



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, SECOND SESSION

Vol. 164

WASHINGTON, WEDNESDAY, MAY 23, 2018

No. 85

Senate

The Senate met at 11 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Gracious God, teach us to number our days that we may have hearts of wisdom. Today, guide our lawmakers. Keep their minds clear and clean and uncluttered by cares as they follow Your leading.

Lord, make them aware that they are the recipients of Your unconditional love. Enable them to fill swift hours with mighty deeds that will help keep America strong. May Your Kingdom of love and righteousness come within them, motivating them to contribute worthily to the abiding peace of humanity.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore 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.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

WORKPLACE HARASSMENT LEGISLATION

Mr. MCCONNELL. First, Mr. President, on an important piece of internal business, workplace harassment is unacceptable anywhere—end of story. The U.S. Congress is certainly no exception. Here, as everywhere, employees must be free to work without fearing that they will be the victims of harassment.

So a consensus emerged among Members in both the House and the Senate that we should do more to hold people accountable, protect staff, and help to prevent harassment in the first place. That is exactly what will happen under the proposal that our colleagues Senator BLUNT and Senator KLOBUCHAR have developed.

These colleagues of ours deserve big thanks. Their thorough, bipartisan collaboration has produced an impressive and comprehensive proposal to reform how Congress handles claims of violations of Federal workplace laws, particularly, instances of harassment. It will help this institution take an important step forward.

Their proposed reform achieves many of the important goals that Members of both parties have put forward in recent months. There was widespread consensus that Members of Congress should reimburse taxpayers for the cost of claims or settlements. This reform achieves that and more. It requires Members to pay for any harassment claims, for any protected class, where the Member has personally engaged in misconduct.

We sought to eliminate obstacles that made it more difficult for employees to file claims. This reform achieves that. It eliminates the mandatory counseling, the mandatory mediation, and the mandatory cooling-off period that current law requires employees to go through before filing a claim of a workplace violation.

We wanted to ensure disclosure when there are settlements or awards for instances of sexual harassment. This reform achieves that and more. It mandates that every instance where a Member is found to have personally committed any type of harassment be publicly reported.

This is an entirely appropriate package of reforms that every Member of this body should be able to support. It builds on the foundation laid by Senator GRASSLEY's landmark Congressional Accountability Act back in 1995.

Our friend from Iowa led the way in making sure that Congress had to live by the workplace laws that it required of others, and it builds on other important steps this institution has recently taken, such as updating and strengthening the anti-harassment training that all Senate employees must complete.

Here is what all this adds up to: a clearer, easier, and more timely process for those who seek to file harassment claims and greater personal accountability and transparency in the event that misconduct occurs.

The Democratic leader and I are grateful to Senator BLUNT and Senator KLOBUCHAR for their hard work in assembling this proposal. It has our enthusiastic support.

VA MISSION BILL

Mr. MCCONNELL. Mr. President, now on an unrelated matter, today the Senate will take action to fulfill an important promise. Our Nation's all-volunteer Armed Forces consist of brave men and women who answer the call to serve, often at personal risk. In gratitude for their selfless sacrifice, we promise them the accessible and quality care they have earned when they return home. Veterans of all eras rely on this promise as they carry home the physical and mental reminders of their service, but all too often the VA has fallen short of meeting their needs with facilities that were too far away, lines and waiting lists that were too long, and options for treatment that were too limited.

The shortcomings of the Federal bureaucracy were apparent. Veterans waiting months to see a physician under their VA benefits—let alone dying before receiving treatment—meant that we were clearly falling short of our commitment to them.

Congress had to act. So in 2014 a bipartisan coalition of 91 Senators and 420 Members of the House took a critical first step by passing the Veterans

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



Printed on recycled paper.

S2843

Choice Act. For the past 3 years, the Veterans Choice Program has connected millions of American heroes with the care and resources they need and so richly deserve. It removed arbitrary barriers that blocked veterans from convenient care, and it sent a clear message to those who have suffered because of a dysfunctional system: We have your back.

But much more work remained. The Veterans Choice Program has allowed over 23,000 Kentucky veterans to seek care in their own communities just last year, but some veterans are still left out. I recently heard from one Kentucky Navy veteran who lives 36 miles from the nearest VA provider. He served aboard an aircraft carrier, the USS *Forrestal*, and sustained a hand injury that still requires regular care.

Under current law, because he lives 36 miles and not 41 miles from that facility, he can't receive covered treatment from a nearby provider who is right in his home community. He has to make a round trip several times a year to receive care. I know virtually all my colleagues have heard stories just like that one, which made it clear that Congress's work was far from finished.

So Chairman ISAKSON and his colleagues took the lead to develop this new legislation, which borrows from 15 different Senate-introduced bills. The victories it contains are numerous. The VA MISSION Act removes those arbitrary time and distance requirements that limit eligibility for outside care. It replaces those one-size-fits-all policies with a conversation between veterans and their own doctors about what works best. This will empower more veterans to access the care they need, when and where they need it.

