

her to the concurrent resolution S. Con. Res. 11, setting forth the congressional budget for the United States Government for fiscal year 2016 and setting forth the appropriate budgetary levels for fiscal years 2017 through 2025; which was ordered to lie on the table; as follows:

On page 58, between lines 6 and 7, insert the following:

(4) reauthorizing or extending trade adjustment assistance programs;

**SA 347.** Mr. BARRASSO (for himself, Mr. SULLIVAN, Mr. ROUNDS, Mr. INHOFE, Mr. WICKER, Mrs. CAPITO, Mr. BOOZMAN, Mr. CRAPO, Mr. COATS, Mr. HOEVEN, Mr. VITTER, Mr. ISAKSON, and Mr. MORAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 11, setting forth the congressional budget for the United States Government for fiscal year 2016 and setting forth the appropriate budgetary levels for fiscal years 2017 through 2025; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . SPENDING-NEUTRAL RESERVE FUND RELATING TO KEEPING THE FEDERAL WATER POLLUTION CONTROL ACT FOCUSED ON THE PROTECTION OF WATER QUALITY.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to ensuring that Federal jurisdiction under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is focused on water quality, which may include limiting jurisdiction based on the movement of birds, mammals, or insects through the air or over the land, the movement of water through the ground, or the movement of rainwater or snowmelt over the land, or limiting jurisdiction over puddles, isolated ponds, roadside ditches, irrigation ditches, stormwater systems, wastewater systems, or water delivery, reuse, or reclamation systems, by the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2016 through 2020 or the period of the total of fiscal years 2016 through 2025.

**SA 348.** Mr. BOOZMAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 11, setting forth the congressional budget for the United States Government for fiscal year 2016 and setting forth the appropriate budgetary levels for fiscal years 2017 through 2025; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO REFORMING OFFICES OF INSPECTORS GENERAL AND PREVENTING EXTENDED VACANCIES.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between

the Houses, motions, or conference reports relating to strengthening and reforming Federal Offices of Inspectors General, reducing vacancies in such Offices, and providing for improvements in the overall economy, efficiency, and effectiveness of Inspectors General by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2016 through 2020 or the period of the total of fiscal years 2016 through 2025.

#### PRIVILEGES OF THE FLOOR

Mr. ENZI. Mr. President, I ask unanimous consent that Dan Kowalski and Greg Dean from my staff and Mike Jones and Josh Smith from the Democratic staff be given all-access floor passes for the Senate floor during consideration of the budget resolution, S. Con. Res. 11.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Mr. President, I ask unanimous consent that David Ditch and Hannah Oh be granted the privileges of the floor during the consideration of S. Con. Res. 11 and votes that may occur in relation thereto.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Mr. President, on behalf of Senator SANDERS, I ask unanimous consent that Claire Mahoney and Keri Rice, OMB detailees to the Budget Committee, be granted floor privileges during the consideration of S. Con. Res. 11.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, on behalf of Senator WYDEN, I ask unanimous consent that the following fellows be granted floor privileges for the first session of the 114th Congress: Rebecca Farr, Elizabeth Rigby, and Patrick Bussard.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the majority and minority leaders of the Senate and the Speaker and minority leader of the House of Representatives, pursuant to Section 301 of Public Law 104-1, as amended by Public Law 108-349, and as further amended by Public Law 114-6, announces the joint reappointment of the following individuals as members of the Board of Directors of the Office of Compliance: Alan V. Friedman of California, Susan S. Robfogel of New York, and Barbara Childs Wallace of Mississippi.

#### ORDERS FOR TUESDAY, MARCH 24, 2015

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, March 24; that following the prayer and pledge, the morning hour be deemed

expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate resume consideration of S. Con. Res. 11; finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings and that all time during the recess count against the time remaining on the budget resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. McCONNELL. Mr. President, Senators should expect a rollcall vote in relation to the pending Sanders amendment at around 12 noon tomorrow.

#### ORDER FOR ADJOURNMENT

Mr. McCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator INHOFE.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Oklahoma.

#### PILOT'S BILL OF RIGHTS 2

Mr. INHOFE. Mr. President, I would like to make a comment about some legislation that we introduced last week that is going to be of supreme interest to a relatively small number of people—those people in America who are general aviation pilots. It actually affects other people too. This is something which is very significant, and I want to talk about it for a minute.

