

Mr. SCOTT of Virginia: I rise in opposition to the rule because it includes a manager's amendment with problematic provisions.

The manager's amendment will prevent the disclosure and use of safety data. It provides immunity to all persons and organizations involved in the implementation of a safety management system, and it provides total immunity for volunteer pilots, volunteer pilot organizations and referring agencies.

By preventing the disclosure of safety information, the manager's amendment severely hinders the ability of people injured by the negligence of the aviation industry, or their surviving family members, from obtaining crucial information that they need in a court of law to determine whether or not their loss was due to the industry's negligence. Essentially, it allows the negligent airline companies and their employees to hide and to keep evidence of their negligence secret.

Additionally, by granting immunity to any "person that is required to implement a safety management system" and for volunteer pilots and pilot organizations, the manager's amendment would potentially provide immunity to the entire aviation industry. This immunity provision is so broad that it would protect individuals who negligently fail to follow a safety standard even if that failure led to massive passenger deaths.

Madam Speaker, this is outrageous, and it essentially asks the airline passengers to put their lives in the hands of aviation teams which could possibly have no liability for any negligence that occurs during a flight. This is unnecessary because we already have in law the Volunteer Protection Act, which provides immunity only for volunteers. This amendment will interrupt the careful balance achieved through that act by giving volunteer organizations and others immunity as well.

The airline industry is free to purchase liability insurance to ensure that people are protected from the negligent acts of its employees. This amendment exempts the industry from having the responsibility for the safety of the public and its employees, and it is certainly not in the best interests of the flying public.

This rule should be defeated so that that amendment cannot be offered.