

108TH CONGRESS
2D SESSION

S. 2195

To amend the Controlled Substances Act to clarify the definition of anabolic steroids and to provide for research and education activities relating to steroids and steroid precursors.

IN THE SENATE OF THE UNITED STATES

MARCH 11, 2004

Mr. BIDEN (for himself, Mr. HATCH, Mr. GRASSLEY, Mr. HARKIN, Mr. STEVENS, Mr. MCCAIN, Mr. NELSON of Florida, Mrs. FEINSTEIN, Mr. ALLEN, and Ms. MURKOWSKI) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Controlled Substances Act to clarify the definition of anabolic steroids and to provide for research and education activities relating to steroids and steroid precursors.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Anabolic Steroid Con-
5 trol Act of 2004”.

1 **SEC. 2. AMENDMENTS TO THE CONTROLLED SUBSTANCES**
 2 **ACT.**

3 (a) DEFINITIONS.—Section 102 of the Controlled
 4 Substances Act (21 U.S.C. 802) is amended—

5 (1) in paragraph (41)—

6 (A) by realigning the margin so as to align
 7 with paragraph (40); and

8 (B) by striking subparagraph (A) and in-
 9 serting the following:

10 “(A) The term ‘anabolic steroid’ means any drug or
 11 hormonal substance, chemically and pharmacologically re-
 12 lated to testosterone (other than estrogens, progestins,
 13 corticosteroids, and dehydroepiandrosterone), and in-
 14 cludes—

15 “(i) androstanediol—

16 “(I) $3\beta,17\beta$ -dihydroxy- 5α -androsterane; and

17 “(II) $3\alpha,17\beta$ -dihydroxy- 5α -androsterane;

18 “(ii) androstanedione (5α -androstan-3,17-
 19 dione);

20 “(iii) androstenediol—

21 “(I) 1-androstenediol ($3\beta,17\beta$ -dihydroxy-
 22 5α -androst-1-ene);

23 “(II) 1-androstenediol ($3\alpha,17\beta$ -dihydroxy-
 24 5α -androst-1-ene);

25 “(III) 4-androstenediol ($3\beta,17\beta$ -dihydroxy-
 26 androst-4-ene); and

1 “(IV) 5-androstenediol ($3\beta,17\beta$ -dihydroxy-
2 androst-5-ene);

3 “(iv) androstenedione—

4 “(I) 1-androstenedione ($[5\alpha]$ -androst-1-en-
5 3,17-dione);

6 “(II) 4-androstenedione (androst-4-en-
7 3,17-dione); and

8 “(III) 5-androstenedione (androst-5-en-
9 3,17-dione);

10 “(v) bolasterone ($7\alpha,17\alpha$ -dimethyl- 17β -
11 hydroxyandrost-4-en-3-one);

12 “(vi) boldenone (17β -hydroxyandrost-1,4,-diene-
13 3-one);

14 “(vii) calusterone ($7\beta,17\alpha$ -dimethyl- 17β -
15 hydroxyandrost-4-en-3-one);

16 “(viii) clostebol (4-chloro- 17β -hydroxyandrost-4-
17 en-3-one);

18 “(ix) dehydrochloromethyltestosterone (4-
19 chloro- 17β -hydroxy- 17α -methyl-androst-1,4-dien-3-
20 one);

21 “(x) Δ 1-dihydrotestosterone (a.k.a. ‘1-testos-
22 terone’) (17β -hydroxy- 5α -androst-1-en-3-one);

23 “(xi) 4-dihydrotestosterone (17β -hydroxy-
24 androstan-3-one);

