

(2) recommended that data sharing should not be restricted without demonstrating specific problems with the operation of current agreement: Now, therefore, be it

*Resolved*, That the Senate—

(1) acknowledges the grave threat posed by terrorists and other dangerous criminals who seek to exploit international aviation to do harm to our countries;

(2) urges the Department of Homeland Security to reject any efforts by the European Union to modify existing PNR data sharing mechanisms in a way that would degrade the usefulness of the PNR data for identifying terrorists and other dangerous criminals;

(3) urges the Department of Homeland Security to not enter into any agreement that would impose European oversight structures on the United States; and

(4) opposes any effort by the European Union to interfere with counterterrorism cooperation and information sharing between the Department of Homeland Security and non-European countries.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 319. Mr. REID (for Mr. LUGAR) proposed an amendment to the resolution S. Res. 153, recognizing the 25th anniversary of the Chernobyl nuclear disaster.

#### TEXT OF AMENDMENTS

**SA 319.** Mr. REID (for Mr. LUGAR) proposed an amendment to the resolution S. Res. 153, recognizing the 25th anniversary of the Chernobyl nuclear disaster; as follows:

In paragraph (2) of the resolving clause, strike “, including the assistance that the United States and the international community have given to the Chernobyl Shelter Fund and the Interim Spent Fuel Storage Facility”.

#### NOTICE OF HEARING

##### COMMITTEE ON RULES AND ADMINISTRATION

Mr. SCHUMER. Mr. President, the Committee on Rules and Administration will meet on Wednesday, May 11, 2011, at 2 p.m., to conduct an executive business meeting to consider the nomination of William J. Boorman, of Maryland, to be the public printer, followed by a legislative business meeting to consider S. Res. 116, to provide for expedited Senate consideration of certain nominations subject to advice and consent and S. 739, a bill to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the Senate at no net cost to the Federal Government.

For further information regarding this hearing, please contact Lynden Armstrong at the Rules and Administration Committee, 202-224-6352.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON THE JUDICIARY

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Sen-

ate, on May 9, 2011, at 5:30 p.m., in S-216 of the Capitol, to continue an executive business meeting.

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

#### RECOGNIZING 25TH ANNIVERSARY OF CHERNOBYL NUCLEAR DISASTER

Mr. REID. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. Res. 153 and that the Senate proceed to its consideration.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 153) recognizing the 25th anniversary of the Chernobyl nuclear disaster.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the amendment at the desk be agreed to; the resolution, as amended, be agreed to; the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The amendment (No. 319) was agreed to, as follows:

(Purpose: To amend the resolving clause)

In paragraph (2) of the resolving clause, strike “, including the assistance that the United States and the international community have given to the Chernobyl Shelter Fund and the Interim Spent Fuel Storage Facility”.

The resolution (S. Res. 153), as amended, was agreed to.

The preamble was agreed to.

The resolution, as amended, with its preamble, reads as follows:

##### S. RES. 153

Whereas at 1:23 A.M. on April 26, 1986, during an experiment, a major explosion occurred at the Chernobyl Nuclear Power Plant in Unit 4, a RBMK 1000-type, graphite-moderated nuclear power reactor in Pripjat;

Whereas the initial explosion dispersed a stream of radioactive particles over nearby towns, farms, and eventually to many other countries;

Whereas 500,000 brave firefighters, engineers, technicians, and emergency workers worked for more than 6 months to minimize one of the worst civilian nuclear disasters in history;

Whereas radioactivity emanating from the Chernobyl disaster has been detected in Belarus, Poland, Russia, Scandinavia, and other areas;

Whereas since the disaster, serious health, environmental, and socioeconomic repercussions have been identified in many areas near the Chernobyl plant;

Whereas the Chernobyl Forum, an initiative by the International Atomic Energy Agency in cooperation with the World Health Organization, numerous United Nations agencies, and the governments of Ukraine, Belarus, and Russia, was launched in 2003 to examine the scientific evidence of human and environmental effects of the nuclear disaster at Chernobyl;

Whereas the Chernobyl Forum's examination of the catastrophe has contributed to

the understanding of the effects caused by the nuclear disaster;

