

DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes.

S. 2037

At the request of Mr. ROBERTS, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2037, a bill to amend title XVIII of the Social Security Act to remove the 96-hour physician certification requirement for inpatient critical access hospital services.

S. 2076

At the request of Mr. BOOZMAN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2076, a bill to amend the provisions of title 46, United States Code, related to the Board of Visitors to the United States Merchant Marine Academy, and for other purposes.

S. 2182

At the request of Mr. WALSH, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2182, a bill to expand and improve care provided to veterans and members of the Armed Forces with mental health disorders or at risk of suicide, to review the terms or characterization of the discharge or separation of certain individuals from the Armed Forces, to require a pilot program on loan repayment for psychiatrists who agree to serve in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes.

S. 2192

At the request of Mr. MARKEY, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 2192, a bill to amend the National Alzheimer's Project Act to require the Director of the National Institutes of Health to prepare and submit, directly to the President for review and transmittal to Congress, an annual budget estimate (including an estimate of the number and type of personnel needs for the Institutes) for the initiatives of the National Institutes of Health pursuant to such an Act.

S. 2307

At the request of Mrs. BOXER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2307, a bill to prevent international violence against women, and for other purposes.

S. 2324

At the request of Mrs. BOXER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2324, a bill to amend the Atomic Energy Act of 1954 to prohibit certain waivers and exemptions from emergency preparedness and response and security regulations.

S. 2328

At the request of Mr. VITTER, his name was added as a cosponsor of S. 2328, a bill to amend the Fair Debt Collection Practices Act to preclude law firms and licensed attorneys from the definition of a debt collector when taking certain actions, and for other purposes.

S. 2340

At the request of Mr. BOOKER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2340, a bill to amend the Higher Education Act of 1965 to require the Secretary to provide for the use of data from the second preceding tax year to carry out the simplification of applications for the estimation and determination of financial aid eligibility, to increase the income threshold to qualify for zero expected family contribution, and for other purposes.

S. 2359

At the request of Mr. FRANKEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2359, a bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries in rural areas to health care providers under the Medicare program, and for other purposes.

S. 2363

At the request of Mrs. HAGAN, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 2363, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

S. 2395

At the request of Mr. MENENDEZ, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2395, a bill to repeal the Authorization for Use of Military Force Against Iraq Resolution of 2002.

S. 2430

At the request of Mr. ROBERTS, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 2430, a bill to establish the Office of the Special Inspector General for Monitoring the Affordable Care Act, and for other purposes.

S. 2432

At the request of Ms. WARREN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2432, a bill to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes.

S. 2435

At the request of Mr. BEGICH, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2435, a bill to amend section 5542 of title 5, United States Code, to provide that any hours worked by Federal firefighters under a qualified trade-of-time arrangement shall be excluded for purposes of determinations relating to overtime pay.

S. 2440

At the request of Mr. UDALL of New Mexico, the name of the Senator from

Montana (Mr. TESTER) was added as a cosponsor of S. 2440, a bill to expand and extend the program to improve permit coordination by the Bureau of Land Management, and for other purposes.

S. 2441

At the request of Mr. REED, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2441, a bill to extend the same Federal benefits to law enforcement officers serving private institutions of higher education and rail carriers that apply to law enforcement officers serving units of State and local government.

S. 2450

At the request of Mr. SANDERS, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Connecticut (Mr. MURPHY), the Senator from Alaska (Mr. BEGICH), the Senator from New Mexico (Mr. UDALL), the Senator from North Carolina (Mrs. HAGAN), the Senator from Pennsylvania (Mr. CASEY), the Senator from Hawaii (Ms. HIRONO), the Senator from Delaware (Mr. COONS), the Senator from Hawaii (Mr. SCHATZ), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Georgia (Mr. ISAKSON), the Senator from Arkansas (Mr. PRYOR) and the Senator from Montana (Mr. WALSH) were added as cosponsors of S. 2450, a bill to improve the access of veterans to medical services from the Department of Veterans Affairs, and for other purposes.

At the request of Mr. JOHANNIS, his name was added as a cosponsor of S. 2450, *supra*.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. INHOFE:

S. 2451. A bill to support the local decisionmaking functions of local educational agencies by limiting the authority of the Secretary of Education to issue regulations, rules, grant conditions, and guidance materials, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. INHOFE. Mr. President, with 20 kids and grandkids, I understand the importance and value of quality education. For many years my wife dedicated her life to teaching and mentoring young students, never knowing that in the years to come, two of our children would follow in their mother's footsteps, building classrooms of their own and impacting the lives of so many young people.

