

INHOFE, Mr. UDALL, Mr. MORAN, Mr. TESTER, Mr. HATCH, Mr. DONNELLY, Mr. PORTMAN, Mr. SCHUMER, Mr. THUNE, Mr. ROUNDS, Mr. BENNET, Mr. ROBERTS, and Ms. HEITKAMP):

S. Res. 315. A resolution designating November 4, 2017, as National Bison Day; considered and agreed to.

By Mr. HOEVEN (for himself, Mr. UDALL, Mr. BARRASSO, Mr. THUNE, Ms. HEITKAMP, Mr. WYDEN, Mrs. MURRAY, Mr. DAINES, Mr. LANKFORD, Ms. HIRONO, Mr. MORAN, Mr. HELLER, Ms. KLOBUCHAR, Ms. CANTWELL, Mr. MERKLEY, Mr. TILLIS, Mr. KING, Mr. FRANKEN, Mr. ROUNDS, Mr. TESTER, Ms. STABENOW, and Mr. HEINRICH):

S. Res. 316. A resolution recognizing National Native American Heritage Month and celebrating the heritages and cultures of Native Americans and the contributions of Native Americans to the United States; considered and agreed to.

By Ms. HARRIS (for herself, Mr. BOOKER, and Mr. SCOTT):

S. Res. 317. A resolution celebrating the 40th anniversary of the Senate Black Legislative Staff Caucus and its achievements in the Senate; considered and agreed to.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. Res. 318. A resolution honoring the Portland Thorns FC as the champion of the National Women's Soccer League in 2017; to the Committee on Commerce, Science, and Transportation.

#### ADDITIONAL COSPONSORS

S. 179

At the request of Mr. GRASSLEY, the names of the Senator from Oklahoma (Mr. LANKFORD) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. 179, a bill to expand the use of E-Verify, to hold employers accountable, and for other purposes.

S. 324

At the request of Mr. HATCH, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 324, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 339

At the request of Mr. NELSON, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 339, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 374

At the request of Mr. BLUNT, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 374, a bill to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products.

S. 382

At the request of Ms. DUCKWORTH, her name was added as a cosponsor of S. 382, a bill to require the Secretary of Health and Human Services to develop

a voluntary registry to collect data on cancer incidence among firefighters.

S. 497

At the request of Ms. CANTWELL, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 497, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 548

At the request of Ms. CANTWELL, the names of the Senator from South Carolina (Mr. SCOTT) and the Senator from Virginia (Mr. Kaine) were added as cosponsors of S. 548, a bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes.

S. 646

At the request of Mr. BLUMENTHAL, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 646, a bill to amend title 38, United States Code, to improve the enforcement of employment and reemployment rights of members of the uniformed services, to amend the Servicemembers Civil Relief Act to improve the protection of members of the uniformed services, and for other purposes.

S. 778

At the request of Ms. KLOBUCHAR, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 778, a bill to require the use of prescription drug monitoring programs and to facilitate information sharing among States.

S. 793

At the request of Mr. BOOKER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 793, a bill to prohibit sale of shark fins, and for other purposes.

S. 833

At the request of Mr. TESTER, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 833, a bill to amend title 38, United States Code, to expand health care and benefits from the Department of Veterans Affairs for military sexual trauma, and for other purposes.

S. 925

At the request of Mrs. ERNST, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 925, a bill to amend title 38, United States Code, to improve the ability of health care professionals to treat veterans through the use of telemedicine, and for other purposes.

S. 967

At the request of Ms. STABENOW, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 967, a bill to amend title XVIII of the Social Security Act to increase access to ambulance services under the Medicare program and to reform payments for such services under such program, and for other purposes.

S. 1064

At the request of Mr. UDALL, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 1064, a bill to amend the Richard B. Russell National School Lunch Act to prohibit the stigmatization of children who are unable to pay for meals.

S. 1169

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1169, a bill to amend title XIX of the Social Security Act to provide States with an option to provide medical assistance to individuals between the ages of 22 and 64 for inpatient services to treat substance use disorders at certain facilities, and for other purposes.

