

I would remind the White House: By far, the best way to ensure economic security for the American people is to deal directly with the coronavirus itself. Again, getting a handle on the crisis and addressing the virus itself is by far the best way to respond to any negative effects on our economy.

The administration seems to believe that the answer to any problem is another tax cut. And no matter what they say about it when they put it together, it always seems to benefit the wealthy and the big and powerful corporations. This is a healthcare crisis; it demands a healthcare solution.

To borrow an expression: You must treat the disease, not the symptoms.

Mr. President, do you hear that? You must treat the disease—the coronavirus—not the symptom, which is the result of the coronavirus, which is the economy.

The President wakes up to a problem only after it has an effect on Wall Street, and his solutions are often aimed, misguidedly, only at calming the nerves on Wall Street. The real answer in this case is to protect the American people, focus on their health and economic security, and competently respond to the public health crisis at our doorstep.

Speaker PELOSI and I have mentioned several actions we could take, from paid sick leave for impacted workers to unemployment insurance, food and housing security, and protections against price gouging. But one thing the administration must focus on right now, above all, is fixing the problems we are having with testing.

The most powerful tool in responding to a virus is to know precisely where it is and how it is spreading. Because the administration took weeks before they developed an accurate test and because the administration was slow to ramp up the number of Americans tested and is now having trouble turning around the results of those tests at a fast enough pace, we are now far behind where we ought to be in understanding how far the virus has already spread.

The United States has the best hospitals, doctors, and scientists in the world. Yet, currently, we are lagging far behind other countries when it comes to testing our citizens. We are behind the United Kingdom, behind France, behind China, behind Switzerland, the Netherlands, Israel, Japan, and Italy. Every day we read a new story in the press about Americans having difficulty getting a test for coronavirus even though they are displaying symptoms. Our own Health and Human Services was unable to say how many Americans have been tested.

It is shocking; it is infuriating. If other countries can do this, why can't we? If other countries do it right, why can't we? South Korea, which has far more prevalent amounts of coronavirus, is already seeing the number of new reports go down because they have done extensive, thorough, and accurate testing.

The result here—why we are not doing as well as other countries is a direct result of the colossal failure of leadership and planning from this administration and this President. One word describes the Trump administration's response to the coronavirus so far: "Incompetence."

I know there are hard-working CDC scientists and experts trying to help the American people. The political appointees are the ones who don't seem to get it and are putting politics over the safety and security of the American people. And it goes right to the top. In the midst of a public health crisis—a serious and dangerous public health crisis—the President has repeatedly pushed unscientific claims about the coronavirus, the availability of a vaccine, and given bad advice—bad advice—to Americans who might have symptoms.

If the President would just keep quiet, it would be better than what he is doing, which is negative. What we really need is leadership. More than ever, we need the President to drop the conspiracy theories, end the Panglossian optimism, and the unscientific speculation. Now more than ever, we need President Trump to lead our government's response with competence and to be truthful with the American people. As I said yesterday, we are all rooting for that, but the President and his administration must take a hard look in the mirror, focus on the problem at hand, not the side effects, and get to work on fixing them.

FOR THE PEOPLE ACT

Mr. SCHUMER. Madam President, H.R. 1—this past Sunday marked one year since the House passed H.R. 1, the For the People Act. This bill takes urgent and long overdue steps to renew our democracy. It will reverse the corrupting effects of Citizens United. It will restore protections for voting. And it will take aim at Washington's culture of corruption, which has run rampant under this administration.

It could not come at a better time. Every election, we see the sweeping power of big money. State legislatures have found new ways to deny Americans, often minorities, access to the ballot. Our adversaries—including the Russians—work day and night to influence our elections and sow confusion in the public sphere. H.R. 1 would forcefully and directly address each of these issues. But, like every other bill passed by the House over the past 2 years, it has been buried in Leader MCCONNELL's legislative graveyard. We must move it. This bill is about making our democracy work and giving American citizens some faith in the future.

Republicans, rather than working with Democrats to strengthen our democracy, have stood in the way. They have blocked election security legislation and sanctions to deter foreign adversaries from trying to interfere in our democracy. They have enabled

President Trump's assault on the separation of powers through their silence on the President's many abuses of power. Even today, the Republicans are putting forward a nominee for the Federal Election Commission who expressed doubts regarding the benefits of even the most reasonable restrictions on campaign spending, including disclosure.

When H.R. 1 first passed the House, Leader MCCONNELL called this bill to restore voting rights and get money out of politics a "terrible proposal" and a "power grab." If Leader MCCONNELL thinks that getting big money out of politics is a terrible idea, if he truly believes making it easier for Americans to vote is a power grab by Democrats, then God help the Republican Party and God help this country.

Democrats will not stop fighting for this bill, nor will we ever stop fighting to restore the democratic values that have guided our Nation for 2½ centuries. In the United States, each person's vote should have the same weight as everyone else's. That is a hallmark of our democracy. A fair and free election is the wellspring of our democracy. It is what Americans have died for in the battlefields around the world, what civil rights activists have marched for across the bridges and the generations. And though the Republican leader has been adamant in his opposition to this legislation, the American people, thank God, will have a chance this November to elect a new Senate that will move this country in a dramatically different direction.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

LEGISLATIVE SESSION

ADVANCED GEOTHERMAL INNOVATION LEADERSHIP ACT OF 2019—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2657, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 2657) to support innovation in advanced geothermal research and development, and for other purposes.

