

Mr. GRASSLEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Paul A. Engelmayer, of New York, to be United States District Judge for the Southern District of New York?

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER (Mr. COONS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 117 Ex.]

YEAS—98

Akaka	Franken	Mikulski
Alexander	Gillibrand	Moran
Ayotte	Graham	Murkowski
Barrasso	Grassley	Murray
Baucus	Hagan	Nelson (NE)
Begich	Harkin	Nelson (FL)
Bennet	Hatch	Paul
Bingaman	Heller	Portman
Blumenthal	Hoeven	Pryor
Blunt	Hutchison	Reed
Boozman	Inouye	Reid
Boxer	Isakson	Risch
Brown (MA)	Johanns	Roberts
Brown (OH)	Johnson (SD)	Rubio
Burr	Johnson (WI)	Sanders
Cantwell	Kerry	Schumer
Cardin	Kirk	Sessions
Carper	Klobuchar	Shaheen
Casey	Kohl	Shelby
Chambliss	Kyl	Snowe
Coats	Landrieu	Stabenow
Coburn	Lautenberg	Tester
Cochran	Leahy	Thune
Collins	Lee	Toomey
Conrad	Levin	Udall (CO)
Coons	Lieberman	Udall (NM)
Corker	Lugar	Vitter
Cornyn	Manchin	Warner
Crapo	McCain	Webb
DeMint	McCaskill	Whitehouse
Durbin	McConnell	Wicker
Enzi	Menendez	Wyden
Feinstein	Merkley	

NOT VOTING—2

Inhofe Rockefeller

The nomination was confirmed.

The PRESIDING OFFICER. The question now is, Will the Senate advise and consent to the nomination of Ramona Villagomez Manglona, of the Northern Mariana Islands, to be Judge for the District Court for the Northern Mariana Islands?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid on the table, and the President shall be immediately notified of the Senate's actions.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m. today.

Thereupon, the Senate, at 12:46 p.m., recessed until 2:15 p.m., and reassembled when called to order by the Presiding Officer (Mr. WEBB).

The PRESIDING OFFICER. The majority leader is recognized.

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

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

EXTENSION OF MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that morning business be extended, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The junior Senator from Illinois.

NUCLEAR POWERPLANTS

Mr. KIRK. Mr. President, this past Sunday a New York Times editorial entitled "In the Wake of Fukushima" noted:

If nuclear power is to have a future in this country, Americans have to have confidence that regulators and the industry are learning the lessons of Fukushima and are taking all steps necessary to ensure safety.

Following the events at the Fukushima Daiichi nuclear plant in March, it is clear that maintaining America's confidence in the safety of our nuclear reactors is paramount. The disaster at Fukushima should not lead to a freeze of the nuclear industry; instead, it should be an opportunity to upgrade the safety of our nuclear fleet. Both industry and the U.S. Nuclear Regulatory Commission assure us that currently there is no immediate threat to the operation of our nuclear plants.

Nuclear power is especially important to my home State of Illinois, where nearly half of all electricity in the State is nuclear. With 11 of 104 operating nuclear power plants and stations in our State, we have more reactors than any other State in the Union.

In the near term, it is my hope that nuclear regulators and the industry will take actions necessary to increase safety measures and integrate emergency operating procedures. Furthermore, nuclear plants should swiftly implement sensible measures to increase flood protections, enhance containment-venting capabilities, install remote monitoring controls of spent fuel pool conditions, and upgrade the abil-

ity to cope and maintain operations by a single station sustained for initially 8 hours and eventually up to 72 hours utilizing preplanned and prestaged resources.

Moving forward, one of our top priorities should be enhancing flood protection at reactors. Obviously reactors, for their cooling, need to be near large bodies of water, subject to flood. Fukushima highlighted the need to take additional protections to guarantee that current backup pumps and generators are also protected against flood or other seismic events. A recent flooding on the Missouri River is a demonstration of the need for such enhancements. Although flood barriers and procedures have so far protected the Fort Calhoun nuclear powerplant in Nebraska, this is not the time to look away from making further efforts on protecting reactors from floods.

