

Mr. ROCKEFELLER. Mr. President, it is my understanding that we were going to go to the FAA bill at 11 o'clock. I was not aware morning business had been extended until 12:30 p.m.

The PRESIDING OFFICER. The Chair understands the Senator from West Virginia seeks recognition for 30 minutes.

Mr. ROCKEFELLER. The Presiding Officer is an extraordinary person.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

FAA REAUTHORIZATION

Mr. ROCKEFELLER. Mr. President, imagine this: gridlock in the skies; passengers delayed for hours and hours on a runway; an aging, antiquated air traffic control system just struggling to keep up with the growth of air traffic; a fight over how to pay for the billions of dollars needed to address airport infrastructure, infrastructure in all of its manifestations. I could be talking about the present, but I am not. I am talking about the years 2000 and 2001, prior to 9/11.

Then 9/11 did happen. It changed our country forever, and it changed it in countless ways. It forced us to understand how important aviation is to our Nation, our economy, and, in fact, very much our way of life. It also showed how fragile our system is and, I will argue, how fragile our system remains as it further deteriorates.

This Congress has worked diligently to address the security weaknesses. That was the TSA that took place a long time ago. That is working. It is not perfect, but it is working. I think people feel safe with it, but we have not adequately addressed any of the other weaknesses.

We have completely inadequately funded the Federal Aviation Administration. We have a chronically unprofitable commercial aviation industry, which is the backbone of our Nation's commerce. We have an inadequate investment in aerospace research. Because of this, we face the same problems we did in 2000 except they are worse. I want to spend a couple of minutes discussing why we have made so little progress in addressing this significant aviation system, and this is really my introduction to the bill. It is just not done in sequence.

Perversely, the attacks of September 11, which brought the commercial airlines system to its knees, flat to its knees, properly to its knees, solved the crisis of gridlock in the skies, to say the very least. The enormous dropoff of air travel in 2002 and 2003 reduced the stress on our Nation's 1950s air traffic control system. We are the only ones in the industrial world—and I have another comparison to make which is even more stunning later on. So delays and congestion were not issues for travelers. We felt pretty good about it. Passengers were not daring to fly yet. They didn't want to fly that much yet, so there was not a lot of congestion.

Not so good for the airlines but good for people who wanted to get to places on time.

As is often the case, the urgency surrounding the need to modernize the air traffic control system and turn it from basically an x-ray and ground radio system into a digitalized, highly modern system, as every other industrial country has, the interest in that system becoming current, safer, more efficient, able to handle more passengers on time and more delivery of cargo, waned because the air traffic control system is not easily understood. It is assumed. It is taken for granted. People assume it is the most modern because it is America; therefore, it has to be. In fact, it is the least modern of all systems in industrial countries.

So interest waned, and in the 2003 FAA reauthorization, which I helped author with then-Senator Lott, we laid a foundation to build a modern, digital satellite-based air traffic control system. We authorized a significant increase in the FAA's capital budget to meet the ATC modernization needs, an increase based upon the administration's own request, in fact. But instead of investing in the system in 2004 and 2005; that is, speed of landing, parallel landing, all of those items, even taking into account wind shear, which every other country has except us, instead of that, in 2006, the Bush administration proposed dramatic cuts in the FAA's facility and equipment account, which is precisely the account which funds the modernization of our air traffic control system.

I have to say, Congress complied. I am not proud of that fact. I am not quite sure the reason for that, but facts must be stated.

Over this period, Congress therefore appropriated \$600 million less than the 2003 FAA bill authorized for the FAA's capital accounts. It is a sad story on the part of the administration, and it is a sad story on the part of us. Neither of us were living up to our obligations. Obviously, people didn't see the future.

Under the leadership, however, of Senator MURRAY, the Senate has begun fully funding the FAA's modernization needs, but the damage of underfunding the FAA is not easily repaired. It is a large battleship. We just cannot turn it around in a couple of years.

The budget surpluses that we once had are gone, but by the FAA's own estimates the development of the next generation of air traffic control system, NextGen—when I say that, I mean the digitalized GPS system—is going to cost between \$20 billion to \$40 billion through the year 2025.

I might add, we are going to have to not only maintain our analog system because that is what we are using, inefficient as it might be, but build a new system at the same time.

Despite the popular misconception that we are building a new system that the FAA will turn on one day in 2025, NextGen is a program that will then employ multiple technologies over

time. I will discuss NextGen in detail later. I will discuss a lot of items in a lot of speeches later. But we cannot just shut off the ground-based radar system. That is all we have, crummy as it is, pathetic as it is. The FAA will need to operate that system for years to come, probably 10 to 12 years to come.

By late 2006, it was clear that air travel was returning to pre-9/11 levels. That took some time, but in 2006 there we were. The ATC's system ability was again overtaxed to meet the demands being placed upon it. Gridlock in the skies returned, and it is only going to get worse.

