Under a previous order, beginning at 4:30 p.m. today, the Senate will begin 1 hour of debate prior to the vote on invoking cloture on the FAA reauthorization bill. It is hoped that cloture will be invoked and that the Senate can complete its work on the conference report today. Again, that vote is expected around 5:30 this afternoon.

Also later today, the Senate will conduct a 1-hour debate on the issue of jobs and the economy. There will be two Members from each side of the aisle engaged in that debate, and all Senators are encouraged to be present for the discussion.

As a reminder, two cloture motions were filed with respect to the nomination of Thomas Dorr to be Under Secretary of Agriculture for Rural Development. Those cloture votes will occur tomorrow morning, and Senators will be notified of the exact timing of those votes.

Finally, on behalf of the majority leader, I remind everyone this is expected to be a busy workweek in the Senate. There are a number of important conferences that have been completed and others that will be finished shortly. These legislative matters will be scheduled as soon as they are available so the Senate may adjourn at the earliest possible time. All Senators should adjust their schedules for a busy session as we approach what will very likely be the final week of this session.

RECOGNITION OF THE ACTING MINORITY LEADER

The PRESIDENT pro tempore. The acting minority leader is recognized.

Mr. REID. Mr. President, through the Chair to the distinguished majority whip, is there some estimate as to when we would get to the conference reports on Energy and Medicare?

Mr. MCCONNELL. Mr. President, I say to my friend from Nevada, it is a little bit difficult to ascertain exactly when, but we hope the Energy bill might be ready by Wednesday. We are going to work as hard as we can to get those measures ready for consideration in the Senate certainly this week. Hopefully, we can get to Energy by Wednesday.

The PRESIDING OFFICER (Mr. BURNS). The Senator from Nevada.

Mr. REID. Mr. President, I hate to broach the subject because last time it didn't work out as well as I had contemplated, but I hope if something comes up that we can't finish our work on Friday, we will go over into the weekend because everyone believes they would rather work—I don't know about everyone—most people believe they would rather work this weekend knowing we don't have to come back until after the first of the year. I hope the leadership on the other side will keep that in mind and alert Senators that we may have to work Saturday and maybe even Sunday to get out of here for the Thanksgiving holiday and the year generally.

Mr. MCCONNELL. Mr. President, I say to my friend from Nevada, I think that is a widely held sentiment on this side of the aisle as well. It will be vastly more desirable to wrap it up this week, even if this week means a longer week than normal, than to carry it over to next week or certainly December. We are going to be pushing to complete the business of the Senate this week. This week ideally would be Friday, but it could end up being Saturday or later. It is our goal to wrap up this session of the 108th Congress this week.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business until 1:30 p.m. with Senators permitted to speak therein.

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

Mr. JEFFORDS. Mr. President, like every loyal Red Sox fan, I believe that next season my team will be victorious. I bring this same level of optimism to my efforts to reduce the amount of wasted resources and litter caused by discarded beverage containers.

I rise today to speak again to the National Beverage Producer Responsibility Act of 2003, the bottle bill, convinced that this is our year.

I have long been an advocate for increased recycling. Vermont passed its bottle bill in 1972 when I was state attorney general. In 1975, during my first session as a Representative in the U.S. House, I introduced a national bottle bill, closely resembling Vermont's very successful example. Last Congress, as chairman of the Environment and Public Works Committee, I convened the first Congressional hearing in many years on recycling, in which the committee heard expert testimony on the merits of a national program to recycle beverage containers.

The reason that I continue to push this issue is simple—it makes sense. Beverage container recycling is one of the simplest ways to see a dramatic improvement in our environment. As this chart shows, 120 billion—let me repeat, 120 billion with a ''b''—beverage containers were wasted by not being recycled in 2001.

If we could raise the Nation's recycling rate to 80 percent, we would save the equivalent of 300 million barrels of oil over the next 10 years and eliminate 4 million tons of greenhouse gas emissions annually. States that have enacted bottle bills also have benefited by reducing road side litter by up to 84 percent.

