

“(A) the standards of section 24312 of title 49, United States Code, as in effect on September 1, 2002, with respect to the project in the same manner that the National Railroad Passenger Corporation is required to comply with such standards for construction work financed under an agreement made under section 24308(a) of that title, and

“(B) the protective arrangements established under section 504 of this Act,

with respect to employees affected by actions taken in connection with the project to be financed by the loan or loan guarantee.”.

(2) **TECHNICAL CORRECTION.**—Section 502 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822) is amended by striking “offered;” in subsection (f)(2)(A) and inserting “offered, if any;”.

(g) **TIME LIMIT FOR APPROVAL OR DISAPPROVAL.**—Section 502 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822) is amended by adding at the end the following:

“(i) **TIME LIMIT FOR APPROVAL OR DISAPPROVAL.**—Not later than 90 days after receiving a complete application for a direct loan or loan guarantee under this section, the Secretary shall approve or disapprove the application.

“(j) **CONSTRUCTION PROJECTS.**—

“(1) **IN GENERAL.**—For loans involving construction projects that require more than one year to complete, the Secretary shall establish a repayment schedule requiring payments to commence not later than the sixth anniversary date of the original loan issuance.

“(2) **ADDITIONS.**—The Secretary shall add to the outstanding balance of the loan on the first anniversary date of the original loan issuance on which payments are made, the product of (A) the loan principal, (B) the annual rate of interest on the loan, and (C) the number of years payments were deferred under the repayment schedule.”.

(h) **INTEREST RATE.**—Paragraph (1) of section 822(e) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822(e)) is amended to read as follows:

“(1) **DIRECT LOANS.**—For Class III railroads, as defined by the Surface Transportation Board, the Secretary shall require interest to be paid on a direct loan made under this section at a rate not more than 3 percentage points below the yield on marketable United States Treasury securities of a maturity similar to the maturity of the loan on the date on which the loan agreement was executed.”.

(i) **FEES AND CHARGES.**—Section 503 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 823) is amended by adding at the end the following new subsection:

“(1) **FEES AND CHARGES.**—Except as provided in this title, the Secretary may not assess any fees, including user fees, or charges in connection with a direct loan or loan guarantee provided under section 502.”.

(j) **SUBSTANTIVE CRITERIA AND STANDARDS.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Transportation shall publish in the Federal Register and post on the Department of Transportation website the substantive criteria and standards used by the Secretary to determine whether to approve or disapprove applications submitted under section 502 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822). The Secretary of Transportation shall ensure adequate procedures and guidelines are in place to permit the filing of complete applications within 30 days of such publication.

SEC. 7604. REPORT REGARDING IMPACT ON PUBLIC SAFETY OF TRAIN TRAVEL IN COMMUNITIES WITHOUT GRADE SEPARATION.

(a) **STUDY.**—The Secretary of Transportation shall, in consultation with State and local gov-

ernment officials, conduct a study of the impact of blocked highway-railroad grade crossings on the ability of emergency responders to perform public safety and security duties.

(b) **REPORT ON THE IMPACT OF BLOCKED HIGHWAY-RAILROAD GRADE CROSSINGS ON EMERGENCY RESPONDERS.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit the results of the study and recommendations for reducing the impact of blocked crossings on emergency response to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure.

SEC. 7605. FIRST RESPONDER VEHICLE SAFETY PROGRAM.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation, in consultation with the Administrator of the National Highway Traffic Safety Administration, shall—

(1) develop and implement a comprehensive program to promote compliance with State and local laws intended to increase the safe and efficient operation of first responder vehicles;

(2) compile a list of best practices by State and local governments to promote compliance with the laws described in paragraph (1);

(3) analyze State and local laws intended to increase the safe and efficient operation of first responder vehicles; and

(4) develop model legislation to increase the safe and efficient operation of first responder vehicles.

(b) **PARTNERSHIPS.**—The Secretary may enter into partnerships with qualified organizations to carry out this section.

(c) **PUBLIC OUTREACH.**—The Secretary shall use a variety of public outreach strategies to carry out this section, including public service announcements, publication of informational materials, and posting information on the Internet.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Secretary such sums as may be necessary for fiscal year 2006 to carry out this section.

SEC. 7606. FEDERAL SCHOOL BUS DRIVER QUALIFICATIONS.

The effective date of section 383.123 of volume 49, Code of Federal Regulations (as in effect on the date of enactment of this Act), shall be September 30, 2006.

MEASURES PLACED ON THE CALENDAR—S. 1084 AND S. 1085

Mr. CORNYN. I understand there are two bills at the desk that are due for a second reading. I ask unanimous consent they be read for a second time en bloc.

The PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1084) to eliminate child poverty, and for other purposes.

A bill (S. 1085) to provide for paid sick leave to ensure that Americans can address their own health needs and the health needs of their families.

Mr. CORNYN. In order to place the bills on the calendar under the provisions of rule XIV, I object to further proceeding, en bloc.

The PRESIDENT pro tempore. Objection is heard. The bills will be placed on the calendar.

ORDERS FOR MONDAY, MAY 23, 2005

Mr. CORNYN. I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11:30 a.m. on Monday, May 23. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and that the Senate then return to executive session and resume consideration of the nomination of Priscilla Owen to the Fifth Circuit Court of Appeals, provided that the time from 12 noon until 1 p.m. be under the control of the majority leader or his designee and, at 1 p.m., the Democratic leader or his designee be recognized; provided that floor time then rotate between the two leaders or their designees every 60 minutes until 4 p.m., at which time the majority leader or his designee be recognized until 4:45 p.m., to be followed by the Democrat leader or his designee from 4:45 p.m. until 5:30 p.m.

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

PROGRAM

Mr. CORNYN. Mr. President, on Monday, the Senate will resume consideration of the nomination of Priscilla Owen to serve as a circuit judge on the Fifth Circuit Court of Appeals. Monday will be the fourth consecutive day the Senate considers the Owen nomination.

Over the past 3 days, a number of Members, on both sides of the aisle, have come to the floor to speak on the nomination. We have conducted over 25 hours of debate, and we will continue on Monday. Moments ago, we filed a cloture motion on the nomination, and that will ripen on Tuesday of next week.

On behalf of the majority leader, I remind my colleagues the leader has announced our next rollcall vote will occur Monday afternoon at 5:30. That vote will be on a motion to instruct the Sergeant at Arms to request Senators' attendance. Senator FRIST will have more to say about next week's session on Monday.

ADJOURNMENT UNTIL MONDAY,
MAY 23, 2005, AT 11:30 A.M.

Mr. CORNYN. If there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 2:23 p.m., adjourned until May 23, 2005, at 11:30 a.m.