I said yesterday the FAA is forecasting that 1 billion passengers will pass through our Nation's aviation system by the year 2025. That is a 300 million person increase from this year. We cannot ignore this issue anymore and, hence, this bill.

The United States is losing its position as the global leader in aviation. As the Economist magazine noted—this is so horrible I cannot even say it, but I am going to because it is true—the United States is behind Mongolia in the adoption of new air traffic control technologies. That is a national disgrace, and there is also a reason for it. Mongolia did not have an air traffic control system of any sort. So when they decided to do it, they did it digitally, GPS. So they are ahead of us.

I think it is a national embarrassment that a major carrier has to inconvenience 200,000 passengers—that is what we have been reading about for the last several weeks—because the FAA was not properly overseeing the airlines' maintenance.

Our Nation's aviation system is, to be quite blunt, on the brink—it is on the brink. It is at the cliff. We must move boldly into the future or we risk losing a lot of safety and a lot of lives.

I cannot emphasize the importance of a vibrant and strong aviation system. I want people to hear this point. They take it for granted. You get on an airplane, and you go do something. No, you get on an airplane, you go do something, but it is also the bellwether of the Nation's economic underpinning. It is not the U.S. highway system. People don't drive to States to look at industrial sites or to make decisions; they fly. What you cannot do over the Internet, the next closest step is aviation, and it bears our attention. It has never gotten it in the 24 years I have been in this body.

It is fundamental to our Nation's long-term growth. It is also vital to the economic future of countless small and local communities, something the distinguished Presiding Officer from his very roots understands very well.

For example, in West Virginia, people who work in the automotive industry need easy access to Asia to facilitate their business. Yes, that is West Virginia, but that is very important to me. West Virginia is like every other State. There is no State in this country that does not have rural areas. All

of our future is tied to a modern aviation system, if we would only have the will to build it. In this bill, we begin to.

We have all witnessed the fragility of our Nation's aviation system firsthand. It has been all over the news. People are furious. The waiting lines, the stories about planes bumping into each other or almost bumping into each other on the runways as they move around—it is just too much, too many people. Go into any airport. As I said yesterday, I came back into Washington National Airport from some city in the North, and you couldn't move. You could barely move. The whole airport was just packed with people—not just around the counters, not just around the gateways, but the whole place was packed. I was saying to myself: This is Washington National, the Nation's Capital, highly prosperous, definitely growing. What is it going to be like 10 years from now?

If we do everything we want, we will not have this system in place by 10 years. It was scary.

Our constituents are very frustrated about flying and they have every right to blame us, the administration and the Congress. It is easy to blame the airlines. That is always everybody's choice of blame—blame the airlines. There is no question that the airlines have a lot to do to improve their customer service, and the bill addresses that issue. All kinds of things have to happen in the airline industry. But I am going to give a speech this afternoon which talks about the airline industry and how absolutely desperately close it is to collapsing. I exaggerate not.

We must address the core problem facing the system and the lack of capacity to allow more aircraft to use the skies. When the weather is clear and our Nation's aviation infrastructure operates perfectly, most travelers get to their destinations on time. It just seems the weather is not clear very often these days, and people are frequently shuttled to other places to get to where they are going, the original place, or they have to sit on the tarmac for a long time and they get in a very bad place—and indeed they should.

It is a conundrum. I heard this morning a couple of airlines are thinking about raising their prices. They have the price of oil and their fuel. The prices of oil and their fuel are, in fact, two very different numbers. What are they going to do? How are they going to get out of this? If the equipment fails to work properly because the weather is bad, or even for a few minutes, the system often grinds to a halt, and delays in key airports such as JFK and O'Hare Airport are felt through our entire system.

You can take eight runways—Senator DURBIN and I tried to do this a number of years ago. You can fix the eight runways at O'Hare Airport, which was built back in 1962 with very few

people traveling and the runways were not built in the modern sense, with modern flow in mind. It would take about \$10 billion to \$12 billion to do that. But if you did it, air congestion in the United States would probably clear up by about 25 to 30 percent instantly. So it is not a large, complicated thing. Sometimes it is an air traffic control system you need, sometimes it is a reconfiguration of runways, sometimes it is how do you handle the New York-New Jersey area. But these are not problems beyond our reach. Aviation gridlock is not just an inconvenience, it is becoming a threat to our economic well-being.

