

making sure that visitors to the hospital follow these same procedures; wearing a hospital gown or other clothes so that patients do not get exposed from one doctor visiting one room to the next. Some countries even require visitors to wear masks and a gown and to scrub. I understand in the United Kingdom they require the doctor to make sure they scrub and not wear jewelry room to room and to put on a different gown as they go to each room so that diseases are not spread. These are important steps that can take place. However, we don't have any kind of universal reporting system in this country.

My bill I introduced called H.R. 1174, the Healthy Hospitals Act, would help to make this uniform. And that is it would require the Secretary of Health to come up with a system of reporting and hospitals would give their information and there would be an annual report to Congress of best practices to reduce these deadly diseases.

It is tragic that more people die from infection they pick up at a health care center each year than all of our soldiers who died in Vietnam. And if we saw this as the emergency that it is, if, for example, we had heard that a plane crashed somewhere and a couple hundred people died, we would know that all sorts of Federal agencies would be all over that investigating that. If the next day another plane crashed and a couple hundred more died, an uproar would be across America as to what is happening to airplane safety. If it happened a third day in a row, probably we would shut down the airports. But here, when someone dies every 5 minutes, new infections occur all the time, we do not take this kind of action. And we need to see this as an emergency, particularly because there has been a number of hospitals which have tackled this problem and have solved this problem and have virtually eliminated some of their infection rates. We need to do this as a nation.

In addition, my bill, H.R. 1174, would also provide, from the savings that come from reducing these infections, a grant program to hospitals that have been able to massively reduce or eliminate their infection rates.

We need to gather together as a Congress and no longer ignore this problem, which is leading to so many deaths. We need to acknowledge those hospitals and health care settings that are leading to major changes and cleaning this up and also help those hospitals that are not. We can no longer hide from this problem when we see in the news the number of deaths that are occurring there, and even now so many have this, the things that are occurring in schools as well.

We have to take vigorous action as a nation to save these lives. And I would hope that my colleagues would sign on as supporters of this bill.

#### PRESIDENT'S VETO OF CHIP REAUTHORIZATION

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

Mr. CUMMINGS. Mr. Speaker, I am deeply saddened that we have failed to override the President's veto of legislation to reauthorize the Children's Health Insurance Program. This action represents a misstep of historic proportions.

It also saddens me that several Members on the other side applauded when this body failed to override the President's veto. By voting against this bipartisan, bicameral legislation, some Members of Congress have turned their backs on more than 10 million poor children who need health insurance now.

Let me be clear. The legislation that was vetoed today was an excellent piece of legislation, and our children will be worse off without it. The continuing resolution that we passed will temporarily cover children who are currently enrolled in CHIP, but the uncertainty surrounding the program's future leave our children's futures uncertain. Some States are already indicating that they will make cuts to the program if they cannot rely upon a steady Federal funding stream.

Further, the continuing resolution fails to address many of the critically important measures that we included in the reauthorization. Notably, dental, mental, and vision coverage are all absent.

We need no greater reminder of the need for these provisions than the recent death of Deamonte Driver, a 12-year-old boy from my home State of Maryland who died when an untreated tooth infection spread to his brain. Yes, he died.

Those who voted against this bill have ignored the calls of more than 81 percent of the American people and members of the Democratic and Republican Parties who support the initiative. Because of their lapse in judgment, 4 million uninsured children, 65,500 of them from my home State of Maryland, will be denied the coverage that Congress intended to grant them. Further, my colleagues who voted against this bill have shut the doctor's office door on approximately 6 million children who currently rely on CHIP for health insurance.

It chills the conscience to think of all those children who will be forced out of care.

It is particularly upsetting to consider how this will affect children with chronic disease who rely upon the CHIP benefit to get the care they need to simply survive. Lives are in the balance.

Bipartisan coalitions, including the National Governors Association and the United States Conference of Mayors, recognize the unique moral obligation we have with this legislation. Ear-

lier this week, Mayor Sheila Dixon of my hometown of Baltimore held a press conference to call on Congress to override the President's veto. She also joined 20 mayors from across the country in signing a letter making the same appeal. Unfortunately, some of our colleagues in this Chamber stubbornly failed to acknowledge the reality that so many of us have clearly seen.

