

work for me, so I am going to return to my office. I understand this was unanticipated, and that is the way it goes sometimes.

Mrs. BOXER. I am so sorry. This has been a contentious matter.

So I would say to Senator MANCHIN, if you want to go first, then I will follow, and I am sure Senator THUNE will have comments.

Mr. THUNE. I will request, through the Chair, if the Senator from Maine is not going to speak, that I be allowed to speak at the conclusion of the remarks of the Senator from California and the Senator from West Virginia.

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

The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I thank my colleague from California.

#### FEINBERG CONFIRMATION

Mr. MANCHIN. I come to the floor to speak on behalf of the Acting Administrator of the Federal Railroad Administration, who is no longer acting but now our Administrator and my friend, Sarah Feinberg.

As a native West Virginian, she has the same pragmatic approach to problem solving that we see among our congressional delegation every day. When it comes to politics in West Virginia, it really doesn't matter whether you are a Democrat or a Republican. What matters is if you can get the job done.

During my time in the State legislature, Sarah's father, Lee Feinberg, and I served together. At that time Lee was head of the West Virginia Governmental Ethics Commission, and he instilled in her the same sense of moral responsibility that also led him into public service. Today she sits before the Senate, seeking to continue in public service as the Administrator of the Federal Railroad Administration, and I am so pleased this has happened.

Over the past 9 months, I believe she has proved herself to be an effective and engaged leader with the courage to make tough decisions and the character to accept the criticism they often incite. She was baptized by fire after being appointed to this position on January 9 of this year and leading the agency's response to five major incidents within her first 60 days at the helm.

On February 3, six people were killed when a commuter train hit an SUV at a grade crossing in Valhalla, NY. On February 4, 14 tank cars carrying ethanol derailed just north of Dubuque, IA. Three of them caught fire. On February 16, 27 tank cars derailed outside Mount Carbon, WV, releasing 378,000 gallons of crude oil and igniting a fire that destroyed a nearby house. On February 24, a commuter train in Oxnard, CA, hit a tractor-trailer at a grade crossing and jumped the tracks. On March 6, 21 cars derailed outside of Galena, IL, near the border with Wisconsin, and five of them caught fire.

I am a firm believer that elected officials need to be on the ground in emer-

gency situations, supporting first responders and assisting those in need, and I was impressed by Ms. Feinberg's response to the Mount Carbon derailment in West Virginia, which I witnessed firsthand. Five weeks into her new job, she executed an efficient and effective Federal response that was one of the best I have ever seen in my experience as an elected official and a public servant.

There are a lot of smart policy people here in Washington, DC, but the best policy in the world will not mean a thing if it doesn't translate into anything in the real world. Sarah's response to the Mount Carbon accident showed me that she understood that, and that gave me faith in her ability not just to lead but to listen to the people we are here to serve.

Over the past 10 years, the increase in domestic energy production has been an engine of economic growth. The Energy Information Administration predicts that growth will continue through 2020. From 2009 until 2014, crude oil production in the United States increased by more than 62 percent—up from 5.35 million barrels per day in 2009 to 8.68 million barrels a day in 2014—and the majority of this product is moving by rail.

In 2008, our railroads moved a meager 9,500 tank cars carrying crude oil. Last year, that number grew to 500,000 tank cars—a 5,000-percent increase. That is unbelievable.

Unprecedented new challenges come along with the new economic opportunities presented by the growth in domestic energy production, and Ms. Feinberg's experience makes her uniquely qualified to lead the FRA through this transition. As Chief of Staff to Secretary Foxx, she helped the Department of Transportation develop a holistic strategy to improve the safety and security of crude by rail that required coordination between multiple administrations within the Department.

The tough new tank car safety regulations that were finalized in May were dependent on close collaboration between the FRA and the Pipeline and Hazardous Materials Safety Administration. Sarah's experience in the Secretary's office and her existing relationships throughout the Department allow her to cut through redtape and get the right people in the room to get the job done.

While the new rules do not solve every problem, they represent a major step in the right direction. They satisfy all or part of 10 outstanding National Transportation Safety Board recommendations, including all 4 recommendations that were made in April of this year.

