

smoking alone accounts for approximately 30 percent of cancer deaths annually. It is the leading cause of lung cancer, and lung cancer is the No. 1 cancer killer in this country.

Since coming to the Senate, I have tried to be committed to finding cures and treatments that will end death and suffering from cancer. My goal is in my lifetime. As I tell people, I am not that young anymore, so I want to see it come fast and soon. I have had the opportunity to talk with countless experts in oncology, biomedical research, and medicine about how to meet this goal. They all say one thing: Go after tobacco. We will not end cancer until we end tobacco use. This bill takes a major step in that direction.

In 2007, the President's cancer panel called on Congress to authorize the FDA to strictly regulate tobacco products and product marketing. This same report called the tobacco industry "a vector of disease and death that can no more be ignored in seeking solutions to the tobacco problem than mosquitos can be ignored in seeking to eradicate malaria." I think that is a very good quote. I think it is really true.

Most people associate tobacco use with lung cancer, as I just have. But according to the National Cancer Institute, 90 percent of lung cancer deaths among men can be attributed to smoking—90 percent—and 80 percent of these same deaths attributed to women are from smoking as well. But there are a variety of other cancers caused by tobacco products: cancer of the mouth, of the nasal cavities, of the larynx, of the throat, of the esophagus—esophageal cancer is increasing, for some strange reason, and I suspect this has to do with it—stomach, liver, pancreas, kidney, bladder, cervix, and even acute myeloid leukemia. There is so much we do not know about cancer—how it is caused, how it progresses, how to treat it effectively. But we know beyond a shadow of a doubt that many types are caused at least in part by tobacco use. So I firmly believe the passage of this bill will lead to a reduction in cancer, and most importantly to cancer deaths, and it will give the FDA the ability to make the cigarettes currently available less toxic and less carcinogenic and less addicting.

Let me give an example. A study by researchers—namely, David Burns and Christy Anderson, both of the University of California, San Diego School of Medicine—suggests that cigarette smoke today may double the risk of lung cancer compared to cigarettes smoked by Americans 40 years ago. Now, that is amazing.

Remember all the unfiltered cigarettes of yesteryear? You would think those cigarettes would be stronger; right? No, they are saying. They attribute this to a change in the chemicals which have been added in recent years to cigarettes. The researchers compared cigarettes in the United States with cigarettes in Australia, and here is what they found: Cigarettes

smoked in Australia have a much lower level of a compound known as tobacco-specific nitrosamines. This chemical is a carcinogen. It causes a type of lung cancer called adenocarcinoma. Rates of this lung cancer are much lower in Australia, leading researchers to conclude that the contents of cigarettes are exposing American smokers to a higher risk.

This suggests that lung cancer rates could be reduced by regulatory control of additives to tobacco products. That is what this bill will do. It will give the Food and Drug Administration the ability to make the cigarettes smoked in this country less dangerous, less addictive. They can ratchet down chemical components and addictive qualities that are added to tobacco to increase the addiction.

Under this bill, the FDA can reduce carcinogens such as tobacco-specific nitrosamines. Some Americans may still smoke, but the products they will smoke will be less likely to give them lung cancer. I think that is a good thing, and I hope you would agree with me.

It is time to close the decades-long loophole that has allowed tobacco to become the one product that is sold and advertised without any government oversight—without any government oversight. Think about that. Food is regulated, consumer products are regulated, medicine and medical devices are regulated, products designed to save lives are regulated. Yet tobacco companies sell products that, when used as directed, No. 1, addict people; No. 2, make them sick; and, No. 3, in some cases, kill them. So if there is one industry that deserves the strictest scrutiny of the Federal Government, it is in fact tobacco.

So I urge my colleagues to join me in supporting this legislation. I know it is difficult, but I am one who has participated in something that the American Cancer Society started called C-Change. This is where the cancer society has brought together some 65 groups—advocates, individuals, providers, government officials—to deal with cancer and what causes cancer. Madam President, the one constant through all the discussions, the one thing the physicians and the scientific community were the strongest on is that tobacco causes cancer, and that is just an inescapable fact. This bill deals with it. It provides regulation, it allows for the ratcheting down of addictive components, it allows for the control of chemicals that go into tobacco products, and it will, in fact, save lives.