It is important to pilots and aviation enthusiasts all over the Nation. But over the course of my time, I can recall when there were so few of us who were active commercial pilots, and those individuals who had problems—particularly in our State of Oklahoma—would all come to me because they knew I had understanding of this. So people have come in for help.

One such person was Bob Hoover. Bob Hoover arguably may have been the best pilot of his time. He is still flying today. I guess he is in his nineties by now. But about 10, 15 years ago, one inspector didn't like something he did, and he took away his license.

There are literally thousands of people who make their living as airline pilots. In the case of Bob Hoover, he is the guy who would go up in a Shrike—Chris, do you know what a Shrike is? A Shrike is a twin-engine airplane. I used to own a Shrike. It is made by Aero Commander. He would put a glass of water up here on the top of the dash. He would do a barrel roll, and the water would not tip over. This guy was just incredible.

Anyway, it took an act of Congress that I introduced and passed to get him

back into the air. That is why this is so important to a lot of people.

I never realized, even though I personally helped a lot of people who were having problems with their regulations and with an alleged offense by the FAA until it happened to me—when it happened to me, all of a sudden I realized just how frustrating and drawn-out the process could be.

In 2011, I introduced the Pilot's Bill of Rights. I did that to address some serious deficiencies in the relationship between pilots and the FAA. There are a lot of really great people, certainly, in the FAA. The occupier of the chair right now and I both are aware of this. In Oklahoma City, we have several hundred such people. They are easy to get along with and are not overbearing. But any bureaucracy can have a few people who merely want to create problems and say no.

So we introduced the Pilot's Bill of Rights—this was in August of 2012—to ensure that pilots, like everyone else, would be treated fairly and equitably in our justice system. I think pilots are the last group of people who fall into that category we see so prominently in other countries where you are guilty until proven innocent.

Anyway, we passed the Pilot's Bill of Rights, and there are a few things in there that did not get the congressional intent that was originally meant to be. To remedy this, we introduced S. 571. It is the Pilot's Bill of Rights 2. It is bipartisan. Right now, we are sitting on 12 Republicans and 12 Democrats who will be cosponsors of this bill. There are eight sections in the bill, three general subject areas.

First, the legislation reforms FAA's overly burdensome medical certification process by expanding an existing exemption for light sport aircraft pilots to include more qualified, trained pilots.

Let me speak for a moment on the safety concerns. There is a small minority of people who think that expanding an exemption like this automatically decreases safety. That is not true of this bill. I have the numbers to show it.

In 2004, the FAA issued a medical exemption for pilots of light sport aircraft. These are aircraft which weigh less than 1,320 pounds and only have two seats. They had several restrictions. In the entire country, there are about 9,500 of them. It has been over 10 years since the FAA issued this exemption, and since then, not a single accident by a light sport aircraft has occurred that was related to a medical deficiency.

A joint study was done by the AOPA, the Aircraft Owners and Pilots Association, and the EAA, the Experimental Aircraft Association, on the 46,000 aviation accidents that occurred from 2008 to 2012. Of those, only 99 had a medical cause as a factor. That is less than one-quarter of 1 percent of all accidents. Of those 99, none would have been prevented by the current third-

class medical screening exemption that was in the process at that time.

Extending that medical exemption for light sport aircraft to include planes weighing up to 6,000 pounds with up to six total passengers, including the pilot, would add airman and aircraft to an existing FAA-approved medical standard—without degrading or creating substandard safety. This approach has been endorsed by the Flying Physicians Association and the AOPA Medical Advisory Board. Both organizations are made up of pilots who are also medical doctors.

This bill does not change the certification standards to obtain a pilot's certificate, and all pilots still have to possess a pilot certificate and pass the required practical test in flying. The bill does create consistency for aviators across the country, where inconsistency has been felt.

The second thing is—in fact, I would say this: We have documented cases where you have two people who have the same medical problem—one in Detroit and one in Tulsa, OK—and they are treated completely differently by the medical doctors where they are examined.

The second thing it does is it extends the due process rights preserved in the original Pilot's Bill of Rights to all FAA certificate holders. This would be other people who are holding FAA certificates, and it is not necessarily a pilot's certificate.

When Congress passed the original Pilot's Bill of Rights, we intended to allow pilots to appeal a decision by the FAA to the National Transportation Safety Board, the NTSB, and then pilots could appeal to a Federal court. We did this because the review by the Federal district court is a *de novo*. That means they start with the pilot getting a whole new trial, not using the same evidence as was used before the FAA or the NTSB.

