

authorize the tax court to appoint employees.”

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

A motion to reconsider was laid on the table.

MAKING A TECHNICAL CORRECTION TO IMPLEMENT THE VETERANS EMPLOYMENT OPPORTUNITIES ACT

Mrs. DAVIS of California. Madam Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the resolution (H. Res. 1783) making a technical correction to a cross-reference in the final regulations issued by the Office of Compliance to implement the Veterans Employment Opportunities Act of 1998 that apply to the House of Representatives and employees of the House of Representatives, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the resolution is as follows:

H. RES. 1783

Resolved, That section 3(b) of House Resolution 1757, agreed to December 15, 2010, is amended by striking paragraph (1) and redesignating paragraphs (2) through (5) as paragraphs (1) through (4).

The resolution was agreed to.

A motion to reconsider was laid on the table.

CLARIFYING FEDERAL RESPONSIBILITY TO PAY FOR STORMWATER POLLUTION

Mr. PERRIELLO. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3481) to amend the Federal Water Pollution Control Act to clarify Federal responsibility for stormwater pollution, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The text of the bill is as follows:

S. 3481

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

SECTION 1. FEDERAL RESPONSIBILITY TO PAY FOR STORMWATER PROGRAMS.

Section 313 of the Federal Water Pollution Control Act (33 U.S.C. 1323) is amended by adding at the end the following:

“(c) REASONABLE SERVICE CHARGES.—

“(1) IN GENERAL.—For the purposes of this Act, reasonable service charges described in subsection (a) include any reasonable nondiscriminatory fee, charge, or assessment that is—

“(A) based on some fair approximation of the proportionate contribution of the property or facility to stormwater pollution (in terms of quantities of pollutants, or volume or rate of stormwater discharge or runoff from the property or facility); and

“(B) used to pay or reimburse the costs associated with any stormwater management program (whether associated with a separate storm sewer system or a sewer system that manages a combination of stormwater and sanitary waste), including the full range of programmatic and structural costs attributable to collecting stormwater, reducing pollutants in stormwater, and reducing the volume and rate of stormwater discharge, regardless of whether that reasonable fee, charge, or assessment is denominated a tax.

“(2) LIMITATION ON ACCOUNTS.—

“(A) LIMITATION.—The payment or reimbursement of any fee, charge, or assessment described in paragraph (1) shall not be made using funds from any permanent authorization account in the Treasury.

“(B) REIMBURSEMENT OR PAYMENT OBLIGATION OF FEDERAL GOVERNMENT.—Each department, agency, or instrumentality of the executive, legislative, and judicial branches of the Federal Government, as described in subsection (a), shall not be obligated to pay or reimburse any fee, charge, or assessment described in paragraph (1), except to the extent and in an amount provided in advance by any appropriations Act to pay or reimburse the fee, charge, or assessment.”

Mr. OBERSTAR. Madam Speaker, I rise in strong support of S. 3481, a bill to amend the Clean Water Act to clarify Federal responsibility for stormwater pollution.

I applaud the outstanding work of the sponsors of this legislation, the distinguished Senator from the State of Maryland (Mr. CARDIN), as well as the sponsor of the House companion bill (H.R. 5724), the Delegate from the District of Columbia (Ms. NORTON), for their efforts to move this important legislation for the protection of our Nation's waters.

Simply put, this legislation clarifies that Federal agencies and departments are financially responsible for any reasonable Federal, state, or locally derived charges for treating or otherwise addressing stormwater pollution that emanates from Federal property.

Madam Speaker, over the past 4 years, the Committee on Transportation and Infrastructure has examined the progress made over the past few decades in improving the overall quality of the Nation's waters, as well as the challenges that remain to achieving the goals of “fishable and swimmable waters” called for in the enactment of the 1972 Clean Water Act.

Although significant progress has been made in the past four decades, approximately 40 percent of the Nation's assessed rivers, lakes, and coastal waters still do not meet water quality standards. States, territories, Tribes, and other jurisdictions report that poor water quality continues to affect aquatic life, fish consumption, swimming, and sources of drinking water in all types of waterbodies.

In a recent report on the National Water Quality Inventory, States, territories, Tribes, and interstate commissions report that they monitor only 33 percent of the Nation's waters. Of those, about 44 percent of streams, 64 percent of lakes, and 30 percent of estuaries were not clean enough to support their designated uses (e.g., fishing and swimming).

While these numbers highlight the remaining need to improve the quality of the Nation's waters, they also demonstrate how this country's record on improving water quality is slipping—

demonstrating a slight, but significant reversal of efforts to clean up the Nation's waters over the past 30 years.

For example, in the 1996 National Water Quality Inventory report, States reported that of the 3.6 million miles of rivers and streams that were assessed, 64 percent were either fully supporting all designated uses or were threatened for one or more of those uses. In the 1998 report, this number improved to 65 percent of assessed rivers and streams. However, in the 2000 National Water Quality Inventory report, this number slipped to only 61 percent of assessed rivers and streams either meeting water quality standards or being threatened for one or more of the waterbodies' designated uses, and in the 2004 Inventory, this number slipped again, to 53 percent of rivers and streams fully supporting their designated uses—a significant reversal in the trend toward meeting the goals of the Clean Water Act.

According to information from the Environmental Protection Agency, stormwater remains a leading cause of water quality impairment. For example, in the 2004 Water Quality Inventory, discharges of urban stormwater are the leading source of impairment to 22,559 miles (or 9.2 percent) of all impaired rivers and streams, 701,024 acres (or 6.7 percent) of all impaired lakes, and 867 square miles (or 11.3 percent) of all impaired estuaries.

The continuing negative environmental impacts of stormwater are echoed in a National Academy of Sciences 2009 report that expressed concern about the “unprecedented pace” of urbanization in the United States. According to this report, “the creation of impervious surfaces that accompanies urbanization profoundly affects how water moves both above and below ground during and following storm events, the quality of stormwater, and the ultimate condition of nearby rivers, lakes, and estuaries.”

Madam Speaker, this National Academy of Sciences report made several findings on national efforts to understand and manage urban stormwater. A key finding was a lack of available resources to implement and enforce Federal and state stormwater control programs. According to the report, “State and local governments do not have adequate financial support to the stormwater program in a rigorous way.” While the report recommended that the Federal Government provide more financial support to state and local efforts to regulate stormwater, such as through increased funding of existing Clean Water Act authorities, the report also highlights the importance of Federal agencies contributing to the costs of environmental and water quality protections, including the costs of addressing sources of pollution originating or emanating from Federal facilities.

This finding echoes concerns raised by numerous state and local governmental officials over how some Federal agencies have seemingly rejected local efforts to assess service fees to curb stormwater pollution originating or emanating from Federal facilities.

Several states and municipalities, including the District of Columbia, have taken aggressive action to address ongoing sources of stormwater pollution. Yet, when a significant percentage of Federal property owners take the position that they cannot be held responsible for their pollution, it places a greater financial burden on our states, cities, communities, and local ratepayers, and makes it less