

I would love to have a hearing and have all the witnesses he would put forward to get an objective look at what this would do to taking the expertise and the mission from FAA and allow it to be bypassed at the NTSB level and go to Federal courts where there is not the experience and the aviation safety mission that is well protected today.

I hope we can work together on this. I understand the Senator's frustration, but I don't think this is the right solution for what happened to him with one incident.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from Oklahoma.

Mr. INHOFE. First of all, I am not aware that I was offered a hearing. But let me make sure I have in the RECORD, and I ask unanimous consent to have printed in the RECORD a letter dated September 15, 2011, which was 9 months ago, signed by 32 Members of this Senate, including the occupier of the chair right now, the Senator from West Virginia.

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

U.S. SENATE,

Washington, DC, September 15, 2011.

JOHN D. ROCKEFELLER,  
Chairman, Senate Committee on Commerce,  
Science, and Transportation, Dirksen Sen-  
ate Office Building, Washington, DC.

KAY BAILEY HUTCHISON,  
Ranking Member, Senate Committee on Com-  
merce, Science, and Transportation, Dirksen  
Senate Office Building, Washington, DC.

DEAR CHAIRMAN ROCKEFELLER AND RANKING  
MEMBER HUTCHISON: A bill that was recently  
introduced by Senator Inhofe, S. 1335, the Pi-  
lot's Bill of Rights, has been referred to your  
committee. It currently has 32 cosponsors, 13  
of which are members of the Commerce Com-  
mittee. With a majority of committee mem-  
bers having already voiced their support for  
this legislation, we respectfully request that  
you hold a committee or subcommittee hear-  
ing and markup of this legislation.

During the drafting of this legislation,  
Senator Inhofe worked extensively with the  
Aircraft Owners and Pilot's Association and  
the Experimental Aircraft Association, both  
of which have strongly endorsed this bill, as  
well as private aviation attorneys. It became  
clear during this process that several com-  
mon sense changes should be made to en-  
hance the relationship between the FAA and  
general aviation, and those were incor-  
porated into the bill.

First, the bill requires that in an FAA en-  
forcement action against a pilot, the FAA  
must grant the pilot all relevant evidence,  
such as air traffic communication tapes,  
flight data, investigative reports, flight ser-  
vice station communications, and other rel-  
evant air traffic data 30 days before the FAA  
can proceed in an enforcement action  
against the pilot. This is currently not done  
and often leaves the pilot grossly uninformed  
of his alleged violation and recourse.

Second, the bill also allows for federal dis-  
trict court review of appeals from the FAA,  
at the election of the appellant, and states  
that the NTSB shall not grant deference to  
the FAA in an appeal, should the pilot  
choose to go the NTSB route. Both of these  
things are done because too often the NTSB  
rubber stamps a decision of the FAA, giving  
wide latitude to the FAA and making the ap-  
peals process meaningless.

Third, this bill requires that the FAA un-  
dertake a Notice to Airmen Improvement

Program, requiring simplification and archi-  
val of NOTAMs in a central location. The  
process by which Notices to Airmen are pro-  
vided by the FAA has long needed revision.  
This will ensure that the most relevant in-  
formation reaches the pilot. Non-profit gen-  
eral aviation groups will make up an advi-  
sory panel, which we believe will give pilots  
a seat at the table when deciding how the  
NOTAM system can be improved.

Fourth and finally, the FAA's medical cer-  
tification process has long been known to  
present a multitude of problems for pilots  
seeking an airman certificate. The bill sim-  
ply requires a review of the FAA's medical  
certification process and forms, to provide  
greater clarity in the questions and reduce  
the instances of misinterpretation that have,  
in the past, led to allegations of intentional  
falsification against pilots. Non-profit gen-  
eral aviation groups, aviation medical exam-  
iners, and other qualified medical experts  
will make up an advisory panel to advise the  
Administrator, again giving the right people  
a voice in the overall determination.

Again, we hope that you will schedule a  
hearing and markup of this legislation that  
is extremely important to the general avi-  
ation community. As many of us sit on your  
committee, we look forward to being an ac-  
tive part of this process.

Sincerely,

James M. Inhofe; John Hoeven; Jim  
DeMint; Roger F. Wicker; Dean Heller;  
Pat Toomey; Joe Manchin III; Lisa  
Murkowski; Mark Begich; Kelly  
Ayotte; Jerry Moran; Lamar Alex-  
ander; Roy Blunt; John Boozman;  
Marco Rubio; John Cornyn; Olympia J.  
Snowe; Michael B. Enzi; James E.  
Risch; Richard Burr; John Barrasso;  
Pat Roberts; Mike Crapo; Mike  
Johanns; Tom Coburn; Ron Johnson;  
Saxby Chambliss; Mark L. Pryor;  
Debbie Stabenow; Susan M. Collins;  
Daniel Coats; Jeff Sessions.

