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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate in order to conduct a hearing on Thursday, February 28, 2008, at 9:30 a.m., in room SD366 of the Dirksen Senate Office Building. At this hearing, the Committee will hear testimony regarding the impact of increased minimum wages on the economies of American Samoa and the Commonwealth of the Northern Mariana Islands.

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

COMMITTEE ON FINANCE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, February 28, 2008, at 10 a.m., in room 215 of the Dirksen Senate Office Building, in order to conduct a hearing entitled ''The Real Estate Market: Building a Strong Economy.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, February 28, 2008, at 9:30 a.m. in order to hold a hearing on U.S. policy options in post-election Pakistan.

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

COMMITTEE ON THE JUDICIARY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate, in order to conduct an executive business meeting on Thursday, February 28, 2008 at 10 a.m. in room SD–226 of the Dirksen Senate Office Building.

Agenda

I. Bills: S. 2304, Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2007, (DOMENICI, KENNEDY, SPECTER, LEAHY); S. 2449, Sunshine in Litigation Act of 2007, (KOHL, LEAHY, GRAHAM); S. 352, Sunshine in the Courtroom Act of 2007, (GRASSLEY, SCHUMER, LEAHY, SPECTER, GRAHAM, FEINGOLD, CORNYN, DURBIN); S. 2136, Helping Families Save Their Homes in Bankruptcy Act of 2007, (DURBIN, SCHUMER, WHITEHOUSE, BIDEN, FEINSTEIN); and S. 2133, Home Owners ''Mortgage and Equity Savings Act'', (SPECTER, COLEMAN).

II. Nominations: Kevin J. O'Connor to be Associate Attorney General, Department of Justice; Gregory G. Katsas to be Assistant Attorney General, Civil Division, Department of Justice.

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

JOINT ECONOMIC COMMITTEE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Joint Economic Committee be authorized to meet, during the session of the Senate, in order to conduct a hearing entitled ''War at any cost? The total economic costs of the war beyond the Federal budget'' on Thursday, February 28, 2008. The hearing will commence at 9:30 a.m. in room 106 of the Dirksen Senate Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 28, 2008, at 2:30 p.m. in order to hold a closed hearing.

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

SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR SAFETY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works, Subcommittee on Clean Air and Nuclear Safety, be authorized to meet during the session of the Senate on Thursday, February 28, 2008, at 10 a.m. in room 406 of the Dirksen Senate Office Building in order to conduct a hearing entitled, ''Nuclear Regulatory Commission Oversight: Security of Our Nation's Nuclear Plants.''

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

SUBCOMMITTEE ON TERRORISM, TECHNOLOGY, AND HOMELAND SECURITY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary, Subcommittee on Terrorism, Technology and Homeland Security, be authorized to meet during the session of the Senate, in order to conduct a hearing entitled ''Weaknesses in the Visa Waiver Program: Are the Needed Safeguards in Place to Protect America?'' on Thursday, February 28, 2008, at 2:30 p.m. in room SD–226 of the Dirksen Senate Office Building.

Witness list

Paul Rosenzweig, Deputy Assistant Secretary, Office of Policy, U.S. Department of Homeland Security, Washington, DC; Tony Edson, Deputy Assistant Secretary for Visa Services, U.S. Department of State, Washington, DC; Jess Ford, Director, International Affairs and Trade, Government Accountability Office, Washington, DC; Susan Ginsburg, Director of Programs on Mobility and Security, Migration Policy Institute, Washington, DC; and Jessica Vaughan, Senior Policy Analyst, Center for Immigration Studies, Washington, DC.

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

SUBCOMMITTEE ON WATER AND POWER

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate in order to conduct a hearing on Thursday, February 28, 2008, at 2 p.m., in room SD-366 of the Dirksen Senate Office Building. At this hearing, the Committee will hear testimony regarding the following legislation:

S. 177/H.R. 2085, to authorize the Secretary of the Interior to convey to the McGee Creek Authority certain facilities of the McGee Creek Project, Oklahoma, and for other purposes;

S. 1473/H.R. 1855, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to enter into a cooperative agreement with the Madera Irrigation District for purposes of supporting the Madera Water Supply Enhancement Project;

S. 1474/H.R. 1139, to authorize the Secretary of the Interior to plan, design and construct facilities to provide water for irrigation, municipal, domestic, and other uses from the Bunker Hill Groundwater Basin, Santa Ana River, California, and for other purposes;

S. 1929, to authorize the Secretary of the Interior, acting through the Commissioner of Reclamation, to conduct a feasibility study of water augmentation alternatives in the Sierra Vista Subwatershed;

S. 2370, to clear title to certain real property in New Mexico associated with the Middle Rio Grande Project, and for other purposes;

H.R. 2381, to promote Department of the Interior efforts to provide a scientific basis for the management of sediment and nutrient loss in the Upper Mississippi River Basin, and for other purposes.

