

section 101(c)(1), the Federal and Religious Truth and Healing Advisory Committee shall hold an initial business meeting—

(A) to establish rules for the Federal and Religious Truth and Healing Advisory Committee; and

(B) to appoint 2 members of the Federal and Religious Truth and Healing Advisory Committee to serve as non-voting designees on the Commission in accordance with section 101(c)(3).

(2) **SUBSEQUENT BUSINESS MEETINGS.**—After the initial business meeting of the Federal and Religious Truth and Healing Advisory Committee is held under paragraph (1), the Federal and Religious Truth and Healing Advisory Committee shall meet at the call of the Chairperson.

(3) **FORMAT OF BUSINESS MEETINGS.**—A business meeting of the Federal and Religious Truth and Healing Advisory Committee may be conducted in-person or virtually.

(4) **QUORUM REQUIRED.**—A business meeting of the Federal and Religious Truth and Healing Advisory Committee may be held only after a quorum, established in accordance with subsection (d), is present.

(d) **QUORUM.**—A simple majority of the members of the Federal and Religious Truth and Healing Advisory Committee shall constitute a quorum for a business meeting.

(e) **RULES.**—The Federal and Religious Truth and Healing Advisory Committee may establish, with the advice of the Commission, by a majority vote, any rules for the conduct of business, in accordance with this section and other applicable law.

(f) **DUTIES.**—The Federal and Religious Truth and Healing Advisory Committee shall—

(1) ensure the effective and timely coordination among Federal agencies and religious institutions in furtherance of the purposes of this Act;

(2) assist the Commission and the Native American Truth and Healing Advisory Committee in coordinating—

(A) meetings and other related public and private convenings; and

(B) the collection, organization, and preservation of information obtained from witnesses and by other Federal agencies and religious institutions;

(3) ensure the timely submission to the Commission of materials, documents, testimony, and such other information as the Commission determines to be necessary to carry out the duties of the Commission; and

(4) coordinate with the Commission, the Native American Truth and Healing Advisory Committee, and the Survivors Truth and Healing Subcommittee to carry out the purposes of this Act.

(g) **CONSULTATION OR ENGAGEMENT WITH NATIVE AMERICANS, INDIAN TRIBES, TRIBAL ORGANIZATIONS, THE OFFICE OF HAWAIIAN AFFAIRS, AND NATIVE HAWAIIAN ORGANIZATIONS.**—In carrying out the duties of the Federal and Religious Truth and Healing Advisory Committee under subsection (f), the Federal and Religious Truth and Healing Advisory Committee shall meaningfully consult or engage, as appropriate, in a timely manner with Native Americans, Indian Tribes, Tribal organizations, the Office of Hawaiian Affairs, and Native Hawaiian organizations.

(h) **NONDISCLOSURE.**—

(1) **PRIVACY ACT OF 1974 APPLICABILITY.**—Subsection (b) of section 552a of title 5, United States Code (commonly known as the “Privacy Act of 1974”), shall not apply to the Federal and Religious Truth and Healing Advisory Committee.

(2) **FREEDOM OF INFORMATION ACT APPLICABILITY.**—Records and other communications in the possession of the Federal and Religious Truth and Healing Advisory Com-

mittee shall be exempt from disclosure under subsection (b)(3)(B) of section 552 of title 5, United States Code (commonly known as the “Freedom of Information Act”).

(3) **FEDERAL ADVISORY COMMITTEE ACT APPLICABILITY.**—Chapter 10 of title 5, United States Code (commonly known as the “Federal Advisory Committee Act”), shall not apply to the Federal and Religious Truth and Healing Advisory Committee.

TITLE III—GENERAL PROVISIONS

SEC. 301. CLARIFICATION.

The Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.) shall apply to cultural items (as defined in section 2 of that Act (25 U.S.C. 3001)) relating to an Indian Boarding School or Indian Boarding School Policies regardless of interpretation of applicability by a Federal agency.

SEC. 302. BURIAL MANAGEMENT.

Federal agencies shall permit reburial of cultural items relating to an Indian Boarding School or Indian Boarding School Policies that have been repatriated pursuant to the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.), or returned to a lineal descendant, Indian Tribe, or Native Hawaiian organization by any other disinterment process, on any Federal land as agreed to by the relevant parties.

SEC. 303. CO-STEWARDSHIP AGREEMENTS.

A Federal agency that carries out activities pursuant to this Act or that created or controls a cemetery with remains of an individual who attended an Indian Boarding School or an Indian Boarding School may enter into a co-stewardship agreement for the management of the cemetery or Indian Boarding School.

