

children from the acne drug Accutane. As a legislator, I have called for more restrictions on the distribution of this drug, which is known to cause severe birth defects and a form of impulsive behavior and depression in people taking this drug.

This drug has devastated my family with the loss of our son BJ and more than 250 other families who have lost their young son or daughter while he or she was taking the drug Accutane.

Recent news stories concerning the safety of prescription drugs have quoted an FDA safety reviewer, Dr. David Graham, when he spoke to the Senate Finance Committee. Dr. Graham said, "I would argue that the FDA as currently configured is incapable of protecting America against another Vioxx." He told the Senate Finance Committee that "there are at least 5 other drugs on the market today that should be looked at seriously to see whether they should remain on the market." He cited the acne drug Accutane.

Why Accutane? Accutane is the post-er child for why we need an independent body to approve and review drug safety. Accutane causes horrendous birth defects and may cause psychiatric disorders such as depression and suicide. It is linked to over 250 suicides, according to the FDA.

A recent study by Dr. J. Douglas Bremner demonstrates how Accutane affects the brain, possibly causing impulsive behavior due to changes in the orbitofrontal cortex. This is the front part of the brain. This is an area known to mediate depression.

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Our investigation, that of the Committee on Energy and Commerce, found that the dosage for Accutane may be way too high.

Too much Accutane, a synthetic vitamin A, causes cerebri tumor or a pseudo tumor in some patients. Some pseudo tumor is a warning that is found on Accutane packaging, but what does it really mean?

What it really means is it causes severe headaches. And while it acts like a tumor in the brain, it cannot be discovered. CAT scans will not show it. There is no evidence of a tumor. So what happens?

As Dr. Bremner showed us here in this study of the orbitofrontal cortex, there is a decrease in the metabolism of the brain. This PET scan right here establishes a baseline of a person before they started Accutane, here on my far right-hand side. This PET scan of the same person 4 months later, while on Accutane, in the first PET scan, the color red representing brain activity in the front part of the brain. Now in the second PET scan after 4 months, notice very little red, representing decreased brain activity in the same person after 4 months of treatment on Accutane. Accutane decreases the metabolism in the front part of the brain.

This is one slide that Dr. Bremner has shared with us. There is a 21 per-

cent decrease in brain metabolism in this patient. This only occurred in some of the Accutane patients. Dr. Bremner also did PET scans with other patients taking oral antibiotics for acne, and none showed brain changes. It is not all Accutane patients who demonstrated a brain change, just those of who complained of headaches. Is the excessive dosage found in the current formula of Accutane that is prescribed to young people, is this the cause of the change of young people that we see?

Medical evidence is clear that Accutane causes medical changes in the brain, and this may be what leads some people to take their own life through impulsive behavior.

Even today, USA Today, dated 12/7/2004, "Drug Maker Rebuffed Call To Monitor Users," a special report in USA Today. What did it say? That the manufacturer, Hoffman-LaRoche, knew that this drug causes depression and impulsive behavior, but it did not want to warn anyone for fear of loss of sales in the U.S. market.

The medical evidence is clear. Accutane causes changes in the brain, and this may be what leads some young people to take their own life. Let us join with Dr. Graham, the Centers for Disease Control, and other health care groups that have expressed strong concerns about the safety of this drug and who have called for Accutane to be withdrawn from the market as far back as 1990. For 14 years these groups have been saying because of the birth defects and psychiatric impact of this drug, we should withdraw it from the market until we have some answers.

Let us pull this drug from the market until we have all the answers surrounding this powerful, dangerous drug called Accutane. Is this decreased metabolism that we see here in the PET scan reversible? Will the brain repair itself? What amount or dose of Accutane is safe? What amount of Accutane can be safely taken by young people so the brain is not affected? These are questions that must be answered to protect our young people.

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

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. KING of Iowa addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

NATIONAL INTELLIGENCE REFORM ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

woman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I wish all of my colleagues a safe and prosperous holiday season; a time to fellowship with our family members and friends; time for our spiritual reflection of our respective faiths; a time to wish for a better life for all of us.

We finally finished, Mr. Speaker, a very long journey; and that journey started on that fateful day of 9/11. So many of us can remember.

