

document is the single biggest impediment to minority students going to college in America today, and the Democrats are blocking the passage of a bipartisan bill.

I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from North Carolina.

Mr. BURR. Madam President, I want to thank the chairman of the committee for objecting. I want to tell my colleagues on the other side of the aisle that I appreciate their being here giving the passionate speeches they have because they made the case for Senator ALEXANDER's bipartisan bill.

You see, incorporated in this legislation is an initiative by Senator JONES and Senator BALDWIN. Anybody who makes this out to be a bipartisan piece of legislation is just flat wrong. I have more historical Black colleges in North Carolina than any State can claim. When those chancellors and presidents have been presented with the question: Do you want 2 years or permanent, they all said permanent. They didn't know there was a permanent option.

I say this to my three colleagues because none of them are on the committee: There is a permanent option for funding historically Black colleges. It is in the chairman's bill. We have been told that the FUTURE Act needs to be passed. The FUTURE Act is 2 years long. There is not much of a future there. We ought to match its title with the chairman's bill because this really does address the future.

The No. 1 concern of historically Black institutions is predictability of funding. The chairman's bill is permanent. We are not going to come in here in 2 years and seek another reauthorization, but the benefit is that we are passing good legislation.

Let me point out to my colleagues that it is important to read legislation. The FUTURE Act is funded by whacking the funding for the State guaranty agencies. By taking away the account maintenance fees that these State-based organizations receive to administer loans, we are robbing Peter to pay Paul. These same students who are probably going to go to historically Black universities are also seeking State-based loans to do it, and we are providing the institutions 2 years of predictability on one side, and we are taking away the fees that are needed to administer the loans to allow them to be able to afford it. This is when it is important to look at the details.

The way the FUTURE Act is funded, it actually hurts all institutions in North Carolina. Just today, I heard from the North Carolina State Education Assistance Authority about how important this funding is for their daily functions in administering student loans. So I believe there is a better way to extend HBC funding but also not to hurt students.

At the end of the day, our focus—the human face we see is the student who benefits from the educational oppor-

tunity they have been given. I would tell you that the FUTURE Act flunks on all counts. It is not permanent. It takes away from some because of how it is funded. We have an opportunity with Chairman ALEXANDER's bill, the Student Aid Improvement Act, which would extend this title III funding permanently, but it would also include other bipartisan support changes in higher education, like expanding Pell grants. Every Member of the Senate has sat on this floor and said we have to do something on Pell grants. Here is your opportunity.

It doesn't fit in the timeframe of passing a bill that passed the House that provides 2 years of funding, but we have a bipartisan piece of legislation. It simplifies the financial student financial aid process. You saw the chairman hold up the form. There is nobody who can defend the continuation of that form. It should be one page. The chairman of the Education Committee has tried for now 5 years to transition that to one page. You might look at us and say: Well, we can do this very quickly, but we need time to talk about this. We have taken 5 years to do this, and the people on the committee know this.

This is the sixth time you have come to the floor and asked unanimous consent to do the exact same thing: Pass this; don't look at anything else.

No, that is wrong, but it is not wrong because we are in the majority. It is wrong because it is not serving the students for whom we are supposed to be here setting policy. It simplifies aid award letters to students. It is actually easy to tell them they got their student aid. It is cumbersome. If you are on the committee, you understand the agony they go through. We are wiping all of that away.

I believe Chairman ALEXANDER has a better path. I also would like to remind my colleagues that while this funding should be extended, there has been no lapse. Let me state that again. It should be extended, and there has been no lapse.

Madam President, I ask unanimous consent to have a letter I received from Secretary DeVos, stating that the title III funding in question is available through September 2021, be printed in the RECORD.

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

THE SECRETARY OF EDUCATION.
Washington, DC, October 9, 2019.

DEAR [REDACTED] I write to clarify the status of grants under Title III, Part F of the Higher Education Act of 1965, in light of the enactment of the Continuing Appropriations Act, 2020, and Health Extenders Act of 2019 (Pub. L. No. 116-59), signed on September 27, 2019.

Initially, I want to note that the new law has no effect on funds that we recently awarded in the Title III, Part F programs. Funds obligated in fiscal year (FY) 2019 have already been made available to grantees under all Part F programs in the Department of Education's (Department) G5 System for the project period beginning on Octo-

ber 1, 2019, and ending on September 30, 2020. Those funds will remain available to grantees for allowable uses during this period. In addition, in the Part F programs that award grants competitively, the Department has carried over FY 2019 funds into FY 2020 to support noncompeting continuation awards and supplements for project periods from October 1, 2020, through September 30, 2021.

The Department's ability to make additional formula grants in FY 2020 under Part F for Historically Black Colleges and Universities (HBCUs) and Tribally Controlled Colleges and Universities, and to conduct new competitions for FY 2021, depends on the availability of congressionally appropriated funds. However, this will have no bearing on the grant funds that have already been made available to grantees for the next 12 months.