Aviation experts predict that these delays are going to go from bad to worse—soon. By the year 2015, delays will become so bad—I hope my colleagues will listen to this part—that none of the 1 billion people who will be traveling on airlines that year will get to their destinations on time—not one. That is what is being predicted. That is not very far from now. That is what is being predicted. More planes will be needed and they will lead to greater congestion in the skies. The meltdown of the air traffic control system will put passenger safety at unnecessary risk. S. 1300, our bill, authorizes approximately \$65 billion for all FAA operations and programs. Most important, our bill lays the necessary foundation for developing NextGen air traffic—that is the new air traffic control system—by providing it \$12 billion over the life of this bill for FAA's capital investment accounts.

Importantly, Senator BAUCUS and Senator MURRAY and I have agreed on the creation of a new subaccount—this is not manipulation, it is a perfectly proper thing to do—a new subaccount with the aviation trust fund that will provide \$400 million for the next length of this bill, and then for bills after that because we will have to do it again, so we can get our air traffic control system rebuilt.

I appreciate the hard work of our colleague. Senator MURRAY is unbelievable on these things, as she is on virtually everything. A new satellite-based radar system will allow airplanes to move more efficiently, improve safety, improve the flow of commerce, reduce the consumption of fuel which in turn creates environmental benefits.

The bill provides approximately \$16 billion for airport infrastructure—it is a boring word with large consequences. Since 2000, I am pleased we have been able to double the amount of funding annually for airport infrastructure grants—that means lengthening runways, that means improving conditions, that means upgrading what is needed to handle air traffic in a rapidly growing traveling world. Our investment in runway capacity has made dramatic improvements in safety.

I believe everyone in aviation recognizes the need to modernize our national air transportation system in order to meet the growing surge of pas-

sengers and to accommodate the enormous increase in general aviation. I am going to have a speech to make about general aviation, but I will not do it today—particularly high-end general aviation. That is called jets. I am not talking about crop dusters. General aviation is made up of lots of things—we only include 10 percent of that 100 as our target, where we can rightfully and legitimately go. Those people are getting a free ride. I will have a speech about that, I guarantee you.

It is a very unhappy situation when people hear about it. It is probably best explained on Jay Leno or David Letterman. That would probably drive it home to people. Until then, it is sort of an abstract quality. Until then, look at those big, fancy jets. We don't like those big, fancy jets. What they are not doing is helping pay for all this. They are paying for 3 percent of our air traffic control system even though they are the majority of airplanes in the skies at any given moment over the United States of America.

All this has been a long and very bitter dialog. In early 2007, Senator Lott and I asked the stakeholders to come to an agreement on FAA funding issues. It was a fascinating experiment, which we see very often. No one wanted to compromise. So we said we will give you a choice. You sit down in a room. We will provide the sandwiches and the Coke or whatever. Then you come out with an agreement or we will write a bill for you. They chose not to yield a single point, not a single point. They all had to have exactly what they had. They didn't want to pay anything more. Air traffic control—push that aside, you are not going to tax me. It is the other guy.

So Senator Lott and I imposed a compromise on everyone. The compromise sparked an absolutely fascinating but not pleasant multiyear, multimillion dollar campaign against our lovely bill, S. 1300. Later on I will discuss, as I indicated, much more about that.

We have compromised. I have compromised—not happily but necessarily—in order to reach a bipartisan bill that could actually be signed into law and begin the work of modernization in earnest, along with making such needed safety improvements.

Air traffic control modernization is but one of the many challenges the FAA faces. Over the last several weeks, the FAA's ability to oversee the airlines it regulates has undermined the public confidence in the safety of our Nation's air traffic system, and nobody can dispute that. People are in shock at what they have seen over the last several weeks. Statistically, the United States has the safest aviation system in the world. That is what they always throw at us. But statistics do not always tell the whole story, nor do they say anything about the future.

I am particularly concerned about the number of runway incursions. That is when airplanes are on the tarmac

and they are moving around, positioning themselves under the guidance of the air traffic control system. They are constantly almost running into each other—or in the air—or just missing. It is unacceptable. It is horrible. It is heading in a much worse direction. It is not something we talk about much, but once in a while stories of near misses at our Nation's airports in fact do make the news.

Let's be honest. If it had not been for the quick thinking and action of a few air traffic control people and our pilots, our Nation would have had one if not several major accidents claiming the lives of hundreds of people over the last several years.

This legislation and the managers' amendment I have offered contain provisions to improve the safety of the Nation's aviation system and the FAA's oversight of that system. The AMAC, as we call it, includes a number of provisions to improve safety, providing the FAA with the resources to conduct thorough oversight of air carriers and foreign repair stations—this is a very controversial subject so expect to hear more about that—and upgrade the existing safety infrastructure at our airports.

Later in our debate—not today, not this morning—I will outline the important facts of the safety provision in the bill.

The bill addresses the other core challenge which will be facing our aviation system, and that is keeping America's small communities connected. The Presiding Officer and I understand that. So does every Senator in this body; if they choose to focus on it, they should be able to understand it. The continuing economic crisis facing the U.S. airline industry absolutely imperils, in stark and terminal terms, the future of hundreds of small rural communities across our country as area carriers drastically reduce service to small rural communities—which is exactly what is going on. That acceleration is going to pick up.

