

Public Law 108–358
108th Congress

An Act

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.

Oct. 22, 2004

[S. 2195]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Anabolic Steroid Control Act of 2004”.

Anabolic Steroid
Control Act of
2004.
21 USC 801 note.

SEC. 2. AMENDMENTS TO THE CONTROLLED SUBSTANCES ACT.

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

(1) in paragraph (41)—

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

(B) by striking subparagraph (A) and inserting the following:

“(A) The term ‘anabolic steroid’ means any drug or hormonal substance, chemically and pharmacologically related to testosterone (other than estrogens, progestins, corticosteroids, and dehydroepiandrosterone), and includes—

“(i) androstenediol—

“(I) 3 β ,17 β -dihydroxy-5 α -androstane; and

“(II) 3 α ,17 β -dihydroxy-5 α -androstane;

“(ii) androstanedione (5 α -androstane-3,17-dione);

“(iii) androstenediol—

“(I) 1-androstenediol (3 β ,17 β -dihydroxy-5 α -androst-1-ene);

“(II) 1-androstenediol (3 α ,17 β -dihydroxy-5 α -androst-1-ene);

“(III) 4-androstenediol (3 β ,17 β -dihydroxy-androst-4-ene); and

“(IV) 5-androstenediol (3 β ,17 β -dihydroxy-androst-5-ene);

“(iv) androstenedione—

“(I) 1-androstenedione ([5 α]-androst-1-en-3,17-dione);

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

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

“(v) bolasterone (7 α ,17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);

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

“(vii) calusterone (7 β ,17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);

- “(viii) clostebol (4-chloro-17 β -hydroxyandrost-4-en-3-one);
- “(ix) dehydrochloromethyltestosterone (4-chloro-17 β -hydroxy-17 α -methyl-androst-1,4-dien-3-one);
- “(x) Δ 1-dihydrotestosterone (a.k.a. ‘1-testosterone’) (17 β -hydroxy-5 α -androst-1-en-3-one);
- “(xi) 4-dihydrotestosterone (17 β -hydroxy-androstan-3-one);
- “(xii) drostanolone (17 β -hydroxy-2 α -methyl-5 α -androstan-3-one);
- “(xiii) ethylestrenol (17 α -ethyl-17 β -hydroxyestr-4-ene);
- “(xiv) fluoxymesterone (9-fluoro-17 α -methyl-11 β ,17 β -dihydroxyandrost-4-en-3-one);
- “(xv) formebolone (2-formyl-17 α -methyl-11 α ,17 β -dihydroxyandrost-1,4-dien-3-one);
- “(xvi) furazabol (17 α -methyl-17 β -hydroxyandrostan-2,3-c-furazan);
- “(xvii) 13 β -ethyl-17 α -hydroxygon-4-en-3-one;
- “(xviii) 4-hydroxytestosterone (4,17 β -dihydroxy-androst-4-en-3-one);
- “(xix) 4-hydroxy-19-nortestosterone (4,17 β -dihydroxy-estr-4-en-3-one);
- “(xx) mestanolone (17 α -methyl-17 β -hydroxy-5 α -androstan-3-one);
- “(xxi) mesterolone (1 α -methyl-17 β -hydroxy-[5 α]-androstan-3-one);
- “(xxii) methandienone (17 α -methyl-17 β -hydroxyandrost-1,4-dien-3-one);
- “(xxiii) methandriol (17 α -methyl-3 β ,17 β -dihydroxyandrost-5-ene);
- “(xxiv) methenolone (1-methyl-17 β -hydroxy-5 α -androst-1-en-3-one);
- “(xxv) 17 α -methyl-3 β , 17 β -dihydroxy-5 α -androstan-3-one;
- “(xxvi) 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstan-3-one;
- “(xxvii) 17 α -methyl-3 β ,17 β -dihydroxyandrost-4-ene.
- “(xxviii) 17 α -methyl-4-hydroxynandrolone (17 α -methyl-4-hydroxy-17 β -hydroxyestr-4-en-3-one);
- “(xxix) methyldienolone (17 α -methyl-17 β -hydroxyestra-4,9(10)-dien-3-one);
- “(xxx) methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9-11-trien-3-one);
- “(xxxi) methyltestosterone (17 α -methyl-17 β -hydroxyandrost-4-en-3-one);
- “(xxxii) mibolerone (7 α ,17 α -dimethyl-17 β -hydroxyestr-4-en-3-one);
- “(xxxiii) 17 α -methyl- Δ 1-dihydrotestosterone (17 β -hydroxy-17 α -methyl-5 α -androst-1-en-3-one) (a.k.a. ‘17- α -methyl-1-testosterone’);
- “(xxxiv) nandrolone (17 β -hydroxyestr-4-en-3-one);
- “(xxxv) norandrostenediol—
- “(I) 19-nor-4-androstenediol (3 β , 17 β -dihydroxyestr-4-ene);
- “(II) 19-nor-4-androstenediol (3 α , 17 β -dihydroxyestr-4-ene);
- “(III) 19-nor-5-androstenediol (3 β , 17 β -dihydroxyestr-5-ene); and
- “(IV) 19-nor-5-androstenediol (3 α , 17 β -dihydroxyestr-5-ene);
- “(xxxvi) norandrostenedione—

