

personnel and civilians are in the same financial position as they were prior to the terrorist attacks with respect to their student loans. And it has been drafted so as to not impair the integrity of the student loan programs.

The Secretary of Education is given some discretion under the Higher Education Act to defer payments on student loans. But this authority does not go far enough. The HEROS Act would empower the Secretary to take several additional steps to provide needed relief to help those directly affected by the terrorist attacks.

Specifically, the Higher Education Relief Opportunities for Students Act authorizes the Secretary of Education to relax repayment obligations for Guard members and Reservists called up to active duty, to provide a period of time during which the victims and their families may reduce or delay monthly student loan payments, and to assist educational institutions and lenders with reporting requirements.

All of these steps can be taken while still ensuring the integrity of our student loan programs.

This legislation is modeled on a previous law that was enacted during the Gulf War to provide relief for our men and women in the military. In short, there is precedent for authorizing the Secretary of Education to provide these kinds of relief.

I am pleased to be joined by five of my colleagues in introducing this bill, and I thank them all for their support. I also commend Representative McKEON for his leadership on the House version of the HEROS Act. His initiative will help ensure that we provide adequate student loan relief to Reservists, Guard members, and victims' families.

I look forward to the swift passage of this legislation.

Mr. President, I send the bill to the desk and ask it be appropriately referred at this time.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

#### STATEMENTS ON SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 172—EX- PRESSING THE SENSE OF THE SENATE REGARDING THE UR- GENT NEED TO PROVIDE EMER- GENCY HUMANITARIAN ASSIST- ANCE AND DEVELOPMENT AS- SISTANCE TO CIVILIANS IN AF- GHANISTAN, INCLUDING AFGHAN REFUGEES IN SURROUNDING COUNTRIES

Mr. WELLSTONE submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 172

Whereas, well before the terrorist attacks on September 11, 2001, Afghanistan was the site of the greatest crisis of hunger and displacement in the world;

Whereas, after more than 20 years of conflict, 3 years of severe drought, and the repressive policies of the Taliban regime, 4,000,000 Afghans had sought refuge in neighboring countries, and Afghan women have one of the highest maternal mortality rates in the world, and one in four children dies before the child's fifth birthday;

Whereas the United Nations High Commissioner for Refugees estimates that 1,500,000 additional Afghans could seek to flee the country in coming months due to the ongoing military conflict;

Whereas all 6 countries neighboring Afghanistan have closed their borders to refugees both on security grounds and citing an inability to economically provide for more refugees, and thousands have been trapped at borders with no food, shelter, water, or medical care;

Whereas 7,500,000 people inside Afghanistan face critical food shortages or risk starvation by winter's end, and are partially or fully dependent on outside assistance for survival, and of these people, 70 percent are women and children;

Whereas the United Nations World Food Program (WFP), which distributes most of the food within Afghanistan, estimates that food stocks in the country are critically short, and WFP overland food shipments inside and outside the border of Afghanistan have been disrupted due to security concerns over United States military strikes;

Whereas airdrops of food by the United States military cannot by itself meet the enormous humanitarian needs of the Afghan people, and cannot replace the most effective delivery method of overland truck convoys of food, nor can it replace access to affected populations by humanitarian agencies;

Whereas the President has announced a \$320,000,000 initiative to respond to the humanitarian needs in Afghanistan and for Afghan refugees in neighboring countries, and much more international assistance is clearly needed; and

Whereas the United States is the single largest donor of humanitarian assistance to the Afghan people, totaling more than \$185,000,000 in fiscal year 2001: Now, therefore, be it

#### *Resolved,* **SECTION 1. SENSE OF THE SENATE ON HUMANITARIAN AND DEVELOPMENT ASSISTANCE FOR THE PEOPLE OF AFGHANISTAN.**

It is the sense of the Senate that—

(1) Afghanistan's neighbors should reopen their borders to allow for the safe passage of refugees, and the international community must be prepared to contribute to the economic costs incurred by the flight of desperate Afghan civilians;

(2) as the United States engages in military action in Afghanistan, it must work to deliver assistance, particularly through overland truck convoys, and safe humanitarian access to affected populations, in partnership with humanitarian agencies in quantities sufficient to alleviate a large scale humanitarian catastrophe; and

(3) the United States should contribute to efforts by the international community to provide long-term, sustainable reconstruction and development assistance for the people of Afghanistan, including efforts to protect the basic human rights of women and children.

