

The DC Circuit has already decided to delay hearing the case on the Clean Power Plan's sister rule on carbon controls for new power plants until after the November elections, signaling little appetite for allowing this to be an easy, quick legal review of Obama's carbon mandates.

Similar to the Clean Power Plan litigation, any decision on a new source rule—new sources of power plants—would likely be appealed to the Supreme Court, with a final decision expected in 2018. Critically, the new source rule is a legal prerequisite for the Clean Power Plan, so without the new source rule, there is no Clean Power Plan.

The success of Obama's carbon mandates hinges not on just one but on two Supreme Court wins that will be decided well after he leaves office. He will be long gone. And with a new administration needing to fill a vacancy next year on the Court—who knows how that will impact or delay consideration of pending cases.

We are clearly a long way off from knowing the outcome of the President's carbon regulations. You wouldn't know that when you hear the releases that came from Paris saying this has been a great success. He made the commitment as to what kind of reductions we are going to have when he in his own mind knew for a fact that was not even a possibility.

So we are a long way from knowing the outcome of the President's carbon regulations that were written to help fulfill his pledge to international communities. But, as I said, Obama will be long gone by that time.

It is important for the 196 countries involved in the Paris climate agreement to understand what I am saying. The Congress, the courts, climate experts, and industry are all pointing to the same conclusion: President Obama's climate pledge is unattainable, and it stands no chance of succeeding in the United States. For the sake of the economic well-being of America, that is a good thing. Again, we still would welcome the 196 countries to come over here and enjoy America, but don't expect any of President Obama's climate promises to happen.

A few countries have taken note. Specifically, China and India, two of the world's largest emitters of greenhouse gas, are now second-guessing the legitimacy of Obama's commitments.

Navroz K. Dubash, a senior fellow at the Center for Policy Research in New Delhi told the New York Times that "[the Supreme Court stay] could be the proverbial string which causes Paris to unravel."

Zou Ji, the deputy director general of China's National Center for Climate Change Strategy and International Cooperation, also told the New York Times: "Look, [if] the United States doesn't keep its word, why make so many demands on us?"

In another display of solidarity against Obama's climate agenda, I led

34 Senators and 171 House Members in an amicus brief filed in the DC Circuit arguing that the Clean Power Plan is illegal. The plan would cause double-digit electricity price increases in 40 States and have no impact on the environment. Further, these regulations would prevent struggling communities from accessing reliable and affordable fuel sources, which could eventually lead to poor families choosing between putting food on the table and turning the heat on in the wintertime.

Much of the focus this past year has been the Clean Power Plan and the Paris Agreement that is reliant on its success. The administration has the power generation sector in its crosshairs, but they will not stop there. We know that. We are keenly aware of Obama's war on fossil fuels—coal, oil, and natural gas.

If I don't have to be someplace in conjunction with my obligations with the Senate Armed Services Committee, I go back home every weekend. They ask questions you don't hear in Washington. They ask: Now, wait a minute, if we are reliant upon fossil fuels—coal, oil, and gas—for 85 percent of the power necessary to run this machine called America and if Obama is successful in killing coal, oil, and gas, then how are we going to run this machine called America?

That is a logical question, but not here in Washington. You don't hear that here in Washington.

The Clean Power Plan is a template for unauthorized action, and if it works for one sector, future bureaucratic agencies will use it to restructure every industrial sector in this country. The immediate threat to future generations is not climate change. The climate is always changing and will continue to do so regardless of who is in the White House.

Luckily, the American people have caught on to the President's climate charade. But don't take my word for it; just look at the polls. I can remember back when the first bills were coming out. There was the McCain-Lieberman bill in 2003, and we looked at the bill. At that time, the polls showed that global warming was either the No. 1 or No. 2 concern in America. That has all changed. A FOX News poll found just the other day that 97 percent of Americans don't care about global warming when they stack it up against terrorism, immigration, health care, and the economy. Even an ABC News/Washington Post poll from last November found that the number of Americans who believe climate change is a serious problem is on the decline. According to the Gallup poll—they have a big one every March—the Gallup poll in March of 2015 had global warming coming in dead last of environmental issues that people are concerned about. George Mason University did a poll of 4,000 TV meteorologists, and it also dispelled the President's talking point that there is 97-percent consensus among scientists that humans are driving cli-

mate change. The survey found that roughly one out of three meteorologists do not believe man is the primary cause—if, in fact, it is happening.

