

else might happen, with Iran expanding its influence.

I have to tell you that the substantial reduction in violence we have seen is not small. This is really large. If you told me when the surge started that we would see a 70-percent reduction in civilian deaths in Baghdad, I would not have believed it. I would have thought that would be more optimistic than I was prepared to be. So whether it will hold, I don't know. We have seen some improvement.

I know the Senator from Massachusetts would like to speak. I will just conclude by saying, OK, we have had these reports, we have seen this progress, and we know what the difficulties are. I have decided, based on General Petraeus's testimony, the Crocker testimony, the Jones Commission report, and other information we have, that things are moving in a better direction.

I personally believe it is the new tactics, not so much the number of soldiers. I am very happy General Petraeus has concluded he can draw down troops while maintaining this progress of reducing violence. In fact, he has recommended that within the next few weeks, a Marine unit not be replaced. So that represents an initial reduction in our forces within a few weeks. Then the next reduction will come before Christmas will be an Army brigade, and he would have 30,000 troops withdrawn by next summer and would report to us again in March on whether he could continue this rate of reduction or accelerate it.

There is not that much difference, I say to my colleagues, in what we want. Senator LEVIN wants to see troops withdrawn. He wants to see a stable Iraq. The question is, Do we do it with a mandated withdrawal rate dictated by Congress or do we do it in harmony with the situation on the ground that leaves us in the best possible position to allow a stable, peaceful Iraq, an ally to the United States, to exist?

I think we should accept the report. We should see this as good news, celebrate that some progress has been made and recognize that serious challenges are out there. I do believe Congress has every right to monitor this situation closely. We have every right to reject the President's recommendation, to reject General Petraeus's recommendation, to cut off funds and order our troops home if we so desire. I think that would not be a good decision. I think it would not be in the long-term interests of the United States of America. Therefore, I oppose the Levin amendment.

I yield the floor.

The PRESIDING OFFICER (Mr. SANDERS). The Senator from Michigan.

Mr. LEVIN. Mr. President, I believe Senator NELSON was scheduled to be the next speaker on this side of the aisle. He had to do that before 7 o'clock, so he will be unable to take that position. Senator KERRY is next in line on this side. However, I understand

he is going to yield to Senator KENNEDY for a couple minutes for him to offer a unanimous consent agreement.

I thank Senator KERRY for his patience, as always. There is a lot of confusion and difficulty in scheduling speakers. He has been extremely patient. I appreciate it a great deal.

I wonder if Senator KENNEDY can be recognized for a couple of moments to propound a unanimous consent request, and then Senator KERRY can be recognized.

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

Mr. KENNEDY. Mr. President, I thank Senator LEVIN and my colleague and friend, Senator KERRY.

FOOD AND DRUG ADMINISTRATION AMENDMENTS ACT OF 2007

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3580, received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 3580) to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and for medical devices, to enhance the postmarket authorities of the Food and Drug Administration with respect to the safety of drugs, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. KENNEDY. Mr. President, every day, families across America rely on the Food and Drug Administration in ways they barely realize. When they put dinner on the table, they are counting on FDA to see that it is free from contamination. When they care for a sick child, they are trusting FDA to make sure the drugs prescribed are safe and effective. From pacemakers to treatments for cancer to the foods we eat, FDA protects the health of millions of Americans, and oversees products that account for a quarter of the U.S. economy. The agency does all this on a budget that amounts to less than 2 cents a day for each citizen.

Yesterday, the House of Representatives approved legislation on FDA reform by a broad bipartisan majority of 405 to 7. Our House colleagues from all parts of the political spectrum united to send that bill to the Senate with a resounding bipartisan endorsement. We cannot wait another month, another week—or even another day. We must take action here and take action now to send that bill to the President.

The stakes could not be higher. Funding for the FDA's vital safety mission is reaching the breaking point. Unless we act, the FDA Commissioner will send a letter tomorrow to over 2,000 employees informing them that their jobs are slated for termination. This legislation provides nearly \$500 million in new resources for FDA—including over \$50 million for drug safety and \$6 million for review of direct to consumer ads.

Americans are worried about the safety of the products they use—from food to toys to drugs—and they are right to be worried. Dangerous lapses in safety oversight have exposed American families to intolerable risks from lead paint in toys, to bacteria in foods, to drugs that cause unreported and lethal side effects. The right response is comprehensive, considered and bipartisan legislation—and that is what we have before us today.

At the heart of our proposal is a new way to oversee drug safety that is flexible enough to be tailored the characteristics of particular drugs, yet strong enough to allow decisive action when problems are discovered.

A second major element of our legislation is a public registry of clinical trials and their results. A complete central clearinghouse for this information will help patients, providers and researchers learn more and make better health care decisions. Now, the public will know about each trial underway, and will be able to review its results.

Our bill recognizes that innovation is the key to medical progress by establishing a new center, the Reagan-Udall Foundation, to develop new research methods to accelerate the search for medical breakthroughs.

The bill helps preserve the integrity of scientific review by improving FDA's safeguards against conflicts of interest on its scientific advisory committees, and it will end the abuse of citizens petitions that are too often used not for their intended purpose of bringing important public health concerns to the attention of the FDA, but rather to delay the approval of generic drugs.

The proposal before the Senate today strikes the right balance on this issue. It rightly states that the mere filing of a citizen petition should not be cause for delay, but allows FDA to delay the approval of a generic application if it determines that doing so is necessary to protect public health. This is the right approach. It prevents abuse, but protects health.

The legislation also includes important reforms of direct-to-consumer, or DTC, advertising. I thank Senator ROBERTS and Senator HARKIN for working with Senator ENZI and me and with many members of the committee on this important provision.

Instead of the moratorium included in our original bill, the current proposal puts in place strong safety disclosures for DTC ads, coupled with effective enforcement. Under current law, safety disclosures can be an afterthought—a rushed disclaimer read by an announcer at the conclusion of a TV ad while distracting images help gloss over the important information provided. Our proposal requires safety announcements to be presented in a manner that is clear and conspicuous without distracting imagery. We also give FDA the authority to require safety disclosures in DTC ads if the risk profile of the drug requires them.