

the middle of a civil war where hundreds and hundreds of people are being killed each week, where we are losing soldiers at a rate that is untoward even in this war. Last month was the highest casualty rate this year. In the 51 months of the war, it is one of the highest casualty rates. So it is something for which we have to carry the wishes of the American people into legislation and change this war and bring our troops home.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business for up to 60 minutes, with Senators permitted to speak for up to 10 minutes each, with the first half of the time under the control of the majority, the second half of the time under the control of the Republicans.

The Senator from Washington is recognized.

#### EMERGENCY SUPPLEMENTAL APPROPRIATIONS

Mrs. MURRAY. Mr. President, we are now in the fifth year of the war in Iraq. Once again this year, the President failed to include an honest cost of the war in the budget he sends to Congress every year. Why is that so important at this time? If the President had initially sent to Congress a realistic budget instead of one that is intended to make his fiscal policies look less irresponsible, our men and women in the service wouldn't be faced with debate after debate after debate on emergency spending bills to pay for the cost of the war. Unfortunately, again, he did not send us a budget that was honest and paid for the war. So what we have now is an emergency spending bill for Iraq and other emergencies.

Unfortunately, last night—and sadly, in my opinion—the President decided to say no to our men and women in Iraq, to our veterans, to victims of Katrina, and to many other people who needed this measure passed and signed by him.

Democrats understand that our troops and their families should not pay for the President's budget games. That is why we passed funding for the emergency supplemental at record speed—faster, in fact, than the Republicans did in the last 2 years. Back in 2005, the Republican Congress didn't send the President emergency funding until May 10. In 2006, the Republican Congress did not send an emergency funding bill until June 15. Not only did we send the White House a bill earlier than ever, we sent legislation that con-

tained more funds than the President requested and all the money our troops need. Unfortunately for our troops, yesterday, 4 years after President Bush declared "mission accomplished" and 12 days after it was reported that 104 American servicemembers died in April, making it the deadliest month since the surge began, the President decided to veto that bill. With that, he decided to delay the funding for our troops.

Included in that bill were billions of dollars to help solve the problems facing our men and women in uniform when they return home. The President didn't ask for those critical dollars. In fact, he has never included our wounded warriors as a cost of the war. Their families and now both Houses of the Congress understand the obligation to our heroes and have included them as a cost of war in this bill.

The bill we sent to the President provided money to improve Walter Reed and other VA facilities that we know are in disrepair and money to help increase access to medical and mental health services for our returning soldiers. More than \$143 million was included to improve the VA's polytrauma center, which, among other things, would have helped the VA better diagnose and treat the increasing number of traumatic brain injuries which have emerged as a signature wound of this war.

The legislation also provided \$100 million for the VA to target areas where mental health care is lacking. According to the VA's own statistics, more than 35 percent of returning Iraqi and Afghani veterans who have sought care have done so for mental health problems. We provide the funds in the bill we sent to the President. Unfortunately, he said no.

Additionally, we put in \$61 million for hiring and training of new compensation and pension claims adjudicators. That is important money because we are hearing from far too many of our returning soldiers that it is taking them months to get the benefits they have earned. These new claims processors will help address that growing backlog of claims. Unfortunately, last night the President said no.

What we have today for our veterans, 4 years after President Bush declared "mission accomplished," he decided to veto this bill. He decided to delay funds that would have addressed the problems facing our veterans.

Not only did Democrats send the President funding earlier than ever, we listened to the military leaders, we listened to the Iraq Study Group, and we listened to the American people and included a provision to redeploy our forces from the Iraqi civil war. Americans overwhelmingly oppose the President's escalation plan. General Abizaid, General Casey, and other top former officials have made clear that a surge will not be a solution to a civil war in Iraq. Reportedly, the Joint Chiefs of Staff were not in favor of escalation,

and even Colin Powell opposes the escalation. In fact, Colin Powell, who we know saw combat in Vietnam, said:

I am not persuaded that another surge of troops into Baghdad for the purposes of suppressing this communitarian violence, this civil war, will work.

