure and a prescription of -- I think they prescribed antibiotics for this. Would that lead to this treatment?

A It sure could have, yeah.

Q A strained -- it could lead to -- a strained muscle could lead to an MRI?

A I would think. I am not a doctor, but I would --

Q Would it lead to prescription for antibiotics, a strained muscle?

A It could. I don't -- I don't know.

Q This complication, you said it could have come from the B12 shot. Is it common for B12 shots to cause this kind of complication?

Mr. Breuer. Phil, are you really asking for his medical opinion here? I mean, it says right here it was the B12. Are you asking Roger Clemens for a medical opinion?

Mr. Barnett. I think I was asking -- let me rephrase the question.

BY MR. BARNETT:

Q Did you have this kind of complication, this kind of injury at other points in your career?

A I don't know. I have taken -- they have prescribed medicine for -- I know I have been injured a lot over my career. But I can't -- I can't tell you. I don't know that.

Q Let me give a little background.

A Sure.

Q We are trying to assess here -- the medical record suggests that the palpable mass could have been a result of the B12 shot. You have had B12 shots throughout your career. Were there other instances where you had a B12 shot and then it was followed by having a palpable mass at the site of the injection?

A I really don't know what a "palpable mass" is. But I know that when I have gotten other shots I have gotten good shots from doctors and trainers and I have had ones that have made me sore. So I don't -- I don't know -- I mean, I can tell you that.

Q You have taken shots that have made you -- that have caused a soreness. How long would that soreness last?

A I just know they made me sore. I couldn't tell you. I don't think I have ever missed a start because of one.

Q And do you think at other times when you have had a

shot and then had a soreness would you have sought medical treatment for the soreness afterwards?

A It sure could have been. I have taken, again, different anti-inflammatories and, you know, what the doctors, trainers, you know, have given me.

Q Let me not ask a general, but, specifically with the B12, would the B12 shots have caused a soreness?

A Sure could have. I mean, I don't know that.

Q Have other players -- and through our investigation of performance-enhancing drugs we have heard -- we have had other players and heard other stories about people taking B12 shots.

A Right.

Q Is a complication after a B12 shot a soreness? I think a palpable mass was an accumulation of fluid or maybe blood. Is that a -- have you heard other players talk about that complication?

A I haven't. I just know that I have seen, you know, a lot of players have asked or have gotten B12 shots. I think it is fairly common. I don't know if getting sore if they have gotten a bad shot or -- you know, soreness from it. I don't know.

Q And before I leave this, let me just come back --

A Yeah.

Q -- so you have had other shots. It is possible you

have had soreness. You don't recollect a specific time when you have had a similar soreness after a B12 shot?

A I could have. I mean, I can't -- I wish -- I can't -- I am not going to sit here and guess on that.

Mr. Hardin. Phil, I noticed that it says here that the diagnosis was a contusion, that there wasn't an abscess and that the MRI found that there was no abscess and that it was administered by Dr. Taylor. I don't know what else he can answer for you on this issue.

BY MR. BARNETT:

Q Let me move on to injections from Mr. McNamee.

You have said that Mr. McNamee gave you B12 shots. I want to ask you about that. Let me just start with how many times Mr. McNamee would have injected you with B12?

A I mean -- again, I am going to guess, because I have had so many. McNamee would have been somewhere between four and six times of B12.

Q And when would he have given you those shots?

A I am sorry?

Q When -- do you have any recollection of when Mr. McNamee would have injected you?

A Toronto and New York, when I was with the Yankees.

Q So 1998?

A 1998, definitely.

Q Not 1999?

A Not 1999.

Q 2000?

A I don't believe so.

Q 2001?

A I think 2001.

Q Any years after 2001?

A No, I don't believe so.

Q You said it was maybe four to six times. Is that per year or is that -- is that total?

A I am going to say total. If I would have to guess, it would have been total.

Q Do you remember for the injections Mr. McNamee gave you where you were when you received the injections?

A In Toronto, it was his -- the weight room slash where his office desk was at.

Q And that would be part of then the team facilities?

A That's correct.

Q And was the team aware that he was injecting you with B12 shots?

A I don't know that.

Q And where did he inject you with B12?

A Left arm and glute, upper, upper, yeah, upper glute. That's where I got most of them.

Q And could he have injected you -- I was asking earlier about the medical records, about the palpable mass.

Could he have injected you before? Could it have been a B12 shot that he gave you that led to the soreness, the palpable mass there?

A I don't believe so.

Q And why do you -- why is that your recollection?

A I don't recollect, but I don't believe I had a problem with him injecting me. The shots that he gave me were fairly normal and --

Q Who do you think gave you the shot that was abnormal that caused the soreness?

Mr. Hardin. It says right here. It says Dr. Taylor.

The Witness. Yeah, I would say Dr. Taylor, from what I just read.

BY MR. BARNETT:

Q Okay. When Mr. McNamee injected you, did he or you have a prescription for the B12?

A I didn't.

Q Did he have a prescription for the B12?

A I don't know that.

Q The question whether he gave you B12 shots is obviously a key issue. I believe he says he didn't give you B12 shots, and you say that he did give you B12 shots. I want to ask if there is any corroboration of the shots, the B12 shots that he gave you. When he was on the training staff, was he authorized to give B12 shots?

A I don't know that.

Q And when he was with the Yankees, was he authorized to give B12 shots?

A I don't know that, either.

Q Did anyone witness you getting B12 shots from Mr. McNamee?

A I don't think so, but it was -- it was, like I said, in an open area, you know, his office. I don't know if anybody was in there working out at the time or anybody surely could have walked in.

Q Could you describe for us a little more the area where he gave the shots first when you were with the Blue Jays and then with the Yankees?

A Sure. The room was probably double this room in here. I don't know the footage in this room, but at least double this room. It was, if I had to guess, 40 to 60 yards down from the clubhouse. It was like a full-sized weight room slash he had his desk. There were proteins and vitamins and everything there that you would normally have.

Q And you are describing this as with Toronto, or this is with --

A That is with Toronto.

Q And with the Yankees, was it similar?

A I believe in New York it was on the second floor of the building I lived in. We trained at a place that was a

block -- a place called Asphalt Greens. That is about a block from my apartment there, and I trained and had therapeutic work done on the second floor. And that's where -- that's where it happened.

Q And if he gave you shots it was in this open area, or would he take you in a back office area where it was private?

A It was open, an open area.

Q Was that usual for you to get shots in an open area?

A Sure.

Q And that would include both shots in the arm and in the glute?

A Sure.

Q Did Mr. McNamee give other players shots as far as you know of?

A I don't know that.

Q And do you know why -- why did you ask Mr. McNamee to give you shots, as opposed to the team doctor or the medical trainer?

A I don't know that I asked him. He may have suggested it. I mean, I think -- I am almost positive we talked about that I get B12 shots.

Q Do you know why -- do you recollect any of the conversations you had with him about the B12 shots?

A I don't. I am sure we talked about it, though.

Q And you said you didn't think he gave you the shot before -- that would have been a week or two before the palpable mass. Can you give more -- because that rules out a time frame. What time frames would you rule -- do you think that year in 1998 -- when would he have given you the shots?

A If I had to guess, it would have been, say, after All Star break.

Q And why is that your --

A That's the best I can remember. I mean, it has been that long.

Q Do you remember when the All Star break was that year?

A I don't know if I was in the All Star game in 1998 or where it was at.

The Witness. Where was the All Star game in 1998? Was it in the SkyDome? I can't --

Mr. Hardin. What time of year is it, usually?

The Witness. July, mid-July. For sure. The All Star game, if you are asking that, the All Star game is mid-July.

BY MR. BARNETT:

Q So it potentially -- if you had the injury late -- being diagnosed late July, early August, the shot could have been in that period right before?

A Yeah. It says I was examined July 28th on this, so,

sure, it sure could have been.

Q So the shot could have been then. Do you know why you said earlier that it couldn't have been during that -- you were pretty confident it wasn't, and now it could have been during that period?

Mr. Hardin. I didn't hear that. Am I confused?

Mr. Barnett. I am just curious. I believe earlier you said it couldn't have been the -- the shot could not have been from McNamee. It could not have been a shot from McNamee that caused the injury because he didn't give you a shot in the period before. Now, as we are going over in more detail --

Mr. Hardin. I think you misunderstand him, Phil. He is still talking about Taylor. This says seven to 10 days before Taylor gave him a shot. That is what he is working off of. I can't imagine you are suggesting he has a memory of the date McNamee gave him one. But I don't understand. There is a medical record here that just flat out says that.

Mr. Barnett. I recognize we are asking questions that go back in time, so I recognize that's -- that it is hard to recollect what happened nearly 10 years ago.

The Witness. Sure.

BY MR. BARNETT:

Q Let me go on to lidocaine.

A Lidocaine.

Q Yeah. In your 60 Minutes interview, you said that Mr. McNamee gave you lidocaine shots. In your press conference, you said this happened when you were with the Blue Jays, and it was for lower back pain. Can you tell us about the times Mr. McNamee injected you with lidocaine?

A It was a lidocaine shot. He only gave me lidocaine once, and it did give me comfort in my lower back. I experienced back problems in Toronto. The mound there is a wet mound of clay, and I always experienced lower back problems, which I am sure I have told Mr. McNamee many times. We had a chiropractor there also that would work on my back quite often.

Q And do you remember the time that he gave you the lidocaine shot?

A I think it was after All Star break, too, in that time period in '98.

Q And did it work?

A It did. It gave me some comfort for about 2 days. It was a numbing effect, and it was in my lower -- lower back.

Q Did the back pains recur, after you had the shot, from the mound?

A I am sure I saw -- I was always getting adjusted. McNamee adjusted my back or my length. Again, when you pitch -- my landing leg -- you jam -- it is a constant

jamming motion. And from what I understand, you get off balance. And I had about a half inch longer on one leg quite often, and they would try and adjust that.

McNamee did -- again, I don't know if McNamee had chiropractor skills or whatever, but he adjusted my back as well as Dr. -- Dr. Graham I think. Dr. Graham was the -- Dr. Pat Graham.

Q And how does adjusting the back relate to the lidocaine?

A I was in some sort of pain, and he suggested that would relieve it.

Q And were you in pain afterwards? I know you said relief for a couple days.

A Yeah, I had -- it brought me comfort, yes.

Q And then you had temporary comfort. Later in the season, did the pain recur?

A It sure could have. I am sure I was on -- I am sure I was on some kind of medication or more than aspirin, anyway.

Q Did you seek lidocaine for that pain at other times?

A I don't know about that. I don't know -- I know that I, you know, again, got, you know, medicine for my back at times.

Q Did you ever get another -- did you ever get another lidocaine shot?

A I did not. I wish I could tell you what -- in Houston, they did my back. It was something completely different. They did my back again in Houston, but it was something completely different, I believe.

Q Did you seek the advice of team doctors or trainers before getting the lidocaine injections from Mr. McNamee?

A I don't think so. Yeah, I don't think so.

Q Was that a usual practice for you to get a pain injection without seeking the advice of a team doctor or team medical trainer?

A I think I probably had talked to the doctors and trainers about my back issues.

Q And did you talk with them about getting a lidocaine injection?

A I don't think so. Again, I am not sure about that. I may have.

Q At other points in your career did you get -- did your athletic trainer inject you -- an athletic trainer inject you with pain medication?

A I have had, yes, trainers give me medications, sure.

Q Do you remember what medications they were?

A I am sorry. I don't know offhand, but I can give you an idea.

Q Let me come at this from a different -- from a different perspective. When you were injured or you were

suffering from injury, did you regularly seek medical advice how to treat it throughout your career? Was that a regular way you approached an injury?

A I think I talked openly about any really injury that I have had or discomfort with all trainers or anybody in the know. You know, as far as trainers or doctors or -- I think more trainers, because the doctors would come into the stadium -- they would come in like 5 o'clock in the afternoon, after their full workday; and that is where you would talk to them. Or sometimes we didn't have a physician on staff until after the game had started.

Q In your mind, did you draw a distinction between trainers that were like Mr. McNamee, who is really strength and conditioning, and trainers who were there to help with injuries, sprains and strains and deal with injuries but not with the physical conditioning side?

A McNamee served, you know, those purposes. As far as therapy, I had therapy work. I had a gal that worked on me probably twice -- a girl that worked on me probably twice a week in Toronto. I had one in New York. They had a therapist there. That is the therapy work.

But McNamee adjusted my back like a chiropractor did. I mean, he did -- he --

Q You had just met Mr. McNamee that year?

A 1998.

Q So at that point you didn't have a long-term relationship with him?

A Not a long term, but knew him from -- he was -- he came over from the New York Yankees.

Q Was Mr. McNamee authorized to provide a lidocaine shot?

A I don't know that.

Q And where did Mr. McNamee give you the lidocaine shot? Was it in his training room, also, training area?

A That's correct.

Q Were there witnesses when you got the shot?

A I don't think so, but, again, it was --

Q Are there people that you told that Mr. McNamee had given you a lidocaine shot? Did you discuss that with the doctors or --

A I don't know -- I don't know that. I know that I talked openly about my back problems and my -- you know, all the issues that I had. So I don't know that.

Q If you had gotten a relief for 2 days and a numbing effect, would you have shared that with your doctor?

A I don't know about the doctor, but all the training staff I am sure we could have, you know -- I am sure I talked about my back problems and everything that I was experiencing, sure.

Q And that would have included the relief that you

received from the lidocaine shot?

A Sure.

Q And would that have been -- who would that have been who you would have had those discussions with?

It is fine to go back and look at the list?

A Again, the guys that I read to you that were there, the staff, any of the staff. I mean, I sure could have talked to them about it. I talked to them about my back. Dr. Graham, if he was doing my back. I am sure I talked about it with Tommy. I can't --

Mr. Hardin. Is your question whether he would have talked about his back, Phil, or are you asking whether he would have talked to them about lidocaine?

Mr. Barnett. Let me ask about both questions.

BY MR. BARNETT:

Q Who would you have talked about those back problems that you were having at that time?

A I am sure with the staff. I mean, if I was having -- I mean, I am quite positive I would have talked to them about any of the problems that I was -- that was going on.

Q Okay. Lidocaine. With lidocaine, it would have been the same answer? You could have talked to any of them or you would have talked to any of them about lidocaine?

A Yeah, I am not sure, but I would address that, I am

sure.

Q You said you had never -- I mean, let me put it differently. We looked at your medical records, and according to those there is a reference to lidocaine injections in 2005. And they were for lidocaine and cortisone for low back pain with a specialist that had administered it. Do you remember getting those injections in 2005?

A 2005, yes. I think it was at the end of -- it was at the end of the World Series.

Q Do you have any other recollections, besides the time in 1998 and 2005, receiving a lidocaine injection?

A I don't, but I sure could have.

RPTS McKENZIE

DCMN NORMAN

BY MR. BARNETT:

Q And why did you go to Mr. McNamee for a lidocaine injection instead of to a doctor or a specialist?

A I don't think I went to him. I think I probably complained about my back to him and he suggested it.

Q Is that -- are you sure that's how -- is that your --

A That's my recollection, yes.

Q That's your recollection. And your recollection is -- where did that conversation happen?

A I'm sure during a workout or with -- it could have been -- I don't know if it was before or after a game when we were working out. I can't pull it in. But I'm sure we've had the conversation, talking about my knees, my back, anything that was --

Q And how long between that conversation and when you got the lidocaine shot?

A I don't know. I just can't sit here and guess. I mean it's been so long ago. But I'm sure we've had the conversation.

Q If that was your first lidocaine shot, did you have any concerns that your conditioning trainer was going to give you this shot? Did you talk about, with anyone,

whether that would be safe or there would be risks associated with the shot?

Mr. Bright. Phil, he didn't say it was his first. He said he can't remember.

The Witness. He was a licensed trainer, part of the staff on the team. I had no reason to not trust him?

Mr. Barnett. I think that's more or less my hour. We can take a break if you'd like.

The Witness. Sure?

Mr. Barnett. We need to switch around our positions on table.

[Recess.]

Ms. Safavian. Mr. Clemens, I just want to start off by saying thank you again for being willing to come in and talk to us about this. And also, I apologize, and I probably will cover or touch upon some of the areas that you had previously answered. I just had some follow-up questions perhaps on some of those.

EXAMINATION

BY MS. SAFAVIAN:

Q But I do want to start off, first of all, with having you explain to us when was the first time that you met Mr. McNamee?

A I met Brian McNamee in 1998. And I would say it would have been February. That's when spring training

starts. So I believe that would have been the first time I met him. I don't believe in working out and visiting locker rooms, training rooms or weight rooms, that I met him when he was with the New York Yankees. He worked for -- I don't know how long. But he worked for the New York Yankees prior to coming to Toronto.

Q So you met him because he was part of the Toronto Blue Jays?

A Yes, he was --

Q He was a trainer with them?

A He was employed by the Toronto Blue Jays, yes.

Q When did he become your personal trainer?

A He trained me in the off season -- maybe for a short time in '99. Maybe once in -- I'm not sure. I'm going to say '99. I'm not for sure. I know that he came to Houston. Maybe 2000, 2001 -- 2000. I'm just blanking out on the actual off season. I don't have that in front of me. I think that's the area.

Q When you say you came to Houston, you mean your home in Houston?

A He came and trained me at my home. I don't know if he was working with Andy Pettitte at that time. I don't know if he worked with Andy Pettitte before. I can't pull that in. I'd have to look at notes.

Q And how did he -- how did he become your personal

trainer?

A Again, I think he talked to me about training in the off season, what are you doing? And do you need help? He was -- obviously I think we talked about it earlier -- a bull ping like he'd call it -- bullpen, and he threw batting practice. So he was a multitask guy. Very good. And came to Houston probably when I would start cranking out my workouts. I would let him know when I was going to get myself going. I would say, depending on the previous year, how deep we went in the playoffs, if the season went into October, it might be before Christmas that we trained. Sometimes in January, sometimes maybe early February, he would train us. The period would have been -- as far as length -- would have been anywhere from 4 to 7 days.

Mr. Hardin. Can I ask what you mean by personal trainer? When you use the phrase, do you mean training just him by himself on certain occasions, or --

BY MS. SAFAVIAN:

Q Yes. What I mean by personal trainer is he's not training you as part of his responsibility or as an employee of the Toronto Blue Jays or the New York Yankees. You were paying for him personally to train you; is that correct?

A I would agree with that statement. Because, again, that's a misconception that seems to be out there too, that he worked -- I mean by a plug -- at Home Depot and then he

would come train me in the evenings. He worked for these ball clubs, that's how I met him. And, you know, I knew that he had trained other guys, and he suggested that he would like to work -- get some income, and it would be good for him. And I said work both ways, you can catch me, work me out. I think he worked out Andy. I don't know if he worked out other guys. I knew a couple guys that he worked out. He invited them to my gym.

