

join us in this effort and urge the administration to join us as well.

The legislation we introduced is called the Better Pharmaceuticals for Children Act. It is a piece of legislation that we think has great value.

According to the American Academy of Pediatrics, only one-fifth, or 20 percent, of all drugs on the market in the United States have been tested for their safety and effectiveness in children. Children are not simply smaller versions of adults. Their bodies actually metabolize drugs quite differently as they grow older.

The lack of information about how drugs work in children can place pediatricians in an untenable position. They can either prescribe powerful drugs for their young patients that have only been tested in adults or they can deny them access to life-saving therapies.

This dilemma is dramatically illustrated in the case of children with AIDS. The hopes of tens of thousands of adult AIDS patients were raised last year by the promising benefits of protease inhibitors. However, the families of very young children have much less to be hopeful about.

None of these drugs is yet approved for newborns and infants. This is despite the fact that the earliest days of a child's life may be the most promising time to reverse the effects of HIV. As unbelievable as it may seem, physicians are forced to treat these children without the benefit and guidance of research.

Even in adults, getting the proper dosage of these powerful drugs is tricky indeed. Too large a dose can cause severe side effects; too small a dose can make the HIV virus mutate into a far more dangerous, drug-resistant strain. In children, the effects are compounded. A full-strength dose can kill a toddler.

Other examples of this problem, Mr. President, are also quite disturbing. Despite the fact that asthma is one of the most common chronic illnesses in children, and the most common cause of children's admissions to hospitals all across this country, there is only one asthma drug that has been tested for children under 5 years of age.

In fact, my colleague from Ohio personally and eloquently related a situation with one of his own children who has asthma that I am sure he will comment on at some appropriate time. It is alarming that with asthma we have the single most common reason for admission to the hospital for children and yet we have no drugs tested to treat children under the age of 5.

As other examples, despite the fact that sedatives are used to help treat sick and injured children, not a single sedative has been specifically tested for safety and efficacy in children under the age of 2. In addition, virtually every medication currently used to treat stomach and intestinal diseases in children has only been tested in adults.

While this so-called off label prescribing is neither illegal or improper,

it forces doctors to practice hand-me-down medicine for pediatric cases, which is unacceptable, to put it mildly.

I think it is about time, Mr. President, we took the guesswork out of children's medicine. The Better Pharmaceuticals for Children's Act is a simple solution to this problem. It provides a fair and reasonable market incentive for drug companies to make the extra effort needed to test their products for use by children. It grants an additional 6 months of market exclusivity for drugs which have undergone pediatric studies at the request of the Secretary of Health and Human Services.

I want to briefly point to something most parents are all too familiar with—the disclaimers that appear on the labels of so many of the pharmaceutical products that are needed and used by children: "Not recommended for use in children, as no clinical studies have been performed to determine risks, benefits, and dosages." Another says, "Safety and effectiveness in children younger than the age of 2 has not been established." Or, "Safety and effectiveness in children younger than age 12 have not been established." And, "Safety and efficacy in children younger than age 18 have not been established."

We have labels on the food that children eat; we have labels now for the programs that children watch on television. I think we would all agree that it is about time we have labels that parents and physicians can rely on when they give children medicine.

The bill that Senator DEWINE and I have introduced is a sensible way to keep our children healthier. That is why it has enjoyed broad bipartisan support both in and outside of the Congress.

In fact, the bill is endorsed by the American Academy of Pediatrics, the Pediatric AIDS Foundation, the National Association of Children's Hospitals, and PHRMA, the trade association of the pharmaceutical industry. Senators MIKULSKI and KENNEDY have signed on as cosponsors, and I know that Representative GREENWOOD will soon be introducing this bill in the other body.

Mr. President, this is commonsense legislation. I call on our colleagues to join Senator DEWINE and myself in this effort. We hope we can get passage quickly. I urge my colleagues to support this bill.

#### HAPPY BIRTHDAY, KATHARINE HEPBURN

Mr. DODD. I join together with my colleague from Connecticut, Senator LIEBERMAN, in recognizing the birthday of an individual with whom we are all familiar. Our constituent in Connecticut, Katharine Hepburn, will turn 90 on Monday. She probably will not be happy to have her Senator reveal her age on television.

Katharine Hepburn is a national treasure. We take pride in the fact that

she is a native of Connecticut, of Hartford, and today lives in Old Saybrook. She is world renown and has made a great contribution to the arts. At the Bushnell Memorial in Hartford, where there is a "wall of fame," she scribbled next to her name, "Local girl." We cannot say that about everyone on that wall. She has a career spanning seven decades and is the only person in the history of film in this country who has received 12 Academy Award nominations. She won four awards, for "Morning Glory" in 1933, "Guess Who's Coming to Dinner," "Lion in Winter," and "On Golden Pond."