It also allows VA professionals to offer telemedicine and partner with community care providers, creating a more comprehensive network to keep veterans from falling through the cracks.

It consolidates seven separate community care programs into one streamlined path, and it expands support for military families by broadening the VA comprehensive assistance for family caregivers to include veterans of all generations.

These are just some of the reasons why this bipartisan, bicameral bill has earned the support of 38 veterans advocacy organizations. In a joint letter they call it a "historic opportunity to improve the lives of veterans, their families, and caregivers."

President Trump agrees. So does a large bipartisan majority in the House. After we vote this afternoon, I hope we can say the Senate does as well. Let's pass this worthy legislation and give our veterans more of the support they have earned.

NOMINATIONS OF BRIAN MONTGOMERY AND JELENA MCWILLIAMS

Mr. MCCONNELL. Mr. President, on another matter, later today we will vote on two more qualified nominees for important positions in the Trump administration.

First comes Brian Montgomery, the President's nominee to serve as Assistant Secretary of Housing and Urban Development and head of the Federal Housing Administration. His formidable background includes previous service as Federal Housing Commissioner from 2005 to 2009 and as the Acting Secretary of Housing and Urban Development. It is no wonder that our colleagues on the Banking Committee reported his nomination favorably with a bipartisan voice vote. I am glad we can vote to confirm him today without any further delay.

After Mr. Montgomery, we will vote to advance the nomination of Jelena McWilliams, whom the President has chosen to chair the FDIC Board of Directors. Ms. McWilliams' resume spans the government and the private sector. As a lawyer, policy expert, and executive, she has studied financial regulations from all angles. She understands the FDIC's role in safeguarding Americans' holdings, overseeing the banking sector, and reforming inefficient policies that create obstacles for families and job creators.

Ms. McWilliams is especially attentive to the difficulties facing smaller community banks. In her testimony before the Banking Committee, she explained how government regulations inflict outsized compliance costs that can be too much for Main Street lenders to bear.

She was also examined by our colleagues on the Banking Committee and was also reported out by a bipartisan voice vote. I encourage all my colleagues to join me in voting to advance her nomination later today.

REGULATORY REFORM

Mr. MCCONNELL. Mr. President, finally, speaking of community banks, yesterday marked a big step forward for local lenders across the Nation that have been crushed by the regulatory burden of Dodd-Frank. Yesterday afternoon, our colleagues in the House passed the Economic Growth, Regulatory Relief, and Consumer Protection Act, which the Senate had passed earlier this year. Now it will head to President Trump's desk for his signature.

This is the culmination of extensive bipartisan work, led by Senator CRAPO and his colleagues on the Banking Committee, to give smaller community lenders relief from Obama-era over-regulation.

I frequently discuss how our Democratic colleagues' top-down policy agenda worked well for a select few but left much of the rest of the Nation be-

hind. This issue is a perfect illustration of that. Our Democratic colleagues produced a hastily written rule book for Wall Street and then forced it on the rest of America, including community banks and credit unions in my State of Kentucky and across the Nation.

These local institutions are vital economic contributors. Their unique ability to build relationships and local connections are why community banks handle a majority of all U.S. small business loans and almost 80 percent of agricultural loans. That is why research suggests that closure of a single physical bank in a low-income neighborhood can reduce lending to nearby businesses by almost 40 percent.

Community banks and communities that depend on them needed relief from Dodd-Frank. They needed sensible reform that streamlined that inefficient, imprecise, one-size-fits-all regulatory approach. Thanks to Chairman CRAPO, our Banking Committee colleagues, Chairman HENSARLING, and our colleagues in the House, that is exactly what this Congress and this President are poised to deliver.

This legislation is a major bipartisan achievement. I am pleased that we are adding it to last year's historic tax reform, our record use of the Congressional Review Act to roll back over-regulation, and all the other policy accomplishments that are helping to reignite American prosperity.

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

The PRESIDING OFFICER (Mr. SULIVAN). The clerk will call the roll.

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

WORKPLACE HARASSMENT LEGISLATION

Mr. SCHUMER. Mr. President, first, some good news. As the majority leader noted, Senators KLOBUCHAR and BLUNT have agreed on legislation to overhaul the way Congress handles workplace claims to protect staff and others from harassment. It certainly needed an overhaul. Shamefully, the current system—soon, hopefully, the old system—didn't do enough to protect victims and hold perpetrators of workplace harassment accountable.

Among the other crucial reforms, the Blunt-Klobuchar legislation would do away with mandatory waiting periods that too often discouraged complaints and let them languish. It would also make important changes to ensure that Members of the House and Senate are held personally accountable and