Pending:

Murkowski modified amendment No. 1407, in the nature of a substitute.

Portman/Shahen amendment No. 1514 (to amendment No. 1407), to establish greater energy efficiency and cost-effectiveness in building codes.

Shahen amendment No. 1525 (to amendment No. 1514), to modify the authorization of appropriations for cost-effective codes implementation for efficiency and resilience.

The PRESIDING OFFICER. The majority whip is recognized.

5G SPECTRUM

Mr. THUNE. Madam President, the United States is poised for nationwide deployment of the next generation of internet technology—5G. 5G will mark a giant leap forward for internet technology, delivering speeds that are up to 100 times faster than what today's technology can deliver. It will be vastly more responsive than 4G technology and will be able to connect 100 times the number of devices that can be connected with 4G.

While that will make it even easier to do the things we do today, like check our email or stream our favorite shows, the biggest benefits of 5G lie in the other technologies that it will enable—precision agriculture, medical and surgical innovations, safer vehicles, and more.

5G is already being deployed. Cities across the country, including Sioux Falls in my home State, are introducing 5G networks. There is still work to be done before 5G can be fully implemented nationwide. A big part of that work is freeing up adequate spectrum to support the technology.

Like all internet technology, 5G relies on radio spectrum, or what we commonly call the airwaves. In the United States, radio spectrum is owned by the American taxpayer but is licensed to companies that make use of the spectrum to broadcast TV and radio programs, connect cell phone calls, and transmit internet data. Radio spectrum is divided into bands—low-band, mid-band, and high-band—according to frequency and wavelength. Current wireless technology mostly relies on low-band spectrum, but 5G will require the full range of radio spectrum—low-band, mid-band, and high-band.

The United States has done a good job freeing up high-band spectrum for 5G, but we need to free up more mid-band spectrum to see full-scale 5G deployment. Mid-band spectrum is crucial for 5G. It combines strong data capacity with good geographical coverage and allows 5G signals to penetrate buildings in more urban areas. Mid-band spectrum is particularly crucial for rural 5G deployment, as it can provide the coverage and capacity to reach less populated areas.

As past chairman of the Senate Commerce Committee and current chairman of the Commerce Subcommittee on Communications, Technology, Inno-

vation, and the Internet, I have been working on 5G for a number of years now. In 2018, Congress passed my MOBILE NOW Act, which laid the groundwork for freeing up more spectrum for 5G.

This past November, Senator WICKER and I introduced the 5G Spectrum Act to require the Federal Communications Commission to free up a critical portion of mid-band spectrum, commonly referred to as C band, for 5G use. While Congress did not enact our legislation, at the end of February, the Federal Communications Commission announced it would adopt a framework similar to that outlined in our bill to make 280 megahertz of C band spectrum available for 5G.

Currently, C band spectrum is licensed by satellite companies that use the spectrum to deliver programming for television and radio broadcasters, among other things. Under the FCC's new rules, the majority of this mid-band spectrum will be made available to wireless companies for 5G. Satellite companies will still be able to provide all the services they are currently providing by launching new satellites and investing in new technologies to make more efficient use of the C band. The licensees for the remaining portion of the C band spectrum will be returned to the government, which will then offer the spectrum to wireless companies in a public auction. Satellite companies will be reimbursed for the cost of relocating their operations to the upper range of the band, and they will be offered incentives for moving their operations quickly so that space for 5G can be freed up as soon as possible. I was very pleased by the FCC's decision, which I think provides the most expeditious and efficient way to free up the necessary mid-band spectrum for 5G.

Some have argued that rather than reimbursing satellite companies, the government should just pull the satellite companies' licenses, but there are a number of problems with that approach.

First of all, while it is true that radio spectrum is owned by the taxpayers, satellite companies have invested a lot of money to put the spectrum into service. While they will still have enough C-band spectrum to provide current services, shifting their operations to the upper band of the spectrum will require a substantial investment. It is fair that they be reimbursed for this government-required shift.

Furthermore, reimbursing companies and providing incentives for them to quickly free up spectrum is the fastest way to make that spectrum available. Simply demanding that companies relinquish their control of a substantial portion of the C band could tie the government up in litigation for years, while countries like China take the lead on 5G.

Finally, setting a precedent for the government to simply seize spectrum licenses would create a significant disincentive for technological investment.

Why should companies invest major sums of money in bringing next-generation technologies to market if they are likely to have the licenses on which those technologies depend seized without warning?

The truth is that the taxpayers will see a bigger return—for deficit reduction, rural broadband, and other priorities—if companies are incentivized to invest. The United States was at the head of the 4G revolution, and we need to ensure that we are at the head of the 5G revolution as well. Winning the race to 5G will provide huge economic benefits for American businesses and American workers, and it will allow the United States to set security standards for telecommunications networks worldwide.

I am very pleased that the FCC has acted to free up mid-band spectrum needed for full-scale deployment of 5G around the country. I will continue to work to ensure that American companies and American workers have the resources they need to bring us into the 5G future.

I yield the floor.

The PRESIDING OFFICER. The Democratic whip is recognized.

FOR-PROFIT COLLEGES AND UNIVERSITIES

Mr. DURBIN. Madam President, perhaps later today or one day this week, we will have debate on the Senate floor and a vote, and that vote literally will decide the future for over 200,000 young Americans.