Whereas, the Chernobyl Forum found that more than 5,000,000 people lived in “contaminated” areas in Ukraine, Belarus, Russia, and other countries;

Whereas the lives and wellness of people in the affected areas continue to be impacted by the catastrophic Chernobyl nuclear disaster;

Whereas the government of the United States, the people of the United States, and the international community have provided contributions to humanitarian organizations to address the effects of the Chernobyl disaster;

Whereas the Chernobyl Shelter Fund (CSF) was established in December 1997 by the G7, in cooperation with Ukraine;

Whereas the purpose of the CSF has been to construct a safe confinement over the damaged Chernobyl Unit 4 and to convert the site to a stable and environmentally safe condition;

Whereas the Nuclear Safety Account (NSA), supported by the United States and 16 other donors, finances the Interim Spent Fuel Storage Facility that allows for the decommissioning of Chernobyl Units 1 through 3;

Whereas April 26, 2011, is the 25th anniversary of the Chernobyl nuclear disaster; and

Whereas the ongoing crisis in Japan at the Fukushima nuclear power plant serves as a reminder to the United States and the international community of the need to make strong commitments to nuclear security throughout the world: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the 25th anniversary of the Chernobyl nuclear disaster and the courage of the Ukrainian people in persevering to address the consequences of the disaster;

(2) commends efforts to mitigate the consequences of the Chernobyl nuclear disaster; and

(3) requests that the Secretary of the Senate transmit an enrolled copy of this resolution to the Ambassador of Ukraine to the United States.

#### ORDERS FOR TUESDAY, MAY 10, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow, Tuesday, May 10; 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; that following any leader remarks the Senate proceed to a period of morning business for debate only until 5 p.m., with Senators permitted to speak for up to 10 minutes each, with the first hour equally divided and controlled between the leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the next 30 minutes.

Finally, I ask unanimous consent that the Senate recess from 12:30 p.m. until 2:15 p.m. tomorrow for the weekly caucus meetings.

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

## ORDER FOR ADJOURNMENT

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order following the remarks of Senator ISAKSON of Georgia.

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

The Senator from Georgia.

## CONGRATULATIONS TO KEITH HATCHER

Mr. ISAKSON. Mr. President, I rise on a point of personal privilege to commend a gentleman from Georgia, Mr. Keith Hatcher.

Twenty-five years ago, when I worked with my father—my father, among other things, was the past president of the Georgia Association of REALTORS. I remember one afternoon he came into my office and said: Son, we just hired someone today who is going to be special. His name is Keith Hatcher. I want you to be sure and look him up the first time you get a chance.

Well, about a week later I met Keith. I was then a member of the Georgia Legislature, and I showed him around a little bit. He became the assistant to John Cox, who had been the venerable representative of the REALTORS for years in that State. I saw that spark in Keith Hatcher's eye, and I knew he was going to be a great one, and a great one he has been.

In his 25 years representing the Georgia association and landowners and homeowners around our State, he has fought hard for limitations and curbs on the power of eminent domain, fought hard for lower ad valorem taxes and transfer taxes, and fought hard for reform of landlord-tenant laws. He has worked day in and day out for the landowners of our State and for the REALTORS of our State, and he has done it in the most professional, comprehensive way anybody could possibly do it.

He has another great story to tell. Keith faced a significant health hazard just a few years ago. He was about to lose a kidney, and he could have lost his life, but he went through a transplant program in Birmingham, AL. The transplant was successful, and he rehabilitated himself. Today, he works as hard as he did before the injury. Importantly, as well, he works as a member of the board of the National Kidney Foundation helping to raise money to support the transplant program so others who are afflicted as he was will have the same cure he has had.

So this week, as the REALTORS from Georgia come to town, as I think they will from every other State of the Union, to talk to the Members of the Senate about laws that affect their industry and their profession, the one from Georgia will be led by Keith Hatcher. As he has for the last 24 years, he will be a voice for home ownership, a voice for lower taxation, and a voice for wide distribution and ownership of

land, which makes the United States of America the most unique country of any on the face of this Earth.

