

108TH CONGRESS
2D SESSION

S. 2195

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.

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
 14 includes—

15 “(i) androstanediol—

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

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

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 β -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) 17α -methyl- 3β , 17β -dihydroxy- 5α -andro-
- 2 stane;
- 3 “(xxvi) 17α -methyl- 3α , 17β -dihydroxy- 5α -andro-
- 4 stane;
- 5 “(xxvii) 17α -methyl- 3β , 17β -dihydroxyandrost-4-
- 6 ene.
- 7 “(xxviii) 17α -methyl-4-hydroxynandrolone
- 8 (17α -methyl-4-hydroxy- 17β -hydroxyestr-4-en-3-one);
- 9 “(xxix) methyldienolone (17α -methyl- 17β -
- 10 hydroxyestra-4,9(10)-dien-3-one);
- 11 “(xxx) methyltrienolone (17α -methyl- 17β -
- 12 hydroxyestra-4,9-11-trien-3-one);
- 13 “(xxxi) methyltestosterone (17α -methyl- 17β -
- 14 hydroxyandrost-4-en-3-one);
- 15 “(xxxii) mibolerone (7α , 17α -dimethyl- 17β -
- 16 hydroxyestr-4-en-3-one);
- 17 “(xxxiii) 17α -methyl- Δ 1-dihydrotestosterone
- 18 (17β -hydroxy- 17α -methyl- 5α -androst-1-en-3-one)
- 19 (a.k.a. ‘ 17α -methyl-1-testosterone’);
- 20 “(xxxiv) nandrolone (17β -hydroxyestr-4-en-3-
- 21 one);
- 22 “(xxxv) norandrostenediol—
- 23 “(I) 19-nor-4-androstenediol (3β , 17β -
- 24 dihydroxyestr-4-ene);

1 “(II) 19-nor-4-androstenediol (3α , 17β -
2 dihydroxyestr-4-ene);

3 “(III) 19-nor-5-androstenediol (3β , 17β -
4 dihydroxyestr-5-ene); and

5 “(IV) 19-nor-5-androstenediol (3α , 17β -
6 dihydroxyestr-5-ene);

7 “(xxxvi) norandrostenedione—

8 “(I) 19-nor-4-androstenedione (estr-4-en-
9 $3,17$ -dione); and

10 “(II) 19-nor-5-androstenedione (estr-5-en-
11 $3,17$ -dione);

12 “(xxxvii) norbolethone ($13\beta,17\alpha$ -diethyl- 17β -
13 hydroxygon-4-en- 3 -one);

14 “(xxxviii) norclostebol (4-chloro- 17β -
15 hydroxyestr-4-en- 3 -one);

16 “(xxxix) norethandrolone (17α -ethyl- 17β -
17 hydroxyestr-4-en- 3 -one);

18 “(xl) normethandrolone (17α -methyl- 17β -
19 hydroxyestr-4-en- 3 -one);

20 “(xli) oxandrolone (17α -methyl- 17β -hydroxy-2-
21 oxa-[5α]-androstan- 3 -one);

22 “(xlii) oxymesterone (17α -methyl-4, 17β -
23 dihydroxyandrost-4-en- 3 -one);

1 “(xliii) oxymetholone (17 α -methyl-2-
2 hydroxymethylene-17 β -hydroxy-[5 α]-androstan-3-
3 one);

4 “(xliv) stanozolol (17 α -methyl-17 α -hydroxy-
5 [5 α]-androst-2-eno[3,2-*c*]-pyrazole);

6 “(xlv) stenbolone (17 β -hydroxy-2-methyl-[5 α]-
7 androst-1-en-3-one);

8 “(xlvi) testolactone (13-hydroxy-3-oxo-13,17-
9 secoandrosta-1,4-dien-17-oic acid lactone);

10 “(xlvii) testosterone (17 β -hydroxyandrost-4-en-
11 3-one);

12 “(xlviii) tetrahydrogestrinone (13 β ,17 α -diethyl-
13 17 β -hydroxygon-4,9,11-trien-3-one);

14 “(xlix) trenbolone (17 β -hydroxyestr-4,9,11-
15 trien-3-one); and

16 “(xIx) any salt, ester, or ether of a drug or sub-
17 stance described in this paragraph.

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

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

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

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

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

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

20 (c) ANABOLIC STEROIDS CONTROL ACT.—Section
21 1903 of the Anabolic Steroids Control Act of 1990 (Public
22 Law 101–647) is amended—

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

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

1 (d) EFFECTIVE DATE.—The amendments made by
2 this section shall take effect 90 days after the date of en-
3 actment of this Act.

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

5 The United States Sentencing Commission shall—

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

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

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

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

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

23 (b) ELIGIBILITY.—

24 (1) APPLICATION.—To be eligible for grants
25 under subsection (a), an entity shall prepare and

1 submit to the Secretary an application at such time,
2 in such manner, and containing such information as
3 the Secretary may require.

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

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

10 (B) The Athletes Targeting Healthy Exer-
11 cise and Nutrition Alternatives program; and

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

14 (c) USE OF FUNDS.—Amounts received under a
15 grant under subsection (a) shall be used for education pro-
16 grams that will directly communicate with teachers, prin-
17 cipals, coaches, as well as elementary and secondary school
18 children concerning the harmful effects of anabolic
19 steroids.

20 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
21 authorized to be appropriated to carry out this section,
22 \$15,000,000 for each of fiscal years 2005 through 2010.

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

24 (a) IN GENERAL.—The Secretary of Health and
25 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.

Passed the Senate October 6, 2004.

Attest:

Secretary.

108TH CONGRESS
2^D SESSION

S. 2195

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.