These savings may sound unrealistic. But in Vermont alone, recycling efforts in 2001 reduced greenhouse gas emissions by 94,000 metric tons of carbon equivalent. That's equal to approximately two-thirds of all industrial carbon dioxide emissions from fossil fuel combustion in Vermont and 4.5 percent of greenhouse gas emissions. To me, those savings sound remarkable.

Why a refundable deposit program? Thirty years of experience demonstrates that refundable deposit bottle bills are dramatically more effective than voluntary efforts. As this chart illustrates, the ten States that have implemented deposit laws recycle more containers than all of the other 40 States combined.

While I applaud curbside and other voluntary recycling efforts, the 71 percent of Americans who live in non-bottle bill States account for only 28 percent of recycled beverage containers. My bill, the National Beverage Producer Responsibility Act of 2003, strikes a balance between the wishes of industry, the authority of individual States, and the needs of a healthy environment.

Unlike traditional bottle bills, this legislation would fully harness market incentives by setting an 80 percent recovery performance standard and allowing industry the freedom to design the most efficient deposit-return program to reach the standard. States that already have bottle bills will retain their authority to continue their programs in their own individual ways as long as they meet the national performance standard.

This past Saturday, November 15, 2003, was America Recycles Day in Vermont and across the country. Two years ago, to help commemorate the 2001 America Recycles Day, I participated in a public service announcement to raise awareness regarding the need to buy recycled goods.

The importance of recycling deserves, however, more than a 30-second public service announcement and more than its own day on the calendar. For it to work, recycling must be a commitment of all of ours each and every day of the year.

Vermont's commitment to recycling has provided some impressive statistics. For example, in 2001, 31 percent of Vermont's municipal waste was diverted from landfills. That year, 13,260 tons of containers were recycled through soft drink and beer distributors and materials recovery facilities.

The benefit of these programs is, of course, that they help keep our Green Mountains green.

I commend and thank Governor Jim Douglas for his many recent initiatives to encourage and improve the efficiency of recycling across Vermont. For example, under Governor Douglas' leadership, Vermont has implemented beverage container recycling programs at 20 State information centers.

In the first phase, in less than 2 months, over 200 pounds of aluminum, glass, and plastic were recovered from 51,00 visitors passing through one such information center in Willison, VT. And today, the U.S. Senate's other Vermonter, PATRICK LEAHY, joins me and Senators JOSEPH LIEBERMAN, DANIEL AKAKA, and JOHN KERRY as original cosponsors as I introduce the National Beverage Producer Responsibility Act of 2003.

I recommend that all take advantage of this wonderful system we have in Vermont and in other States. I ask everyone to take a close look and see if we wouldn't be much better off if the rest of the country follows suit.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JEFFORDS. 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. JEFFORDS. I ask unanimous consent to speak in morning business for up to 10 minutes.

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

ENVIRONMENTAL PROVISIONS IN THE CONFERENCE REPORT ON H.R. 6

Mr. JEFFORDS. Mr. President, the conference report on H.R. 6, the comprehensive energy legislation, was released over the weekend. As the ranking member of the Environment and Public Works Committee, I have come to the floor today to share my deep concern that this bill will endanger our environment and unfairly benefit special interests.

The final conference report contains provisions that significantly change environmental law and undermine long-standing environmental protections. It is my sincere hope that the conference will remove many of these provisions during their meeting today.

The Environment and Public Works Committee, on which I serve, has jurisdiction over environmental matters, and we were not consulted in the development of any of these provisions.

This bill drastically rewrites existing clean air law. It postpones ozone attainment standards across the country. This is a matter never considered in either House or Senate bill that has been inserted into the conference report. By inserting this language, the conference will expose the public to dangerous air pollution emissions for far more time than under existing law. Several Federal courts have already struck down regulatory proposals similar to the provisions in the conference report as violations of the Clean Air Act.

