

good-faith negotiations, cities, farmers, tribes, and conservations groups came together to make the tough decisions required to improve long-term water security and avert the looming water supply crisis.

I would like to thank and congratulate Governor Doug Ducey and his staff, the Arizona State legislature, Tom Buschatzke and his team at the Department of Water Resources, the CAWCD board, Ted Cooke and the CAP staff, Gila River Indian Community Governor Stephen Lewis and the Gila River Indian Community Tribal Council, Colorado River Indian Tribes Chairman Dennis Patch and the CRIT Tribal Council, and the dozens and dozens of ag, water, municipal, NGO, and other stakeholders, including the entire Arizona DCP Steering Committee, involved on this outstanding achievement that will improve Arizona's water security for years to come.

Work on the DCP has been underway for nearly 6 years. It has spanned the terms of two Presidents, three Interior Secretaries, and 13 Governors. The effort has seamlessly transitioned between Republican and Democrat administrations, both here in DC and out in the States, and I am proud of the swift action taken by Congress to authorize this agreement.

The Colorado River DCP Authorization Act was developed in a bipartisan and bicameral manner, and involved the Governors' representatives for each of the seven basin States. Responding to concerns of some in the House and Senate about potential unintended consequences of the legislative language proposed as part of the DCP agreements, several changes were made to provide assurances that the National Environmental Policy Act applies to future Federal actions outside the scope of existing environmental analysis and compliance done in the Upper and Lower Basins.

I would like to thank Senators CORTEZ MASTO, GARDNER, and BARRASSO, along with House Natural Resources Chairman RAÚL GRIJALVA and Ranking Member ROB BISHOP for working with me to reach this compromise legislation.

This exact statutory language is crafted to ensure water conservation activities in the Colorado River Basin can begin in 2019 and be built in to the Annual Operations Plans for 2020. Once the Colorado River Drought Contingency Plan Authorization Act is enacted, execution and implementation of the DCP can and should begin immediately, as all of the actions in the agreements authorized by this bill are well within the scope of existing NEPA and Endangered Species Act compliance in the Upper and Lower Basins. Specifically, the actions to be undertaken are within the analyses and range of effects reviewed in the 2007 final environmental impact statement on Colorado River Interim Guidelines for Lower Basin Shortages and Coordinated Operations for Lakes Powell and

Mead, and the EISs and ESA documents prepared for operation of the Colorado River Storage Project Act initial storage unit reservoirs. Additional environmental compliance is only applicable should future Federal actions be undertaken that are outside the range of effects analyzed in those documents or the applicable Records of Decision.

In closing, I am proud to have led my colleagues from the seven basin States to get this DCP Authorization Act passed through Congress as quickly as possible, and I thank them for their hard work and support. The Colorado River DCP Act chooses the path of water conservation, compromise, and proactive water management over and litigation, conflict, and creation of a zero sum game on the River. I understand that there will be more work to be done after we have authorized the DCP, but we have made important progress in passing this critical legislation.

CORPS OF ENGINEERS FISCAL YEAR 2020 BUDGET REQUEST

Mr. ALEXANDER. Mr. President I ask unanimous consent that a copy of my opening statement at the Subcommittee on Energy and Water Development's budget hearing for the Corps of Engineers and Bureau of Reclamation's fiscal year 2020 budget request be printed in the RECORD.

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

CORPS OF ENGINEERS FISCAL YEAR 2020 BUDGET REQUEST

Mr. ALEXANDER. First, I would like to thank our witnesses for being here today, and also Senator Feinstein, with whom I have the pleasure to work with again this year to draft the Energy and Water Appropriations bill.

Our witnesses today include: R.D. James, Assistant Secretary of the Army for Civil Works; Lieutenant General Todd Semonite, Chief of Engineers for the U.S. Army Corps of Engineers; Brenda Burman, Commissioner for the Bureau of Reclamation at the Department of the Interior; and Timothy R. Petty, Ph.D., Assistant Secretary for Water and Science at the Department of the Interior.

Based on the number of appropriations requests we receive each year, the Corps of Engineers is the federal government's most popular agency. Because this is so important to many Senators, Senator Feinstein and I have provided record level funding in a regular appropriations bill for the last four years.

The U.S. Army Corps of Engineers touches the lives of almost every American. The Corps maintains our inland waterways, it deepens and keeps our ports open, and its dams provide emission-free, renewable hydroelectric energy. The Corps also manages river levels to help prevent flooding. This year record rainfall caused the Missouri River to experience historic flooding, devastating parts of Iowa, Nebraska and Missouri.

I can recall when, after the Missouri and Mississippi rivers flooded in 2011, a room full of Senators showed up at a Senate Environment and Public Works Committee hearing to ask what went wrong and what went right

with disaster relief efforts. So, there's a real interest in what the Corps does.

So, last year, Senator Feinstein and I worked together to provide record funding for the Corps of Engineers—a total of \$7 billion. However, this year, the president's budget request only includes \$4.8 billion for the Corps—a dramatic reduction in spending. In my opinion, we should spend more, not less, on our nation's water infrastructure.