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

PRIVILEGES OF THE FLOOR

Mr. THUNE. Madam President, I ask unanimous consent that a member of my staff, Jon Abdnor, be granted the privileges of the floor.

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

ANDEAN TRADE PREFERENCE EXTENSION ACT

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5264, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 5264) to extend the Andean Trade Preference Act, and for other purposes.

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

Mr. BAUCUS. Mr. President, today, the Senate takes the important step of extending the Andean Trade Preferences Act for 10 months. This follows

action in the House yesterday on the same bill. We can now ensure continuation of this important program before it expires tomorrow.

I would have preferred a longer term extension of ATPA. But a 10-month extension is a sound compromise. It is good for America. And it is good for our Andean neighbors.

In recent weeks, we have had a lively debate over the value of this preference program. Opponents point to one-sided benefits. They warn against risky investments.

Proponents say that our Andean preferences complement drug eradication efforts. We say that they create jobs in both developing countries and here at home.

Today, as in the past, I support ATPA. ATPA is an investment in mutual prosperity and regional stability. It is good foreign policy. ATPA is a boon to the developing economies of Peru, Colombia, Bolivia, and Ecuador. It brings economic development where poverty persists. It encourages alternative crops where illegal drugs plague the landscape. It creates jobs where there have long been too few. And it can provide a platform for more comprehensive engagement, such as the free-trade agreements that Peru and Colombia have negotiated with the United States.

The economic benefits of ATPA are mutual. Flower exports from Colombia and Ecuador employ Andean agriculture workers in their countries. And they also create transportation and retail jobs here at home.

The United States sells its cotton to Andean buyers, who make it into fabric and apparel. And that creates jobs for American farmers and skilled Andean labor. It is precisely this mutual prosperity that has earned the Andean Trade Preferences Act the broad support it commands, even from sectors that have traditionally been wary of trade.

But as important, we must recognize that ATPA benefits are neither handouts nor freebies. To benefit from preferences, each ATPA partner must meet strict eligibility criteria. Beneficiaries must afford internationally recognized worker rights. They must protect and enforce intellectual property rights. They must cooperate in counter-narcotics efforts. And they must ensure the integrity of U.S. investments by, among other things, honoring contracts with U.S. investors and abiding by investment decisions made by arbitral panels.

These eligibility requirements are not optional. If a country does not comply, it should not receive ATPA benefits. Actions have consequences. The U.S. will notice and take into account actions in ATPA countries that unfairly hurt U.S. interests. Ecuador, in particular, has taken actions in recent years that call into question its intention to abide by the ATPA conditions related to investment. These developments are, at best, discouraging. At worst, they might be disqualifying.

In the next few months, I will work with Senator GRASSLEY and others to closely monitor whether our ATPA beneficiary countries meet these eligibility criteria. And I will work to monitor whether the administration is doing enough to enforce them.

ATPA is good policy. But, as with most policies, hard work can make it better. As in the past, I will continue to work with opponents and supporters to ensure that all of the elements of the program are upheld. I will work to see that not just the trade benefits, but the eligibility requirements as well, are upheld. When everyone is playing by the rules, we will have a comprehensive program that is as good for the United States as it is for Peru, Colombia, Bolivia, and Ecuador.

Mr. GRASSLEY. Mr. President, this week the House passed a 10 month extension of our unilateral trade preferences for Colombia, Peru, Ecuador, and Bolivia, and today it is the Senate's turn to consider the issue. I want to take a moment to explain why I have decided to agree to support this 10 month extension.

As my colleagues know, I have been critical of the operation of these trade preferences for quite some time. Last year, reported developments in Ecuador and Bolivia led me to question the commitment of their respective Governments to upholding the democratic rule of law, honoring contracts and other legal obligations, protecting civic freedoms such as freedom of the press, and fully partnering with us in the fight against traffic in illicit narcotics. In that context, I have questioned why we should renew these particular trade preferences, which we provide in addition to the broad preferences that we give to developing countries under our separate Generalized System of Preferences program.

