

to evolve. Today the notion of national self-defense has come to include preemptive or preventive military action against those who are perceived to be a threat. A war on terrorism in which the enemy may not always be a specific nation-state has become the primary defense concerns of the United States.

The War Powers Resolution of 1973 was intended to clarify the intent of the constitutional framers and ensure that Congress and the President share in the decision-making process in the event of armed conflict.

Yet, since the enactment of the Resolution, presidents have consistently maintained that the consultation, reporting and congressional authorization requirements of the Resolution are unconstitutional obstacles to executive authority.

Mr. Speaker, the Constitution divides war powers between the legislative and executive branches. Our Constitution states that while the Commander in Chief has the power to conduct war, only Congress has the power to authorize war. Too many times this Congress has abdicated its constitutional duty and allowed Presidents to overstep their constitutional authority.

As James Madison said, and I quote, "In no part of the Constitution is more wisdom to be found than in the clause which confides the question of war or peace to the legislature and not to the executive department."

Mr. Speaker, it is time for Congress to meet its constitutional responsibility. The framers sought to decentralize the war powers of the United States and construct a balance between the political branches. Because this balance has been both respected and ignored throughout American history, I have today introduced legislation, H.J. Resolution 53, the Constitutional War Powers Resolution that seeks to establish a clear and national policy for today's post-9/11 world. This resolution is a result of the dedicated work of the Constitutional Project and its War Powers Initiative.

The Constitutional War Powers Resolution improves upon the War Powers Resolution of 1973 in a number of ways. It clearly spells out the powers that the Congress and the President must exercise collectively, as well as the defensive measures that the Commander in Chief may exercise without congressional approval. It also provides a more robust reporting requirement to enable Congress to be more informed and to have great oversight.

By more fully clarifying the war powers of the President and the Congress, the Constitutional War Powers Resolution rededicates Congress to its primary constitutional role of deciding when to use force abroad. This resolution protects and preserves the checks and balances that framers intended in the decision to bring our Nation into war.

Mr. Speaker, I hope many of my colleagues will consider cosponsoring this legislation. I ask the good Lord in

heaven to please bless our men and women in uniform and to continue to bless America.

Mr. Speaker, I yield back the balance of my time.

CHIP REAUTHORIZATION AND DENTAL HEALTH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Speaker, I rise tonight to express my appreciation to Speaker PELOSI, Chairman DINGELL and our entire Congress which has passed a bipartisan, bicameral agreement to reauthorize the Children's Health Insurance Program for an additional 5 years.

While I would have preferred a bill with more funding to cover additional children, I am pleased that the \$35 billion increase agreed to by House and Senate negotiators will bring health coverage to approximately 10 million children in need, preserving coverage for the 6.6 million who are currently enrolled in a program, while reaching many others who are eligible but not enrolled.

I am especially pleased that the agreement ensures quality dental coverage for all children enrolled in CHIP. This provision became a major initiative for me following the tragic death of a 12-year-old Maryland boy named Deamonte Driver.

Mr. Speaker, Deamonte died February of this year when an untreated tooth infection spread to his brain. Eighty dollars worth of dental care might have saved his life, but Deamonte was poor and homeless. He did not have access to a dentist. Deamonte Driver's case was rare and extreme, but he was by no means alone in his suffering.

According to the Centers for Disease Control and Prevention, dental decay is the second most common chronic childhood disease in this country. And it is preventable. Few public health challenges of this magnitude are so easy to address. We are faced with this problem because we have systematically failed to provide children with the care they need.

Approximately 9 million children are uninsured in this country, but more than twice that amount, 20 million, are without dental insurance. That is why I am so glad that we will not only ensure the health coverage of 10 million children, but ensure that they have access to dental care as well.

Those of us in the Maryland delegation stood up in support of this vitally important initiative; and in a Congress-wide push, we were joined by 60 of our colleagues. On this issue, Democrats and Republicans from both Chambers have put aside differences to draft critically important legislation that will help American children. Unfortunately, we have received nothing but push-back from the administration.

