



**CONGRESSIONAL BUDGET OFFICE
COST ESTIMATE**

April 27, 2004

**H.R. 3866
Anabolic Steroid Control Act of 2004**

*As ordered reported by the House Committee on Energy and Commerce
on April 22, 2004*

CBO estimates that implementing H.R. 3866 would cost less than \$500,000 annually from appropriated funds for the Department of Health and Human Services (HHS) to prepare a report on the health risks associated with certain dietary supplements. Enactment of the bill could affect direct spending and receipts, but CBO estimates that any such effects would not be significant.

H.R. 3866 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments. H.R. 3866 would impose a private-sector mandate, as defined by UMRA, by adding about two dozen new substances to the list of anabolic steroid controlled substances. Under the bill, manufacturing and distributing of those substances would be regulated by the Controlled Substances Act. The direct cost of the mandate would be the amount manufacturers and distributors would incur to comply with the laws and regulations for registration and distribution of a controlled substance. Based on information from government sources, CBO expects that the direct cost of the mandate would fall below the annual threshold established by UMRA for private-sector mandates (\$120 million in 2004, adjusted annually for inflation).

H.R. 3866 would expand the list of anabolic steroids regulated by the Drug Enforcement Administration (DEA) to include about two dozen new substances. The bill would increase the maximum penalties, including imprisonment and fines, for the possession or distribution of steroids within 1,000 feet of a sports facility.

Implementing H.R. 3866 would enable the federal government to pursue cases involving unauthorized use of steroids that it otherwise would not be able to prosecute. Based on information from the DEA, CBO expects that any increase in federal costs for law enforcement, court proceedings, or prison operations would not be significant because of the

relatively small number of additional cases likely to be involved. Any such additional costs would be subject to the availability of appropriated funds.

Because those prosecuted and convicted under H.R. 3866 could be subject to criminal fines, the federal government might collect additional fines if the bill is enacted. Collections of such fines are recorded in the budget as governmental receipts (revenues), which are deposited in the Crime Victims Fund and later spent. CBO expects that any additional receipts and direct spending would not be significant because of the small number of cases likely to be affected.

On April 2, 2004, CBO prepared a cost estimate for H.R. 3866, the Anabolic Steroid Control Act of 2004, as ordered reported by the House Committee on the Judiciary on March 31, 2004. The two versions of the bill are very similar, and the cost estimates are identical.

The CBO staff contacts for this estimate are Mark Grabowicz (for federal costs) and Paige Piper/Bach (for the impact on the private sector). This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.