

by Surgeon General Richard Carmona, who was appointed by President Bush, when he addressed a congressional committee.

Let me quote the Surgeon General:

Do not fall for the myth—a very dangerous public health myth—that smokeless tobacco is preferable to smoking.

Again, this is the Surgeon General. Going back several administrations, Surgeons General, Secretaries of Health and Human Services, this is an issue that does not divide people. President Bush's Surgeon General was a fine man, Richard Carmona. I see my friend from Arizona. I believe Richard Carmona is from Arizona. I had an opportunity to meet with him and talk with him in the past, and he did a good job.

I will quote him again:

Do not fall for the myth—a very dangerous public health myth—that smokeless tobacco is preferable to smoking.

He went on to say, and I quote him further:

No matter what you may hear today or read in press reports later, I cannot conclude [as Surgeon General] that the use of any tobacco product is a safer alternative to smoking.

And the 2008 Update of the U.S. Public Health Service Clinical Practice Guidelines regarding tobacco cessation concluded:

[T]he use of smokeless tobacco products is not a safe alternative to smoking, nor is there evidence to suggest that it is effective in helping smokers quit.

Senator BURR's substitute only allows the agency to look at the health impact on individual users of tobacco products. It does not consider whether the reduced risk claim would increase overall public health harms by increasing the number of youth who begin using tobacco products or reducing the number of current users who quit. Senator HAGAN's standard would allow health claims that would increase tobacco use levels and increase the total amount of harm thus caused by tobacco use.

To prevent health claims from being used to increase the number of tobacco users, our bipartisan bill gives the Food and Drug Administration authority over how these products are marketed. Senator BURR's substitute eliminates that authority, putting our youth at greater risk. If you eliminate that authority, then, obviously, you have torn the heart out of what we are trying to achieve.

Senator BURR's substitute fails to give even the new agency it creates the authority to reduce youth access to tobacco products. Unlike our legislation, Senator BURR's substitute does not establish or fund a nationwide program to reduce illegal tobacco product sales to children. In addition, because the Burr substitute allows any retailer to fully escape responsibility for illegal sales if the employer's employees have signed a form saying they were informed that it is illegal to sell to underage youth, no matter how often the

retail outlet is caught doing so, and no matter how strong the evidence that the employer looks the other way, it provides a significantly less effective approach than the one we have in the substitute, the bipartisan substitute that is before us.

The Burr substitute's minimum standards for State youth access laws are also too weak. The youth access standards in Senator BURR's substitute are riddled with loopholes that make them ineffective. For example, a retailer who never enforces the law against illegal sales to youth cannot be fined if the retailer has conducted a training program for its staff, even if it repeatedly looks the other way when illegal sales to youth are made. In addition, the vast majority of States already have laws in place that exceed the minimum standards in Senator BURR's substitute.

At any rate, these are all reasons why I urge my colleagues to reject the Burr substitute. Our bipartisan bill, as I say, has been endorsed—I have been here for some time. I have never heard of a piece of legislation being endorsed by 1,000 organizations: faith-based, State, as well as all the credible national public health or health organizations in the country. That is not reason enough, but understand we voted overwhelmingly in both Chambers, just not in the same Congress, over the last 6 or 7 years on this proposal.

Again, I want to say to my colleagues who come from tobacco-producing States, I understand the impact this kind of bill can have, and, in fact, we hope it has, with the reduction of smoking by all generations and all age groups, but particularly among children. I certainly stand ready and prepared to do what we can to help those farmers and others whose jobs and livelihoods depend on this industry, who, through no fault of their own but through their livelihoods, are engaged in this business. We want to provide that transitional help.

But we cannot stop doing what needs to be done. With 400,000 people a year dying—more deaths due to this self-inflicted disease than AIDS, murders, illegal drugs, suicides, alcohol abuse, automobile accidents—all of those combined—they do not equal the number that tobacco use causes. With 3,000 to 4,000 kids starting every day, I think my colleagues understand this cries out.