There was a statement he made in another report here that I invited guys. That was untrue. I allowed him to use my gym and he'd, I guess, get income for himself.

Q And this is at your home in Houston?

A That's correct.

Q So he -- is it accurate to say that during the off season he would train you, just -- it would be the two of you, maybe some other times some other players would be present. But you would pay him for that?

A Yes.

Q And how did you pay him?

A I paid him in checks and through my accountant, direct deposits. Direct deposit. She did.

Q And who is that?

A Anna Shaheen.

Q So you did not write him a personal check and hand that to him?

A I sure could have.

Q You don't recall whether you did or did not?

A I sure could have.

Q Did you perhaps pay him with cash at any time?

A I sure could have. The only time I probably would have given him cash was for him to eat, or, you know, other times, maybe -- I don't know, flight. I probably have. So --

Q So did you pay him a salary? Or was it based on workout? Or how did the compensation work out?

A From what I know, it was about 5 grand a month, depending on when he would train us. And again, about -- yeah, about 5 grand a month. I'm not going to guess. I'm pretty sure that's kind of -- that varied. If he was only in one time or two times during the off season, you know, if he was there 4 days, if he was there 7 days. So --

Q And so that was 5 grand a month, possibly, during the off season?

A Yes.

Q When you were in season, did you continue to pay him?

A I think there was some -- yes, some payments during the in season, sure. He trained me in season, sure.

Q So from 1999 until when -- when did he stop training you? When did you stop paying him to train you?

A I think there were some off seasons that he trained me that I paid him, and then during the seasons when we -- he was part of the team, I didn't -- I -- there was no, you know, payments. You know, he worked for the club. There could have been some.

Q There could have been some times when you paid him during the season?

A Sure, sure, sure. I'd have to again look at some of my records to really pull that in for you.

Q So when did he -- when did you stop using him as a trainer, a personal trainer?

A There were -- I think -- I don't think I used him much in 2004 maybe. Again, there were notes that I'd have to look at to tell you direct -- there were times that, you know, there -- I think the most of the times that I paid him to train me in the off season, you know, is reflected in my payments that I paid him. I can't tell you exact per year if -- but the gist of it was about -- I think it was about 60, $60,000.

Mr. Hardin. I think she's asking you how long -- how long did you use him into the calendar years?

The Witness. Well, he trained the team during the season. In the off season I would probably have trained with him anywhere from 4 days to a week, and then he would leave Houston. I don't know if -- again, I assumed that he

left Houston. I don't know if he went to Andy's and trained for 7 days and came to my -- I wish I could tell you exactly.

Q And I'm only asking about your relationship with Mr. McNamee and the training he did with you.

A Right.

Q When was the last time -- do you recall the last time you trained with him?

A I worked with him in -- this past season on about three or four occasions in New York.

Q And do you recall the last -- the month, the last month that you trained with him?

A Well, it was -- I would say August, September.

Q And you did not train with him during the off season?

A No.

Q Any particular reason why not?

A I wasn't -- I wasn't playing again. I retired for the third time, whatever.

Q So you were not continuing to use him, just, you know, to continue with workouts and to stay in shape or anything like that?

A I'm always working out. So I don't -- I work out without Brian McNamee and I'm going to -- like my mother said, moss is never going to grow underneath my feet. I am

going to be active. I have four boys so I'm always going to be active. But at that time I hadn't decided whether I was going to play again. I keep -- but 99.9 percent -- let me say that again for the record -- until Joe Torre or somebody calls me again.

So yeah, I mean, I think when I -- it was known that I was going to play in 2007 -- excuse me -- and he had learned about it. And he asked, he said, Listen, you're going back to working, what can I do? Can I help you? You know, he needed work. And I said, I'm not ready to train with you yet. I'm going to get my body really good and see where I'm at. And if it seems like I can play or I feel good about it, then you can come to -- to Kentucky. That's where I worked out. My son played for the Lexington Legends. I'm pulling in all these names. Lexington Legends. But since now I was a Yankee, just -- I'm sure if I asked the Astros, how gracious they've been, they'd probably let me do something on the complex. But just to stay out of that, I worked out at the University of Kentucky. And McNamee -- had McNamee come there for a period of a week.

Mr. Hardin. Earlier in the questioning you said you worked out with him four times in New York was the last time. So was it New York plus Kentucky?

The Witness. Kentucky was before New York. To answer your question, if I didn't answer it, New York -- I worked

out in Kentucky at the beginning of my -- what is it, third comeback -- and I worked out during the season with McNamee on three or four occasions during -- towards the end of the season.

Q And how was he as a trainer?

A Oh, he was fine, he was great. Not much of a personality, but that's all right.

Q Did you recommend his services to any other players?

A I don't think I recommended him to -- to any other players. I mean I think that they -- you know, from him working -- being employed by the other teams and working guys out, I think, you know, they all knew that they -- you know, he worked out different guys. It wasn't just me.

Q Did you help him get a job with the New York Yankees?

A Yeah. I -- that was stated in here in this report. And I made, I think, one phone call and/or e-mail to Brian Cashman, the general manager. It was also stated in here that I paid a portion of his salary. I don't believe that to be true. I think you would have to ask Andy Pettitte on the different phone calls or things that he made, because Andy expressed frustration to me about him hiring Brian back to the Yankees. But I did call Brian Cashman on one -- an e-mail or a call, and that was it. And I think he'll probably -- I think they -- from what I understand, the

Yankees hired him as the -- they already had a strength or conditioning trainer and they'd hired him as the assistant.

Q So you put a good word in for him, made a recommendation for the Yankees to hire him?

A Sure. I mean, I think other phone calls had already been made. But I'm positive that I called Brian Cashman.

Q Did you ever -- the word that comes to mind is "insist," but that's perhaps not the correct word. Did you ever ask the Yankees to hire Mr. McNamee?

A I believe what I told them is what McNamee said to me, he would like to be closer to his family, to come home and work and get away from the situations. And he did say that he didn't think the Blue Jays were paying him fairly or something to that nature, and that he would like to get closer to home to his family.

Q And did you mention how having him with the Yankees would be beneficial to yourself?

A He would have been beneficial if I think that I needed him during that. If he wasn't working for another team, I would have probably worked with him in the mornings. I enjoy doing workouts in the mornings instead of at the stadium, where, for obvious reasons, the stadium you can't really -- I like to go off and take a 2- or 3-mile run. It's kind of hard to do that in the Bronx. But I can do that in Houston, some of the other places. In Boston I ran

the Commons and so on and so forth.

But I trained with Jeff, Jeff Mangold, I believe, was the head trainer when McNamee was catching a bullpen or doing something else, so he wasn't with me every step of the way.

Q So if the Yankees had not hired him, would you have retained Mr. McNamee's services?

A I may have.

Q It's a hypothetical. Would you have --

A I don't know. I may have. I didn't know, you know, he -- I think the conversation was such that any time I asked him, I said -- when I would call him to work with him was, What are you doing? Are you locked into working with other people? He's told me he worked with Wall Street guys, he's working with college guys. I think it says in here, Olympic-caliber athletes which I hadn't --

Mr. Ausbrook. Excuse me. This is Congressman Issa.

Mr. Issa. I'm sorry. I'm mostly an observer here. You already have enough questioners. Please.

BY MS. SAFAVIAN:

Q And I'm sorry. Did you say that you -- you could not recall whether or not his salary with the Yankees -- that you helped pay for his salary while he was at the Yankees?

A I think the Yankees paid him, and then I think --

and when I used him away from the Yankees, I probably, you know, paid him a portion too.

Q So you do not believe that the Yankees paid him from any of your compensation?

A I never paid the Yankees, and the Yankees -- or they pulled from my salary or -- if that's answering your question.

Q It does answer my question. Thank you.

And you mentioned earlier that -- it's your home in Houston when you would work out with Mr. McNamee?

A That's right.

Q That other players would be at the gym working out also. And I believe you said that you never invited them, but you allowed them to come because Mr. McNamee could earn extra money. Is that correct?

A I did say that. But let me just say that I've worked with a number of players from -- well, kids come to my house and work out. I invite them to come work out. The littler kids, I try to get them to sign a waiver in case a bat comes out of my hand, or a ball. We've experienced that. That's headaches. Other professionals have trained there. But not with McNamee present.

Q Not with Mr. McNamee present?

A Oh, yeah. No. No.

Q With him present?

A He was not present many times. There's been other guys come over to hit and throwing my -- I have an outdoor -- like it was a sports court. I enclosed that into a gym. Best investment ever, by the way. It's saved the house from the kids. But yeah. They -- I've had numerous players come and train there, and work there. I also have a little outdoor facility that I throw and train at. And yeah, McNamee was not present.

The only two -- the only two players when McNamee asked me if he could invite some guys over to train -- because, again, I worked with this guy probably, 24-hour day, maybe 2 hours. So -- and really don't know what he does the rest of the day. He asked to train, and the two gentlemen's names was C.J. Nitkowski and a Justin Thompson were trained, I think, during a 1-week period. I don't think they trained the whole week. I think they were there 3 or 4 days or like a Monday, Wednesday, Friday. And that was on the request of -- McNamee asked me if he could train some guys. So I didn't know whether he knew those guys.

Q And were you present during those workouts, during those training sessions?

A I was at one time. I think one -- one, maybe two throwing sessions that those guys had. I think they were both rehabbing or both trying to make a club.

Q What about Andy Pettitte?

A I've trained with Andy, yes.

Q At your home, your gym in Houston?

A Yes.

Q With Mr. McNamee present?

A Sure. Sure.

Q So the only other players who used your home and trained with Mr. McNamee were Andy Pettitte, C.J. Nitkowski -- and who was the third that you said?

A C.J. Oh, Justin Thompson.

Q Justin Thompson?

A Justin Thompson, yes. And I can't say no others. You know, I know that Jeff Bagwell's been to the house to hit. I know Woody Williams has been to my house, and McNamee sure could have been present. He jumped in and worked out. I don't know if McNamee charged him. I don't know. So I don't know what his fee was to the other players.

Q Did you ever discuss anabolic steroids with Brian McNamee?

A I don't think in direct -- I think if it was a conversation of the day, if something was newsworthy, we talked about it.

Q Do you recall any specific instance?

A I'm sure we've talked about them. But I don't think it was anything with substance or -- or -- it had to be, you

know, if something was newsworthy on the -- you know, newsworthy that day.

Q And does anything come to mind? Do you recall any of those conversations?

A Nothing that's -- nothing that's, you know, what this is all about. I mean, we've never had a big discussion about steroids. I'm sure we've talked about it. I'm sure it's come up in talks but --

Q So you don't recall ever asking Mr. McNamee just general questions about anabolic steroids or about a specific steroid?

A Never.

Q Do you recall Mr. McNamee ever raising the topic with you?

A I don't. And again, I'm not -- I'll go back to where we even talked about if my body was hurting or, you know, different -- you know, if I've taken medicines or -- what was it called, Vioxx, you know something in general, that I'm sure I've talked to him about it in general. So I think he would ask me, how my body -- how's your body feeling? I think he would ask me that a lot so --

Q And if you were to complain about being tired or having aches or any other type of problems, Mr. McNamee never suggested to you that you should take an anabolic steroid?

A Never.

Q And you never asked him whether you should take an anabolic steroid?

A Never. Never happened.

Q Did you ever speak with Mr. McNamee about human growth hormone?

A I have not.

Q Never asked him any questions about it?

A Never asked him, again, in direct -- I think in which way you are asking me. But again, I think if it came up because of a topic, we sure could have talked about it.

Q Do you recall a specific instance where you did speak with Mr. McNamee about HGH?

A I don't remember. The only thing I remember about the topic was, there was an article or a show about some elderly men that -- for quality of life -- they had a curvature in their spine. And one guy was literally looking at the ground, had a curve in his spine, and he was -- and then later on in the show he was able to play golf. And I think that's -- that's basically what -- the conversation that we had. I know I've said that to many -- you know, to people around the house or people I've talked to about it. So -- and this subject's always come up.

Q Did Mr. McNamee ever suggest to you that you should take human growth hormone?

A He never suggested it to me, ever.

Q Did you ever on your own do any research on the Internet or read any books or look up any articles about the use of anabolic steroids?

A I've never done any research or looked it up. Again, my position is they're dangerous. And I think -- I don't think they help you. I think they hurt you. And I think if you get any video of any of my speeches I've given to kids or colleges around the country, you would see that.

Q Well, to prepare yourself for those speeches, did you do any research into the negative effects of anabolic steroids?

A I wasn't detailed with the kids. Just said, take care of your body; your body's your temple. Take care of it.

Q And did you do any research on your own about human growth hormone?

A No, I haven't. Again, just basically in general when it would come up over the last, you know, few years of baseball or talks when it was on TV and things of that nature. But I've never researched it. I couldn't tell you the first thing about it.

Q Did you ever speak with Chuck Knoblauch about anabolic steroids?

A I did not.

Q Did you ever speak with him about human growth hormone?

A No.

Q Did he ever raise anabolic steroids or human growth hormone with you?

A He did not. Chuck was a teammate of mine, and -- never knew it other than, again, what -- I didn't read it, but my counsel's told me he is in the report. And I've never trained with Chuck. He was a teammate.

Q You did not read the section on Chuck Knoblauch in the Mitchell Report?

A I did not. I only read allegations about me and what Brian McNamee said about me. That's the only thing I'm concerned about, obviously.

Q Did Mr. Knoblauch ever tell you that he himself has used human growth hormone or anabolic steroids?

A He has not.

Q Have you ever had a discussion with Andy Pettitte about anabolic steroids?

A I have not. Again, I don't -- I have not talked to Andy about growth hormones or steroids.

Q Not about human growth hormone either?

A Again, just in general, if there would have been the topic of the day or, you know, a conversation about it. But nothing in detail.

Q Did you ever speak with Brian McNamee about Andy Pettitte or Chuck Knoblauch with regard to anabolic steroids or human growth hormone?

A Andy or Chuck?

Q Yeah. I can divide those two questions. Did you ever speak to -- did Brian McNamee ever speak with you about Andy Pettitte and anabolic steroids or human growth hormone, whether he was using them or not?

A Andy Pettitte?

Q Correct.

A No.

Q Did Brian McNamee ever speak with you about Chuck Knoblauch and whether he was using --

A He did not.

Q -- HGH or anabolic steroids?

A He did not.

Q Are you aware of the allegations in the Mitchell Report about Andy Pettitte?

A I am.

Q Were you surprised to hear?

A Shocked. Shocked. When I first -- when I first heard it I said, no way. I was shocked.

Q And how close are you and Mr. Pettitte?

A I think we're pretty close, very close.

Q So were you shocked because -- because of your close

relationship, you would feel that you would -- you would have known that he was using HGH, or he would have mentioned it to you?

A I don't know that. I mean, I was shocked to learn -- I was shocked, absolutely shocked.

Mr. Hardin. I think she's asking why.

The Witness. I would just be -- I was just shocked. I can't believe that he would have used it. I don't know that I would have -- you know -- I'm just shocked. I'm totally shocked.

BY MS. SAFAVIAN:

Q Have you spoken with Andy Pettitte since the Mitchell Report has been released?

A Since it's been released, yes. By e-mail. I saw him the day we had -- we had a -- I met with counsel, with Rusty. And by e-mail, just by e-mail, like more pleasantries. He reached out to me and said, How are you doing? I said, I'm grinding away, holding up as best we can, and something like that in an e-mail.

Q Only through e-mail? You didn't have a phone conversation or a face to face?

A We had not. Like you said, he reached out to me and wanted to go -- maybe get together. But it didn't happen.

Q And did you ask him any questions about the allegations of his HGH use?

A I didn't. I didn't.

Q Have you had any conversations with Chuck Knoblauch since the Mitchell Report was released?

A I haven't. I think -- I think -- again, I think Chuck Knoblauch might have left me a phone message, but I never -- I never called him back.

Q Do you recall when that was?

A It was after -- it had to be after the Mitchell Report was released, yes.

Q And what was the message?

A I didn't even -- I didn't listen to it.

Q How do you know that he left you a message?

A His name came up on my phone.

Q And why did you decide not to listen?

A I just decided not to listen to it. I pass over a lot of messages.

Q Have you had any interaction with Brian McNamee since the Mitchell Report was released?

A I have.

Q And can you tell us about those?

A Got an e-mail -- let me pull everything in here. I got an e-mail. I was in Nassau. Are you guys allowed to -- I'm going to get this in order. I got an e-mail from him, when I was in Nassau, reaching out to me about his son was dying and that he had something that he wanted to tell me,

and to please call him.

Q Do you recall when this was?

A The ballgames were going on -- I'm going to say --

Mr. Hardin. I have a record of the tape recording, which would have been --

The Witness. Before that.

Mr. Hardin. See if you can put it in context with events.

For instance, how long would it have been been before the tape recording?

The Witness. I don't know the exact date. It was January. I was in Nassau on a family vacation. It was towards the end of that vacation that he sent me an e-mail. It was not a text. I'm trying to make sure those two are -- it was an e-mail stating what I said earlier, and -- yeah. I mean, that was in it. I'm going to say in January. I can give you -- I can give you all the date to be precise. I think it was January.

BY MS. SAFAVIAN:

Q That's fine. So you receive this text message from Mr. McNamee --

Mr. Hardin. E-mail.

BY MS. SAFAVIAN:

Q I'm sorry, e-mail.

A E-mail.

Q And what did you do?

A I called my attorney and said, This guy's reaching out to me and I have no idea what it's about.

Q Did you return the call or did you call him? I'm sorry, it was an e-mail.

A Not at that time.

Q When was the first conversation you had with Mr. McNamee?

A Again, I don't know the date. I should know it, I guess. I would say it would have been 2 to 3 days after.

Q After the e-mail?

A Yes. Again, I'm guessing. So -- yeah. Yes.

Q Is this the phone conversation that was recorded and that you played at the press conference?

A Yes, that is correct.

Q Why did you decide to call Mr. McNamee back -- or to call him?

A Basically, he said his son was dying and that he had something to tell me. And I was hoping it was going to be the truth. And I think I stated that in the conversation. I didn't know, really, what he was going to say or where he was going to, you know -- where he was going to go with the conversation. But I let him -- I let him go as far as he wanted to go.

Q You were hoping he would say, what?

A I was hoping he would come to the press conference that I was having on -- in Houston that Monday or Tuesday, and come down and tell the truth about me instead of lies he's telling about me.

