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Senate

The Senate met at 10 a.m. and was called to order by the Honorable BEN SASSE, a Senator from the State of Nebraska.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, our shelter in the time of storms, thank You for Your mercies that are new each day. Lord, through many dangers You have brought us, and we would not be guilty of ingratitude. We are grateful for catastrophes that haven't happened, for the unseen angels who have guarded our Nation and those we love. May our lawmakers remember that all efforts to defend ourselves will fail without Your sovereign will and loving providence. May our Senators not put their trust only in their ingenuity and courage but instead lean on You, the Author and Finisher of our faith. Today, lead our legislators on right paths as they trust You to clear the road on which they travel. Order their steps and direct their way, training them in Your school of humility so that they will strive to bring glory to You.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 12, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BEN SASSE, a Senator from the State of Nebraska, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. SASSE thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

NOMINATION OF DON WILLETT

Mr. MCCONNELL. Mr. President, yesterday the Senate advanced the nomination of Mr. Leonard Steven Grasiz to be a judge on the Eighth Circuit Court of Appeals. Mr. Grasiz has sterling credentials and strong support from the Nebraska legal community. I proudly voted to advance his nomination, and the Senate will confirm him soon.

Next, we will vote to advance the nomination of another well-qualified individual, Texas Supreme Court Justice Don Willett, to serve on the Fifth Circuit Court of Appeals. Justice Willett respects the rule of law and our foundational legal principles, and he will be a strong addition to the Fifth Circuit.

His story is an inspirational one. Adopted at a young age and raised by a widowed mother in a town of 32 people, he was the first person in his family to graduate from high school. As our colleague Senator CORNYN said at the Senate Judiciary Committee hearing, "Justice Willett's life [reflects] the best of Texas, and the best of America."

From these humble beginnings, Justice Willett has led a remarkable ca-

reer. After graduating from Duke School of Law, he clerked for Judge Jerre Williams of the Fifth Circuit Court of Appeals, the panel he has now been nominated to join.

He spent a short time in private practice before entering public service in then-Gov. George W. Bush's administration as a legal and policy adviser. When President Bush entered the White House, Justice Willett joined him as the Special Assistant to the President. In that role, he helped shape the domestic legal policy of the Bush administration, especially in the President's efforts to increase charitable activities in neighborhoods across the Nation.

The next year, he became Deputy Assistant Attorney General in the Justice Department's Office of Legal Policy. There, he oversaw both civil and criminal policy initiatives, including what became the PROTECT Act of 2003, which increased law enforcement's ability to prevent and prosecute violent crimes against children.

Afterward, Justice Willett returned to Texas to serve as the Deputy Attorney General for Legal Counsel. As the top legal aide to then-Attorney General Greg Abbott, he advised the office on a wide variety of legal matters.

In 2005, he was appointed to serve as a justice on the Texas Supreme Court. Elected to a full term in 2006 and re-elected in 2012, Justice Willett has served with distinction on the Texas high court now for over a decade. During that time, he has ruled fairly and impartially.

Four of his former colleagues on the Texas Supreme Court wrote a letter to the Judiciary Committee supporting Justice Willett's nomination. They wrote, "His demonstrated belief is that the courts should enforce both constitutional rights and constitutional limitations and uphold the rule of law, but not enforce a personal agenda."

"On occasion," they continued, "we did not agree with each other or with

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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him on the disposition of an appeal but we respected Don's opinions and never doubted his devotion to principle."

In addition, the retired Texas Supreme Court justice, Wallace Jefferson, recommended Justice Willett's nomination, writing that he will be "a thoughtful, hardworking, diligent, and influential member of the United States Court of Appeals for the Fifth Circuit."

Justice Willett has also been recognized for his excellence by the Texas Review of Law and Politics, which named him its Distinguished Jurist of the Year in 2014.

I would like to commend President Trump for nominating Justice Willett to the Fifth Circuit. Under Chairman GRASSLEY's leadership, the Judiciary Committee has done an excellent job processing this nomination and many others.

By joining the Fifth Circuit, Justice Willett will use his talents to continue to serve his State and his Nation. I look forward to advancing his nomination, and I urge my colleagues to join me in doing so.