More generally, I have questioned why we should continue to extend unilateral trade preferences when our farmers and manufacturers deserve to enjoy reciprocal trade benefits. I realize that we advance our national interest by fostering the creation of legitimate economic opportunities in the four Andean beneficiary countries. There need to be viable alternatives in the region if we are going to succeed in the fight against illicit narcotics. And the Andean trade preferences have been a good start. But I continue to question how unilateral trade preferences provide a basis for truly sustainable economic development over the long term.

On the other hand, a permanent, reciprocal, open trading relationship would appropriately address each of those questions. That is what we should be aiming for. Not only would it provide a level playing field for both sides, it would facilitate the establishment of strong long-term economic relationships through mutually beneficial trade and investment. That is one of the reasons why implementation of our trade promotion agreement with Colombia is my top priority on the trade agenda this year.

On balance, I have concluded that this 10 month extension of Andean trade preferences will allow us to accomplish a number of things. It will allow for the smooth entry into force of our trade agreement with Peru. It will avoid economic disruption in Colombia as we strive to implement our trade agreement with that critical ally. And it will extend an opportunity for Ecuador and Bolivia to engage us in a deeper dialogue on the direction they want to see our bilateral economic and political relationships take going forward. But let me be clear. Today's extension should not be interpreted as a sign that Andean trade preferences are a de facto perpetuity. They are not. I intend to continue my oversight of this program in advance of its expiration at the end of the year. Whether this program is again extended, or in what form, or for which countries, remains an open question.

In the meantime, I will continue monitoring a number of important concerns. For example, the Government of Ecuador has indicated that the U.S. lease to the Eloy Alfaro airfield will not be renewed when it expires in 2009. That is, of course, Ecuador's sovereign right. But we should not wait until the lease expires to discuss how our cooperative efforts to combat traffic in illicit narcotics can be augmented in order to offset the loss of this access. I am also concerned about expanded cultivation of coca leaf. Just this past Saturday, the New York Times reported on how the rollback of restrictions on coca growing since President Morales took office in Bolivia has contributed to surging drug use in Argentina and Brazil. We need to focus on cultivation just as much as on eradication in the fight against drugs.

With respect to investment disputes, it is essential that legal obligations be fully honored. That includes honoring arbitral awards once they become final. It also includes honoring contracts and the mutual settlement of claims involving prior disputes. Separately, I am disappointed that we haven't been able to fully resolve some of our differences in agricultural trade. For example, with respect to beef, Colombia and Peru comply with the standards of the World Organization for Animal Health, which sets benchmark standards for the World Trade Organization, by permitting the importation of all U.S. beef. In contrast, Ecuador and Bolivia continue to reject these international standards. Ecuador restricts U.S. beef imports to only boneless beef from cattle under 30 months of age, while Bolivia prohibits imports of all U.S. beef. In addition, Ecuador committed to phase out its agricultural price-band system by 2001 as part of its World Trade Organization accession package, but the Government has yet to do so. Ecuador's price-band inhibits U.S. exports of wheat, rice, barley, corn, soybeans, poultry, pork, and powdered milk to Ecuador. Such failures to

live up to existing trade obligations undermine the case some make for an extension of trade preferences. I would also expect all four Andean beneficiary countries to actively support efforts to conclude an ambitious agreement in the Doha Development Round negotiations of the World Trade Organization. Finally, I will continue to assess our respective bilateral relations on a political level, as well as monitor the status of protections extended to civic freedoms such as freedom of the press.

In closing, I want to make clear that I am very much interested in strengthening our relations with each of the four Andean beneficiary countries. But it takes cooperation on all sides to make that happen. Colombia and Peru have certainly demonstrated a reciprocal interest in stronger relations. I hope to see a similar demonstration on the part of Ecuador and Bolivia in the months to come with actions that are commensurate with words. I am also going to call upon the administration to review conditions in Ecuador and Bolivia in order to help me evaluate the concerns that I have identified and determine whether changes are warranted if the program is to be extended beyond the end of this year.

Mr. CRAPO. Mr. President, I rise today regarding the extension of the Andean Trade Preference Act, ATPA. This program, which has been in place for approaching two decades, has broadened economic opportunities in Bolivia, Colombia, Ecuador, and Peru as an alternative to illegal drug production and trafficking. With the current extension of this program expiring tomorrow, it is important that Congress is acting this week to extend the program for an additional 10 months. The extension should allow necessary time for passage of the U.S.-Colombia FTA, implementation of the Peru FTA, and continued commerce for Andean producers and U.S. consumers and importers.