Through my family's unique educational experiences, and my time in State and local government, I have learned that with teaching comes the great responsibility of not only working with students, but also parents, employers and many in the local community to ensure our children are well equipped for the road ahead.

Nationwide, 96 percent of local school board members are elected, making those members accountable to the many students, parents and taxpayers they represent. But in recent years, the voice of this local authority is being eroded through inhibitive policies and requirements established by Federal agencies, like the Department of Education.

Education has historically been a State and local issue. By strengthening the process for meaningful input by impacted stakeholders, our local communities can remain active in the education policy decision-making process.

This is why I have introduced the Local School Board Governance and Flexibility Act. With this legislation, the goal is to bring control of our education policy back to where it belongs—with our local communities—giving State and local school boards the necessary flexibility to achieve their educational goals. S. 2451 would wrestle away control from the Department of Education by prohibiting the agency from issuing any regulations, rules, guidance materials, or grant conditions that would result in a conflict of authority with any State or local educational agencies.

This bill would also streamline reporting requirements and would require the Department to provide Congress with an annual report on how the agency's policies impact local school districts. As we have seen, many of the overreaching education policy changes declared by Washington bureaucrats have resulted in negative effects on local schools, not only in terms of policy, but also financially. This bill requires the Department of Education to seek input on costs and assistance needs from State and local school agencies before issuing or implementing regulations, rules, guidance materials, or grant conditions.

The Local School Board Governance and Flexibility Act will give State and local school boards a voice in how the Federal Government issues regulations and guidelines for education. It is time for the Department of Education to be accountable to the parents, teachers, and local elected officials who work first-hand with our Nation's children. Education needs are unique to each community, and in order to give the next generation of Americans a better future and wealth of opportunities, my legislation will give State and local school boards the authority they need to carry out the education goals that are best suited for their children.

By Mr. LEAHY (for himself and Mr. GRASSLEY):

S. 2454. A bill to amend title 17, United States Code, to extend expiring provisions of the Satellite Television Extension and Localism Act of 2010; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, I join today with Senator GRASSLEY to introduce legislation to reauthorize for another 5 years expiring provisions of the

Satellite Television Extension and Localism Act, STELA. This law provides satellite television carriers with the necessary rights to retransmit distant broadcast television programming to households that are otherwise unable to receive local signal over-the-air. If Congress does not act by the end of the year to reauthorize the distant signal license, approximately 1.5 million consumers will lose access to the broadcast television programming that they are currently receiving.

The compulsory copyright license system for satellite television has been successful in promoting competition in the video marketplace. Consumers across the country benefit from having nationwide competitors to cable. Rural consumers, including many in Vermont, rely on a healthy satellite industry that is able to provide service to customers where cable is unable to reach. Congress has helped to facilitate the growth of the satellite industry by providing it with a mechanism to clear the rights to broadcast television content, which remains among the most popular.

Senator GRASSLEY and I are continuing what has always been a bipartisan partnership on satellite television legislation. I worked with Senator HATCH in 1999 to establish a permanent license allowing satellite carriers to retransmit local television content to consumers. That license has had an important impact on competition in the video market. In 2010, I worked with Senator SESSIONS on STELA. Satellite television legislation should never be partisan—it should be an opportunity for Democrats and Republicans to come together and demonstrate to the American people that we can act responsibly and prevent serious disruption to consumers.

The bill we are introducing today is a narrow approach. We are extending the current system for another 5 years, while also making some minor technical corrections to the existing statutes. This bill may not please all stakeholders. Some would like Congress to use this legislation as a vehicle to enact significant changes to the current system that governs the relationship between broadcast television stations and distributors. Others would prefer that Congress not act at all and simply allow this license to expire. My focus is on the consumers who stand to lose access to broadcast television content in the event that Congress is unable to pass a bill by the end of the year. This bill will ensure that they are not left in the dark come December 31.

Our legislation is one half of what the Senate will have to do in order to ensure that 1.5 million consumers are able to maintain the broadcast television signals that they are currently receiving. I look forward to working with Chairman ROCKEFELLER as we work to fit the necessary Copyright and Communications Act provisions of this bill together. I also look forward to working with our counterparts in

the House in order to protect the consumers relying on this license.

I urge the Senate to support extending STELA for another 5 years.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2454

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Satellite Television Access Reauthorization Act of 2014”.

SEC. 2. REAUTHORIZATION.