Mr. WELLSTONE. Mr. President, even before the world focused on it as a sanctuary for Osama bin Laden and other terrorists, Afghanistan was on the brink of a humanitarian catastrophe, the site of the greatest crisis in hunger and refugee displacement in the world. Now the worsening situation on

the ground is almost unimaginable. After 4 years of relentless drought, the worst in three decades, and the total failure of the Taliban government in administering the country, 4 million people have abandoned their homes in search of food in Pakistan, Iran, Tajikistan, and elsewhere, while those left behind eat meals of locusts and animal fodder.

Mr. President, 7.5 million people inside the country are threatened by famine or severe hunger as cold weather approaches, according to the United Nations.

As President Bush made clear, we are waging a campaign against terrorists, not ordinary Afghans, who are some of the poorest and most beleaguered people on the planet and were our allies during the cold war.

Yet, the current military air strikes and the disintegration of security is worsening the humanitarian situation on the ground.

Aid organizations are increasingly concerned about their ability to deliver aid to Afghanistan while the United States continues its bombing campaign. Several aid organizations have been accidentally bombed by the United States in the last week. In addition to these accidental bombings, law and order are breaking down inside Afghanistan. Reports indicate that thieves have broken into several aid organization offices, beat up the Afghan staff and stolen vehicles, spare parts, and other equipment.

Warehouses of the International Red Cross in Kabul were bombed yesterday. The ICRC says that the warehouses were clearly marked white with a large red cross visible from the air. One worker was wounded and is now in stable condition. One warehouse suffered a direct hit, which destroyed tarpaulins, plastic sheeting, and blankets, while another containing food caught on fire and was partially destroyed. The Pentagon claimed responsibility for the bombing later in the day, adding that they "regret any innocent casualties," and that the ICRC warehouses were part of a series of warehouses that the United States believed were used to store military equipment. "There are huge needs for the civilian population, and definitely it will hamper our operations," Robert Monin, head of the International Red Cross' Afghanistan delegation, said on Islamabad, Pakistan.

Another missile struck near a World Food Program warehouse in Afsotar, wounding one laborer. The missile struck as trucks were being loaded for an Oxfam convoy to the Hazarajat region, where winter will begin closing off the passes in the next two weeks. Loading was suspended and the warehouse remains closed today.

Last week, four U.N. workers for a demining operation were accidentally killed when a bomb struck their office in Kabul.

In response to the dangers threatening humanitarian operations, the

Oxfam America President said, "It is now evident that we cannot, in reasonable safety, get food to hungry Afghan people. We've reached the point where it is simply unrealistic for us to do our job in Afghanistan. We've run out of food, the borders are closed, we can't reach our staff, and time's running out."

The World Food Program was feeding 3.8 million people a day in Afghanistan even before the bombing campaign began. These included 900,000 internally displaced people at camps. Although the United States military has dropped thousands of ready to eat meals, everyone agrees that only truck convoys can move sufficient food into Afghanistan before winter. As of last Friday, there were only two convoys confirmed to have gotten through. WFP announced that two more convoys since the bombing campaign started were nearing Kabul.

Complications and delays in delivering emergency food supplies to Afghanistan could cause rising death rates from starvation and illness as winter sets in. Many of the high mountain passes will be closed by mid-November due to 20–30 foot snows.

Aid agencies are falling behind in their efforts to deliver enough emergency relief to Afghans to avoid a large loss of life this winter. UNICEF estimates that, in addition to the total of 300,000 Afghan children who die of "preventable causes" each year, 100,000 more children might die this winter from hunger and disease.

