

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,

but for Democrats responsible to entire States, not just small liberal enclaves, such tax increases are a much tougher pitch.

So what is a Democrat to do? Democrats can't propose meaningful spending reductions, but they can't support job-killing tax increases. So this is what they will do. They choose to ignore the real problem. They offer no plan. They refuse to present a budget—they actually refused to present a budget for more than 800 days. They dodge and weave. One minute the President is for real reforms to Medicare. The next minute he is accusing Republicans of trying to destroy Medicare for recommending reforms, and they hope their friends in the media ignore the failure to offer a real solution.

As we can see from this chart, the problem is spending, and we need a solution commensurate with that problem. As we can see, spending is the red line; taxes happen to be the blue line. Spending as a percentage of GDP is much higher than the historical average. The average level of spending has been around 18 percent since World War II. Since President Obama took office in 2008, spending has surged to over—actually 25 percent at one point of our economy—way above the 18 to 20 percent norm. Tax receipts have dipped, but they are expected to come back. CBO estimates, however, that spending is currently set to stay at around 24 percent.

As we can see, spending is the red line that goes off the charts during 2009, 2010, and on into 2020. Taxes have always been right where they are. They went pretty high, came down, and now they are back up. As we can see from the chart, President Obama's 2012 budget does not help one bit in reducing this level of spending. The President's budget is not balanced by any means.

Again, the problem for the President is this: Even while he was explaining to Joe the Plumber the moral and civic imperative of spreading the wealth around, he was promising not to raise taxes on individuals making less than \$200,000 or families making less than \$250,000. But if he is going to balance the budget by attempting to pay for current levels of discretionary spending that Lyndon Johnson only dreamed of and spending programs that are permanently in the red, he is going to have to hit the middle class hard. He is going to have to break his promise—not exactly a political win.

Even as he talked about moving the Democratic Party to the left and abandoning the comparative moderation of the Clinton administration, he remembers well the fate of Walter Mondale. When accepting his party's nomination for President in San Francisco in 1984, Walter Mondale promised Americans that he was going to raise their taxes. President Reagan went on to win in a 49-State landslide. President Obama is not going to suffer the same fate as Walter Mondale, so he avoids discus-

sion of the tax increases on the middle class that he really believes in. Instead, in this debate he is focused on a number of politically opportunistic red herrings that will have minimal impact on the Nation's debt crisis.

The purpose of these red herrings is to distract Americans from the real driver of our deficits and debt and the real choices Democrats have to, but are refusing to, make. Let's just look at a few of these examples.

The President has been talking incessantly about the need to tax corporate jets. Well, if we were to raise the appreciable rate on corporate jets from 5 years to 7 years as the Democrats propose, it would yield, at least according to the economists, \$3.1 billion—that is with a "b"—over 10 years.

Just to be clear, as we are discussing these paltry numbers—numbers which the President would have us believe are key to restoring the markets' confidence in the American economy and our ability to manage our debt—the United States will run a budget deficit this year of \$1.5 trillion. Our national debt is \$14.3 trillion. The President's budget assumes an additional \$13 trillion in debt on top of that, and the President is talking about the tax treatment of corporate jets which, if he got his way, would raise \$3.1 billion over 10 years.

This is about as effective as one of my fellow Utahans standing in his driveway in Little Cottonwood Canyon during a blizzard and flicking a snowflake off his shoulder and claiming he was finished shoveling for the day.

To hear the President talk, one would think this proposal is absolutely critical to balancing our budget. To put it in perspective, over the next 10 years of debt this Nation is set to take on it would equate to roughly 20 hours and 23 minutes of debt reduction.

Let's not forget about the essential matter of cutting back the mortgage interest deduction for yachts used as second homes. Again, the President acts as if this is one of a handful of policies that will restore America's prosperity. But if Congress enacted this change, we would cover the 10 years of debt from the Obama budget for all of 15 hours and 47 minutes.

Of course, the Democratic talking points would not be complete without an attack on the oil companies. The President has talked about making American oil companies pay their fair share by reducing or eliminating domestic energy incentives. This proposal would raise \$21 billion in revenue. That would cover a whopping 5 days, 18 hours, and 47 minutes of debt that the President is prepared to take on over the next 10 years.