“(I) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
 and
 “(II) 19-nor-5-androstenedione (estr-5-en-3,17-dione;
 “(xxxvii) norbolethone (13 β ,17 α -diethyl-17 β -hydroxygon-4-en-3-one);
 “(xxxviii) norclostebol (4-chloro-17 β -hydroxyestr-4-en-3-one);
 “(xxxix) norethandrolone (17 α -ethyl-17 β -hydroxyestr-4-en-3-one);
 “(xl) normethandrolone (17 α -methyl-17 β -hydroxyestr-4-en-3-one);
 “(xli) oxandrolone (17 α -methyl-17 β -hydroxy-2-oxa-[5 α]-androstan-3-one);
 “(xlii) oxymesterone (17 α -methyl-4,17 β -dihydroxyandrost-4-en-3-one);
 “(xliii) oxymetholone (17 α -methyl-2-hydroxymethylene-17 β -hydroxy-[5 α]-androstan-3-one);
 “(xliv) stanozolol (17 α -methyl-17 α -hydroxy-[5 α]-androst-2-eno[3,2-c]-pyrazole);
 “(xlv) stenbolone (17 β -hydroxy-2-methyl-[5 α]-androst-1-en-3-one);
 “(xlv) testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid lactone);
 “(xlvii) testosterone (17 β -hydroxyandrost-4-en-3-one);
 “(xlviii) tetrahydrogestrinone (13 β ,17 α -diethyl-17 β -hydroxygon-4,9,11-trien-3-one);
 “(xlix) trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one); and
 “(xlx) any salt, ester, or ether of a drug or substance described in this paragraph.

The substances excluded under this subparagraph may at any time be scheduled by the Attorney General in accordance with the authority and requirements of subsections (a) through (c) of section 201.”; and

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

(b) **AUTHORITY AND CRITERIA FOR CLASSIFICATION.**—Section 201(g) of the Controlled Substances Act (21 U.S.C. 811(g)) is amended—

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

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

“(C) Upon the recommendation of the Secretary of Health and Human Services, a compound, mixture, or preparation which contains any anabolic steroid, which is intended for administration to a human being or an animal, and which, because of its concentration, preparation, formulation or delivery system, does not present any significant potential for abuse.”.

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

(1) by striking subsection (a); and

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

21 USC 802 note.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall take effect 90 days after the date of enactment of this Act.

28 USC 994 note.

SEC. 3. SENTENCING COMMISSION GUIDELINES.

The United States Sentencing Commission shall—

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

(2) consider amending the Federal sentencing guidelines to provide for increased penalties with respect to offenses involving anabolic steroids in a manner that reflects the seriousness of such offenses and the need to deter anabolic steroid trafficking and use; and

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

Grants.
42 USC
290bb–25f.

SEC. 4. PREVENTION AND EDUCATION PROGRAMS.

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

(b) **ELIGIBILITY.**—

(1) **APPLICATION.**—To be eligible for grants under subsection (a), an entity shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

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

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

(B) The Athletes Targeting Healthy Exercise and Nutrition Alternatives program; and

(C) other programs determined to be effective by the National Institute on Drug Abuse.

(c) **USE OF FUNDS.**—Amounts received under a grant under subsection (a) shall be used for education programs that will directly communicate with teachers, principals, coaches, as well as elementary and secondary school children concerning the harmful effects of anabolic steroids.

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

42 USC
290aa–4 note.

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

(a) **IN GENERAL.**—The Secretary of Health and Human Services shall ensure that the National Survey on Drug Use and Health includes questions concerning the use of anabolic steroids.

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

Approved October 22, 2004.

LEGISLATIVE HISTORY—S. 2195 (H.R. 3866):

HOUSE REPORTS: No. 108-461, Pt. 1 (Comm. on the Judiciary) and Pt. 2 (Comm. on Energy and Commerce), both accompanying H.R. 3866.

CONGRESSIONAL RECORD, Vol. 150 (2004):

Oct. 6, considered and passed Senate.

Oct. 8, considered and passed House.