Overall, neither the American people nor Congress supports the President's detrimental climate change agenda and his attempt to bolster his personal legacy with empty promises.

Let me wind up and say that we welcome the international community to come over here, but with regard to the Paris Climate Agreement, nothing is going to happen.

I wish to mention a couple other things. Many countries quickly jumped on the global warming bandwagon that the United Nations was trying to sell to the world and instill an obligation to impose associated restrictions. Australia was one of the first countries to join in. They did this several years ago—until they realized what it cost, and then they came back and passed legislation taking themselves off of this so that they are no longer legally obligated to do anything about their emissions.

If you stop and think about China, every 10 days China is building a new coal-fired power plant. This is the country the president is using to justify his own climate agenda while convincing the American people China is making similar contributions to reducing greenhouse gases. The problem with this is that China admits they are going to continue to build coal-fired plants and increase emissions until the year 2030 and then they will consider reducing their emissions. We know it is not going to happen.

Lastly, I remember when Lisa Jackson was appointed by President Obama. She was his first appointment as Administrator of the EPA. I remember talking to her in a public meeting live on TV, and I asked her the question: Let's assume that one of these pieces of legislation passes on cap and trade or that through regulation they are able to do it. Is that going to have the effect of reducing overall emissions worldwide?

She said: No, because this isn't where the problem is. The problem is in China; it is in India; it is in Mexico.

In fact, you can actually say this could have the effect of increasing emissions because as we chase our manufacturing base overseas, it may go to countries like China that have lower environmental standards and will ultimately increase emissions, not decrease.

So the President's international climate commitment is not going to happen. I want to make sure people are aware of that. We wouldn't want them coming over here under the impression that something is going to happen when it is not.

EXTENSION OF MORNING BUSINESS

Mr. INHOFE. Mr. President, I ask unanimous consent that morning business be extended until 12:30 p.m.

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

ORDER FOR RECESS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate recess from 12:30 p.m. to 2:15 p.m.

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

FAA REAUTHORIZATION BILL

Mr. INHOFE. Mr. President, I would yield the floor, but I don't see anyone else here.

I would like to comment on the FAA reauthorization bill. I had a couple of amendments to it, and I want to mention that both of my amendments have now been accepted. I feel very good about that. I think we are currently considering a bill that is very necessary to go ahead and get passed.

I again commend Senator THUNE and Senator NELSON for working yesterday to get through a number of important amendments that were approved by the Senate. Included in the group was an amendment I offered that would direct the FAA to establish rules to allow critical infrastructure owners and operators to use unmanned aircraft systems to carry out federally mandated patrols and to perform emergency response and preparation activities. This is one I feel very strongly about because there is a lot of controversy around drones, but we do know there are some things that have to be done—pipelines, for example. It is just as easy for a drone to do it, and it can be done in all kinds of weather.

This amendment would apply to energy infrastructure, such as oil and gas and renewable electric energy. It would apply to power utilities and telecommunications networks. It would apply to roads and bridges and water supply systems operators.

This amendment provides needed congressional direction to the FAA where there is a clear and articulable need, and I am glad it was accepted yesterday. I thank Senators BOOKER, HEITKAMP, WHITEHOUSE, MORAN, and KING for cosponsoring this amendment with me.

I want to turn to a provision that is in the base text of the FAA bill that is of particular importance to Oklahoma but impacts the entire aviation community—the commercial, military, and general aviators—and that is because it impacts air traffic controllers.