However, this extension does not minimize the continued need for the timely advancement of the U.S.-Colombia Free Trade Agreement, FTA, which would deepen our two nation's important relationship, broaden market opportunities for U.S. producers and companies, and provide longer term certainty for Colombian exporters and workers that short-term ATPA extensions do not provide. We must do all that we can to maintain and improve our Nation's global competitiveness and relations throughout the world, and the U.S.-Colombia FTA is a much needed step in the right direction for providing economic opportunities for Americans through reciprocal trade treatment for U.S. products. For example, the U.S.-Colombia FTA would provide immediate duty-free access for fresh potatoes and almost all processed potatoes. Currently, Colombia's WTO tariff bindings on potatoes and potato products range from 70 to 102 percent and applied tariff rates range from 5 to 20 percent. This is just one example of the areas where the U.S. stands to gain improved access into one of the region's fastest growing markets through this agreement.

Additionally, as with all trade preferences and agreements, the requirements must be fully enforced. The U.S. is providing special trade preferences to these countries through this program, and with that comes a responsibility to comply with the standards and obligations set forth in ATPA. Our ATPA partner countries must treat U.S. investors consistently with current ATPA eligibility.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent the bill be read three times and passed, the motion to reconsider be laid upon the table with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The question is on the third reading and passage of the bill.

The bill (H.R. 5264) was ordered to a third reading, was read the third time, and passed.

PROVIDING FOR THE CONTINUED MINTING AND ISSUANCE OF CERTAIN $1 COINS IN 2008

Mr. REID. Mr. President, I ask unanimous consent that the Banking Committee be discharged from further consideration of H.R. 5478 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 5478) to provide for the continued minting and issuance of certain $1 coins in 2008.

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

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate; and that any statements relating to this matter be printed in the RECORD.

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

The bill (H.R. 5478) was ordered to a third reading, was read the third time, and passed.

EXPANDING PASSENGER FACILITY FEE ELIGIBILITY

Mr. CASEY. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of S. 996 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 996) to amend title 49, United States Code, to expand passenger facility fee eligibility for certain noise compatibility projects.

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

Mr. CASEY. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The bill (S. 996) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 996

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

SECTION 1. EXPANDED PASSENGER FACILITY FEE ELIGIBILITY FOR NOISE COMPATIBILITY PROJECTS.

Section 40117(b) of title 49, United States Code, is amended by adding at the end the following:

''(7) NOISE MITIGATION FOR CERTAIN SCHOOLS.—

''(A) IN GENERAL.—In addition to the uses specified in paragraphs (1), (4), and (6), the Secretary may authorize a passenger facility fee imposed under paragraph (1) or (4) at a large hub airport that is the subject of an amended judgment and final order in condemnation filed on January 7, 1980, by the Superior Court of the State of California for the county of Los Angeles, to be used for a project to carry out noise mitigation for a building, or for the replacement of a relocatable building with a permanent building, in the noise impacted area surrounding the airport at which such building is used primarily for educational purposes, notwithstanding the air easement granted or any terms to the contrary in such judgment and final order, if—

''(i) the Secretary determines that the building is adversely affected by airport noise;

''(ii) the building is owned or chartered by the school district that was the plaintiff in case number 986,442 or 986,446, which was resolved by such judgment and final order;

''(iii) the project is for a school identified in 1 of the settlement agreements effective February 16, 2005, between the airport and each of the school districts;

''(iv) in the case of a project to replace a relocatable building with a permanent building, the eligible project costs are limited to the actual structural construction costs necessary to mitigate aircraft noise in instructional classrooms to an interior noise level meeting current standards of the Federal Aviation Administration; and

''(v) the project otherwise meets the requirements of this section for authorization of a passenger facility fee.

''(B) ELIGIBLE PROJECT COSTS.—In subparagraph (A)(iv), the term 'eligible project costs' means the difference between the cost of standard school construction and the cost of construction necessary to mitigate classroom noise to the standards of the Federal Aviation Administration.''.

STAR PRINT—S. 22

Mr. CASEY. Mr. President, I ask unanimous consent that S. 22 be star printed with the changes at the desk.

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