Q Did you ask him to attend the press conference?

A I don't know if -- I think I said something about the press conference in the conversation that I had with him. And I said, I need somebody to come down here and tell the truth.

Q Did you ask him why he was telling these lies about you?

A You'd have to ask him. I don't know why he's doing --

Q No. I'm sorry. Did you ask him?

A Did I ask him? I think I did in there. I think I did.

Q What was his response?

A I think he said -- I'm not going to guess what he said. It's in the -- it's in the -- it's on that tape.

Q Did you feel that you got a satisfactory response from him as to why he said these things about you?

A No, I did not.

Q And do you have any explanation as to why Mr. McNamee would say that he injected you with steroids and HGH?

A Again, you'll have to ask him that.

Q When you, I'll say, stopped using him as a personal trainer even though I know you said, you know, that you were going to -- if you were going to e-sign, you might call him up again.

A Sure.

Q When you stopped seeing him, how did your relationship -- how was your relationship at that time?

A I don't think it was much different. Again, if you are asking me now, I think it's quite strange. I think it would be quite strange to everybody sitting here at this table that a week or 10 days before he walked in my house with a machine gun and blew my family away with his accusations -- but not just my family, but my sister's and my extended family. And I'm very -- again, I'll hold back on that until Tuesday or Wednesday, whenever I'm coming in.

He called me for fishing equipment on an e-mail and didn't say one word about that -- what he was doing to me and my family. Very, very upset about that. I don't know what agenda he has. But I can't wait until we get out there in front of everybody to find out. I'm extremely upset about it. Let me get a deep breath here.

Q Sure.

A Because I know it has nothing to pertain to all of y'all here. I think he has an agenda.

Q What do you think that agenda is?

A You ask him. I'll leave that -- you guys can ask him.

Q Why do you think he has an agenda?

A You ask him on that. I have my reasons. And I'll -- I'll leave that to my counsel here.

Q You'll leave it to your counsel to explain what you believe his reasons are?

A Well, I think there are reasons.

Q I understand that this is difficult for you.

A Sure.

Q But you know we are -- the reason why we're doing this is we are just trying to understand -- I think, you know, as Phil mentioned earlier to you, we're just -- the committee's just trying to understand what happened here, because we have --

A Sure.

Q -- obviously two very -- well, Mr. McNamee's publicly said one thing and you are telling us something else. So we're just -- we're trying to understand.

Mr. Breuer. Jennifer, one of the hard things here is the committee, particularly the majority, said the necessity of this hearing is because Roger Clemens attacked the Mitchell Report. That is the rationale. What Roger Clemens has said from the beginning is that he applauds the Mitchell

Report for what it wants to do with steroids, but that he has a very personal issue with Brian McNamee's accusations of him, which have destroyed him. And the world right now believes that Roger Clemens has abused steroids because of this man's accusations. And it's deeply personal.

It's very hard for a congressional deposition or a hearing ultimately to deal with such a personal issue, the issue of what one man will say about a famous man like Roger Clemens. And to try to get into Brian McNamee's head, I think, is very hard for Roger Clemens to do. But it does appear that it's become very difficult for him and that Brian McNamee, of course, has become a famous person as a result of all this. So you're asking our client to speculate.

But, of course, through Brian McNamee's accusations and through the work of this committee now, Brian McNamee has become a celebrated figure, and I think much of the world has drawn very negative conclusions about Roger Clemens. And I think you are just seeing that right now. And that's really, I think, in some sense what he's trying to articulate.

Mr. Issa. I appreciate what you're saying for the last questions. But we have another deposition coming up. You have two sets of public statements in which one must be false. What we're asking for I think here, majority and

minority, is to give us anything that might lead to constructive questioning, that might lead to finding out who is not telling the truth. And if we assume your client to be completely innocent, then we must assume that our next deposition on, what, Thursday, is going to be with somebody who has lied and lied to the Mitchell Report.

So in a sense, we may not be successful in getting everything out, but it is the question of is the Mitchell Report flawed because of someone who lied, that is still within, very much within the purview of this committee, that I think Jennifer's trying to get to. So to the extent that it could lead to us asking better questions on Thursday, I think it would be helpful if your client could give us those kinds of answers.

Mr. Hardin. Yeah. I very much appreciate that. I think the problem here is he is being asked to speculate to why Brian did this. And none of us have rational explanations for McNamee's -- what we contend is McNamee's lies. And Roger has been thrown by this from the very beginning. He is being asked to guess. He has very strong feelings about McNamee. And if you want to ask him to guess as to why McNamee would do it, I think he would be willing to do that. But we don't have an answer for why he's lying. We only have evidence, we think, that shows he is lying. We'll be glad to provide things, for things that you might

want to ask him about. I mean, his statements are just full of inaccuracies.

Mr. Ausbrook. If I could say something on that. The question was, you know, why do you think he's doing this? And Mr. Clemens said, "I think he had an agenda."

The following question was, "Well what do you think that agenda is?" And it may be that the answer is, "I don't know, but I think he has some kind of agenda, but I don't know what it is." Or maybe that he has a reason to think that there's a specific reason to think that Mr. McNamee is telling stories, and we'd like to understand more about the agenda that Mr. Clemens thinks Mr. McNamee has.

Mr. Breuer. Keith and Congressman, we'll give you one example. And I know we're not here to talk about it. But we are very deeply concerned about the nexus between Mr. Novitsky and the prosecutors, the Mitchell Report, and really how our client was the major subject. More pages were spent on our client than any other player in the Mitchell Report.

In the Mitchell Report, to give one example -- and I'm fairly new to this. In one example, one of the large accusations by this man, Mr. McNamee, is that in Florida our client attended a party by Mr. Canseco. And it was at that party, Congressman, that Mr. Canseco spoke to our client about the use of steroids. We were able to establish and we

will be able to establish categorically, without question, that our client wasn't there. We are deeply concerned, frankly, that it wasn't that hard to establish that, and we think others could have established it as well.

So we very much appreciate and really do want this to work out. But it's a very hard scenario for a congressional committee -- with all due respect to this committee's work -- this committee's work, in our view, can deal with the problem of steroids. But it will never get to the bottom of why Mr. McNamee is saying what he does.

Roger Clemens, after a 24-year career, has to identify specific examples of how he didn't do something that another man accuses him is almost impossible. So we found one example in the nine pages, which I think is a fair way of saying, if you looked at it, is filled with innuendo. But there is one concrete example, which is this man says that our client was at a party. And we can establish that he wasn't at the party and, quite frankly, anyone could have. The TV footage will prove that he wasn't at the party. Records will prove that he wasn't at the party. And I think an impartial person looking at it will find that. So that's an example that we think undercuts Brian McNamee completely.

Mr. Issa. But doesn't it also undercut the nature of the Mitchell Report and the authenticity if they didn't do something that anyone could do?

Mr. Hardin. Absolutely. Part of the problem here is that we're in the situation of challenging a report by a congressional icon.

Mr. Breuer. Right.

Mr. Hardin. And there is no secret among any of us how highly Senator Mitchell is thought of, and yet we know that they did not do any due diligence on this man or his story. And that is just one example of things that you or I would respectfully suggest this staff, if you were tasked with doing it, you would have looked into it before you went out -- not you -- but before people went out and ruined this man's name.

The problem with the Mitchell Report is, is that they took, hook, line and sinker, the prosecutor's referral to him as the truth told, and they did nothing to check it out. [redacted] He's been really excoriated publicly for suggesting that McNamee is not telling the truth.

We have had, with all due respect, congressional suggestions that he is going to be referred to -- for a

criminal referral if he testifies differently than the Mitchell Report. And there's no secret he's testifying today, and will next Wednesday, differently than the Mitchell Report. He is trying to bite his tongue because he knows he is going to be testifying publicly. And after that testimony, the Chairman is probably going to recommend a referral to the Department of Justice. And and he's trying not to get too carried away in here about something where he is just simply trashing this guy.

The Mitchell people did not go to Canseco to check and vouch for things they say he said in there. They didn't go and find out about that party. Was Roger at that party? They would have found out he wasn't. So we had to then dig up proof that he wasn't there. They didn't check anybody on these things. And that's what has us so frustrated.

I came to this committee, this staff, 3 weeks ago and represented we'd cooperate in any way that we possibly could. We've only seen the Chairman congratulate Mr. Pettitte for cooperating. And yet we have -- and the staff knows -- given the staff everything and anything they have asked for, voluntarily.

We have to be sitting here today believing that the staff and many members of the committee have already made up their mind in spite of it. And that only makes you part of 85 percent of the American public. I'm not suggesting it's

unique. In spite of that, we're doing it. I don't have enough malpractice insurance to handle the number of lawyers in this country that think I, and now Lanny, are insane to let a man be coming in here when he's already been warned publicly there's probably going to be a public referral -- a criminal referral. And yet we're willing to do so. But to then ask him to speculate, we don't have an answer, and that's the problem.

BY MS. SAFAVIAN:

Q I understand that and I really was not asking you to speculate. The reason I asked the question was because you, Mr. Clemens, said you believe he has an agenda. So I was just trying to explore what in your mind you think is causing Mr. McNamee to say -- to make these allegations against you, which I understand have caused a great disruption and hardship to you. And so we're just trying to understand that, because we will be speaking with him --

A Sure.

Q -- and so, obviously, information you can provide to us, to help inform us and to prepare for that.

A Sure.

Q So that is the reason that I'm asking. And I'm not asking it because I'm trying to cause you any additional grief.

Mr. Hardin. I don't think it's an unfair question at

all. What we are really trying to say is, we haven't been able to answer that question ourselves.

When he says that "counsel" -- what he means is we have told him things we have found out about McNamee that he did not know at the time, and that makes him wonder. When he says "my counsel," he's really talking about -- it's not some secret smoking gun or anything, that somebody's going to parachute in at the hearings and have some dramatic explanation.

As we have investigated this case, we have been shocked at things the Mitchell people haven't looked into. And all Roger knows is what we're telling him, that we're finding something here, we're finding something there. And it blows his mind. It's not the man he thought he was. And so he's -- and when he got mad at the press conference and walked out, it's because sitting right out in front of him were three reporters who have written some of the most vicious articles I have ever read in 33 years in public life. And he's well aware that he does not intend to try to lose his temper or to get out of control with Congress. He doesn't blame y'all over at Congress for any of this. So he's really biting his tongue. He has a lot of speculation and no hard evidence as to why McNamee would make this up.

The Witness. And let me add, because I had read where some New York writers or whatever had talked to a

Congresswoman that I'm going to meet here in a week -- or I believe it was a Congresswoman -- and she made a statement that I'm not going to go tearing out of the -- I'm not going to go walking out of the hearing or press conference like I did. And like Rusty alluded to earlier, I did have four or five guys there that -- they watched me grow up from high school. They know what kind of person I am. They know my work ethic. They've seen it firsthand.

Brian McNamee did not make me as an athlete, despite his ongoing claims by he and his lawyer that they continue to throw stuff out there, that he made me. I had a great workout ethic before I met him. I have never smoked a cigarette, I have never smoked dope, I have never done cocaine. I would not put anything -- allow anybody to put anything in my body that's going to be harmful to me. That's who I am as a person.

I love coming to Washington. I love doing the things that I do here. I enjoy being around -- not in this situation. This is harder than bases loaded. I hate being in these situations. But I am here because I want to set the record straight. And like I said, it's difficult because I'm answering questions on certain times, and lies that people have said about me -- and then also knowing, like Rusty said, some of the stuff that we've come to learn that is shocking to me, as well as Andy Pettitte doing

growth hormone. I don't know; I would think that we were close enough to know that if he was thinking of doing it, or did it, that I would have known; that he would have told me. It's shocking.

I don't know if McNamee -- I know I'm answering more questions than you've asked. But I don't know if McNamee ever told Pettitte that I was using it to get closer to him or to bring him down. I don't know what that situation was. It was never talked about to me.

Ms. Safavian. I appreciate that. And I think what I'll do is, I'll just move on to some other questions since my time is limited.

The Witness. Go right ahead.

Ms. Safavian. And I'm only asking for, obviously, your recollection or what you recall or what you know. And we have not made any decisions or conclusions. That's why we are doing this today, to ask questions. So if the questions seem -- you know, very particular or specific, I mean we're just trying to understand and get from you your knowledge about all this. Because we don't want to just believe what we read in the press.

The Witness. I understand.

Ms. Safavian. Or what we read from other people. So I hope you do understand the context for this.

The Witness. I do. I do.

BY MS. SAFAVIAN:

Q Okay. I do want to quickly go over some questions I had jotted down from what you talked about earlier. And I want to start off with the party in the Mitchell Report that's mentioned at Jose Canseco's house. And one of the things I did write down, you had said that you knew for a fact that you were not there. And I was going to follow up and ask, well, how do you know that for a fact? And I think your attorneys have alluded to that. But can you explain to us how you know for a fact that you were not at Mr. Canseco's house, at a party that occurred in early June 1998?

A Well, I read it in -- I read this in the report, obviously. And when I was questioned about it by my attorneys, I said, I don't remember any party but if there was one, I wasn't there. And I allowed them to look into it. I said, Let's find out. I have records that I was not at the party. I have -- I was on the golf course.

Q Do you know what the date of the party was?

A I don't. I think it states in here June -- just by reading this. So maybe June 8 through 10. We were obviously in Florida in Interleague play, playing the Florida Marlins, and I was not at the party. And that's what I thought from the beginning. But like I've said, confirm it. I want people to confirm it to make sure. I

can't recall everything but I've --

Q Do you know that there was a party while you all were away?

A I do. I do. I do now.

Q You don't recall Canseco having a party?

Mr. Hardin. We don't really want to hide behind this. Quite frankly, if you hadn't brought it up, we would have brought it up at the hearing. So there's no reason for us to lay behind the log on this.

We did several things. We go down and we send people out to talk to Canseco to find out. When he read that portion of the report, he goes, That's a lie. We think, Well, how do you know? He said, Roger wasn't at that party. We said, How do you know he wasn't at that party? Because that's the only party I ever gave at my home there for the team. Roger was supposed to come and he didn't come. And I heard later he was out playing golf.

We then -- and I say, Well, how can we show that? Because we know that Canseco in some corners, people have different views. Canseco's father says, I think that game the next day, I think it was talked about on TV. We then go to Baseball to get their TV records, and we find on the broadcast that two announcers are laughing about the fact that Canseco had this party for the team the day before at his pool, and Roger didn't come. And the other announcer

says, That's right, I saw him playing golf. And then he's going back to the scene. So then we go look at his credit cards because we believe -- and it shows that he played golf that day.

The other thing about it is that we have no answer for is, McNamee tells our investigators that he told the Mitchell people to take that out of the report because he was not at that party. And they refused to do so, saying that other people had told them that. So they left it in. But the report, if McNamee is telling the truth about that, put something in that McNamee tells them is not true.

And now we know -- and he didn't know, because he was not at the party. And I don't know whether McNamee is telling the truth about what he told the Mitchell people or not. We don't know. The one thing we know is, this report has that in there, and if McNamee is telling the truth, they were told from the beginning that McNamee couldn't sponsor it. But more importantly, for the quality of the investigation, which as I was talking to the Congressman about, is they never checked on that. They never called Canseco when they have that information and say, Was Roger Clemens at your party? If they had, they could have found out and started doing the same thing we did.

So there's TV coverage, there's an audio, there's a video. Roger was never at that party. And the key thing to

remember is that's where he's supposed to have begun to get stuff that he's later delivered. The whole house of cards falls.

Q Okay. I appreciate that. Thank you.

A Sorry.

Q That's fine. Can you tell me about your relationship with Jose Canseco?

A He was a teammate in, I think, the early years. I think I said '95 in Boston. I think for -- I think he was there the full year. Toronto, a full year. 2000, I don't -- I think he was either traded or we picked him up. When I say "we," the Yankees.

And I knew Jose. I faced him as a visiting player. I've played golf with him probably -- I've golfed with him, and not just him, but him and other guys on the team. We've gone out in foursomes probably, maybe more than a handful of times, maybe five, six times. And he's been in a golf group, sometimes not with me, in a golf group of 12, or 12 guys playing.

RPTS JOHNSON

DCMN BURRELL

[11:35 a.m.]

BY MS. SAFAVIAN:

Q How would you describe your relationship with him?

A Very friendly with Jose. I think --

Q Friends?

A Yeah, sure. Sure. I would consider that. Not when I am facing him, but --

Q Understood. I just said --

Mr. Issa. We feel your pain on that.

BY MS. SAFAVIAN:

Q Did you ever speak with Mr. Canseco about anabolic steroids?

A Again, not in detail. It wasn't -- you know, I told -- not in detail. I told these guys, you know, again, if I am around four people that smoke dope, I don't smoke dope. So I wouldn't be in detailed conversations, nor would I think they would bring it up. I think it was pretty obvious that people knew that I wasn't a drug abuser of any sorts. But in asking the question, I remember two conversations I had with Jose when he came -- when he was in Toronto about that. He was complaining about how his body always hurt and this and that. And of course I am going to assume, like everybody else, of course what I know now what

he said, but you would assume then that he had, you know, done steroids. You can look at guys and -- like I said, if I am facing a guy that I think is on steroids I am not looking at him like oh, my God, this guy is on steroids and he is going to hit the ball. I am going to make a good quality pitch and I am getting him out. But Jose was complaining about his body, and I think I may have said you need to get off any of the hard stuff that you are on and get on some supplements or whatever so --

Q I am sorry, you told him he needed to get off the hard stuff?

A Yeah, it was not in conversation. I might have been on a tread -- it was in general, I might have been on a treadmill jogging, and it was -- I remember -- I know I told him to get off the hard stuff if he was on. Again, I am assuming that he was, because I hadn't read -- or heard this book, and I hadn't read his book.

Q And what do you mean by hard stuff?

A I would think that steroids or whatever he is doing. Who knows?

Q You thought he was taking something?

A I had no knowledge. Again, I said assume. I assumed that, you know. So --

Q What was his response when you said that to him?

A [redacted]

[redacted] And I said because you need to get to the .500 home run club. Because I knew that was a goal of his. And just in hearing comments from him over the years why he is not really -- he is mad at baseball or something for not giving him an opportunity. I think he offered himself a couple times to go to spring training with no contract because he was trying to -- trying to get -- I don't think he has .500 home runs. I think he is short of it. I don't know for sure, but I don't the think he is in the .500 home run mark, which is a mark for, you know, people to judge him by to get into the Hall of Fame.

Q Uh-huh. So you said there were two conversations you can recall?

