the provision was dropped. Reasonable, legitimate payment limits were a top priority to Iowa's family farmers. It is important to the farmers of Iowa that we fix this shortcoming of the new farm bill.

American's recognize the importance of the family farmer to our Nation, and the need to provide any adequate safety net for family farmers. In recent years, however, assistance to farmers has come under increasing scrutiny.

Critics of farm payments have argued that the largest corporate farms reap most of the benefits of these payments. The reality is, 60 percent of the payments have gone to only 10 percent of our Nation's farmers.

What's more, the payments that have been designed to benefit small and medium-sized family famers have contributed to their own demise. Unlimited farm payments have placed upward pressure on land prices and have contributed to overproduction and lower commodity prices, driving many families off the farm.

The new farm bill fails to address the use of generic commodity certificates which allow large farming entities to circumvent payment limitations. The supposed ''reform'' in the farm bill is worthless due to the lack of generic certificate reform. In recent years, we have heard news reports about large corporate farms receiving millions of dollars in payments through the use of generic certificates. Generic certificates do not benefit family farmers but allow the largest farmers to receive unlimited payments.

Legitimate, reasonable payment limits are critical to family farmers in Iowa. I feel strongly the farm bill failed Iowa's farmers when it failed to effectively address the issue of payment limitations. Hopefully, the proposal I am introducing with Senator ENZI AND SENATOR HAGEL will help to restore public respectability for Federal farm assistance by targeting this assistance to those who need it the most, while providing the much needed disaster assistance for livestock producers.

This new proposal allow for a total of $35,000 for direct payments, $65,000 for counter-cyclinal payments, $150,000 for LDP/MLA payments, and $30,000 over the LDP limit for generic certificates.

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This new farm bill establishes an $80,000 limitation on direct payments, $130,000 on counter-cyclical payments, $150,000 on LDP/MLA payments, and no limitation on generic certificates.

The grand total for the new farm bill payments is $360,000 with unlimited payments through the use of generic certificates. The cumulative payment limit under the Enzi-Grassley legislation is $250,000 plus $30,000 for generic certificates.

There is no ''active participation'' requirement in this proposal, as compared to my farm bill payment limit proposal.

This legislation does not eliminate the three entity rule, but it does eliminate the need for multiple entities by allowing farmers who choose not to participate in multiple entities to participate at an equal level as those that choose to receive the same benefits from up to three entities.

This legislation finally establishes tangible transparency regarding the fourth payment that only the largest farming entities utilize. That payment is the generic commodity certificate payment.

While I believe generic certificates should be eliminated, I understand the importance in developing a fourth payment limitation so that my colleagues realize there is another payment. Currently, generic certificates are an endless stream of funding only limited by the maximum extent of commodity production by the entity receiving payments.

This legislation would help offset the cost of the much needed livestock disaster assistance and help small and medium-size producers nationwide who are tired of the Government subsidizing large farm entities which drive land rent expenses to unreasonable margins due to economics of scale.

PRESERVE THE PEDIATRIC RULE ACT OF 2002

Mrs. CLINTON. I am very pleased that today the Senate HELP Committee voted unanimously to report S. 2394, the Preserve the Pediatric Rule Act of 2002, out of Committee, as amended by consensus language to assure that, for already-marketed drug, companies have an opportunity to conduct studies voluntarily before the rule is invoked, which is consistent with current Food and Drug Administration practices.

Mr. DODD. Does the Senator agree that with the exception of the agreed-to amendment to allow a manufacturer to voluntarily study an already-marketed drug before the rule is invoked, the legislation we passed tracks the existing language and policy of the rule, and ensures that FDA and HHS will not weaken or undermine current protections for children on drug safety and labeling?

Mrs. CLINTON. I agree.

Mr. DODD. Also, as the Senator will remember, last year's Best Pharmaceuticals for Children Act BPCA, established a mechanism by which drugs that companies did not voluntarily study would automatically be referred to the National Institute of Health, HIH, to be contracted out for study. Is it not Congress's intention that this tool along with the rule should be used to secure safety and efficacy information for kids as quickly as possible?

Mrs. CLINTON. That is correct.