Then there are the rich. Tax the rich. Make them pay their fair share. This class warfare might be appropriate in Europe and countries with a feudal history, but in the United States, a nation conceived in liberty and the proposition that all men are created equal, families and entrepreneurs just don't

buy it—and for good reason. Taxing the rich hits job creators and undermines economic growth. But as deficit reduction policy, it falls short as well.

In the name of bipartisanship, I am going to use data from the Tax Policy Center, or TPC, to demonstrate my point. According to TPC models and estimates for 2011, American households earning more than \$1 million account for 12 percent of the Nation's pretax income and pay 19 percent of Federal taxes and carry an average tax rate of 29 percent. Even more critical from my perspective, these taxpayers also account for 38 percent of all flow-through income. Flow-through income is predominantly earnings from ownership of small businesses.

So raising rates on the rich will hit squarely on those who create and expand the small businesses that need to be the engine for our economic recovery. But let's be clear about something. Higher taxes on these wealthy individuals will not only have adverse economic consequences, it will not even provide the deficit and debt reduction suggested by the left.

Even if all of the income of those earning more than \$1 million a year were confiscated with a 100-percent rate—with the unlikely assumption of no taxpayer behavioral response—for the year of confiscation, these higher taxes would yield about \$893 billion. My gosh, our deficit this year is \$1.5 trillion—just in 1 year. The most we would get is \$893 billion, and that is if we are lucky.

This is a one-shot opportunity. If we confiscated this wealth, those individuals would no longer work, save, create more wealth, and generate more tax revenue. And confiscating all the income from those earning over \$1 million does not even fix 1 year—not even 1 year—of the 10 years of projected Obama debt. It would cover 244 days, 16 hours, and 34 minutes.

All the demagoguery on jets and yachts and oil companies yields about 1 week of deficit reduction from the President's 10-year debt.

Even throwing in a one-time confiscation of all the income for taxpayers above \$1 million, we can only add 244 days. Add it all up, and what the President is proposing amounts to less than one-tenth of deficit reduction from the debt President Obama will add over the next 10 years.

Last night, the President tossed some more class warfare into the mix. He mentioned taxing hedge fund managers. Here is how he put it:

How can we ask a student to pay more for college before we ask hedge fund managers to stop paying taxes at a lower rate than their secretaries?

The proposal he is talking about would tax carried interest as ordinary income. The Joint Tax Committee has provided an estimate on this, and over 10 years this change in the Tax Code would generate another \$21.4 billion. That is about as much as the oil company tax Obama is proposing of \$21.1

billion. This would cover approximately 5 days and 21 hours of the President's 10-year debt.

This morning, someone on television was bemoaning the fact that Democrats are not going to the mat for tax increases the way the President has. He suggested the congressional Democrats do not have the courage to support tax increases.

With all due respect, the person lacking in courage is the current occupant of the Oval Office. The President had an opportunity this summer. Was he going to lead on the debt crisis or would it be more of the same—red herrings piled on top of straw men in an effort to distract the American people from his own complicity in this debt crisis.

Yet the President chose not to own up to the American people. The quarterback punted. He offered no solutions. Concerns about reelection were of greater priority than the imminent downgrading of the Nation's credit rating—a downgrade that will work as a tax increase on homeowners, students, and the Treasury itself, which is responsible for servicing the \$14.3 trillion in existing debt.

Unable to propose tax increases on the middle class and unable to reform entitlements due to liberal dead-enders, he chose to offer platitudes and class warfare that might play well with some constituencies but do nothing to address the fundamental problem this Nation faces.

This country cannot avoid the choices that are coming. We have to get our spending under control. That is why I supported cut, cap, and balance. That is why I think S.J. Res. 10—the balanced budget amendment I introduced along with my colleague and friend from Utah, Senator LEE, and all 47 Senate Republicans—is absolutely essential. It would fix this problem once and for all.

But the President opposes it. He talks a lot about empowering people. Well, the Founders of this country empowered the American people to make changes to the Constitution. The Constitution provides for that. Why not give them the opportunity to pass this amendment? Remember, if the Democrats do not like it, all they have to do is get 13 States to disagree. We have to get 38 States to ratify. Why not let the people decide this? Why are they so afraid to let the people decide this?

