

OASDI. When someone who is disabled files a claim in this country, on average it takes 491 days to process it. That, after we have given more than \$2.5 billion in increased funding to the Social Security Administration.

Precious little progress has been made. They say it used to be 514 days, now it is 491 days. That is not much progress as far as I am concerned if you are disabled and you are expecting to file a claim and have a claim processed in a reasonable period of time.

In my State there are 2,800 claims that are awaiting action. The number of administrative law judges—we have two vacancies now out of five. One gave his notice almost a year ago and has not been replaced.

None of this makes any sense to me. Congress should expect, of an agency like this, especially when you get \$2.5 billion in extra funding over five years, to understand why has no progress been made. I sent a letter to the head of Social Security asking what happened to the \$2.5 billion. On the appropriations side, I want some understanding of what happened to that money and why significant progress has not been made in these disability claims that resulted from the funding given the administration by the Congress.

Let me withhold for a moment and yield the floor so my colleague can take the floor with an agreement.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

UNANIMOUS CONSENT AGREEMENT  
EXECUTIVE CALENDAR

Mr. WHITEHOUSE. As in executive session I ask unanimous consent that today at 3 p.m. the Senate proceed to executive session to consider Calendar No. 653, the nomination of O. Rogeriee Thompson to be a U.S. circuit judge for the First Circuit, and there be up to 30 minutes of debate with respect to the nomination with the time equally divided and controlled between Senators WHITEHOUSE and SESSIONS or their designees; with Senator REED of Rhode Island controlling up to 5 minutes; that at 3:30 p.m. the Senate proceed to vote on confirmation of the nomination; that upon confirmation, the motion to reconsider be considered made and laid on the table and any statements relating to the nomination be printed in the RECORD as if read, the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WHITEHOUSE. I thank the distinguished Senator for yielding for that unanimous consent.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, In the remaining couple of minutes, let me say it is my hope and the hope of Senators ROCKEFELLER and HUTCHISON that we will be able to make progress and complete the FAA reauthorization bill.

This is the fourth day. We have seen so many interminable delays in the Senate. Let's not delay legislation that has bipartisan support, that deals with the issue of air safety in this country, and has so many important provisions. Let's not at this point decide to delay this, of all pieces of legislation, something that should have been done long ago and has had 11 extensions instead of a reauthorization bill, when we finally have a bipartisan reauthorization bill brought to the floor of the Senate.

It is my hope if we are going to get cooperation on anything, at least we could expect it on this piece of legislation. My hope would be in the half-hour debate—I guess 1-hour debate and subsequent vote on the judge, we might make some progress in seeing whether we could get cooperation to be able to complete this bill today.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. Will the Senator withhold the request?

Mr. DORGAN. I will withhold.

EXECUTIVE SESSION

NOMINATION OF O. ROGERIEE THOMPSON TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIRST CIRCUIT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will go to executive session. The clerk will report the nomination.

The legislative clerk read the nomination of O. Rogeriee Thompson, of Rhode Island, to be United States Circuit Judge for the First Circuit.

Mr. LEAHY. Mr. President, I congratulate Justice Thompson on what should be her confirmation by the Senate today as a judge on the United States Court of Appeals for the First Circuit. President Obama has made another outstanding judicial nomination. The Senators from Rhode Island have worked tirelessly to bring this matter to conclusion with a Senate vote since her nomination was reported by the Senate Judiciary Committee 2 months ago.

It has been 2 weeks since the Senate has acted on any of the 18 judicial nominations approved by the Senate Judiciary Committee that are being stalled by Republican obstruction on the Senate Executive Calendar. It has been almost 4 months since I began publicly urging the Senate Republican leadership to abandon its strategy of obstruction and delay of the President's judicial nominees. Regrettably, their practices continue. Even though Justice Thompson is a well-respected judge who has more than two decades of experience on her State's courts, and whose nomination was reported by the Senate Judiciary Committee without a single dissenting vote, her nomination has been stuck on the Senate Executive Calendar for nearly 2 months. Jus-

tice Thompson's nomination is not the only one being stalled despite having been reported without opposition by the Senate Judiciary Committee. There are a dozen such nominations ready for consideration and confirmation that have been stalled without reason or explanation. They could and should all be considered and confirmed without further delay.