Mr. DEWINE. We are committed to fighting for dollars for these studies, because the contracting process at NIH only works if there are funds available. If there are no funds available, we must have the rule to ensure that we get needed studies done so that the necessary information can be added to the labels of the medicines children use. Would the Senator agree that the language of the amendment allows other tools to be used, but also makes clear that the rule will be available, enforceable, and unencumbered when needed?

Mrs. CLINTON. I would agree.

Mr. DODD. We will continue to examine the contracting process at the NIH to ensure that it works effectively, in conjunction with the rule, so that there is no delay or bottleneck in conducting the studies and securing this information for children.

Mr. DEWINE. That is correct. Congress made several tools, including the contracting process under the BPCA, available, but Congress never contemplated the exhaustion of all the tools under BPCA before the rule could be invoked. This amendment makes clear that as long as the FDA has first asked a company to voluntarily conduct the study, the FDA will be able to invoke the rule.

TAX RELIEF FOR LIVESTOCK PRODUCERS

Mr. BURNS. Mr. President, I rise today in support of S. 2762, a bill which would provide tax relief to livestock producers who are forced to sell off part of their herds due to drought. I would also like to commend my colleague, Senator THOMAS, for introducing this legislation.

In my home State of Montana, we are currently in our fifth year of drought. Livestock producers are running out of grass for their herds and very few ranchers in Montana have carry over hay. Their choices are limited. If ranchers can find hay, it is expensive and often hundreds of miles away. Their only other option is to sell off part or, in extreme situations, their entire herds.

The effect on Montana's economy can be seen in the numbers. In 2000, we had 2.6 million head of cattle in my State. As of today, after two severe years of drought, we have 2.4 million head of cattle. The drought is equally devastating on sheep numbers. In 2000, we had 370,000 head of sheep. Today we have 335,000 head of sheep in Montana.

When these cattle and sheep leave the State, the effect on the local, rural economies is great. Ranchers aren't buying as much feed, they are buying fewer veterinary supplies, and worse yet, the ranchers may go out of business all together. These are ranches and herds that have been built up over generations and will be extremely difficult to replace. I have heard from many ranchers these animals won't come back to Montana. They are gone forever.

I have been working on getting disaster relief for producers suffering

from drought since early last fall. I am currently a co-sponsor of a bill with Senator BAUCUS that would provide emergency funds to farmers and ranchers suffering crop and livestock loss. I believe Senator THOMAS' bill fits in perfectly with my earlier efforts to help our producers. It is a common sense approach to a real problem.

I look forward to working with my colleagues to pass this legislation.

IN MEMORY OF TIMOTHY WHITE

Mr. HATCH. Mr. President, I wanted to take a moment to note the passing of Timothy White, who was the editor-in-chief of Billboard magazine until he died unexpectedly a few weeks ago, leaving a wife and two young sons. He has been honored by many throughout the music industry, particularly for his trumpeting of new, not yet famous artists, working to give them space in a medium generally reserved for the already successful.

We worked with Tim on artists' rights issues, such as work-for-hire, during my tenure as chairman of the Judiciary Committee. His efforts on behalf of all artists will be remembered.

Looking to boost artists whom he felt deserved more attention, he wrote, ''At its high end, rock 'n' roll can periodically fill in the hollows of this faithless era—especially when the music espouses values that carry the ring of emotional candor.'' I share the hope that true artists who offer a lift to their listeners from the weight of the world will be found by those seeking the joy and inspiration music can offer, and note with sadness the passing of a friend of that cause, as I also join my friends in the music industry in extending our condolences and best wishes at this difficult time to Tim's wife and sons. I trust they will find Tim's legacy a source of pride and solace in the coming months and years.

Mr. SMITH of New Hampshire. Mr. President, I rise to say a few words about human cloning as the Senate will soon be recessing for the month of August. Not only has the Senate failed to ban human cloning altogether, we have not had a meaningful debate on this critical issue.

Let me begin my remarks with an insightful and profound line in the movie ''Jurassic Park,'' delivered by a mathematician played by Jeff Goldblum. AS the creator of the park is praising his scientific team for taking science into uncharted waters, Goldblum's character interrupts him. ''Your scientists were so preoccupied with whether or not they could, they didn't stop to think if they should.'' The Senate needs to stop and think if it should.