A The other conversation, which I probably said many times, is that I think that stuff makes you just look good in the lobby. I don't think it is useful.

Q And you told that to Canseco?

A I am pretty sure I did. I am sure -- yeah.

Q Do you recall what would have caused you to say that? The circumstances?

A I mean again if there was -- I might have said it a number of times. If it was, again, the topic of -- you know, newsworthy, if it was talked about in baseball or somebody was -- you know, just newsworthy. If it was

newsworthy, we talked about it, you know, if it was said. But again, nothing in detail. I just always teased the bigger guys that were bigger and muscular that all's -- you know, all's it does is make you look good in the lobby. I say that to guys who are just lifting to really lift. I don't think it helps you. I think it makes you tight. And I am not saying stuff, I am just saying lifting in general, I think you ought to be careful in lifting. I think it makes you tight. I think it -- you break down. That is just my feeling on not only that subject, but lifting weights too much.

Q Did you have a conversation with Mr. Canseco about HGH?

A No.

Q Never that you can recall?

A Never.

Q And did you in your -- at least the two instances that you can recall speaking with Canseco about steroids, did you talk -- did he ever talk to you about cycling --

A Yeah.

Q -- or stacking?

A This is -- I didn't say yeah.

Mr. Breuer. You did say yeah, but you have to explain.

The Witness. I understand what you are doing, because I know the question. And I think from my understanding,

that question was -- from my understanding, that was asked of Canseco, and he said this never happened either. And I knew I never -- I said no, I have never talked to him about -- like I said, I have no idea what a cycle or stacking or stacked in steroids does.

Mr. Hardin. Did you ever have that conversation with him?

The Witness. No.

BY MS. SAFAVIAN:

Q Have you ever heard those terms before?

A Just reading it, yes, right here.

Q But prior to reading the report, have you ever heard that talk in the locker room, in the clubhouse around other players?

A No. And I will go one step further. I lockered -- in New York I lockered two down -- there was an open locker and Jason Giambi, who has admitted to steroid use, and I never had conversations with Jason in detail that I can -- that I can remember. I would like to say I have never talked to Jason Giambi about steroids or anything and he was a locker mate.

Q You would like to say. So it is your recollection you don't recall such a conversation?

A Yeah, that's correct. That's correct.

Q And can you tell us just generally was there talk

around the clubhouses, and you can go through each clubhouse if you want, but about anabolic steroids or HGH?

A Again, it wasn't -- I am sure it was talked about, but it was nothing in depth, or like you were sitting down to eat your pregame meal or after BP the guys go in and eat meals like it is -- it wasn't around me that widely talked about. I have had, you know, again the question posed to me, and it wasn't -- it wasn't that -- it wasn't that widely talked about other than I would think the most -- if the last congressional hearings were in a spring training, you know, type --

Q 2005?

A Okay. Is that when it was?

Q March, 2005?

A Okay. So it would have been spring training. So sure, that's where the conversation would have been I think most talked about.

Q There was talk about anabolic steroids at that time period?

A Yeah, just what was going on.

Q Do you recall any specific conversations that you would have had with somebody?

A Again, nothing in detail or substance. I don't know about it, and I have never researched it, and --

Q And during that time frame, March of '05, was there

discussion about HGH that you can recall that you had with anybody?

A 2005, I was with the -- I was with the Astros, so, nothing in -- nothing in depth. So --

Q And when you say in depth, I just want to make sure that I understand what you mean by that.

Mr. Hardin. Yeah, if I can. Try to describe for her what you mean the kind of conversations were, because you have said not in depth several times. And she is really just trying to find out --

The Witness. Like in detail like you know about it, or that you know about it. You know, if you just knew about HGH or steroids in general. I mean --

BY MS. SAFAVIAN:

Q So not about any player's specific use of anabolic steroids or HGH. Is that a fair --

A That's fair.

Q -- characterization?

A Yeah, never, as far as, you know, in detail of -- again in detail.

Q And then my last question, because my time has expired --

A Sure.

Q -- and you talked earlier about Brian McNamee injected you a couple times with B12 and one time with

lidocaine?

A That's right.

Q And I wanted to know whether or not Mr. McNamee ever injected you with anything else for the time period that you have known him besides the B12 and the lidocaine shot?

A Never.

Ms. Safavian. Okay. Thank you.

Mr. Barnett. Do you want to take another break? We have some additional questions.

The Witness. Yeah, sure. I can get a stretch.

[Recess.]

Mr. Barnett. We are back on the record for another round of questioning by the majority. We will try to keep this as short as we can and just do cleanup questions.

Before we the get started, we had an off the record conversation, and I just wanted to clarify a couple points on the record in case there was any issue. There was a question about the chairman's view or the committee's view regarding criminal referrals. And there may have been a suggestion that the signal coming from the committee or the chairman if someone challenged the Mitchell Report that would be a basis for a criminal referral. There has been no such statement by the chairman nor by the ranking member.

Mr. Hardin. And I would like to add that if my language earlier suggested that, I take it back. Because I

have no evidence that the chairman has said any such thing. I really was talking about a perception rather than actual quotes or positions of the committee.

Mr. Barnett. There was also a statement that the hearing is because there was an attack on the Mitchell Report. And might have been a suggestion or implication that because the report was being attacked there was a hearing. The committee is trying to investigate steroids in baseball. The Mitchell Report is important, and an assessment of where it is accurate and where it is not accurate is important. And that was the motivation for the hearing.

BY MR. BARNETT:

Q Now, let me go through questions. This will be more, a little bit more scattered, the questions --

A Okay.

Q -- than before because I am trying to pick up and not duplicate, and make sure we get through everything --

A Sure.

Q -- and make sure we do it as expeditiously as we can. Let me start, we talked about B12 and lidocaine. Let me just come to steroids, a few questions. I think I already asked you if you ever took anabolic steroids, and you said -- you said no?

A That is correct.

Q And you never -- have you ever possessed or seen anabolic steroids?

A I have not.

Q And did you ever discuss taking steroids with any player during your baseball career?

A I have not. I have never discussed -- yeah, I have never discussed taking steroids.

Q And did you ever discuss taking steroids with any person outside of baseball during your baseball career?

A I have not.

Q Did you know players whom you knew were taking steroids?

A I didn't know any players. Again, it was all -- you assume, and I am not going to get into assuming other than somebody like Canseco who put a book out, some situation like that.

Q And did you know other persons, acquaintances, people you worked with, family members who you knew were taking anabolic steroids?

A I did not.

Mr. Hardin. Can I point out something that is a problem for him in this area for you all to be aware of? He has never suggested to us or to anyone that he didn't believe people were doing it. What always makes Roger nervous about that question when we ask the same question

that you are asking is that he feels like he has been unfairly adjudged and assumed to have done something. He is very reluctant to point the finger at any other individuals for that very same reason, because they weren't doing it in front of him and that he had personal knowledge of. And so sometimes it sounds like when we asked him that question you asked that he is just acting like it didn't happen. He is not suggesting it wasn't going on. He doesn't like to be the one who points the finger at somebody else when he has no proof of it.

Mr. Barnett. So if I said did you know from personal knowledge?

Mr. Hardin. Right. That would be better.

BY MR. BARNETT:

Q Were you aware -- did you know from personal knowledge that other players were taking steroids?

A I did not.

Q And I have a similar set of questions regarding HGH.

A Okay.

Q I think you have already answered this, but let me just ask it again. Have you ever taken human growth hormones during your baseball career?

A No, I have not.

Q Have you ever possessed or seen human growth hormone?

A I have not.

Q Did you ever discuss taking human growth hormone with any player during your baseball career?

A I have not.

Q Did you ever discuss taking human growth hormone with any person outside of baseball during your career?

A I have not.

Q Do you have personal knowledge of players taking human growth hormone, and I will make this before the release of the Mitchell Report, did you have personal knowledge of players taking human growth hormone?

A Personal knowledge, I do not.

Q And did you have personal knowledge of other persons, acquaintances, people you worked with, family members who were taking human growth hormone?

A I do not.

Q Similar question, set of questions regarding other performance-enhancing drugs.

A Okay.

Q This would be amphetamines or other performance-enhancing drugs. And have you ever taken amphetamines or other performance-enhancing drugs during your career?

Mr. Hardin. Go ahead.

The Witness. I don't know, a list of items that I have

taken, I have taken an ephedra product, but I don't believe it was banned. I don't -- can you read your question again, please?

BY MR. BARNETT:

Q I was asking amphetamines or other performance-enhancing drugs during your baseball --

A No performance-enhancing drugs. I don't think that a Hydroxycut or a ThermaCore, I will leave that up to the experts. I know it has ephedra in it.

Q Amphetamines?

A No. I mean no amphetamines. It sounds like -- amphetamines sounds like a hard drug or something. I have not taken any amphetamines.

Q Let me ask you, you said you have taken some things that may have had ephedra in them?

A Yes.

Q Do you want to just read what those substances are?

A Hydroxycut and ThermaCore I have taken. And from what I have learned, it has ephedra in it, which is a tree root from what I have learned. And it was banned in 2004. The FDA banned it, not Major League Baseball. FDA banned it, it is banned. So I stopped. I didn't take it after that.

Q Your use was prior to the FDA ban?

A I took Hydroxycut and/or ThermaCore, I can't

remember which one. It was a -- I don't drink -- I am not a coffee drinker. I do drink -- once it was banned I did drink a cup of coffee, maybe two cups of coffee before I pitched. And of course that ruined my stomach, so I had to take Tums or something after I did that. But nothing, Hydroxycut and the ThermaCore was it.

Q Did you ever use a -- to your knowledge, did you ever use a substance banned by Major League Baseball?

A No.

Mr. Hardin. Can I ask you, there is -- he asked you about amphetamines. There was one incident that you have mentioned that you never knew, wondered, that you might tell them about that.

The Witness. Well, again this kind of goes along with what Jennifer asked me earlier. Brian McNamee, when he trained me at my house, would get up and come into the main house. He stayed in a house there -- again, Jennifer asked me earlier, McNamee, when that -- when I didn't have family staying at that house he would, you know, I would allow him to stay there so he didn't have to pay hotel expenses, but I knew he would stay at a hotel also sometimes. When he would come into my house, he would -- the daily routine of the 5, 6 days, whatever it might be that he was there, he would make a protein shake for me. I didn't ever see -- you know, he would bring the powder in and mix the powder. I would

have the drink and it is ready for me to drink. Some were good, some were bad tasting. On one specific occasion, he -- he had a vitamin package that had two or three vitamins in it. And it was what I know now and I will tell you that, but let me just stay on the subject here. The vitamins he would have open and put in a little like butter dish or something like that where I would come in and take it. He would be off maybe going to the gym to get the lights on to work, whatever. And on one specific occasion he gave me a white, it was a white small pill. And within an hour-and-a-half of taking that pill, I was -- I don't know what it is like to drink 10 cups of coffee, but I was throwing my pen, and I could barely hang onto the ball. And I asked him what that was. And he told me it was similar to a Hydroxycut or a ThermaCore. And I said from that point on -- I said don't ever -- you leave my vitamins in their packs. And I feel that it was some kind of -- like amphetamine or something. It wasn't a vitamin, because it made me, my body feel like I have never felt before. I was edgy, I really couldn't -- not that I couldn't hold the ball, but I was edgy. And that was one confrontation we had. I will tell you that, again on the lines that Jennifer asked me, is he didn't really what I would say bitch to me, but from what I understand from other people, my agents, marketing manager/agent, I didn't hire him -- I have an RCI

Institute, the Roger Clemens Institute with Memorial Hermann that I have a lot of pride in in Houston, and it was opening up. It is a performance workout for weekend warriors, people that hurt themselves, you know, grown men, young kids hurt themselves playing tennis, it is a rehabilitation, you know, rehab facility. They also opened up a wing in my wife and my's name, a children's wing which I take a lot of pride in. It is going to supersede my baseball playing career. Like I said, baseball is what I did, it is not who I am as a person. And I have found out since that McNamee is very upset or pissed about not -- not getting hired for that. I know he mentioned when he had heard from somewhere that he said you got -- I kind of just blew him off about it, yeah, they are opening an institute. I don't know everything that is going into it, but it is going to be a facility. Well, can I go buy the weights for it? I said, no, they have got, you know, plenty of people to assist in doing that. The Memorial Hermann people are great people, and they have got it together.

[redacted]

I have continually told him that, when he was going to sue

the Yankees and the Astros about his workout regimen -- if you understand about this time of year, really a couple weeks earlier, the ball clubs will send out an off-season workout program. And to get the kids ready so they are ready to go when they get to camp. It is not like the olden days where you used spring training to get in shape. If you do that now, you are going to lose your job. You get in shape before you come to camp. And he was very upset, and I continue -- and I hear this publicly that is going on right now, and again I am biting my lip, my tongue, for me it wasn't his workout. The bulk of it is my workout. When I met Brian McNamee, he followed me around. He studied my workout. And he added about three or four exercises to this workout that now is his, or his Seal program, or whatever that he states is his workout, that he is going to sue, and it is not patented. And so, but if you are asking me, I don't think it was a -- I don't think it was ephedra. And I don't know, because I think it was after -- I passed every test. I played for the not Olympic team, but the world team, which I considered that testing more harsh than Major League Baseball. I invited them to my house to test me in the off season. They did it. I had my oldest son, who is in the game, I made sure he was at home to come watch the testing to see how intruding the testing is when you -- you know, it is not -- it's not comfortable, if you guys know

anything about the testing.

So that is my position on that. And like I said, I told -- I explained to Rusty about that, that -- but I had no reason to believe this guy would harm me. I don't know what his, again, agenda is. I have these thoughts. And if you ask me directly, on the taped interview that we had, you will hear that he says that he has turned down a seven figure deal. And it is my belief that he is going to write a book about me, or whatever he has done to all these other players that I had no knowledge of before I have heard about the report, what is in it. I can't state to it. It is my belief that he was the so-called mole. All this stuff is again coming back to me about this guy that again I shake my head at, that he was the mole inside the Yankees clubhouse, which again we are investigating ourselves. I think there is a reporter he is in cahoots with that is paying him. When you first -- when Jennifer first asked me, I think that -- when he did not want to go to jail, number one, I thought he had tax problems. Maybe he wasn't claiming the money that I paid him or other people. I don't know what they were. But to go back to the clubhouse situation, we would have a team meeting, closed door team meeting, and the very next day it would almost be to the word of what was said. The paper would read an unidentified source, and we all shook our heads at it because it was so close to what

was said. And I believe that to be Brian McNamee.

Mr. Hardin. And I think a lot of this was going back to her question, what agenda.

Mr. Breuer. I think there was a little bit of free association there.

Mr. Barnett. I am glad you got a chance to put that --

The Witness. Thank you.

BY MR. BARNETT:

Q On the record.

Prescription medications to enhance your performance, did you use prescription medications to enhance your performance?

A I have not.

Q And a stimulant, did you use stimulants to enhance your performance?

A Well, I am not a coffee drinker, but I drank coffee, like I stated earlier when I found out ephedra was banned and it was -- it was -- again, I think it was because a youngster in -- again, I say youngster, everybody is younger than I am that is playing it seems like -- in Baltimore. He had I guess come into camp overweight and was taking one of these products. I don't know if it was the two that I explained to y'all, but he ended up dying. And no different than Vioxx. I am very upset about the Vioxx. I ate Vioxx, I said I ate Vioxx like it was Skittles. My clavicle, I

have got fluid in my shoulder just from throwing batting practice to the high school kids 2 days -- 3 days ago.

Q This is more of an aside, but both those issues, we have had investigations about ephedra and the problems of ephedra. Actually worked with the committee, and Chairman Waxman is one of the reasons that ephedra has actually been investigated, about taking ephedra. And we have also had hearings about Vioxx and the marketing to doctors about Vioxx that Congressman Davis, when he was chairman, held. Let me, if I can, move on --

A On the Vioxx subject that I was eating like Skittles, because it was good for my -- or okay, for my stomach, I could tolerate it. It was actually good for the swelling in my body that I have over the years, which I have taken say an Indocin, and it was not something that agreed with me. But I will tell you, again, I threw out the Vioxx, and I specifically remember this, that McNamee went into my trash can and took the Vioxx. There were 70 or 80 pills of Vioxx that I had gathered that he had taken these. And I don't know what he did with those. But anyway, go ahead. I didn't mean to --

Q On Vioxx, who prescribed the Vioxx for you?

A I don't know. You know, it came from the -- I don't know. It came from the team.

Q The next subject I have involves your notice of the

allegations in the Mitchell Report. And if I could start with Senator Mitchell and his efforts, we understand that he contacted each player, or if he didn't contact the players, he contacted them through their representatives and requested interviews. And for current players, he sent I guess the notification to the players union, who then followed up with the agents. And were you aware that Senator Mitchell was seeking to interview you?

A I was not.

Q Senator Mitchell sent a letter to the players union in July 2007, requesting an interview with you. And you were not aware of the July 2007 request?

A I was not. I have never -- I have never met Senator Mitchell or talked to him or received a letter from him.

Q Are you aware now whether his letter made it to the Hendricks, or people representing you?

A Again, Randy Hendricks, my agent-attorney, told me -- I found out -- again, I need to get the dates for y'all, but when I found out about the allegations it was --

Mr. Hardin. It was before or after the Mitchell Report is what he is trying to find out.

The Witness. It was days before the Mitchell Report was released, which I have the Mitchell Report, if I have it right, was December 13th is when it came out. So about -- or right here, December 9th I met with Rusty at Randy

Hendricks' house and found out about the allegations that were being made.

Mr. Hardin. And they are not asking you what we discussed, but the fact that we had the meeting is fine.

BY MR. BARNETT:

Q And so let me get -- the July 2007 letter, when he sent to the players union requesting an interview, this is Senator Mitchell, with you and certain players, when did you become aware that he had made that request?

A From my understanding, it was -- again, the players association contacted Randy Hendricks.

Q Right.

A I don't think -- at that point I think they discussed that a lot of the players or none of the players were going down to talk about that. And I think from what I understand, they asked what was it concerning, and they said you basically got to come down and we will tell you about it. We assumed, and I thought that the 2006 -- it would have been September 2006, about the Grimsley or the L.A. Times report that I had to get up and, you know, obviously deny all those, they came out of nowhere and it brought grief, you know, for a year that I had to deny those, saying it wasn't true, and it wasn't true. And I believe that's what Randy Hendricks assumed it was about also. If I would have known of what Brian McNamee was stating in the report,

I would have been there in a heartbeat.

Q I think I am not being clear on my questions.

A I am sorry.