Since taking the helm at the FRA earlier this year, I have been very much impressed with Ms. Feinberg's willingness to tackle difficult issues and engage stakeholders about realistic solutions. In May, she convened a positive train control task force to try

to identify opportunities for the FRA to help railroads meet their 2015 deadline and become a real part in this process. I think her proactive approach to problem-solving will be an asset to the FRA and the entire Department of Transportation.

I thank Chairman THUNE and Ranking Member NELSON for moving her nomination through the committee yesterday on a strong bipartisan vote of 19 to 1. I want to thank all my colleagues for not only nominating Sarah but confirming her today. I think she will be a great asset to our country and do us all proud.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I will take my time now. I know my friend wanted to have a little time, so I will yield to Senator INHOFE.

The PRESIDING OFFICER. The Senator from Oklahoma.

#### TRANSPORTATION AUTHORIZATION

Mr. INHOFE. Mr. President, first of all, I know the Senator from California was disappointed in a few things that went on procedurally, and I am very much in sympathy. But far more significant than that is the bill we are talking about now. We made a tremendous advance to it just a few minutes ago. We did what the House has already done. We are now extended to the 20th of November.

It is my understanding that the House is going to be taking up—we are talking about the highway bill. A lot of things we talk about around here are not very important. We all have different ideas about what is and is not important, but still we have that Constitution, and the Constitution says what we are supposed to be doing. What we are supposed to be doing here is defending America and roads and bridges. That is what we are supposed to be doing.

Senator BOXER and I—she is a very proud liberal and I am a very proud conservative—have recognized what our duty is when we come here, and the second most important bill every year—not every year, because we have the Defense authorization bill every year, but not the Transportation authorization bill. That is what is important, and that is what we are supposed to be doing here.

What we did a few minutes ago is very significant. We are on the same page as the House, and that is to have a bill done and on the President's desk by the 20th of November, which is going to be right before we have a break for Thanksgiving. It now looks like we are assured of doing that.

I have to say that in working over the years with Senator BOXER, we have worked in a capacity in which she was the chairman of that committee and I was the ranking member; then I was the chairman of the committee and she

was the ranking member. We never changed what we stood for or what we saw as significant in the second most important bill we deal with every year.

I am anticipating we are going to be able to have this 6-year authorization bill on the floor next week. We are going to be dealing with it, and we are going to be passing it. We already know the number of people who have voted for it in the past, so we know where we are. On the other hand, I think this is going to have a privileged motion and go straight in for a conference. I look forward to that, and that makes it all possible.

You have to keep in mind the Senate isn't doing this. The House is going on a Veterans Day recess, so we have to work on getting their job done before the recess so we can do ours while they are on recess, and then we will have a happy ending.

While I do regret there are some disappointments, I have to say this. When we are talking about a bill like this, it means that the left and the right have to get together, and we did. I want to applaud my ranking member, Senator BOXER, for helping us in some of the areas where we are able to shortcut some of the NEPA requirements and expedite some things that couldn't be done otherwise.

Let's keep in mind that if we went ahead and did what we have been doing since 2009, we wouldn't be doing this. We wouldn't be doing any major bills—no bridges, no major bills. This is a great day to see the assurance that this is going to take place, and I applaud Senator BOXER in the joint effort we had on the left and the right in this body. We don't see that very often.

Mrs. BOXER. No, we don't.

Mr. President, I just want to thank my friend. It is such a privilege to work with him on these infrastructure issues. I often say we don't work too well together on environmental issues—maybe in another life we might—but right now, in this life, we work really well on infrastructure. So does our staff. I am proud of them.

I came down here to try and change a part of this extension—and I will explain it later—that had to do with delaying a safety requirement on the railroad. I feel strongly in my heart about it. By the same token, I agree with my friend that we have to get this bill done.

This will be a 6-year authorization, as my friend knows. He insisted on it. We have 3 years of pay-for. We never give up. Maybe somehow a miracle will happen and we will find more. But right now, Senator MCCONNELL protected our pay-fors.

For me, it is a strange day. I am very disappointed in this. I call it a rider that was put on this bill. But I am very pleased that the House is moving forward. My friend cited things that he likes—certainly, expediting some of the rules so we don't get these projects dragged out. My sense of it was that I like the fact that we kept the equitable

share. We didn't change the share between transit and roads. We certainly added, with my friend's help, a freight title. So there are many good things. It is a mixed bag for me today. I agree with my friend that we need to move fast on the underlying bill, and I look forward to going to conference.