The main reasons for this shortfall in aid are related to security concerns. Aid agencies have withdrawn their international staff, and local staff have attempted to continue the aid programs but have been subjected to intimidation, theft, and harassment. As the United States continues to pound Taliban targets, law and order in some cities is reportedly also breaking down. Truck drivers are unwilling to deliver supplies to some areas for fear of being bombed by the United States, or being attacked by one faction or another. Taliban supporters have obstructed aid deliveries on some occasions.

Despite these nightmares, shipment of food and nonfood emergency items arrive in Afghanistan daily—but the total shipped is only about one-half of what is needed. The situation is particularly urgent as some of the poorest and most needy areas will be cut off from overland routes by mid-November. An estimated 600,000 people in the Central Highlands are dependent upon international food aid, and little is on hand for them now.

The food shortfall in Afghanistan may result in an increased flow of refugees to the borders. A flood of refugees to the border would present a different but also challenging set of problems. Clearly, as everyone has said, it is better for them to remain at home than flee to neighboring countries out of hunger.

There is no easy solution to this humanitarian crisis. It is complex and re-

quires the international community to take urgent and imaginative action to boost the flow of food inside. The United States should take the lead in helping to devise aggressive and imaginative ways to expand the delivery of food. These could include the creation of humanitarian corridors, the use of existing commercial trading companies and air deliveries to airports that have not yet been bombed.

The establishment of humanitarian ground and air corridors should be considered for the secure transportation and distribution of emergency aid. The administration should push to have some roads or air routes in areas of limited conflict be designated as protected humanitarian routes. Such possible ground and air corridors include Northern Alliance held territory along the border of Tajikistan, and Northern Alliance airfields which have not been bombed. These airfields could be used for a Berlin style airlift to get massive amounts of aid into the country quickly.

The United Nations High Commissioner for Refugees estimates that 1.5 million additional Afghans could seek to flee the country in coming months due to the ongoing military conflict.

All six countries neighboring Afghanistan have closed their borders to refugees both on security grounds and citing an inability to economically provide for more refugees. Thousands have been trapped at borders with no food, shelter, water, or medical care.

I am introducing a resolution today which addresses this crisis. The text of the resolution states the following:

Afghanistan's neighbors should reopen their borders to allow for the safe passage of refugees, and the international community must be prepared to contribute to the economic costs incurred by the flight of desperate Afghan civilians;

As the United States engages in military action in Afghanistan, it must work to deliver assistance, particularly through overland truck convoys, and safe humanitarian access to affected populations, in partnership with humanitarian agencies in quantities sufficient to alleviate a large scale humanitarian catastrophe;

The United States should contribute to efforts by the international community to provide long-term, sustainable reconstruction and development assistance for the people of Afghanistan, including efforts to protect the basic human rights of women and children.

I urge my colleagues to support this measure.

Mr. President, I spoke yesterday in this Chamber in relation to this resolution I am submitting today. I will offer this as an amendment on legislation to have a vote.

I think we in America are probably as united as we can be as a people, especially when it comes to our horror and sadness, indignation and anger at the innocent slaughter of so many people, so many Americans.

In response to that, a resolution was passed authorizing the use of force, targeted on those who committed this act, hopefully drawing a distinction between justice and vengeance.

I think most of us also believe—and certainly Secretary Powell has said this more than once, as it is terribly important—that the use of force, the military action, must be as targeted as possible; that every step be taken that is humanly possible to avoid innocent people being killed, innocent Afghans who had nothing to do with the murders in our country.

I worry to the extent that there are reports that innocent people have been killed in the bombing. I certainly worry about that. Our country wants to avoid that. Moreover, there is also the whole question of the Islamic world and how people respond to this. So, again, I will make the point that this has to be as carefully targeted as possible.

But the other issue, which I do not think we have paid enough attention to—and I had a chance to write a piece for the Boston Globe a couple weeks ago, and I am going to start speaking about this in the Chamber more, and I think there is a lot of strong bipartisan interest and support for this—is the whole question of this humanitarian crisis in Afghanistan.

The reports are there are about 7.5 million people who go hungry. We do not know how many hundreds of thousands could starve to death this winter if we do not get food to people.

