

**STATEMENT
OF
THE HONORABLE BART STUPAK
CHAIRMAN
SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS
BUSINESS MEETING TO ISSUE SUBPOENAS RELATING TO THE FDA
OVERSIGHT HEARING ON FEBRUARY 13, 2007**

February 6, 2007

Good Morning. Today we are holding our first business meeting of the Subcommittee for the 110th Congress. Its purpose is to approve the issuance of four subpoenas for witnesses to appear at our first oversight hearing of the Food and Drug Administration (FDA), scheduled for next Tuesday, February 13, 2007.

Next week, the Subcommittee will hold the first in a series of hearings examining the adequacy of FDA's programs and procedures to assure the safety of our Nation's drug supply. It will examine whether FDA ignores the advice of its staff scientists in approving drugs whose benefits do not justify their safety risks. One drug in particular, the antibiotic Ketek, will be highlighted in our hearing. I expect that we will hear testimony that this drug was approved despite evidence that it causes serious vision and liver side effects and despite the fact that the FDA knew before approving Ketek that a critical safety study was fraudulently prepared.

The subpoenas before us today are for the testimony of four individuals who have been identified in our investigation as critical for the Subcommittee to understand the FDA operations now under review. Three of the witnesses have first hand knowledge about FDA processes and will highlight serious problems about its operations. One is currently employed at FDA and two have recently left that Agency. The fourth witness formerly worked for the Contract Research Organization (CRO) which performed the large safety study for Ketek's sponsor, Sanofi-Adventis.

Both Majority and Minority Chief Counsels have reviewed the prospective testimony of these witnesses and support the need to compel their statements by the issuance of subpoenas. I understand that both Ranking Members Barton and Whitfield have no objection to the issuances of these subpoenas. Before making a motion, I will ask if either of my Republican colleagues has any comments they would like to add at this time?

Thank you, I will now move that the Subcommittee authorize the issuance of Subpoenas Ad Testificandum to David Ross, John Powers, Ann Marie Cisneros, and David Graham for their appearance before the Subcommittee at 9:15 am on Tuesday February 13, 2007, in Room 2123 Rayburn House Office Building. Hearing no objection, it is so ordered.