

**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.