Chapter 1 of title 17, United States Code, is amended—

(1) in section 111(d)(3)—

(A) in the matter preceding subparagraph (A), by striking “clause” and inserting “paragraph”; and

(B) in subparagraph (B), by striking “clause” and inserting “paragraph”; and

(2) in section 119—

(A) in subsection (a)(6)(E), in the undesignated matter following clause (iii), by striking “clause (i)” and inserting “subparagraph (B)(i)”; and

(B) in subsection (c)(1)(E), by striking “2014” and inserting “2019”;

(C) in subsection (e), by striking “2014” and inserting “2019”; and

(D) in subsection (g)(7)(C), by inserting “the” before “Communications”.

SEC. 3. TERMINATION OF LICENSE.

(a) IN GENERAL.—Section 119 of title 17, United States Code, as amended in section 2, is amended by adding at the end the following:

“(h) TERMINATION OF LICENSE.—This section shall cease to be effective on December 31, 2019.”.

(b) CONFORMING AMENDMENT.—Section 107(a) of the Satellite Television Extension and Localism Act of 2010 (17 U.S.C. 119 note) is repealed.

By Mr. BEGICH (for himself and Mrs. MURRAY):

S. 2455. A bill to enhance Social Security benefits for children, divorced spouses, and widows and widowers, and for other purposes; to the Committee on Finance.

Mr. BEGICH. Mr. President, I am pleased to be here today with my friend and colleague, Senator MURRAY, to talk about Social Security. I am going to spend a few moments discussing a bill we are introducing today and then turn it over to Senator MURRAY.

As you know, Social Security is one of the most important programs ever established in this country. After 75 years, Social Security continues to deliver as intended. It is a promise to Americans. The promise is simple. If you work hard all your life and contribute to the system, then Social Security will be there to help make ends meet when you retire or help out the family if a worker dies or is disabled.

Let me be clear. Despite the naysayers, Social Security is not a handout. Social Security benefits are linked directly to the amount that retirees pay into the system through a lifetime of hard work. But times have

changed and we need to make sure the promise of Social Security continues in a meaningful way. That is why Senator MURRAY and I introduced the Retirement and Income Security Act yesterday, which we like to call the RAISE Act. It is a commonsense bill to update, enhance, and protect Social Security in a fiscally responsible way.

When it comes to fairness, this bill is a small but important step for seniors, for older women, and for the families of deceased or disabled workers. It makes sure that the modest benefits of Social Security will go to everyone who deserves them.

The RAISE Act has three major components.

It will, first, improve Social Security benefits for divorced spouses. Under current law, the divorced spouse only gets benefits from a former spouse's earnings if they were married for at least 10 years. Under our bill, eligibility rules would be phased in beginning at 5 years of marriage. The spouse would be entitled to 60 percent of the benefits after 6 years of marriage, 70 percent after 7 years, and so on.

Second, our bill will enhance benefits for widows and widowers. It establishes a new enhanced benefit for widows and widowers where both spouses have retired. An alternative calculation in the bill will use both spouses' benefits—deceased and surviving—rather than just the survivor's benefit. The surviving spouse will receive either their current benefit or the new alternative, whichever is greater.

The third component of the RAISE Act extends eligibility for children of retired, disabled or deceased workers. This provision would apply if the child is still in high school, college or vocational or career school. Under current law, minors and high school students under the age of 19 can get Social Security benefits if their parent is a retired, disabled or deceased worker. Beginning in 2016, this provision extends benefits for full-time students up to the age of 23.

Even though Social Security continues to fully pay for itself and has never added a dime to the deficit, I know some of our colleagues will complain that we cannot afford these small enhancements. That is why our bill asks those Americans who can most afford it to pay their fair share towards the strengthening of the Social Security trust fund.

Beginning in 2015, the RAISE Act would apply a 2-percent payroll tax on annual earnings over \$400,000. This means that, for future generations, Social Security will continue to be fully funded. In future years, that threshold will increase under an indexing formula built into the bill.

I am a proud sponsor of this bill with Senator MURRAY. It was an easy decision for me, since my commitment to bolstering Social Security started from day one in the Senate. I have already introduced two other bills on Social Security, and I want to just mention

them briefly before I turn it over to Senator MURRAY.

The first bill is my Protecting and Preserving Social Security Act. It would extend the solvency of Social Security by lifting the cap on high-income contributions, which this year is \$117,000. Not everyone knows this, but once your annual income hits that threshold, you no longer have to contribute to Social Security for the rest of the calendar year. This seems unfair to me. My bill would lift the cap and phase out what effectively has become a tax loophole. Higher income Americans would pay into Social Security all year long—just like everyone else. This provision would add generations of financial certainty to Social Security.

The bill would also improve benefits for seniors and others by establishing new cost-of-living adjustments based on reality. The formula would better reflect seniors' financial needs by basing the adjustments on items such as prescription drugs and housing, which seniors pay for, instead of electronics and new cars.

