

# Calendar No. Calendar No. 750

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.

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## 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, Ms. MURKOWSKI, and Mr. LAUTENBERG) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

SEPTEMBER 30, 2004

Reported by Mr. HATCH, with an amendment in the nature of a substitute.

[Strike out all after the enacting clause and insert the part printed in italic.]

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## 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,*

1 **SECTION 1. SHORT TITLE.**

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

4 **SEC. 2. AMENDMENTS TO THE CONTROLLED SUBSTANCES**  
5 **ACT.**

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

8 (1) in paragraph (41)—

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

11 (B) by striking subparagraph (A) and in-  
12 serting the following:

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

18 “(i) androstenediol—

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

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

21 “(ii) androstenedione ( $5\alpha$ -androstan- $3,17$ -  
22 dione);

23 “(iii) androstenediol—

24 “(I) 1-androstenediol ( $3\beta,17\beta$ -dihydroxy-  
25  $5\alpha$ -androst-1-ene);

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

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

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

7           “(iv) androstenedione—

8           “(I) 1-androstenedione ( $[5\alpha]$ -androst-1-en-  
9            $3,17$ -dione);

10           “(II) 4-androstenedione (androst-4-en-  
11            $3,17$ -dione); and

12           “(III) 5-androstenedione (androst-5-en-  
13            $3,17$ -dione);

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

16           “(vi) boldenone ( $17\beta$ -hydroxyandrost-1,4,-diene-  
17            $3$ -one);

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

20           “(viii) clostebol (4-chloro- $17\beta$ -hydroxyandrost-4-  
21           en- $3$ -one);

22           “(ix) dehydrochloromethyltestosterone (4-  
23           chloro- $17\beta$ -hydroxy- $17\alpha$ -methyl-androst-1,4-dien- $3$ -  
24           one);

- 1           “(x)  $\Delta$  1-dihydrotestosterone (a.k.a. ‘1-testos-
- 2           terone’) (17 $\beta$ -hydroxy-5 $\alpha$ -androst-1-en-3-one);
- 3           “(xi) 4-dihydrotestosterone (17 $\beta$ -hydroxy-
- 4           androstan-3-one);
- 5           “(xii) drostanolone (17 $\beta$ -hydroxy-2 $\alpha$ -methyl-5 $\alpha$ -
- 6           androstan-3-one);
- 7           “(xiii) ethylestrenol (17 $\alpha$ -ethyl-17 $\beta$ -hydroxyestr-
- 8           4-ene);
- 9           “(xiv) fluoxymesterone (9-fluoro-17 $\alpha$ -methyl-
- 10          11 $\beta$ ,17 $\beta$ -dihydroxyandrost-4-en-3-one);
- 11          “(xv) formebolone (2-formyl-17 $\alpha$ -methyl-
- 12          11 $\alpha$ ,17 $\beta$ -dihydroxyandrost-1,4-dien-3-one);
- 13          “(xvi) furazabol (17 $\alpha$ -methyl-17 $\beta$ -
- 14          hydroxyandrostan[2,3-c]-furazan);
- 15          “(xvii) 13 $\alpha$ -ethyl-17 $\alpha$ -hydroxygon-4-en-3-one;
- 16          “(xviii) 4-hydroxytestosterone (4,17 $\beta$ -dihydroxy-
- 17          androst-4-en-3-one);
- 18          “(xix) 4-hydroxy-19-nortestosterone (4,17 $\beta$ -
- 19          dihydroxy-estr-4-en-3-one);
- 20          “(xx) mestanolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxy-
- 21          5 $\alpha$ -androstan-3-one);
- 22          “(xxi) mesterolone (1 $\alpha$ -methyl-17 $\beta$ -hydroxy-
- 23          [5 $\alpha$ ]-androstan-3-one);
- 24          “(xxii) methandienone (17 $\alpha$ -methyl-17 $\beta$ -
- 25          hydroxyandrost-1,4-dien-3-one);

