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House of Representatives

The House was not in session today. Its next meeting will be held on Friday, August 4, 2017, at 1 p.m.

Senate

THURSDAY, AUGUST 3, 2017

The Senate met at 10 a.m. and was called to order by the Honorable LUTHER STRANGE, a Senator from the State of Alabama.

PRAYER

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

Let us pray.

Almighty God, who is the same yesterday, today, and forever, we are transient creatures who long for a sense of permanence. Help us to find our permanence with a fixed and abiding faith in You.

Lord, strengthen our lawmakers for the challenges of these times. Keep them in the shadow of Your wings, protecting them from seen and unseen dangers. Use Your powerful arm to guide, protect, and sustain our Nation. Hasten the day when people everywhere will seek and find You.

Lord, let the tranquility of Your dominion increase in our Nation and world.

We pray in Your sovereign 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, August 3, 2017.

To the Senate:

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

ORRIN G. HATCH,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

WORK BEFORE THE SENATE

Mr. McCONNELL. Mr. President, earlier this week, I set out a number of items for the Senate to get done during this work period, both in terms of nominees and legislation.

First on nominees, we had to confirm an FBI Director, and we have done that. We needed to make progress on a number of other nominations that have been held up for entirely too long. Slowly but surely, we are. We confirmed a well-qualified judicial nominee. We confirmed several officials who will be critical to advancing administration policy in the Defense Depart-

ment. Yesterday afternoon, we confirmed a nominee to the National Labor Relations Board who will help to return it—after 8 years of habitually siding with union bosses over workers—to its intended role as an impartial judge that calls balls and strikes in labor disputes.

All of this is progress, but we still have nominees to confirm for positions across many agencies in both security and nonsecurity roles. Many Cabinet members still await the No. 2 officials for their departments. So we have more to do.

The same is true of legislation. We had to pass the Veterans Choice legislation. We have. In fact, we passed some additional veterans legislation, as well.

Under the last administration, we learned of a shocking scandal that spread through Veterans Affairs facilities across the Nation. We all agreed that our veterans deserved far better than that. Ever since, Congress has continued to work on a number of initiatives designed to bring more justice to veterans and more reform to the VA. Senator ISAKSON, the chairman of the Veterans' Affairs Committee, has been a tireless advocate for our Nation's veterans and a driving force on seeing these bills through committee and through the Senate. We passed a number of good reforms into law already. We continue to build on that progress today.

Just a couple of months ago, we passed important VA reform legislation that is now law. The Department of Veterans Affairs Accountability and

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



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Whistleblower Protection Act is helping to shore up accountability measures, improve transparency, and enhance the VA's ability to remove unsatisfactory employees, while also protecting those who speak up about wrongdoing within the VA.

Just this week we passed through more veterans bills. One heads back to the House for final passage. The Veterans Appeals Improvement and Modernization Act will help address the delays that many veterans have experienced by modernizing the VA's antiquated claims appeals process. The other two bills now await the President's signature. The VA Choice and Quality Employment Act we passed earlier this week will provide additional resources to shore up the critical Veterans Choice Program so that veterans who face long wait and travel times at VA facilities will have the option of accessing private care instead. The Harry W. Colmery Veterans Education Assistance Act we passed yesterday will expand access for veterans to GI bill benefits as they transition back to civilian life.

I want to thank the President and his administration for working with Congress to improve healthcare for our Nation's veterans. I also want to thank again Senator ISAKSON for his unwavering leadership on veterans issues and VA reforms. He has never stopped working to strengthen the VA system for those who rely on it and to overcome the systemic problems that have left many veterans frustrated and hurting. These veterans bills can make a real impact in the lives of the people we represent.

That is also true of the FDA legislation we need to pass during this work period as well. I am hopeful we will have the opportunity to do so today. This legislation, which was passed by the HELP Committee on a 21-to-2 bipartisan vote, is more important than ever in light of lifesaving developments in immunotherapy. It has never been more relevant, given that personalized medicine is just over the horizon. Passing this legislation will help speed up the drug approval process for patients in need. It will help address the time and cost of bringing lifesaving drugs to market. It will allow the important work of ensuring our drugs and devices are safe and effective to move forward.