Politicians and elected officials are prone to exaggeration, but I don't exaggerate when I say that, because we will have an opportunity here to debate and vote on a system that was put in place years ago to protect students from being defrauded by the colleges they attend. It is called the borrower defense program. It was started years ago. It was really designed for that rare situation where a student would take out a government loan to go to college after the college made misrepresentations about the education it offered. The student would rely on those misrepresentations, sign up for the school, sign up for the government loan, and learn, to his disappointment, months or years later that the school had lied to him. The school may have told him: If you take this certain course at this school, you will qualify for a certain job or licensure. The school may have misrepresented to the student that the courses they took at the school could be transferred to other schools if the student decided to go to a different university to complete their education. The misrepresentation may have been something as basic as saying "All of our professors and instructors at this school have certain college degrees qualifying them to teach you," or the school may have misrepresented to the student that "If you complete this course, here are the jobs that will be readily available for you to fill."

Students listen to those promises, sometimes rely on them, oftentimes

signing loans with the Federal Government that need to be paid off later, and then they learn they were lied to.

Because they were defrauded or lied to or misrepresentations were made, we set up a provision in the law that said there is a way out for the student. You don't end up holding the bag here when a college or university which the United States government has recognized as accredited has lied to you. You are not left holding the bag. There is another way out. Our Department of Education will take a look at your circumstances and decide whether there is evidence that this school has lied to you or misrepresented, and if we find it, we can restructure or forgive some part or all of your student loan debt.

You know, that makes all the difference in the world to these students because here they are holding the bag, with tens, if not hundreds of thousands of dollars of debt because of lies that were made by the schools that tried to entice them into enrollment. It is called the borrower defense program.

Under President Obama, thousands of students came to the program and said: We were lied to by these schools.

Most of the schools are for-profit colleges and universities. One of the most notorious—Corinthian Colleges—is now bankrupt and gone, but for years, they were enticing thousands of Americans into their programs. They were signing up young students for courses, making them sign the loan agreements, and then after that was done, the students learned later on that the education was virtually worthless.

What happened to Corinthian? Well, the people who started this for-profit college and university did quite well, thank you. All these students paid thousands of dollars to them, and even though they misrepresented the school to the students, they ended up taking the money and going home, and the school faced bankruptcy, and the students are left holding the bag. That is the unfortunate reality we face. We can do something about it today.

The Secretary of Education, Mrs. DeVos, has decided to change the way students have to go through proving their losses, and that is why we are here today. The House has voted overwhelmingly saying Secretary DeVos's approach was unfair. I will describe to you why we think it is unfair.

What we are asking Members of the Senate to do today is take an honest look at the plight of these students and decide whether they are entitled to any relief under the proposal by Secretary DeVos. We estimate that fewer than 3 percent of the students will receive any kind of relief because of the approach she uses. What we can do today is reject that approach. This vote is not about any alternative approach. Though, we could sit down and actually negotiate a better way to deal with this. I have talked to Members on the Republican side about doing just that.

The first step is to stop this new rule by Secretary DeVos, and that will be

an opportunity we have today. If we stop these rules she has promulgated, then the students will have a chance to have some part of their student loan forgiven—perhaps all of it—if they can prove through evidence that they have been defrauded.

Let me be more specific about what we are facing here. In 1992, Congress added a provision to the Higher Education Act which I just described called the borrower defense program. It allowed student borrowers defrauded by their schools to have their Federal student loans discharged. Congress rightly didn't want students left holding the bag because the schools had been guilty of misconduct. It was really a little known or rarely used portion of the law until the year 2014 with the collapse of the for-profit giant Corinthian Colleges.

Corinthian had lied to students one after the other. They inflated their job placement rates, saying to students: Take these courses, and there are plenty of jobs waiting for you. They took out loans for students without the knowledge of the students, and then they lied to the students about employers' recognizing their degrees.

Yet Corinthian was not unique. Nearly every other major for-profit college has been the subject of multiple State and Federal investigations and lawsuits for similar predatory practices.

Since 2015—just 5 years ago—nearly 300,000 student borrowers, mostly from these for-profit colleges, have applied to our U.S. Department of Education for borrower defense discharges. They have said: We were lied to. These schools lied to us about what the education would mean to our futures. They enticed us into getting student loans, and we learned too late that we have been subjects of this fraud. Now, because our lives have been compromised with the great debts that we carry, we are asking for relief from a 1992 law that has been established.

Almost 220,000 of these students have pending claims with the U.S. Department of Education. Do you know how long they have been waiting for resolutions so they know if they can get on with their lives? Many of them have been waiting for years. The claims come from every State in the Union—large, small, red, blue, purple. It doesn't make any difference.

Sadly, it is not going to stop. The Department of Education's estimates show that nearly 200,000 student borrowers will be subject to illegal practices by their schools in 2021 alone. The schools continue to make these misrepresentations to students.

With the new borrower defense rule, Secretary DeVos at the Department of Education will make it virtually impossible for these future defrauded borrowers to receive the borrower defense discharge that Congress intended. The DeVos rule places unreasonable new burdens on defrauded borrowers, including requiring the student borrowers to submit evidence that they

will have to obtain by hiring lawyers and private detectives. For example, defrauded borrowers will have to show that the schools intentionally misled them. How are they supposed to do that?

In addition, the rule requires defrauded borrowers to apply and submit evidence individually instead of being able to apply as a group when many borrowers have experienced similar misconduct across a program or school.

