

DRUG SAFETY

Mr. GRASSLEY. Mr. President, I wish to speak for a short period of time on another issue that I have been working on.

Yesterday, the Journal of the American Medical Association published a study on the diabetes drug Avandia. This study concluded Avandia significantly increases the risk of heart attacks, a subject that Senator BAUCUS and I have been investigating for some months. You will remember that it was back in May that a study in the New England Journal of Medicine first alerted the public of an increased risk of heart attacks from Avandia.

When that study was published, Senator BAUCUS, chairman of the Senate Finance Committee, and I raised concerns that the drugmaker had sought to silence a critic who voiced apprehension about Avandia back in 1999. Remember, this is 8 years ago. At the time, SmithKline Beecham manufactured Avandia. The company later merged with Glaxo Wellcome to form today's GlaxoSmithKline.

According to the Wall Street Journal, GlaxoSmithKline said the allegations that the company silenced critics of Avandia were "absolutely false."

Today I would like to discuss some internal company communications that suggest otherwise. The person who first blew the whistle about cardiovascular problems with Avandia was Dr. John Buse. He was a professor at the University of North Carolina.

Shortly after Avandia came on the market, back in 1999, Dr. Buse began warning his colleagues at medical meetings that the drug might be dangerous.

How did this company respond when this professor brought up these issues? In an e-mail dated June 25, 1999, two company executives discussed ways to silence Dr. Buse. I would like to read parts of the e-mail. One executive wrote of a plan to "write him a firm letter that would warn him about doing this again . . . with the punishment being that we will complain up his academic line and to the CME granting bodies that accredit his activities."

CME stands for continuing medical education. I will come back to that in just a second.

In response, another company executive e-mailed back, proposing to sue Dr. Buse and launched a media offensive promoting Avandia.

Based on this e-mail exchange, it seems to me that at least two drug company officials did attempt to silence a critic. In fact, Dr. Buse stopped making any critical statements about Avandia shortly after this e-mail exchange. Scientists should be able to raise issues related to public health and safety in a free and uncensored manner, not the way they do things in China. And when these scientists are suppressed, we ought to consider that a very serious problem. The reason why is because the scientific process will

take care of itself. If scientist Grassley has a suggestion and you think it is crazy, you are a scientist, my work can be reviewed by you and it has to stand the test of peer review. So I think it is a very good process, and if we just let it go on, it will show whether this scientist or that scientist is right or wrong.

The scientific process, if suppressed, I say, is a very serious problem. But more important in this whole process, the American public loses. Instead of Avandia being more critically examined for safety, it was heavily marketed and became what experts have called the best selling diabetes drug in America. It has been reported to me that this huge volume of sales may have resulted in 60,000 to 100,000 heart attacks from 1999 until the year 2006—that is about 20 a day—from the users of Avandia.

What happened to the company executives who sought to attack Dr. Buse for voicing his scientific opinion? Based on the information I have received to date, nothing has happened to these corporate executives.

Let me return to the issue of continuing medical education. In the e-mail exchange I quoted, the two company officials discussed complaining about Dr. Buse to the accrediting bodies of continuing medical education. Every year, medical professionals must get continuing medical education credits to stay current in their profession. The continuing medical education companies and the doctors who teach the classes are supposed to be independent of drug companies that fund the courses. But I think we now know what we have often suspected: Continuing medical education courses often are not independent at all. In fact, the drug companies have a lot to say about what goes on in these courses and who gets paid to teach them.

In April, the Finance Committee staff released a report on pharmaceutical company support of continuing medical education. Drug companies pour about \$1 billion every year into continuing medical education, and the report noted that some educational courses have become veiled forms of advertising.

Of course, this also ties in to last week's introduction of the bill I submitted called the Physicians Payments Sunshine Act. I introduced that bill with Senator KOHL, who is chairman of the Aging Committee, because Americans have a right to know how the drug companies are using money to try to shape the medical field. The bill requires drug and device companies to report payments and other gifts they give to doctors, bringing a little transparency to the practice of companies such as GlaxoSmithKline. I hope to see more of my colleagues sign on to this legislation. I cannot spotlight every instance where a drug company goes after an independent scientist with a stick, as they did with Dr. Buse, but to-

gether we can splash some sunlight on the financial carrots drug companies use to try to shape doctors' behavior.

Before I yield the floor, I ask unanimous consent to have the e-mails I referred to printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

From: Tachi Yamada
To: William D Claypool
CC: David M Stout, Jean-Pierre Garnier
Subject: Re: Avandia Renegade
Date: 06/25/1999 19:15:33 (GMT-05:00)

BILL: I spoke to both JP and David Stout today about this situation. I doubt that speaking to his chairman about him will do much good—in fact if he's as bad as he seems to be, his chairman probably already has doubts about him. In any case, I plan to speak to Fred Sparling, his former chairman (they are actively looking for his replacement) as soon as possible. I think that there are two courses of action. One is to sue him for knowingly defaming our product even after we have set him straight as to the facts—the other is to launch a well planned offensive on behalf of Avandia so that the listeners begin to understand at the very least that there are two sides to this story. I suspect that the latter approach would be preferred—it wouldn't look good for SB to be at war with a KOL.