I thank the Chair, and I yield the floor.

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. DEMINT. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

#### NORTH KOREA

Mr. DEMINT. Madam President, all of us know the United States is facing many challenges at home and abroad today. We are in the middle of an economic crisis. Many Americans are losing their jobs. We are also being tested by our enemies and potential enemies all around the world. We have certainly seen Iran continue its nuclear weapons program. It snubbed its nose at the international community as the international community asked it to halt.

Recently, perhaps the most alarming threat to our security has come from North Korea. We have seen them fire test missiles over the last year, actually test a very powerful nuclear weapon, and now they are telling us they are going to test a rocket that is capable of reaching our shores. In the middle of this, they kidnapped two Americans and sentenced them to, I think, 12 years in a labor camp.

Throughout all this, America has talked tough, but I am afraid North Korea believes we are all talk.

The problem with our position with North Korea at this point is there are other rogue nations looking at what is happening and seeing that they can basically ignore the United States and the international community and continue to be a growing threat to all of us.

It is very important that the United States not reward this behavior as we have done for North Korea. The Democratic People's Republic of Korea was added to the State Department's "State Sponsors of Terrorism" list in 1988 for activities ranging from the protection of Japanese terrorists to its role in the bombing of a Korean airliner. Since that time, North Korea has remained, as a matter of documented fact, a sponsor of terrorism.

Last June, President Bush announced his intention to remove North Korea from the list. At no time before or since has anyone said that North Korea ceased to be a state sponsor of terror. The delisting of North Korea was a carrot waved in front of Kim Jong Il as part of a well-meaning but extremely dangerous attempt to deal diplomatically with the urgent problem of North Korea's illegal nuclear programs. Secretary of State Clinton acknowledges that North Korea was delisted only in exchange for North Korea's commitment to abandon its nuclear weapons program and submit to outside verification.

Since then, I think as most of us know, North Korea has gone further in its campaign of militant destabilization of the world than ever before. It has detonated a large nuclear bomb. It has launched missiles capable of hitting our allies. It has withdrawn from the six-party talks. It has reprocessed spent fuel rods. It has withdrawn from the United Nation's treaty that ended

the Korean war over 50 years ago. It has announced its intention to launch a ballistic missile capable of hitting the Western United States.

In response to these threats, I and seven of my colleagues wrote Secretary Clinton asking that she relist North Korea as a state sponsor of terrorism. In addition, Senator BROWNBACK and I authored amendments that have been endorsed by 15 Senators directing Secretary Clinton to redesignate North Korea. The response thus far has fallen short. Secretary Clinton says relisting is being considered but as part of an ongoing diplomatic process. President Obama has offered strong words, but we have yet to see action.

North Korea has proven that it is immune to talk, whether that talk be sweet or tough. The President gave a speech last week saying that good relationships require speaking "clearly and . . . plainly" about international controversies. Relisting North Korea will speak clearly and plainly about the true nature of North Korea's regime. It will send a strong signal to our allies in the Pacific.

It is now clear that President Bush's diplomatic gamble, which many opposed last year, has failed. North Korea has exploited its newfound flexibility and respectability and used it to threaten Asia and the United States. They have tapped unfrozen assets to fund their mischief, and they remain a supplier to both Hezbollah in Lebanon and the Iranian Revolutionary Guard.

Secretary Clinton's statement over the weekend that she wants "to see recent evidence of [North Korea's] support for international terrorism" misses the point. North Korea was not delisted because it ceased assisting in sponsoring terror. If a convicted arsonist is released on parole, he does not have to burn down a house to go back to prison. Any crime will do. That is where we are with North Korea today. They are not operating in the spirit or letter of their agreements, and without a shred of good faith. They have not reformed and cannot be trusted. They are a state sponsor of terror and should be recognized for it.

Once relisted, North Korea will suffer consequences for its aggressive provocations. There will be trade restrictions, there will be sanctions and the refreezing of assets to limit North Korea's ability to fund its weapons program. Relisting North Korea as a state sponsor of terrorism will let them and the world know that the United States is serious—something this administration has yet to do.