Q What I was trying to ask was were you aware that Senator Mitchell -- when Mr. Hendricks heard about the invitation, did he communicate with you that you were invited to talk to Senator Mitchell and Senator Mitchell wanted to talk with you?

A I did not.

Q You did not know that?

A I did not.

Q So in the July time frame you didn't know that, August --

Mr. Hardin. I think, yeah, just make clear and then follow up, get comfortable with yourself. I think what he is trying to say is he did not know of this history of stuff until the Sunday before the report came out.

Mr. Barnett. And that's not what I was asking.

Mr. Hardin. Oh, okay.

The Witness. He was asking before that.

Mr. Barnett. That's why I think my question has been confusing. I wasn't trying to ask when you knew about the allegations. I am asking when did you know that Senator Mitchell --

Mr. Hardin. I am saying the same thing.

Mr. Barnett. -- wanted to talk with you about -- Senator Mitchell wanted to talk to you as part of his investigation?

The Witness. I had no idea that Senator Mitchell wanted to talk to me. If it was about baseball and steroids in general, I would have went to see him. And obviously, if I knew what Brian McNamee was stating about me in his report I would have been -- I would have been there.

BY MR. BARNETT:

Q But your agent Randy Hendricks knew in July that Senator Mitchell wanted to talk with you?

A I don't know that. I don't know that. I mean I have been told that. I don't want to -- what he has told me now is that the players association and Randy Hendricks talked about it. And again after -- I believe that he was told -- that he asked about what it was concerning, and they said you will have to come down and see him. And they assumed that it was about the L.A. Times story or --

Q But at that time, in the July time frame Mr. Hendricks never said to you, by the way, Senator Mitchell wants to talk with you, I don't know what it is about, but he wants to talk with you as part of his investigation?

A That is correct.

Q And we also understand that in October Senator Mitchell informed the players union that any player who

agreed to an interview would be provided with the evidence that Senator Mitchell had regarding their use of performance-enhancing drugs, and this was a renewal of Senator Mitchell's request to talk with you. Did you know in October 2007 that Senator Mitchell had made another request --

A I did not.

Q -- to speak with you? Okay. Let me move to -- this is regarding Jim Murray?

A Jim Murray, yes.

Q Just for the record, who is Jim Murray?

A Jim Murray is a marketing/agent with the Hendricks Management Company.

Q And we understand that Mr. McNamee called Jim Murray on December 5th for the purposes of informing you and Mr. Pettitte that you would be named in the Mitchell Report. Were you told about Mr. McNamee's call to Mr. Murray?

A Yes.

Q And do you remember when you were told about that call?

A I think -- I am going to say December -- December -- I would say December 6th or 7th. I am guessing on the dates.

Q And who told you about the call and what were you told?

A Randy Hendricks told me about the call, and basically heard what McNamee had to say, and I was stunned. And that was it.

Q And then investigators working with your attorney, Mr. Hardin, met with Mr. McNamee on December 12th to discuss the allegations about you, and they recorded this meeting. And you have provided a transcript, which we appreciate that cooperation in that area. When did you first learn that there was going to be this meeting between Mr. McNamee and the investigators?

Mr. Hardin. Can I do this, give him days of the week so he can fit in?

Mr. Barnett. Sure.

Mr. Hardin. Like the Mitchell Report on the 13th is a Thursday, the meeting took place on a Wednesday. And you have said, and we have told them that we met with you for the first time on that Sunday before.

The Witness. That would be the 9th?

Mr. Hardin. Is that right? Yeah.

The Witness. Okay. So I learned that there were --

Mr. Hardin. That would be the 8th, wouldn't it?

The Witness. Is Sunday the 8th? Four days. Sunday.

Mr. Hardin. If Sunday is the 9th, Monday is the 10th -- no, you are right, it is the 9th. It is the 9th.

The Witness. Sunday would be the 9th and Wednesday

would be the 12th. So I learned that Rusty Hardin and his investigators were going to meet with McNamee on the 11th, I believe. I think it was the day -- the 11th or 12th, somewhere right in there. That's what I recall.

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BY MR. BARNETT:

Q And you said on the 6th or 7th Randy Hendricks told you. Was that -- did he tell you in person? Did he tell you over the phone? Do you remember how that was communicated?

A It may have been the same day. It may have been Sunday, December 9th, the same day I met at his house. I heard the taped conversation with Jim Murray and Brian McNamee.

Q Mr. McNamee reaches out to Mr. Murray on the 5th. And was it the 6th -- the 5th, 6th, 7th, 8th, 9th, the best you can do when you heard about this?

Mr. Hardin. That would have been a Wednesday.

The Witness. Okay. I don't know -- McNamee -- you are saying Brian McNamee reached out to Jim Murray when?

BY MR. BARNETT:

Q On the 5th, December 5th?

A Okay. And that's when the -- I heard -- the first I heard of it, I heard a taped recording at Randy Hendricks' house; and I believe it was Sunday, December the 9th.

Q And prior to that time you had no -- you had no knowledge that you would be named in the Mitchell Report and that there would be -- that Mr. McNamee was making

allegations about steroid, human growth hormone use?

A That's correct.

Q I have a few questions I want to ask about -- let me stay on Mr. Murray for a moment. In 2003, Major League Baseball conducted a survey of drug tests, random drug testing in 2003; and the names of those who failed the tests were never released. You did release your test results to us. The results led to the implementation of additional testing in 2004 and after.

According to the December 12th transcript, this is when the investigators went to Mr. McNamee's home. Mr. McNamee said in that transcript that he reached out to Jim Murray in 2003 or 2004 to inform Mr. Murray that you had used steroids and therefore might fail the 2003 drug testing. Mr. McNamee said he met with Mr. Murray in a coffee shop, and Mr. McNamee said he wanted to give a heads up to the Hendricks firm so they wouldn't be surprised if you failed the test and this information was disclosed. And he said this is a conversation that he had with Mr. Murray in 2003 or 2004.

Were you ever informed about this conversation?

A I wasn't. I have learned of it since, but I wasn't aware of that -- I wasn't aware of it.

Q And have you discussed with anyone other than -- and I am not asking about your conversations with your attorneys -- of this issue of Mr. McNamee contacting your

agent in 2003 to 2004 about a drug test?

A No, I don't recall any of that. When you --

Again, just -- this is great. Because when you bring up the subject again, I worked out with him I think I told Jennifer or yourself in the first one, from the absolute ridiculous and bizarre, I trained with him in that -- Kentucky. I think he was --

Mr. Hardin. '07.

The Witness. '07. '07 in Kentucky. I believe he was under investigation with this situation that he was in with the drugs and everything else. Never said a word to me about it.

What's more than embarrassing and upsetting to me than I can sit here and tell you is that I threw -- the wonderful people at the University of Kentucky allowed me to use their field if I would speak to their kids and talk to their pitchers and catchers and so on, which I enjoy doing. I have a 10-year personal service contract with the Astros, and I enjoy doing it.

I spoke to the kids in the dugout after a workout. Brian McNamee was to my left. And when I speak, again, to these kids about taking care of your body, when I say -- make the statement of know when you go out the difference between playing and working is having too much fun at night or whatever, to understand -- to understand how to take care

of yourself and what is real and what is not. But after I give my heartfelt speech, which I always do to these kids, I turned to Brian McNamee, who is to my left, and tell him also to put in his word. And he goes through the same spiel about not taking drugs, don't do anything that is going to harm your body.

Mr. Hardin. You are talking about steroids?

The Witness. Well, sure, sure, obviously. That deeply hurts me.

I gave a speech to St. John's, also. I believe Brian McNamee was present in the locker room or lobby. I believe it is on tape to college kids.

Again -- this is the same guy that called me up two months before this happened for Bruce Springsteen tickets. Again, he is fixing to come into my house with a loaded machine gun and wipe out me and my family. That's what I feel like has happened, if you will. Didn't say a word about this to me.

And six days before this report was let, the man texted me for fishing equipment that he knew I bought for my children because he wanted to use my fishing equipment and go fishing. I tell him where it is at and tell him to go have a good time fishing; and, hey, thanks a lot.

I asked him about Kurt Radomski on a situation from Randy Hendricks, who understood this guy was being -- I

don't know the exact dates -- being brought up on these allegations. He was -- I think you heard that on the tape where I was -- again, I was trying to keep my emotions somewhat in check because I had no idea why he was calling me, if it was for a bribe or what his agenda was. And I asked him point blank who -- not Kurt Radomski, I forget the investigator's name for --

Mr. Hardin. Radomski, you are right.

The Witness. No, the investigator -- Novitski. I get Novitski -- Radomski, who is the drug dealer from the Mets, who we have no idea -- I asked him, do you know who this guy is? He said no. I reported back to Randy Hendricks. So --

BY MR. BARNETT:

Q When you had that conversation with Mr. -- do you remember when that was with Mr. Hendricks, when you had that conversation about Mr. Radomski?

A I don't, but I -- I don't have the exact date, but I --

Mr. Hardin. Randy Hendricks says it is sometime after Radomski pleads guilty. And I believe he pleads guilty in April. That was the occasion for him asking Roger to find out if -- asking Roger if he knew this guy. Roger tells him no. And then Roger asks McNamee if he knew him.

So it is probably during the May -- I think the plea of guilty was maybe April, if that is right, and they are

working out together in May at Kentucky. So that is the time frame.

BY MR. BARNETT:

Q So that time frame?

A I would say that's correct.

Q And these aren't in the same -- they are not in the same category, so I am not trying to --

A Sure.

Q -- put them together. Because, obviously, you have expressed your anger in terms of Mr. McNamee not telling you. With Mr. Hendricks not telling you about the July and the October calls, what is your reaction about that?

A I think that he knew my feeling. I think he knew my feeling on the -- how upset I was about the L.A. Times report.

Mr. Hardin. No, no, they are talking about -- you misunderstood him. He is talking about Randy not telling you about --

The Witness. Yeah, sure.

Mr. Breuer. He is relating --

The Witness. I think it has to do with the --

Mr. Hardin. You can't do it chronologically.

Wait a minute, guys. Let me stop you. I think Phil and I are together on this. He is asking you if you are bothered by Randy not telling you about the '03-'04 meeting

that Jimmy --

Mr. Breuer. No, I don't think so.

Mr. Barnett. I was asking him --

The Witness. I am way off then.

Mr. Barnett. Let me ask it again.

Mr. Hardin. Why don't you do that and I will get out of the way.

BY MR. BARNETT:

Q In July, 2007, Mr. Mitchell made a request to --

Mr. Hardin. Oh, I got you.

BY MR. BARNETT:

Q -- interview Mr. Clemens, and that was not communicated. Mr. Hendricks knew about it, but he didn't communicate that to you. And in October, 2007, Mr. Mitchell made a request to Mr. Hendricks; and it was not communicated to you. And I was asking for your reaction to the fact that that wasn't communicated to you. You have said, had it been communicated to you, you would have wanted to speak with --

A Without question.

Q -- with Senator Mitchell.

A Of course, I would have liked to have known. But, again, not knowing what they wanted to talk to us about, I am not associated with the steroids and everything that is going on. That is not part of my life or who I am. And that is why I was upset about the L.A. Times report again.

That I knew that wasn't true, but everybody -- again, I had to go through a year of hell with that.

And I stated -- I think you can look at my interviews on that matter. And from what Randy Hendricks tells me, that's what we thought the questioning was about, and we already knew that wasn't true, and I had already stated that I had nothing to do with that. I never worked out with Jason Grimsley or anything that -- I had no idea about anything going on with him.

Mr. Hardin. Phil, in fairness to Mr. Hendricks, I am not sure -- in fact, I know the record doesn't show one way or the other as to whether he got all of those letters from the union. I think all we know is the union and the Mitchell group were having those communications. I don't know what letters were passed on by the union to Randy.

BY MR. BARNETT:

Q And the difference between December 5th -- there is the call from Mr. McNamee to Mr. Murray. You don't hear about it until December 9th. Were you concerned about that gap in time?

A I think I was on -- I think I came back from vacation is what happened, if I remember correctly. I came back from vacation, and Randy said I need you at my house. I want you to listen to something.

Mr. Hardin. If I may, he doesn't get back -- he is

remembering correctly. The reason that we did not meet with him until Sunday is he was on vacation until Saturday night.

BY MR. BARNETT:

Q Okay. I have just a couple clean-up questions on the issue of B12 and lidocaine.

During your 60 Minutes interview, you mentioned you received lidocaine for your joints. Did you also get lidocaine shots for your joints, or was it just for your back?

A My back. But, again, I don't know what -- when a doctor or -- I have gotten many, many shots over my career. I don't know -- if a doctor is giving me or a trainer has given me a shot of Toradol, I don't know if there is lidocaine in there. Again, I trust that -- I trust that what I am -- again, it is not harmful to me.

Q You had said that you thought other trainers could have given you pain shots. Is there any specific examples you can remember with a trainer as opposed to a medical doctor?

A I would say just about every club, doctors and trainers from every club I have played with over the 24 years. I am certain that doctors and trainers have --

Q Let me differentiate between doctors and trainers. If we go to the Red Sox, did trainers give you any pain shots? Are you certain of that?

A I would say yes.

Q And the Blue Jays, are you certain of that?

A Yes.

Q And the Yankees' trainers giving you pain shots, are you certain of that?

A I can remember, yes.

Q And Astros?

A Sure.

Q This is the -- I think you said -- I think you answered this question on the lidocaine -- let me ask it both with B12 and lidocaine -- that I asked whether others would have known about the shots that Mr. McNamee was giving. And you said I think somebody, people could have. Do you have any specific recollection of discussing either the B12 or the lidocaine shots with any individual?

A Well, it happened in Toronto, so I would say any of the -- you know, I don't know about the doctors, because I don't know if they were in the trainers' room or wherever when I was -- you know, I would complain about my back, or if I even complained to it or talked about it with the chiropractor that was working on my back at the time. So I mean --

Q Do you have a specific -- I am asking -- I think you said it could have.

A I don't know.

Q I was asking if you have a specific recollection.

A I think it sure could have, but I don't have a specific.

Q This is getting right to the end on issues. You said -- and I may have just missed this when Jennifer was asking you about Mr. Canseco and your conversations of get off the hard stuff?

A Sure.

Q What was the time frame for those conversations?

A If I had to guess, I would think any statement like that, I would say it would have had to have been when he was my teammate in Toronto; and he was my teammate in Toronto in '98.

The second one was -- I would think the second one would have been also golfing in -- not in Toronto, but when he was with the team in Toronto golfing. It could have been with the Yankees. He was there -- he was with the Yankees as a teammate in 2000, but he wasn't there -- he wasn't there very long.

Q What led you in 1998 to believe he was taking steroids or he could have been taking steroids?

A I think just the -- I would think back when I was with Boston and he was with Oakland, you know, just guys on the bench talking about it, just his appearance. I had no knowledge, obviously, until his book and --

Q And was that the unique case or were there other people that you suspected because of guys talking or other things and you then had a conversation with them about --

A I would have said that to -- not exactly get off the hard stuff, but I have told people how to try and take care of their body for sure, whether it is, you know, your cuff weights and -- you know, I have always encouraged players to try and take care of their bodies.

Like I said, I think my first 2 or 3 years in the league I was surprised about how many guys smoked and how much they drank, to be honest with you. I was extremely surprised by that when I got into Major League Baseball.

Q This is a question to you, and then it could also be not a question, but we can have a conversation with your counsel. I think you said that the Mitchell Report, that there was things you found in it that were shocking, and a part that was about Mr. Pettitte, but it was also shocking, if I heard right, that the level -- the lack of investigation that Senator Mitchell did.

For instance, having the discussion in the report about your being at a party at Mr. Canseco's house when an investigation could have shown that that was not true. You found that shocking that there was -- he had not thoroughly investigated that. Did I hear that correctly?

A Sure. I am offended that a guy's allegations

basically has me as a drug dealer. I take great offense to that. I didn't read the entire -- Mr. Mitchell's entire report. I read it about me and what Brian McNamee said to me.

Q But I think you said, in response to Ms. Safavian's questions that you, as your attorneys and others have been telling you about things in the Mitchell Report, you found it shocking, the lack of investigation or the lack of inquiry they made at various points. And this was one example, I believe you talked about, was the fact that they didn't investigate, well, did this party happen or didn't it happen, and were you there or weren't you there at Mr. Canseco's house.

A I just know that I wasn't at that party when I read the -- and, again, when I read it and made the statement to Rusty, I told him I wasn't at that party. I don't believe I was. You know, for sure check it out.

Q Let me ask this in a different way, and your counsel could also --

Mr. Breuer. Right.

Mr. Barnett. -- answer, and we could do this on or off the record if your counsel wants to.

Mr. Hardin. We can do it both ways. Go ahead.

Mr. Barnett. I think you said, Mr. Hardin, that things that Senator Mitchell should have checked out but he didn't.

We don't want to be in the same situation. That is what I am trying to say. And if there are issues that we should be checking out, we would like to know about them so that we can check them out.

Mr. Hardin. Fair enough. You are already doing part of it. I think you probably have talked to Mr. Craig. I am assuming you have. You have talked to Dr. Taylor, I think. I am sure you did. You asked for permission.

Mr. Barnett. Uh-huh.

Mr. Hardin. One of the things that he was shocked about that was relayed to him by us is that Tommy Craig was the head trainer during that time, and the Mitchell people never talked to him.

When we went down to see Tommy Craig shortly after we were hired, like on Monday -- we were retained on that Sunday before the report comes out, and then the Monday or so after the report came out we go down there and we interview -- one of the lawyers and one of the investigators in our office -- and we interview Tommy Craig and find out that, A, he never believed Roger used steroids, never showed any signs of it. Told our investigators that for the 2 years Roger was in Toronto he stayed the same size. He was big when he got there; he was big when he left. He never saw anything that would indicate to him steroids, the common things that you hear of, acne and hair loss and

stuff. He never saw any of that during the time Roger was in the shower. That he wouldn't really believe Brian McNamee. And that, most concerning of us, was that the Mitchell people never called him.

And it just seems to me if you are doing a thorough report and you have a guy who comes in and says this man started using them and providing them in '98, and that man is a trainer, that you would want to talk to the trainer that he works for. So it is shocking that the investigators never talked to Tommy Craig.

When our investigators talked to McNamee on that Wednesday -- and we have to assume the Mitchell people had as much opportunity or more to talk to McNamee -- he tells them about this abscess that he says he did not tell the Mitchell people about. But it should be in the medical records supposedly and that the two trainers, Tommy Craig should know and Shannon should know. And so, obviously, Tommy Craig doesn't know anything about an abscess.

We at that time don't have the medical records that you have seen has been in question, so we can't do that. That is one reason we wanted to see them. But the two trainers that McNamee suggests to us would know and suggested it were never talked to by Mitchell.