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

- 1                   “(II) ~~19-nor-5-androstenedione (estr-5-en-~~  
2                   ~~3,17-dione;~~
- 3                   “(xxxix) ~~norbolethone (13 $\beta$ ,17 $\alpha$ -diethyl-17 $\beta$ -~~  
4                   ~~hydroxygon-4-en-3-one);~~
- 5                   “(xxxix) ~~norelostebol (4-chloro-17 $\beta$ -hydroxyestr-~~  
6                   ~~4-en-3-one);~~
- 7                   “(xxxix) ~~norethandrolone (17 $\alpha$ -ethyl-17 $\beta$ -~~  
8                   ~~hydroxyestr-4-en-3-one);~~
- 9                   “(xxxix) ~~oxandrolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxy-~~  
10                   ~~2-oxa-[5 $\alpha$ ]-androstan-3-one);~~
- 11                   “(xxxix) ~~oxymesterone (17 $\alpha$ -methyl-4,17 $\beta$ -~~  
12                   ~~dihydroxyandrost-4-en-3-one);~~
- 13                   “(xxxix) ~~oxymetholone (17 $\alpha$ -methyl-2-~~  
14                   ~~hydroxymethylene-17 $\beta$ -hydroxy-[5 $\alpha$ ]-androstan-3-~~  
15                   ~~one);~~
- 16                   “(xxxix) ~~stanozolol (17 $\alpha$ -methyl-17 $\beta$ -hydroxy-~~  
17                   ~~[5 $\alpha$ ]-androst-2-eno[3,2-c]-pyrazole);~~
- 18                   “(xxxix) ~~stenbolone (17 $\beta$ -hydroxy-2-methyl-~~  
19                   ~~[5 $\alpha$ ]-androst-1-en-3-one);~~
- 20                   “(xxxix) ~~testolactone (13-hydroxy-3-oxo-13,17-~~  
21                   ~~secoandrosta-1,4-dien-17-oic acid lactone);~~
- 22                   “(xli) ~~testosterone (17 $\beta$ -hydroxyandrost-4-en-3-~~  
23                   ~~one);~~
- 24                   “(xli) ~~tetrahydrogestrinone (13 $\beta$ ,17 $\alpha$ -diethyl-~~  
25                   ~~17 $\beta$ -hydroxygon-4,9,11-trien-3-one);~~

1           “(xlii) trenbolone (17 $\beta$ -hydroxyestr-4,9,11-trien-  
2           3-one); and

3           “(xliii) any salt, ester, or ether of a drug or  
4           substance described in this paragraph.”; and

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

7           (b) AUTHORITY AND CRITERIA FOR CLASSIFICA-  
8           TION.—Section 201(g) of the Controlled Substances Act  
9           (21 U.S.C. 811(g)) is amended—

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

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

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

1 (c) ANABOLIC STEROIDS CONTROL ACT.—Section  
2 1903 of the Anabolic Steroids Control Act of 1990 (Public  
3 Law 101–647) is amended—

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

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

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

8 The United States Sentencing Commission shall—

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

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

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

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

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



1 (b) ELIGIBILITY.—

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

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

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

13 (B) the Athletes Targeting Healthy Exer-  
14 cise and Nutrition Alternatives program; and

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

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

23 (d) AUTHORIZATION OF APPROPRIATIONS.—There is  
24 authorized to be appropriated to carry out this section,  
25 \$15,000,000 for each of fiscal years 2005 through 2010.

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

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

6 (b) AUTHORIZATION OF APPROPRIATIONS.—There is  
7 authorized to be appropriated to carry out this section,  
8 \$1,000,000 for each of fiscal years 2005 through 2010.

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

11 **SEC. 2. AMENDMENTS TO THE CONTROLLED SUBSTANCES**

12 **ACT.**

13 (a) DEFINITIONS.—Section 102 of the Controlled Sub-  
14 stances Act (21 U.S.C. 802) is amended—

15 (1) in paragraph (41)—

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

18 (B) by striking subparagraph (A) and in-  
19 serting the following:

20 “(A) The term ‘anabolic steroid’ means any drug or  
21 hormonal substance, chemically and pharmacologically re-  
22 lated to testosterone (other than estrogens, progestins,  
23 corticosteroids, and dehydroepiandrosterone), and in-  
24 cludes—

