

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

our soldiers abroad, we need to help those who have fought for us, risked their lives for us, and now have healthcare problems.

As hundreds upon hundreds of thousands of miners, truckdrivers, construction workers, and food service workers approach retirement age, we have to make sure the pension plans promised to them have enough in the bank to fulfill that promise. These people painstakingly paid every month into their plans, and so did their employers. They would forgo larger salary increases so they could make sure they are taken care of when they retire.

Now that the pension funds—in good part because of the crash of 2008—don't have the money they need, these people should not be left out. Hard-working American families deserve to retire with the dignity and security they have earned. If we don't meet these pension obligations today, they are going to cost the government a whole lot more tomorrow. That is why Democrats are fighting for a pension solution in the year-end spending bill.

These are all urgent priorities. There are more. They can't wait another day, just as we must make sure our men and women in uniform have the resources and support they need to do their job. Let's do both in a bipartisan way.

As Democrats continue to push for desperately needed funding to combat the opioid crisis, improve veterans' healthcare, and shore up pension plans, we will also be pushing to reauthorize CHIP—the Children's Health Insurance Program—and community health centers, as well as dealing with certain healthcare programs that have expired.

We have to do more for the Americans in Texas, Florida, Louisiana, Puerto Rico, and the U.S. Virgin Islands who are still recovering from devastating natural disasters.

We are in the process of negotiating with Republicans to provide a significant investment in border security in exchange for DACA. These talks continue to progress, and I am hopeful we can reach an agreement on that issue as well.

We have a lot to get done before the end of the year. We don't have much time to do it, but with the concerted effort of both parties, negotiating in good faith, I believe we can reach an agreement acceptable not to every Member of either Chamber but to large numbers of Members on both sides of the aisle so we can pass our agreement by a wide margin.

Mr. President, I yield the floor.

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. THUNE. 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.

NET NEUTRALITY

Mr. THUNE. Mr. President, for more than two decades, under both Repub-

lican and Democratic Presidents and Republican and Democratic Congresses, the United States pursued a bipartisan light-touch approach to internet regulation. The internet as we know it today flourished under this light-touch approach, much to the benefit of American consumers and the domestic economy. It also made America the world leader in internet technology and positioned us to continue that leadership in the years to come.

In 2002, broadband internet was classified by the Federal Communications Commission, or FCC, our Nation's communications regulator, as an information service under title I of the Communications Act. This classification exempted the internet from burdensome regulations contained in title II of the Communications Act, which were designed in the Depression era for the old telephone monopolies.

Under the Obama administration, we saw repeated attempts to bring the internet under greater government control. Finally, in 2015, at the explicit direction of President Obama, the FCC did as it was told and reclassified broadband internet access service as a title II service, subjecting broadband internet to onerous common carrier rules and opening the door to further regulation, including price regulation. Not surprisingly, with heavier regulation came a decline in broadband investment. Indeed, we have seen private investment in broadband infrastructure decline over the past 2 years. This decline should not be mistaken as a sign that broadband infrastructure is not needed. In fact, the opposite is true, as there are still 34 million Americans who lack access to broadband services at home.

In States like my home State of South Dakota, encouraging broadband deployment continues to be critical to ensuring that rural areas have the same economic opportunity as their urban counterparts. The Federal Government should not be putting up barriers to broadband deployment; it should be removing them. Congress and the FCC need to ensure regulatory framework is in place that protects consumers but that doesn't stand in the way of investment and innovation.

Prior to the FCC's 2015 actions to bring broadband under title II, and for more than a decade under the light-touch regulatory framework of title I, we saw unprecedented growth that revolutionized our daily lives and allowed us to stay better connected with our loved ones. The internet created new jobs and expanded opportunities for education and commerce. It became the greatest engine of innovation for our times.

Despite the fearmongering and doomsday rhetoric that continues to plague this debate, when the FCC moves forward and restores the internet to its pre-2015 regulatory status, the internet will continue to thrive and serve as an engine for future economic growth.

I commend Chairman Pai at the FCC and the entire Commission for all the hard work over the last year that has gotten us to this point. I also commend Chairman Pai for his commitment to transparency throughout this process. For the first time in the history of the Commission, under Chairman Pai's leadership, the public was able to view the Restoring Internet Freedom item 3 weeks prior to the FCC's vote. That is true of all documents to be considered by the Commission—a major departure from the previous administration's actions, which were often not made public until the very last minute. As a result of Chairman Pai's commitment to transparency, the public has the benefit of not only viewing the item but also participating in the process.

Despite attempts by those more interested in politicizing the issue and distracting from this debate, this item resulted in the most well informed and most exhaustive record of comments ever submitted to the FCC. The FCC is now well positioned to move forward to ensure that the internet is open and free. Regrettably, however, debate doesn't end there. The outcry from opponents of the FCC's proposal is that the internet will fall apart without adequate consumer protections.

There is obviously immense passion that follows the issue of net neutrality. Americans care deeply about preserving a free and open internet, as do I and so many of my colleagues in the U.S. Senate on both sides of the aisle.

As I have stated repeatedly and I will say again today, congressional action is the only way to solve the endless back-and-forth on net neutrality rules that we have seen over the past several years. If my colleagues on the other side of the aisle and those who claim to support net neutrality rules want to enshrine protections for consumers with the backing of the law, I call on them today to join me in discussing legislation that would do just that. While we are not going to agree on everything, I believe there is much room for compromise.

Many of us in Congress already agree on many of the principles of net neutrality. True supporters of an open internet should be demanding such legislative protections today, not posturing while waiting for years during protracted legal proceedings or waiting for the political winds to shift.

If Republicans and Democrats have the political support to work together on such a compromise, we can enact a regulatory framework that will stand the test of time. I have stood willing to work with any and all supporters of net neutrality protections for many years now, and I continue to stand ready today.

It is time for Congress to settle this debate, and I welcome discussion on ways to ensure a free and open internet for decades to come.

TAX REFORM BILL

Mr. President, it has been a good week in the U.S. Senate. We are getting closer and closer to the finish line