My second bill is the Social Security Fairness Act. It would repeal unfair reductions to Social Security benefits for people who have worked part of their career in noncovered jobs—often State or local government or other civil service jobs.

Congress passed the Windfall Elimination Provision and Government Pension Offset in the 1980s because of fears workers who retire under other pensions would be double covered and Social Security could not afford it. But in effect those old laws are punishing people by reducing benefits they rightfully have earned.

Today, these provisions affect more than 2 million people nationwide, and the number is growing. It is not just about getting back what you paid into the system. Removing these penalties would also encourage people willing to work in public service as a second career—such as police officers or teachers. If you are considering such a move today but know your Social Security benefit would be reduced or penalized because you had stepped forward and worked in public service, why would you do it?

Let's remember one thing about all of these bills—the two I introduced earlier and the RAISE Act we are discussing today. Social Security benefits are vitally important but also are very modest. Nationally, they average \$13,500 a year for recipients. It is very important to my State. More than 71,000 people in my State of Alaska rely on Social Security. That is roughly 1 out of 10 Alaskans. Social Security lifts tens of thousands of Alaskans out of poverty—the elderly and especially elderly women—and it pumps more than \$1 billion into our economy every single year.

No one is getting rich off of Social Security, but it does provide an important foundation, and it does so in a truly American way: You work, you

contribute, and you get something back. As long as I am in Congress, I will fight to make sure Social Security is solvent and there for not only this generation but for generations to come.

Senator MURRAY has been a longtime champion for Social Security, and I am proud to stand with her on the floor today. Our RAISE Act is another modest improvement. I hope our colleagues will join us in standing up for this critically important program.

Our Social Security system reflects the best of America: hard work, personal responsibility, human dignity, and caring for our parents, our children, our spouses, and our neighbors and ourselves.

Let's come together in this Chamber and do all we can to make sure Social Security is working for all Americans.

With that, I yield the floor for my colleague, Senator MURRAY.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I thank the Senator from Alaska, Mr. BEGICH, for coming and joining me today because I know he is deeply committed to strengthening and protecting Social Security for current and future seniors. So I was very pleased to join him today in introducing the RAISE Act, which will be a very critical step forward in this effort.

Over the last several decades, middle class families have been increasingly squeezed by rising prices for everything from college tuition to health care. Wages have stayed flat—or even declined for some people—and fewer companies today are offering the kinds of generous pension plans that used to help so many workers stay financially secure.

With all that in mind, it is not surprising that, as families have struggled to stretch their dollars further and further in order to get the bills paid and raise their children, it has become harder and harder to save for retirement.

In fact, a recent study showed that more than a third of today's workers have been unable to save even a dollar for retirement, and even those who do have savings do not have very much. The same study found that 60 percent of respondents had less than \$25,000 in total assets and investments, excluding their home.

The numbers are even more pronounced when you look at women in the workforce. Because women, on average, earn less than men, they accumulate less in savings, they receive smaller pensions, and nearly 3 in 10 women over 65 depend only on Social Security for income in their later years.

It is clear that now more than ever Social Security is a lifeline for millions of seniors. So it is especially important for us to make sure this critical system is meeting the needs of today's beneficiaries.

For 75 years our Social Security system has offered millions of seniors and

their families a foundation of financial security. But a lot has changed in those 75 years. Today, most families have two earners. Because Social Security was actually designed for single-earner families, surviving spouses in families where both adults worked may receive less in benefits than they deserve.

Social Security also supports children whose parents retired, became disabled or passed away—but those benefits end at the age 18 or 19. That is right. When young adults should be thinking about continuing their education—a necessity in today's economy—they are worried about having nowhere to go.

At a time when Social Security is an increasingly critical source of support for so many, the RAISE Act would make some commonsense updates to ensure our Social Security system is doing everything possible to help today's seniors and their families.

As the Senator from Alaska described, the RAISE Act would establish a new alternative benefit to make sure widows and widowers from two-earner families do not receive less in survivor benefits than those from single-earner families.

The RAISE Act would enable spouses who were married for less than 10 years to receive spousal and survivor benefits. It would extend benefits for young adults under 23 who are enrolled in school full time.

Crucially, to help ensure Social Security is there for future generations, the RAISE Act would shore up the Social Security trust fund in a fiscally responsible way that protects middle-class families. I believe strengthening and protecting Social Security benefits through the RAISE Act would do an enormous amount of help to our workers and families and their ability to stay financially secure.

But I also want to note there is a much broader challenge. There is not just one solution. We should absolutely make these critical changes to help make sure our Social Security system is meeting the needs of today's workers and families, but we also have to look at ways for workers to save for retirement and encourage companies to offer higher retirement plans.

