

SEC. ____ 04. ADDING XYLAZINE TO SCHEDULE III.

Schedule III of section 202(c) of the Controlled Substances Act (21 U.S.C. 812) is amended by adding at the end the following: “(f) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of xylazine.”.

SEC. ____ 05. AMENDMENTS.

(a) AMENDMENT.—Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended by striking paragraph (27) and inserting the following:

“(27)(A) Except as provided in subparagraph (B), the term ‘ultimate user’ means a person who has lawfully obtained, and who possesses, a controlled substance for the use by the person or for the use of a member of the household of the person or for an animal owned by the person or by a member of the household of the person.

“(B)(i) In the case of xylazine, other than for a drug product approved under subsection (b) or (j) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), the term ‘ultimate user’ means a person—

“(I) to whom xylazine was dispensed by—
“(aa) a veterinarian registered under this Act; or

“(bb) a pharmacy registered under this Act pursuant to a prescription of a veterinarian registered under this Act; and

“(II) who possesses xylazine for—
“(aa) an animal owned by the person or by a member of the household of the person;

“(bb) an animal under the care of the person;

“(cc) use in government animal-control programs authorized under applicable Federal, State, Tribal, or local law; or

“(dd) use in wildlife programs authorized under applicable Federal, State, Tribal, or local law.

“(ii) In this subparagraph, the term ‘person’ includes—

“(I) a government agency or business where animals are located; and

“(II) an employee or agent of an agency or business acting within the scope of their employment or agency.”.

(b) FACILITIES.—An entity that manufactures xylazine, as of the date of enactment of this Act, shall not be required to make capital expenditures necessary to install the security standard required of schedule III of the Controlled Substances Act (21 U.S.C. 801 et seq.) for the purposes of manufacturing xylazine.

(c) LABELING.—The requirements related to labeling, packaging, and distribution logistics of a controlled substance in schedule III of section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)) shall not take effect for xylazine until the date that is 1 year after the date of enactment of this Act.

(d) PRACTITIONER REGISTRATION.—The requirements related to practitioner registration, inventory, and recordkeeping of a controlled substance in schedule III of section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)) shall not take effect for xylazine until the date that is 60 days after the date of enactment of this Act. A practitioner that has applied for registration during the 60-day period beginning on the date of enactment of this Act may continue their lawful activities until such application is approved or denied.

(e) MANUFACTURER TRANSITION.—The Food and Drug Administration and the Drug Enforcement Administration shall facilitate and expedite the relevant manufacturer submissions or applications required by the placement of xylazine on schedule III of section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

(f) CLARIFICATION.—Nothing in this title, or the amendments made by this title, shall be

construed to require the registration of an ultimate user of xylazine under the Controlled Substances Act (21 U.S.C. 801 et seq.) in order to possess xylazine in accordance with subparagraph (B) of section 102(27) of that Act (21 U.S.C. 802(27)), as added by subsection (a) of this section.

SEC. ____ 06. ARCOS TRACKING.

Section 307(i) of the Controlled Substances Act (21 U.S.C. 827(i)) is amended—

(1) in the matter preceding paragraph (1)—
(A) by inserting “or xylazine” after “gamma hydroxybutyric acid”;

(B) by inserting “or 512” after “section 505”; and

(C) by inserting “respectively,” after “the Federal Food, Drug, and Cosmetic Act.”; and
(2) in paragraph (6), by inserting “or xylazine” after “gamma hydroxybutyric acid”.

SEC. ____ 07. SENTENCING COMMISSION.

Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall review and, if appropriate, amend its sentencing guidelines, policy statements, and official commentary applicable to persons convicted of an offense under section 401 of the Controlled Substances Act (21 U.S.C. 841) or section 1010 of the Controlled Substances Import and Export Act (21 U.S.C. 960) to provide appropriate penalties for offenses involving xylazine that are consistent with the amendments made by this title. In carrying out this section, the Commission should consider the common forms of xylazine as well as its use alongside other scheduled substances.

SEC. ____ 08. REPORT TO CONGRESS ON XYLAZINE.

(a) INITIAL REPORT.—Not later than 18 months after the date of the enactment of this Act, the Attorney General, acting through the Administrator of the Drug Enforcement Administration and in coordination with the Commissioner of Food and Drugs, shall submit to Congress a report on the prevalence of illicit use of xylazine in the United States and the impacts of such use, including—

(1) where the drug is being diverted;
(2) where the drug is originating; and
(3) whether any analogues to xylazine, or related or derivative substances, exist and present a substantial risk of abuse.

(b) ADDITIONAL REPORT.—Not later than 4 years after the date of the enactment of this Act, the Attorney General, acting through the Administrator of the Drug Enforcement Administration and in coordination with the Commissioner of Food and Drugs, shall submit to Congress a report updating Congress on the prevalence and proliferation of xylazine trafficking and misuse in the United States.

SA 2176. Ms. CORTEZ MASTO (for herself and Mr. MORAN) submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ DATA MATCHING AGREEMENT WITH THE DEPARTMENT OF EDUCATION.

Not later than 1 year after the date of enactment of this Act, the Secretary of Defense shall complete a data matching agree-

ment with the Secretary of Education in order to ensure that individuals who are current or former active-duty military service members or civilian employees and are otherwise eligible for assistance under the public service loan forgiveness program under section 455(m) of the Higher Education Act of 1965 (20 U.S.C. 1087e(m)) have their periods of employment, beginning on October 1, 2007, certified.

SA 2177. Ms. CORTEZ MASTO (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1095. INVEST TO PROTECT ACT OF 2024.

(a) SHORT TITLE.—

This section may be cited as the “Invest to Protect Act of 2024”.

(b) GRANT PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) DE-ESCALATION TRAINING.—The term “de-escalation training” means training relating to taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary.

(B) DIRECTOR.—The term “Director” means the Director of the Office.

(C) ELIGIBLE LOCAL GOVERNMENT.—The term “eligible local government” means—

(i) a county, municipality, town, township, village, parish, borough, or other unit of general government below the State level that employs fewer than 175 law enforcement officers; and

(ii) a Tribal government that employs fewer than 175 law enforcement officers.

(D) LAW ENFORCEMENT OFFICER.—The term “law enforcement officer” has the meaning given the term “career law enforcement officer” in section 1709 of title I the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10389).

(E) OFFICE.—The term “Office” means the Office of Community Oriented Policing Services of the Department of Justice.

(2) ESTABLISHMENT.—There is established within the Office a grant program to—

(A) provide training and access to mental health resources to local law enforcement officers; and

(B) improve the recruitment and retention of local law enforcement officers.

(3) AUTHORITY.—

(A) IN GENERAL.—As provided in advance in appropriations Acts, the Director shall award grants to eligible local governments as a part of the grant program established under paragraph (2).

(B) LIMITATION.—Any sums provided in advance in appropriations Acts to carry out the grant program established under paragraph (2) shall not exceed \$50,000,000 each fiscal year.

(4) APPLICATIONS.—

(A) BARRIERS.—The Attorney General shall determine what barriers exist to establishing a streamlined application process for grants under this subsection.

(B) REPORT.—

(i) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the