TACHI.

William D Claypool on 25-Jun-1999 12:23
CLINICAL RESEARCH AND DEVELOPMENT

To: Tachi Yamada
Subject: Avandia Renegade

TACHI: At Avandia Day today, mention was made of John Buse from UNC who apparently has repeatedly and intentionally misrepresented Avandia data from the speaker's dais in various fora, most recent among which was the ADA. The sentiment of the SB group was to write him a firm letter that would warn him about doing this again (he will be speaking next at a major European congress in Stockholm in July) with the punishment being that we will complain up his academic line and to the CME granting bodies that accredit his activities. There was brief mention of a law suit but this was reserved for a later approach. The question comes up as to whether you think this is a sensible strategy, whether you know any of the principals at UNC (I don't), and whether we have other avenues to ensure his accuracy in the future (we don't really do too much work at UNC to make any threats)? I imagine that Paul Wadkins is too new in post for us to ask him to exert any influence on our behalf at his new institution.

Any thoughts?

Thanks.

BILL.

Mr. GRASSLEY. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CASEY). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

VA WAIT TIMES

Mrs. MURRAY. Mr. President, I rise today, after two days of testimony by General Petraeus and Ambassador

Crocker, to talk about a subject we have still heard virtually no discussion of from this administration: the impact of this war on our servicemembers and veterans.

General Petraeus and Ambassador Crocker have now spent countless hours in an attempt to sell both the Congress and the American people on the virtues of the President's surge. Their aim is to convince us to spend more time, more money, and more lives in Iraq. Yet we have heard precious little about the impact of this surge on the men and women who are actually on the battlefield fighting.

That is a disturbing omission that leaves me—and I am sure thousands of military families across the country—deeply unsettled and greatly concerned for the future of our Nation's plan to take care of these heroes.

We all know going to war has a profound effect on our men and women in uniform, and the wars in Iraq and Afghanistan are no exception. As the Iraq war now enters its fifth year, it is clear the fighting overseas has taken a tremendous toll on the lives of our troops, who have served this Nation so honorably, and on their families, who have supported them so fully. Yet, over and over again, in their sales job, this administration has either failed to make the cost of caring for our wounded warriors a priority or—as we found this week—blatantly misled Congress and the American people about that cost.

Unfortunately, on Monday, just 2 days ago—the same day General Petraeus appeared in the House to talk about the results of the surge—we learned from the VA inspector general that the Department of the VA repeatedly—repeatedly—understated the wait times of our injured veterans seeking care.

How can we be expected to trust this administration about the continuation of a surge when they continue to cover up the costs of this war?

Administration officials, including Secretary Nicholson himself, have repeatedly told Congress and the American people that 96 percent of all veterans seeking primary care and 95 percent of veterans seeking specialty care were seen within 30 days of their desired appointment date.

Well, this week, the inspector general found that in reality only 75 percent of veterans have waited less than 30 days. In fiscal year 2006, the VA underestimated the number of Iraq and Afghanistan veterans who would be seen by 45,000 people. For the current year—fiscal year 2007—the VA has now been forced to revise its projection up by 100,000 people. Now the VA is projecting it will see 263,000 Iraq and Afghanistan vets in 2008. Yet, I am told by some that the VA should actually be preparing to see more than 300,000 returning veterans.

Frankly, I think it is very important that we do not underestimate this number. We have seen the past failures in the VA to accurately project the

numbers, and I think it is very important this administration get those numbers right.

The VA's fiscal year 2008 budget also assumed a decrease in the number of inpatient mental health patients, when all signs everywhere we heard and turned to pointed to an increase in need.

In February of this year, I had the opportunity to ask VA Secretary Nicholson, how the President's escalation of the war would impact our care for veterans. He told me it would have a "minimal" impact. Now, not only does that statement fly in the face of reason, it boggles my mind.

I told Secretary Nicholson, when he told me that:

When the President has proposed a surge in troops to Iraq, when the men and women in uniform are being deployed for their second and third tours of duty, and when more and more of our troops are coming home with [post-traumatic stress disorder] and other mental health care needs, I don't understand how the VA can assume that they will treat fewer patients for inpatient mental health care.

The VA Secretary's duty is to protect our veterans, not a dishonest administration. If the VA had been frank with us about waiting times and backlogs from the beginning, we in Congress would have been able to invest in our facilities and in allocating our resources properly.