GEN John Abizaid, former commander of U.S. Central Command, said:

I do not believe that more American troops right now is a solution to this problem.

The Iraq Study Group, made up of Republicans and Democrats, called for the redeployment of our forces. But the President ignored all of them. He decided instead to escalate the number of troops in Iraq.

This escalation is in its third month, and so far the results are not promising. The Iraqi Government reported that violence from February to March increased. Officials said the number of car bombings in Baghdad is rising. According to the U.N., sectarian violence in the capital has not declined one bit. Officials have also reported that sectarian violence outside the capital has increased. As I mentioned, 104 American troops died in April—the deadliest month since this surge began.

The redeployment provision this Democratic-led Congress included in the bill provided the President with an opportunity to force Iraqis to finally take responsibility for their own country. We are in the fifth year of this war, and Iraqis have yet to stand up for themselves. They are not policing their own streets. They are not running their own army. Their Government is a mess. Something has to be done to show them they have to get their act together, they have to take ownership of their own future.

That is what the redeployment provision did in our bill. It said to Iraqis: After 5 years—5 years—and thousands of U.S. lives, you have to take responsibility for your future. It said: You must stand up.

Well, unfortunately, for America's security, 4 years after President Bush declared "mission accomplished," and after we have lost 3,351 troops, the President, last night, vetoed the bill. By doing so, he ignored calls from military experts and the American people for redeployment and the need to make clear to the Iraqis they have to take responsibility for their own future.

The President asked our Nation for patience after the first and second years of this war. Then he asked the American people for more time after the third year, and more time after the fourth year.

This year, the fifth year of the war, he is now again asking us for patience, for the American people to just stand by as more of our young men and women die and as the Iraqis continue to shirk their responsibility for their own country.

It is clear our troops are now policing an open-ended civil war. Now, more than ever, we need a new direction in Iraq. Unfortunately, yesterday, and, sadly, the President vetoed a bill which

did provide a way forward. In doing so, he withheld millions of dollars for our troops and for our veterans and ignored the advice of military leaders and the Iraq Study Group and, importantly, the will of the American people.

Today the President stands alone against the vast majority of Americans desperately seeking a new direction in Iraq. It is now up to him to come to the negotiating table and provide the American people with a real strategy for success.

Mr. President, we also have before us today a bill on the FDA.

Can I ask how much time I have remaining?

The ACTING PRESIDENT pro tempore. The Senator has only about a half a minute remaining.

Mrs. MURRAY. Mr. President, I see another colleague on the Senate floor, and I ask him how much time he is going to need.

Mr. BROWN. Five or ten minutes. Go ahead.

Mrs. MURRAY. Mr. President, I ask unanimous consent for an additional 5 minutes to speak to the FDA bill that is in front of us today.

The ACTING PRESIDENT pro tempore. Without objection, the Senator is recognized.

#### FDA REAUTHORIZATION

Mrs. MURRAY. Mr. President, all of us in the Senate share the same goal of making sure the Food and Drug Administration stays as the gold standard for drug safety and effectiveness, and the legislation that is before the Senate today moves us toward that goal.

Throughout our country, researchers, scientists, and doctors are making 21st century medical advances, and the legislation we are looking at will ensure we have a 21st century FDA. It provides the resources, the authority, and the oversight to ensure that safe drugs move from the lab to our medicine cabinets without delay.

Like other Members of the Senate, I worked on the FDA reforms back in the 1990s. Those reforms responded to the challenges we faced then. The bill before us now responds to the challenges we face today.

In recent years, we have seen a lot of problems at the FDA with drug approval and postmarket surveillance. The bill we have addresses those challenges and ensures the FDA has the resources and the tools to promptly and thoroughly review new drugs and medical devices.

The bill reauthorizes and improves two pieces of legislation that will be critical in providing a timely review process. It creates a new system to actively monitor drugs after they have been approved by the FDA. It strengthens science at the FDA and, importantly, improves transparency. It improves oversight and information about clinical trials, and it works to prevent potential conflicts of interest among advisory committee members.