We find that Roger started using a woman therapist, physical therapist, for massages in 1995 at Boston. She

continues off and on with him until 2006 and sometimes as often as two or three times a week, whenever there is a home stand. Nobody ever talked to her to see if she saw any obvious changes in his body. We are talking about '95 to '96 to 2006. It seems to me that if the Mitchell people were going to put this in a report, those are obvious people.

Within one week of being involved in the case, just by having two former homicide officers go ask some questions, we found at least three or four obvious things any investigator would want to go look at in order to vet whether or not McNamee was telling the truth.

And, finally -- I am sorry, I am sorry -- finally, we were -- what I have already mentioned before and that you know of. We checked to see who has ever made a public records request for the offense report of the 2001 deal. And when we find out that the only two people that have made a request before us were a New York Times reporter who asked for it in 2006, when the -- for some reason, and McNamee's lawyer back in 2002.

And then, finally, on that issue of the report, nobody had talked to the officers. And it is inconceivable to me that if a man is investigated for a felony that is alleged to have been committed at the time that he is saying is the last time he gave Roger -- within a month or two -- Roger

supposedly steroids or human growth hormone, that the obvious thing is you go talk to people and see what their perception was of him and what his conduct was. It becomes particularly relevant when Roger rehires the guy after there is a deal based on McNamee's lie and explanation as to what that event was about.

And then we tell him another shocking thing is that, according to the Mitchell people -- and Senator Mitchell I think testifies that they called him -- they have three meetings with McNamee, one in person, two phone interviews. I don't know an investigator that relies on phone interviews.

But, anyway, they call him to check out the facts. When they do so, he asks them -- according to McNamee -- and, again, I have no idea whether he is telling the truth -- McNamee tells us that one of the things he asked the Mitchell people to take out of the report was a reference to the fact that he was fired by the Yankees because of the rape investigation in 2001.

So now you have the cooperator asking for the report to be sterilized as it applies to him, and they do so. That, to me, is incredibly shocking.

Mr. Breuer. I was just going to add one point to that, and very little. Rusty identified it, but we don't know for sure, but our understanding is -- in the only in-person

interview of the chief accuser, Brian McNamee, it is our understanding that the prosecutors who had made the deal asked the questions in front of Senator Mitchell. They indeed asked leading questions and simply asked McNamee to affirm what he had previously said. So, in essence, he was on a short leash with those who had, of course, challenged and can take away his liberty.

We have no reason to believe whatsoever -- maybe we are wrong -- that Senator Mitchell's people asked questions, that they asked questions in a setting that was really conducive for him to lay out what really happened, as opposed to the prosecutors themselves asking it. That was the first thing.

We understand Senator Mitchell then got up and hugged the witness. That's what we understand.

We then understand that after that, as Rusty has said, that the only two other conversations were telephonic and that McNamee made this request, in our view, to cleanse the record as to an issue of credibility.

And of course, now that we are this far along, we think Mr. McNamee of course, as you can imagine, is very committed to what he originally told the prosecutors, who we think remain very committed to watching what is going on now.

Mr. Hardin. We have deliberately not endorsed what McNamee said as necessarily the truth. I don't -- the

Federal prosecutors and the Federal investigator may have a whole different version of that interview that we are in no position to contradict.

Mr. Breuer. Right.

Mr. Hardin. We are only telling you what McNamee has said occurred. And the problem with that, though, is it doesn't matter in one sense. If we are relying -- if people are relying on McNamee's credibility for what Roger supposedly did, then if he is lying to our investigators and to Roger and all about what really happened in the Mitchell interview, and it was done differently than he says, that is very relevant as to whether he is telling the truth or not now.

All of these things should have been vetted by the Mitchell people. And then if you guys -- and I know it is not in your bailiwick right now -- but if you went behind the Mitchell interview to the -- part of this is not their fault in the sense that they didn't have access to the players. Okay. So then they are very kind of limited as to what they are going to do in certain ways.

So they go to the ball clubs. And if you really went around the league, I suspect, although Major League Baseball is not letting them talk to us, I suspect you will find that in many of these interviews when they went on-site that Senator Mitchell wasn't present at, they have just a list of

questions they asked: Do you know whether this person was using or this person or this person? It is not an investigation or interview like you folks are doing today.

If McNamee is telling the truth about their initial meeting with the Mitchell people with McNamee, if he is telling the truth as to how it went, I don't know anybody that determines credibility by asking somebody, well, did you say this in that meeting with the government? Yes. Did you say this? Did you say that? That is totally worthless in looking at and assessing, like you folks are doing today, and trying to decide whether Roger is telling the truth and as you are with everybody else.

You know, it has been very hard for me because of Senator Mitchell's reputation, and I think well-earned reputation, to not say publicly it is a horrible, disgraceful report, but it is. And to think that they could have done this to these guys. And maybe most people are not challenging it. So we are not in a position to say the report itself is wrong, but the methodology is horrible.

You folks have been doing investigations now for however long you have been on this staff, and I don't think anybody would have done this investigation that way and then issued a report.

Mr. Breuer. Just to add to that -- and there is nothing you can do about it -- but, Phil, there is no

question that there are many players who believe that the Mitchell Report is completely inaccurate and inaccurate about them. But they are not willing to go forward.

And why are they not willing to come forward? Because they are worried if they come forward then they will become the focus of criminal investigations.

But if you take a step back and you try to assess the reality of the context of the Mitchell Report, that is the reality of what has been said among players who are just not coming forward for all the reasons we can identify.

Mr. Barnett. Let me just make a couple comments on that.

Mr. Hardin. Sure.

Mr. Barnett. One, I think we are trying to do this follow-up. We will have Mr. McNamee here. We will not have Federal prosecutors that are reading a script. It will be on Thursday very much --

Mr. Hardin. Sure. And you are going to find he is initially credible. At least our investigators did.

Mr. Barnett. -- very much like that.

I don't believe we have talked to the woman who did the massages. We would be happy to follow up.

Mr. Hardin. We would be happy to provide you her name.

Mr. Barnett. There is one outstanding medical record regarding the abscess, which is the MRI report, which we

would like to get.

Mr. Breuer. We got that presented yesterday, yesterday evening.

Mr. Barnett. So we would like to get that. I think it is the last question that I have.

[Discussion off the record.]

Mr. Hardin. There may be a couple things we want to clarify. That is what we are whispering about. We will wait to do it until after you do yours. We are afraid there is a misleading -- not misleading question, not a complete answer on a couple of things. So we can tell you about it at the break, if you want.

Ms. Safavian. Oh, it's --

Mr. Hardin. If we are going to have a break now, are we coming back?

Ms. Safavian. Yeah, I think as soon as Phil is done we can certainly take a break.

Mr. Barnett. Let me just -- there is a few different things, one just regarding Senator Mitchell. He did -- just so it is on the record, he did reach out to try to talk to the players. We understand there is a dispute whether he should have shared more or not to the players. But to make that clear.

Mr. Hardin. That is right.

BY MR. BARNETT:

Q Did you -- after this report came out, did you or your attorneys reach out to Senator Mitchell?

Mr. Breuer. The answer is we did. We asked to meet with Senator Mitchell.

Mr. Hardin. He did not.

Mr. Breuer. His lawyers did.

Mr. Barnett. Okay. I just have two more questions, and then I will check if on our side there is any cleanup that I have forgotten.

BY MR. BARNETT:

Q But one is, I think I asked you before in terms of trainers giving you pain shots, and you said you were pretty certain that happened. You were certain that happened with the other teams.

A Uh-huh.

Q Mr. McNamee was a strength and fitness coach, not a medical trainer. Did other people who were strength and fitness coaches, as opposed to on the medical staff, give you shots?

A Yeah, they did not. But McNamee, again, as far as I am concerned, was a trainer and had a, I believe -- again, I don't know to what depth he said something about being a Navy Seal and had a Ph.D. or -- that was something I left out about Jennifer's comment. He also -- it is great for you to know, I guess --

Q So he was the only strength and fitness coach that gave you an injection. But you said you viewed him --

A He was a trainer.

Q You viewed him --

A Sure, from what --

Q I am not trying to put words in your mouth. Just so I get it clear. Put aside Mr. McNamee, how you regarded him --

A Sure.

Q -- other strength and fitness coaches did not give you an injection. That's what my question is.

A No.

Q They did not give you an injection?

A That's correct. They did not.

Mr. Hardin. I think he is trying to say he didn't consider him just a strength and a conditioning coach.

BY MR. BARNETT:

Q And I want you to say that. Go ahead and say that. Because that --

A Yes.

Q I am not trying to put that word in your mouth.

A McNamee was a trainer from my knowledge and what he -- and I have since learned I don't think he had a Ph.D., or he bought it online. Again, this is stuff that I am --

Q What was the basis for your thinking he was a --

A He told me.

Mr. Hardin. And actually, a Web site, there is -- he put out some literature listing himself as a Ph.D.

BY MR. BARNETT:

Q A Ph.D. in what subject?

A I couldn't tell you. You have to ask him.

But that was the -- I think the initial problem that he had with the Hendricks. And I think Jim Murray also knew about that. Hickey Chemist, who he supplied the vitamins to me, I guess he took liberty to -- I don't know what deal he struck with them. I will just say that.

But I will say that, according to Randy Hendricks, Jim Murray, those types of endorsements will bring me close to $100,000. Brian McNamee, without me knowing, put me in an article or --

Mr. Hardin. Advertisement.

The Witness. -- advertisement, thank you, and that caused a pretty big rift.

I basically told him, you can't be doing that. You would have to run that by Jim Murray or the Hendricks. I think at that point is when he got, again, a little upset with Hendricks and threatened to sue them.

Mr. Hardin. We will provide you that information.

The Witness. So --

BY MR. BARNETT:

Q The last question I had was you said you talked to Mr. Canseco. Your investigators did or your lawyers talked to Mr. Canseco. You said he was not -- you weren't at that lunch party.

The Mitchell Report says Canseco told members of my investigative staff, Senator Mitchell's investigative staff, that he had numerous conversations with Clemens about the benefits of Deca-Durabolin and Winstrol and how to cycle and stack steroids. Did Mr. Canseco -- did you ask Mr. Canseco whether he had -- or did your -- it would be fine if your counsel wants to answer this question.

Mr. Hardin. Canseco says that's not true.

Mr. Barnett. He said this is not true. He did not tell the Mitchell people these things?

Mr. Hardin. Yeah.

The Witness. It never happened. I never got into discussions, like I would say detailed -- I would consider that detailed discussions with Jose Canseco.

Mr. Hardin. Canseco has given us, actually, a notarized statement saying no.

Mr. Barnett. Is that a statement you can provide to the committee?

Mr. Hardin. Yes.

BY MR. BARNETT:

Q The last question I have, which I think may be a

little unclear, this is going back to B12 and Toronto and Mr. McNamee gave you shots. Did other -- my recollection is you said other people also gave you shots while you were in Toronto, but we are not sure -- we wanted to clarify that point. When you were with Toronto, who gave you B12 shots? Mr. McNamee. Were there others that gave you B12 shots?

A I would say anybody on the training staff that I can remember I am sure.

Mr. Hardin. And Dr. Taylor says he did.

The Witness. Dr. Taylor.

There was another doctor listed that I don't know if he was like an on-call doctor on the weekends, if he -- whatever -- you know --

BY MR. BARNETT:

Q Did they give you multiple shots or one shot?

A Oh, gosh. I am sure I have had -- again, I don't want to guess here, but I am pretty sure I have had pain medicine shots in pill form.

Mr. Breuer. Roger, why don't you explain, if it is not clear, sort of the prevalence of giving B12 shots in Major League Baseball and the reality of how it is done.

The Witness. Sure. You know, I am offended -- I will be honest with you. I am offended, and it has nothing to do with y'all. It is media, that they knew that B12, wink, wink, was for something else.

And my B12 was B12. My mother suggested it in a liquid form back in 1988.

My sisters, again, are offended by -- of course, they read -- I tell them not to read everything because it is driving them crazy, but we will do this the proper and right way.

But hundreds -- it is so common to take B12. There is supplements in the trainers' room for us to take, and I have taken that are supposed to be -- I don't know. I don't know if they work as far as for my joints.

Mr. Hardin. Create a visual scene for them, how shots are handled.

Mr. Breuer. Coming out of the shower or something.

The Witness. Yes, a B12-shot. And the same way McNamee after a game, and I am passing the room, and I told him, you know, that I need a B12 or the doctor, whatever, and there is four or five needles already lined up ready to go. And you get it in your shirt or you pull your jeans down, and they give you a B12-shot, and you are out the door.

Most of mine -- most of mine were always after a game.

As far as B12 or taking some vitamins, depending if it was a day game and I knew I was going to eat if something wouldn't settle in my stomach right -- I mean --

Mr. Hardin. Do you know whether, Roger, whether or

not -- did you ever see them -- when you say "the needles were" -- and they were ready to be just done, did you ever see them loaded yourself?

The Witness. I have never seen them load a needle. It was already predone or whatever you want to call it.

And even though, you know, I would be in there say getting ready to go in the shower and one of the young kids or one of the older guys would say Geno or whoever to the trainers, or whoever, I need -- I would like to get a B -- and it would be ready for them to go. It was very --

BY MR. BARNETT:

Q This is an important point for us. Because there is an area of dispute. Did Mr. McNamee give you a B12 shot and didn't he give you a B12 shot?

A Yeah.

Q Did he use one of those needles that was lined up that was provided by the club to give you a B12 shot?

A I don't know where he got his needles from. I have no idea.

Mr. Hardin. Did you ever provide him any needles?

The Witness. I never, never.

Mr. Hardin. Did you ever provide him any substance to give you?

The Witness. Never.

Mr. Barnett. Okay. I think that's our questions. You

have additional questions?

Ms. Safavian. I do.

Mr. Barnett. Okay. Do you want to take a break before we get to the next round?

The Witness. Sure.

RPTS McKENZIE

DCMN HERZFELD

[1:30 p.m.]

BY MS. SAFAVIAN:

Q Mr. Clemens, I'm going to -- I have a few follow-up questions on all the different topics that were just kind of covered with you, and I apologize that this is the way we do it.

I want to talk -- start with B12. And I have some follow-up questions of what you talked about earlier about B12. And I thought you had said -- you were trying to figure out how many shots of B12 that you may have gotten, and you were trying to do the math, and you said 24 seasons. And I had written down -- I think you said that you had had between six to eight B12 shots; is that correct, to the best of your recollection.

A Yeah. I mean, if some of them were B12, some of them could have been a pain medicine, some of them were in spring training -- you are talking about shots --

Q I'm trying to get a total number of how many B12, only B12, shots that you think that you have had in your career.

A Oh, boy. If I had to guess over 24 years, I would say at least -- at least 25, maybe 50. I'm guessing. I'm guessing. If it was -- I can't guess. Some years I could

have had two or three, and some years I could have had five.

Q So when I heard you say six to eight, you did not mean total six to eight?

A No, ma'am.

Q I'm glad that --

A I'm sorry.

Q No. That's fine. I'm glad I asked.

Why don't we try to go quickly through each team. When you were with the Red Sox, did you receive B12 shots?

A I would imagine. It's been a long time, but I would imagine, yes. Again, my sisters helped pull it in, as my mother suggested it to me. My mother died of emphysema, and she was -- she was big on health, obviously, trying to maintain her health. And she suggested -- my sister reminded me after all this started happening that my mother suggested it to me in 1988. I was with the Boston Red Sox for 13 years. So I'm going to say yes to your question. Sorry.

Q No. No. That's fine. Thank you.

And then when you were with the Blue Jays, we had talked about Dr. Taylor. The medical records seem to indicate that he gave you a B12 shot. Do you recall getting other B12 shots when you were with the Blue Jays?

A Yeah. I mean, I don't know if that's the only one Dr. Taylor's ever given me. I don't know about Tommy Craig.

I just know I received B12 shots.

Q And when you were with the Blue Jays, and Dr. Taylor gave you -- gave you the shot or shots of B12 --

A Sure.

Q -- where would he -- where would he give you those shots?

A I think I've received both of them in the -- in the -- mainly in the shoulder. When I say "shoulder," I mean the cuff area, upper cuff, shoulder area, if you will. And glute, in the butt.

Q Uh-huh. And did he have an office at the clubhouse, Dr. Taylor?

A It was -- I think he did. There's a trainer's room, again, maybe double this size and two -- two other rooms that are off of that room that I think they can do X-rays or something and where the trainers have their desks and everything.

Q And do you recall if, when Dr. Taylor gave you -- gave you these B12 shots, if anyone else was present? Was there like another player present, a trainer present, or was it done fairly private?

A It was fairly open. I know that -- it was very relaxed in Toronto. I know that -- I know that the guys who drank a lot could get their beer pretty much free. I think Labatt's sponsored the team, and I was -- because I lived

not too far from the actual field, you know, I stayed later and did my treatments and stuff like that. So there were people cleaning up. And, you know, I can -- you know. That's -- that's what I remember about it, people -- it was fairly open.

Mr. Hardin. This says Dr. Taylor gave you this shot. The medical record does. Do you remember it being -- and she's asking you about Dr. Taylor giving you shots. Do you have an independent memory of it being Dr. Taylor one way or another? Or are you going on the fact that this medical record says it?

The Witness. I'm going from what I read.

Mr. Hardin. If you hadn't seen that medical record, would you have known whether Dr. Taylor was the one who gave it to you or not?

The Witness. I couldn't even -- you know, I'd have to guess. Again, I see another -- Dr. Gross. I don't know. I don't know.

BY MS. SAFAVIAN:

Q Do you remember who Dr. Gross was?

A Maybe if I saw him.

Q I mean, I'm sorry. Do you remember what his specialty was?

A I don't know if he is the guy that gave me the MRI. I've had -- again, when I've had injuries, I think, you

know, a lot of them have looked at me. All the doctors, I mean.

Q Do you recall if he was an orthopedic specialist?

A I don't. I couldn't tell you the exact. I wouldn't even want to get into guessing on that.

Q And do you know if other players on the Blue Jays also received B12 shots?

A I would -- again, guessing, I would say yes. I think it's very common. It's extremely common.

Q And if you -- and I'm sticking -- let's stick with the Blue Jays right now.

A Okay.

Q If you wanted to have a B12 shot, how did you go about making that request or making sure that you got one?

A I think you just asked.

Q Who would you ask?

A Anybody in there. Any of the -- if a doctor or trainer was in there, you would just ask if they could give you -- they had everything, I guess, on property. I mean, again, you are talking medical stuff that I don't know. I don't know where they get the medicine from.