My recollection serves me well. It was a Tuesday morning. Some of us had already come to this Capitol, engaged in meetings, prepared to do the normal business of the House. Within a flicker of an eye, the buildings in New York were struck; the Pentagon had gone up, a portion of it in smoke; and in a field in Pennsylvania, a plane had nose dived, killing all.

I repeat this because for some reason this intelligence debate took on a life of its own, maybe even caused confusion among the American public. But it did not cause confusion among those family members who had lost loved ones and those who lost their lives who are not here now to tell us their story.

The real crux of the debacle and the tragedy of 9/11 was a failure on the part of this government. We failed in understanding the necessity of human intelligence. We failed in understanding the surge of terrorist acts around the world. It was not a Republican failure or a Democratic failure. It was a failure of government, and we failed the American people and those who lost their lives. That is why I was so baffled by the long, extended time it took for this body to pass the 9/11 Commission report. Gratefully, after a long debate, we had a 9/11 Commission, and even that was opposed.

Democrats strongly supported this Commission, but after the report went through and the balance of the representation of the Commission, Democrats and Republicans, who meticulously listened to testimony after testimony, reviewed documents after documents, and came up with what I think was a fair response to the tragedy of 9/11, they gave us a road map upon which we could base our lack of understanding to make it better for the future.

We are very fortunate, and I would not give this credit to any one party. We came together. We forged a Homeland Security Department. I have the honor of serving on the Select Committee on Homeland Security. We had hearing after hearing trying to explore where there were loopholes in the system so we could ensure safety for the American people. Lo and behold, a report came out, the eloquent statements, tear-jerking statements of family members who tore at our heartstrings about what they went through, the gap of time, the lack of information, the lack of coordination. It was glaring. We had failed.

And the singular key of failure was the lack of human intelligence and coordinated intelligence of our intelligence agencies around America and around the world. The FBI could not tell that there was a memo on the desk of an FBI agent in Minneapolis that suggested that there were people who were learning to fly, learning to take off, but not learning to land. There were series of terrorists in Florida going to aviation schools, paying cash, and no data came in to a central place of intelligence to say something is wrong.

While we got, if you will, bundled up and shackled with the question of immigration, and immigration provisions, which I happen to think and hope that we will come together in a bipartisan way in the 109th Congress and begin to put in place comprehensive immigration reform, had really nothing to do with the terrorists, because they came in on legal documents.

We can fix how they came in. We can ensure that our consul offices are more equipped with human intelligence so that we know who not to let into our country. That was the crux of the problem, not the fact that they were illegal immigrants. They had legal documents. Not the fact that they could get a legal driver's license. They had legal documents. We know driver's licenses are taken care of by the States to a certain extent.

As I hear the time ending, let me conclude, if we fix driver's license, we need to do it in an orderly fashion with the criteria and standards of documentation. But none of us are prepared to have a national ID card.

This bill was long overdue. It fixed the singular problem. The singular problem is human intelligence. Immigration can be fixed in the next Congress, and I am grateful for the inclusion of my CASE Act on the alien smuggling. We now have enhanced penalties for those who will do the dastardly act of smuggling illegal immigrants into this country.

This was a bill long overdue. I thank the families.

Mr. Speaker, I would like to offer my sincere gratitude and appreciation for everyone involved in finally bringing this important bill to the floor of the House and for putting aside the poison pill immigration provisions and moving forward with a bipartisan intelligence measure that will implement the 9/11 Commission's recommendations and make our country safer. While I applaud the leadership of the Committees of jurisdiction and the respective Conferees for their hard work in maintaining bipartisanship thus far, the simple fact is that the Conference report has not yet passed. The 9/11 victim families have left Capitol Hill feeling appeased that the work has been done; therefore, it is critical that we not renege on what has been represented to them. The job isn't done until it is done.

This Conference Report is sitting in our chambers and must be passed before we close for 2004.

This week may be our last chance this year to consider and pass this overwhelmingly pop-

ular bipartisan measure. This sweeping bill includes the creation a national intelligence director to oversee the Central Intelligence Agency, a plan with which even our President agrees.

Given the recent vulnerabilities that we have experienced in bioterrorism defense with the shortage of flu vaccinations and the recent discovery that 380 tons of explosive material in Iraq remains unaccounted for, it is more than critical for this body to pass the Intelligence Reform legislation now—while we have an opportunity. The families of the fallen victims are looking to us for leadership and responsible action.