She won three Oscars after she turned age 60. For people in this country who wonder whether you can have a productive life after the age of 60, certainly Katharine Hepburn offers vivid proof that productive years lie ahead.

On behalf of all of us in Connecticut, Mr. President, and my colleagues here, we wish Miss Hepburn a very, very happy birthday.

#### IN MEMORY OF ANN PETRY

Mr. DODD. Ironically, in the same town of Old Saybrook, CT, we have a sadder piece of news about a wonderful constituent of my State. Ann Petry, an African-American writer whose life is described in an article by David Streitfeld last Saturday in the Washington Post, has died. She was well into her nineties at the time of her death and was truly a remarkable person.

Mr. President, I ask unanimous consent to have that article printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 3, 1997]

ANN PETRY'S STORIED LIFE—AUTHOR LEFT INDELIBLE MARK

(By David Streitfeld)

Ann Petry lived in Connecticut in a 200-year-old sea captain's house that smelled of old wood and homemade bread. Her husband, the taciturn but adoring George, was her constant companion; their one child, Liz, had ended a promising law career because she wanted to live near her parents, because she liked them.

It seemed a pretty idyllic way to finish a life. Petry, who died Monday in a convalescent home at the age of 88, was well known enough to need an unlisted phone number but not so famous that people were constantly on her doorstep. She knew her books would be remembered, and that—along with her family and friends and the warm spring mornings out in her garden—provided pleasure. I think she died without regrets, which has to be unusual.

Petry's family was firmly rooted in Old Saybrook; her father had opened a pharmacy there in 1902, and Ann was trained to follow him. As much as possible for a black woman in the first half of this century, she escaped the effects of racism.

It was a life in sharp contrast to that of her most famous heroine, Lutie Johnson in "The Street." Lutie is a single mother in Harlem in the 1940s who has the misfortune to be good-looking. White or black, the men

want only one thing. Lutie tries to protect her 8-year-old son and her virtue, an impossible task:

"Streets like the one she lived on were no accident. They were the North's lynch mobs, she thought bitterly; the method the big cities used to keep Negroes in their place. And she began thinking of Pop unable to get a job; of Jim slowly disintegrating because he, too, couldn't get a job, and of the subsequent wreck of their marriage; of Bub left to his own devices after school. From the time she was born, she had been hemmed into an ever-narrowing space, until now she was very nearly walled in and the wall had been built up brick by brick by eager white hands."

"The Street" was based on the nine years Petry spent in Harlem, working primarily as a journalist. "I can only guess at what she went through when she moved to New York and saw all those disenfranchised people, totally lacking power in a way that she and our family never did," her daughter once told me. "Her way of dealing with the problem was to write this book."

"The Street" was well reviewed when it appeared in 1946, enough to become a best-seller, and it went on to become a classic. It will always have a place in literary history because it was the first book by a black woman to sell more than 1 million copies, but the real reason it will survive is because it's good, a triumph of realism.

Sadly, the book is also a measure of how far we have fallen.

In 1992, when the original publisher, Houghton Mifflin, bought back the rights and reissued "The Street," it got a front-page review in the Los Angeles Times Book Review. Petry's Harlem, Michael Dorris wrote, "hard as it was, now seems in some respects almost nostalgically benign. The streets of New York, as she describes them in the mid-1940's were indisputably mean to the downtrodden, but in those days it was still possible for a Lutie Johnson to walk 12 blocks safely, at midnight, or to ride the last subway alone. It was a place where the worst thing a child might bring to public school was a penknife, a place where neighbors tried to watch out for one another, where violent death was a rare and awful occurrence."

After "The Street," Petry wrote in quick succession two other novels for adults, "Country Place," a story about a Connecticut town that featured no black characters, and "The Narrows" about a doomed interracial love affair. During the '50s, she wrote several fiction and nonfiction books for young people. While "The Narrows," particularly, has its supporters, her fame primarily rests on "The Street."

One of the problems with interviewers is that they ask pesky questions like "When are you going to publish a new book?" Five years ago, Petry answered that she was working on things, but I didn't really believe it and I don't think she expected me to believe it. She had said what she had to say, and saw no need to obscure it with inferior work. It's a lesson many other novelists could learn.

Petry had little tolerance for fools or academics, two categories she regarded as essentially synonymous. From a 1989 interview with a scholar who wrote "the first post-structuralist study to reveal a hidden text" in Petry's novels:

Q. Richard Wright mentions in "How Bigger Was Born" that he experienced "mental censorship" when writing "Native Son," that he worries about what blacks and whites would say about Bigger and whether Bigger would perpetuate stereotypes. How much mental censorship did you experience when you were writing "The Street"?