S. 1706

At the request of Mrs. FEINSTEIN, her name was added as a cosponsor of S. 1706, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 1718

At the request of Mr. KENNEDY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1718, a bill to authorize the minting of a coin in honor of the 75th anniversary of the end of World War II, and for other purposes.

S. 1753

At the request of Mr. HELLER, the names of the Senator from Maine (Mr. KING) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 1753, a bill to amend the S.A.F.E. Mortgage Licensing Act of 2008 to provide a temporary license for loan originators transitioning between employers, and for other purposes.

S. 1829

At the request of Mr. GRASSLEY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1829, a bill to amend title V of the Social Security Act to extend the Maternal, Infant, and Early Childhood Home Visiting Program.

S. 1893

At the request of Mr. PERDUE, the name of the Senator from Alabama (Mr. STRANGE) was added as a cosponsor of S. 1893, a bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to specify when bank holding companies may be subject to certain enhanced supervision, and for other purposes.

S. 1976

At the request of Mr. SCOTT, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 1976, a bill to allow all individuals purchasing health insurance in the individual market the option to purchase a lower premium copper plan.

S. 2006

At the request of Mrs. FEINSTEIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2006, a bill to require breast density reporting to physicians

and patients by facilities that perform mammograms, and for other purposes.

S. 2009

At the request of Mr. MURPHY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2009, a bill to require a background check for every firearm sale.

S. 2011

At the request of Mr. SANDERS, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2011, a bill to amend title XVIII of the Social Security Act to provide for the negotiation of lower covered part D drug prices on behalf of Medicare beneficiaries and the establishment and application of a formulary by the Secretary of Health and Human Services under Medicare part D, and for other purposes.

S. 2016

At the request of Mr. MARKEY, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 2016, a bill to prevent an unconstitutional strike against North Korea.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. REED, Mr. BLUMENTHAL, Mr. MURPHY, Ms. WARREN, and Mr. CARPER):

S. 2037. A bill to amend the Higher Education Act of 1965 regarding proprietary institutions of higher education in order to protect students and taxpayers; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2037

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Protecting Our Students and Taxpayers Act of 2017” or “POST Act of 2017”.

#### SEC. 2. 85/15 RULE.

(a) IN GENERAL.—Section 102(b) of the Higher Education Act of 1965 (20 U.S.C. 1002(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking “and” after the semicolon;

(B) in subparagraph (E), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(F) meets the requirements of paragraph (2);”;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

“(2) REVENUE SOURCES.—

“(A) IN GENERAL.—In order to qualify as a proprietary institution of higher education under this subsection, an institution shall derive not less than 15 percent of the institution’s revenues from sources other than Federal funds, as calculated in accordance with subparagraphs (B) and (C).

“(B) FEDERAL FUNDS.—In this paragraph, the term ‘Federal funds’ means any Federal financial assistance provided, under this Act or any other Federal law, through a grant, contract, subsidy, loan, guarantee, insurance, or other means to a proprietary institution, including Federal financial assistance that is disbursed or delivered to an institution or on behalf of a student or to a student to be used to attend the institution, except that such term shall not include any monthly housing stipend provided under the Post-9/11 Veterans Educational Assistance Program under chapter 33 of title 38, United States Code.

“(C) IMPLEMENTATION OF NON-FEDERAL REVENUE REQUIREMENT.—In making calculations under subparagraph (A), an institution of higher education shall—

“(i) use the cash basis of accounting;

“(ii) consider as revenue only those funds generated by the institution from—

“(I) tuition, fees, and other institutional charges for students enrolled in programs eligible for assistance under title IV;

“(II) activities conducted by the institution that are necessary for the education and training of the institution’s students, if such activities are—

“(aa) conducted on campus or at a facility under the control of the institution;

“(bb) performed under the supervision of a member of the institution’s faculty; and

“(cc) required to be performed by all students in a specific educational program at the institution; and

“(III) a contractual arrangement with a Federal agency for the purpose of providing job training to low-income individuals who are in need of such training;

“(iii) presume that any Federal funds that are disbursed or delivered to an institution on behalf of a student or directly to a student will be used to pay the student’s tuition, fees, or other institutional charges, regardless of whether the institution credits such funds to the student’s account or pays such funds directly to the student, except to the extent that the student’s tuition, fees, or other institutional charges are satisfied by—