25 “(i) androstanediol—

26 “(I)  $3\beta,17\beta$ -dihydroxy- $5\alpha$ -androstane; and

- 1                   “(II)  $3\alpha,17\beta$ -dihydroxy- $5\alpha$ -androstane;  
2                   “(ii) androstanedione ( $5\alpha$ -androst-3,17-dione);  
3                   “(iii) androstenediol—  
4                   “(I) 1-androstenediol ( $3\beta,17\beta$ -dihydroxy-  
5                    $5\alpha$ -androst-1-ene);  
6                   “(II) 1-androstenediol ( $3\alpha,17\beta$ -dihydroxy-  
7                    $5\alpha$ -androst-1-ene);  
8                   “(III) 4-androstenediol ( $3\beta,17\beta$ -dihydroxy-  
9                   androst-4-ene); and  
10                   “(IV) 5-androstenediol ( $3\beta,17\beta$ -dihydroxy-  
11                   androst-5-ene);  
12                   “(iv) androstenedione—  
13                   “(I) 1-androstenedione ( $[5\alpha]$ -androst-1-en-  
14                   3,17-dione);  
15                   “(II) 4-androstenedione (androst-4-en-3,17-  
16                   dione); and  
17                   “(III) 5-androstenedione (androst-5-en-3,17-  
18                   dione);  
19                   “(v)        bolasterone       ( $7\alpha,17\alpha$ -dimethyl- $17\beta$ -  
20                   hydroxyandrost-4-en-3-one);  
21                   “(vi) boldenone ( $17\beta$ -hydroxyandrost-1,4,-diene-  
22                   3-one);  
23                   “(vii)     calusterone       ( $7\beta,17\alpha$ -dimethyl- $17\beta$ -  
24                   hydroxyandrost-4-en-3-one);

- 1           “(viii) *clostebol* (4-chloro-17 $\beta$ -hydroxyandrost-4-  
2 *en-3-one*);
- 3           “(ix) *dehydrochloromethyltestosterone* (4-chloro-  
4 17 $\beta$ -hydroxy-17 $\alpha$ -methyl-androst-1,4-dien-3-one);
- 5           “(x)  $\Delta$  1-dihydrotestosterone (a.k.a. ‘1-testos-  
6 *terone*’) (17 $\beta$ -hydroxy-5 $\alpha$ -androst-1-en-3-one);
- 7           “(xi) *4-dihydrotestosterone* (17 $\beta$ -hydroxy-  
8 *androstan-3-one*);
- 9           “(xii) *drostanolone* (17 $\beta$ -hydroxy-2 $\alpha$ -methyl-5 $\alpha$ -  
10 *androstan-3-one*);
- 11           “(xiii) *ethylestrenol* (17 $\alpha$ -ethyl-17 $\beta$ -hydroxyestr-  
12 *4-ene*);
- 13           “(xiv) *fluoxyimesterone* (9-fluoro-17 $\alpha$ -methyl-  
14 11 $\beta$ ,17 $\beta$ -dihydroxyandrost-4-en-3-one);
- 15           “(xv) *formebolone* (2-formyl-17 $\alpha$ -methyl-  
16 11 $\alpha$ ,17 $\beta$ -dihydroxyandrost-1,4-dien-3-one);
- 17           “(xvi) *furazabol* (17 $\alpha$ -methyl-17 $\beta$ -  
18 *hydroxyandrostan[2,3-c]-furazan*);
- 19           “(xvii) 13 $\beta$ -ethyl-17 $\alpha$ -hydroxygon-4-en-3-one;
- 20           “(xviii) *4-hydroxytestosterone* (4,17 $\beta$ -dihydroxy-  
21 *androst-4-en-3-one*);
- 22           “(xix) *4-hydroxy-19-nortestosterone* (4,17 $\beta$ -  
23 *dihydroxy-estr-4-en-3-one*);
- 24           “(xx) *mestanolone* (17 $\alpha$ -methyl-17 $\beta$ -hydroxy-5 $\alpha$ -  
25 *androstan-3-one*);