Let me offer an answer. Because Democrats are terrified the American people would ratify it and their big spending practices would go the way of dinosaurs. The American people are sick and tired of spending. Mothers and fathers understand that the Federal Government is going to bankrupt their children and leave them an America that is less free and less prosperous.

The American people are frustrated. They might not have the data at their fingertips, but they understand what I just laid out quite well. We are not going to solve our problems by raising

taxes. Increasingly, the President is an island in his call for more tax increases. Republicans do not support him. Independents do not support him. Now even Democrats do not support him.

It is time to move on. We need to rein in our debt, and we need to act boldly in doing so. So far, the President has failed to lead on this issue, choosing instead politically convenient talking points. But I would remind my dear friend in the White House, it is never too late to mend this problem.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FRANKEN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. 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. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is in a period of morning business in which Senators may speak for 10 minutes.

#### THE DEBT CRISIS

Mr. LEAHY. Mr. President, I will be brief. I have been asked by a number of people how I feel about the efforts made to get the United States out of the quandary in which it now finds itself over the debt limit. Let me be very clear. I applaud President Obama and Majority Leader REID for real leadership and persistence over many months in trying to find a bipartisan solution to the debt crisis.

Senator REID has put forward a solution that would end the current crisis and reduce our unsustainable national debt. This is a solution that has the potential to draw support from lawmakers from both parties who are willing to put common sense and the national interests above partisanship and ideology, those who would say rather than party first let's go country first now we have a framework for a solution.

By repeatedly walking away from the table and insisting on their way or no way, those who are holding the American people and our economy hostage are playing ideological games with serious consequences for everyone else. Through their tactics they threaten great risk to the well-being of ordinary Americans. The longer this goes on, the greater the danger of lasting damage below the waterline of our democracy. Right now Leader REID's \$2.7 trillion debt reduction package is the best chance—really is the best chance this country has—to avoid a default and a credit rating downgrade that would damage our fragile economy. It would also impose a credit tax hike on every American family. If we downgrade our credit rating, we are going to be sending hundreds of billions of dollars in interest to other countries, money they

can spend on medical research, on schools, on transportation, and alternative energy. They can spend it in their country—we will be paying the bills—and all because the Congress did not come together on a solution on this issue.

Most people looking at this wonder why have we not moved. Senator REID has a plan that can move. It says we will spend this money—the money we have—not shipping it overseas to other countries but spend it on the needs of our own country. The plan consolidates terms agreed to in the ongoing negotiations. It proposes a solution that ends the current crisis. It accomplishes wide-ranging savings, and has enough bipartisan support to pass.

It would end the roller coaster of unpredictability that shackles our economy by instead offering financial stability through 2012. Social Security, Medicare, and Medicaid beneficiaries will be spared a loss of benefits. The American people will begin to recognize these savings from withdrawing from Iraq and Afghanistan. Essential education, job creation, housing, and environmental investments for America's economic recovery and for a strong economic future would be protected from the slashing cuts proposed by House Republicans.

The irony is Republican leaders previously had backed all of the spending reductions called for in Leader REID's plan. I do not agree—I suspect all of us do not agree—with all aspects of this proposed solution. But we are not going to have 100 solutions on this floor, we are going to have 1 we can vote on. I wish this would have included new revenue, especially by ending such costly and outdated tax benefits as those still enjoyed by the biggest oil companies to help us pay off our debt even more quickly.

I want to help pay for the debt incurred by the inexcusable earlier decisions to enter two wars without paying for them. I continue to believe that a surcharge for the wealthiest would mean they would pay more of their fair share after so many years of tax cuts that tilted far more toward the wealthiest of Americans rather than to the middle class.

I find it interesting when I hear lectures from those who voted for an unnecessary war in Iraq—Iraq, a country that had nothing whatsoever to do with 9/11, a country that before we invaded it had no al-Qaida but has plenty now—say we will vote for this war, and for the first time in our history we will not pay for it, we will borrow the money. We will cut taxes. And to pay for it we will borrow the money. Look where we are now. We will eventually owe \$3.5 trillion for that war.

You know, it is far easier—and I say this to everybody like myself—they may see every single thing they want here—it is far easier to walk away from the negotiating table than to make the hard choices needed on behalf of the American people. We need serious