This Administration is committed to each and every HBCU and other minority-serving institutions and the important work they do in educating historically underrepresented student populations. If you have any questions about these programs, please reach out to your program officer in the Department's Office of Postsecondary Education.

Sincerely,

BETSY DEVOS.

Mr. BURR. On that basis alone, there is not the sense of urgency that some have come to the floor six times and suggested. I don't disagree with any of my colleagues that this is something we need to do now, but a 2-year temporary bill that doesn't accomplish any of the other reforms when we have had 5 years of bipartisan work—why would we not take this option? Why would we not sit down and find a way for Chairman ALEXANDER's bill—which has many Democratic initiatives in it—to pass and provide historically Black colleges and universities with permanent funding, provide students with a one-page form to fill out for student aid, provide an expedited way for the notification when their loans have been approved? We are there, but for some reason, some want us to do a 2-year temporary fix. It is wrong. I thank the chairman for objecting.

I yield the floor.

Mr. ALEXANDER. Madam President, I see the Senator from Ohio. I intend to offer my alternative to which, I gather, someone plans to object. I will go ahead and do that unless he wants to speak at this point.

Mr. BROWN. Go ahead, Senator ALEXANDER.

UNANIMOUS CONSENT REQUEST—S. 2557

Mr. ALEXANDER. What I will do is make my offer quickly, and then I will make my speech following the objection.

Let me summarize, to begin with, that what has just happened is I have objected to a short-term, piecemeal extension of funding for historically Black colleges and minority-serving institutions because it is a bill that, I think, will have great difficulty passing the Senate because of the way it is not properly funded. What I am about to offer, and which I will speak on after the objection is made, is permanent funding for historically Black colleges at the level of \$255 million a year—permanent funding—as opposed to short-term, piecemeal funding as part of a

package of higher education legislation that has been prepared and cosponsored by 29 Senators—more Democrats than Republicans—with the principal other provision being reducing the questions in the FAFSA, the Federal aid application form, from 108 to between 18 and 30. This is a bill introduced by the Senator from Alabama, Mr. JONES, and I, which our Senate committee has been working on for 5 years. It is the single most important impediment to keeping minority students from going to college in our State—and I think most States, according to our former Governor—and it would help 8 million minority students who fill out this complicated form every year.

I will speak more to that in just a minute, but that is what I am about to ask my friends on the other side to permit me to pass.

Madam President, as in legislative session, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 2557—the bill I just described, the permanent funding of historically Black colleges and the simplification of the FAFSA and other measures—and the Senate proceed to its immediate consideration. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Ohio.

Mr. BROWN. Madam President, I reserve the right to object.

I and my colleagues here—Senator CARPER, Senator COONS, and prominent Democrats in the education debate—have deep concerns about Senator ALEXANDER's proposed micropackage. To be sure, it is a micropackage of higher education bills. It is not a complete reauthorization.

Our caucus has been clear about what a comprehensive bill should look like. It addresses access, affordability, accountability, and campus safety. This Alexander proposal falls well short.

The Senator from Tennessee says this package is bipartisan. That is sort of true but not entirely. He has made a number of changes to the underlying bipartisan bills that do not have the support of lead Democrats on this and, in some cases, the lead Republicans of the original bills. For example, this package includes a limited repeal of the ban on Pell grants for incarcerated adults instead of the full repeal of the ban included in the bipartisan bill. Our bill adds to Pell grants.

His version of the short-term Pell Grant Program makes significant changes to the bipartisan JOBS Act of 2019, a bill of which I am an original cosponsor. The JOBS Act excludes for-profit colleges from eligibility for the program. We know the Trump administration is all about for-profit institutions, with the Secretary of Education leading the charge. This version allows

for-profit colleges—the sorts of schools we know mislead and scam students in too many cases—to sneak their way into eligibility.

One of the things I admire about the chairman of the HELP Committee—and have admired since I met him 20-some years ago—was his work not just as Secretary of Education but his work as president of the University of Tennessee. He knows what for-profit colleges do for and to far too many students. His legislation removes a number of the protections meant to ensure programs eligible for this funding are actually high-quality ones that educate students. These are just a couple of the ways this micropackage is different from the original bipartisan bills. We know the micropackage cannot pass the House. Chairman SCOTT and Speaker PELOSI have been clear that they want comprehensive reform. A comprehensive HEA reauthorization can pass. That is not what this is.