We are about to begin a health care debate. Prevention is a major issue. We are all trying to work on ideas to incentivize healthy living styles. What an irony it would be, on the eve of the emerging debate about prevention, that we had an opportunity to make a difference in doing just that, with having 900,000 adults who stopped smoking and 700,000 kids—maybe those are numbers that are not as impressive as we would like them to be—but if we can save 700,000 children's lives and 900,000 adults, to have them stop smoking and not get involved in this habit, what a difference it would make.

I have talked about deaths. There are people who live with this stuff—the emphysema. The cost—even if you are not impressed with the ethics of it, the morality of it, if the numbers is the only thing that drives you, we are spending billions of dollars every year to provide for people who are suffering from smoke-related illnesses.

So on the eve of the great health care debate, what a great way to begin that by saying, at least in this one area, we are going to do something about the children in this country. We are going to do something that is long overdue on the manufacturing and the marketing, as well as in the production of these products. We are going to say to the Food and Drug Administration: Take over here. Take a look at all of this. Provide the regulations and the guidelines. If we can do it for the produce or the foodstuffs we provide for every pet in this country, we ought to be able to do it for the American children.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Senator from Arizona is recognized.

NORTH KOREA

Mr. KYL. Mr. President, I rise today to discuss recent events in North Korea. On April 5, the North Koreans tested a long-range Taepo Dong 2 missile, which traveled nearly 2,000 miles before falling into the Pacific Ocean. This test, which the North Koreans described as an attempt to launch a satellite into orbit, represented an improvement in the range of North Korea's missiles. In 2006, the Taepo Dong 2 only traveled 1,000 miles and did not successfully reach a second stage, as the most recent missile did.

U.N. Security Council Resolution 1718 prohibits the country's use of ballistic missile technology, and the United Nations Security Council issued a statement on April 13 condemning the recent launch and calling on member states to implement existing sanctions against North Korea.

In response, North Korea abandoned the six-party talks, promising to reactivate its nuclear program and never to return to the six-party negotiating table.

Less than 2 weeks later, North Korea conducted a nuclear test. Between the Taepo Dong 2 test and the nuclear test, North Korea also launched at least five shorter range missiles. Intelligence reports also indicate another long-range test is in the offing for later this month or early July.

So far, world response to this latest illicit behavior has been one dimensional, with leaders around the globe issuing condemnations of varying strength. President Obama issued a clear condemnation of North Korea's action, stating:

North Korea's ballistic missile programs pose a great threat to the peace and security of the world and I strongly condemn their reckless action.

Secretary Clinton echoed the President's remarks and emphasized, as the President did in his April speech in Prague that—and I am quoting—“there are consequences to such actions.” The question is, it is unclear what consequences the administration has in mind. And Susan Rice, our Ambassador to the United Nations, has been reluctant to commit U.S. support for the inclusion of sanctions in the U.N. resolutions currently being drafted.

Despite North Korea's detonation of a nuclear device and test of long-range missiles designed to threaten us, the relationship between the United States and North Korea has not substantially changed. There are, however, several things that the United States could do to back up its condemnation of North Korea's reckless actions. Thankfully, we have a number of options available to us, and we are not faced with the “shoot first, ask questions later” approach that former Secretary of Defense William Perry advocated in a 2006 Washington Post editorial, when he argued that the United States had no other option than to destroy North Korea's missiles on their launching pads.

First, the United States could return North Korea to the state sponsor of terrorism list. North Korea was removed from this list when it agreed to a series of measures related to the disablement of its plutonium production at the Yongbyon reactor. Now that North Korea has renounced that agreement and restarted its nuclear program, there is no reason it should not return to that list.

President Obama indicated his support for this type of strategy on the campaign trail, saying:

If the North Koreans do not meet their obligations, we should move quickly to reimpose sanctions that have been waived, and consider new restrictions going forward.

Second, the United States could reimpose financial sanctions on high-level North Korean officials and banks affiliated with the North Korean Government. In March 2007, the U.S. Treasury ordered U.S. companies and financial institutions to terminate their relationships with Banco Delta Asia over alleged links between the bank and the Government of North Korea and froze certain funds of high-ranking North Korean officials.

Third, the United States could expand defense and nonproliferation initiatives. President Clinton's Secretary of Defense William Cohen recently argued in the Washington Times for reversing President Obama's deep cuts to missile defense programs. I agree with Secretary Cohen that the President's \$1.4 billion of cuts do not send the right signals to those who seek to threaten us, especially those who tout ballistic missiles as the chief element of their threats.

