

“(I) IN GENERAL.—If, after receipt of an application from a Governor of a State under clause (i), the Administrator determines, on the Administrator’s own motion or on petition of any person, after consultation with the Secretary of Energy, that there is insufficient capacity to supply reformulated gasoline, the Administrator, by regulation—

“(aa) shall extend the commencement date with respect to the State under clause (ii)(I) for not more than 1 year; and

“(bb) may renew the extension under item (aa) for 2 additional periods, each of which shall not exceed 1 year.

“(II) DEADLINE FOR ACTION ON PETITIONS.—The Administrator shall act on any petition submitted under subclause (I) not later than 180 days after the date of receipt of the petition.”.

SEC. 18. FEDERAL ENFORCEMENT OF STATE FUELS REQUIREMENTS.

Section 211(c)(4)(C) of the Clean Air Act (42 U.S.C. 7545(c)(4)(C)) is amended—

(1) by striking “(C) A State” and inserting the following:

“(C) AUTHORITY OF STATE TO CONTROL FUELS AND FUEL ADDITIVES FOR REASONS OF NECESSITY.—

“(i) IN GENERAL.—A State”; and

(2) by adding at the end the following:

“(ii) ENFORCEMENT BY THE ADMINISTRATOR.—In any case in which a State prescribes and enforces a control or prohibition under clause (i), the Administrator, at the request of the State, shall enforce the control or prohibition as if the control or prohibition had been adopted under the other provisions of this section.”.

SEC. 19. FUEL SYSTEM REQUIREMENTS HARMONIZATION STUDY.

(a) STUDY.—

(1) IN GENERAL.—The Administrator of the Environmental Protection Agency and the Secretary of Energy shall jointly conduct a study of Federal, State, and local requirements concerning motor vehicle fuels, including—

(A) requirements relating to reformulated gasoline, volatility (measured in Reid vapor pressure), oxygenated fuel, and diesel fuel; and

(B) other requirements that vary from State to State, region to region, or locality to locality.

(2) REQUIRED ELEMENTS.—The study shall assess—

(A) the effect of the variety of requirements described in paragraph (1) on the supply, quality, and price of motor vehicle fuels available to the consumer;

(B) the effect of the requirements described in paragraph (1) on achievement of—

(i) national, regional, and local air quality standards and goals; and

(ii) related environmental and public health protection standards and goals (including the protection of children, pregnant women, minority or low-income communities, and other sensitive populations);

(C) the effect of Federal, State, and local motor vehicle fuel regulations, including multiple motor vehicle fuel requirements, on—

(i) domestic refiners;

(ii) the fuel distribution system; and

(iii) industry investment in new capacity;

(D) the effect of the requirements described in paragraph (1) on emissions from vehicles, refiners, and fuel handling facilities;

(E) the feasibility of developing national or regional motor vehicle fuel slates for the 48 contiguous States that, while protecting and improving air quality at the national, regional, and local levels, could—

(i) enhance flexibility in the fuel distribution infrastructure and improve fuel fungibility;

(ii) reduce price volatility and costs to consumers and producers;

(iii) provide increased liquidity to the gasoline market; and

(iv) enhance fuel quality, consistency, and supply; and

(F) the feasibility of providing incentives, and the need for the development of national standards necessary, to promote cleaner burning motor vehicle fuel.

(b) REPORT.—

(1) IN GENERAL.—Not later than June 1, 2007, the Administrator of the Environmental Protection Agency and the Secretary of Energy shall submit to Congress a report on the results of the study conducted under subsection (a).

(2) RECOMMENDATIONS.—

(A) IN GENERAL.—The report shall contain recommendations for legislative and administrative actions that may be taken—

(i) to improve air quality;

(ii) to reduce costs to consumers and producers; and

(iii) to increase supply liquidity.

(B) REQUIRED CONSIDERATIONS.—The recommendations under subparagraph (A) shall take into account the need to provide advance notice of required modifications to refinery and fuel distribution systems in order to ensure an adequate supply of motor vehicle fuel in all States.

(3) CONSULTATION.—In developing the report, the Administrator of the Environmental Protection Agency and the Secretary of Energy shall consult with—

(A) the Governors of the States;

(B) automobile manufacturers;

(C) State and local air pollution control regulators;

(D) public health experts;

(E) motor vehicle fuel producers and distributors; and

(F) the public.

SA 3051. Mr. DOMENICI proposed an amendment to amendment SA 3050 proposed by Mr. DASCHLE (for himself, Mr. DURBIN, and Mr. JOHNSON) to the bill S. 150, to make permanent the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act; as follows:

(The amendment will be printed in a future edition of the RECORD.)

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, April 28, 2004, at 10 a.m. in room 485 of the Russell Senate Office Building to conduct a hearing on S. 2172, Tribal Contract Support Cost Technical Amendments of 2004.

Those wishing additional information may contact the Indian Affairs Committee at 224-2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, April 29, 2004, at 10 a.m. in room 485 of the Russell Senate Office Building to conduct a hearing on S. 2301, a discussion draft bill to improve the management of Native American fish and wildlife and gathering, and for other purposes.