I am pleased to commend him today on the celebration of his 25th anniversary representing the Georgia Association of REALTORS.

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

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

## PROFIT OVER HEALTH

Mr. BROWN of Ohio. Mr. President, yesterday across this country, we celebrated Mother's Day, marking the contribution of mothers across our country. But 2 months ago, the health of tens of thousands of expectant mothers and their unborn children was threatened by a drug company putting profit over public health. Two months ago, there was justified public outrage that the cost of a drug hormone, progesterone, to prevent premature births went from approximately \$10 a dose—20 doses are needed through the course of a pregnancy—to \$1,500 per dose. The entire course of the 20-week treatment, therefore, was about \$200 three months ago. Two months ago, it went to \$30,000—\$200 to \$30,000.

This was once an affordable, common treatment to help women facing high-risk labor. I visited Toledo Children's Hospital, MetroHealth in Cleveland, and St. Elizabeth's Health Center in Youngstown to hear directly from patients and physicians and hospital executives about how the outrageous price increase affects them. Patients explained what it was like to overcome a previous miscarriage and rely on this progesterone to carry to full term today. Physicians and public health advocates explained the risk to women and children's health if the therapy were no longer affordable and accessible. Hospital administrators and State Medicaid directors worried what such an exorbitant increase would mean to already-stretched budgets.

Meanwhile, several colleagues and I began to ask questions about how and why the increase happened in the first place. We are concerned about how companies, private companies, abuse the FDA approval process or manipulate existing rules to shortchange consumers while those companies reap massive windfall profits. That is especially so because, in addition to affixing such a high cost to the drug, this company, KV Pharmaceuticals from St. Louis, sent a letter threatening a cease and desist order to compounding pharmacies—those pharmacies that actually make their own progesterone, in this case—a cease and desist order to prevent these phar-

macies from producing it, further solidifying KV Pharmaceutical's monopolization in the marketplace. All the while, pregnant women are left without the critical medicine their doctors prescribe for them, and either taxpayers foot the bill, insurance companies foot the bill, driving the price up, or women simply do without, increasing the number of miscarriages, increasing the number of low-birth-weight babies, increasing the cost to taxpayers, and increasing the heartache in mother after mother and father after father.

Fortunately, in an unusual response—unusual in the sense that this case was so dramatically outrageous and unbelievably greedy on the part of KV Pharmaceutical executives—the FDA did something it doesn't normally do: It asserted its authority and made clear it would not enforce the cease and desist order. What was KV's response after the public outrage, after the refusal to enforce the cease and desist order, therefore allowing the pharmacies to keep producing the progesterone? It reduced the price from \$1,500 a dose—remember, it was \$10 per dose as recently as 3 months ago. They take a shot every week for 20 weeks during the pregnancy. It was \$10 a dose, and they raised it to \$1,500. But do you know what they did after the FDA and a small number of Democratic Senator's pushed them, embarrassed them in public? They brought the price down to \$690 a dose. It went from \$10 when compounding pharmacies were doing it, to \$1,500 when they thought they could get away with it, to \$690—as if they thought they were doing America's women a favor. That means instead of it being \$30,000 for the whole cost of the pharmaceutical, the 20 doses, it would be about \$15,000. What a bargain. On top of that, they did what companies whose hands are caught in the cookie jar always do: They hired high-powered Washington, DC, lobbyists to fight for their rights, this exclusivity for this drug, trying to prohibit the critical work of compounding pharmacists.

I agree with drug companies; generally they need to recoup their investment. I want America's drug companies to do the boldest, most innovative, most progressive research in the world, and I want them to make a profit doing it so they can afford to do it and keep doing it. They should reflect the amount of R&D to bring drugs to market, the cost of their manufacture, the cost of their distribution, but in the case of this progesterone, the case of this pharmacy compound, taxpayers—in this case, through the National Institutes of Health—funded the initial research and continue to fund critical research on premature births. KV Pharmaceutical didn't do the research; they bought the exclusive rights to a monopoly by reimbursing another company—contracting with them—I believe that actually conducted the clinical trials and incurring the costs needed for FDA approval.