“(I) grant funds provided by an outside source that—

“(aa) has no affiliation with the institution; and

“(bb) shares no employees with the institution; and

“(II) institutional scholarships described in clause (v);

“(iv) include no loans made by an institution of higher education as revenue to the school, except for payments made by students on such loans;

“(v) include a scholarship provided by the institution—

“(I) only if the scholarship is in the form of monetary aid based upon the academic achievements or financial need of students, disbursed to qualified student recipients during each fiscal year from an established restricted account; and

“(II) only to the extent that funds in that account represent designated funds, or income earned on such funds, from an outside source that—

“(aa) has no affiliation with the institution; and

“(bb) shares no employees with the institution; and

“(vi) exclude from revenues—

“(I) the amount of funds the institution received under part C of title IV, unless the institution used those funds to pay a student’s institutional charges;

“(II) the amount of funds the institution received under subpart 4 of part A of title IV;

“(III) the amount of funds provided by the institution as matching funds for any Federal program;

“(IV) the amount of Federal funds provided to the institution to pay institutional charges for a student that were refunded or returned; and

“(V) the amount charged for books, supplies, and equipment, unless the institution includes that amount as tuition, fees, or other institutional charges.

“(D) REPORT TO CONGRESS.—Not later than July 1, 2018, and by July 1 of each succeeding year, the Secretary shall submit to the authorizing committees a report that contains, for each proprietary institution of higher education that receives assistance under title IV and as provided in the audited financial statements submitted to the Secretary by each institution pursuant to the requirements of section 487(c)—

“(i) the amount and percentage of such institution’s revenues received from Federal funds; and

“(ii) the amount and percentage of such institution’s revenues received from other sources.”

(b) REPEAL OF EXISTING REQUIREMENTS.—Section 487 of the Higher Education Act of 1965 (20 U.S.C. 1094) is amended—

(1) in subsection (a)—

(A) by striking paragraph (24);

(B) by redesignating paragraphs (25) through (29) as paragraphs (24) through (28), respectively;

(C) in paragraph (24)(A)(ii) (as redesignated by subparagraph (B)), by striking “subsection (e)” and inserting “subsection (d)”; and

(D) in paragraph (26) (as redesignated by subparagraph (B)), by striking “subsection (h)” and inserting “subsection (g)”;

(2) by striking subsection (d);

(3) by redesignating subsections (e) through (j) as subsections (d) through (i), respectively;

(4) in subsection (f)(1) (as redesignated by paragraph (3)), by striking “subsection (e)(2)” and inserting “subsection (d)(2)”;

(5) in subsection (g)(1) (as redesignated by paragraph (3)), by striking “subsection (a)(27)” in the matter preceding subparagraph (A) and inserting “subsection (a)(26)”;

(c) CONFORMING AMENDMENTS.—The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended—

(1) in section 152 (20 U.S.C. 1019a)—

(A) in subsection (a)(1)(A), by striking “subsections (a)(27) and (h) of section 487” and inserting “subsections (a)(26) and (g) of section 487”; and

(B) in subsection (b)(1)(B)(i)(I), by striking “section 487(e)” and inserting “section 487(d)”; and

(2) in section 153(c)(3) (20 U.S.C. 1019b(c)(3)), by striking “section 487(a)(25)” each place the term appears and inserting “section 487(a)(24)”; and

(3) in section 496(c)(3)(A) (20 U.S.C. 1099b(c)(3)(A)), by striking “section 487(f)” and inserting “section 487(e)”; and

(4) in section 498(k)(1) (20 U.S.C. 1099c(k)(1)), by striking “section 487(f)” and inserting “section 487(e)”.

By Mr. GRASSLEY:

S. 2039. A bill to amend the Foreign Agents Registration Act of 1938 to promote greater transparency in the registration of persons serving as the agents of foreign principals, to provide the Attorney General with greater authority to investigate alleged violations of such Act and bring criminal and civil actions against persons who commit such violations, and for other purposes; to the Committee on Foreign Relations.