The gasoline additive MTBE, which is known to contaminate groundwater, would have been phased out in 4 years in the Senate bill. This conference report extends the phaseout for a decade and includes provisions that would allow the President to decide to continue the MTBE use.

This bill provides legal immunity to large petrochemical companies from ''defective product'' liability arising from the contamination of groundwater supplies by the gasoline additive MTBE.

It also terminates a lawsuit filed by the State of New Hampshire by reaching back to provide immunity as of September 5, 2003. This language allows a contaminating product to be used, possibly indefinitely, and provides communities with no fiscal remedies to clean it up.

As a further subsidy to the industry, the bill exempts all construction activities at oil and gas drilling sites from coverage under the runoff requirements of the Clean Water Act.

This means that contaminants, such as toxic chemicals, grease, and other pollutants from oil and gas drilling, will end up in our waterways.

Conferees have also removed hydraulic fracturing, an underground oil and gas recovery technique, from coverage under the Safe Drinking Water Act. This is a process in which water, sand, and toxic chemicals are injected under high pressure into oil- and gas-bearing rocks, potentially polluting drinking water supplies.

This bill suspends these existing drinking water protections, even though courts have found that hydraulic fracturing should be regulated to protect the public health.

Also, the conferees have included language to speed up energy exploration and development at the expense of environmental review and public participation on both Federal and non-Federal lands. The public will have less time to review and consider the impact of these projects.

When these reviews occur, oil, gas and geothermal energy companies can be reimbursed through credits against future royalties payable to the taxpayer for the costs of undertaking environmental assessments. These provisions subsidize energy development on our public lands.

The conferees have also included provisions that mandate specific timeframes and deadlines for agency decisions on Federal oil and gas leases. This would establish oil and gas development as the dominant use of our Federal public lands.

Our other Federal lands are at risk of becoming electric transmission corridors with this bill as well. The Department of Energy can open new areas for transmission line construction, harming the wildlife, water quality, recreational and other values we have sought to protect for years.

My colleagues should know that this is not an exhaustive list of the environmental provisions of concern in this bill.

In almost every title, there are significant changes to long standing environmental law and policy. In addition, important issues which received majority support in the Senate, such as a Renewable Portfolio Standard for electricity, requirements to reduce our dependency on foreign oil, and adoption of sensible climate change policy, have been dropped.

While I support the establishment of a comprehensive energy policy for the United States, we should not use the final energy bill as a means to roll back important environmental protections.

This bill will not promote energy self-sufficiency, will not promote it, and will cause environmental damage. It is my sincere hope that these unwise provisions will be removed, and I urge my colleagues to consider seriously the environmental effects of this legislation in making their final decisions regarding whether or not to support this measure when it come before the Senate.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. 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. KENNEDY. Mr. President, I ask unanimous consent to speak as if in morning business.

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

MEDICARE PRESCRIPTION DRUG BENEFIT

Mr. KENNEDY. Mr. President, I wanted to take a short time this afternoon to talk about some of the concerns that I have on the recently agreed to proposition on the Medicare prescription drug agreement that was reached over the course of the weekend.

As we are anticipating this measure which is now being examined in terms of the Congressional Budget Office estimates and the legislative language that is being prepared, I expect that we will be addressing it at the end of this week or sometime in the very near future. I want to at least bring some focus and attention to some of the provisions in the legislation that haven't gotten the focus and attention they deserve, which they should have, and which I hope our Members will give study.

There is no truer indication of a nation's priorities than the investment it makes, and the legislation the Senate considers today I believe squanders a historic opportunity with a disregard for the Nation's health, particularly for our seniors. There is a provision in this bill dealing with a $12 billion slush fund to lure HMOs into Medicare.

Let's see if I have the reasoning behind this fund right. The supporters of