That is not all. We need to make sure women get equal pay for equal work so they will have the same shot at a secure retirement as their male coworkers.

We do need to invest in education and training and get college costs down so our workers are prepared to compete for high-wage, high-skilled jobs.

We need to continue to fight to strengthen and protect programs such as Medicare which senior women and men rely on.

Democrats care deeply about taking these steps and many others to make sure our workers have the secure, dignified retirement they deserve. There is absolutely no reason why, after working hard all of her life, a retiree

should have to worry about how she and her family will make ends meet.

I believe we can do better. I know Senator BEGICH does as well. I urge our colleagues on both sides of the aisle to take a close look at our RAISE Act. I hope we can pass it to offer seniors and their families some additional relief. Then I hope we can build on this with other policies to create more opportunity and more financial security for our workers.

By Mr. CARDIN:

S. 2457. A bill to require States to establish highway stormwater management programs; to the Committee on Environment and Public Works.

Mr. CARDIN. Mr. President, today I come to the floor to discuss the introduction of my latest legislative proposal to better control the harmful and volumes of polluted stormwater that is generated from our Nation's Federal aid highways. Highway stormwater is a growing threat to water quality, aquatic ecosystems and the fish and wildlife that depend on the health of these ecosystems. Moreover, the high volumes and rapid flow of stormwater runoff from highways and roads poses a very serious threat to the condition of our Nation's water and transportation infrastructure as well as personal property particularly in urban and suburban communities.

The Environmental Protection Agency has recognized that pollution from point-sources have been steadily declining since the enactment of the Clean Water Act. Likewise, we have seen reductions in pollution from certain non-point sources like agriculture which are attributable in part to the success of a wide variety of USDA Natural Resource Conservation Service Programs and farming innovations in soil conservation and nutrient pollution management.

One non-point source sector where we are unfortunately seeing an increasing impact on water quality is from impervious surface that create rapidly moving high volumes of untreated polluted stormwater that rush off of road surfaces, erode unnatural channels next to and ultimately underneath roadways comprising the integrity of roadway infrastructure, and increases the stress on storm sewer systems shortening the useful life of this infrastructure and ultimately lead to the discharge of untreated pollution that is carried off roadways and into our lakes, rivers, streams, and coastal waters.

Impervious surfaces include most buildings and structures, parking lots and of course the nearly 9 million lane miles of roads across our country. The total coverage of impervious surfaces in an area is usually expressed as a percentage of the total land area.

The coverage increases with rising urbanization. In rural areas, impervious cover may only be 1 percent or 2 percent, however road surfaces comprise 80 percent to 90 percent of a rural area's total impervious surfaces. In res-

idential areas, impervious surface coverage ranges between 10 percent in low-density subdivisions to over 50 percent in more densely developed communities, where the composition of the impervious surface area coverage works out to be 50 percent roads. In dense urban areas, the impervious surface area is often over 90 percent of the total land area, with roads comprising 60 percent to 70 percent of that coverage.

According to EPA, urban impervious cover, not just roads, in the lower 48 adds up to 43,000 square miles—an area roughly the size of Ohio. Continuing development adds another quarter of a million acres each year. Typically two-thirds of the cover is pavement, roads and parking lots, and 1/3 is buildings.

According to the Chesapeake Bay Program, impervious surfaces compose roughly 17 percent of all urban and suburban lands in the Chesapeake Bay watershed. The greatest concentration of impervious surfaces in the Bay watershed is in the Baltimore-Washington Metropolitan Areas of DC, Maryland and Virginia. The Virginia Tidewater area, Philadelphia's western suburbs, and Lancaster, PA, are also regions in the watershed where impervious surfaces are greater than 10 percent of the total land area.

Rainfall on hard surfaces like roads and highways has a very destructive and turbulent affect on nearby waterways and infrastructure. For example, the rain events that occur over a week long period at the end of April brought nearly 8 eight inches of rain to the Baltimore-Washington region. The urban runoff from roads in Baltimore caused an embankment above the CSX railroad track along East 26th Street, between St. Paul and Charles Street, to collapse. Fortunately no one was injured though homes had to be evacuated for more than a month, nearly a dozen parked cars were destroyed and moreover movement of freight along CSX railroad was disrupted for more than a week. This event shows just how destructive and disruptive poorly managed stormwater from transportation infrastructure can be.

Some may chalk this up to a freak storm of unusually large proportion. It's true this storm was unusual, but so were the polar vortexes and all of the snow we had in the mid-Atlantic and Southeast, and last year's 3-mile wide tornado in Alabama, and the California drought and wildfires, and baseball sized hail in Nebraska just last week. "Unusual" weather seems to be becoming a lot more usual. As extreme weather events triggered by our changing climate become more frequent it is imperative that we incorporate better designs into our infrastructure to be better handle these types of events.