Mr. INHOFE. Mr. President, I don't  
think anyone is going to say we  
haven't done everything we could to go  
through the committee process to get a  
hearing. I just flat gave up. That is  
why we have this rule.

I will be looking forward to taking  
the next steps. I know there are a lot of  
people out there who want to have this  
type of justice afforded the pilots of  
the United States of America, the same  
as every other citizen enjoys.

With that, I appreciate the patience  
of my colleagues, because I know we  
have other business, and I yield the  
floor.

The PRESIDING OFFICER. The Sen-  
ator from Massachusetts.

Mr. BROWN of Massachusetts. I rise  
to speak as in morning business.

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

ENDING VETERAN HOUSING DISCRIMINATION

Mr. BROWN of Massachusetts. Mr.  
President, I rise to discuss a terrible  
shortcoming in our housing discrimina-  
tion laws and legislation which I have  
introduced and which I encourage the  
Presiding Officer to sign on to.

Last week, the Boston Herald re-  
ported that a veteran of Iraq and Af-  
ghanistan had been forced to file suit  
in Massachusetts because a political  
activist landlord allegedly discouraged  
him from renting because of his mili-  
tary background, claiming the situa-  
tion would be "uncomfortable."

This brave veteran brought his fight  
to the press and to the courts of Massa-  
chusetts, where State law makes it il-  
legal to discriminate against veterans  
who are seeking housing. In Massachu-  
setts, that is, in fact, the law. It is ille-  
gal. When I read this, I was angry, as I  
know the Presiding Officer would be  
angry if it happened in his State. That  
this could happen today is mind-bog-  
gling. So my staff and I started work-  
ing to see what we could do to right  
this wrong and see if it was something  
that was systemic throughout the  
country. We started digging into this  
issue and found that when it comes to  
housing, it is apparently not illegal—  
let me repeat that, it is apparently not  
illegal—under Federal law to discrimi-  
nate against a veteran or a member of  
our Armed Forces on the basis of their  
brave service to our Nation.

Back when I was a State senator and  
State representative in Massachusetts,  
at the statehouse, we took action, as I  
referenced, to ensure our veterans are  
protected, whether it is a welcome  
home bonus for first- and second-time  
soldiers who have served, antidiscrimi-  
nation reemployment or educational  
benefits. I could go on and on.

Quite frankly, I think Massachusetts  
does it better than any other State in  
the country. So it came as a surprise to  
learn that fewer than one-half dozen  
States have similar protections. With  
tens of thousands of veterans returning  
home in the next few years and the size  
of our Armed Forces actually shrink-  
ing dramatically, now is clearly the  
time to fix the problem. I know the  
Presiding Officer as well does not want  
to hear more stories such as this one  
because I recognize how important that  
issue is for the Presiding Officer.

No one who puts on the uniform of  
our Nation and serves should be faced  
with discrimination. There is no one  
who should ever face that discrimina-  
tion when they are trying to put a roof  
over their head and the heads of their  
family. The idea that anyone would  
deny a home to someone who has put  
their life on the line for our freedom is,  
quite frankly, un-American. It should  
be condemned by every Member of this  
body.

In order to understand today's prob-  
lem, however, we must go back to 1968,  
when I was 9 years old, when one of my  
predecessors, Senator Edward Brooke,  
a great legislator from my home State  
of Massachusetts—a gentleman whom I  
still speak with—helped author the  
Fair Housing Act which was signed  
into law by then-President Johnson.  
That civil rights legislation broke new  
ground by banning housing discrimina-  
tion on the basis of race, color, religion  
or national origin. Another great Sen-  
ator from Massachusetts, Senator Ted  
Kennedy, joined Senator Brooke in  
urging the bipartisan passage of that  
very important piece of legislation.

Then, in 1974, closer to the Presiding  
Officer, Senator Bill Brock of Ten-  
nessee amended the act to prevent  
housing discrimination on the basis of

gender. Then, in 1988, Senator Kennedy extended the act's protections to those Americans with disabilities and families with children. Both of these expansions received broad bipartisan support and were actually signed into law.

As Senator Brooke said 44 years ago:

Fair housing is not a political issue, except as we make it one by the nature of our debate. It is purely and simply a matter of equal justice for all Americans.

Well said by Senator Brooke 44 years ago.

Fair housing has a bipartisan history and we have a chance to do it again. We can do it by protecting two additional groups from housing discrimination. My Ending Housing Discrimination Against Servicemembers and Veterans Act, S. 3283, is needed and it is needed right now. It amends the Fair Housing Act to protect veterans and servicemembers from housing discrimination.

By passing this bill right away, the Senate can say affirmatively and immediately that veterans and servicemembers deserve the same rights to housing as anyone else. This is a no-brainer. The Commander in Chief of the Veterans of Foreign Wars of the United States has endorsed my bill, as referenced for people looking on, saying:

Senator Brown's work to protect servicemembers and veterans from housing discrimination is very positive. It is unconscionable that members of our military and veterans should fear not being able to rent or buy a home because of their status as a veteran.