Those wishing additional information may contact the Indian Affairs Committee at 224-2251.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. COCHRAN. Mr. President, I announce that the Committee on Agriculture, Nutrition, and Forestry will conduct a hearing on May 6, 2004 in SD-106 at 10 a.m. The purpose of this hearing will be to discuss Biomass Use in Energy Production: New Opportunities for Agriculture.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. SUNUNU. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on April 27, 2004, at 9:30 a.m., in open session to consider the following nominations: Tina Westby Jonas to be Under Secretary of Defense (Comptroller); Dionel M. Aviles to Under Secretary of the Navy; and Jerald S. Paul to be Principal Deputy Administrator, National Nuclear Security Administration.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. SUNUNU. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, April 27, 2004, at 9:30 a.m. on Telecommunications Policy Review: Lessons learned from the Telecommunications Act of 1996, in SR-253.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. SUNUNU. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, April 27 at 10:00 a.m.

The purpose of the hearings is to receive testimony regarding sustainable, low emission, electricity generation.

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

COMMITTEE ON FINANCE

Mr. SUNUNU. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Tuesday, April 27, 2004, at 10:00 a.m., in 215 Dirksen Senate Office Building, to hear testimony on “International Trade and Pharmaceuticals.”

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

COMMITTEE ON FOREIGN RELATIONS

Mr. SUNUNU. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, April 27, 2004 at 10:00 a.m. to hold a Nomination hearing.

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

COMMITTEE ON THE JUDICIARY

Mr. SUNUNU. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Tuesday, April 27, 2004 at 10:00 a.m. on "Judicial Nominations" in the Dirksen Senate Office Building Room 226.

Brett M. Kavanaugh, to be United States Circuit Judge for the District of Columbia Circuit.

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

SPECIAL COMMITTEE ON AGING

Mr. SUNUNU. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet Tuesday, April 27, 2004 from 10:00 a.m.-12:00 p.m. in Dirksen 628 for the purpose of conducting a hearing.

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

SUBCOMMITTEE ON NATIONAL PARKS

Mr. SUNUNU. Mr. President, I ask unanimous consent that the Subcommittee on National Parks of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, April 27 at 2:30 p.m. in room SD-366.

The purpose of the hearing is to receive testimony on the following bills: S. 1064, to establish a Commission to Commemorate The Sesquicentennial of the American Civil War, and for other purposes; S. 1092, to authorize the establishment of a National Database for purposes of identifying, locating, and cataloging the many memorials and permanent tributes to America's veterans; S. 1748, to establish a program to award grants to improve and maintain sites honoring Presidents of the United States; S. 2046, to authorize the exchange of certain land in Everglades National Park; S. 2052, to amend the National Trails, System Act to designate El Camino Real De Los Tejas as a National Historic Trail; and S. 2319, to authorize and facilitate hydroelectric power licensing of the Tapoco Project.

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

SUBCOMMITTEE ON SCIENCE, TECHNOLOGY, AND SPACE

Mr. SUNUNU. Mr. President, I ask unanimous consent that the Subcommittee on Science, Technology, and Space be authorized to meet on Tuesday, April 27, 2004, at 3:30 p.m., on the International Space Exploration Program, in SR-253.

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

MEASURE PLACED ON THE CALENDAR—S. 2348

Mr. FRIST. Mr. President, I understand there is a bill at the desk that is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the title of the bill for the second time.

The legislative clerk read as follows:

A bill (S. 2348) to extend the Internet Tax Freedom Act.

Mr. FRIST. Mr. President, in order to place the bill on the calendar under provisions of rule XIV, I object to further proceedings.

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

COMMUNICATIONS SATELLITE ACT OF 1962

Mr. FRIST. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of S. 2315 and that the Senate proceed to its immediate consideration.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2315) to amend the Communications Satellite Act of 1962 to extend the deadline for the INTELSAT initial public offering.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be laid upon the table.

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

The bill (S. 2315) was read the third time and passed, as follows:

S. 2315

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF IPO DEADLINE.

Section 621(A)(i) of the Communications Satellite Act of 1962 (47 U.S.C. 763(5)(A)(i) is amended—

(1) by striking "December 31, 2003," and inserting "June 30, 2005," and

(2) by striking "June 30, 2004," and inserting "December 31, 2005;"

APPOINTMENT

THE ACTING PRESIDENT pro tempore. The Chair, on behalf of the majority leader, pursuant to Public Law 108-132, Section 128, appoints the following individual to the Commission on Review of Overseas Military Facility

Structure of the United States: Admiral Thomas Lopez of Virginia.

ORDERS FOR WEDNESDAY, APRIL 28, 2004

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., on Wednesday, April 28. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and following the time for the two leaders the Senate then begin a period for morning business for up to 60 minutes, with the first half of the time under the control of the majority leader or his designee and the second half of the time under the control of the Democratic leader or his designee; provided further, that following that 60 minutes, the Senate resume consideration of S. 150, the Internet tax bill.

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

PROGRAM

Mr. FRIST. Mr. President, tomorrow morning, following morning business, the Senate will resume consideration of the Internet tax bill. As I mentioned, I hope we can reach an agreement to address this Internet tax bill, hopefully with some amendments, over the course of tomorrow. That is going to take cooperation from both sides of the aisle.

Rollcall votes are possible during tomorrow's session.

We have a few more issues remaining. I think we can settle them in the next few minutes. At this juncture, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:27 p.m., adjourned until Wednesday, April 28, 2004, at 9:30 a.m.