Under the Clean Water Act, stormwater is considered a non-point source and there are no requirements that stormwater be collected or treated. The exception being for localities where in order to meet the standards

set in an MS4, Municipal Separate Storm Sewer System, permit a region may include its transportation infrastructure in its MS4 permit.

However, in most cases stormwater that falls on roadways washes oil, grease, asbestos brake-dust, nitrogen deposits from tailpipe emissions, trash, road salt and de-icing agents, and sediment into nearby waterways. Highway stormwater runoff is most often not treated or adequately managed.

While these organic and inorganic contaminants are legitimate threats to water quality, the greater concern with roadway runoff is the sheer volume and rapid flow rate in which stormwater leaves these hard surfaces and enters our waterways. Flows and volumes that cause roads to collapse in Baltimore.

Roads are designed for stormwater to flow off of the driving surface quickly, for safety reasons. When stormwater rushes off of road surfaces into storm drains it is usually piped straight into the nearest river or stream without removing contaminants, detaining any of the volume, or slowing down the flow. This creates an enormously destructive set of circumstances for our waterways.

Another example of the destructive force that persistent unmitigated and poorly managed highway runoff can have on the condition and safety of highway infrastructure is in Mobile Alabama along Highway 131 in the Joe's Branch Watershed. The Mobile Bay Estuary Program, part of the National Estuaries Program, in coordination with Alabama Department of Transportation is having to spent millions of dollars to reinforce a highway embankment to keep the highway from slipping down a hill and into the Joe's Branch Creek, restore the hydrology of the river, and help protect private property from the dangerous erosion that's been caused by poorly managed stormwater from Highway 131.

The Mobile Bay Estuary Program described the problem this way: "In the Joe's Branch watershed, on the property of Westminster Village adjacent and parallel to Highway 131, a head cut stream is eroding at an accelerating rate, an ominous condition as ALDOT prepares to undertake improvements to the highway. Identified as a high priority stabilization area in the D'Olive Creek, Tiawasee Creek and Joe's Branch Watershed Management Plan, MBNEP has submitted a funding request to the Alabama Department of Environmental Management on behalf of its partners in Spanish Fort, Daphne, ALDOT and Westminster Village to undertake restoration of the stream using a cutting-edge technology called Regenerative Step Pool Storm Conveyance."

The four entities involved are spending large amount money to repair a problem caused by stormwater damage that could have been prevented at a lower cost by incorporating better stormwater mitigation facilities into the design of the highway.

These high-volume/high-speed flows also hasten the deterioration of water infrastructure. A 2001 study on the erosive power of urban stormwater flows examined how excessive stormwater volumes and flow rates off of urban surface infrastructure caused more than \$1 million in roadway and water infrastructure damage in the Cincinnati metropolitan areas in Ohio and Kentucky in a single year.

While there are serious water quality concerns with not adequately controlling roadway infrastructure runoff, there are serious infrastructure costs, that are ultimately passed on to taxpayers and ratepayers, that can be avoided if transportation authorities do more to control and manage stormwater runoff with the infrastructure assets they manage and build.

The increased incidence of flash flooding events that occur even during seemingly mild and routine storm events is a direct result of the growing percentage of impervious land cover in urban and suburban communities. Replacement of the "greenscapes" that are lost to pavement is essential to restoring hydrological balance to our urban and suburban communities and impaired watersheds.

According to USGS: an inch of rain on one square foot of pavement produces 1.87 gallons of stormwater. Scaled up, 1 inch of rain on one acre would produce 27,150 gallons of stormwater. Using FHWA design standards for interstate highway lane and shoulder widths, 12 feet per lane, 10 foot right shoulder, 4 foot left shoulder, 10 miles of a four lane interstate highway generates nearly 2.5 million gallons of polluted stormwater for every inch of rain. To put that into perspective for the Potomac and Anacostia River Watersheds: The Capital Beltway, not including its 48 interchanges, generates nearly 30 million gallons of polluted stormwater for every inch of rain that falls on the 64 mile 8 to 12 lane interstate highway loop. It is volumes of stormwater like that which cause dangerous streambank erosion.