- 1           “(xxi) mesterolone (1 $\alpha$ -methyl-17 $\beta$ -hydroxy-[5 $\alpha$ ]-  
2           *androstan-3-one*);
- 3           “(xxii)     methandienone     (17 $\alpha$ -methyl-17 $\beta$ -  
4           *hydroxyandrost-1,4-dien-3-one*);
- 5           “(xxiii)    methandriol     (17 $\alpha$ -methyl-3 $\beta$ ,17 $\beta$ -  
6           *dihydroxyandrost-5-ene*);
- 7           “(xxiv) methenolone (1-methyl-17 $\beta$ -hydroxy-5 $\alpha$ -  
8           *androst-1-en-3-one*);
- 9           “(xxv) 17 $\alpha$ -methyl-3 $\beta$ , 17 $\beta$ -dihydroxy-5 $\alpha$ -andro-  
10          *stane*;
- 11          “(xxvi) 17 $\alpha$ -methyl-3 $\alpha$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -andro-  
12          *stane*;
- 13          “(xxvii) 17 $\alpha$ -methyl-3 $\beta$ ,17 $\beta$ -dihydroxyandrost-4-  
14          *ene*.
- 15          “(xxviii) 17 $\alpha$ -methyl-4-hydroxynandrolone (17 $\alpha$ -  
16          *methyl-4-hydroxy-17 $\beta$ -hydroxyestr-4-en-3-one*);
- 17          “(xxix)     methyldienolone     (17 $\alpha$ -methyl-17 $\beta$ -  
18          *hydroxyestra-4,9(10)-dien-3-one*);
- 19          “(xxx)     methyltrienolone     (17 $\alpha$ -methyl-17 $\beta$ -  
20          *hydroxyestra-4,9-11-trien-3-one*);
- 21          “(xxxi)    methyltestosterone    (17 $\alpha$ -methyl-17 $\beta$ -  
22          *hydroxyandrost-4-en-3-one*);
- 23          “(xxxii)    mibolerone     (7 $\alpha$ ,17 $\alpha$ -dimethyl-17 $\beta$ -  
24          *hydroxyestr-4-en-3-one*);

- 1           “(xxxiii)     17 $\alpha$ -methyl- $\Delta$  1-dihydrotestosterone  
2           (17 $\beta$ -hydroxy-17 $\alpha$ -methyl-5 $\alpha$ -androst-1-en-3-one)  
3           (a.k.a. ‘17- $\alpha$ -methyl-1-testosterone’);  
4           “(xxxiv)     nandrolone     (17 $\beta$ -hydroxyestr-4-en-3-  
5           one);  
6           “(xxxv)     norandrostenediol—  
7           “(I)     19-nor-4-androstenediol     (3 $\beta$ ,     17 $\beta$ -  
8           dihydroxyestr-4-ene);  
9           “(II)     19-nor-4-androstenediol     (3 $\alpha$ ,     17 $\beta$ -  
10           dihydroxyestr-4-ene);  
11           “(III)     19-nor-5-androstenediol     (3 $\beta$ ,     17 $\beta$ -  
12           dihydroxyestr-5-ene); and  
13           “(IV)     19-nor-5-androstenediol     (3 $\alpha$ ,     17 $\beta$ -  
14           dihydroxyestr-5-ene);  
15           “(xxxvi)     norandrostenedione—  
16           “(I)     19-nor-4-androstenedione     (estr-4-en-  
17           3,17-dione); and  
18           “(II)     19-nor-5-androstenedione     (estr-5-en-  
19           3,17-dione);  
20           “(xxxvii)     norbolethone     (13 $\beta$ ,17 $\alpha$ -diethyl-17 $\beta$ -  
21           hydroxygon-4-en-3-one);  
22           “(xxxviii)     norclostebol     (4-chloro-17 $\beta$ -hydroxyestr-  
23           4-en-3-one);  
24           “(xxxix)     norethandrolone     (17 $\alpha$ -ethyl-17 $\beta$ -  
25           hydroxyestr-4-en-3-one);

1           “(xl)     normethandrolone     (17 $\alpha$ -methyl-17 $\beta$ -  
2     hydroxyestr-4-en-3-one);

3           “(xli)    oxandrolone   (17 $\alpha$ -methyl-17 $\beta$ -hydroxy-2-  
4     oxa-[5 $\alpha$ ]-androstan-3-one);