I want to recognize the chairman of the HELP Committee, Senator ALEXANDER, for helping to make this critical legislation a top priority and for working with colleagues to move it in a timely manner.

We are making progress this week for the future of lifesaving medicine for our veterans and for the leadership of our country's most critical agencies. We know we still have more to do in all of these areas, but we are passing critical legislation. We are confirming nominees to important positions, and we are taking steps in the right direction.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

FDA REAUTHORIZATION ACT OF 2017—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 2430, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 174, H.R. 2430, a bill to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and biosimilar biological products, and for other purposes.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 11 a.m. will be equally divided between the two leaders or their designees.

The Senator from Illinois.

FOR-PROFIT COLLEGES AND UNIVERSITIES

Mr. DURBIN. Mr. President, I want to start this morning's presentation on the floor of the Senate with a question. What is the most heavily subsidized private business in America—the for-profit business that receives more Federal subsidies than any other? Is it a defense contractor? No. Is it some farming operation? No.

The most heavily subsidized for-profit, private business in America today is for-profit colleges and universities. Why? Because the revenue they receive from the Federal Government accounts for 85, 90, 95 percent or more of all of the revenue they take in. How can that possibly be? How could you run a private for-profit business and have a Federal subsidy of 98 percent? How is that possible?

Here is how it works. A student graduates from high school. The student applies to a for-profit college or university. The for-profit college or university accepts the student on the condition that the student sign over Pell grants—Federal money—and the student's Federal Government loan. The student signs over the Pell grant, signs over the loan, and is enrolled in the school.

This for-profit school now is home free. They admitted the student. They received all the money from the student, and the student is headed for classes. It works only if the student, at the end of the day, ends up with some value in their education—some experience that helps them go on to get a job to pay off their student loans.

It turns out that, in too many instances, for-profit colleges and univer-

sities entice these young people into signing up for classes that are worthless. They end up not preparing them for any job. Now they are in a terrible fix. If they finish the course, they have a heavy, large student debt and they end up in a position where they can't get a job and pay it off.

How often does this happen? Think of three numbers. So 9 percent of students graduating from high school today in America go to for-profit colleges and universities. What am I talking about—for-profit? There is the University of Phoenix, DeVry, Rasmussen, and the list goes on and on. So 9 percent of high school students go to these schools, and 20 percent or more of Federal aid to education goes to these schools. Why? Because the tuition they charge is so high. But here is the kicker: 35 percent, one out of three students in America who defaults on their student loans has attended these for-profit colleges and universities.

We decided under the previous administration, the Obama administration, to start asking some hard questions. How are these for-profit colleges and universities enticing these students in? What are they saying to them to bring them in to sign up for classes and for their student loans?

Secondly, if the students finish their degrees at these for-profit colleges and universities, how likely are they to end up with a job that is worth something—a job that allows them to pay back their student loan? Those are legitimate questions; aren't they? If you were the parent of a child who said: Dad, I just heard about the University of Phoenix, and I want to go to school there, you would obviously say: Well, what are you interested in taking? Is it a good course? How much does it cost? What will be your debt when you are finished? What is your likelihood of finding a job? Those are obvious questions. We put all those questions into something called the gainful employment rule. At the end of graduating from for-profit colleges and universities, will you be gainfully employed as a graduated student into a job that gives you a chance to pay off your student loan and really keeps the promise that the for-profit school made to you?

Just weeks ago, the new Secretary of Education, Betsy DeVos, announced that our U.S. Department of Education was going to rewrite the gainful employment rule. The rule, as I said, was written by the Obama administration after years of contentious debate with the industry. It was designed to ensure that career training programs that receive Federal student aid are meeting their statutory obligation to prepare the students for a job—for gainful employment.

Don't forget that a lot of young people applying for college are in families that have limited college experience. Mom and Dad may have never gone to college. So when you say DeVry or University of Phoenix, Mom and Dad may say: Is it any good, Son? Is it any good,