In two separate cases, Federal district courts ruled that my original bill did not require a full hearing of the facts. This legislation explicitly spells out the option to appeal an FAA enforcement action to Federal district court for a guaranteed *de novo* trial, meaning a new and independent review of the facts is guaranteed for these individuals.

This legislation also increases transparency for all FAA certificate holders subject to an investigation or enforcement action by holding FAA accountable for communicating with certificate holders. The FAA is now required to articulate a specific description of an accident or incidents under investigation to parties involved in the investigation and provide specific documentation relevant to the investigation.

While this is something that has happened in many cases, it has not happened in all of them. This bill ensures that certificate holders—these are pilots who are under investigation—are afforded basic fairness. They know why

they are being investigated. They have the appropriate documentation to prepare a proper defense and can respond to the FAA from a position of knowledge and certainty in all cases.

I speak from personal experience. This happened to me when I was trying to land in South Texas. They claimed I was not cleared to land. It took me 4 months to get a recording of the particular person who happened to be at the approach control and cleared me to land.

I am a U.S. Senator, and it took 4 months for me to get it, so I figured others might not ever be able to wait this out, and they would have lost their certificate. As I say, it is not a big deal to the general public, but it is to anyone who is a pilot.

I am expanding the original Pilot's Bill of Rights to increase transparency for pilots and certificate holders so they have information and resources to defend themselves should it be necessary.

The third thing it does is it expedites the updates of the notice to airmen—a NOTAM. A NOTAM is a notice to an airman, and it is something that has historically been the responsibility of the FAA. If there is a problem on a runway where we are going to land—if it is going to be closed or they are doing repairs or something like that—they have to publish a NOTAM, in theory. However, in practice, it doesn't work that way.

In my case they claimed there was a NOTAM indicating that the runway I had to land on was closed. However, there was never a NOTAM. They said there was a NOTAM, and you just have to take their word for it.

The Pilot's Bill of Rights No. 1 was supposed to force the FAA to publish NOTAMs in a common place where people would know where they are, and they just have not done it. Now we have strengthened that to say if a NOTAM action is not placed where it can be found, then they cannot use that as an enforcement action against a pilot. So that should resolve the problem.

Fourth, the Pilot's Bill of Rights 2 extends liability protection to individuals designated by the FAA, such as aviation medical examiners, pilot examiners, and other individuals. That was the intent of the original one, but it was not specific. This has given a lot of individuals willing to serve as designees a disincentive. My bill removes the disincentive, ensuring increased access to medical professionals and designees to sign off on check rides and flightworthiness of experimental aircraft and all of that. So they would get the same protection.

It is kind of the Good Samaritan law. There are a lot of times when pilots are notified and asked to use their aircraft to help some worthy cause. I can remember one time down on the island just off of Caracas, Venezuela, it had been wiped out by a tornado. This was many years ago. So I took 14 airplanes

down there to help those people out. If something happened to one of the airplanes and caused someone's injury or something, then they would not be protected. They didn't have a Good Samaritan law. A lot of people will not do this. People have actually lost their lives because they didn't get the help they needed because people would not volunteer their equipment to help people. So we have a Good Samaritan law and that should take care of that problem.

Many times I have seen when people are inspired as a volunteer—I have done the same thing myself—but there is a disincentive to do that. So the Pilot's Bill of Rights 2 is sensitive to the needs of pilots, airmen, and the general aviation community, and they have worked closely with me on it.

I have to say that the OPA and the EAA have worked all the way through this thing and they are fully supportive, as are all their individuals. In fact, I don't know of anyone in the aviation community who is not fully supportive of this.

We have introduced this bill. It is bipartisan. It is something that Senators MANCHIN and BOOZMAN—they are the cochairs of the Senate General Aviation Caucus, and they are cosponsors of this bill.

I encourage Members—hopefully this will go to the commerce committee and we will be able to get a hearing on it very soon.

The House Members are waiting for it to come over, and we are anxious to get this bill passed. I know this is something that is not of concern to an awful lot of people in this country, but

I can tell you it is a big concern to people who are pilots.

I yield the floor.

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ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 7 p.m., adjourned until Tuesday, March 24, 2015, at 10 a.m.

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CONFIRMATION

Executive nomination confirmed by the Senate March 23, 2015:

FEDERAL MARITIME COMMISSION

WILLIAM P. DOYLE, OF PENNSYLVANIA, TO BE A FEDERAL MARITIME COMMISSIONER FOR A TERM EXPIRING JUNE 30, 2018.