Think about these schools that have been investigated by so many different States and have been found guilty of predatory practices, of exploiting these college students. The schools have been found guilty of defrauding these students in State, after State, after State. Under the new rule by Secretary DeVos, to be discharged under this borrower defense program, each one of the students has to essentially lawyer up. Each one of the students has to hire an investigator.

What is the likelihood that a student who is burdened with debt and is struggling to find a job is going to go out and make those expenditures? It is next to nothing. In fact, it turns out it is about 3 percent of the students who are likely to be able to take advantage of that. Secretary DeVos is basically telling these student borrowers: You are on your own. Lawyer up. Hire a private detective to find the evidence.

This is unfair and unrealistic. We need to go no further than the Department's own statistics to realize that 97 percent of the students have no chance under this DeVos rule. By the experts' best testimony, only 3 percent have a chance of recovering under this new approach. That is the rule we will get a chance to vote on this week, whether that rule should continue.

The Department claims that these new hurdles for borrowers are necessary to guard against fraudulent claims made by students, but there is no evidence—none—of widespread fraud on the part of borrowers among the 300,000 borrower defense claims that have already been submitted. In fact, the Department itself notes that it does not have sufficient information to determine the extent of any potential fraud by students. There is no evidence whatsoever of this notion that Secretary DeVos's rule is needed because of fraud by borrowers. The new rule just means that defrauded borrowers with legitimate claims are not going to get relief.

The Department also claims the DeVos rule protects taxpayers by shifting the burden of relief from the taxpayers to the schools that commit misconduct. Yet it then turns around and acknowledges that other changes in the rule will, in fact, reduce recoveries from schools compared to the 2016 rule, and that means more cost for taxpayers.

The truth is, of the small amount of relief that will be awarded under the DeVos rule, schools will be on the hook for about one-third of it at the most. In

reality, the DeVos rule achieves savings on the backs of the borrowers who are victims of fraud. It eliminates \$11 billion in relief while it reduces the share of relief that the schools which are guilty of fraud have to pay.

The Department also acknowledges that the DeVos rule is not expected to significantly change the percentage of loan volume subject to misconduct. In other words, this rule will not only generate less money from the offending schools, but it will be less likely to discourage future misconduct by the same schools. On the other hand, the former Department inspector general said the 2016 rule would “avoid costs to students and taxpayers that result from school closures.”

I could go on, but the bottom line is this: If we want to stop this insidious practice of defrauding students and having them pile up debt from schools that are phony and that eventually all go out of business, we have to have a program that is sensitive to the needs of the student borrowers and that puts these schools that are guilty of misconduct on the hook for the payoff rather than the taxpayers.

The DeVos rule eliminates the prohibition in the 2016 rule that prevents schools from using mandatory arbitration and class action restriction as a condition of student enrollment. What is mandatory arbitration? It is basically saying to the students and their families: You can’t go to court. You have to go into a closed room, sit across the table from one of our lawyers, and take it or leave it.

That is what mandatory arbitration is all about. Class action restrictions mean that the students of one school that defrauded thousands of students can’t come together in any kind of legal action.

You don’t see those kinds of provisions for mandatory arbitration and class action restrictions in the contracts that most students run into when they sign up at colleges and universities. It is almost exclusively in the area of private, for-profit colleges and universities. The clauses are often buried in stacks of enrollment documents that students rarely, if ever, read. It means that the schools can defraud and mislead students and that they are protected from being held accountable in court. Businesses around America are held accountable for their conduct and misconduct. Why would we let the for-profit colleges and universities off the hook?

Students have nowhere else to turn other than to the taxpayers through this borrower defense program that we are discussing here. Instead of allowing borrowers to hold their schools directly accountable for misconduct in court, Secretary DeVos’s rule shields these schools from accountability and puts American taxpayers on the hook.

I ask unanimous consent to have printed in the RECORD a letter that was published in the Charlotte Observer over the weekend. It was written by Shaun Joyce, of Greensboro, NC.

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

[From the Charlotte Observer, Mar. 8, 2020]

A DWINDLING DEFENSE AGAINST A
FRAUDULENT SCHOOL, BIG LOANS

(By Shaun Joyce)

I’m one of 300,000 people who applied for “borrower defense,” a government rule that is supposed to cancel federal student loan debt for borrowers who have been scammed by their schools, almost 8,000 of us from North Carolina. Education Secretary Betsy DeVos has made it harder for defrauded students by rewriting the borrower defense rule with so many restrictions that only 3 percent of the people who were lied to by their schools will get the relief the law says they should.

Fortunately, the U.S. House of Representatives has already voted to strike down DeVos’ rewrite, and the Senate is set to vote on it later this month. This won’t help my situation because of when I took out my student loans, but I’m hoping that North Carolina Sens. RICHARD BURR and THOM TILLIS will stand up for people cheated by predatory colleges—and pass the bill to provide some justice. I always thought college would be the magic key to unlock opportunity and open the door to the life I wanted. My mother had to drop out before she earned her degree, but always told me, “Go to school.” After learning about the Art Institute of Charlotte, I thought,

“Here’s my chance,” envisioning a future as a video game designer. Art Institute recruiters at a college fair convinced me the school was perfect for me. A week later, a representative barely glanced at my portfolio, more interested in selling me and my mother on all sorts of loans. She said the school would prepare me for the job market and connect me to people who could help me land a job. My Bachelor’s would cost me around \$64,000, an amount that seemed a little intimidating. But she talked about a number of options—all loans—to help pay for it. She assured me that if my mother didn’t qualify for a parent PLUS loan, the school itself would cosign loans for me.