I yield the floor, and 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. ENZI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. ENZI. Madam President, I ask unanimous consent that the time in the quorum call be equally divided between the two sides.

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

Mr. ENZI. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### FAMILY SMOKING PREVENTION AND TOBACCO CONTROL ACT

Mr. DODD. Madam President, I further ask—and this has been cleared on both sides—unanimous consent that the vote occur at 5:35 instead of at 5:30.

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

Mr. DODD. I thank the Presiding Officer.

Madam President, I wish to take a few minutes to first thank my colleague from Wyoming, Senator ENZI. We have had a very productive couple of weeks. We had a good markup in our committee. We were able to accommodate some of the concerns that Senator ENZI has had. He has been involved with this issue for a long time. I am filling in for my colleague from Massachusetts who obviously would be standing where I am at this moment and managing this proposal. As we all know, Senator KENNEDY is dealing with a health issue himself and would love to have been here to manage this bill, but I am confident we can get this matter done.

Let me say to my colleagues, I know we ended up in sort of a little bit of a knot here as we finished business last week. Having spoken with the majority leader—and I always hesitate to speak for him, but he told me that we want to inform our colleagues that there are a number of amendments that are either germane or close to being germane that the majority leader wishes to accommodate, including I believe the substitute offered by our colleague from North Carolina—both of our colleagues from North Carolina, the Presiding Officer as well as Senator BURR—and our hope is to be able to do that as well. I am told they might not be quite germane, but the majority leader wishes to do that. They have offered an amendment in committee. A case has been made for it and they ought to have the ability to make the case here as well. So our hope would be to get cloture and then deal with the germane and close-to-germane amendments as well so we can have a full debate on this issue, the substance of this debate and issue, which has been about 10 years, I think 10 years—my colleague may correct me—8 or 10 years that this matter has been kicking around.

This is a matter of substantial import. I know I have said this repeatedly over the last several weeks, but maybe the significance of it can't be repeated often enough. That is the number of children every day who start smoking, somewhere between 3,000 and 4,000 a day, and 400,000 people who perish every year as a result of smoking-related illnesses. Thousands more live very debilitated lives as a result of their use of tobacco, cigarettes, or other tobacco products.

This is a matter for which it is absolutely essential to have Food and Drug Administration regulation. We know the Food and Drug Administration has the ability to regulate virtually every product we consume, including the irony of every product our pets consume, and yet does not have the power or the right to regulate tobacco products. This is the 21st century. With 400,000 people a year losing their lives, millions more in jeopardy of grave illness or death as a result of this self-inflicted health hazard, this must be addressed. It will give them the ability to deal with sales and marketing, as well as the production of cigarettes, particularly to children. Ninety percent of the adults in this country who smoke started as child smokers. Of the 3,000 to 4,000, as I mentioned a moment ago, 1,000 become addicted and about one-third of that number end up dying as a result of that addiction. Those are numbers that are unacceptable. They ought to be, particularly on the eve of a health care debate, in talking about how to prevent illness, how to make sure we don't end up with more people in hospitals and doctors' offices in dealing with these issues. What stronger step could this body take with a strong bipartisan vote?

The reason this legislation has been around 10 years is because every time this body has acted, the other body has not or when they have acted, we have not. So we have had these ships passing in the night for 10 years. The House has now acted and we have an opportunity to join them in that action for the first time since the court ruled that tobacco products did not have to be regulated by a court order, and clearly, congressional action was necessary. Well, here is the action. We urge our colleagues to support cloture. To accommodate our colleagues on matters they still wish to raise in debate as part of this bill, I will support them in doing that. I may disagree with the substance they are offering, but they ought to have the right to do that and I will do everything I can to see that those opportunities are available.

At any rate, I thank my colleague from Wyoming, who cares deeply about this issue as well. We end up disagreeing on this matter, but no one brings more passion than the Senator from Wyoming, Senator ENZI. So I thank him and his staff for the terrific work they have done on this matter.

I yield the floor to my colleague from Wyoming, and then we will see if others wish to be heard.