SEC. 304. NO RIGHT OF ACTION.

Nothing in this Act creates a private right of action to seek administrative or judicial relief.

Mr. SCHATZ. I ask that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 1723

Mr. SCHATZ. Mr. President, it is no small task for us to confront the unbearable burden of our history. Yet to stand before that history in silence and to remain idle while these wounds persist is to turn away from one of the most fundamental acts of justice and healing that we are in a position to do something about. We have to turn the light on and let the truth out.

This is the work that we have done in the Senate now, and we do hope the House takes action and passes this incredibly important measure into law.

I yield the floor.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The Senator from Nevada.

UNANIMOUS CONSENT REQUEST—S. 993

Ms. MASTO. Mr. President, throughout my career, I have been committed to tackling the drug problem in this country and protecting our communities. I have passed bills to hold criminals accountable and crack down on fentanyl manufacturing and trafficking.

But I am here today because our work to protect Americans from these

harmful drugs is far from over. As we continue our work to keep our families safe from fentanyl, we must also focus on new drugs that are emerging, like xylazine. Drug traffickers have been adding xylazine to fentanyl to increase the potency of the drug and to boost their profits.

Its nickname is “tranq” because it is an animal tranquilizer, and it is surging, unfortunately, across the United States. I have been hearing from law enforcement in Nevada about how xylazine is spreading to the West. Between the years 2019 and 2022, the number of overdose deaths in this country related to xylazine skyrocketed by 276 percent.

Xylazine can do catastrophic damage to our communities, and, right now, it is almost entirely unregulated. We have to get ahead of that. That is why I have introduced the bipartisan, bicameral Combating Illicit Xylazine Act with Senators CHUCK GRASSLEY and MAGGIE HASSAN. This bill has the support of over 115 bipartisan Members of Congress in both Chambers because it is essential.

This legislation would make xylazine a schedule III drug and give the DEA, or the Drug Enforcement Administration, and local law enforcement the resources they need to get it off our streets, while also protecting its use as a veterinary tranquilizer for our farmers and ranchers.

Let me stress this again. This legislation also gives our veterinarians the ability to still have access to this drug, which they need, as a tranquilizer for their animals.

This is not a partisan issue. We all want to keep our families safe from horrific drugs like xylazine. We must act now to pass the Combating Illicit Xylazine Act and get this harmful drug out of our neighborhoods and out of the hands of our kids so that we can save lives.

So, Mr. President, as if in legislative session and notwithstanding rule XXII, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 993 and the Senate proceed to its immediate consideration; further, that the Cortez Masto-Grassley substitute amendment at the desk be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Massachusetts.

Mr. MARKEY. Mr. President, reserving the right to object, I thank Senator CORTEZ MASTO for being such a leader on fighting the opioid epidemic. She is on the frontline of conducting that battle against this scourge. We are both here on the floor today in an effort to find the best solutions for addressing this crisis.

We lost over 105,000 Americans to overdose last year. That is over 1 million people in a decade who have died,

at that pace. And to put this in more concrete terms, we lost more Americans in a single year to overdose than in the entirety of the Vietnam war or the Korean war—in just 1 year, 105,000 people.

For every death, we unleash waves of grief and hurt on families and communities that lose one of their own. Now, 105,000 deaths is more than unacceptable; it is a tragedy. And this epidemic is made worse by the scourge of xylazine. The tragedy does call for immediate, full-scale solutions. Americans need solutions that work.

In developing those solutions, we must be conscious about any unintended consequences, and I am concerned about the unintended consequences of passing the Combating Illicit Xylazine Act.

The bill would require scheduling xylazine under the Controlled Substances Act as a schedule III drug. And these schedules are meant to create restrictions based on a balance of the substance's legitimate medical use and their potential for abuse. It is a balance. And in the United States we actually have a process to schedule xylazine and other drugs. We have a process that is time tested, that requires the Department of Health and Human Services to provide a scientific and medical evaluation.

And as the Drug Enforcement Administration, the DEA, has indicated, they have already started that process. So instead of waiting for the scientific and medical evaluation to be completed, this bill would actually require we skip the process and let Congress decide what scheduling is the most appropriate.

But, ultimately, this process is something which I believe has to be given due respect. If we schedule this without waiting for the experts, this could lead to more people struggling with addiction, having a hard time asking for help, and less research into xylazine testing, overdose reversal, and treatment.

So, from my perspective, I just don't think we should be skipping over expert recommendations that would help us avoid those unintended consequences. And efforts to skip medical and scientific evaluation should certainly not be supported by the DEA, working to undercut the administration's own health experts in their role in developing a scheduling recommendation.