Mr. Speaker, I could talk about the benefits of reauthorizing CHIP as I have in the past statements before this Chamber, but today I will take a different approach by letting my Republican colleagues speak for me. Specifically, Mr. Speaker, I will associate myself with the following comments:

Republican Senator CHUCK GRASSLEY of Iowa said, "This is not a government takeover of health care. This is not socialized or nationalized medicine or anything like that."

Republican Senator ORRIN HATCH of Utah called the bill "an honest compromise which improves a program that works for America's low-income children."

Republican Congressman DON YOUNG of Alaska said, "Issues such as the health and well-being of our Nation's children are nothing to play politics with and nothing to scrimp on."

Republican Congressman VITO FOSSELLA of New York said the bill "will put millions of young people on the road to a longer and healthier life."

And, finally, Republican Congressman WAYNE GILCHREST from my home State of Maryland expressed his support for the bill, noting, "It focuses on the lowest income kids and fixes a lot of problems with the current program."

Mr. Speaker, I deeply regret that the President and some of our colleagues lack the foresight to recognize the critical importance of passing the CHIP reauthorization. We simply must regroup and pass this vital piece of legislation.

Access to quality care is not a privilege; it is a right. We cannot afford to play politics with our children's lives.

#### FISA MONTH

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

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I found the comments of my friend from Maryland very interesting. I would just remind the Speaker and all who have looked on the vote today about the veto of SCHIP that when we passed the continuing resolution, we passed a continuation of SCHIP. So no children should be affected adversely during these weeks as we work to reach the compromise that the President has said he is working for.

Mr. Speaker, I thought this should be called the "FISA Week," Foreign Surveillance Intelligence Act Week. But now because of the actions of the majority, we were not able to vote on that

particular bill as it was presented to us earlier this week. We already knew we would be prohibited from offering any amendments, as the Rules Committee granted a closed rule.

So let us call this the "FISA Month," since we now know there is consideration for bringing the FISA bill back next week and the importance of FISA, foreign intelligence surveillance, cannot be overestimated.

Yesterday, the Speaker of the House took the floor in the debate on the rule and, in a diplomatic or parliamentary tour de force, managed to contradict the United States Constitution, every decision made by the United States Supreme Court on this issue, and the decisions made by the appellate court of FISA, the FISA Courts. And that was when she suggested that the Constitution does not grant any inherent authority to the President to involve himself or direct, that is, foreign intelligence. As a matter of fact, every Supreme Court decision since the beginning of the Republic has recognized that. With respect to exclusivity of the law, every Supreme Court decision has recognized that such a law cannot be exclusive, as does the FISA Court, the appellate court under the FISA structure itself.

Interestingly, however, when we do look at FISA, the bill that was brought forward to us as a result of a manager's amendment's being incorporated into the bill presented to us, it contains this language: This deals with the situation in which we have, everyone agrees, a constitutionally permitted wiretap or otherwise means of collecting communications between Osama bin Laden, a terrorist target in a foreign country, a foreigner in a foreign country. We have every right to gather that information under the law. There's no disagreement. But here is what happens under the bill presented to us:

If the electronic surveillance referred to in that paragraph dealing with what we presume to be foreign-to-foreign communications inadvertently collects a communication in which at least one party to the communication is located inside the United States or is a United States person, the contents of such communication shall be handled in accordance with minimization procedures adopted by the Attorney General, and, now, this is the important language, "that require that no contents of any communication to which a United States person is a party shall be disclosed, disseminated, or used for any purpose or retained for longer than 7 days unless a court order" is given, "or," further it says, "unless the Attorney General," and this requires him specifically, "determines that the information indicates a threat of death or serious bodily harm to any person."