The problem is, though there has been a lot of discussion about the air-drops, maybe a half of 1 percent, maybe 1 percent at best, doesn't do the job. The only way we can get the food to people is through the truck convoys, and now not nearly enough of this is happening.

Different organizations, the NGOs, the nongovernment organizations, food relief organizations, are all saying on present course they may be able to get enough food for half the people who need it at best. In 3 or 4 weeks there will be cold winter weather, and we will see pictures of innocent, starving Afghan children. That is a fact.

The resolution calls upon our Government to take stronger measures, with a more focused effort to get the food to people. That will be complicated. Part of it involves people who will still be trying to leave Afghanistan. Some of the neighboring countries have to open up their borders. Those people have been stopped at the borders. Then there are the people who don't leave. And the conditions in the refugee camps have to be dramatically improved.

The fact is, the people who don't leave are the poorest of the poor. They are the elderly, the infirmed; they are the children. They are the ones about whom we all worry. There have been intermittent reports—quite often when you try to confirm it, it is not clear what happened—that the Taliban itself

has taken some of the food. Many organizations are saying with the bombing the truck convoys can't go through.

I am not making an argument for cessation of bombing. I argue it be as targeted as possible and to avoid in every way possible bombing innocent people. There has to be a way, whether it is the creation of safe corridors, coordinated with military activity or whatever to get these truck convoys in to get the food to people. Time is not neutral. We are going to deeply regret if we don't take these steps.

The resolution expresses the sense of the Senate regarding the urgent need to provide humanitarian assistance to the civilians of Afghanistan. Well before the terrorist attack of September 11, this was the site of great hunger and displacement in the world.

Whereas, after more than 20 years of conflict, 3 years of severe drought and the repressive policies of the Taliban regime, 4 million Afghans have sought refuge in neighboring countries, and Afghan women have one of the highest maternal mortality rates in the world, and one in four children dies before the child's fifth birthday; whereas the United Nations High Commissioner for Refugees estimates that 1,500,000 additional Afghans could seek to flee the country in the coming months due to the military conflict; whereas all six countries neighboring Afghanistan have closed their borders to refugees both on security grounds and are also saying they can't provide for the refugees economically; whereas 7,500,000 people inside Afghanistan face critical food shortages or risk starvation by winter's end and are partially or fully dependent on outside assistance for survival, and of these people 70 percent are women and children; whereas the United Nations World Food Program, which we commonly call the WFP, which distributes most of the food within Afghanistan, estimates that food stocks in the country are critically short and WFP overland food shipments inside and outside the border of Afghanistan have been disrupted due to security concerns over United States military strikes; whereas the airdrops of food cannot meet the humanitarian needs of the Afghan people—and there is more to it, but I do not have the time—and that the most effective delivery is the overland convoys of food; whereas the President has announced a \$320 million initiative to respond to the humanitarian needs in Afghanistan and for Afghan refugees in neighboring countries; whereas the United States is the largest donor of humanitarian assistance, be it resolved—and this is what I am hoping to get a strong vote on—it is the sense of the Senate that, A, Afghanistan's neighbors should reopen their borders to allow for safe passage of refugees, and the international community must be prepared to contribute to the economic costs incurred by the flight of desperate Afghan civilians; B, as the United States engages in military ac-

tion in Afghanistan, it must work to deliver assistance particularly through overland truck convoys and safe humanitarian access to affected populations in partnership with humanitarian agencies—that is critical—and C, the United States should contribute to efforts by the international community to provide long-term sustainable reconstruction and development assistance for the people of Afghanistan, including efforts to protect the basic human rights of women and children.

I announce this resolution today, which will be in the form of an amendment on the first vehicle for a vote, because it is critically important for the Senate to go on record with an intense and focused effort because it is who we are. It is our values to make sure these truck convoys can go forward and we can get the food to people.

A, it is who we are as a nation. It is about the values we live by and, frankly, B, it is national interest. If you have juxtaposed with military actions pictures of starving Afghan children in the winter to come, that will be used against us. We know it will be used against us. We do not want to see that happen.

I am hoping there will be a strong message from the Senate to work with the administration, to work with the NGOs, to work with the food relief organizations. We have to put a focus on this.