I hope we can come to a bipartisan agreement, but as we work together, we can't hold hostage historically Black colleges and universities. Most of them are in the South. Most of them are in the States of my colleagues who are from the South. Most of them are in Republican States with Republican Senators. As mentioned by Senator CARPER and Senator COONS, of Delaware, my State, which is similar to Delaware, has historically Black colleges. In Ohio, Wilberforce and Central State are prominent institutions that matter so much to our State. For the nearly 2 years now since the Trump administration has been in office, these schools have been in fiscal limbo.

I know Senator ALEXANDER cares about these schools, but there is no evidence that the President of the United States does. They need their funding extended now. The mandatory funding, which is vital to these schools, ran out on September 30 because the Senate refused to act and because the President didn't seem to care. The House did its job in passing the FUTURE Act. Now HBCUs are facing impossible decisions in the face of dwindling funding. The Senate needs to immediately take up and vote on the bill the House already passed to provide full, mandatory funding for MSIs and HBCUs.

We all agree—Senator BURR, Senator ALEXANDER, the two Senators from Delaware, and Senator CARDIN, who has just joined us—that HBCUs have fostered generations of Black leaders. They are a critical part of our Nation's higher ed system. These schools have rich legacies and proven track records of educating students of color and other underrepresented students.

Wilberforce was founded in 1856 in Wilberforce, OH, as the Nation's first private institution of higher ed for Black students. Central State, which is in the same town across the road in Wilberforce, has a rich legacy of educating students as an 1890 land grant institution. We have helped it this year

through the Committee on Agriculture, Nutrition, and Forestry. It is further tasked with strengthening research, extension, and teaching in food and agriculture.

We know that without our HBCUs, millions of Black students would have been denied the opportunity to pursue higher ed. HBCUs account for approximately a quarter of all of Black students who earn bachelor's degrees and nearly a third of all of the African-American students who earn STEM bachelor's degrees. Our country owes an enormous debt to these schools that we don't seem to be paying back. That is why it is unconscionable that the Senate has abandoned these schools and these students.

I have heard from schools about how their budgets have been thrown into chaos. They tell me that academia is about planning, and many of them already operate close to the margins. HBCUs have already received letters from the Department of Education telling them that they are not getting future funding and that they can't use any Federal funding for long-term projects. It could mean program cuts and layoffs. It means no long-term construction projects. It means not hiring permanent faculty and not purchasing major equipment. Imagine operating a school like that.

It is shameful that in 2019 we still ignore schools that serve students of color by treating this as anything other than a must-pass bill. I know that very few African Americans voted for President Trump, and I know he seems to care for only those people who voted for him. Yet this is an obligation. Senator ALEXANDER wants to fulfill it, but he is operating in a straitjacket with this President.

It is so important that we do this. The FUTURE Act is budget neutral, and it is fully paid for. We use the same offset the administration has used. It is a bipartisan pay-for, not a gimmick.

I should add that less than 2 years ago, this Senate and President Trump had no problem passing a \$1 trillion tax cut for corporations and the wealthy that wasn't paid for. We have seen that under Republican leadership in the White House. We have seen what has happened to our budget debt, and we know corporations have had huge tax cuts. We know 70 percent of the tax cuts went to the wealthiest 1 percent. Yet this body can't take care of historically Black colleges. They hold schools that serve students of color to a different standard.

I am hopeful that Senator ALEXANDER, whom I trust, and Senator MURRAY, whom I trust, will continue to negotiate a truly bipartisan and truly comprehensive higher ed reauthorization that supports HBCUs. I support those efforts. That is the way forward for the priorities that Senator ALEXANDER has outlined in his micropackage and for the updates and reauthorizations all of our students and families need. HBCUs and MSIs can't wait

until that process is over. They need action now. They have all had to overcome enough hurdles every day in order to educate their students. The U.S. Senate should not be one of those hurdles. We need to pass the FUTURE Act now.

Accordingly, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. ALEXANDER. Madam President, I see the Senator from Maryland, but I would like to take a few minutes to describe the proposal to which Senator BROWN just objected.

I appreciate the Senator from Ohio in his saying that he hopes that Senator MURRAY and I can do what we usually do, which is to take issues within our Education Committee and work them out and present them to the Senate as a whole, but that is not the way this came up. This came up suddenly, and no one talked to me about it. Here we are when, for 5 years, we have been in the midst of reauthorizing higher education. Permanently funding historically Black colleges has always been an important part of that discussion when suddenly here comes this bill as if there were an emergency.

What I heard my friend from Ohio say is that he objects to my proposal as a microproposal, as a small proposal, but he is suggesting an even smaller proposal. He is suggesting a 2-year fix that, in my opinion, can't pass the Senate because of the way it is funded.

Plus, why would you want a 2-year fix when you have the chairman of the Education Committee working for the permanent funding of historically Black colleges and minority-serving institutions? This is what I have offered on the floor, and that is what has just now been objected to by the Democrats.

