

Ms. SHEA-PORTER. Mr. Speaker, the President and his followers are telling the American public that the fight about the Foreign Intelligence Surveillance Act, known as FISA, is endangering America; but the reality is that FISA is still fully in effect and administration officials have acknowledged that.

What this fight is really about is the President wants to give telecom companies retroactive immunity for turning over private information about Americans to the executive branch without a court order. Now, some companies refuse to go along, so obviously there could be a problem here. We should not and cannot give immunity until we know what we are giving immunity for. This is like a defendant coming into court saying to a judge, I may or may not have done something wrong. I don't want to tell you about it, but I want you to say that I am not liable, and then the judge agrees.

We would not accept that for an individual, and we must not accept it for corporations or for the government either. As John Adams said, we are a government of laws, not men, and we must honor the Constitution.

□ 1215

ENERGY TAX HIKE MEANS HIGHER GAS PRICES

(Mr. SMITH of Nebraska asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Nebraska. Mr. Speaker, this week the House will, for the third time, debate an energy bill which actually raises gas prices for the American people, sends manufacturing jobs overseas, and increases our reliance on foreign energy. This energy tax hike will raise taxes on domestic energy producers, in essence making it more difficult and expensive to produce American energy for American consumers.

As you know, oil has reached and broken the previously untouched benchmark of \$100 a barrel, and the average national price of gasoline has gone up 16 cents in just 13 days. In my State of Nebraska, gas prices are hitting \$3.14 in Grand Island, and in Scottsbluff they're hitting \$3.08.

The American public is deeply worried about the rising cost of energy, yet we stand on the verge of making it worse by stubbornly going forward with this legislation. It's simple, really; raising taxes on American energy leads to higher gas prices and a greater dependency on foreign sources of energy.

POLITICS OF FEAR IS BACK

(Mr. WALZ of Minnesota asked and was given permission to address the House for 1 minute.)

Mr. WALZ of Minnesota. Mr. Speaker, after a brief reprieve, the politics of

fear is back in full force. The White House and my colleagues on the other side of the aisle are saying that the expiration of the Protect America Act has made this Nation more vulnerable. That is simply false. The Washington Post did a nice job of refuting this claim in saying Mr. Bush's pass-it-now-or-the-terrorists-will-win rhetoric is overheated fearmongering.

Before the Presidents Day recess, I encouraged my colleagues to stay in Washington and forge a bipartisan long-term solution. I regret that we didn't do that, but I'm not afraid of the expiration of the Protect America Act. I voted for that piece of legislation.

As a 24-year veteran of the Army National Guard, I know the importance of having the tools to fight the terrorists. However, I'm committed to working with my colleagues on both sides of the aisle to find a long-term bipartisan solution that strengthens national security, protects our civil liberties, and does so without providing blanket immunity to companies that may have broken our laws.

I hope that we can end the fearmongering and the political rhetoric that have characterized this debate and get down to America's business. And I think it needs to be pointed very clearly to this Nation's enemies, this Nation is protected, this Nation stands united on the issue of protecting us, and no amount of rhetoric will change that.

ENERGY

(Ms. FALLIN asked and was given permission to address the House for 1 minute.)

Ms. FALLIN. Mr. Speaker, the energy problems facing our Nation are obvious: Our economy suffers from out-of-control gasoline prices while national security remains at risk from an overreliance on foreign oil. Immediately increasing the amount of energy produced on U.S. soil is the first step to addressing both of these issues.

Rather than pursue a commonsense solution, the House Democrats are once again proposing billions of dollars in punitive tax increases on American oil companies. Heavily taxing oil and gas will discourage exploration and production, and that is exactly what we don't need to do. It will drive up the cost at pumps for consumers and further reduce the incentives for domestic production of oil and gas.

This week marks the third time this year that House Democrats have tried to enact an energy policy that would hurt American families and businesses, increase our reliance on foreign energy sources, and put the long-term energy needs of the United States at risk.

FISA

(Mr. ARCURI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARCURI. Mr. Speaker, as a recipient of the nastiest attack ad in the last election cycle, I was sad to see this past weekend that it's already started. Yes, the Swift Boat crews were out and at it again, this time trying to convince the American people that because some Members of Congress felt it was better for our security to extend the FISA bill for 21 days rather than let it expire, that somehow they don't care about America's security. Well, that's not only untrue, it's downright insulting.

And the rationale: We should just trust the President's judgment on this matter and rubber-stamp his decisions. This is the same President who assured us that there were weapons of mass destruction in Iraq. Well, I want the cowards who crafted these intentionally deceiving messages to know that I was not sent to Congress to be a rubber stamp for this President or anyone else. I will continue to voice my opposition to the President whenever it is necessary to ensure the rights guaranteed under the Constitution are protected.

QUIT HIDING BEHIND BLAMING GEORGE BUSH

(Mr. SESSIONS asked and was given permission to address the House for 1 minute.)

Mr. SESSIONS. Mr. Speaker, my good friends on the other side of the aisle are hiding behind a cloak that I believe is unfair. They're blaming the President of the United States for protecting this country. They're blaming the President of the United States for something that he is doing to protect this country to make sure that we have the flexibility to make sure that we can listen to enemies who are trying to do us harm. The President, as well as intelligence officials, have fought for the last 3 years to make sure that we can hear those things that were intercepts on the battlefield and turn them around to protect our troops.