In addition there are another half dozen judicial nominees awaiting final consideration by the Senate that were reported with just a single, or a few, negative votes. Those should be debated and voted upon without more delay. If Republicans would enter into time agreements, they would be considered. We should not have to go through another filibuster and cloture vote like that on Judge Barbara Keenan of Virginia, whose nomination was stalled for 4 months and then approved 99 to 0. There was no reason for that delay. Yet it amounted to a Republican filibuster until it was finally ended 2 weeks ago by the majority leader and that Senate vote.

Just yesterday, more than a dozen Senators spoke about the delays and obstruction of the President's nominees. Many Senators spoke about the recent Republican filibuster of Judge Barbara Keenan. The Senator from Pennsylvania spoke about the nominee stalled since December to fill a Pennsylvania vacancy on the Third Circuit. The Senators from North Carolina and Maryland noted that two well-qualified nominees to vacancies on the Fourth Circuit remain stalled. And the Senator from Rhode Island, a hardworking member of the Judiciary Committee, spoke of the nomination on which we are finally being allowed to vote today, that of Justice Rogeriee Thompson.

When the Senate confirms Justice Thompson, we will be confirming the first African American to serve on the First Circuit, and only the second woman. She is a trailblazer and an extraordinary woman. She will be an outstanding Federal judge.

The Judiciary Committee has favorably reported 35 of President Obama's Federal circuit and district court nominees to the Senate for final consideration and confirmation. Only 17 of these have been confirmed. Justice Thompson's nomination will be the 18th. There are another five judicial nominations set to be reported by the Judiciary Committee this week, bringing the total awaiting final action by the Senate to 22.

Despite skyrocketing vacancies—now totaling over 100, more than 30 of which are “judicial emergencies”—we are far behind the pace for considering nominations set by the Democratic majority during President Bush's first 2 years in office. By this date during President Bush's first term, the Senate had confirmed 41 Federal circuit and district court nominations and there was only a single judicial nomination pending on the Senate's Executive Calendar. Only a single nomination was

pending. In stark contrast, to date the Senate has confirmed just 17 of President Obama's district and circuit court nominees, with an embarrassing backlog of 18 judicial nominations on the calendar awaiting Senate action. We are currently on pace to confirm fewer than 30 Federal circuit and district court nominees during this Congress, which would easily be the lowest in memory. We have to do far more to address this growing crisis of unfilled judicial vacancies.

The Republican strategy to stall, obstruct, and delay the Senate from considering President Obama's nominations is working, at great cost to the American people. Their failure to do their constitutional duty of considering the President's nominations is encumbering judges across the country with overloaded dockets and preventing ordinary Americans from seeking justice in our overburdened Federal courts. This is wrong. We owe it to the American people to do better.

The refusal by Republicans to make progress considering judicial nominations is hard to understand given the work President Obama has done to reach across the aisle to work with Republican Senators in making judicial nominations. Unlike the often partisan and divisive picks of his predecessor, President Obama deserves praise for working closely with home State Senators, whether Democratic or Republican, to identify and select well-qualified nominees to fill vacancies on the Federal bench. Yet Senate Republicans delay and obstruct even nominees chosen after consultation with Republican home State Senators.

Senate Republicans unsuccessfully filibustered the nomination of Judge David Hamilton of Indiana to the Seventh Circuit, despite support for his nomination from the senior Republican in the Senate, DICK LUGAR of Indiana. Republicans delayed for months Senate consideration of Judge Beverly Martin of Georgia to the Eleventh Circuit despite the endorsement of both her Republican home State Senators. The nomination of Jane Stranch of Tennessee to the Sixth Circuit, endorsed by home State Republican Senator LAMAR ALEXANDER and reported by the committee with bipartisan support, has remained stalled on the calendar since last year. The nominations of Judge James A. Wynn and Albert Diaz of North Carolina to the Fourth Circuit both have Senator BURR's strong support and yet have remained on the calendar for more than 6 weeks. The list goes on.