A. None.

Q. Were there ever concerns on your part or on the part of your editor about "The

Street" being overshadowed by or having to measure up to "Native Son"?

A. No.

When I interviewed Petry in 1992, she said that I should stop by the next time I was in the area. This is the sort of thing interview subjects often say; what they really mean is that they hope you're not going to write something nasty. They don't actually expect or want you to come visit.

Petry, though, did. So a few times when I was in that corner of Connecticut I called her up and dropped in for a couple of minutes. I last saw her about two years ago. She was a little more stooped but seemed as if she would live forever. George, who survives her, pattered around and didn't say much as usual. I walked down the block to the old family drugstore, where I looked out the window that Petry's father would look out Sunday mornings to catch a glimpse of his wife coming back from church.

"Come here," he would tell Ann. "Look at your mother. Isn't she beautiful?"

Tuesday, I noticed a teenage girl on the Metro reading a beat-up paperback of Petry's biography of Harriet Tubman. Although I didn't know it, Petry had died the day before. Like any good writer, her work survives.

Mr. DODD. Ann Petry's father was a pharmacist who opened up a pharmacy in 1902 in Old Saybrook, CT. Although she learned the pharmacy trade from her father, her contribution, of course, was in literature.

Her famous novel, "The Street," written in the 1940's, was a remarkable piece of journalism that is still read today by younger generations. She followed that novel with two others that received wide recognition, "The Narrows," and "A Country Place," about a Connecticut town that many thought could be Old Saybrook. She wrote a number of short stories and articles. Ann Petry was truly a very remarkable person.

She did not have much use for fools and academicians, she once said, and she said she was usually speaking about one and the same person when talking of fools and academicians. I do not know that I agree, but she was a person of curt opinion, straightforward talk, and was well admired and loved in the town of Old Saybrook. Her contributions to literature have brightened the lives of many, many people.

We express our sorrow for the loss of Ann Petry.

Mr. DORGAN. Mr. President, my colleague from Ohio has indicated I should proceed to seek 10 minutes of time, at which point he intends to resume his discussion. I appreciate his courtesy.

I ask unanimous consent to proceed for 10 minutes.

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

#### DISASTER SUPPLEMENTAL APPROPRIATIONS BILL

Mr. DORGAN. Mr. President, yesterday we completed a disaster supplemental appropriations bill that addresses some of the needs of the serious disaster that occurred in my State of North Dakota and the three-State region of South Dakota, North Dakota,

and Minnesota. I am pleased to say at the end of the day Senator STEVENS, Senator BYRD, and so many others, on a bipartisan basis, in this Chamber were willing to add sufficient resources so that people who lost their homes, people who lost their businesses, who feel helpless and hopeless, will now have some hope that there will be recovery in our region of the country.

Mr. President, 25,000 people in Grand Forks, ND, woke up this morning, not in their own bed, not in their own home, some in a shelter, many with friends, some in other towns, because much of that town is still evacuated. In East Grand Forks, across the river, 9,000 people have left the town. The entire community was evacuated, and the mayor indicates nearly none of them are back.

The blizzards, the floods, and the fires were the worst we have ever seen. The need for the rest of the country to extend a helping hand, to say we want you to recover and rebuild and get back on your feet, is welcome news. I appreciate very much the resources, some \$500 million of community development block grant funds, that resulted, finally, in this legislation enacted yesterday by the U.S. Senate.

I thank all my colleagues for that help, on behalf of all North Dakotans.

#### THE BUDGET

Mr. DORGAN. On another subject, Mr. President, I want to encourage those who are negotiating on a budget deal. I happen to think there is great merit in reaching a bipartisan agreement on a balanced budget deal, and when I use the term "deal," I am talking about the negotiations between the principals about how to get to a balanced budget.

I am inclined, based on what I know, to support it. I have observed and asked those involved in the negotiations to consider that the Social Security surpluses are still not dealt with appropriately, and they need to do more in order to make certain that we have not claimed to have balanced the budget, when, in fact, we have done so by using Social Security surpluses. That will not complete the job. I hope those who are negotiating that will not stop short of the goal. We need a balanced budget and we need to preserve the Social Security surpluses above that to save for the baby boom generation when it retires.

#### AMERICA'S JUSTICE SYSTEM

Mr. DORGAN. Finally, Mr. President, on a subject I came to the floor to speak about for a couple of minutes, I have been to the floor of the Senate repeatedly to talk about our justice system. Our judicial system, in many respects, is a remarkable and interesting system. In some respects, it is broken.

I have talked on this floor of case after case of violent crimes, committed