One of the ringing lessons of the Fukushima disaster is the need for enhanced capabilities for nuclear operators to cope with prolonged power outages. Every U.S. nuclear powerplant should be able to cope with a prolonged loss of power for at least 8 hours for an initial period and eventually 72 hours using only the resources onsite so that powerplant operators can utilize preplanned and prestaged equipment and muster other resources if necessary. We should be prepared for simultaneous events for multiple reactors onsite and should be able to maintain key power functions in the face of varying circumstances, including debilitated infrastructure, lack of communication, and especially the loss of onsite power.

It is clear that operators' ability to cope with the prolonged loss of power was critical at Fukushima. We know that the tsunami hit the Fukushima Daiichi powerplant and wiped out all alternating power and backup power necessary to provide resources to the cooling pumps. This eventually caused overheating in both reactor vessels and cooling ponds. The ability to perform these critical functions and to monitor them—providing power to fans and pumps and to remotely open and close vents and valves—the inability of the Japanese to perform these functions caused them to lose control of key areas or to maintain cooling to critical spent fuel ponds and reactor vessels.

The Japanese also were unable to remotely monitor conditions, especially in their spent fuel pools, and struggled continuously to pump enough water into the reactors. Operators need to have proper instrumentation at far, remote locations so they can continue to understand what is happening in reactors and cooling ponds if an event occurs.

Furthermore, we need to install proper venting upgrades on all reactors with the Mark II containment design. This is an important step in preventing any kind of overpressurization and in reducing the risk of operations that we saw so clearly at Fukushima.

In the United States, there are 23 reactors with the Mark I containment design. We have known since 1989 that there are flaws with the pressure containment system of the Mark I boiler reactor. As a precaution, industry upgraded the Mark I containments with the hardened vent to deal with the excessive pressure in the containment.

According to the NRC task force's 90-day report, which examined the safety of U.S. nuclear powerplants, the hardened vents are not universally installed on the Mark II containments in the United States. The task force noted further that because the Mark II containments are only 25 percent larger than the volume of the Mark I, it is conceivable that the Mark II containments, under a similar situation, would suffer the same consequences as Nos. 1 through 4 at Fukushima. We should install hardened vents on all Mark II containment reactors and not allow any more time to pass before making deliberate improvements to address these safety concerns.

As we press forward with nuclear power generation, I believe the NRC should also update our emergency planning zones. This is the evacuation zone that is preplanned around every nuclear powerplant. It seems prudent now, in the light of the experience of Fukushima, that we should expand the emergency planning zone to the Japanese radius of 20 kilometers or 12.5 miles around each nuclear reactor. These EPZs should be updated with the latest 2010 census data of the number of Americans residing around these reactors, and the NRC should require enough radiation dose medication to handle at least two full EPZ evacuations if necessary.

We also know that the spent fuel pools posed a serious threat to the safety of the site. Throughout the crises, Fukushima crews struggled to maintain water levels at the spent fuel pools to prevent an escape of uncontained radiation into the environment. For those of us who know a little bit about reactors, this was a surprise because normally we are totally focused on what is happening inside the reactor, but at Fukushima, as much attention had to be paid on overheating in the spent fuel pools.

This warning should serve as the beginning of an effort for us to relook at the issue of spent fuel in the United States, especially spent fuel which is stored near our drinking water sources. We all know 96 percent of all the fresh water in the United States is in the Great Lakes, and I am concerned that we store approximately 1,000 tons of highly radioactive spent nuclear fuel just 200 yards from the Lake Michigan shoreline at the now defunct Zion nuclear reactor. Any proposal to stop the permanent disposal of nuclear waste in Nevada is a proposal to continue storing highly radioactive nuclear fuel right next to America's source of 96 percent of its fresh water.

I believe we should now continue to reinvigorate the process of building the

Yucca Mountain facility. Any proposal to not build Yucca is a proposal to pose a clear-and-present, long-term danger to the environmental future of the Great Lakes.