Then you have to say years ago we did this e-rate thing to make the Internet available to everybody in every classroom; no different rural and urban, everybody had it. We went from 15 percent connection to 97 percent.

Not so on aviation. We are going in the other direction. While small and rural communities have long had to cope with limited and unreliable service, we are grateful to have limited and even unreliable service. We are grateful to be able to get into a little prop—because that is what we have—and get from here to there because we can connect in the hub-and-spoke system.

All of these problems have been exacerbated by the weakened financial condition of most U.S. airlines. I am going to talk about that this afternoon. The reduction or elimination of air service has a devastating effect on the economy of small communities. Having adequate air service is not just a matter of convenience or pride, it is a mat-

ter of survival: economically, psychologically—self-esteem. Without access to reliable air service, no business is willing to locate its operations in these areas of the country, no matter how attractive the quality of life, no matter how much less the housing costs, no matter how much land may be available. They will not go there. Airports are economic engines that attract critical new development opportunities and jobs.

West Virginia has been able to attract firms from around the world. Why? Because corporate executives know they can visit their operations with ease—for no other reason. As I will explain in my next speech about the state of the airlines, which is a very depressing speech and therefore important, that is in jeopardy. Rural and smalltown America must continue to be adequately linked to the Nation's air transportation network. That is all we can do. We can't get from here to an important place directly, but we can link into the hub-and-spoke system, which has been what we have always done.

I wind up. Small and rural communities are the first to bear the brunt of bad economic times and the last to see the benefit of good economic times. That is not fair. Americans are Americans. The general economic downturn and the dire straits of the aviation community have placed exceptional burdens on air service to our most isolated communities. The Federal Government must provide additional resources, and our bill does that.

The bill also reaffirms our commitment to rural America by increasing the essential air service—the Presiding Officer well knows what that is—and also to the Small Community Air Service Development Program, for 4 more years, and we also have a passenger bill of rights which will be discussed later.

The industry would be required to provide a number of things: Telling people about what planes are on time, what are not, what the pattern is; sort of to get a sense of all that, but there is a lot more. So all of us recognize there are no quick and easy solutions to this timely and timeless problem that plague our aviation industry.

Aviation incorporates so many things that are so critical to all of us. It connects people to distant family members, links businesses to businesses, allows people to interact easily on a global scale. We are a global world, but it is still amazing to me to be able to get on a plane in the morning in West Virginia and be in Asia that same day.

So what railroads were to the 19th and 20th centuries, air transportation is to the 21st century; with all due respect to our interstate highway system. So given the challenges our Nation's aviation system faces, I think we must pass S. 1300, which is called the Aviation Investment and Modernization Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I would like to inquire as to how much time I have.

The PRESIDING OFFICER. There is 37 minutes remaining for the use of the minority at this time.

Mr. INHOFE. First of all, let me say to my friend from West Virginia, we have done a good job in the areas you are talking about because it was not too long ago that all the AIP concentration was going to big regionals. Due to our efforts, we now have given greater power to the State aeronautic boards, who have a better idea as to what the needs are in the State of West Virginia, my State of Oklahoma.

I think we have come a long way. I would certainly echo what you say. I am a little privileged to be the last active commercial pilot in the Senate, so I take a personal interest in these things.

But there is nothing that can help a community be more viable than a good general aviation airport, an airport that can serve the commercial community. In fact, you can look through our State and see where the communities are not doing well and tie that to the capacity they have—air traffic capacity.

So I think we are going to be doing a good thing by addressing that this afternoon. That is not why I am here though.

BIOFUEL MANDATES

Mr. INHOFE. Mr. President, we are in the midst of global food difficulties. You have been seeing it on television, and it is the result of decades of misguided environment and energy policies. As worldwide food availability decreases and prices continue to skyrocket, decades of ill-conceived planning by politicians and bureaucrats right here in Washington, afraid of expanding our energy supplies, are now bearing ugly fruit.

American families and the international community continue to suffer from these misguided policies, and Washington has to take the first step to begin to address these problems. I think we know what the problem is right now. We have mandated certain things to take place in terms of our fuels, it has had a result of increasing prices of food, but it has another unintended consequence; that is, it is diverting the use of corn to go to fuel as opposed to food.

Now, I am here today to demand two dramatic and necessary actions to help mitigate our current biofuel policy blunder. I have always supported all forms of energy, including biofuels, for a diverse and stable energy mix, but currently policy has skewed common sense and violated the principles of sound energy policy.

These effects are being felt in my home State of Oklahoma, where I am hearing concerns regarding ethanol.