In my remarks today, I will outline five reasons why the Senate should vote for the Brownback-Landrieu bill which bans all human cloning. Let me start by saying that there has been a lot of talk about ''the two different kinds of cloning''—that is, reproductive and therapeutic. But let me be clear: All human cloning is reproductive, in the sense that it creates—reproduces—a new developing human intended to be genetically identical to the cloned subject. The difference is that one is intended to be carried to term and the other is intended to be deliberately killed for its cells.

Therapeutic cloning is when scientists clone an embryo solely to utilize its stem cells either to create large ''control groups'' or to attempt mass production of genetically matched stem sells for treatment of diseases. Many of my colleagues believe that only reproductive cloning is immoral, but they are in favor of therapeutic cloning. They say that therapeutic cloning is beneficial because it has the potential to help people with diseases. They don't want a cloned embryo to be implanted in a woman's womb and begin to grow, but they support creating the embryo and then plucking its stem cells until it dies.

The first reason my colleagues should vote to ban all human cloning is that the human embryo is a human life with a soul, whether it is cloned or is conceived naturally, and should be destroyed for any reason. There is not one person in the Senate or on the face of the Earth who did not begin their life as a human embryo.

If we allow the creation of embryos solely for their destruction, we will effectively be discriminating against an entire class of human beings by saying to them: I will destroy your life for the sake of someone else's or my own. If we accept the notion that some lives have more value than others, if we allow scientists or doctors or politicians to play God and determine which lives have value and which do not, then we have demolished the very foundation upon which we have built our freedom. Human embryos are not machines to be used for spare parts, all in the name of ''medical progress.'' We cannot view human life as an exploitable natural resource, ripe for the harvest.

Some base their passion for so-called therapeutic cloning upon the false premise that what is created in the lab is not a human embryo. The facts dispute these unsupported claims. Dr. John Gearhart of Johns Hopkins University, one of the discoverers of human embryonic stem cells, told the President's Council on Bioethics on April 25, 2002, that he thinks the product of cloning is and should be called an ''embryo.'' He said: ''I know that you are grappling with this question of whether a cloned embryo created in the lab is the same thing as an embryo produced by egg and sperm, and whether we should call it an 'embryo', but anything that you construct at this point in time that has the properties of those structures to me is an embryo, and we should not be changing vocabulary at this point in time.''

Even the American Medical Association believes that the clone is fully human. The Senate should also listen to the House of Representatives and the American public. The House passed a strong prohibition on human cloning last summer, and poll after poll shows that the vast majority of American citizens are opposed to all human cloning.

The second reason to ban all human cloning is that there are better and more ethical ways to discover cures for diseases that do not involve the destruction of a human embryo, especially in light of the fact that cloning may not even work!

Almost weekly we read of amazing breakthroughs in the scientific and medical communities using adult stem cells and other noncontroversial tissues and cells to treat human conditions. Adult stem cells are used with success in more than 45 human clinical trials, while embryonic stem cells and stem cells from human clones have not helped a single person. Here are just a few examples of the successes of adult stem cells:

Last July, the Harvard University Gazette reported that mice with Type 1 diabetes were completely cured of their disease using adult stem cells. Additionally, University of Florida scientists reported recently that adult rat liver stem cells can evolve into insulin-producing pancreatic cells, a finding that has implications for the future of diabetes research.

On June 15 of last year, the Globe and Mail reported that Israeli doctors injected a paraplegic with her own white blood cells, and she regained the ability to move her toes and control her bladder.

In December of last year, Tissue Engineering, a medical journal, reported that researchers believe they will be able to use stem cells found in fat to rebuild bone. If this research works, people with osteoporosis and other degenerative bone conditions could benefit significantly.

A researcher at the University of Minnesota has discovered what is being called the ultimate stem cell. The stem cells found in adult bone marrow have passed every test by proving that they can form every single tissue in the body, can be grown in culture indefinitely with no signs of aging, can be isolated from humans, and do not form cancerous masses when injected into adults.

Scientists from Celmed BioSciences reported that adult neural stem cells taken from a patient's own central nervous system have been successfully used to treat Parkinson's disease. Their research suggests this method of using adult stem cells may possibly be useful in treating a variety of other neurological conditions.

Scientists reported success last week in converting skin cells into immune cells. This development has great promise for treating diseases such as diabetes, immune deficiencies, Parkinson's, Alzheimer's and spinal cord injuries. When using cells from the patient's own body, the risk of rejection is overcome.