- 1 “(xii) drostanolone (17 β -hydroxy-2 α -methyl-5 α -
2 androstan-3-one);
- 3 “(xiii) ethylestrenol (17 α -ethyl-17 β -hydroxyestr-
4 4-ene);
- 5 “(xiv) fluoxymesterone (9-fluoro-17 α -methyl-
6 11 β ,17 β -dihydroxyandrost-4-en-3-one);
- 7 “(xv) formebolone (2-formyl-17 α -methyl-
8 11 α ,17 β -dihydroxyandrost-1,4-dien-3-one);
- 9 “(xvi) furazabol (17 α -methyl-17 β -
10 hydroxyandrostano[2,3-c]-furazan);
- 11 “(xvii) 13 α -ethyl-17 α -hydroxygon-4-en-3-one;
- 12 “(xviii) 4-hydroxytestosterone (4,17 β -dihydroxy-
13 androst-4-en-3-one);
- 14 “(xix) 4-hydroxy-19-nortestosterone (4,17 β -
15 dihydroxy-estr-4-en-3-one);
- 16 “(xx) mestanolone (17 α -methyl-17 β -hydroxy-
17 5 α -androstan-3-one);
- 18 “(xxi) mesterolone (1 α -methyl-17 β -hydroxy-
19 [5 α]-androstan-3-one);
- 20 “(xxii) methandienone (17 α -methyl-17 β -
21 hydroxyandrost-1,4-dien-3-one);
- 22 “(xxiii) methandriol (17 α -methyl-3 β ,17 β -
23 dihydroxyandrost-5-ene);
- 24 “(xxiv) methenolone (1-methyl-17 β -hydroxy-5 α -
25 androst-1-en-3-one);

- 1 “(xxv) methyltestosterone (17 α -methyl-17 β -
2 hydroxyandrost-4-en-3-one);
- 3 “(xxvi) mibolerone (7 α ,17 α -dimethyl-17 β -
4 hydroxyestr-4-en-3-one);
- 5 “(xxvii) 17 α -methyl- Δ 1-dihydrotestosterone
6 (17 β -hydroxy-17 α -methyl-5 α -androst-1-en-3-one)
7 (a.k.a. ‘17- α -methyl-1-testosterone’);
- 8 “(xxviii) nandrolone (17 β -hydroxyestr-4-en-3-
9 one);
- 10 “(xxix) norandrostenediol—
- 11 “(I) 19-nor-4-androstenediol (3 β , 17 β -
12 dihydroxyestr-4-ene);
- 13 “(II) 19-nor-4-androstenediol (3 α , 17 β -
14 dihydroxyestr-4-ene);
- 15 “(III) 19-nor-5-androstenediol (3 β , 17 β -
16 dihydroxyestr-5-ene); and
- 17 “(IV) 19-nor-5-androstenediol (3 α , 17 β -
18 dihydroxyestr-5-ene);
- 19 “(xxx) norandrostenedione—
- 20 “(I) 19-nor-4-androstenedione (estr-4-en-
21 3,17-dione); and
- 22 “(II) 19-nor-5-androstenedione (estr-5-en-
23 3,17-dione);
- 24 “(xxxi) norbolethone (13 β ,17 α -diethyl-17 β -
25 hydroxygon-4-en-3-one);

- 1 “(xxxii) norclostebol (4-chloro-17 β -hydroxyestr-
2 4-en-3-one);
- 3 “(xxxiii) norethandrolone (17 α -ethyl-17 β -
4 hydroxyestr-4-en-3-one);
- 5 “(xxxiv) oxandrolone (17 α -methyl-17 β -hydroxy-
6 2-oxa-[5 α]-androstan-3-one);
- 7 “(xxxv) oxymesterone (17 α -methyl-4,17 β -
8 dihydroxyandrost-4-en-3-one);
- 9 “(xxxvi) oxymetholone (17 α -methyl-2-
10 hydroxymethylene-17 β -hydroxy-[5 α]-androstan-3-
11 one);
- 12 “(xxxvii) stanozolol (17 α -methyl-17 β -hydroxy-
13 [5 α]-androst-2-eno[3,2-c]-pyrazole);
- 14 “(xxxviii) stenbolone (17 β -hydroxy-2-methyl-
15 [5 α]-androst-1-en-3-one);
- 16 “(xxxix) testolactone (13-hydroxy-3-oxo-13,17-
17 secoandrosta-1,4-dien-17-oic acid lactone);
- 18 “(xl) testosterone (17 β -hydroxyandrost-4-en-3-
19 one);
- 20 “(xli) tetrahydrogestrinone (13 β ,17 α -diethyl-
21 17 β -hydroxygon-4,9,11-trien-3-one);
- 22 “(xlii) trenbolone (17 β -hydroxyestr-4,9,11-trien-
23 3-one); and
- 24 “(xliii) any salt, ester, or ether of a drug or
25 substance described in this paragraph.”; and

1 (2) in paragraph (44), by inserting “anabolic
2 steroids,” after “marihuana,”.