President Obama has worked closely with home State Republican Senators, but Senate Republicans have still chosen to treat his nominees badly. Indeed, the demand for consultation with home State Senators was the purported basis for the threat from Senate Republicans to filibuster President Obama's judicial nominations before he had made a single one. They wrote in their March 2, 2009, letter to the Presi-

dent: "[I]f we are not consulted on, and approve of, a nominee from our states, the Republican Conference will be unable to support moving forward on that nominee." Yet despite the fact that they were consulted and that Senator LUGAR did approve, Senate Republicans insisted on filibustering Judge Hamilton's nomination. Despite consultation, there are still a dozen and one-half judicial nominations stalled on the Executive Calendar.

After Republican Senators pocket-filibustered more than 60 of President Clinton's judicial nominations, denying them even hearings and votes in committee and creating a vacancy crisis on the Federal bench, Democrats did not do the same to President Bush's nominees. We treated them much more fairly. We worked hard through 2001, even after 9/11 and the anthrax attacks, holding hearings even during Senate recess periods, in order to swiftly consider President Bush's nominees. That is why by this date in 2002 the Senate had confirmed 41 judicial nominees. By contrast the confirmation of Justice Thompson will be only the 18th Federal circuit or district court judge nominated by President Obama to be confirmed. At this date in March 2002 there was a single judicial nominee awaiting Senate consideration. By contrast, today there are 18 stacked up because Senate Republicans refuse to consent to their consideration.

Yet when Democrats refused to rubberstamp a handful of the most extreme, ideological, and divisive of President Bush's nominees—not the 60 nominations of President Clinton's that Senate Republicans pocket-filibustered, or the 18 we have stalled on the calendar right now—Republican Senators changed their tune, disavowed any responsibility for their obstruction of President Clinton's nominees, and contended that filibusters of judicial nominations were "unconstitutional" and "offensive." The Republican leadership of the Senate Judiciary Committee broke virtually every precedent and rule we had in order to force nominees through the committee, and the Republican leadership of the Senate sought to activate the "nuclear option" to break Senate rules and precedent in order to ram through each and every nominee.

Unfortunately, those same Republican Senators that once threatened to blow up the Senate unless every nominee received an up-or-down vote are now engaged in another attempt to abuse the rules of the Senate and undermine the democratic process. Republican Senators who just a few years ago insisted that "elections have consequences" have now made the use of filibusters, holds, and excessive procedural delays the new normal in the Senate in order to thwart our ability to make progress addressing issues that affect all Americans. Those who just a short time ago said that a majority vote is all that should be needed to

confirm a nomination, and that filibusters of nominations are unconstitutional, have reversed themselves and now employ every delaying tactic they can, imposing on the Senate a requirement to find 60 Senators to overcome a filibuster on issue after issue.

A bipartisan group of Senators joined together in 2005 to end that last attempt by Republican leadership to abuse the rules of the Senate by joining in a bipartisan memorandum of understanding to head off the "nuclear option" that the Republican Senate leadership was intent on activating. Those same Republican Senators who agreed in that memorandum of understanding that nominees should only be filibustered under "extraordinary circumstances," have abandoned all that they said they stood for by engaging in an effort to stall or prevent an up-or-down vote on nomination after nomination.

We saw that with their attempt to filibuster the nomination of Judge Hamilton. Just 2 weeks ago a Republican filibuster of Justice Barbara Keenan of Virginia to be a Fourth Circuit judge resulted from Senate Republicans refusing to agree to debate and vote on that nomination. The majority leader was required to proceed through a time-consuming procedure to end the obstruction. The votes to end debate and on her confirmation were both 99 to 0. That nomination had been reported in October. So after more than 4 months of stalling, there was no justification, explanation, or basis for the delay. That is wrong. That was the 17th filibuster of President Obama's nominations. And that does not include the many other nominees who were delayed or who are being denied up-or-down votes by Senate Republicans refusing to agree to time agreements to consider even noncontroversial nominees.