Today I will focus my questions on four main areas:

1. Making our nation's water infrastructure a priority and properly funding our inland waterways system;
2. Adequately funding our nation's ports and harbors;
3. Making sure the Corps has the resources it needs to respond to flooding and make repairs so they can continue to manage river levels, and;
4. Using a more common-sense approach to making decisions about which projects receive funding by looking at the "remaining benefit to cost ratio" of an ongoing project. Today, because of Office of Management and Budget rules, the Corps has to pretend a project is not already under construction when the Corps decides which projects will receive funding each year. This does not make any sense, and makes it harder to complete projects on time and on budget.

In 2012, Senator Graham, Senator Feinstein, and I said, "Let's ask what would a great country, the United States, want from its ports, locks, dams, and waterways in order to fully maximize them for our economic growth."

We asked everyone to focus first on what needed to be done and not get bogged down in the difficulties of how to pay for it. From these discussions, Congress took three important steps, focusing on properly funding our inland waterways system.

First, Congress passed a law that reduced the amount of money that comes from the Inland Waterways Trust Fund to replace Olmsted Lock, a project in Illinois and Kentucky that was soaking up almost all of the money that was available for inland waterway projects.

Second, we worked with the commercial waterways industry to establish a priority list for projects that needed to be funded, on which Chickamauga ranks near the top, in fourth place.

And third, we enacted a user fee increase that commercial barge owners asked to pay in order to provide additional funds to replace locks and dams across the country, including Chickamauga Lock.

These steps increased the amount of funding that was available for inland waterways projects from about \$85 million in fiscal year 2014 to \$105 million in fiscal year 2020. And Congress has followed through by appropriating all of the user fees that have been collected in the last five years. The user fees that are paid into the Inland Waterways Trust Fund by waterway users are matched with federal dollars, which allow the Corps of Engineers to make significant progress to address the backlog of work on our inland waterways.

But despite knowing the Inland Waterways Trust Fund would have \$105 million available for fiscal year 2020, the Administration's budget is only proposing to spend \$55.5 million—which leaves 47% of these funds sitting unspent in a Treasury account. Then we would not be spending the money for the intended purpose. And despite not spending the entire \$105 million in user fees from commercial barges, the administration's budget also includes a new user fee for inland waterways that would raise another \$1.8 billion over a 10-year window.

I do not think this is a responsible approach. It makes no sense to ask barge owners to pay more in fees when the administration is not even proposing to spend all the fees we are collecting today. The budget also only proposes to fund a single project using Inland Waterways Trust Fund revenues, the Lower Monongahela, and eliminates funding for the other two projects that have been funded for construction for the last five years—Kentucky Lock and Chickamauga Lock.

I can't count the number of times that the head of the Corps—including General Semonite—has told me that it makes no sense to start and stop construction. It's not an efficient way to build projects and it is a waste of taxpayer money. Replacing Chickamauga Lock is important to all of Tennessee and if Chickamauga Lock closes, it will throw 150,000 more trucks onto I-75. Funding for construction of the new Chickamauga Lock has been provided for the past five years so it does not make sense for the administration to not include the project in the budget request. This year's budget proposal is a huge step backwards for our nation's inland waterways.

We have done a good job providing record level funding over the last five years to adequately fund our nation's harbors, including Mobile Harbor in Alabama; Savannah Harbor in Georgia; and Long Beach Harbor in California; and many others across the country. Six years ago, Congress took a look at the need to provide more funding for our nation's ports and harbors to ensure we can compete with other harbors around the world. We realized that the government was spending only a fraction of the taxes each year that were collected in the Harbor Maintenance Trust Fund for our ports and harbors, resulting in billions of dollars of unspent funds just sitting in a bank account that got bigger and bigger each year.

In fact, unlike the Inland Waterways Trust Fund—which has virtually no balance in the trust fund—the Harbor Maintenance Trust Fund has an unspent balance of over \$9 billion today. To provide more funding for our ports and harbors, Congress enacted spending targets for the Harbor Maintenance Trust Fund in the Water Resources Reform and Development Act of 2014 that were meant to make us spend a little more each year on harbor maintenance projects.

We have met these targets for the last five years in the Energy and Water Development Appropriations bill. The target for fiscal year 2020 is about \$1.595 billion. However, the administration's budget only proposes to spend \$965 million, \$585 million less than what Congress appropriated last year and \$630 million below the target. So I will ask the witnesses how they plan to sufficiently fund our ports and harbors without requesting adequate resources to do it.

Several members of this subcommittee are interested in making sure the Corps has the resources it needs to deal with the recent flooding in the Midwest and along the Missouri and Mississippi Rivers. I look forward to hearing from the witnesses about what resources they need so that we can make sure they are included in the disaster supplemental appropriation bill.

I'd also like to recognize Brenda Burman, Commissioner from the Bureau of Reclamation and Dr. Timothy Petty, Assistant Secretary for Water and Science at the Department of the Interior. The Bureau of Reclamation delivers water to one of every five farmers in the West, irrigating more than 10 million acres of some of the most productive agricultural land in the country. Although Reclamation doesn't manage water resources in Tennessee, I know of its deep importance to Senator Feinstein and other Senators on

this subcommittee, and we look forward to hearing your testimony.