We signed. I was on my way to earning the college degree that would change my life. And it did. But not in any way I would want.

Today, I owe nearly \$100,000 for a degree that didn’t prepare me for a job within the gaming industry. I work writing on-hold telephone messages for a marketing company and attend one class at a time at my local community college, working toward a degree in biology—none of my Art Institute classes transferred.

The Art Institute of Charlotte shut down two years ago, but my degree was worthless before then. None of my classes had anything to do with video game design. The school kept pushing me to take out more loans, and I didn’t feel I could leave. I still had my dreams—and, as a young black man, the last thing I wanted to do was become just another statistic by dropping out. I switched to an Associate’s in hopes of saving money.

When I asked about career opportunities, my adviser sent me Craig’s List job postings in California. I never saw any great opportunities. I’m not the only one. Hundreds of thousands of people like me have attended colleges that failed to educate them, left them with crushing debt, and shut down for predatory lending and fraudulent recruitment.

I hope Congress comes through to provide these people struggling and in debt through no fault of their own with some relief. Senators Burr and Tillis should vote yes on Senate Joint Resolution 56.

Shaun Joyce is a 2010 graduate of the Art Institute of Charlotte. He lives in Greensboro, NC.

Mr. DURBIN. Shaun is one of nearly 6,000 borrowers from North Carolina who have applied to the Department for a borrower defense discharge. He attended the Art Institute of Charlotte and thought it was his path to having a successful future. He was told by recruiters that the school would prepare him for a job in video game designing and that those at the school would connect him with people who would help him land that job. That is a pretty serious promise to a young person, isn’t it? He said they kept pushing him to take on more and more courses and more and more debt. Eventually, he had so much debt that he felt there was no other option than to finish the degree. He had to go all in with this school, the Art Institute of Charlotte.

He writes: “[As] a young black man, the last thing I wanted to do was become just another statistic by dropping out [of school].”

Shaun owes nearly \$100,000 in student loan debt today for a degree that did not prepare him for a job in the very industry he was promised. When he asked the Art Institute of Charlotte about career opportunities, do you know where they sent him? Craigslist.

As of today, Shaun’s work is in writing on-hold telephone messages for a marketing company, and he attends one class at a time at his community college at which none—not one—of his Art Institute credits can be transferred. He has asked the Senate to overturn the DeVos rule. He knows the struggles defrauded student borrowers go through.

I want to share with you a story of a U.S. Army veteran whose name is Jarrod Thoma. Jarrod is from the State of Colorado. After Jarrod left the Army, he wanted to pursue his lifelong passion for electronics by pursuing a degree in engineering. He signed up at the for-profit DeVry University in Westminster, CO. He said he quickly realized he was not getting the quality education it had promised. Course materials and the equipment for instruction were subpar and not as advertised.

He says: “Although DeVry was more than happy to cash all of my GI Bill benefits, my complaints about quality [of the courses they were offering] fell on deaf ears.”

When he tried to transfer, he found out that his credits wouldn’t transfer to a public university or even a community college even though DeVry had promised him they would.

In addition to using his entire GI bill benefit for serving this country, he accumulated \$52,000 in additional student loan debt in order to finish his program at DeVry.

On top of that, Jarrod says: “Upon entering the job market, I quickly found that the degree . . . was not worth the paper it was printed on, and it actually hurt my job prospects.”

Jarrod is waiting, along with 3,800 other Coloradans, for the Department

to act on his borrower defense request, and he has urged the Senate to overturn the DeVos rule in order to help future veteran borrowers like him.

Let me also show you Tasha Berkhalter. I met her recently. She is a U.S. Army veteran from Lima, OH. She enrolled at ITT Tech, which is another notorious for-profit school. After she had been honorably discharged from serving in our U.S. Army, she was promised by ITT that her GI bill benefits would cover the cost for the program and that her program would lead to a job in her field after graduation.

At one point, she tried to transfer, only to find out that other schools wouldn't accept the credits she had earned at ITT Tech. She didn't have any options. She had to finish at ITT. Not only did she exhaust her entire GI bill benefits at ITT Tech, but she had to take on additional Federal student loans despite all of ITT's assurances that was not going to happen. Tasha's student loan debt today for having attended ITT Tech is almost \$100,000 beyond her GI bill benefits—all for a degree that she says no employer takes seriously.

Of course, this puts a lot of pressure on her now. Tasha is married and has a family. She is facing overwhelming stress, anxiety, and depression because of the miserable experience she had with this for-profit school, ITT Tech, and the student debt she incurred.

She served our country, and she risked her life for America. When it came to her GI bill benefits, she lost all of it at this for-profit school. She is asking for a chance to start over with her life, and our vote on the Senate floor may decide that. She even questions herself as a wife and as a mother of four young children because she is unable to provide for her family as she is still unable to get a job in her field. She has lost cars, homes, and has had to move from State to State. She supports overturning the DeVos borrower defense rule because she wants defrauded veterans like her to have a shot at relief.

Veterans like Jarrod and Tasha are the reason that I bring this matter to the floor and ask my Republican and Democratic colleagues to join me. So many of us give speeches about our appreciation for the veterans and their service to our country. So many of us voted for the GI bill benefit package. We said to veterans: We owe it to you. You served our country. We want to be on your side after that service so you can build good lives in America.