Q Do you have any specific recollection of asking anyone when you were with the Blue Jays for a B12 shot?

A I don't. I mean, but I'm sure I did. I don't remember specific.

Q And do you know if there was a policy with the Blue Jays as to, you know, who could give players injections, whether it had to be Dr. Taylor, or it could be Dr. Gross, or it could be a trainer? Do you know if they had any type of policy as to who was permitted to give players an injection?

A I don't know that.

Q How about when you were with the Yankees? Did you receive B12 shots when you were at the Yankees?

A Yes.

Q And again, do you recall who you would ask for one?

A I just know the trainers gave them to me. I believe the doctors did. I know the doctors gave me a pain medicine, pain shots, all of the above.

Q Would you have to ask for one, or would there be a clinic? You know, today we have anyone who wants a B12 shot, we'll give you one. Do you recall that you had to actually ask for one, or were they just telling you it's time to have one? How did it work?

A There was never a clinic. The only kind of like organized clinic or something like that, they would have a skin doctor come out and hand out pamphlets and booklets and stuff like that for skin protection. That would be the only thing that I would think they would announce, the skin doctor is coming in if you have funny spots or anything like

that to look at.

Q But nothing like that with regard to B12?

A No.

Q Do you know if, when you were with the Yankees, what their policy was as to who could give players shots?

A I don't. I sure don't.

Q How about when you were at the Houston Astros? Did you receive any B12 shots when you were with them?

A I'm sure I could have, yeah. Again, I don't remember. I will tell you last -- last week we had the elite camp, which my son's involved in, the league camp that goes on for a week. And Dave Labossiere -- good luck on that -- looked me -- when I was there and just told me, good luck through everything, that we're behind you on this, and all that. He told me that, you understand that I've given you more than -- I don't know if he said B12, but more of a pain shot, I believe is what he said, when a doctor wasn't present. And so you get a doctor that wasn't present and that he gave to me. And I didn't even remember that. So I said, Dave, I said, like I said, I don't -- I can't remember. You know, before one of the most important games in Houston's history, I was on IVs because I had the flu the night before, and they put needles in me all over the place and put fluid in me to try and get me ready to pitch, and I couldn't pitch that game.

Q So it sounds like at least with the Houston Astros it didn't have to be a medical doctor who would give players injections?

A I don't think so. And I think that was the case for any of the ball clubs I have been with.

Q You did mention earlier, you described a situation where I think you said you saw needles with B12 kind of laid out?

A Sure. Sure.

Q Which team -- did you mention which team that was?

A I think that was New York. I can remember on one occasion, you know, two, three or four players were getting B12 shots as I -- you have to -- when you come through the shower, you come through the trainer's room. I do anyway. A lot of players do. A lot of players dress in the training room now just for the fact they let the media in so early. But, yeah, sure.

Q And did you get one that day; do you recall?

A I could have. I could have. I sure could have.

Q Did you space out how often you would get a B12 shot? I know you said you can't really recall how many, it could be 25 to 50 times. So did you space out how often you would have it? Was it dependent on how you felt? When would you get these shots?

A I don't think there was any real certain pattern.

Like I said, I take B12 in the pill form pretty regularly also. So I don't think there's any real pattern behind it. Maybe, again -- I'm just trying to pull stuff in here, if -- you know, if two or three of the guys were sick or getting, you know, that would, you know, be the cause for it. Or if somebody else was getting one, you think, you know, I should get one. I don't -- again, these two men to my left, I -- to get the medical records and see, some of them probably were recorded, I don't know if all of them were recorded, I welcome all that. I welcome it.

Q And I want to make sure that I got the number right for this instance. I believe you said earlier that McNamee gave you maybe four to six B12 shots. Did I get that correct?

A I think -- again, I'm guessing, but I would say four to six shots that he gave me. And there was -- B12 was the three or four. He only gave me one shot of lidocaine.

Q So in total you would say McNamee injected you maybe five times, five or six times total?

A I would say, I would be -- I would agree to that.

Mr. Hardin. During the whole period of your relationship with him?

The Witness. That's correct.

BY MS. SAFAVIAN:

Q And can you describe to us what a B12 shot looks

like? Like what color is the liquid?

A Yeah. It's -- I believe it to be pink or red in color, from what I recall from all the shots I've had of B12. It's either light pink, and I think I've seen some that were more red. Again, I'm just trying to recall it.

Q And when Brian McNamee would give you the B12 shots, what color, same color?

A Sure. Sure. Always been.

Q So you didn't notice anything unusual with the shots he gave you?

A Right. I had no reason to believe that, you know, he was doing anything harmful to me or what all this.

Q I think you said earlier that you never supplied McNamee with either the lidocaine or the B12 that he injected in you; is that correct?

A No. Never.

Q Do you know where he got it from?

A I don't.

Q Did you ever ask him?

A I did not.

Q And you said that the shots that he gave -- the B12 shots that he gave you you thought was in 1998 and in 2001. So when you were at the Blue Jays, and when you were at the Yankees?

A Yes.

Q And for each of those four to six times approximately that he gave you these B12 shots, where did they occur? I think you said one was at the clubhouse in Toronto out in the open; is that correct?

A It was in a -- yeah, in what I would say was his office. And the other ones were in like I believe the second floor. I don't -- I'm guessing on the floors. But it was an open cardio room in my apartment building about on the -- I think it's the second or third floor. And I've always gotten treatment there. There's a massage table there. There's a -- I think there's a shower there. And it's open to the people that live in the building to work -- you know, open to the people to work out in the building. I think you have to have key access, I believe.

Q Sure. So for that one time he gave you one B12 shot when you were at the Blue Jays?

A The B12 shot at the Blue Jays?

Q Yes.

A He gave me more than --

Q More than that one time?

A In Toronto he gave me more than one shot.

Q Of B12?

A Yes.

Q And so each time he gave you one of those, were they kind of always around his work area, his desk?

A They were all in that --

Q At the clubhouse?

A Yes. They were all in the -- the clubhouse is where we dress. So I wouldn't say it was at the clubhouse. It was in his office. He had a desk and all his proteins and waters and vitamins in his office.

Q So you never received a B12 shot from McNamee at your apartment at the SkyDome?

A Never.

Q And when you were with the Yankees, were all the B12 shots that he gave you on the second floor that you were describing?

A I lived on the -- I lived on the -- I think it's a 26-story building. It's close to the Hudson River there, again, a block away from a place that I would train during the day. And it's not the first floor because that's the lobby, so I am going to say second or third floor. And it was a workout facility Rohan -- a guy named Rohan Baichu, he was a therapist for the Yankees, he would come there and work on me.

Mr. Hardin. Another guy to talk to about it.

BY MS. SAFAVIAN:

Q And that's where he gave you all of those B12 shots?

A He -- again, from what I can remember, he gave me two B12 shots there. And they were -- what I can remember,

they were in my left arm, from what I can remember.

Q So McNamee never gave you a B12 shot at your apartment in New York?

A He never gave me a shot in my apartment.

Q Has he been to your apartment in New York?

A He has.

Q Has he ever stayed over at your apartment in New York?

A No.

Q And then the lidocaine shot, the one lidocaine shot that you said McNamee gave?

A Toronto.

Q Was in Toronto?

A Yes.

Q And again, that would have taken place by his work station?

A Sure. Exactly.

Q So you never received any injection from McNamee at the SkyDome or your apartment in New York?

A That's correct. SkyDome Hotel. The SkyDome is the whole place. SkyDome Hotel or condo, slash, apartment, whatever. They described it as three, yeah.

Q Thank you.

And then with the injury that we discussed when you were at the Blue Jays, the medical records that you looked

at earlier, I believe you said that you really -- you don't have a recollection of that injury; is that correct?

A I don't remember it other than when I'm reading, you know, what I see in front of me.

Q But beyond that, you don't have any memory of it?

A I don't. And like -- and the abscess, from what I understand an abscess to be, that Mr. McNamee's complaining, would be a huge, pussy, nasty-looking thing that would cause me to miss time on the disabled list is what I've learned here a little bit about this. And my recalling would be, go ask the trainers. I don't remember ever missing a start, ever having an abscess that would be nasty, anything like that. Again, I can think that -- I know when I've warmed up a few times, I might have pulled my glute muscle here or there. But go ask the girl that's worked on me two to three times a week, that's seen my body, every inch of my body except for my private area, and she would know if my body changed or if I had a problem. And the same thing I told these guys when they first came here, this guy's saying you had an abscess. I said, I don't think I've ever had an abscess. Go check. Go check it out. So it didn't happen.

Q Well, with regard to this injury --

A Sure.

Q -- I was just curious if you remembered, if you recall back then whether or not -- you know, what might have

caused it. Did you pull a muscle; do you recall getting hit by a ball; if you have any recollection that would have caused that injury?

A Well, I think just what I told you. I think it could have been a number of the situations you just explained. I wouldn't be surprised that if I didn't -- in training or trying to do squats with Mr. McNamee, that I didn't allude to him that -- why he would know about that and then come up with his own version. I don't know what this guy's thinking.

Mr. Hardin. She's asking what your memory is about it. Do you have any independent memory?

The Witness. I don't other than what I'm reading.

Mr. Hardin. Okay.

BY MS. SAFAVIAN:

Q Okay. Do you recall whether or not you would have discussed this injury with McNamee?

A I would say without question. I mean, he was -- if I'm doing squats or running, I probably couldn't -- you know, I couldn't run or something. I didn't miss any starts, so I probably -- you know, who knows?

Q And I think, you know, you talked about this a little bit at the end with regard to why you would allow McNamee to give you these injections. And I wanted to just explore that a little bit more. It sounds like, from what

you said earlier, that for all the teams that you played for, nobody ever told you you couldn't have a B12 shot. I mean, nobody ever said, no, we don't give our players B12; is that correct?

A No one -- yeah. That's correct.

Q So, and it sounded like the teams -- especially it sounds like with the Yankees, I mean, it was readily available to players to get B12. So I was just trying to understand why you wouldn't go say to the team doctor and ask for a B12 shot. Why did you ask McNamee to give you these shots?

A Well, again, the team doctor didn't always give me a shot, or if it was -- any kind of shot. He could have given me B12 or whatever. Trainers, all trainers, have given me shots. Again, I considered McNamee a trainer. He said he could do it. If you want -- again, what I can -- what I can try and pull in is that the same situation I had in New York where Gene Monahan gave me a -- before a playoff game a shot of Toradol, a pain medicine, instead of the team doctor who's not great at doing it, I guess, and didn't give a great shot. And I don't want to get into him getting fired or our nickname for him as being Dr. Kevorkian, and that's on record now. Thank you very much.

So he would give me the shot. I'm sure that in looking at this, that I probably complained about a shot I got from

Dr. Taylor to Brian McNamee, and he told me he could give me B12 and give it better. I mean --

Q But do you recall that?

A I'm sure we probably talked about it. I mean, I don't recall it, but I would imagine that I would have talked to him about it if I was in the weight room, if I was running, you know, if he caught bullpens, even if I was telling my pitching coach that my glute is hurt, you know, there is no telling what he heard. That's the best I can do on that.

Q Did you think that McNamee had any type of medical training?

A Yeah. I mean, he was employed by the team. I have never done a background check on him, and what I since learned, that the Ph.D. that he bought on line, that the business -- that the company went out of business. He bought it on line. He's -- again, these are things that I've learned.

Q Had you known at the time that he didn't have any medical training, would you have allowed him to give you any of these injections?

A Again, I would -- I would have never assumed that with him having a job in the major leagues for a major league team, I would have never assumed that.

Q You assumed all the trainers have a medical

background?

A Sure. I mean, yeah. I mean, I would think if they're working for Major League Baseball training Major League -- yeah. Yeah. I would say yes.

Q Have you personally injected yourself with anything?

A I have not.

Q Did you ever have any concerns with lidocaine, with an injection of lidocaine, that it could -- if it was not injected properly or in the right place, that it could cause severe health problems for you?

A I didn't know that.

Q So you never had any concerns when McNamee was giving you that lidocaine shot that there might be a problem afterwards?

A No. And again, I would think that -- yeah, I had no idea. I don't -- no.

Q You also mentioned earlier that you believed that McNamee was the mole inside the Yankee clubhouse. Did you ever speak with him or ask him if he was talking to reporters about what happened in the clubhouse?

A No. Just again, what I've just -- what I've learned of late.

Q So you never approached him about it?

A No. I didn't -- I didn't know about it. We didn't know who the person was. But -- I think there's still some

fact-finding that's going to be done.

Q Oh, I'm sorry. So you didn't suspect it was him at the time?

A Oh, most -- yeah. Without question, I didn't know it was him.

Q You did not. I'm sorry. I thought you were saying earlier that perhaps you suspected him at the time.

A No. Not at all.

Mr. Hardin. I think it's the -- what he's learned about the relationship with Hayman since then.

The Witness. There's a reporter named John Hayman that I think I've talked about earlier, and I think that's the one that he's --

BY MS. SAFAVIAN:

Q Did McNamee ever administer an injection to you in Tampa?

A No. And I believe if you're right on that, it even says -- what I've learned from you all, is it Tampa or Tampa clubhouse? Tampa clubhouse?

Q It might have been.

A Absolutely not.

Q Did McNamee ever express to you any concerns that he had for you with regard to the Major League Baseball's drug testing in 2003?

A No. And I might add on that, if that -- I believe I

learned from that about the Jim Murray conversation or something that he was trying to warn -- warn me. And again, I go back to the Kentucky situation, the Bruce Springsteen situation, and the fishing pole situation, which is, again, incredible to me.

Mr. Hardin. When you say "he," I'm always concerned the way something -- when you say the conversation with Jim Murray, "he," what do you mean?

The Witness. He would be McNamee.

Mr. Hardin. Okay. That McNamee said that? Or you've learned --

The Witness. Well, the question was did McNamee -- would you -- you do this. You're better at it.

BY MS. SAFAVIAN:

Q Sure. I wanted to know whether or not McNamee had ever expressed to you concerns that he had regarding your 2003 drug test with Major League Baseball?

A My drug test, no, never.

Q And I asked you this earlier with regard to B12, and let me just follow up with the lidocaine. Did you ever ask McNamee where he got that one shot of lidocaine for you?

A I have not. I did not.

Q You did not.

And can you describe it to us? What did it look like?

A I don't remember that. I know that I've had enough

B12s to know that color. I don't recall the lidocaine, and I don't want to guess.

Q That's fine.

Did you ever or do you today -- did you have concerns about what Brian McNamee was giving you, whether it be the injections or the vitamins? I know you mentioned the one instance earlier about a white pill that he gave you?

A Yeah.

Q Did you have any concerns about that? And maybe not at the time, but maybe as you sit here today?

A Concerns, other than what I talked about as the pill that he gave me that -- it could have been some form of an amphetamine, that was a concern. But again, I trusted him. He worked for these ball clubs. He'd worked before with the Yankees, before I ever met him. I think he knew quite a few of the players on the Yankees before I met him. So I wouldn't think that he would want to harm me or do anything of that nature. What I know now, of course, I think I expressed a lot of those concerns with you all.

Q Do you have any concern -- perhaps you followed this or read about it. You know, we -- after our 2005 hearings, we took a closer look at Rafael Palmeiro, and he believes that he tested positive because of a tainted B12 shot that he received. Do you have any concerns that what Mr. McNamee was giving you was in any way tainted?

A No. I don't believe that whatsoever. As far as Rafael Palmeiro, I just remember the hearings. And again, I didn't watch the entire hearings, but, you know, I heard his statement. And I think if I remember right, that he tested positive and supposedly had taken -- we had heard he had taken some type of pill. But that's -- that's all that was said, I think.

Q Earlier you were asked -- you were asked many questions about human growth hormone.

A Sure.

Q And I wanted to follow up on two particular areas with regard to that. I had asked you during my first round whether or not you had had any discussions or conversations with Andy Pettitte about HGH. And I wanted to know, did you want to expand on your answer to that question?

A I do. And when I say in depth, it would be like the HGH, or how it worked, or what it does for you or anything like that. From my understanding, what we talked about, that Andy Pettitte is trying to recall that he point blank asked me about using HGH. And I told -- I think he remembers that I told him that I did. And it never happened. The conversation, again, in my gym would have been something to the effect, the story about the men playing golf, having quality of life, being able to play golf, the older men that I think I talked about earlier.

If Andy Pettitte -- if I told Andy Pettitte that I used HGH -- number one, I was shocked to find out that he used it. Number two, Andy Pettitte and I were close enough that he would have come to me and stated that he was thinking about doing it, number one. Number two, when he did use it, now that I know he used it, he would have come to me and said that he is using it. He would ask me other questions. Andy and I talked openly about Hydroxycut and Thermacor, which he took, I think, more often, more regularly than I did. We always talked about that. We would -- we talked about. I'm sure the subject came up when the young man died from Baltimore.

Mr. Hardin. She's asking if you ever had a conversation with him about HGH. Was there an incident in which you all had a conversation?

The Witness. The only other that I can bring in -- and I don't even think the conversation was -- that the word HGH was brought up. In 2006, towards the end of the season that we had the -- it's when The L.A. Times report surfaced, and the allegations came. And I remember Andy walking into the manager's office. I think Andy pitched the day before. And obviously this all makes sense to me now. Andy looked like he had seen a ghost and was wringing his hands in front of me and says, what are you going to tell them? And now it would make sense to me. And I went out there and told him,

I told him exactly what the truth is, that I've never done any of this stuff, and I'm going to let them know.

And I think if you get my -- the video highlights clips, whatever it might be on this subject, you'll see that. I was very upset about it. Of course, I had to -- again, I've got tire marks on my back from that story for a whole year that I've denied, and we now know it's not true.

I don't recall Andy's comments that day, but I knew he was upset, but I didn't know the reason why. When Randy Hendricks told me, when these guys told me, I said no freaking way that Andy Pettitte would have used HGH.

So again, it offends me. I know that I've heard different stories from Andy that, well, maybe I thought, maybe I did -- maybe this, maybe that. I've never told Andy Pettitte that I was using HGH. And if I did tell him that, he would have come to me again and asked me, because he would have thought that I was using it or that I had taken it after he had taken it, that he would have asked me about doing it. I'm convinced of it. It didn't happen. The conversation did not happen. There might have been something in general, again, about quality of life.

So that's what I remember about that situation, but it was nothing in depth.

Mr. Hardin. Do you remember whether you all -- if I can just add in, do you remember whether you all discussed

it at all during the 2005 hearings that would have been publicized that this committee was having?

