

portion of that time so we can begin the legislative process on the bill after lunch. Once we are on the bill, Senator DODD will offer the substitute amendment and then the bill will be open to further amendments.

ORDER FOR ADJOURNMENT

Mr. UDALL of Colorado. If there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order, following the remarks of Senator BILL NELSON.

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

Mr. UDALL of Colorado. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. UDALL of Colorado). Without objection, it is so ordered.

TOBACCO CONTROL

Mr. NELSON of Florida. Mr. President, I rise to speak on the tobacco control act. It has been said over and over—and I want to reassert—that tobacco use is the leading preventable cause of death in the United States. It kills more than 400,000 Americans each year. That is staggering. We think of all the deaths by automobiles. Here tobacco is killing close to half a million people a year. An additional 50,000 a year are dying because of exposure to secondhand smoke.

I will never forget, when I was a kid, flying on airplanes. It was back in the days that people smoked on airplanes. I would come off of the airplane, and I would smell the sleeve of my coat, and it would be total tobacco smoke.

Breaking it down for my State of Florida: 28,000 people die each year in my State alone from tobacco-related illnesses. Despite the risk involved with tobacco consumption, 20 percent of Americans—that is almost 40 million people—still smoke cigarettes. It is tough to break the habit. Fortunately, I have never been a smoker, but I understand people who are. One of them is our President. It is tough to break the habit. I was with him a lot during

the campaign, because he was in my State campaigning. He would break out that pack of Nicorette chewing gum. He would go to work on that chewing gum. And more power and more credit to the President for breaking this habit. It is tough.

Here is what is sad. Nearly 90 percent of smokers began as children, and they got addicted by the time they were adults. It is estimated that 3,500 children try cigarettes for the first time each day, and each day 1,000 children become regular smokers. It would really be something if we could change that. Look at what it would save us in health care costs. We are getting ready to mark up in this month, in the Finance Committee and in the HELP Committee, the big health reform package. Think how much money we could save if we didn't have all of these deaths because of tobacco usage. And of course, the health care cost resulting from tobacco use amounts to \$96 billion a year, more than \$54 billion of which is borne by the Federal Government. We can see that would be staggering, if we had a magic wand and we could stop this health care cost to the country. No wonder our health care costs are so high, if you look at that and the addiction to alcohol and all of the health care costs.

Yet tobacco products are largely an unregulated product. It basically is exempt from requirements to disclose product ingredients and exempt from undergoing product testing. On top of that, manufacturers are able to advertise and market products to youth without the necessary restrictions. At least we have stopped magazine advertisements and TV advertisements. But have my colleagues seen this new kind of candy that is being marketed that is basically to addict children to nicotine? When are we going to put an end to this?

There are a bunch of us who are co-sponsoring this bill to give the Food and Drug Administration the authority to regulate the manufacturing, marketing, and sale of tobacco products. This legislation would try to restrict youth smoking by restricting access to tobacco products and prohibit marketing campaigns that specifically target children. If this is such a bad thing and a consequence on the financial condition of the country, isn't that something we ought to stop, targeting children to get them hooked?

What we find is, so many adults were hooked when they were children. This

legislation is also going to try to put a bead on consumer safety by requiring full disclosure of the product ingredients—that would have to be disclosed to the Food and Drug Administration—and for the FDA to mandate the elimination of certain ingredients and additives that are going to be put out there for consumers. This bill is going to try to make sure we get adequate and accurate information out to the public by giving the Food and Drug Administration the authority to restrict tobacco marketing, to require stronger warning labels and to regulate the manufacturers' claims about certain products having fewer health risks.

Tobacco use costs us billions of dollars and hundreds of thousands of lives. When are we going to learn? Now is the time for us to step up and try to help protect the public from dangerous products and the very subtle tactics used to get young people addicted to tobacco.

I sure hope we are going to be able to pass this bill and pass it fairly quickly this week.

I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 7:15 p.m., adjourned until Wednesday, June 3, 2009, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

DANIEL GINSBERG, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF THE AIR FORCE, VICE CRAIG W. DUEHRING.

DEPARTMENT OF STATE

LOUIS B. SUSMAN, OF ILLINOIS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND.

CONFIRMATION

Executive nomination confirmed by the Senate, Tuesday, June 2, 2009:

ENVIRONMENTAL PROTECTION AGENCY

REGINA MCCARTHY, OF MASSACHUSETTS, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.