3 (b) AUTHORITY AND CRITERIA FOR CLASSIFICA-
4 TION.—Section 201(g) of the Controlled Substances Act
5 (21 U.S.C. 811(g)) is amended—

6 (1) in paragraph (1), by striking “substance
7 from a schedule if such substance” and inserting
8 “drug which contains a controlled substance from
9 the application of titles II and III of the Comprehen-
10 sive Drug Abuse Prevention and Control Act (21
11 U.S.C. 802 et seq.) if such drug”; and

12 (2) in paragraph (3), by adding at the end the
13 following:

14 “(C) Upon the recommendation of the Sec-
15 retary of Health and Human Services, a compound,
16 mixture, or preparation which contains any anabolic
17 steroid, which is intended for administration to a
18 human being or an animal, and which, because of its
19 concentration, preparation, formulation or delivery
20 system, does not present any significant potential for
21 abuse.”.

22 (c) ANABOLIC STEROIDS CONTROL ACT.—Section
23 1903 of the Anabolic Steroids Control Act of 1990 (Public
24 Law 101–647) is amended—

25 (1) by striking subsection (a); and

1 (2) by redesignating subsections (b) and (c) as
2 subsections (a) and (b), respectively.

3 **SEC. 3. SENTENCING COMMISSION GUIDELINES.**

4 The United States Sentencing Commission shall—

5 (1) review the Federal sentencing guidelines
6 with respect to offenses involving anabolic steroids;

7 (2) consider amending the Federal sentencing
8 guidelines to provide for increased penalties with re-
9 spect to offenses involving anabolic steroids in a
10 manner that reflects the seriousness of such offenses
11 and the need to deter anabolic steroid trafficking
12 and use; and

13 (3) take such other action that the Commission
14 considers necessary to carry out this section.

15 **SEC. 4. PREVENTION AND EDUCATION PROGRAMS.**

16 (a) IN GENERAL.—The Secretary of Health and
17 Human Services (referred to in this Act as the “Sec-
18 retary”) shall award grants to public and nonprofit private
19 entities to enable such entities to carry out science-based
20 education programs in elementary and secondary schools
21 to highlight the harmful effects of anabolic steroids.

22 (b) ELIGIBILITY.—

23 (1) APPLICATION.—To be eligible for grants
24 under subsection (a), an entity shall prepare and
25 submit to the Secretary an application at such time,

1 in such manner, and containing such information as
2 the Secretary may require.

3 (2) PREFERENCE.—In awarding grants under
4 subsection (a), the Secretary shall give preference to
5 applicants that intend to use grant funds to carry
6 out programs based on—

7 (A) the Athletes Training and Learning to
8 Avoid Steroids program;

9 (B) the Athletes Targeting Healthy Exer-
10 cise and Nutrition Alternatives program; and

11 (C) other programs determined to be effec-
12 tive by the National Institute on Drug Abuse.

13 (c) USE OF FUNDS.—Amounts received under a
14 grant under subsection (a) shall be used primarily for edu-
15 cation programs that will directly communicate with
16 teachers, principals, coaches, as well as elementary and
17 secondary school children concerning the harmful effects
18 of anabolic steroids.

19 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
20 authorized to be appropriated to carry out this section,
21 \$15,000,000 for each of fiscal years 2005 through 2010.

22 **SEC. 5. NATIONAL SURVEY ON DRUG USE AND HEALTH.**

23 (a) IN GENERAL.—The Secretary of Health and
24 Human Services shall ensure that the National Survey on

1 Drug Use and Health includes questions concerning the
2 use of anabolic steroids.

3 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated to carry out this section,
5 \$1,000,000 for each of fiscal years 2005 through 2010.

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