In an arrogant attempt to interfere with the business of Congress, the Centers for Medicare and Medicaid Services sent a letter to States on August 17 that has the potential of drastically limiting some States' ability to implement CHIP. H.R. 976 clarifies States' ability to implement the law, and it also addresses the President's concern that CHIP would not go to cover the Nation's poorest children. On this point, let me be clear: this legislation provides health insurance coverage to poor children, children who were already eligible for the benefit but were not enrolled.

President Bush is playing politics with our children's health by threatening to veto the bipartisan CHIP reauthorization and deny 10 million low-income kids the health care they need and deserve. The President has instead expressed support for his own CHIP proposal, which will result in 84,000 low-income children losing their health care coverage, according to the Congressional Budget Office.

Again, Mr. Speaker, I am pleased that my colleagues sent a strong message to the President by voting in favor of the bicameral CHIP reauthorization.

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CONFLICT IN BURMA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. ROHR-ABACHER) is recognized for 5 minutes.

Mr. ROHRABACHER. Mr. Speaker, tomorrow the Foreign Affairs Committee will mark up legislation dealing with the tumultuous events now taking place in Burma. I am an original cosponsor, and I would ask my colleagues to support the bill.

Mr. Speaker, we may be witnessing an historic event taking place in Burma. Religious leaders are bravely confronting a violent, brutal military dictatorship. The people of Burma are telling the generals who have oppressed them and looted their country for decades to peacefully step aside and let a democratically elected government rule the nation.

Nobel Prize winner Aung San Suu Kyi and her National League for Democracy overwhelmingly won elections back in 1990, but corrupt and brutal generals betrayed their people. They ignored the election results.

The SLORC, which is what the Burmese military regime called itself, then commenced to murder, torture and imprison anyone who would oppose their tyranny. Further, they have plundered Burma's vast natural resources, with the help of their Chinese masters and other foreign looters.

Now, at long last, the people of Burma have a chance. This is their moment. I urge all Burmese soldiers: do not kill your own people to further the greed and corruption of those who have sold out your country to the Chinese.

You are not a vassal state of Beijing. It is your country. Those demonstrating for democracy are your brothers and sisters and your family. Do not turn your weapons on them.

I warn the Burmese military officers: if you slaughter the monks and those calling for democracy, when your regime falls, and it will fall, you will be pursued to every corner of the globe and hunted down like the Nazi criminals before you.

The bamboo ramparts of tyranny are coming down. The American people and free people everywhere are with the brave souls in Burma who are seeking to free themselves from the gangsters who oppress them and steal their wealth.

To the people of Burma: you are not alone. Your cause is our cause. Have courage. We are with you.

END THE OCCUPATION OF IRAQ NOW

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, 9 days ago, 11 innocent Iraqi civilians were killed in an incident involving American military contractors. The circumstances surrounding the tragedy are not clear, but what is clear is that not enough attention has been paid to civilian deaths in Iraq.

By the most conservative count, over 73,000 innocent Iraqi civilians have been killed since the occupation began. Just about everyone agrees that the real figure is much higher, since many deaths aren't even reported. But even if you accept the low 73,000 figure, you can see how catastrophic the occupation has been to Iraqi society.

The population of the United States is about 12 times greater than that of Iraq, so 73,000 Iraqi deaths are comparable to over 875,000 American deaths. That is more than the population of Cleveland and Kansas City combined, or Atlanta and Omaha combined. This 875,000 is more than the population of an entire congressional district.

I would also like to call my colleagues' attention to the article in *The Washington Post* this morning concerning civilian casualties in Iraq. The article points out that the Pentagon's official count of civilian casualties in Iraq shows an increase over the course of this year. This is in stark contrast to the charts that General Petraeus showed us in his testimony earlier this month, which only showed the narrower category of civilian deaths. This is further evidence, Mr. Speaker, that General Petraeus' testimony was part of an overall administration spin campaign to convince this Congress and the American people to keep their support for "stay the course" in Iraq.

Iraqi civilians are also suffering, because the violence has forced over 4 million of them to become refugees.