The Witness. It sure could have come up. I didn't know -- I had no reason why to think that Andy would try it or use it. You know, I've heard his comment about healing. You don't know enough about it. We don't know enough about it.

BY MS. SAFAVIAN:

Q So your recollection is this conversation took place in 2006 because of the L.A. Times?

A Oh, no question that conversation happened. Their big -- the conversation supposedly in my gym -- again, it might --

Mr. Hardin. You're answering a question she hasn't asked. She hasn't asked about the gym.

The Witness. I think she's asked me at the beginning, though, if I've had any conversations with Andy.

Mr. Hardin. That's true.

The Witness. Nothing in depth. The one in my gym other than about I know that some -- I had seen some older men had quality of life. That's -- I've seen a show. I don't think it was an article. I think it was a show.

BY MS. SAFAVIAN:

Q So that was a very general conversation?

A There was nothing in depth, and really there was

nothing in depth of the -- of course, it makes more sense to me now, but there was nothing in depth with the conversation in Atlanta. He just basically came down, sat on the couch.

Q So you were in Atlanta?

A We were in Atlanta, that's correct. I think it was towards the end of the season when this article came out. And that's exactly what happened.

Q So he brought it up to you; he raised the subject with you?

A I don't think -- again, I think I told you earlier I don't think he said anything about HGH or saying that he had used it, which at that time I wouldn't have known that he -- that he used it or had done it.

Q So he did not mention it during -- in this time in 2006 that we're talking about, he didn't mention to you HGH? He was upset. You said he was wringing his hands?

A Sure. Yeah.

Q He did not mention HGH to you?

A He did not. He basically, from what I can recall, said, what are you going to tell them? Because I was holding -- I said, I'm talking to the media. And I think that he knew he was going to have to answer to the media.

Q So you had previously said, I'm going to address these allegations?

A Of course. When this came out, of course you are

going to have to answer to the media. When I leave here, I am going to have to answer to them. But I think he asked me what I was going to say, and I told him I was going out there to say the truth. And I -- again, I think if you ask Andy, he will recall that story also.

Q Do you recall any further -- anything else about the conversation that you had?

A That is it with Andy and I. But I know for a fact as close as Andy was, if I knew -- again, I'll state it again. If he was -- if I had told Andy that I was using HGH, he would have asked me before he had done it. And after he did it, he would have told me. I had no knowledge. Like I said, I was shocked to here about the -- you know, about the HGH and --

Q And you were also asked earlier whether or not any of your family -- to your knowledge, whether any family member has ever used HGH?

A Sure. Yeah. I thought we were asked about employees or something like that. I think it was asked to me in three or four -- but I didn't catch family.

Q There was a grouping, I think, in the way it was asked. So let me ask you specifically with regard to family members, do you have any knowledge of any family members using HGH?

A I do. My wife received a shot of HGH from Brian

McNamee at my house. I think it was in our master bedroom. The year, I'm going to say 2003 possibly. I believe there was an article, from what I understand, about HGH in the USA Today that came out a couple days earlier that week. I don't know if it was the only article my wife had read. And he gave her a shot of HGH. She tells me that it happened extremely quick. He was gone after it happened, literally gone. He went to the airport, I found out. I was not present at the time. I found out later that evening. And the reason I found out, because she was telling me that something was going on with her circulation, and this concerned me. The very next day, it wasn't as bad, but I don't know if it was her feeling bad about it, or, you know, I'm not discussing too deep of detail about it with her other than that at this point she's embarrassed, she feels part of a trap that McNamee has set.

The same thing, I think, that night or the next -- that night and the next day, I told McNamee -- we had a pretty heated discussion about it, that I don't know enough about it, and that we don't know enough about it. I believe he described to Deb as he got on the back end conversation with my wife, and I don't know if there's other ladies present that were in my house, kitchen area, I don't know where. I'm just going by some of the details that my wife gave me. And that he heard it, and then within -- I don't think it

was that day, I think it was the next day that he was leaving that he had it. So --

Q I'm sorry he overheard a conversation?

A I think he heard the conversation and suggested it to -- he had it there. Obviously he had it there. And if I can remember right, because he stayed there on -- again, a few days in the off season, I went out to the -- I have what they call a pool house out in the back where they would stay, different people would stay, including McNamee when he was in town. He left luggage. We would mail luggage. I am trying to find my FedEx receipts here. He would carry his luggage. And I went through his luggage, and the only thing that I found was workout gear that he'd left behind. I didn't find any drugs.

Q This is for this instance that you are talking about?

A And that was the only time.

Mr. Hardin. Roger, there are a lot of pronouns. It, it, it. I'm wondering, are you saying that you believe that McNamee heard your wife talking about the possible effects to other people and then suggested to her you would give her the shot?

The Witness. From what I understand from Deb, Debbie, my wife, is that there was some article, and they're all talking openly about youth or -- about this article. And

from what I understand, McNamee offered this up, the HGH that he had on the property.

BY MS. SAFAVIAN:

Q So she did not speak -- she did not go to him and ask him questions about HGH?

A No.

Q Or whether he had any?

A No. And again, there was a number -- other than -- that's pretty much it on this subject as far as what happens.

Mr. Hardin. Let's make sure the record's clear. Okay. You find out about it when, the night after she's taken the shot that day?

The Witness. That night.

Mr. Hardin. That night.

The Witness. That night when I came back. I was not -- I think -- again, what I can remember, I know I wasn't present. But that night I went -- that morning we worked out. I think it happened -- I think the conversation took place the day before. I think that night that it happened -- and I asked Deb, was there any other discussions or anything? She said no.

Mr. Hardin. When did you confront McNamee about it?

The Witness. I'm almost positive he flew out to go back home or go somewhere. And I called him, and I also

called him the next day, because she was still not feeling comfortable, and something about her circulation.

Mr. Hardin. And what was your reaction to what happened? And what did you say to him?

The Witness. I wasn't happy about it. I said basically, you know, we don't know anything about this. He says it's legal. There's no laws against it. It's legal. And I remember, you know -- I'm not going to talk for Deb, but I think that's what the conversation, the gist of it, was to make her feel okay about it.

BY MS. SAFAVIAN:

Q Did you ask him where he got it?

A I didn't. I sure didn't. But my concern was that, you know, again, in looking at my FedEx bills and everything else, I wondered if he had something on my property. That's why I went through his luggage. And I mailed his luggage out two or three different occasions, which, again, I believe we have the bills on. We're pulling all that together, too, right now.

Mr. Hardin. So you went and looked -- the reason for going, looking through his luggage was what?

The Witness. I thought he had drugs on the property. I told him that.

Mr. Hardin. Because you knew he had at least human growth hormone to give her a shot?

The Witness. Sure. And to mail his luggage. But it was just workout gear.

The other things I've told him is that he can't drink on my property. I didn't want him to drink on my property. The maids were -- the two maids that work there on the property were upset about that. But that had nothing to do with the HGH, HGH and her situation. Deb would say that, you know, she's cried about it, and she's apologized to me about it, and she knew I had no knowledge of it. And --

BY MS. SAFAVIAN:

Q So you were not home when this happened?

A I was not home.

Q And you're sure it was in 2003?

A I'm pretty sure. Yeah.

Q Do you have a better sense of timing when, when during that year?

A I think it was in the off season. I mean, obviously he was training -- training me in the off season. So --

Q And did she just --

A I don't know if he was training Andy. I don't know. I don't know because sometimes he was with me 3 days, and then he would leave and go with Andy for a few days.

Q When you say it was off season, do you think it was, you know, November-December of '03 or the beginning of '04, January-February?

A I don't have the date.

Mr. Hardin. When did you sign with the Astros? Maybe you can put it in the context of an event. You pitched for the Astros in '04. When did you --

The Witness. Yeah --

Mr. Hardin. Would it be before or after, say, you decided to go back -- come out of retirement and go with the Astros?

BY MS. SAFAVIAN:

Q Or the beginning of '03? Could it have been January-February?

A No. No. I think it was late '03. Yeah, there you go. Late '03, early '04.

Mr. Hardin. There is a USA Today article we found from November '03. We don't know whether that's it or not.

BY MS. SAFAVIAN:

Q Understood. And she received that one shot of HGH from McNamee?

A One shot.

Mr. Hardin. And actually I think she was -- she wasn't concerned about it other than what he said that one night until this all broke. And then she's blaming herself for wondering why did he have it there? Why would he ever suggest that to her unless he had some other motive?

BY MS. SAFAVIAN:

Q And you mentioned that there might have been other people, other women, around in the house, and they were in there talking about this article?

A I'm sure. I'm sure it could have been her mother. Again, I'm not going to -- it was, I think, a topic that came up in the paper, the way she describes it to me.

Q Do you know if there was anyone else present when he gave her the shot?

A I would say no. But I don't know that.

Q Okay.

A But I would say no.

Q And do you know where he gave her the shot?

A She gave a statement. I think it was in her side, maybe love handle or something like -- side or something, she stated.

Q And besides speaking with McNamee about this --

A Right.

Q -- about this --

A Sure.

Q -- did you speak with anybody else about this incident?

A Just Deb. So -- yeah.

Mr. Hardin. Do you think you mentioned it when you got upset to anybody else?

The Witness. I don't -- I don't think so. I don't

think it ever came up in conversation.

Mr. Hardin. Would you have mentioned it to Andy?

The Witness. I don't think I've -- that -- I really don't. I don't think -- I don't think I mentioned it to Andy. I think -- again, Deb's position on it was that it's -- I don't know if she read it from the article or she -- McNamee confirmed. I don't know if they talked. I haven't gotten into detail with her about it. She didn't feel like she was doing -- as it was expressed to us -- wrong. But it's just embarrassing now, and she's cried over it because she thinks she's been pulled into a trap. That's why she's so upset now. And that's it.

I was concerned, and what I told McNamee, she's having circulation problems. And, you know, she had -- I -- she states it to me now that maybe she was thinking about that maybe she shouldn't have done it, and maybe it was her worries or something of that nature.

Q Did McNamee have any -- any suggestions? When you said she was complaining or had concerns about her circulation, did he have any response to that?

A I just remember talking. He -- it wasn't illegal. I think, of course, I've heard Deb state that.

Q You talked earlier about some of the other vitamins and dietary supplements and shakes that you have taken. Did you -- have you ever taken Andro?

A Andro? I don't know. I'm not sure.

Q Before it was banned.

A Andro? I don't know.

Q That's like the short -- the nickname for it. The longer name is --

Mr. Castor. Androstenedione?

The Witness. No, I have not taken that. That's not a creatine? Is it a creatine?

Mr. Hardin. I have no idea.

Mr. Breuer. I have no idea.

BY MS. SAFAVIAN:

Q To your knowledge --

A No.

Q -- you have not taken any Andro?

A No.

Q I just wanted to quickly go over -- we spoke earlier about Jose Canseco, and we have touched upon what is in the Mitchell Report about what he has said. And you mentioned earlier that you have not read Jose Canseco's book; is that correct?

A That's correct.

Q And we can mark one of these as an exhibit.

[Clemens Exhibit No. 3
was marked for identification.]

BY MS. SAFAVIAN:

Q I just want to ask you about a couple of sentences that he has in the book that talks about you.

A Okay. Is this highlighted --

Q Yes, it is.

Were you aware that you were mentioned in his book?

A Yeah. I mean, I'd heard about it, yes, about joking about B12 shots.

Q Did Jose Canseco mention to you that he was going to talk about you in his book before it was released?

A No.

Q If you look at what's on page 211, and it is highlighted, he says with regard to B12, "It was so open, the trainers would jokingly call the steroid injections 'B12 shots,' and soon the players had picked up on that little code name, too."

Did you -- at any of the clubhouses, did you ever hear of B12 shots being code for steroids?

A I have not heard that. I didn't play with Jose in Oakland when they -- when this was supposedly the time that he did it. I don't know if he did it then, or if he did it later. But assuming that he did it in Oakland, you know -- I've heard this, and I think I said earlier, I've had to deal with that, too, because people have said, quote, B12 shots and all that, yes.

Q And then further down on that page, he writes, "It

was the pitchers who really kept that 'B12' joke going. For example, I've never seen Roger Clemens do steroids, and he never told me that he did. But we've talked about what steroids could do for you, in which combinations, and I've heard him use the phrase 'B12 shots' with respect to others."

Is that accurate?

A I have never talked to Jose in depth about steroids. Or I don't know that I've ever joked about B12. I know I've never joked about B12. And I think I also said that stacking and -- stacking and -- stacking cycle that's mentioned in the report, none of that. And --

Mr. Hardin. None of that what?

The Witness. The stacking and cycle, I have no knowledge of that. And from what I understand, Jose has said that we have not had these discussions.

BY MS. SAFAVIAN:

Q If you turn to the next page, which is page 212, he says -- and I'm going to paraphrase here, but you certainly can read it. You used to talk a lot about how if you were a pitcher, the hitters were all getting stronger, and that made your job more difficult. Did you talk about that? And he's got you quoted as saying, "You hitters are so darn strong from steroids."

A No. I wouldn't have -- I don't recall ever saying

that.

Q Did you recall in general a conversation with Jose Canseco about how your job has gotten harder because the players were taking steroids?

A My job got harder because I was getting older, and not from worrying about -- I said that earlier. I mean, it's been my stance all along. I don't think they help you. I think steroids only hurts you. I think they make you tight. You wonder about the guys blowing out their tendons and so on and so forth.

I'm on the same page as Senator Mitchell with all this. And, you know, along with the lines of doing a national campaign for COPD and the national campaign for getting defibrillators in high school, if I was approached by Senator Mitchell to do a national campaign, I would be the first one in line. So --

Q Did Jose Canseco ever ask you if you took steroids?

A Never.

Q If you read the last paragraph that I have highlighted, he is talking about -- he says, One of the classic signs of steroid use is when a player's basic performance actually improves later in his career. One of the benefits of steroids is that they're especially helpful in countering the effects of aging. So in Roger's case, around the time he was leaving the Boston Red Sox -- and Dan

Duquette, the general manager there, was saying he was, quote, past his prime -- Roger decided to make some changes. He started working out harder. And whatever else he may have been doing to get stronger, he saw results. His fastball improved by a few miles per hour. He was a great pitcher long before then; it wasn't' his late-career surge that made him great. But he certainly stayed great far longer than most athletes could expect. There's no question about that.

Do you have any comment about what I just read?

A Yeah. Thank you for asking. I knew we wouldn't get through probably this hearing or this deposition and the hearing without having Dan Duquette's name mentioned. And past my prime, I believe he said I was in the twilight of my career, which is an offhanded comment.

I think he was -- when I wasn't going back to the Red Sox because of negotiations with him in particular, I don't think he wanted to give a pitcher of a certain age a deal. I can only tell you, of course, Jose again does do his homework here. I don't know that I threw any harder. My split finger got better, my location was better, my body certainly didn't change. I was not working out any harder. I can show you an article from a high school friend of mine, who, in the middle of this, that I didn't even know at the time that he wrote about my work habits in high school.

As far as the Boston Red Sox trainer, you can go talk to the traveling secretary, his name is Steve August, who I ran constantly the Charles River with. And Jose never enjoyed that run with us at all.

My workout routine, I didn't get my workout routine through a bottle or shortcuts. I took no shortcuts. I think if you ask anybody in my career, any players, you can ask any players about my work ethic and my determination, my will I got from my mother and my grandmother. Again, this is another reason why this is very upsetting to me.

Mr. Hardin. How about was there a surge in your career?

The Witness. There was no surge in my career. I've had thankfully more ups than downs. I've pitched through injuries that I've had.

Mr. Hardin. What was your first year like in '97 after you left the Red Sox when you were supposedly washed up before you met McNamee?

The Witness. And as far as the comments that have been put out there, I think I met Brian McNamee in 1998, when he is now just of late using the media to try and prove his situation in whatever he's doing, said that I was like the Pillsbury Doughboy. In 1997, I led the league. I won the Triple Crown in pitching, which is ERA wins and strikeouts, before I ever met Brian McNamee, before he ever showed me

these incredible workouts that were my workouts that he followed me around to watch, and he added three exercises to my workouts. In 1996, and a couple years before that when I was in the twilight of my career, I set the major league record, my own record, for 20 strikeouts in a game.

If I were to come to you with a player that was washed up or in the twilight of his career or past his prime and said that I have a guy for you that has led the league in strikeouts, is in the top five in ERA, is in the top five or eight in innings pitched, I think every general manager would say, bring him to me. I also think that the Toronto Blue Jays wouldn't have made me the highest-paid pitcher in the game at that time, which is, again, the Boston media, the people that you will never swing, the people that I will never get my good name back from this situation. I don't know if this will ever change, because they look past the evidence.

And another reason why I retained these two gentlemen to my left is because Brian McNamee is not going to write a book telling how he brought the best pitcher down and all his lies for $1 million so you can write off after he's sold his soul or name out. I am extremely disappointed, which I will once again tell publicly I am here, by that. I think me being here proves that. And I do want to say that I am more comfortable that I have people in the room here that I

don't feel have already made up their minds, what I've been told this.

I am totally for any kind of testing. I put myself out there for the world games, took pride in putting USA on my chest, who -- another person I am disappointed in is our commissioner of baseball, who that regardless, I understand I was asked by Senator Mitchell to come down and see him, but before you change somebody's life on statements that were made by a liar -- I'm an easy person to find. I'm a public figure. I come to Washington a lot. I am not running off to hide. I think all I've done for baseball --

BY MS. SAFAVIAN:

Q Take your time. If you want to continue.

A I think that I've -- what I've done for baseball, that the commissioner would have found me so I could deny these allegations without ruining my good name.

Ms. Safavian. Let me just check. Give me 1 second. That's all we have. Thank you very much.

Mr. Hardin. I want to thank you all for you all's courtesy today. I think you have been very fair and very courteous.

Mr. Breuer. Absolutely.

Ms. Safavian. Thank you very much, Mr. Clemens. We really appreciate it.

[Whereupon, at 2:33 p.m., the deposition was

concluded.]

Certificate of Deponent/Interviewee

I have read the foregoing ____ pages, which contain the correct transcript of the answers made by me to the questions therein recorded.

_____

Witness Name

ERRATA SHEET

FOR DEPOSITION OF WILLIAM ROGER CLEMENS

PAGE	LINE	CORRECTION
21	13	Change "ever who" to "whoever." Change noted by the witness.
52	6	Change "him?" to "him." Change noted by the witness.
76	4	Change "e-sign" to "re-sign." Change noted by the witness.
105	2	Change "it" to "ephedra." Change noted by the witness.
147	13	Change "and" to "or." Change noted by the witness.
188	19	Change "does" to "doesn't." Change noted by the witness.