

108TH CONGRESS
1ST SESSION

S. 1780

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

OCTOBER 23, 2003

Mr. BIDEN (for himself, Mr. HATCH, Mr. GRASSLEY, and Mr. HARKIN) 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 2003”.

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);

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 β ,17 β -dihydroxy-
2 androst-5-ene);
3 “(iv) androstenedione—
4 “(I) 1-androstenedione ([5 α]-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 α ,17 α -dimethyl-17 β -
11 hydroxyandrost-4-en-3-one);
12 “(vi) boldenone (17 β -hydroxyandrost-1,4,-diene-
13 3-one);
14 “(vii) calusterone (7 β ,17 α -dimethyl-17 β -
15 hydroxyandrost-4-en-3-one);
16 “(viii) clostebol (4-chloro-17 β -hydroxyandrost-4-
17 en-3-one);
18 “(ix) dehydrochlormethyltestosterone (4-chloro-
19 17 β -hydroxy-17 α -methyl-androst-1,4-dien-3-one);
20 “(x) 4-dihydrotestosterone (17 β -hydroxy-
21 androstan-3-one);
22 “(xi) drostanolone (17 β -hydroxy-2 α -methyl-5 α -
23 androstan-3-one);
24 “(xii) ethylestrenol (17 α -ethyl-17 β -hydroxyestr-
25 4-ene);

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

- 1 “(xxv) mibolerone (7 α ,17 α -dimethyl-17 β -
2 hydroxyestr-4-en-3-one);
- 3 “(xxvi) nandrolone (17 β -hydroxyestr-4-en-3-
4 one);
- 5 “(xxvii) norandrostenediol—
- 6 “(I) 19-nor-4-androstenediol (3 β , 17 β -
7 dihydroxyestr-4-ene);
- 8 “(II) 19-nor-4-androstenediol (3 α , 17 β -
9 dihydroxyestr-4-ene);
- 10 “(III) 19-nor-5-androstenediol (3 β , 17 β -
11 dihydroxyestr-5-ene); and
- 12 “(IV) 19-nor-5-androstenediol (3 α , 17 β -
13 dihydroxyestr-5-ene);
- 14 “(xxviii) norandrostenedione—
- 15 “(I) 19-nor-4-androstenedione (estr-4-en-
16 3,17-dione); and
- 17 “(II) 19-nor-5-androstenedione (estr-5-en-
18 3,17-dione);
- 19 “(xxix) norbolethone (18 α -homo-17 β -
20 hydroxypregna-4-en-3-one);
- 21 “(xxx) norelostebol (4-chloro-17 β -hydroxyestr-4-
22 en-3-one);
- 23 “(xxxi) norethandrolone (17 α -ethyl-17 β -
24 hydroxyestr-4-en-3-one);

1 “(xxxii) oxandrolone (17 α -methyl-17 β -hydroxy-
2 2-oxa-[5 α]-androstan-3-one);

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

5 “(xxxiv) oxymetholone (17 α -methyl-2-
6 hydroxymethylene-17 β -hydroxy-[5 α]-androstan-3-
7 one);

8 “(xxxv) stanozolol (17 α -methyl-17 β -hydroxy-
9 [5 α]-androst-2-eno[3,2-c]-pyrazole);

10 “(xxxvi) stenbolone (17 β -hydroxy-2-methyl-
11 [5 α]-androst-1-en-3-one);

12 “(xxxvii) testolactone (13-hydroxy-3-oxo-13,17-
13 secoandrosta-1,4-dien-17-oic acid lactone);

14 “(xxxviii) 1-testosterone (17 β -hydroxy-5 α -
15 androst-1-en-3-one);

16 “(xxxix) testosterone (17 β -hydroxyandrost-4-en-
17 3-one);

18 “(xl) tetrahydrogestrinone (13 β ,17 α -diethyl-
19 17 β -hydroxygon-4,9,11-trien-3-one);

20 “(xli) trenbolone (17 β -hydroxyestr-4,9,11-trien-
21 3-one); and

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

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

1 “(C) Notwithstanding subparagraph (A), the Attor-
2 ney General may not schedule Androstenedione as a con-
3 trolled substance in accordance with this Act until the At-
4 torney General receives a finding from the Commissioner
5 of Food and Drugs relating to whether Androstenedione
6 is lawfully marketed under the Federal Food, Drug, and
7 Cosmetic Act (21 U.S.C. 321 et seq.)”; and

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

10 (b) AUTHORITY AND CRITERIA FOR CLASSIFICA-
11 TION.—Section 201(g) of the Controlled Substances Act
12 (21 U.S.C. 811(g)) is amended—

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

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

21 “(C) Upon the recommendation of the Sec-
22 retary of Health and Human Services, a compound,
23 mixture, or preparation which contains any anabolic
24 steroid, which is intended for administration to a
25 human being or an animal, and which, because of its

1 concentration, preparation, formulation or delivery
2 system, does not present any significant potential for
3 abuse.”.

4 (c) ANABOLIC STEROIDS CONTROL ACT.—Section
5 1903 of the Anabolic Steroids Control Act of 1990 (Public
6 Law 101–647) is amended—

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

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

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

11 The United States Sentencing Commission shall—

12 (1) review the Federal sentencing guidelines
13 with 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
17 manner that reflects the seriousness of such offenses
18 and the need to deter anabolic steroid use; and

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

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

22 (a) IN GENERAL.—The Secretary of Health and
23 Human Services (referred to in this Act as the “Sec-
24 retary”) shall award grants to public and nonprofit private
25 entities to enable such entities to carry out science-based

1 education programs in elementary and secondary schools
2 to highlight the harmful effects of anabolic steroids.

3 (b) ELIGIBILITY.—

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

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

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

15 (B) the Athletes Targeting Healthy Exer-
16 cise and Nutrition Alternatives program; and

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

19 (c) USE OF FUNDS.—Amounts received under a
20 grant under subsection (a) shall be used primarily for edu-
21 cation programs that will directly communicate with
22 teachers, principals, coaches, as well as elementary and
23 secondary school children concerning the harmful effects
24 of anabolic 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 2004 through 2009.

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
8 use 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 2004 through 2009.

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