The FAA bill, which is the bill we are considering right now, includes a provision to encourage the hiring and retention of high-quality air traffic controller instructors. This is particularly important to me because the FAA Academy, which is where all the air traffic controllers are trained, is located in Oklahoma City. These instructors, who are required to have prior experience as air traffic controllers, are discouraged from working full time due to existing government regulations be-

cause they are former air traffic controllers. Without full-time instructors, we need four times as many part-time instructors to provide the needed instruction time to train for the next generation of controllers to manage the air traffic at our control towers, so that means the FAA must bear four times the cost of training new instructors. I am glad this bill will remove the government regulations that discourage full-time instructors. I thank my colleagues for working with me to address this problem.

Another one—and this is very significant. This is volunteer pilot protection. Last week I offered an amendment for consideration that supports volunteer pilots. This is a Good Samaritan law for pilots. Across the country, there are a lot of volunteer pilots. I myself have done this. I have been an active commercial pilot for 60 years. I can remember several times—once going down to an island just north of Caracas, Venezuela, that had been wiped out by a hurricane. I found 10 pilots to take down with me, medical supplies, food, and all of that.

During that time, if something had happened, even though he was a Good Samaritan—he was doing it at his own expense—he could have been sued for any number of exposures that are out there.

People are generous with their time and provide at no cost air transportation to someone in need of specialized medical treatment. We have done that before too. This amendment would provide those volunteer pilots limited liability protection as long as they follow appropriate procedures, as long as they have the required flight experience and maintain insurance. My amendment would not eliminate liability but would limit it in certain circumstances. Furthermore, volunteer pilots who do not meet all requirements or who are guilty of gross negligence or intentional misconduct don't have any protections. Furthermore, the pilots are required to maintain liability insurance to qualify for the protection.

In the 1997 Volunteer Protection Act, Congress recognized that the willingness of volunteers to offer their services is deterred by a potential for liability actions against them. I think that makes common sense. I think we all understand that. This amendment remains true to congressional intent and removes a disincentive that keeps pilots from volunteering to fly financially needy medical patients, humanitarian and charitable efforts, or other flights of compassion to save lives and to provide great benefit to the public.

Pilots are not going to get more reckless or choose to act more dangerously because they have liability protection. Pilots are already at risk, and they are a risk-adverse group because every time they fly, they take their own life in their hands—regardless of why they are flying. These pilots are acting out of the goodness of their hearts and willingness to help.

Fortunately, accidents are infrequent, and anecdotally I am told that in the past 10 to 15 years, there have been perhaps five or six lawsuits involving volunteer pilots and volunteer pilot organizations. So the problem isn't that that is actually going to happen, but it is the fact that there is a deterrent there to discourage people from doing what they want to do, what a Good Samaritan does. The volunteer pilot organizations that work to coordinate volunteer pilots do not need to maintain databases of lawsuits and the results of lawsuits precisely because they are so infrequent. If there were a lot of accidents and resulting law suits, I think it is fair to say the FAA, NTSB, and volunteer pilot organizations themselves would be investigating whether volunteer pilot activity was a safe activity to begin with.

The larger concern for volunteer pilot organizations is that pilots will not volunteer for fear of being involved in a lawsuit, which would then prevent a needy service from being provided. So it is more about what the lawyers say the potential could be, and that has a direct impact on recruitment for volunteer pilots. Looking ahead, if a pilot were ever successfully sued and his or her assets were at risk, it would be too late to act to prevent a mass exodus of volunteer pilots.

This amendment is about making sure there continues to be volunteers who are willing to provide much-needed assistance. The amendment is not agreed to yet, but it recognizes the value of volunteer pilots and their contribution to the public good. I urge my colleagues to be supportive of this effort.

In conclusion, I thank Senator THUNE for his leadership, as well as Senator NELSON, for bringing this bill to the floor. I look forward to a robust amendment process.

In fact, I encourage anyone who has an amendment to come down, present his amendment, and talk about it. One of the problems we had during the highway bill was not being able to get Members to bring their amendments down, and it ended up delaying the bill for several weeks, which was totally unnecessary. I also encourage the House to take up and pass this bill.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FLAKE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. HIRONO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

(The remarks of Ms. HIRONO pertaining to the introduction of S. 2784 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Ms. HIRONO. I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.