5           “(xlii)   oxymesterone   (17 $\alpha$ -methyl-4,17 $\beta$ -  
6     dihydroxyandrost-4-en-3-one);

7           “(xliv)   oxymetholone   (17 $\alpha$ -methyl-2-  
8     hydroxymethylene-17 $\beta$ -hydroxy-[5 $\alpha$ ]-androstan-3-  
9     one);

10          “(xlv)    stanozolol   (17 $\alpha$ -methyl-17 $\alpha$ -hydroxy-  
11     [5 $\alpha$ ]-androst-2-eno[3,2-c]-pyrazole);

12          “(xlv)    stenbolone   (17 $\beta$ -hydroxy-2-methyl-[5 $\alpha$ ]-  
13     androst-1-en-3-one);

14          “(xlvii)   testolactone   (13-hydroxy-3-oxo-13,17-  
15     secoandrosta-1,4-dien-17-oic acid lactone);

16          “(xlviii)   testosterone   (17 $\beta$ -hydroxyandrost-4-en-3-  
17     one);

18          “(xlviii)   tetrahydrogestrinone   (13 $\beta$ ,17 $\alpha$ -diethyl-  
19     17 $\beta$ -hydroxygon-4,9,11-trien-3-one);

20          “(xlix)    trenbolone   (17 $\beta$ -hydroxyestr-4,9,11-trien-  
21     3-one); and

22          “(xlx)    any salt, ester, or ether of a drug or sub-  
23     stance described in this paragraph.

24     *The substances excluded under this subparagraph may at*  
25     *any time be scheduled by the Attorney General in accord-*

1 *ance with the authority and requirements of subsections (a)*  
2 *through (c) of section 201.”; and*

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

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

8 *(1) in paragraph (1), by striking “substance*  
9 *from a schedule if such substance” and inserting*  
10 *“drug which contains a controlled substance from the*  
11 *application of titles II and III of the Comprehensive*  
12 *Drug Abuse Prevention and Control Act (21 U.S.C.*  
13 *802 et seq.) if such drug”; and*

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

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



1       (c) *ANABOLIC STEROIDS CONTROL ACT.*—Section  
2 *1903 of the Anabolic Steroids Control Act of 1990 (Public*  
3 *Law 101–647) is amended—*

4             (1) *by striking subsection (a); and*

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

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

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

11       *The United States Sentencing Commission shall—*

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

14             (2) *consider amending the Federal sentencing*  
15 *guidelines to provide for increased penalties with re-*  
16 *spect to offenses involving anabolic steroids in a man-*  
17 *ner that reflects the seriousness of such offenses and*  
18 *the need to deter anabolic steroid trafficking and use;*  
19 *and*

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

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

23       (a) *IN GENERAL.*—*The Secretary of Health and*  
24 *Human Services (referred to in this Act as the “Secretary”)*  
25 *shall award grants to public and nonprofit private entities*

1 *to enable such entities to carry out science-based education*  
2 *programs in elementary and secondary schools to highlight*  
3 *the harmful effects of anabolic steroids.*

4 *(b) ELIGIBILITY.—*

5 *(1) APPLICATION.—To be eligible for grants*  
6 *under subsection (a), an entity shall prepare and sub-*  
7 *mit to the Secretary an application at such time, in*  
8 *such manner, and containing such information as the*  
9 *Secretary may require.*

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

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

16 *(B) The Athletes Targeting Healthy Exer-*  
17 *cise and Nutrition Alternatives program; and*

18 *(C) other programs determined to be effec-*  
19 *tive by the National Institute on Drug Abuse.*

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

1       (d) *AUTHORIZATION OF APPROPRIATIONS.—There is*  
2 *authorized to be appropriated to carry out this section,*  
3 *\$15,000,000 for each of fiscal years 2005 through 2010.*

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

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

9       (b) *AUTHORIZATION OF APPROPRIATIONS.—There is*  
10 *authorized to be appropriated to carry out this section,*  
11 *\$1,000,000 for each of fiscal years 2005 through 2010.*

**Calendar No. 750**

108<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 2195**

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**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.

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SEPTEMBER 30, 2004

Reported with an amendment