Gillies Creek is an urban waterway located East of Downtown Richmond. It is a tributary of the James River which flows into the Chesapeake Bay. Gillies Creek is surrounded by industrial and residential development and also receives stormwater from State highway 33, Interstate 64, US 60, and hundreds of city streets including Stony Run Parkway which directly adjacent to the creek for several miles. The banks and bed of this creek have eroded so badly as urban development around the creek has added more impervious surfaces to the watershed that streambed sheering has created cliffs more than ten feet tall at spots along the creek. Trees supporting the bank continually fall into the creek and nearby roadways and other infrastructure as well as homes and business are at risk. Reducing the impacts of the storms by mitigating the flow and volume of stormwater in this watershed

will protect against further erosion and save the cost of repair and eventual replacement of the assets located along this endangered creek.

The aim of this legislation is to improve highway designs to better manage stormwater to avoid the costly damage that poorly managed stormwater causes to infrastructure and nearby streams, rivers and coastal waters.

I held a hearing on this issue in the Water and Wildlife Subcommittee on May 13. I heard many ideas from both the minority and majority witnesses that were invited to present testimony at this hearing. I listened to the concerns of my colleagues on the other side of the aisle and I have incorporated provisions into this bill that should alleviate concerns they may have had with previous attempts to better control highway stormwater.

My bill's approach to highway runoff management is one that I hope my colleagues of both parties can support. First of all it puts states in the driver's seat for developing hydrological analysis and implementation of best management practices to control highway runoff. The objective of the legislation is to control and manage flow and volume of stormwater from highways not to treat runoff in order to meet water quality standards. By taking this sort of approach we avoid EPA's involvement in the process. Lastly, States would only need to apply these procedures to new construction on major reconfiguration projects that significantly increases the amount of impervious surface in the project area.

Title 23 of the U.S. Code states: "transportation should play a significant role in promoting economic growth, improving the environment, and sustaining the quality of life" through the use of "context sensitive solutions." In 2008, the Government Accountability Office issued a report examining key issues and challenges that needed to be addressed in the next reauthorization of the transportation bill. That report highlighted the clear link between transportation policy and the environment. With 985,139 miles of Federal aid highways stretching from every corner of the US, polluted highway runoff is no small problem facing our Nation's waters. I would urge my colleagues to join me trying to address this problem facing America's waterways and infrastructure.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2457

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Highway Runoff Management Act".

SEC. 2. FEDERAL-AID HIGHWAY RUNOFF MANAGEMENT.

(a) IN GENERAL.—Chapter 3 of title 23, United States Code, is amended by adding at the end the following:

“§330. Federal-aid highway runoff management program

“(a) DEFINITIONS.—In this section, the following definitions apply:

“(1) COVERED PROJECT.—The term ‘covered project’ means a reconstruction, rehabilitation, reconfiguration, renovation, major resurfacing, or new construction project on a Federal-aid highway carried out under this title that results in—

“(A) a 10-percent or greater increase in impervious surface of the aerial extent within the right-of-way of the project limit on a Federal-aid highway or associated facility; or

“(B) an increase of 1 acre or more in impervious surface coverage.

“(2) EROSION FORCE.—The term ‘erosive force’ means the flowrate within a stream or channel in which channel bed or bank material becomes detached, which in most cases is less than or equal to the flowrate produced by the 2-year storm event.

“(3) HIGHWAY RUNOFF.—The term ‘highway runoff’, with respect to a Federal-aid highway, associated facility, or management measure retrofit project, means a discharge of peak flow rate or volume of runoff that exceeds flows generated under preproject conditions.

“(4) IMPACTED HYDROLOGY.—The term ‘impacted hydrology’ means stormwater runoff generated from all areas within the site limits of a covered project.

“(5) MANAGEMENT MEASURE.—The term ‘management measure’ means a program, structural or nonstructural management practice, operational procedure, or policy on or off the project site that is intended to prevent, reduce, or control highway runoff.

“(b) STATE HIGHWAY STORMWATER MANAGEMENT PROGRAMS.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, each State shall—

“(A) develop a process for analyzing the erosive force of highway runoff generated from covered projects; and

“(B) apply management measures to maintain or restore impacted hydrology associated with highway runoff from covered projects.

“(2) INCLUSIONS.—The management measures established under paragraph (1) may include, as the State determines to be appropriate, management measures that—

“(A) minimize the erosive force of highway runoff from a covered project on a channel bed or bank of receiving water by managing highway runoff within the area of the covered project;

“(B) manage impacted hydrology in such a manner that the highway runoff generated by a covered project is below the erosive force flow and volume;

“(C) to the maximum extent practicable, seek to address the impact of the erosive force of hydrologic events that have the potential to create or exacerbate downstream channel erosion, including excess pier and abutment scour at bridges and channel downcutting and bank failure of streams adjacent to highway embankments;

“(D) ensure that the highway runoff from the post-construction condition does not increase the risk of channel erosion relative to the preproject condition; and

“(E) employ simplified approaches to determining the erosive force of highway runoff generated from covered projects, such as a regionalized analysis of streams within a State.