JUSTICE FOR UNCOMPENSATED SURVIVORS TODAY (JUST) ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 274, S. 447.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 447) to require reporting on acts of certain foreign countries on Holocaust era assets and related issues.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Justice for Uncompensated Survivors Today (JUST) Act of 2017".

SEC. 2. REPORT ON HOLOCAUST ERA ASSETS AND RELATED ISSUES.

(a) *DEFINITIONS.—In this section:*

(1) *APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—*

(A) *the Committee on Foreign Relations of the Senate;*

(B) *the Committee on Appropriations of the Senate;*

(C) *the Committee on Foreign Affairs of the House of Representatives; and*

(D) *the Committee on Appropriations of the House of Representatives.*

(2) *COVERED COUNTRIES.—The term "covered countries" means participants in the 2009 Holocaust Era Assets Conference that are determined by the Secretary of State, or the Secretary's designee, in consultation with expert nongovernmental organizations, to be countries of particular concern relative to the issues listed in subsection (b).*

(3) *WRONGFULLY SEIZED OR TRANSFERRED.—The term "wrongfully seized or transferred" in-*

cludes confiscations, expropriations, nationalizations, forced sales or transfers, and sales or transfers under duress during the Holocaust era or the period of Communist rule of a covered country.

(b) *REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees that assesses and describes the nature and extent of national laws and enforceable policies of covered countries regarding the identification and the return of or restitution for wrongfully seized or transferred Holocaust era assets consistent with, and evaluated with respect to, the goals and objectives of the 2009 Holocaust Era Assets Conference, including—*

(1) *the return to the rightful owner of any property, including religious or communal property, that was wrongfully seized or transferred;*

(2) *if return of any property described in paragraph (1) is no longer possible, the provision of comparable substitute property or the payment of equitable compensation to the rightful owner in accordance with principles of justice and through an expeditious claims-driven administrative process that is just, transparent, and fair;*

(3) *in the case of heirless property, the provision of property or compensation to assist needy Holocaust survivors, to support Holocaust education, and for other purposes;*

(4) *the extent to which such laws and policies are implemented and enforced in practice, including through any applicable administrative or judicial processes; and*

(5) *to the extent practicable, the mechanism for and an overview of progress toward the resolution of claims for United States citizen Holocaust survivors and United States citizen family members of Holocaust victims.*

(c) *SENSE OF CONGRESS.—It is the sense of Congress that after the submission of the report described in subsection (b), the Secretary of State should continue to report to Congress on Holocaust era assets and related issues in a manner that is consistent with the manner in which the Department of State reported on such matters before the date of the enactment of the Act.*

Mr. MCCONNELL. Mr. President, I further ask unanimous consent that the committee-reported amendment be agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 447), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Leonard Steven Grasz, of Nebraska, to be United States Circuit Judge for the Eighth Circuit.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

FUNDING THE GOVERNMENT

Mr. SCHUMER. Mr. President, last week, the House and Senate passed a short-term funding bill to keep the government open as Republican and Democratic negotiators continue to work on a long-term spending deal. The negotiations are advancing well, but many issues remain to be resolved.

First and foremost, we must resolve the issue of the spending caps. If we do nothing, there will be painful and unnecessary cuts to both defense spending and programs that invest directly in jobs and economic development for the middle class in early January. We must lift the spending caps for defense and also those urgent domestic priorities in equal measure. That has been the basis of the successful budget agreements going back several years and as recently as April of this year. There was parity between defense and nondefense, and that is how it ought to stay. That is what brought us home to a good agreement and no shutdowns in previous years.

As the opioid crisis continues to rage, dimming the bright future of so many Americans, we have a moral obligation to step up our country's support for addiction treatment and recovery. I have had a father cry in my arms because his son was online waiting to get into a treatment program, but it was too crowded. He had to wait, and his son died of an overdose before he could get in. We can't have that in America.

So many of our young people, the flower of our youth, are dying or being hurt so badly, addicted, with this opioid crisis. We cannot sit by, just as we cannot sit by with foreign threats that plague our country.

As veterans continue to struggle to find the quality healthcare they deserve after bravely serving this Nation, we should be making additional investments in veterans' healthcare and veterans hospitals. Just as we need to help