Then schools like Corinthian and schools like ITT Tech defraud these students out of their GI bill benefits and pile additional debt on top of them. That is why this has become such a major veterans issue.

Take a look at the veterans organizations that support the measure that I bring to the floor today: the American Legion—and I am going to quote from a letter from its national commander in just a moment; the Student Vet-

erans of America; the Iraq and Afghanistan Veterans of America; the National Military Family Association; the Paralyzed Veterans of America; the Tragedy Assistance Program for Survivors; VetsFirst; Veterans for Common Sense; and Veterans Education Success.

I would like to show you this last poster here. It is a letter that I received from Bill Oxford. Bill, as you can see, is the national commander of the American Legion. He wrote to me on behalf of 2 million American Legion members whom he represents because he wanted to go on the record and give me a chance to bring this evidence before my fellow Senators, Republicans and Democrats. Many of them are being visited today by representatives of these veterans organizations, including the American Legion. I hope they can spare a minute of their time in their offices in honor of these veterans and listen to the pleas they are going to make for a vote in favor of the measure I am going to bring before the Senate.

Here is what Bill wrote in his letter to me: "Thousands of student veterans have been defrauded over the years—promised their credits would transfer when they wouldn't, given false or misleading job placement rates in marketing, promised one educational experience . . . but given something completely different." Bill calls this rule by Secretary DeVos "fundamentally rigged against defrauded borrowers" and writes that it "flagrantly denies defrauded veterans [fair and timely] decisions [on their claims]."

Bill closes his letter by calling on Congress to overturn the DeVos rule.

How many times have each of us stood on the floor and talked about honoring the sacrifices of men and women who serve our country in uniform?

Well, we have a chance to do it with a vote this week—to put our votes where all of our speeches have been. We have a chance to stand up not just for the American Legion but for all the veterans groups that I referred to before, to give defrauded student veterans and student loan borrowers a fair shot at the Federal student debt relief that Congress intended for them.

We don't do many things on a bipartisan basis around here anymore, and it is a shame. I hope this will be an exception. Frankly, all of us have given these speeches on both sides of the aisle. All of us have said how much these veterans and their families mean to us. Well, now they are asking us to be on their side with this vote.

I am urging my colleagues to show America that, when it comes to supporting our veterans, the Senate, on a bipartisan basis, can come together and do the right thing.

I yield the floor.

The PRESIDING OFFICER (Mrs. LOEFFLER). The Senator from Texas.

Mr. CORNYN. Madam President, student debt and student loans are a fre-

quent topic of conversation, and, of course, that is what we are discussing here today. As someone who took about 20 years to pay off my law school loans, this is personal. Fortunately, I was able to do so due to generous interest rates and lending that helped facilitate people pursuing higher education and beyond.

Across the United States, student loan debt totals nearly \$1.6 trillion and is made up of some 45 million borrowers. As more and more Americans are going to college and beyond, which is a good thing, this widespread problem isn't going to go away any time soon.

I agree that we need to take some action here in Washington to address the financial burden for those with existing debt and to help give prospective students a better understanding of what the debt that they will assume will mean to them in their future life, before it is too late.

One of the leading candidates for President on the other side of the aisle, Mr. SANDERS, has suggested that we just make education free and that we eliminate all debt. Well, that is a fantasy. There is no such thing as free. I am tempted to quote Milton Friedman, who said: There is no such thing as a free lunch. Of course, what he meant by that is that somebody, eventually, will pay. It may not be the immediate person who is the object of your bounty, but somebody will pay.

It is not financially responsible to just suggest that you are going to wipe away all debt, and it is certainly not fair to those who worked hard to earn the money to pay for their school only to find that those who did not find themselves with no debt. We have to come up with some commonsense answers, not just live in a fantasy land. Of course, to say that we are going to wipe away the debt is not fair to the parents who started saving for their kids' college even before they started walking or to the college student who worked multiple jobs to graduate with little or no debt at all or decided to go to community college at a lower cost before they then transferred to a 4-year institution and found a way to mitigate or keep their debt manageable. This idea of wiping away debt or making everything free is unfair to the person who chose not to go to college, only then to be saddled with someone else's debt. That is not fair.

So the problem with wiping away debt is that it is never really gone. You just pass the responsibility on to someone else, and we see that concept—that mentality—at play here today, when it comes to this rule promulgated by the Trump administration that our friends across the aisle seek to reverse.

Last fall, the Department of Education took a big step to forgive loans for students who have been defrauded by an institution of higher education without placing a serious burden on taxpayers. I think that is a good thing. People who commit fraud ought to be

held to account and those loans should be forgiven, but the burden should not be placed on taxpayers.

There have been similar regulations around for decades, and, in 2016, the Obama administration made some serious changes that actually broadened the types of claims a student can make. They issued a rule that said a school's substantial misrepresentation could result in a student's loans being forgiven.

But if my time in a courtroom taught me anything, it is that a good lawyer could portray even a factually accurate advertisement as somehow a misrepresentation, and there is no requirement that it be material but just that there be some abstract misrepresentation.

I don't have any doubt about the intent of the law and that the intention is good, but the concept is far too broad and the sad truth is, being so broad, it is ripe for abuse, and that is exactly what the current rule in place sought to change—to maintain the ability to relieve debt as a result of fraud, but not make it so broad that it was subject to further abuse.

