

(Ms. LORETTA SANCHEZ of California addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

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

**REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 1268, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND TSUNAMI RELIEF ACT, 2005**

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 109-73) on the resolution (H. Res. 258) waiving points of order against the conference report to accompany the bill (H.R. 1268) making Emergency Supplemental Appropriations For Defense, the Global War on Terror, and Tsunami Relief, for the fiscal year ending September 30, 2005, and for other purposes, which was referred to the House Calendar and ordered to be printed.

**DRUG SAFETY**

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

Mr. STUPAK. Mr. Speaker, I come here tonight concerned about drug safety and to speak out to protect our children from the acne drug Accutane, manufactured by Hoffman-LaRoche. As a legislator, I have called for more restrictions on the distribution and use of this drug, which is known to cause severe birth defects and a form of impulsive behavior and depression in young people taking this drug.

This drug has devastated my family, with the loss of our son BJ, and more than 268 other families who have lost a son or daughter while he or she was taking the drug Accutane.

Recent news stories have quoted an FDA safety reviewer, Dr. David Graham, when he spoke before the Senate Committee on Finance. Dr. Graham said: "I would argue that the FDA as currently configured is incapable of protecting America against another Vioxx." He told the Senate Committee on Finance that "there are at least five 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 causes psy-

chiatric disorders such as depression and suicide. It is linked to 268 suicides, according to the FDA.

A recent study by Dr. J. Douglas Bremner, and published this month in the American Journal of Psychiatry, demonstrates how Accutane affects the brain, possibly causing impulsive behavior due to changes in the orbital frontal cortex. This is the front part of the brain. This is the area known to mediate depression.

As Dr. Bremner demonstrates in this study, as we see in this PET scan here, there is a decrease in the metabolism or function of the brain. This PET scan establishes a baseline of a person before they start Accutane. Notice the red activity in the brain. The second PET scan is of the same person 4 months later on Accutane. Notice the first PET scan from the second PET scan. The red color, after 4 months on Accutane, is missing, representing a decrease in brain activity in the frontal part of the brain.

In the second PET scan, here, notice again very little or no red, representing decreased brain activity, in the same person after 4 months of Accutane treatment. Accutane decreases the metabolism or brain function in the front part of our brain.

In this one slide that Dr. Bremner has shared with us, there is a 20 percent decrease in brain metabolism or function. This decrease in brain function only occurred in some Accutane patients. Dr. Bremner did PET scans with other patients taking oral antibiotics for acne and none showed any brain changes.

It is not all Accutane patients who demonstrate a brain change, just those who complain of headaches. Is the excessive dosage found in the current formula of Accutane that is prescribed to our young people the cause for the change in the brain that we see? The medical evidence is clear that Accutane causes changes in the brain, and this may be what leads some young people to take their own life through impulsive behavior.

Let us join with Dr. Graham, the CDC, and other health care groups who 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. Let us pull this drug Accutane from the market until we have all the answers surrounding this powerful drug.

At the very least, the FDA should immediately require a large-scale review and a study on the drug's effects on the human brain. Is this decreased metabolism we see here reversible? Will the brain repair itself? What amount or what dose of Accutane is safe? What amount of Accutane can be safely taken by young people so that the brain is not affected? Has the FDA done enough to protect our children from the side effects of this drug? Has the FDA seriously looked at Dr. Bremner's study and similar studies in animal testing, which also dem-

onstrated that Accutane harms the brain?

It has been 7 or 8 months now since I have shared this information with the head of the FDA, Dr. Crawford. We still have had no response to our concerns. It is time for all of us to join together to protect our children. It is time to withdraw Accutane from the market until all of our important safety questions are answered.

**IMPENDING CONSTITUTIONAL CRISIS IN U.S. SENATE**

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the majority leader.

Mr. KING of Iowa. Mr. Speaker, I appreciate this opportunity to address the House. This issue before us in this discussion this evening, Mr. Speaker, is the issue of an impending constitutional crisis that I believe is taking place over in the other body, and it is something that has been dealt with and worked with and rolled around by the Senate with regard to the confirmation of the President's appointments to the judicial branch of government. It is an unprecedented use of the Senate rules with regard to filibusters.

About 2½ years ago, something like that, this process began, and it began with a gentleman that was appointed to the D.C. Court of Appeals. His name was Miguel Estrada, a very, very highly qualified individual, an immigrant from Honduras, someone who English was his second language. He learned that, studied hard, and worked his way up through the process. He was very, very highly qualified.

But as highly qualified as he was, he was also apparently a political threat to the minority on the other side, Mr. Speaker. So Miguel Estrada hung on the vine because of this unprecedented utilization of the Senate rules called filibuster, requiring 60 votes to gain cloture so that they could go to a vote on the floor of the Senate.

In the history of this country, Mr. Speaker, there has never been, until these last 2 to 3 years, that rule, the rule of the filibuster used against judicial nominees when that nominee had a majority of the votes on the floor of the Senate. The unprecedented use of that hung Miguel Estrada on the vine for 28 months and 5 days, where he finally could not stand it any longer. He had to get on with his life. He had to make a living, had to take care of his family, and so he withdrew his name.

I think that should have been lesson enough, but what happened was that the minority in the other body continued with the filibuster process. They held up a good number of the President's nominees, and I believe that number was 10. Today, the President has pledged to reappoint those nominees that were held up in the 108th Congress, and so now those names are before the Senate again.