

## RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:37 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WICKER).

ENERGY AND WATER, LEGISLATIVE BRANCH, AND MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS ACT, 2019—Continued

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I think we are going to have a couple of votes shortly on amendments. Senator ALEXANDER and I will offer one to the underlying bill. I think Senator COONS will offer another one along with, I believe, Senator ROUNDS.

AMENDMENT NO. 2920 TO AMENDMENT NO. 2910

As Members are returning from their caucus lunches, I will kick it off and lay the groundwork for the amendment Senator ALEXANDER and I will be offering. I believe we have Senate amendment No. 2920 at the desk on behalf of Senator ALEXANDER and myself.

I ask unanimous consent that amendment No. 2920 be called up and made the pending business.

The PRESIDING OFFICER (Mr. PORTMAN). Without objection, it is so ordered.

The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Delaware [Mr. CARPER] proposes an amendment numbered 2920 to amendment No. 2910.

Mr. CARPER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To direct the Secretary of the Army to submit a report on the status of returning to non-Federal project sponsors excess non-Federal funds)

On page 14, between lines 18 and 19, insert the following:

SEC. 106. Not later than 120 days after the date of enactment of this Act, the Secretary of the Army shall submit to the Committee on Environment and Public Works of the Senate, the Committee on Appropriations of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Appropriations of the House of Representatives a report that—

(1) includes a list of all cost-shared Corps projects that, as of the date of enactment of this Act—

(A) are physically and fiscally complete; and

(B) for which excess non-Federal funds have not been returned to the non-Federal project sponsor; and

(2) with respect to each project listed under paragraph (1), describes the status of—

(A) returning the excess funds to the non-Federal project sponsor; and

(B) providing the non-Federal project sponsor a final accounting of the project.

Mr. CARPER. Mr. President, the amendment Senator ALEXANDER and I are offering is a bipartisan effort, as you can tell. It is the result of discussions between Senator ALEXANDER's Appropriations Committee staff and the staff who works for us on the Environment and Public Works Committee.

The amendment would require the Corps to report to Congress on the status of Corps project expenses. The amendment would allow project sponsors to receive a final cost accounting of project dollars so that they understand how those dollars are spent and know whether there are excess unspent funds and whether those funds are being returned to State and local government or to the Federal Government.

As many of our colleagues know, the Senate is getting ready to address soon—probably, if not this month, then next month—the water resources development legislation that Senator BARRASSO, our chairman on Environment and Public Works, and I and other colleagues have worked on. It was reported unanimously out of the Environment and Public Works Committee. That bill, which is called America's Water Infrastructure Act of 2018, makes investments in updating and expanding water infrastructure systems throughout the country. Along with reauthorizing the ongoing work of the U.S. Army Corps of Engineers, our legislation addresses a wide variety of priorities. Again, it was reported unanimously out of our committee about a month or so ago, 21 to 0.

In the drafting of this legislation, several concerns were raised about how the Corps selects and prioritizes projects for construction, as well as what happens to excess local cost share dollars at the end of a project. For example, in my home State of Delaware, our State agency that sponsors the beach renourishment and other shoreline protection projects has been asking the Corps for a detailed balance sheet for years to understand how funds are being allocated on various projects and how local tax dollars are being spent. Unfortunately, that material has never been provided despite repeated requests.

Delaware is not alone in this. The Senator from Kansas, Mr. MORAN, has brought to my attention an issue of malfunctioning radial arm gates—also called Tainter gates—on a reservoir in his home State of Kansas. The local irrigation district was billed for the repairs of the gates, which was added as an additional cost to their annual share of the operations and maintenance of that project.

Although the irrigation district has been paying on this bill, they never knew how much it actually cost to repair the gates. It took my staff and Senator BARRASSO's staff to find out that the total cost of repairs was \$31 million. This means, according to the Corps, that the remaining local cost share is about \$5 million. However, because there is not a detailed account-

ing, the question has been raised about whether the Corps billed the irrigation district correctly. If the Corps had accounted for this program correctly, the cost share should have been about \$1 million. That difference of \$4 million may not sound like a lot to us here in the Senate or in the Federal Government, but \$4 million to a local rural irrigation district is a lot of money.

Sadly, as I said before, this data has not been provided to many cost share partners, as is the law, and we need to get to the bottom of why and where it is happening.

Senator ALEXANDER and I believe that this report that is being requested sets the stage for more transparency and better budgeting at the Corps, which is also a theme in the America's Water Infrastructure Act that we will be addressing, I hope, next month.

Let me conclude by once more thanking Chairman ALEXANDER and his staff for working with my staff and me and also with Senator BARRASSO on the water resources development legislation and on this amendment. It truly is a bipartisan amendment and a good one to start off the discussion on the underlying bill. We are pleased to be a part of this, and we look forward to passing this important piece of legislation that is critical to funding a central piece of our Nation's economic infrastructure.

I encourage support for my amendment.

I yield the floor to Senator ALEXANDER and look forward to working with him as we go forward.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I want to thank the Senator from Delaware for his customary leadership. He has been wise to come up with this idea.

In some cases, the Corps of Engineers has completed projects under budget. The Corps had excess non-Federal funds paid by the project's sponsor.

His amendment, which I am happy to cosponsor, requires the Corps to provide a list of all the projects that have been completed and have excess non-Federal funds that have not been returned to the project sponsor put on that list. It also requires the Corps to provide a final accounting for each project and the status of the Corps' plan to return the excess non-Federal funds. It does not increase Federal spending. It is intended to ensure that the Corps returns excess non-Federal funds to project sponsors in a timely manner.

Let me thank the Republican and Democratic staffs for working with us through the morning in the customary smooth way to get an appropriations bill on the floor.

This is the first vote on the appropriations bills this week. We will vote on the Coons-Gardner amendment first and then on the Carper-Alexander amendment second. We have several other amendments waiting for consideration. Senators THUNE and DURBIN