So why are Republicans so insistent on reversing themselves and applying new standards to halt our progress filling vacancies on the Federal courts? Why have they insisted on departing so radically from the standards set by the Democratic majority during the first two years of the Bush Administration when we confirmed 100 of President Bush's judicial nominations in 17 months? Why have they rejected President Obama's efforts to reach across the aisle and nominate well-qualified mainstream nominees? Why are they intent on constructing procedural hurdles to delay and deny up-or-down votes to nominee after nominee?

The American people should see this for what it is: More of the partisan, narrow, ideological tactics that Senate Republicans have been engaging in for decades as they try to pack the courts with ultraconservative judges. What is at stake for the American people are their rights, their access to the courts, and their ability to seek redress for wrongdoing.

For all the talk we heard about “judicial modesty” and “judicial restraint” from the nominees of President Bush at their confirmation hearings, we have seen Federal courts—most notably the Supreme Court—these last 5 years that has been anything but modest and restrained. Conservative activist judges are time and time again substituting their personal beliefs to the law and the judgment of elected officials.

That is what we saw in the recent decision by a narrow five-justice majority of the Supreme Court in *Citizens United v. Federal Election Commission*, a decision that gutted bipartisan laws enacted to protect the ability of individual Americans to participate in elections and not have their voices drowned out by corporations. Regrettably, that decision is only the latest example of the willingness of a narrow majority of the Supreme Court to render decisions from the bench to suit their own agenda.

The *Citizens United* decision reinforces the profound concern I have had about the real-world consequences of recent court decisions for hardworking Americans. On issues like equal pay for equal work; the power of Congress under the 14th and 15th amendments to pass civil rights laws like the Voting Rights Act; and issues thought to be long settled like the meaning of *Brown v. Board of Education*, the current conservative majority on the Supreme Court seems determined to accrue to itself the powers given by the Constitution to Congress and to rewrite long-established precedents. The lower courts must follow suit. Make no mistake, this is the product of years of work by Republicans catering to the far right to remake the courts and reshape the law from the bench.

Republican Senators who demanded up-or-down votes for even the most extreme and ideological nominees of a Republican President now balk at the consideration of well-qualified, mainstream nominees of a Democratic President. The many years Democratic Senators worked to be fairer to President Bush's nominees than the Republican majority had been to President Clinton's nominees have been cast aside and forgotten by the Republican minority.

Justice Thompson's nomination is noncontroversial and should easily be confirmed. I urge the Senate also to take responsible action to consider the other 17 judicial nominations still awaiting a vote by the Senate. The Senate can more than double the total number of judicial nominations it has confirmed by considering not only Justice Thompson's nomination but the other judicial nominees on the calendar. We should do that now, without more delay, without additional obstruction, to put us back on track. Senators should work together to do our jobs for the American people.

Mr. DORGAN. Mr. President, I suggest the absence of a quorum and ask

unanimous consent that time be charged equally.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. MERKLEY.) Without objection, it is so ordered.

Mr. REED. Mr. President, shortly, we will have the honor and privilege, myself and Senator WHITEHOUSE, to join in supporting and confirming the nomination of Justice Rogeriee Thompson, who will be confirmed today to the First Circuit Court of Appeals.

Justice Thompson is an eminent member of our Rhode Island courts. She has been an Associate Justice of the Rhode Island Superior Court since 1997. She is a path breaker in many respects in terms of her talent, but also because she is the first woman of African-American descent to serve on the Rhode Island Superior Court. She will be the first African American to serve on the First Circuit Court of Appeals and only the second woman.

She has achieved these remarkable results because of her intellect, her character, her integrity, and her deep commitment to fairness and to justice. She is a remarkable woman. We are pleased and delighted that her nomination has been forwarded to us by the President. He has made a wise choice. Today, we will have the opportunity to consider the nomination and confirm her. She will do a remarkable job on the First Circuit Court of Appeals.

Originally, Justice Thompson was born in South Carolina, but she came to Rhode Island to attend Brown University. She earned her J.D. from the Boston University School of Law and began her career as a staff attorney at Rhode Island Legal Services.

So her progression to the First Circuit is one that has carried her a long way. I think it has included, very importantly, a strong commitment not just to the most fortunate in our country, but also to those who desperately need help and assistance.

