

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