The new rule establishes a clear standard for students to get individual debt relief and helps those impacted by school closures to find a way to finish their degree. It also takes big steps to hold schools accountable, which I believe is absolutely critical. We have this strange system where the school itself receives the tuition but has no accountability if the student is unable to complete their course of study or ends up getting a degree or a certificate in something that does not generate the income they need in order to pay that debt back. So we need to find ways to hold schools responsible, as well—as well as prevent predatory behavior from impacting more students, for example, targeting of veterans and then draining their GI bill benefits and leaving them with basically nothing to show for it. Those are the types of things we ought to be focusing on.

Overall, this rule—the underlying rule that our Democratic colleagues seek to reverse—includes commonsense reforms to ensure it achieves the goal of helping students who are defrauded, while preventing taxpayers from footing the bill for a far-too-broad definition of what constitutes a misrepresentation.

It is disappointing to see that they are trying to take us back to the previous rule, which was so ripe for abuse. In doing so, it would cause serious harm to students and schools and to the American taxpayer. They will end up left holding the bag.

Rather than zeroing out the loan balance for tens of millions of borrowers or allowing broad and vague allegations of fraud, we need to look at targeted changes that can make a huge difference. One place that I mentioned a moment ago where we need to focus is our veterans. I have heard from a number of my constituents who are

straddled with student debt—many before the time they actually served in the military.

If someone goes to college after leaving the military, the GI bill of rights will cover a substantial part of their education. But what about those who went to college or graduate school before they went into the military, those who took out loans prior to their service?

Well, in most cases, the GI bill cannot be applied retroactively, and servicemembers are left footing the bill for an education that otherwise would have been covered if they had gone to school after their military service.

Well, I don't think we should categorically exempt student debt and tuition incurred before military service and thus make the GI bill of rights, if you go into the military after that, worth basically nothing. These men and women should have the choice and the flexibility to use the benefits they have earned to pay off their student loans—in other words, use their GI bill of right retroactively, just as they would be able to use them pursuing a new degree.

I will be introducing legislation soon to make that change and to help our servicemembers address loan debt using the benefits that they have already earned.

We can't just look at preexisting debt, though. We need to ensure that prospective students are making wise financial decisions on the front end. Unfortunately, that is easier said than done. There is no clear system that makes it easy for students to compare financial aid packages from one school to another and to decide what the true cost of each will be. Many times, it is like comparing apples and oranges, and sometimes it can be downright misleading.

Depending on how a school displays information about scholarships or other financial information, the difference in the pricetag can be pretty stark. It doesn't matter whether you are a 17-year-old heading straight to college from high school or somebody who has been in the workforce for years and is now heading back to school. The process is far too confusing, and it does not need to be.

There are a lot of resources to help students get a clearer picture about their loan obligations and their expected salary after graduation and how that will impact their loan payments. Every student who incurs a penny of debt ought to have the information they need to be able to determine what amount of debt is acceptable in light of their future earning capacity and whether they will actually be able to get a degree that will allow them to pay back the money they borrowed for their school.

I believe that is a shared responsibility. Not only is that something that the student bears responsibility for, but I think the school they attend bears responsibility as well.

At the very least, we ought to provide accurate information. For example, the Department of Education has a calculator on their website that lets students calculate the net price of a degree before ever deciding which school to go to or what kind of loan to take out.

The issue, though, is that this information isn't always easy to find and colleges and universities are not doing a great job at promoting it. That needs to change.

I am a proud cosponsor of several pieces of legislation that would help prospective students better understand the cost of their higher education on the front end.

Three of these bills have been introduced by our friend from Iowa, Senator GRASSLEY, and would simplify the process for prospective students. One of these bills would standardize the format in terms of financial aid so that students aren't comparing apples to oranges; they are actually comparing apples to apples. Another would improve both the effectiveness and access to net-price calculators to help students make informed decisions before even deciding where to apply. The third would strengthen student loan counseling requirements to schools, so students are made aware of every option available, making it less likely that they will borrow more than they are likely to be able to repay.

So despite what our colleagues across the aisle are saying, outright loan forgiveness across the board isn't the only path here. There are other options which I intend to pursue to make incremental changes that will have a huge impact on people working to repay their student debt without spreading that burden to each and every single American taxpayer. While these ideas may not fit on a bumper sticker, that does not mean they are not worth pursuing.

I look forward to working with our colleagues to try to address this problem of mounting student debt and the difficulty many students have of paying that debt back because of misinformation or bad decisions they made, unaided by the schools they attend, to determine whether the degree they are pursuing and the debt they are incurring is actually realistic in light of their future income-earning capacity. We can address this sensibly and responsibly and in a way that does not affect each and every American taxpayer.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. MURRAY. Madam President, I ask unanimous consent to speak as in morning business.

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

Mrs. MURRAY. Madam President, later today the Senate will be taking up the borrower defense CRA vote and likely voting on it tomorrow. Each and every Senator will have a choice. They can side with working students, or they can side with predatory, for-profit colleges. It should not be a hard choice, and that choice certainly should not be partisan.

Students who were cheated and defrauded by predatory, for-profit colleges are often left with crushing debt and no path forward. That is why President Obama issued the borrower defense rule—to help students move forward with their lives and education and to get the debt relief they so urgently need.

Since taking office, Secretary DeVos has put up roadblock after roadblock for students and borrowers. First, she refused to implement the borrower defense rule that was on the books, until a court forced her to. She stalled on debt relief for hundreds of thousands of borrowers who were left waiting for an answer, with tens of thousands of them falling into default and collections. Once again, the Federal courts were forced to step in.