#### SENATE RESOLUTION 173—CONDEMNING VIOLENCE AND DISCRIMINATION AGAINST IRANIAN-AMERICANS IN THE WAKE OF THE SEPTEMBER 11, 2001 TERRORIST ATTACKS

Mr. HATCH submitted the following resolution; which was considered and agreed to:

##### S. RES. 173

Whereas all Americans are united in condemning, in the strongest possible terms, the terrorists who planned and carried out the attacks against the United States on September 11, 2001, and in pursuing all those responsible for those attacks and their sponsors until they are brought to justice;

Whereas Iranian-Americans form a vibrant, peaceful, and law-abiding part of America's people;

Whereas Iranian-Americans stand resolutely in support of the commitment of our Government to bring the terrorists and those that harbor them to justice;

Whereas Iranian-Americans, as do all Americans, condemn acts of violence and prejudice against any American; and

Whereas the Senate is seriously concerned by the number of crimes against Americans of Middle Eastern descent, including Iranian-Americans, all across the Nation that have been reported in the wake of the tragic events that unfolded on September 11, 2001: Now, therefore, be it

*Resolved*, That the Senate—

(1) declares that, in the quest to identify, locate, and bring to justice the perpetrators and sponsors of the terrorist attacks on the United States on September 11, 2001, the civil rights and civil liberties of all Americans, including Iranian-Americans, should be protected;

(2) condemns bigotry and any acts of violence or discrimination against any Americans, including Iranian-Americans;

(3) calls upon local and Federal law enforcement authorities to work to prevent and prosecute crimes against all Americans, including Iranian-Americans.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1905. Mr. DODD (for himself and Mr. DEWINE) proposed an amendment to the bill S. 838, to amend the Federal Food, Drug, and Cosmetic Act to improve the safety and efficacy of pharmaceuticals for children.

SA 1906. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 838, supra; which was ordered to lie on the table.

SA 1907. Mr. REID (for Mr. DURBIN) proposed an amendment to the concurrent resolution S. Con. Res. 74, condemning bigotry and violence against Sikh-Americans in the wake of terrorist attacks in New York City and Washington, D.C. on September 11, 2001.

SA 1908. Mr. REID (for Mr. DURBIN) proposed an amendment to the concurrent resolution S. Con. Res. 74, supra.

#### TEXT OF AMENDMENTS

**SA 1905.** Mr. DODD (for himself and Mr. DEWINE) proposed an amendment to the bill S. 838, to amend the Federal Food, Drug, and Cosmetic Act to improve the safety and efficacy of pharmaceuticals for children; as follows:

Strike all after the enacting clause and insert the following:

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Best Pharmaceuticals for Children Act".

##### SEC. 2. PEDIATRIC STUDIES OF ALREADY-MARKETED DRUGS.

Section 505A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a) is amended—

(1) by striking subsection (b); and

(2) in subsection (c)—

(A) by inserting after "the Secretary" the following: "determines that information relating to the use of an approved drug in the pediatric population may produce health benefits in that population and"; and

(B) by striking "concerning a drug identified in the list described in subsection (b)".

##### SEC. 3. RESEARCH FUND FOR THE STUDY OF DRUGS LACKING EXCLUSIVITY.

Part B of title IV of the Public Health Service Act (42 U.S.C. 284 et seq.) is amended—

(1) by redesignating the second section 409C, relating to clinical research (42 U.S.C. 284k), as section 409G;

(2) by redesignating the second section 409D, relating to enhancement awards (42 U.S.C. 284l), as section 409H; and

(3) by adding at the end the following:

##### "SEC. 409I. PROGRAM FOR PEDIATRIC STUDIES OF DRUGS.

"(a) LIST OF DRUGS FOR WHICH PEDIATRIC STUDIES ARE NEEDED.—

"(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary, acting through the Director of the National Institutes of Health and in consultation with the Commissioner of Food and Drugs and experts in pediatric research, shall develop, prioritize, and publish an annual list of approved drugs for which—

"(A)(i) there is an approved application under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j));