I believe very strongly that immigration does not equate with terrorism. Nevertheless, we continue to look to the enforcement of our immigration laws as a way to protect our country from terrorist attacks, and this did not begin with the terrorist attack on September 11, 2001. Serious efforts in this regard were going on long before that happened. For instance, partly in response to the 1993 World Trade Center bombing, Congress strengthened the antiterrorism provisions in the Immigration and Nationality Act (the INA) and passed provisions that were expected to ramp up enforcement activities, notably in the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996 (P.L. 104-208) and the Antiterrorism and Effective Death Penalty Act (P.L. 104-132).

The INA gives the government broad authority to arrest and detain aliens in the United States who are suspected terrorists or who are suspected of supporting terrorist organizations, as well as aliens who have violated other provisions of immigration law. This was augmented by a mandatory detention provision that we added with the U.S. Patriot Act.

More than 1,200 people reportedly were detained after September 11. Some experts support a broadening of the authority to arrest and detain aliens in the United States who are suspected terrorists or who are suspected of supporting terrorist organizations.

I believe that current law will be adequate with minimal changes. I am concerned that further expansion may erode individual rights and that, as a result, innocent foreign nationals may be detained and deported.

Unfortunately, H.R. 10, the House bill to implement the Commission's recommendations included a number of extraneous immigration provisions that dealt with immigration reform issues rather than with the need to secure our country against further terrorist attacks.

For instance, it included court-stripping provisions to reduce access to federal court review from adverse decisions in immigration removal proceedings. It had a provision to take away the power of a Federal court judge to stay an alien appellant's removal pending the outcome of this appeal proceedings. It provided for greatly expanding the use of expedited removal proceedings, which would have enabled the government to remove thousands of undocumented aliens without hearings or due process of any kind. It even had a provision permitting the government to deport aliens to countries where they would be tortured—in direct violation of the Convention Against Torture.

One of these provisions was particularly misguided, H.R. 10 included a provision, which specified what documents States were to be permitted to accept as identification in

connection with driver's license applications. In cases of an alien seeking to identify himself with a foreign document, the only acceptable foreign document would be a passport. This was alleged to be a security measure to prevent terrorists from obtaining driver's licenses. The absurdity of this measure can be seen in the fact that all nineteen of the 9/11 hijackers had passports. If this provision had been in effect at that time, it would not have prevented any of the 9/11 hijackers from obtaining a driver's license.

The extraneous provisions troubled the 9/11 Commissioners to the point where they wrote letters to the Congress encouraging us to put these contentious issues aside so that we could move forward with the serious business of implementing their recommendations.

I am pleased that bipartisanship and a sense of responsibility prevailed in the end as far as the joint conference is concerned. The extraneous provisions I just mentioned have been removed from the bill.

The Conference Report strikes a provision attempting to prevent the use of *Matricula Consular* cards in the United States; harsh new evidentiary standards for asylum relief; and a new criminal provision making it a felony (punishable of up to 5 years' imprisonment) for making false claims to U.S. citizenship.

None of these provisions had anything to do with protecting this nation against potential terrorist attacks. These provisions would not have implemented any of the recommendations of the September 11 Commission or protect us against a terrorist attack.

I am pleased also that provisions from my Commercial Alien Smuggling Act (the CASE Act) were included in this bill. These provisions would permit a judge to increase a criminal sentence by up to 10 years in smuggling cases in which the offense was part of an ongoing commercial organization or enterprise; aliens were transported in groups of 10 or more; and the aliens were transported in a manner that endangered their lives or the aliens presented a life-threatening health risk to people in the United States. I am confident that this will go a long way towards deterring commercial smuggling operations that are recklessly killing desperate immigrants who come to our country to establish a better life for themselves and their families.

The final product is worthy of the outstanding effort that the commission put into analyzing the horrific events of September 11, 2001. While I recognize that it does not fully implement the recommendations of the Commission in every respect, it is a major effort to move forward with the essential elements of the Commission's recommendations. We must consider and pass this legislation now!

OIL FOR FOOD CORRUPTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from New Jersey (Mr. GARRETT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GARRETT of New Jersey. Mr. Speaker, I thank the Speaker for the opportunity, I think, to be the last speaker of the 108th Congress, if I am not mistaken.