Now Secretary DeVos is trying to deny full relief to students who were clearly cheated by predatory colleges. For so many people, getting relief on your student debt means the difference between making ends meet or not, the difference between paying your rent or not, and the difference between getting back on your feet or not.

Now, to make matters even worse, Secretary DeVos has gone further than just delaying and limiting the relief. She has issued a disastrous new borrower defense rule intentionally designed to make it harder for defrauded borrowers—defrauded borrowers—to get relief even when predatory colleges clearly violated the law. It will prevent students from getting their day in court and let predatory colleges off the hook financially. This rule says, in the fine print, that students will be stuck repaying 97 percent of their fraudulent debt. The Department even admitted that students will be cheated out of \$2.5 billion per year, and students will only get 3 cents back for every dollar of fraud they experience. That is cruel and wrong.

The Congressional Review Act, or CRA, would immediately halt Secretary DeVos's rule in its tracks and prevent it from going into effect.

It is time to put an end to the non-stop efforts by this administration to prioritize the interests of predatory, for-profit schools over the interests of our students. It is time for Senators to decide, once and for all, if they will support our student loan borrowers who have been cheated out of a quality education or help corrupt institutions with their bottom line.

I want to personally thank Senator DURBIN for his tireless efforts to push this important issue forward.

I yield the floor.

The PRESIDING OFFICER (Mr. CRAMER). The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, if your car is a lemon, you don't sue the bank; you sue the dealer. A college can be a lemon, just like a car can be. A college could promise a potential student a job and then tell them that 50 percent of their students scored perfectly on their SAT tests. The potential student might use that information to take out student loans and enroll in a college. Then, if the information turns out to be false, the student may be stuck with student loans they can't afford to repay. Unlike a car, if your college is a lemon, you do sue the bank, and the bank is the taxpayer.

Today, Democrats are forcing the Senate to vote on a Congressional Review Act that, if passed, would overturn the Trump administration's borrower defense rule. This process allows a borrower of a Federal student loan to have their loan forgiven if their institution misled them and that misrepresentation led to financial harm.

First, if your college closes, it is important for you to know that your loans are forgiven. Let me say that again. If your college closes, it is important for you to know that your student loan is forgiven.

There are about 6,000 colleges and universities in our country, and 783 of them closed in 2018. For example, when Corinthian College closed, that made a lot of news. Many students, though, transferred to another college. But if they didn't transfer, they weren't stuck with their student loans; their loans were forgiven.

We are not talking about that today when we vote. If your college isn't closing but it does defraud or mislead you, then you can file a claim. You can file a claim to have your loan forgiven, and you file it with the U.S. Department of Education.

There are 42 million Americans with an outstanding Federal student loan. In 2018, about 106,000 of those 42 million Americans filed what we call borrower defense claims. They claimed they were misled by the college when they used their student loan to go to that college.

In November 2016, the Obama administration issued a rule that required a borrower to demonstrate only that they had been misled, not that they had been financially harmed. The Trump administration fixes that overly broad regulation, while still protecting borrowers and the taxpayer.

Here is the difference. Under the Obama administration, if one student had filed a claim and proved that he or she had been defrauded, all the other students in that program had to do was attest they had been misled in a similar way before having their loans forgiven as well. It was sort of a class action.

It was unnecessary for the first student or subsequent students to prove they had been financially harmed by

that misrepresentation. What this meant is, if you went to a school that had misled students, your loan could be forgiven even if you had a job making \$85,000 a year.

Under the Trump administration, each student needs to file a claim, prove that they were defrauded and that they were financially harmed, and then their loan would be forgiven by the taxpayer. Remember, the bank is the taxpayer.

Secretary DeVos's borrower defense rule restores the original intent of the law that a borrower must be misled and harmed.

The new rule establishes a fair and clear process as to what a borrower must demonstrate: No. 1, that the school misled them; No. 2, that the student relied on that information to enroll in the school; and No. 3, that the student was financially harmed. The new rule gives the borrower ample time to submit a claim and ensures that the Department is basing their judgment on all available information.

The DeVos rule also protects the taxpayers who spend roughly \$100 billion a year on Federal student loans. It continues to allow the Secretary to recoup funds from an institution that has defrauded or misled borrowers. It encourages borrowers and the institution to resolve issues directly rather than involving the Federal Government.

And the new rule allows the Department to evaluate the level of harm to each individual borrower filing the claim and forgives the appropriate amount. For example, if you were told by the school that you would make \$45,000 a year when you graduated, but you are only making \$40,000, the Department could decide to forgive a part of your loan.

The Obama administration's rules went too far and allowed borrowers to have their loans forgiven whether or not they had actually suffered financial harm. Secretary DeVos's new borrower defense rule restores the original intent of the law that the borrower must be misled and harmed.

I encourage Senators to vote against today's Congressional Review Act.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:10 p.m.

Thereupon, the Senate, at 12:31 p.m., recessed until 2:10 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

ADVANCED GEOTHERMAL INNOVATION LEADERSHIP ACT OF 2019—Continued

The PRESIDING OFFICER. The Senator from New Mexico.

UNANIMOUS CONSENT REQUEST—H.R. 1

Mr. UDALL. Madam President, it has been 1 year since the House of Representatives passed the most comprehensive package of anti-corruption