Make no mistake about it, my good friends the Democrats today are here on the floor of the House of Representatives saying that they don't want to be a rubber stamp for protecting this country. I want to be a person that says that every single person should understand that today the lawful use of the ability to be effective and efficient in protecting not only our troops but this country has been taken away. Yes, we can still listen, but it's got to go through another process, back through FISA, that takes a month's worth of work through a bunch of judges that help protect this country. We need to get this done. Quit hiding behind some bit of blaming George Bush.

FISA: PRESIDENT AND REPUBLICANS PLAY POLITICS WITH NATIONAL SECURITY

(Ms. WATSON asked and was given permission to address the House for 1 minute.)

Ms. WATSON. Mr. Speaker, Washington Republicans are throwing the facts out the window and are trying to scare the American public into believing that our Nation is less safe today than it was under the administration's supposed Protect America Act.

The Bush administration was wrong when it said the intelligence community would go dark, outrageous, when the act expired earlier this month.

Kenneth Wainstein, the Assistant Attorney General for National Security, said that even after the President's law expired, "intelligence officials would still be able to continue eavesdropping on already-approved targets for another year." And Kate Martin, the Director of the Center for National Security Studies, said our government could immediately listen in on any new individual plotting a terrorist attack without a court order under existing FISA emergency authority.

Clearly, our intelligence community is not going dark. And I would hope that congressional Republicans would stop this scare tactic.

EXTEND PRODUCTION AND INVESTMENT TAX CREDIT

(Mr. MCNERNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCNERNEY. Mr. Speaker, tomorrow the House will vote on commonsense legislation to extend the production tax credit and investment tax credit and pay for it by reducing wasteful subsidies to big oil companies.

As an expert in renewable energy, I am confident that this legislation will ease the pain at the pump and allow our economy to create family wage jobs and make America less dependent on foreign oil.

The bill we will vote on comes just after the big five oil companies report record profits. Our bill will channel unnecessary funding that goes to oil companies back to the renewable industry where it's greatly needed. I cannot overstate the urgency of extending the production tax credit and the investment tax credit as soon as possible.

As with any other form of electrical generation, renewable energy products must adhere to development timelines. And if the schedule of a project is delayed due to uncertainty about the tax credits, a year-long construction cycle will be lost, setting our country further behind foreign competition.

Mr. Speaker, I urge all my colleagues to see the importance of this legislation and join us tomorrow in passing it.

FISA: PRESIDENT AND REPUBLICANS PLAY POLITICS WITH NATIONAL SECURITY

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Mr. Speaker, the politics of fear are alive and well in the

Republican Party. Despite the fact that the House and Senate are actively working to craft a strong new FISA bill, Republicans and the White House refuse to attend the negotiations. Instead, they're insisting that this House simply rubber-stamp a bill that was recently passed by the Senate.

The decision to boycott these negotiations shows that Republicans prefer a political issue rather than a strong new FISA bill.

Democrats are hopeful that Republicans will consider their decision to sit on the sidelines and will instead join us in crafting a bill that protects our country while respecting the fundamental rights of American citizens.

Mr. Speaker, House Democrats passed a bill in November that meets both of these criteria. Then, earlier this month, the Senate passed its own version. As is common procedure here on Capitol Hill, we are now in the process of negotiating the differences between the two bills in order to come up with the strongest bill possible. I would hope Republicans would want to remain relevant and would join us in passing the strongest FISA bill we can.

FISA: PRESIDENT AND REPUBLICANS PLAY POLITICS WITH NATIONAL SECURITY

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, President Bush and congressional Republicans are playing politics with our national security. They're falsely claiming that the expiration of a temporary provision of the Foreign Intelligence Surveillance Act is endangering America and compromising our national security. If that is indeed the case, why did the President threaten to veto any extension of his own law? And why did every House Republican vote against a 21-day extension of the law earlier this month?

If the expiration of this law would, indeed, endanger the American public as Republicans suggest, wouldn't House Republicans do everything in their power to actually keep the law in place? And despite all this fearmongering, House Republicans know that all of our electronic surveillance capabilities are still in place.

Mr. Speaker, while the White House and congressional Republicans play games with our national security, congressional Democrats will continue to work to pass a final FISA bill that will give our intelligence community the tool it needs to protect our Nation while we also protect our citizens' civil liberties.

PROVIDING FOR CONSIDERATION OF H.R. 3521, PUBLIC HOUSING ASSET MANAGEMENT IMPROVEMENT ACT OF 2007

Mr. HASTINGS of Florida. Mr. Speaker, by direction of the Com-

mittee on Rules, I call up House Resolution 974 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 974

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 3521) to improve the Operating Fund for public housing of the Department of Housing and Urban Development. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration in the House of H.R. 3521 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

SEC. 3. House Resolution 955 is laid upon the table.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. HASTINGS of Florida. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend, the gentleman from Texas, Representative SESSIONS. All time yielded during consideration of the rule is for debate only.