The bottom line is we should not let the lessons learned from the Fukushima disaster become a forgotten story, and that the NRC task force and its 90-day report issued after the Fukushima disaster is a serious document that now should lead not just to further studies and consultant reports but comprehensive action, such as hardened vents, such as making sure we have remote monitoring of spent fuel ponds, and that all reactors be able to operate first 8 and then 72 hours without outside power, and that we take the other measures to upgrade our measure, such as expanding the EPZs.

Tomorrow I will be testifying before the Nuclear Regulatory Commission, and as the junior Senator of the State of Illinois, the most nuclear State in America, I will carry a strong message: Nuclear power has a strong future in the United States but one that should be going forward in light of the lessons of Fukushima.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

DEBT LIMIT AND TAX INCREASES

Mr. HATCH. Mr. President, last night we heard from President Obama in a prime-time address from the East Room of the White House. The topic was raising the Federal debt limit. According to Treasury Secretary Geithner, the Federal Government may breach the statutory debt limit as early as August 2, 2011. That is 1 week from today.

Remarkably, the President, in yet another prime-time address, again hectored the American people about the need for politically charged tax hikes as a cure-all for our deficit and debt problems.

We have to hand it to the President; he is a true believer. For the President, there seems to be no problem in Washington that can't be fixed with tax increases. Even his own party has moved beyond him on this. To be certain, Democrats have not become the party of tax relief. For example, the plan offered by the majority leader does not address the 10-year tax increase of \$3.5 trillion that is said to kick in on January 1, 2013. But last night on CNN, one reporter got it about right. This is how she put it: "Nobody is talking about tax increases except Barack Obama."

For weeks the President and his surrogates on and off Capitol Hill have been talking about tax increases as the solution to our debt crisis, but the President was on his own last night. It was a speech very much divorced from the reality of our situation.

Republicans are insistent that the solution to a spending crisis is not giving government more money to spend, and here is the dirty secret: Many members

of the President's own party are not keen on tax increases either. They know the President's politically driven tax increases, in the context of trillions in deficits and debt, will do little to restore the Nation's fiscal footing. They know more significant tax increases will hit the middle class and small business job creators very hard. But even as his troops have left him, President Obama soldiers on, leading the fight for higher taxes and spreading the wealth around.

The President talked last night about the need for a balanced approach. Here is what he means by that: To balance the budget his way, we will have to raise taxes by roughly \$2 trillion. So what does he think of the plan of the Senate's distinguished majority leader? After all, the majority leader has put forth a plan that does not contain tax increases—or at least that is the claim. Presumably, the President would, therefore, oppose the majority leader's plan as unbalanced. But that would assume the President is not playing politics with this debate. That would assume he is more concerned with solving our Nation's debt crisis than appealing to his base, getting his approval ratings up, and positioning himself for reelection.

Somehow, in spite of his absolute insistence on the need for tax increases and a balanced solution to the debt limit debate, the President supports the majority leader's proposal.

The President likes to present himself as the only reasonable man in Washington. But as he proved again with his latest politically driven inconsistency, he is as partisan as they come. To the disappointment of his campaign advisers, it is clear the American people are demanding a leader who will be straight with them rather than focus on election year positioning.

If the President and his party came clean with the American people, this is what they would acknowledge: Non-defense discretionary spending is at historic highs. The Nation's biggest spending programs are completely out of control and set for bankruptcy. Over the next 10 years, the President's budget would drive this country into debt by an additional \$13 trillion. Most importantly, they would acknowledge that the Nation's problem is principally too much spending, not too little taxes.

I don't envy my friends on the other side of the aisle. They are in a tough place. On the one hand, the liberal base refuses any structural reforms to the spending programs that are driving the country's debt to the brink. On the other hand, absent these structural reforms the middle class and job creators will have to be hit with historic tax increases. Obviously, they cannot be open about this second point or they risk the ire of American voters.

Those who represent San Francisco and the upper west side might be able to go home and sell these tax increases,