She will bring that sense of fairness and decency to the First Circuit Court of Appeals. I urge all of my colleagues to support this worthy woman and her nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, the Senate is considering the nomination of O. Rogeriee Thompson to the United States Court of Appeals for the First Circuit. I join my distinguished senior colleague, Senator JACK REED, in applauding President Obama's selection of this very talented nominee. Judge Thompson's nomination has been an uncontroversial one and for good reason: She is a dedicated public

servant, a highly experienced and respected judge, and a credit to our home State of Rhode Island. I congratulate Judge Thompson on coming to this point in the process. I look forward to an uneventful confirmation vote in the next few moments.

I express to my colleagues my thorough confidence that she will have a distinguished career as a U.S. circuit court of appeals judge.

I also thank some of my colleagues. I am grateful to majority leader HARRY REID, to our chairman, PATRICK LEAHY, of the Judiciary Committee, and to Senators on the other side of the aisle, in particular Judiciary Committee Ranking Member SESSIONS, for clearing the path for us to vote on Judge Thompson's nomination today. I also am grateful that my senior Senator, JACK REED, gave me the opportunity to assist him in identifying the best possible nominee to recommend to President Obama to serve on the first circuit. As my colleagues know, it has been a great honor to serve with Senator REED since coming to the Senate. This experience with him was another great privilege for which I am deeply grateful.

After the Senate's action today, after a lifetime of achievement, Judge Thompson will make history as the first African American and only the second woman to serve on the U.S. Court of Appeals for the First Circuit. This will not be the first barrier broken by Judge Thompson, as she was the first African-American woman on each of the Rhode Island courts on which she has served. These were great moments in the history of our State. Her arrival will be a wonderful addition in the history of the first circuit. Judge Thompson has given our State 21 years of distinguished judicial service, first as an associate judge on the Rhode Island district court and subsequently as an associate justice on the Rhode Island superior court.

Judge Thompson has long scrupulously adhered to the proper role of a judge, respecting the role of the legislature as the voice of the people, deciding cases based on the law and the facts, not prejudging any case but listening to every party before her, respecting precedent and limiting herself to the issues properly before the court. Her courtroom deservedly has come to be known as a place in which every party can expect a fair hearing. I know she will earn the same reputation for fairness and excellence as a judge on the first circuit.

I should add that Judge Thompson has also made great contributions to our home State of Rhode Island outside of the courtroom. She has chaired or been a member of important court committees that have improved the quality of justice in our State. She has given back to her alma mater, Brown University, by serving as a trustee of that great university. She also has provided mentoring to innumerable students, given her time to countless law

school programs, and served on the boards of valuable and important non-profit groups such as the Rhode Island Children's Crusade for Higher Education, a board on which I was privileged to serve with Judge Thompson. Her willingness to give back to our Rhode Island community is characteristic of her entire family. Judge Thompson's husband, Bill Clifton, is a judge on the Rhode Island district court. Her brother-in-law, Bill's brother, Edward Clifton, is a judge on the Rhode Island superior court. It is a very judicial family.

I had the occasion to appear before Judge Clifton. He was the first judge when we began our Rhode Island drug court, when I was attorney general. I have had firsthand experience of his qualities as well. We in Rhode Island are very fortunate to be blessed by the service and excellence of this family. I am sure this is a very proud day for them all. I extend my best wishes and my congratulations.

I anticipate we will have a strong vote in favor of Judge Thompson. She passed without incident or opposition through the review of the Judiciary Committee. There were no questions raised about her at her hearing. The voice vote in her favor was unanimous. The track record to date is an indication of a likely resounding confirmation. I might add, if that happens, that is yet another evidence of how talented she is and how well she deserves this seat on the Court of Appeals for the First Circuit. It is an important circuit for our State. It is a very distinguished court. It has had very distinguished Rhode Islanders sit on it in the past. A friend of Senator JACK REED's and mine, the honorable Bruce Selya, has served on that court with immense distinction for many years. So there is an important Rhode Island tradition on the first circuit.

I can assure all of my colleagues in the Senate that as a justice of this court, O. Rogerie Thompson will discharge all of her duties with the greatest of distinction.