“(c) GUIDANCE.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary, in consultation with the heads of other relevant Federal agencies, shall publish guidance to assist States in carrying out this section.

“(2) CONTENTS OF GUIDANCE.—The guidance shall include guidelines and technical assistance for the establishment of State management measures that will be used to assist in avoiding, minimizing, and managing highway runoff from covered projects, including guidelines to help States integrate the planning, selection, design, and long-term operation and maintenance of management measures consistent with the design standards in the overall project planning process.

“(3) APPROVAL.—The Secretary, in consultation with the heads of other relevant Federal agencies, shall—

“(A) review the management measures program of each State; and

“(B) approve such a program, if the program meets the requirements of subsection (b).

“(4) UPDATES.—Not later than 5 years after the date of publication of the guidance under this subsection, and not less frequently than once every 5 years thereafter—

“(A) the Secretary, in consultation with the heads of other relevant Federal agencies, shall update the guidance, as applicable; and

“(B) each State, as applicable, shall update the management measures program of the State in accordance with the updated guidance.

“(d) REPORTING.—

“(1) IN GENERAL.—Except as provided in paragraph (2)(A), each State shall submit to the Secretary an annual report that describes the activities carried out under the highway stormwater management program of the State, including a description of any reductions of stormwater runoff achieved as a result of covered projects carried out by the State after the date of enactment of this section.

“(2) REPORTING REQUIREMENTS UNDER PERMIT.—

“(A) IN GENERAL.—A State shall not be required to submit an annual report described in paragraph (1) if the State—

“(i) is operating Federal-aid highways in the State in a post-construction condition in accordance with a permit issued under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

“(ii) is subject to an annual reporting requirement under such a permit (regardless of whether the permitting authority is a Federal or State agency); and

“(iii) carries out a covered project with respect to a Federal-aid highway in the State described in clause (i).

“(B) TRANSMISSION OF REPORT.—A Federal or State permitting authority that receives an annual report described in subparagraph (A)(ii) shall, on receipt of such a report, transmit a copy of the report to the Secretary.”

(b) CLERICAL AMENDMENT.—The analysis for chapter 3 of title 23, United States Code, is amended by adding at the end the following:

“§330. Federal-aid highway runoff management program.”

AMENDMENTS SUBMITTED AND PROPOSED

SA 3232. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 2432, to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3232. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 2432, to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

TITLE IV—NATIONAL STUDENT LOAN DATA SYSTEM

SEC. 401. NATIONAL STUDENT LOAN DATA SYSTEM.

(a) AMENDMENT TO THE TRUTH IN LENDING ACT.—

(1) IN GENERAL.—Section 128(e) of the Truth in Lending Act (15 U.S.C. 1638(e)) is amended by adding at the end the following:

“(12) NATIONAL STUDENT LOAN DATA SYSTEM.—

“(A) IN GENERAL.—Each private educational lender shall—

“(i) submit to the Secretary of Education for inclusion in the National Student Loan Data System established under section 485B of the Higher Education Act of 1965 (20 U.S.C. 1092b) information regarding each private education loan made by such lender that will allow for the electronic exchange of data between borrowers of private education loans and the System; and

“(ii) in carrying out clause (i), ensure the privacy of private education loan borrowers.

“(B) INFORMATION TO BE SUBMITTED.—The information regarding private education loans required under subparagraph (A) to be included in the National Student Loan Data System shall include the following if determined appropriate by the Secretary of Education:

“(i) The total amount and type of each such loan made, including outstanding interest and outstanding principal on such loan.

“(ii) The interest rate of each such loan made.

“(iii) Information regarding the borrower that the Secretary of Education determines is necessary to ensure the electronic exchange of data between borrowers of private education loans and the System.

“(iv) Information, including contact information, regarding the lender that owns the loan.

“(v) Information, including contact information, regarding the servicer that is handling the loan.

“(vi) Information concerning the date of any default on the loan and the collection of the loan, including any information concerning the repayment status of any defaulted loan.

“(vii) Information regarding any deferment or forbearance granted on the loan.

“(viii) The date of the completion of repayment by the borrower of the loan.

“(ix) Any other information determined by the Secretary of Education to be necessary for the operation of the National Student Loan Data System.

“(C) UPDATE.—Each private educational lender shall update the information regarding private education loans required under subparagraph (A) to be included in the National Student Loan Data System on the same schedule as information is updated under the System under section 485B of the Higher Education Act of 1965 (20 U.S.C. 1092b).”

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to private education loans that were made for the 2011–2012 academic year or later.