This bill will correct the issue.

By passing this bill right away, we can, once again, say to those veterans and servicemembers that they have our pride and respect. We need the action right now. No veteran or servicemember should ever face the indignity of being denied housing solely on the basis of their service.

The Fair Housing Act of 1968 and Senator Kennedy's amendments in 1988 passed with overwhelming support. We should be able to do the same. I urge all my colleagues to cosponsor this important piece of legislation and work for its immediate and unanimous passage. It is time to fix this shortcoming in our Nation's housing laws and it is, quite frankly, the right thing to do.

I would like to also take this opportunity to wish the U.S. Army a happy 237th birthday. I was honored to go to the cake-cutting last night and honor those who have done so much for our great country.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, I yield back all postcloture time on the nomination of Mari Carmen Aponte.

The PRESIDING OFFICER. All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Mari Carmen Aponte, of the District of Columbia, to be Ambassador Extraor-

dinary and Plenipotentiary of the United States of America to the Republic of El Salvador?

The nomination was confirmed.

Mr. REID. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that President Obama be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

#### FLOOD INSURANCE REFORM AND MODERNIZATION ACT—MOTION TO PROCEED—Continued

Mr. REID. Mr. President, very quickly, that was the last vote today. It appears we will have no votes tomorrow. But Senator STABENOW and Senator ROBERTS are working very diligently to come up with an agreement on the farm bill. We are going to have a vote Monday evening. We have not decided exactly what that will be on. We have a number of different alternatives. But we hope we can have common sense prevail and be able to come up with an agreement, if for no other reason than to recognize the hard work of the two managers of this bill.

It is so important we get this done. There are issues we are going to vote on, one of which Senator KERRY will talk about. There are relevant amendments. We have a lot of them. We will agree to vote on those. We are trying to work out also the nonrelevant amendments, and we are not there yet.

The PRESIDING OFFICER. The Senator from Massachusetts.

#### APONTE NOMINATION

Mr. KERRY. Mr. President, I am grateful we finally have been able to get the nomination of Mari Aponte confirmed. I thank Senator MENENDEZ for managing for me.

I thank our colleagues in the Senate for finally getting our nominee in place and confirming her to be the Ambassador to El Salvador. I think it is long overdue. She will do a terrific job, and I am grateful to colleagues that we finally have, in fact, confirmed this nomination.

Mr. President, I understand I can proceed as in morning business.

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

#### AGRICULTURE REFORM

Mr. KERRY. Mr. President, I will do so, but I wish to speak with respect to an amendment on the farm bill for when we get back to that.

I wish to call to the attention of my colleagues the fact that in 2008, the

farm bill's conferees inserted a provision that transfers authority of the regulation of catfish, but only catfish—it was the only particular item singled out to be transferred—from the Food and Drug Administration to the U.S. Department of Agriculture. The provision was not debated in either body. It is one of those things that, as we all know, people have increasingly gotten incensed about in the public as well as around here, in the Congress itself.

Because it was transferred over to the U.S. Department of Agriculture, the USDA subsequently published a proposal in order to carry out the new mandate it had been given to regulate catfish. But that proposal has remained, and properly so, stalled in the regulatory process. I say "properly so" because it serves no public interest, it is costly for taxpayers, and it is duplicative and confrontational with other entities that are engaged in that kind of oversight. As a result, it will invite trade retaliation abroad and put us on a train wreck, if you will, of sort of excessive regulatory conflict.

Senator MCCAIN and I have joined together, along with a bipartisan group of our colleagues, to offer an amendment, amendment No. 2199, to repeal the 2008 catfish language. If we don't repeal it, the USDA is going to try to continue to proceed forward in this regulatory train wreck.

Let me give a little background. In February of 2011, the GAO cited the proposed catfish regulatory program—cited it as part of its report on those programs that were at high risk for waste, fraud, and abuse. Then, in March of 2011, the GAO again called this program duplicative as part of a totally separate report. Then, just last month, the GAO produced an extensive and detailed analysis of why this program is not only costly and duplicative but why it would have no food safety benefit. If it is not going to have any food safety benefit, it is costly, it is duplicative, the obvious question for all of us is: Why? What is going on here?

All of us care about jobs in our communities. Every State is always vying to find a way to try to guarantee that the jobs it has are protected and that it is creating more jobs. We all understand that. So I don't have any animus against any particular Senator fighting to do that. In this case, a number of catfish producers in the South managed to get protection that takes care of them but hurts a lot of other folks in a lot of other parts of the country. So it may be good for catfish producers in a few places in the South, but it is bad for consumers in the United States generally because it raises costs, and it is very bad for seafood processors and for communities, in my State among others, but in other States in the country on the west coast and east coast. There are employers in my State that would like to process and distribute products that come from various other places, including abroad, and they