Like many Americans, I was shocked at the recent revelations concerning drugs that posed risks to public safety but remained on the market for far too long. This legislation moves to address those concerns by instituting strong, new protections, including postmarket studies that will be made available to the public. I believe this new transparency and vigorous oversight is the right path toward restoring public confidence in the FDA.

The bill takes critical steps also to improve medical care for our children. The Best Pharmaceuticals for Children Act that is included in this bill uses incentives and regulations to put America's children first. It builds upon the legislation we enacted back in 1997 that ensures pediatric medicine is a priority and that information on pediatric drugs is readily available. It extends and improves a program that has undertaken nearly 800 studies and has helped to provide pediatric labeling information for 119 drugs.

The Pediatric Research Improvement Act included in this bill is another critical component of improving pediatric care. It provides needed safety measures through mandatory clinical trials. It will help to continue pediatric oversight programs that have required trials for more than 1,000 pediatric drugs since 1998. All too often, doctors are not given guidance on the proper dose of prescription drugs for children. This bill is going to eliminate that guesswork so our children get the right doses for safer, more effective treatment.

The bill also provides help to our Nation's children through the Pediatric Medical Devices Safety and Improvement Act. Every year, we see these wondrous technological improvements in medical devices. However, sometimes those improvements do not account for the needs of the children and the pediatricians who treat them. What that means is essential, often life-saving devices do not meet the size or the scope or the needs of sick children. This bill will push manufacturers to develop and produce devices that are safe and effective for children and infants. Through incentives and investor outreach, this bill will ensure that exciting advances in lifesaving devices are not just limited to adults.

This legislation also delivers greater safety while providing better access. I believe it will improve the way we deliver safe innovative health care in America, and it is really my hope it will also begin to restore confidence in the institutions that safeguard our public health.

The American public deserves nothing less than the gold standard of care from our FDA. When a nervous parent or worried senior visits their corner pharmacy, they deserve to know the product they buy on that shelf has been approved by a thorough and complete process. When a patient begins to take a new drug, they deserve a system that has actively tracked that drug and pro-

vides the patient with information on any risks they might face. Everyone—drug companies, researchers, patients, and doctors alike—deserves a system that supports an efficient and timely FDA approval process.

So I am very eager to move this legislation forward and get it to a vote so we can begin to deliver what the American people deserve. I hope this Senate moves quickly on this bill and we are able to move it along in the process very shortly in the Senate.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Ohio is recognized.

#### TRANSEA ACT

Mr. BROWN. Mr. President, our trade policy is fundamentally flawed. Years of wrongheaded trade pacts have sent millions of jobs overseas, devastated our communities, and opened our Nation too often to serious homeland security concerns.

When we open our borders to trade, as we should, we open them to national security threats. Congress must assure the American people we have done everything within our power to protect their safety and their health and their welfare and to promote fair trade.

It is estimated that less than 10 percent of foreign cargo is inspected before entering our country. We must both ensure that our ports are operated securely and with clear lines of accountability, unlike the deal to transfer operation of six U.S. ports to a state-owned company controlled by the United Arab Emirates that this administration approved just last year.

The decision to allow a UAE-controlled company to run our ports had significant national security implications. The UAE was, and still may be, a financial and travel outlet for known terrorists. It was not until leaders in both parties in the Senate and in the House of Representatives called attention to this enormous blunder that this deal was stopped.

It is imperative Congress take steps to ensure our homeland security needs are secured every bit as much as our economic well-being.

Today, I am introducing, with Senator BYRON DORGAN of North Dakota, the Trade-Related American National Security Enhancement and Accountability, TRANSEA, Act.

This act requires the Office of the United States Trade Representative, in collaboration with the Departments of State, Homeland Security, and Justice, to submit a report to Congress detailing the national security considerations of proposed trade agreements prior to commencing and after concluding those trade negotiations.

The bill also requires future trade agreements negotiated by the administration to include a national security waiver that allows the President to suspend any terms of the agreement should it be required in the interests of U.S. national security.