

108TH CONGRESS
1ST SESSION

S. _____

IN THE SENATE OF THE UNITED STATES

Mr. BIDEN introduced the following bill; which was read twice and referred to the Committee on _____

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 2003”.

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

7 **ACT.**

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

1 (1) in paragraph (41)—

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

4 (B) by striking subparagraph (A) and in-
5 serting the following:

6 “(A) The term ‘anabolic steroid’ means any drug or
7 hormonal substance, chemically and pharmacologically re-
8 lated to testosterone (other than estrogens, progestins,
9 corticosteroids, and dehydroepiandrosterone), and
10 includes—

11 “(i) 13beta-ethyl-17beta-hydroxygon-4-en-3-one;

12 “(ii) boldenone;

13 “(iii) clostebol;

14 “(iv) dehydrochlormethyltestosterone;

15 “(v) delta 1-dihydrotestosterone (also called

16 17Beta-Hydroxy-5(Alpha)-Androst-1-en-3-one);

17 “(vi) 4-dihydrotestosterone;

18 “(vii) drostanolone;

19 “(viii) ethylestrenol;

20 “(ix) fluoxymesterone;

21 “(x) formebolone;

22 “(xi) 4-hydroxytestosterone;

23 “(xii) mestanolone;

24 “(xiii) mesterolone;

25 “(xiv) methandienone;

- 1 “(xv) methandriol;
- 2 “(xvi) methenolone;
- 3 “(xvii) methyltestosterone;
- 4 “(xviii) mibolerone;
- 5 “(xix) nandrolone;
- 6 “(xx) norbolethone;
- 7 “(xxi) norethandrolone;
- 8 “(xxii) oxandrolone;
- 9 “(xxiii) oxymesterone;
- 10 “(xxiv) oxymetholone;
- 11 “(xxv) stanozolol;
- 12 “(xxvi) testolactone;
- 13 “(xxvii) testosterone;
- 14 “(xxviii) trenbolone;
- 15 “(xxix) androstane diol—
- 16 “(I) $3\beta,17\beta$ -dihydroxy-[5α]-androstane;
- 17 and
- 18 “(II) $3\alpha,17\beta$ -dihydroxy-[5α]-androstane;
- 19 “(xxx) androstane dione ([5α]-androstane-3,17-
- 20 dione);
- 21 “(xxxi) androstane diol—
- 22 “(I) Δ^1 -androstane diol ($3\beta,17\beta$ -dihydroxy-
- 23 [5α]-androst-1-ene);
- 24 “(II) Δ^1 -androstane diol ($3\alpha,17\beta$ -
- 25 dihydroxy-[5α]-androst-1-ene);

- 1 “(III) Δ 4-androstenediol (3 β ,17 β -
2 dihydroxy-androst-4-ene); and
3 “(IV) Δ 5-androstenediol (3 β ,17 β -
4 dihydroxy-androst-5-ene);
5 “(xxxii) androstenedione—
6 “(I) Δ 1-androstenedione ([5 α]-androst-1-
7 en-3,17-dione);
8 “(II) Δ 4-androstenedione (androst-4-en-
9 3,17-dione); and
10 “(III) Δ 5-androstenedione (androst-5-en-
11 3,17-dione);
12 “(xxxiii) bolasterone (7 α ,17 α -dimethyl-17 β -
13 hydroxyandrost-4-en-3-one);
14 “(xxxiv) calusterone (7 β ,17 α -dimethyl-17 β -
15 hydroxyandrost-4-en-3-one);
16 “(xxxv) 13 β -ethyl-17 β -hydroxygon-4-en-3-one;
17 “(xxxvi) furazabol (17 α -methyl-17 β -
18 hydroxyandrostando[2,3-c]-furazan;
19 “(xxxvii) 4-hydroxy-19-nortestosterone (4,17 β -
20 dihydroxy-estr-4-en-3-one);
21 “(xxxviii) Δ 1-dihydrotestosterone (17 β -hydroxy-
22 [5 α]-androst-4-en-3-one);
23 “(xxxix) 4-hydroxytestosterone (4,17 β -
24 dihydroxy-androst-4-en-3-one);

1 “(xl) mestanolone (17 α -methyl-17 β -hydroxy-
2 [5 α]-androstan-3-one);

3 “(xli) norandrostenediol—

4 “(I) 3 β ,17 β -dihydroxyestr-4-ene;

5 “(II) 3 β ,17 β -dihydroxyestr-5-ene;

6 “(III) 3 α ,17 β -dihydroxyestr-4-ene; and

7 “(IV) 3 α ,17 β -dihydroxyestr-5-ene;

8 “(xlii) norandrostenedione—

9 “(I) estr-4-en-3,17-dione; and

10 “(II) estr-5-en-3,17-dione;

11 “(xliii) norbolethone (13 β ,17 α -diethyl-17 β -
12 hydroxygon-4-en-3-one);

13 “(xliv) norelostebol (4-chloro-17 β -hydroxyestr-4-
14 en-3-one);

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

17 “(xlvi) any salt, ester, or ether of a drug or
18 substance described in this paragraph.”; and

19 (C) by adding at the end the following:

20 “(C) Notwithstanding subparagraph (A), the Attor-
21 ney General may not schedule Androstenedione as a con-
22 trolled substance in accordance with this Act until the At-
23 torney General receives a finding from the Commissioner
24 of Food and Drugs relating to whether Androstenedione

1 is lawfully marketed under the Federal Food, Drug, and
2 Cosmetic Act (21 U.S.C. 321 et seq.)”; 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
7 (21 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
11 the application of titles II and III of the Comprehen-
12 sive Drug Abuse Prevention and Control Act (21
13 U.S.C. 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 Sec-
17 retary of Health and Human Services, a compound,
18 mixture, 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 **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 use; and

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

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

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

25 (b) ELIGIBILITY.—

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

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

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

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

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

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

22 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated to carry out this section,
24 \$15,000,000 for each of fiscal years 2004 through 2009.

1 **SEC. 5. NATIONAL HOUSEHOLD SURVEY ON SUBSTANCE**
2 **ABUSE.**

3 (a) IN GENERAL.—The Secretary of Health and
4 Human Services shall ensure that the National Survey on
5 Substance Abuse include questions concerning the use of
6 anabolic steroids.

7 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
8 authorized to be appropriated to carry out this section,
9 \$1,000,000 for each of fiscal years 2004 through 2009.