President Obama, in direct support of U.N. Security Council Resolutions 1695 and 1718, could also expand interdiction and intelligence cooperation under the Proliferation Security Initiative with our new partner, South Korea.

As the President said in Prague:

Rules must be binding. Violations must be punished. Words must mean something.

These commonsense steps would send a clear message to the North Koreans and their partners in proliferation that the United States is serious when it repeatedly refers to consequences and is willing to employ all measures and its full leverage in order to influence North Korea and avoid conflict.

Of course, the United States should work with the international community to enlist its support for increasing pressure on the North Koreans, and the administration has signaled its support for a multilateral approach through its focus on working through the United Nations. But this approach is already limited by North Korea's history of disregarding U.N. action and by continued Russian and Chinese waffling. I am not convinced new U.N. resolutions would be treated any differently by North Korea than the ones it has already ignored. Its record has led some to question whether a regime so willing to wreak famine and destruction on its own people is not beyond the traditional application of “carrot and stick” diplomacy.

Moreover, our effort to work with other nations does not excuse us from the responsibility to act ourselves. If Russia or China will not sanction North Korea, is that any argument that the United States should not? Of course not. We can offer nations attractive terms for their support, such as help in dealing with increased flow of North Korean refugees, trade incentives, or enhanced military-to-military cooperation, such as revoking the misguided Obey amendment and allowing Japan to purchase an export variant of the F-22 fighter. However, if other nations conclude that holding North Korea accountable is not in their interest, then we must not let that prevent us from doing what is best in our interest.

The gravity of events in North Korea is only increased by the similar disagreement between the international community and Iran on the subject of its nuclear program. If strong words are followed by weak and ineffective action toward North Korea, why should Iran expect different treatment? Conversely, if we display resolve and fortitude in confronting a belligerent North Korea that uses nuclear explosions and ballistic missiles as foreign policy tools, we send a powerful message to the rest of the world of our sincere commitment to nonproliferation and regional stability. This is doubly important considering the well-known cooperation between North Korea and Iran on a variety of illicit programs.

While some debate the proper U.S. response, I believe one thing is certain: Past negotiations have not been successful. North Korea has not been an honest negotiator, preferring to use, instead, “missile diplomacy” to spark international panic and extract a concession—typically fuel or grain ship-

ments—from a worried international community. This process, in various permutations, happened in 1993, 1994, 1998, 2006, 2007, and it may repeat itself in 2009.

For those who would not repeat the blunders of the past, North Korea's actions have forced an unwelcome choice on the world: either North Korea is a threat and we must take actions across all fronts to isolate the regime and defend our Nation and our allies against its considerable capabilities or these actions are the benign outbursts of a misunderstood regime.

The President has clearly said that North Korea poses a threat to world peace and security. It is now a question of matching action to rhetoric.

Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. INHOFE. Mr. President, I ask unanimous consent to be recognized for up to 15 minutes as in morning business.

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

Mr. INHOFE. I thank the Chair.

REMEMBERING TIANANMEN SQUARE

Mr. INHOFE. Mr. President, 20 years ago this week, on June 3 and 4 in 1989, the world watched the Communist Government of China violently crack down on peaceful demonstrators in Tiananmen Square. We all remember that. It is hard for me to believe it has been 20 years ago.

One picture that is forever imprinted on our minds and our memories is that of a lone Chinese student who stood before a line of army tanks following days of violence that had resulted in hundreds killed and thousands more wounded. We never did find out what happened to that young student. I assume he was taken away, tortured, and killed, but we don't know that. He displayed tremendous courage in the face of tyranny and injustice. For weeks, students had raised their voices demanding greater democracy, basic freedoms of speech and assembly, and an end to corruption. While the photo of this student became infamous to the world as a picture of the Chinese people and their desire for true and lasting freedom and democracy, it remained virtually unknown to the people of China due to the Chinese Government's continued censorship and oppression.

On March 25, the Speaker of the House of Representatives, Nancy Pelosi, while on a trip to China, remained silent regarding the ongoing human rights abuses there. Instead, she talked about the government on