The U.N. referred 11,000 refugee applicants to the United States for processing by the end of this fiscal year. In February, the United States promised to admit 7,000. Then that number was downgraded to 2,000. But, so far, only 1,035 refugees have been admitted, and the fiscal year expires in 5 days. This situation is like so many others we have seen during the occupation of Iraq. The administration makes big promises about what it can achieve, then retreats from its promises, and then fails to deliver altogether.

To make our refugee record even worse, the Government Accountability Office has reported that the number of condolence payments the United States Government pays to families of dead or injured Iraqi civilians plunged by 66 percent from the year 2005 to 2006. The condolence payments are, at most, \$2,500, \$2,500 per incident. Would any one of us consider \$2,500 to be a condolence payment for the death of a beloved child or spouse? No, Mr. Speaker, we wouldn't.

This Congress will have failed America, both morally and politically, if we allow the occupation to continue and ignore the suffering of the innocent. We have only one real tool that we can use to end the occupation, the power of the purse. We must not appropriate another dime for the continuation of the occupation. Instead, we must fully fund the safe, orderly, and responsible withdrawal of our troops and the estimated 180,000 military contractors who constitute an even larger army than our 160,000 troops. This is what the American people sent us here to do, and we have a moral obligation to do it. We have an obligation to bring our troops home.

IMPROVING CHILDREN'S HEALTH CARE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. TIM MURPHY) is recognized for 5 minutes.

Mr. TIM MURPHY of Pennsylvania. Mr. Speaker, within the past hour, the House voted to pass a bill on the Children's Health Insurance Program, a laudable program that all Members agree is important to help children with their health care needs.

Unfortunately, the debate was filled with much rhetoric, and it is important that we cut through all that rhetoric to understand that despite comments made, neither Republicans nor Democrats nor the White House nor anyone else dislikes children. We all want them to have the best health care they can get, and we will continue to work to make sure that happens. But as that bill was voted on on this floor with a threat of the White House to veto it, feeling it was not an appropriate bill, it appears that there may be enough votes to sustain that veto.

During the coming days or weeks as the Senate also looks at this bill and as it goes to the White House, Congress

has a couple of choices. First of all, Congress may take this as an opportunity to gain political points, spending untold hundreds of thousands of dollars on campaign ads attacking each other, perhaps saying that each side doesn't care about children, perhaps trying to sway votes so that the veto is not sustained, accusing people of horrendous things which are not true. Or Congress can do what the American people expect us to do, and use this as an opportunity to make things even better.

Now, I believe there were a lot of good things in that bill, and I think all Members agree that there are important aspects about children's health insurance we need to support. But shouldn't we also use this as an opportunity to make things better?

There are elements in this bill that looked at some things to help with prevention, obesity, case management, health information technology, things that I have been talking about in this Chamber for the last 4 years as important things to help us save money. But let me review a few of these and say what we need to do and what we should be doing as Members of Congress to use this bill that will help several million children with their health care as a vehicle to find real change with health care. Instead of us continuing to come to this Chamber and debate how we are going to finance health care, we should be talking about how to fix health care.

The problem with health care is not just that the costs are too high and people can't afford them. The concern is that there is so much waste in our health care dollars that people cannot afford it, perhaps as much as \$400 billion a year wasted on our health care system. If we are able to reduce that waste in health care, we can make health care more affordable, and we wouldn't have to be dealing with how do we find the money to fund children's health insurance or adult health insurance. By fixing the system, we could change that.

For example, health care-acquired infections this year will account for something like \$50 billion in waste. This chart next to me indicates that just as of this evening, as of this evening there has been at least this many cases who have picked up infections in America, almost 1.5 million cases here, while some indications are that it may be much more than that. There have been some 66,000 deaths so far this year, one every 5 minutes, and so far spending, some \$36 billion in health care-acquired infections which are preventable through hand washing, sterilized equipment, using clean procedures.

Health information technology, if we stop talking about it and work with hospitals to invoke it, can save \$162 billion in reducing errors. If we do more with case management, we could reduce the big bulk of dollars spent on people who have chronic illnesses such as heart disease and other problems.