STRENGTHENING ACCOUNTABILITY TO PROTECT STUDENTS AND TAXPAYERS

Mr. ALEXANDER. Mr. President I ask unanimous consent that a copy of my opening statement at the Senate Health, Education, Labor and Pensions Committee be printed in the RECORD.

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

STRENGTHENING ACCOUNTABILITY TO PROTECT STUDENTS AND TAXPAYERS

Mr. ALEXANDER. When I was president of the University of Tennessee, I asked David Gardner, who was then president of the University of California, why his university was considered one of the best in the world. He told me: First, autonomy. We basically have four branches of government, he said, and one of them is the University of California. Second, competition and choice—large amounts of state and federal money following students to the campus of their choice. Third, a commitment to excellence by institutional leaders and faculty.

As a former university president, I am very much aware that despite that autonomy, our country's 6,000 colleges and universities report to a lot of bosses—they are accountable to a great many individuals, boards, governments and other entities.

First, they are accountable to the students who may take their federal and state grants and loans to any accredited institution that will admit them; next, to 44 federally recognized accrediting agencies whose certification of quality is necessary before institutions are allowed to accept students who bring \$30 billion in new Pell grants and \$100 billion in federal student loans each year; to ensure that these billions of dollars are spent wisely, the federal government measures how many students default on their loans; for the 80 percent of students who attend public colleges and universities, states have governors, state legislators, laws, and state higher education authorities; every institution, public or private, also has its own board of trustees or directors; and in addition, there are specific federal rules for the for-profit institutions, which about five percent of students attend, in order to stop fraud against students and taxpayers; and when making a list of bosses, no former university president should leave out the faculty—most faculty members I have known take great pride in maintaining institutional excellence.

So any president of an American higher education institution has a lot of bosses and a lot of people to whom he or she is accountable. And that has been a mostly successful approach. Most surveys show that the United States has most of the best colleges and universities in the world. The dream of many of the best students from around the world is to attend American colleges and universities. Still, I hear often from students asking if college is worth their time and money.

I believe there are steps we can take to make our higher education institutions more accountable—to provide those students, and the taxpayers backing their loans, with a clear yes, college is worth it.

In March, at our first bipartisan hearing during this Congress on updating the Higher Education Act, we looked at how to simplify how 20 million families apply for federal student aid. Last week, we held a bipartisan hearing about how to create a safe environment for students attending college.

Today's hearing will be looking at ways to ensure that students are earning degrees worth their time and money and that taxpayers are paid back the hundreds of billions that they have loaned students to earn degrees.

To hold colleges accountable for the \$130 billion a year in grants and loans, in 1990, Congress created the Cohort Default Rate, which applies to all colleges and universities. This measure makes a college ineligible to receive federal student aid if, for three consecutive years, more than 30 percent of its borrowers are in default or over 40 percent in any one year. However this cohort default rate has proven to be a poor instrument of accountability, since it does not take into account the one third of borrowers who are not yet in default but don't make payments on time. Over the last decade, only 20 schools have become ineligible for federal student aid under the Cohort Default Rate, according to the Congressional Research Service.

And then there are two federal accountability rules that apply only to for-profit institutions. One, the 90-10 rule, which requires that at least ten percent of a for-profit's revenue come from nonfederal sources; and two, the Gainful Employment Rule, which looks at how much debt a graduate has compared to his or her salary. This comparison of debt to salary has proved to be a confusing and ineffective measure of accountability because it is too complex and does not account for students who take out loans but do not complete their degrees. So we need a more effective measure of accountability.

But I do not want the federal government acting as a sort of National School Board for Colleges—telling states and accreditors and boards of directors at institutions how to manage the 6,000 colleges and universities. Four years ago, this Committee passed the Every Student Succeeds Act, which reversed the trend towards a national school board for elementary and secondary education. For the same reasons, Washington should resist the urge to send thousands of federal bureaucrats to evaluate our colleges and universities, which would, in effect, create a national school board for colleges.

Instead, Congress should create a new measure of accountability that looks at whether students are actually repaying their loans. This would be a more effective and simpler way to ensure that taxpayers aren't financing degrees that are priced so high and worth so little that students are never able to pay back their loans. This proposal is much like the Gainful Employment Rule—but it would apply to every program at every college—public, private, and for-profit and would include students who took out loans but dropped out before graduating. For some programs, this new measure should provide colleges with an incentive to lower tuition and help their students stay in school to finish their degrees and find a job so they can repay their loans.

A second step to improve accountability would be for the federal government to make the data it collects from colleges more useful to students and families. The Department has struggled for years under all administrations to make such information easily accessible to students and families. As we work on updating the Higher Education Act, we first need to identify what information schools actually need to report, and second to provide direction to the Department on how to make that information accessible and useful to students.

And third, we should strengthen the 44 federally recognized accrediting agencies upon which we rely for certifying that students are receiving a quality education. For example, instead of requiring that accreditors