If we were getting accurate information, and not being served a political line, we could do our job and serve the veterans. Unfortunately, based on our experience with VA leadership over the past several years, I have serious doubts about the level of frankness we can expect from a VA that has tried to minimize the cost, both in money and in lives, of this war.

This spring, as our military was surging in Iraq, we learned that the VA officials—the officials—had received bonuses, while our veterans faced waiting lines and backlogs for benefits. To me, that is plain wrong. Senior career officials throughout the VA were getting a generous package of more than \$3.8 million in payments by that financially strapped agency, at the same time as our veterans waited up to a year—up to a year—to see a doctor, and at the same time VA officials were misleading Congress and the American people.

This week's IG report found:

...that schedulers at some facilities were interpreting the guidance from their managers to reduce waiting times as instructions to never put patients on the electronic waiting list.

Well, that obviously results in "gaming" of the procedure. So a veteran calls in, asks for an appointment, and instead of putting them in line, they are told to call back in a month or two, before they get on the waiting list. That is the wrong way to treat our veterans.

I have to ask, were officials receiving bonuses for cooking their books on wait times? Well, in light of this

week's report, it seems to me to be a fair question.

The inspector general's report on the VA's failure to provide an accurate account of how long our veterans are waiting for care is a frustrating reminder of that agency's need for honesty and leadership. Whether the VA's numbers were intentionally skewed or incompetently reported, the result is the same: Our veterans pay the price.

Now, I have long said the VA provides excellent care to our veterans—once they get in the door. The VA has a long-term focus on patients, it has a great integrated delivery model, and it has a first-rate health IT system that provides distinct advantages over our private sector care. We have to keep it that way.

But too often, for our veterans, getting in the door is the problem. Every one of us has heard at home from veterans who have waited months to see a primary care doctor. Some of those veterans have had to wait years to get surgery. For too many years, under this administration, veterans have been last in line, and we in Congress have had to fight this administration tooth and nail to meet their needs.

It is clear that 5 years into this war—5 years into this war—the VA is still not on a wartime footing to deal with this problem. It is far past time for the VA to put an end to the pattern of dishonesty that has plagued them. From exaggerated reports of success, to failures to present their real funding needs, to poor conditions at our facilities, the VA is not coming clean with the American people. And every time the VA tries to save political face, do you know who it ends up costing? Our men and women who have served us honorably overseas, our veterans.

No matter how anyone in this country feels about the war, Americans support our veterans. Everywhere I go, people stand up and say to me that they do not support the war, but they will be there with their pocketbooks and their hearts to make sure our veterans are taken care of when they get home.

In order for us to do that—and everyone here wants to do that—we need to have an honest assessment from this administration about what the costs are or we cannot provide the support that Americans want us to provide.

The President of the United States has a responsibility now to send us a nominee to fill the soon-to-be-vacant position at the VA. We need a new nominee, a new Secretary, who is going to be an honest advocate. We need a new VA Secretary who is going to fill the needs of our current veterans and future veterans and who will honor their sacrifice with superior service.

I am looking forward to the President finding and sending to us someone who will fill that position that we can finally trust, who will bring about a culture of change, who will bring us accurate information, who we do not have to second guess, and, most importantly, who will be willing to stand up

and be honest with the American people about the cost of war when it comes to the men and women who are fighting for every one of us.

If we are just being told a happy picture all the time, and not getting the reality of what is out there, we in Congress cannot do our job to make sure our veterans get what they need. The men and women who have served in the military have borne significant burdens. They have assumed great risk for our country, and they have sacrificed their lives and their limbs to protect all of us and our freedoms. They have done their job. They have done what this country has asked. They have done it honorably. It is time this administration helps us keep a promise to them to fulfill their needs. Our Nation has a moral obligation to care for those who have served this country in uniform, and that begins by an honest assessment of the cost.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I share some of the feelings of the distinguished Senator from Washington about our veterans. There is no question about it, we need to do more for them, and we will.

TESTIMONY OF GENERAL DAVID PETRAEUS

Mr. HATCH. Mr. President, we live in a cynical age where the truth is often discarded because it does not meet the goals of an election campaign strategy or it is not what the core constituencies of certain political movements wish to hear.

One does not need to look any further to prove this point than the media's portrayal of General Petraeus's testimony before Congress this week.

Lost in the coverage were the hard facts and the veracity of the personal assessments of a remarkable leader. He has spent years in Iraq, first, as the commander of the 101st Airborne Division during the initial race to Baghdad and then as the officer in charge of training the Iraqi Army. This was followed by his authorship of the "Army-Marine Corps Counterinsurgency Manual" that was used as the basis for our current strategy, and now in his role as the commander of Multi-National Forces—Iraq.

This man deserves the plaudits and credit from all of us. Think about it. How many of us would spend years away from our wives, our families. The sacrifices of our men and women over there is remarkable. This man is one of the most remarkable.