Mr. INHOFE. Will the Senator yield for one observation?

Mrs. BOXER. Of course.

Mr. INHOFE. The Senator mentioned the fact that we have a 6-year bill and 3 years to pay for it. That doesn't really concern me for a couple of reasons.

One is that once we start projects, I can assure you that there will be a reshuffling of priorities in this Chamber here, where people will realize the one thing we don't want to do is to start construction on something and then stop. This, I have no question in my mind, is going to take place.

Secondly, we have the same provision in the House as we do in this body, and that is that if for some reason money is not available, nothing else can be done after that 3-year period. We are not going to let that happen. So I think we are going to be in good shape. Job well done.

Mrs. BOXER. I thank the Senator.

How much time remains of my 15 minutes?

The PRESIDING OFFICER. Ten minutes.

Mrs. BOXER. Since I did yield about 5 minutes to my friend, I ask unanimous consent for another 5 minutes.

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

Mrs. BOXER. Then, of course, Senator THUNE will have all the time that he wants to disagree with most of what I am going to say about positive train control. That is part of the debate that goes on here.

#### POSITIVE TRAIN CONTROL

Mrs. BOXER. Mr. President, I do want to thank Senator THUNE, Senator NELSON, Senator INHOFE, and others who did something good today, which is to allow us to vote to make sure that we have the head of the Federal Railroad Administration. Finally, after 8 months, Sarah Feinberg got a vote. It is very important. I am glad all this wrangling that we had back and forth led to that happy situation because we need her in place. Frankly, we need her in place to oversee this positive train control.

I want to quote what she stated. She stated that worries of a train exploding in the middle of a city have caused her sleepless nights. This is an Administrator who cares deeply about her role in safety.

There was an article written by someone today that said I stood alone in my opposition to moving forward with a 3- to 5-year extension and taking that extension out of the underlying bill and tacking it on to a 3-week highway bill extension. I want to point out that I did not stand alone and I do

not stand alone. Senator BLUMENTHAL is hoping to come here later and make his remarks about the fact that he opposed this. I speak here for Senator FEINSTEIN, my great colleague—my senior colleague—who actually wrote the original legislation because these crashes were occurring. And I want to read a little bit from Senator GILLIBRAND, who is on a train headed to a funeral for a firefighter in New York. This is her statement:

After so many preventable railway tragedies that have led to loss of life, it is an insult to the families who have lost loved ones to let the rail lobby slip a multi-year Positive Train Control delay into a three-week extension. The rail industry has purposefully dragged its feet in meeting its safety requirements, and now Congress is quietly aiding them further. It is without debate that Positive Train Control saves lives. The railroads must work as quickly as possible to implement this life-saving technology, so that the millions of Americans who commute by rail every day can do so safely—and Congress needs to do its job and hold the rail industry accountable.

As I said when Senator MCCONNELL offered the unanimous consent request, I think it is a terrible precedent to place a major safety rollback—I would not call it a repeal; I would say rollback—on a 3-week extension of the highway trust fund. It just isn't right. I am very grateful to the Washington Post for writing a very strong statement—I would say article—about what happens when you don't have positive train control on a train. Positive train control is technology that allows the train to slowly come to a stop if there is a real problem, such as another train crossing or a car.

It was in 2008 when we really moved on positive train control. A horrific accident occurred in Chatsworth, CA, where a Metrolink passenger train and a Union Pacific freight train collided. It was due to a distracted engineer. This preventable accident resulted in the deaths of 25 people and injury to 135 others.

Friends, we are not talking about some scientific experiment here. We are talking about real life, where trains collide, where real people die and get hurt. I have met some of the families.

Afterwards, Senator FEINSTEIN and I got together. She was great, and it was great to work with her. We passed the Rail Safety Improvement Act of 2008, mandating the installation of positive train control on major passenger commuter and freight rail lines by the end of this year, 2015.

Again, I speak for her in my remarks. She is distressed that the 2015 deadline would be extended as much as it was without a chance to really look at the details in the conference, which we hope to have soon.

For more than 45 years—45 years—the National Transportation Safety Board, or NTSB, has advocated PTC technology. This isn't something new. But it wasn't until 2008 that Senator FEINSTEIN and I got the legislation done.