I yield the floor, suggest the absence of a quorum, and ask unanimous consent that the time be divided between the minority and majority.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. WHITEHOUSE. Mr. President, I ask for the yeas and nays on the nomination of Judge Thompson.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of O. Rogerie Thompson, of Rhode Island, to be United States Circuit Judge for the First Circuit?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Utah (Mr. BENNETT).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 56 Ex.]

YEAS—98

Akaka	Enzi	Menendez
Alexander	Feingold	Merkley
Barrasso	Feinstein	Mikulski
Baucus	Franken	Murkowski
Bayh	Gillibrand	Murray
Begich	Graham	Nelson (NE)
Bennet	Grassley	Nelson (FL)
Bingaman	Gregg	Pryor
Bond	Hagan	Reed
Boxer	Harkin	Reid
Brown (MA)	Hatch	Risch
Brown (OH)	Hutchinson	Roberts
Brownback	Inhofe	Rockefeller
Bunning	Inouye	Sanders
Burr	Isakson	Schumer
Burriss	Johanns	Sessions
Cantwell	Johnson	Shaheen
Cardin	Kaufman	Shelby
Carper	Kerry	Snowe
Casey	Klobuchar	Specter
Chambliss	Kohl	Stabenow
Coburn	Kyl	Tester
Cochran	Landrieu	Thune
Collins	Lautenberg	Udall (CO)
Conrad	Leahy	Udall (NM)
Corker	LeMieux	Vitter
Cornyn	Levin	Voinovich
Crapo	Lieberman	Warner
DeMint	Lincoln	Webb
Dodd	Lugar	Whitehouse
Dorgan	McCain	Wicker
Durbin	McCasikill	Wyden
Ensign	McConnell	

NOT VOTING—2

Bennett

Byrd

The nomination was confirmed.

The PRESIDING OFFICER. The President will be notified of the Senate's action.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. LEAHY. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

#### TAX ON BONUSES RECEIVED FROM CERTAIN TARP RECIPIENTS—Continued

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I want people to understand that the Federal aviation reauthorization process is moving slowly but steadily. We take several steps forward but none backward. Yesterday we approved 14 amendments. There was a tremendous amount of work done by the staff to work those out. We have another large group we hope to be able to do this

afternoon. So large chunks of the bill are actually getting done. Then, we have a number of controversial amendments, or potentially controversial, and we are in the process of getting those locked down so the Presiding Officer can pronounce a unanimous consent agreement with 2 minutes equally divided.

I yield the floor to the Senator from Texas.

Mrs. HUTCHISON. Mr. President, my distinguished colleague and chairman of the committee and I are working very hard to clear further amendments as well as get a vote on the Sessions amendment, with a Pryor amendment connected to that, and a McCain amendment, so that we can try to finish this bill by tomorrow. So that is what we are working on. We are of the same mind on that. I hope very much that we will be able to get the amendments cleared that are very important. I would ask all of our colleagues to work with us to expedite matters so that we can finish this bill early tomorrow.

Thank you, Mr. President. I thank the chairman as well for working with us on this issue.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I think the distinguished chairman of the Judiciary Committee wishes to speak, but he is waiting for something, so I will proceed.

This Federal aviation bill is enormous in scope, but we are doing it in little pieces and with little amendments, so sometimes it is hard. It has seven different titles in it. One of them has to do with community air service to rural, underserved areas, which is very important in my State and in the Presiding Officer's State—really all of our States. Even California and New York have many very rural areas where they need air service.

I spent 10 years chairing the Aviation Subcommittee, and I enjoyed it enormously. I now chair the full committee, which I enjoy enormously. But one focus throughout has been trying to protect small and rural communities and give them air service. They travel. If the local airport promotes itself, as a product must—it is not just a place people go to; they have to announce themselves to the public and say: We can take you here, we can take you there, while others of us try to get flights in. It is tremendously important, so they are worth fighting for, and we do that.

Large and urban States sometimes question that, but if they look in their hearts, they have a lot of the same requirements themselves. It is really about equality, and it is about the economy, and it is about fairness. What is the difference between somebody from a city and somebody from a smaller community? They both do business. One may not have a big jet and therefore may require a smaller airplane, a commuter airplane to get to