

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

have a standard of “student achievement,” Congress could more clearly require that accreditors measure whether students are both learning and succeeding, but leave the specific ways of measuring those to accreditors and institutions.

Our goal needs to be to help students know that their degrees are going to be worth their time and money and to help taxpayers know that the federal government isn’t financing programs that do not provide students with a valuable education.

30TH ANNIVERSARY OF THE WHISTLEBLOWER PROTECTION ACT

Mr. WYDEN. Mr. President, 30 years ago today, the Whistleblower Protection Act was signed into law. To call it a triumph doesn’t do justice to the sheer number of years and people it took on both sides of the aisle to overcome numerous obstacles and enact Federal protections for Federal Government employees who step forward and do what we all should do: expose wrongdoings in order to hold government officials and agencies accountable.

Congressional efforts to protect whistleblowers date back to at least 1912 with the enactment of the Lloyd-La Follette Act. This act guaranteed the right of Federal employees to communicate with Members of Congress without the oversight of their employer and prohibited compensation to managers who retaliated against employees attempting to disclose whistleblower matters.

However, empowering Federal employees to speak up and speak the truth was and continues to be an ongoing struggle, one that has often pitted Congress against the executive branch. When President George H.W. Bush signed the Whistleblower Protection Act into law that April morning in 1989, it came after his predecessor President Ronald Reagan had vetoed a similar bill despite the fact that it had been unanimously adopted by both the Senate and the House.

The Whistleblower Protection Act, itself, was first introduced by Representative Pat Schroeder of Colorado as an amendment to the Civil Service Reform Act of 1978 and then as a standalone bill in 1982. The principal purpose of the bill was to block retaliation against employees who came forward, a never-ending problem. The bill would have allowed “a person claiming to be aggrieved by a prohibited personnel practice to: (1) bring a civil action in a U.S. district court against the employee or agency involved (respondent); or (2) seek corrective action through the (Merit Systems Protection) Board.”

While that particular bill ultimately died after receiving unfavorable comments from the U.S. Government Accountability Office—GAO—and the Merit Systems Protection Board, which adjudicates whistleblower complaints, its failure didn’t deter our colleagues.

By the time 1989 rolled around, Members of both the House and the Senate,

including Senator Carl Levin of Michigan, who spearheaded efforts in the Senate, had worked together for years to find a compromise and pass legislation that protected those employees whose disclosures revealed waste, fraud, or abuse. Between May of 1982 and September of 1989, 28 bills and resolutions with whistleblower protections built into them were introduced, many of them with dozens and dozens of co-sponsors.

Since the passage of the Whistleblower Protection Act 30 years ago, Congress has continued to improve protections for whistleblowers, notably with the passage of the Intelligence Community Whistleblower Protection Act of 1998; the Whistleblower Protection Enhancement Act of 2012; the Department of Veterans Affairs Accountability and Whistleblower Protection Act of 2017; and more recently the Dr. Chris Kirkpatrick Whistleblower Protection Act of 2017.

Unfortunately, despite all of these efforts, becoming a whistleblower is still a perilous path. In its latest budget justification, the Office of Special Counsel, the agency that investigates retaliation against Federal whistleblowers, reported that, in fiscal year 2018, that agency received over 4,100 complaints of retaliation, otherwise known as prohibited personnel practices. This, according to OSC, is a new agency record. That is not a record that anyone should be proud of.

As much as today is a celebration of the Whistleblower Protection Act and the work of the many people it took to make those protections law, it is a greater celebration of the courage whistleblowers embody when they step forward to shine a light on waste, fraud, abuse, and mismanagement in the government. Their bravery and sacrifice is invaluable, and for that, we thank them. Unfortunately, coming forward to do what is right still requires too much of both.

Consequently, Congress still has more work to do to protect whistleblowers, and I call on my colleagues to remember the value of citizens being able to blow the whistle. As Representative Schroeder said early on in her efforts to help whistleblowers: “If we in Congress are going to act as effective checks on excesses in the executive branch, we have to hear about such matters.”

ADDITIONAL STATEMENTS

ROTARY CLUB OF CASPER CENTENNIA CELEBRATION

• Mr. BARRASSO. Mr. President, today I wish to celebrate the Centennial of the Rotary Club of Casper, Wyoming, a club which holds special importance for my wife, Bobbi and me.

On Saturday, May 4, 2019, the Rotary Club of Casper will recognize their 100th anniversary at a special celebration. Rotary organized in Casper, WY

on March 12, 1919, just 14 years after the first Rotary club was formed in Chicago, and 28 years after Wyoming’s admission to the Union.

At a luncheon on March 12, 1919, 15 businessmen, representing all walks of Casper life, met and elected their leadership—President James T. Gratiot, Directors Loui McMahon, Steve Starrett, George Nelson, Billy Johnson, Carl Shumaker, and Otis Walker. With a shared mission and sense of duty, these charter members laid the groundwork for a century to come.

The Casper Daily Tribune noted Rotary’s founding in an article the following day, March 13, 1919, “The purpose of the club is to encourage business and social relations and its by-laws define the policies of the club in a way that marks various departures from other clubs or societies.” With this in mind, the club hit the ground running, impacting the Casper community in positive and distinct ways.

Within their first years of forming, Casper Rotary’s commitment to the community was proven and acknowledged. As early as 1920–21, with memories of WWI fresh in their minds, they voted to support and donate funds to the construction of an air base near Casper. This air base, established in 1942, would come to fruition as the Casper Army Air Field. Governor Bryant B. Brooks, who would join the club and become president, noticed their initiative and addressed the club early on. This began a pattern with the club hosting a great number of Wyoming Governors, U.S. Senators and Congressmen, and local officials.

The Rotary Club of Casper always realized the importance of the youth of their community. From the beginning, the club sponsored the Boy and Girl Scouts. They established a student loan fund for students wishing to further their education and engaged with high school students to encourage their ambition. They were part of the effort to bring a junior college to Casper, lobbying the State legislature in Cheyenne. Their efforts were rewarded in 1945, when Casper College was established as Wyoming’s first junior college.

Countless dollars and volunteer hours were donated and continue to be given to the creation of parks, camps, playgrounds, and swimming pools for the community. The most well-known is Rotary Park on Casper Mountain. Popular since the early 1940s, Rotary Park contains the picturesque Garden Creek Falls and Bridle Trail. Additionally, each August, Rotary helps host Casper’s Riverfest and the Great Duck Derby. Rubber ducks fill the North Platte River with the proceeds going to the area’s trail systems. The club’s continuing engagement and investment in future projects ensure these areas are enjoyed for generations to come.

The history of Casper’s Rotary Club is a microcosm of the history of Casper. Professionals encompassing the