

and children. Many of the young men and women serving our country are unmarried and identify as a family with their parents and siblings. My friend 1LT Andrew Kinard graduated from the Naval Academy in 2005 and chose to lead Marines in Iraq. Andrew deployed as a platoon leader with the Second Marine Division in support of Operation Iraqi Freedom in September 2006. He was gravely wounded by an IED attack while leading a security patrol in Al Anbar Province. His father Harry immediately left his surgical practice so that he could buoy Andrew's spirit through dozens of surgeries that followed. His mother, Mary, remained with Andrew for 5 more months after her husband returned to his medical practice. The separation that Andrew's parents and siblings endured represents a family's selfless sacrifice, to support Andrew and his quality of life even as he faced many surgeries and grueling physical therapy. Andrew Kinard is now a retired marine and will enter Harvard Law School in the fall. The Kinard family represents the unifying, supportive force of a military family that helps a service member survive the most grievous wounds of war, and then get back to the important work of citizenship. I salute them.

MAJ Brian Love is a Green Beret. His family accompanied him to assignment in Germany where, in 2004, their son Patrick was diagnosed with autism. Today Brian and his wife Naomi apply the unique problem solving skills of military special forces to the daily challenge of meeting Patrick's complex needs—a challenge compounded by the rigors of a career as a military leader, and the uncertain limitations of Federal, State and local programs. Major Love has deployed to Iraq twice since 2005. He believes that he is a better leader—that his family relationships are stronger—for having seen the world through the eyes of a child with special needs. Brian is now preparing to assume command of an Army special forces unit and faces the possibility of future deployments. His service, and that of his wife Naomi, honors each of us. Because of their service, and thousands like them, we can all view our victories differently. As an emblem of the dedicated service of military families and to their children, I salute them.

Finally, Mary Scott modestly asserts that hers is a "normal military family." Her father was killed in 1972 in Vietnam; her husband served for 30 years in the U.S. Army; each one of their six children serves their nation in the military today. Kate is an Army captain and lawyer and now serves in Iraq; Karoline, an Air Force captain and public affairs officer; Andy, an Army captain and lawyer who has also deployed to Iraq; 1LT Kerney Scott pilots an Army Blackhawk in Korea; 2LT Alec Scott is a newly commissioned officer in the Army Chaplain Corps, and Cadet Adam Scott, followed his family's well worn path to the U.S. Mili-

tary Academy. "It's not unusual," Mary says, "for kids to go into the family business."

All of those whom I have described and their families, live the values of military service, and enrich us all. They volunteer and advocate on behalf of causes greater than their own. They support one another during challenging times, and find that even in difficulty they are bound more closely together.

I rise in support of the resolution encouraging the recognition of 2009 as the "Year of the Military Family." I salute all military families, and it is to their service that I dedicate my own.

Mr. UDALL of Colorado. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 165) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 165

Whereas there are more than 1.8 million family members of regular component members of the Armed Forces and an additional 1.1 million family members of reserve component members;

Whereas slightly more than half of all members of the regular and reserve components are married, and just over 40 percent of military spouses are 30 years or younger and 60 percent of military spouses are under 36 years of age;

Whereas there are nearly 1.2 million children between the ages of birth and 23 years who are dependents of regular component members, and there are over 713,000 children between such ages who are dependents of reserve component members;

Whereas the largest group of minor children of regular component members consist of children between the ages of birth and 5 years, while the largest group of minor children of reserve component members consist of children between the ages of 6 and 14 years;

Whereas the needs, resources, and challenges confronting a military family, particularly when a member of the family has been deployed, vastly differ between younger age children and children who are older;

Whereas the United States recognizes that military families are also serving their country, and the United States must ensure that all the needs of military dependent children are being met, for children of members of both the regular and reserve components;

Whereas military families often face unique challenges and difficulties that are inherent to military life, including long separations from loved ones, the repetitive demands of frequent deployments, and frequent uprooting of community ties resulting from moves to bases across the country and overseas;

Whereas thousands of military family members have taken on volunteer responsibilities to assist units and members of the Armed Forces who have been deployed by supporting family readiness groups, helping military spouses meet the demands of a single parent during a deployment, or providing a shoulder to cry on or the comfort of understanding;

Whereas military families provide members of the Armed Forces with the strength and emotional support that is needed from the home front for members preparing to deploy, who are deployed, or who are returning from deployment;

Whereas some military families have given the ultimate sacrifice in the loss of a principal family member in defense of the United States; and

Whereas 2009 would be an appropriate year to designate as the "Year of the Military Family": Now, therefore be it

*Resolved by the Senate, That the Senate—*

(1) expresses its deepest appreciation to the families of members of the Armed Forces who serve, or have served, in defense of the United States;

(2) recognizes the contributions that military families make, and encourages the people of the United States to share their appreciation for the sacrifices military families give on behalf of the United States; and

(3) encourages the people of the United States and the Department of Defense to observe the "Year of Military Family" with appropriate ceremonies and activities.

DISCHARGE AND REFERRAL—S.

1007

Mr. UDALL of Colorado. Madam President, I ask unanimous consent that the bill S. 1007 be discharged from the Committee on Banking, Housing, and Urban Affairs and it be referred to the Committee on Finance.

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

ORDERS FOR WEDNESDAY, JUNE 3,  
2009

Mr. UDALL of Colorado. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., tomorrow, Wednesday, June 3; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business for 1 hour, with the Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the second half; that following morning business, the Senate resume consideration of the motion to proceed to Calendar No. 47, H.R. 1256, the Family Smoking Prevention and Control Act, and that time during any adjournment, recess or period of morning business count postclosure.

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

PROGRAM

Mr. UDALL of Colorado. Madam President, if we are required to run the entire 30 hours of postclosure debate time, we will not be able to turn to consideration of the FDA tobacco bill until approximately 5:20 p.m. tomorrow. However, we hope to yield back a

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.