At the same time, he mentioned a number of bills that he thought needed some changes. The request I made that was objected to also included simplifying FAFSA, which is the Federal aid application form that 20 million students fill out every year. Let's put a human face on that.

The President of Southwest Tennessee Community College in Memphis, which is a largely minority institution in terms of its students—I see my colleague from Tennessee is presiding today, and she knows this institution well—told me they lose 1,500 students every semester because of the complexity of this form. There are 108 questions. A bipartisan working group, including Senator BENNET, of Colorado, a Democrat; Senator JONES, of Alabama, a Democrat; Senator KING, of Maine, an Independent; and many others on our side, we have reduced these 108 questions to between 18 and 30. It has the support of the student aid administrators from across the country. It has the support of college presidents who see their students turned away because their parents and their grandparents see this as too complex.

Former Governor of Tennessee Bill Haslam led our legislature to create 2 free years of college tuition in Tennessee, but first you have to fill this out. Governor Haslam has told me the single biggest impediment to low-income Tennesseans getting those 2 years of free education is the complexity of that form.

Why would the Senator object to doing it when we have been working on it for 5 years and have a bipartisan bill to get it done? Why don't we pass it? Why don't we make it the law? What do we say to those 1,500 students who don't get to go to college because of this?

At the same time, at the other end of our State, the president of East Tennessee State University tells me that 70 percent of his student body is subjected to verification. The way this system works is you have to give some information to the IRS and some information to the Department of Education, and if you make one little mistake, they jerk your Pell grant while they figure out what the problem is. Seventy percent of the students were subjected to that verification, and some of them lost their scholarships while that happened. That is totally unnecessary.

People in Tennessee ask me: If that is true, why don't you pass it?

That is the question I am asking my friends because I just asked the Senate to pass it, and the Senator objected. Why don't we pass it? Why don't we make it the law? It is not as if I just showed up one day with this. We have been all the way through our process of hearings. It has been through working groups of Democratic and Republican Senators. It ought to be done.

There is no need for us to come to the floor and say we need to pass a short-term, 2-year fix for historically Black colleges when, at the same time, you could have permanent funding for historically Black colleges and could fix the Federal aid application form that 8 million minority students fill out every year—8 million students. What are the Senators going to say to them about why they are not going to make it easier for them to go to college when we are here, arguing about a short-term, piecemeal fix for historically Black colleges?

In a way, I am glad we are having this discussion because I have been trying to bring this to the attention of my colleagues and if you go home and talk to the families, they will tell you that 20 million fill this out every year. In Tennessee, it is 400,000. And college aid administrators will tell you that.

I will give another example. I was in West Tennessee a couple of weeks ago at an event that was sponsored by the Ayers family. For 20 years, they have given money to help rural kids succeed in college. What the Ayers have discovered is that instead of spending their money on scholarships, they are spend-

ing it on counselors because counselors help students more than the money does. They have found there are lots of scholarships, but it is the counselors who make the difference. Yet what do the counselors spend their time doing? They help students answer these unnecessary questions.

So we are blocking and impeding the very students the Senator is claiming he wants to help when he objects to this bill I offered today.

I want to make it clear that I will come to the floor every day, if I need to, and offer legislation for the permanent funding of historically Black colleges and minority-serving institutions, which will be fully paid for, and a bipartisan proposal to simplify the FAFSA from 108 questions to 18 to 30 questions, which is estimated by the Congressional Budget Office to allow for 250,000 new American students to receive Pell grants as a result of the simplicity of what we have done.

I am disappointed that we haven't come to a bipartisan result on that. My friends who are here today know very well that this is the way I like to work. I believe it is hard to get to the U.S. Senate, that it is hard to stay here, and that while you are here, you might as well try to accomplish something. That is what I want to do. I hope we can do it on higher education.

When we accomplish it, I hope we can say we have agreed on the permanent funding for historically Black colleges and that we have elevated the importance of this complicated FAFSA to the attention of Senators on both sides of the aisle so that we say: Let's get this done. I don't want to go home any longer and have people ask me: Why don't you pass that? Why do I have to give the same information to two different parts of the Federal Government? Why are you discouraging the very low-income students who ought to be going to college?

I am disappointed in this result today, and I intend to continue to work for the permanent funding of historically Black colleges.

My last sentence will be this: I want all of the presidents of the 97 institutions to know that the U.S. Department of Education has said there is full Federal funding for historically Black colleges and minority-serving institutions for another year. Another year ought to be plenty of time for us to reject this short-term fix and to adopt a permanent solution as well as to simplify the FAFSA, have short-term Pell grants, and take up a variety of other proposals that ought to be a part of the Higher Education Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

REMEMBERING SERGEI MAGNITSKY

Mr. CARDIN. Madam President, November 16 was the 10th anniversary of the tragic death of Sergei Magnitsky.