So let us lay aside the rhetoric and learn the truth outlined by this seasoned commander.

Here are General Petraeus's own words:

As a bottom line up front, the military objectives of the surge are, in large measure, being met. In recent months, in the face of tough enemies and the brutal summer heat

of Iraq, Coalition and Iraqi Security Forces have achieved progress in the security arena. Though improvements have been uneven across Iraq, the overall number of security incidents in Iraq has declined in eight of the past 12 weeks, with the number of incidents in the last two weeks at the lowest levels seen since June 2006. One reason for the decline in incidents is that Coalition and Iraqi forces have dealt significant blows to al-Qaida-Iraq.

The general goes on to point out:

Coalition and Iraqi operations have helped reduce ethno-sectarian violence, as well, bringing down the number of ethno-sectarian deaths substantially in Baghdad and across Iraq since the height of the sectarian violence last December. The number of overall civilian deaths has also declined during this period, although the numbers in each of the areas are still at troubling levels. Iraqi Security Forces have also continued to grow and to shoulder more of the load, albeit slowly and amid continuing concerns about the sectarian tendencies of some elements in their ranks. In general, however, Iraqi elements have been standing and fighting and sustaining tough losses, and they have taken the lead in operations in many areas.

These are the words of a trusted and very capable commander who was unanimously confirmed by the Senate. They are insightful, and they show that at long last, we are beginning to make significant progress in Iraq.

I believe Churchill could have been talking about our current prospects in Iraq when he said:

This is not the end. It is not even the beginning of the end. But it is, perhaps, the end of the beginning.

Yet even before General Petraeus gave us his professional military opinion on the status of the war, some attempted to undermine the veracity of his analysis and, worse, the character of the General himself.

Of course, I am speaking of the disgraceful actions of MoveOn.org and their now infamous advertisement. Before even having the opportunity to hear General Petraeus's analysis, this group stated that General Petraeus is a "military man constantly at war with the facts." It claimed he was "cooking the books." It asserted that his action is a betrayal of the American people.

This is shameful.

There is no need to read between the lines.

There is no subtext here.

The text is clear.

MoveOn.org has called General Petraeus a liar.

That is disgusting. It is beneath the dignity of decent and honorable people.

According to this group, General Petraeus is injuring his country and endangering those under his command by lying about the progress in Iraq.

Now, anyone who has had the opportunity to meet the General and anybody who has bothered to follow his career or his academic pursuits knows these are disgraceful and unwarranted allegations. However, there might be a silver lining to this libel. Now, all of America understands why MoveOn.org and other groups like it are called the nutroots. These people are nuts. They

don't care who they hurt. They don't care whom they smear. They don't care whom they libel. To them, politics is more important than anything else, and the accumulation of power is most important of all. Perhaps if they rejoined the reality-based policy community, they would have actually waited to hear the General's analysis before criticizing it.

Here is the reality.

General Petraeus is a consummate professional. He is a man who has dedicated his life to our country.

And I would note that when you put on a uniform, dedicating your life to your country has the potential to mean a good deal more than running for Congress.

But to MoveOn.org, which has sadly become a core participant in the Democratic party's policymaking, General Petraeus is a disgrace to the uniform.

Let me be clear. It is MoveOn.org that is the disgrace. And I think it is important that the entire Congress publicly repudiate these absurd charges. I hope those in this body who are fond of listening to and following MoveOn.org's misguided policies see this group for what it is—an American embarrassment.

I have been very interested in watching the debates both on the Republican side and on the Democratic side. I have been impressed with the candidates for President. There is no question. They are decent and honorable people. But they ought to decry this. They should start by demanding that people within their party start acting responsibly. The same applies to Republicans. If we have people who are doing disgraceful, offensive things such as MoveOn.org, we ought to rise out of our seats and condemn them. I believe good people in both parties will do that. But thus far, there has been a silence on these issues, especially when it comes to General Petraeus and Ambassador Crocker.

What was particularly galling about the inaccuracies of MoveOn.org's comments is that many Members of Congress have been to Iraq in the previous few months and have seen with their own eyes the progress that is being made. Therefore, I would like to take this opportunity to share with my colleagues some of the experiences I had during a trip I made to Iraq a few months ago with Senator SMITH and one of the great Congresswomen in the House, Congresswoman HARMAN.

As part of my preparation for this trip, I read with great interest the articles written by Michael Fumento and published in the *Weekly Standard* about the time he was embedded with U.S. forces in Ramadi.

Mr. Fumento wrote as recently as eight months ago that our forces in Ramadi, described the time between when they went out on patrol and when they were attacked as the 45-minute rule. Under this rule, our forces hypothesized that it took the enemy 15 minutes to determine where an American patrol was and then 30 minutes to