Now, why is this unfortunate? It is unfortunate because it changes the way we handle minimization in the criminal justice context. If we have a legal wiretap on a mafioso member and

he happens to call his sainted mother or a priest or someone else, and that, therefore, is someone who was not under the wiretap, you don't have to go back to a court to get another court order in order to use whatever he said, that is, the mafioso member, against his interest. And here we would say that if in this conversation Osama bin Laden said something that didn't implicate the American but did give us information as to where Osama bin Laden was located or where Osama bin Laden was going to move, we would be prohibited from using that information, disclosing that information, disseminating that information, or keeping it for more than 7 days unless we went to a court for a new court order.

That is nonsense. That gives Osama bin Laden more protection than an American citizen in the United States who is being investigated for a criminal offense. That is nuts. Not only is it nuts, it is dangerous to the American people because it creates a situation in which we would be blinded about information which would give us an ability, first of all, to find out what the dots are and then to connect the dots as to what the threat is against the United States. There is no rationalization for it, but it is part and parcel of what we have heard from the other side that we need to give now habeas corpus rights to those people we found on the battlefield around the world who are unlawful enemy combatants. It is part and parcel of a program that puts us at risk.

I would ask us to consider it seriously next week.

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#### CONGRATULATING CHESHIRE HIGH SCHOOL GIRLS SWIM TEAM

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

Mr. MURPHY of Connecticut. Mr. Speaker, you know, we live in a world that's hard to reconcile sometimes. Now, our focus often is on the evil that exists in this world, but all too often we let that focus overwhelm the counterbalancing good things that happen in our communities every day. And I rise today to recognize that strange, delicate symmetry in my hometown of Cheshire, Connecticut.

This week, the Cheshire High School girls swim team broke the record for the longest dual-meet winning streak in American history with their 235th straight victory. As you can imagine, this is a pretty remarkable record to break. In fact, the girls on this record-breaking swim team that broke the record on Monday night weren't even alive when that streak began some 21 years ago.

I wasn't there Monday night, unfortunately, but hundreds of parents and friends and siblings and supporters were in attendance, and I heard that

the record-breaking night was pretty magical. But strangely, something else happened that night, something that the girls probably didn't even notice or seek out. Monday night, the girls swim team at Cheshire High School transcended statistics and records and wins and losses. And the most important marker that they set down that night was not as the best swim team in the country, but as a bright, beaming emblem of a resurgent community with so much to celebrate.

You see, my town has been grieving over the past several months. And it's hard to figure out what else to do when you wake up one morning and find out that three of your neighbors, a mother and her two young, vibrant daughters, lost their lives in an unspeakable act of barbarism. It becomes difficult, impossible even, to square the wonderful, serene existence of life in a quiet small town with the random and brutal acts of violence that left Dr. William Petit mourning the unexplainable loss of his family.

How do you reconcile the two? How do you wake up, even for those of us who didn't know the family personally or live in that neighborhood, and pretend that the veil of safety and goodness that always seemed to envelop Cheshire, Connecticut, was still there after that? I thought about little else in the days and weeks following that incident, and I know that I wasn't alone.

But then the unexpected happens. And I know it sounds silly to even talk about a murder and a swim team in the same sentence and, frankly, of course, the two are incomparable, but therein lies the problem. There is no and there will be no one clear moment when we collectively decide that the moral order has been restored in our community. And so we're left to seek out those moments that simply remind us of why we love Cheshire in the first place and why we have confidence that our community will heal, that we will persevere, and that we will recover. This week is one of those moments.

I didn't grow up in Cheshire, so I certainly can't claim to know the town like those who call it their birthplace, but I did know a good thing when I found it. And Tuesday morning, when I heard that the record had broken, I couldn't help but wonder whether it wasn't just a coincidence that a national record 21 years in the making matured at the very moment that a burst of good news was most needed in our community. And I couldn't help but think about how this streak, which started two decades ago and has been the careful construction of hundreds of girls and thousands more family members, friends, supporters and coaches stands as a testament to the strength, persistence and spirit of our little town, not just on one night, but over the span of decades.

And so, yes, one unspeakable act can and probably should shake the confidence and faith of a community. And