So there is a tension here that exists between the DEA and between our health officials in terms of the processes that we should be using. And I understand that part of the justification for a legislative solution is to create exemptions for veterinary medicine to avoid unnecessary interference in legitimate uses of xylazine. We can do that once we have a complete medical and scientific recommendation, and I look forward, obviously, to working with my great friend Senator CORTEZ MASTO—she is, again, a great leader in

this battle against the opioid epidemic—to identify the appropriate legislative solution once we have obtained that medical recommendation from the medical experts.

I also look forward to working with the Drug Enforcement Administration in making a serious effort to support Americans who are struggling with addiction, and that includes increasing access to medication treatment, including methadone, for opioid use disorder.

Senator CORTEZ MASTO and I agree xylazine is dangerous. Our overdose epidemic is unacceptable, and we need solutions. I am honored to work with Senator CORTEZ MASTO in this fight. We have solutions that we can pursue. We need to pass the Support Act Reauthorization. We need to give communities the tools to test and respond to substances coming into their communities. We need to train and support law enforcement and health providers responding to overdose after overdose. We need to break down old War on Drug structures that make it nearly impossible for Americans to get treatment they need without being criminalized, penalized, and stigmatized. But in pursuing these goals, we cannot provide solutions that offer the potential of undermining the process that has been in place to rely upon medical and scientific evaluation and then work in coordination with the Drug Enforcement Agency.

For that set of reasons, at this time, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Nevada.

Ms. CORTEZ MASTO. Mr. President, I absolutely respect my colleague from Massachusetts and look forward to working with him.

Let me just put on the record here the concern in why this legislation is so necessary. Time is of the essence here. We are talking about saving lives.

Never, ever would we want to undermine the process to move forward, but unfortunately, in this case, the process of moving forward is going to take, one, time that we know is very bureaucratic; two, the process moving forward, if we are to wait for it, does not take into consideration our veterinarians, farmers, and ranchers. If we wait for the proposal to come forward from the DEA, that proposal will not carve out and still allow this particular drug, xylazine, to be utilized by our veterinarians and farmers. It will absolutely make it a schedule III and take it off completely.

That is why this legislation was essential. That is why, working with our veterinarians and working with the DEA and the entire executive branch, we wanted to bring them into this process, without undermining that process, to make sure we were doing everything possible to address this in a timely manner.

It is also why, earlier this year, the executive branch issued several legisla-

tive proposals in its "Detect and Defeat" Counter-Fentanyl Proposal, which was shared with Congress. Those proposals made a provision to make xylazine a schedule III drug. That legislation proposed to place xylazine in schedule III by the executive branch is supported by the entire executive branch, including specifically the Department of Health and Human Services and the Food and Drug Administration. They have been brought into the process. Those are the health experts.

That is what this is about. The goal was to bring everybody together now, to bring all the key stakeholders so we can make this timely legislation and move it because time is of the essence if we are to save lives. That is why, honestly, many of the veterinarian associations across the country, including in Massachusetts, support this process. They do not want to be left out.

If we are to wait for the DEA process to go forward, there is not going to be a carve-out for veterinarians to access this drug.

This was my attempt and Senator GRASSLEY's and so many of us working with all the key stakeholders on good legislation that makes sense, that is common sense to move forward here. Nobody was left out of the process, including the health experts.

I am disappointed we can't move this today, but I am hopeful, working with my colleague from Massachusetts, that we can provide him with the necessary information that he is seeking to move this legislation in a timely manner. I know he cares about this issue, about saving lives, as well.

The PRESIDING OFFICER. The Senator from Oregon.

PHARMACY BENEFIT MANAGERS

Mr. WYDEN. Mr. President, earlier this week, Democrats and Republicans from both the House and the Senate made a deal that struck a blow against the healthcare middlemen that manipulate our healthcare system to enrich themselves.

Unfortunately, the very first act of the second Trump administration—or should I say, the first Musk administration—was to step in and strip out the bipartisan agreement that stops the drug middlemen known as pharmacy benefit managers from ripping off taxpayers and seniors.

We all understand that healthcare is an unavoidable expense for most American families. That is why I went into public service. Healthcare is not a Democratic or a Republican issue; it is a family issue. And we know if you or your loved ones don't have their health, everything else in the house goes by the board.

Unfortunately, the chaos sown by the President-elect and his billionaire "mini-me"—though, again, it is hard to tell which is which—they serve to protect the middlemen, the pharmacy