

they get a signal from us we are actually serious about solving our financial problems.

Unfortunately, the President not only has neglected his own bipartisan fiscal commission—the Simpson-Bowles commission—and fallen for the siren call of his political advisers to not offer a constructive solution but, rather, attack those who do, the President has compounded his mistake in this area by saying, “We don’t need a constitutional amendment to do our jobs.” Presumably, that refers not only to our balanced budget amendment but to an amendment offered by the Democrats as an alternative to the Senate Republican balanced budget amendment.

The President has claimed a balanced budget amendment is not necessary because “the Constitution already tells us to do our jobs and to make sure that the government is living within its means and making responsible choices.” Who does he think he is fooling? Who does he think he is kidding? The President does himself no credit, and, indeed, I think demonstrates a lack of commitment to dealing with our Nation’s problems when he says things such as that. He knows the experience of this Congress—whether it is Republican administrations or Democratic administrations—has been that without a balanced budget amendment we simply are not going to have the tools necessary to get the job done.

According to one White House spokesman, balancing the budget is “not complicated.” Well, if it is not complicated, why hasn’t the President of the United States submitted a balanced budget proposal? His last one broke the bank, made the debt worse, didn’t solve the problem, and was rejected 97 to 0 by a bipartisan vote in this body.

The same White House spokesman said:

All that is needed is that we put politics aside, quit ducking responsibility, roll up our sleeves, and get to work . . . get beyond politics as usual.

I have to say, what bunk is that? Don’t they know how little credibility that sort of rhetoric has when it comes to solving the problem? Just saying it does not make it so. What people are looking for is concrete action by the Congress.

The strange thing to me was, when the President of the United States invited the Republican conference over to the executive office building several months back, he asked for ideas around the table. Several of us, including me, told him: Mr. President, if you would embrace solutions to solving these problems, we would work with you because we are Americans first and not members of political parties first. We are Americans. We didn’t come here just to posture and to act like we were solving the problem while doing nothing. We actually are willing to do it because, frankly, we are concerned. Many of us are beyond concerned; we are

scared. This is no longer just for our children and grandchildren. This is about the present generation. This is about us, and all we need to do is look at what is happening in Europe, and it could be our problem in the foreseeable future. I am not just talking about decades, I am talking about years. It could be earlier.

Everything we read about the sovereign debt crisis in Europe and the history of these crises in the past is, once the public loses confidence in the ability of a sovereign nation to pay back its debt, then things slip away very quickly. We have seen that happen in Europe with the price of the debt on Italian bonds and Greek bonds going through the roof because people know they can’t be paid back. If people begin to doubt for a minute our lack of resolve at dealing with this fiscal crisis and this debt crisis, we could well be not just in a similar mess, we could be worse off because there will be no European Union, there will be no IMF to bail out the United States of America, the largest economy of the world.

Let me close for now by saying this is not just a matter of conjecture whether a balanced budget amendment would help and would work; 49 different States have some form of balanced budget requirement. Vermont is the only one that does not. Of these, 32 States have constitutional provisions. Additional States require that their Governor actually propose a balanced budget or require a balanced budget indirectly by prohibiting the State from carrying a deficit into the next year.

But the point is, this is not just a matter of conjecture and guesswork. We know because we have seen at the State level that balanced budget requirements are effective. What do they do? Well, we know State balanced budget requirements are only effective when combined with limitations on taxing and spending. States with limitations on taxing and spending are less likely to raise taxes to balance the budget than States without such a limitation. States with taxing and spending limitations have a slower growth of government than States without such limitations.

In other words, States with taxing and spending limitations have a slower rate of growth and cost and size of government than States without them. So we know a balanced budget amendment could work.

I hope my colleagues—as frustrated as I am, on a bipartisan basis, with the lack of leadership on this—will show leadership. We shouldn’t just look for leadership at the White House or anywhere else. We ought to look at ourselves in the mirror and ask what can we do to solve this problem. I submit that a balanced budget amendment would go a long way to putting us on the path to fiscal responsibility.

Now, we can’t do it overnight because we didn’t get into this mess overnight. But just as Vice President BIDEN said back in 1995:

I have concluded that there’s nothing left to try except the balanced budget amendment.

That is what Vice President BIDEN said in 1995. I agree with him. But if it was true then, it is even more true now.

So I hope tomorrow, when we have a chance to vote, we will vote for a real solution—a real balanced budget amendment, S.J. Res. 10—that will avoid the temptation to act once again as if we are doing something, without actually delivering a solution to the problem, by providing a cover, a fig leaf that, once again, will undermine the public’s confidence in our commitment, in our willingness, in our leadership when it comes to the Nation’s problems. Ultimately, the American people will have the final say. If we don’t do it tomorrow, then the American people will have another chance to have an election and vote and presumably choose people who will deal with the problem.

Ultimately, we know—getting back to article V of the Constitution—if Congress does not propose a solution, to quote article V, the Congress “on the Application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing Amendments.”

So the final word is not with the Members of Congress. Although we can solve the problem tomorrow if we voted on it and we passed it and encouraged our colleagues in the House to pass it, ultimately, there will be an intervening election. But, ultimately, beyond that, the Constitution—which is the Constitution of we, the people of the United States—the people of the United States will have the final word, whether it be in the next election in 2012 or by means of a constitutional convention called on the application of two-thirds of the States, of which I am told about 20 applications are already pending.

Mr. President, I yield the floor, I reserve the remainder of my time, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. TESTER. I ask unanimous consent to speak for 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### JOB CREATION

Mr. TESTER. Madam President, I rise today to talk about jobs and politics.

There are a lot of folks in Washington who pay lip service to jobs and a lot of people that are playing politics.

But it sure doesn't seem that many folks are interested in doing the hard job of creating jobs.

Folks all over Montana have been asking for good-paying, liveable-wage jobs, the kind of jobs that can't be outsourced, jobs that put folks to work in our forests, jobs that build the energy infrastructure this country needs. Right now there are two proposals that will do just that.

First, I would like to talk about my Forest Jobs and Recreation Act. This bill will stabilize the wood products industry in Montana by ensuring a dependable timber supply that will give certainty to loggers in the woods and workers in the mills.

This bill will allow for the restoration of 100,000 acres of national forest lands in Montana, reducing the chances of out-of-control forest fires that could devastate our communities, our watersheds, and our way of life.

Recent data released by the Forest Service shows that wildfires that burn where the trees were thinned were less expensive to fight, they were easier to control, and did less structural damage to neighboring buildings.

This bill also puts people to work by rolling up roads, improving our water quality, and protecting big game habitat. It protects nearly 1 million acres for our children and grandchildren in wilderness and recreation areas.

This is a bipartisan solution, supported by industry and conservationists. It is the product of people who were on polar opposites of the issue who came together to find solutions for how we can manage our forests better. We could take a lesson from their example. They brought those solutions to me to be put into law. This is a bill that will move the country in the right direction with a responsible balanced solution, and it will create jobs.

But rather than getting this bill passed, it has become a political football in the appropriations process. Some House Republicans seem to be more concerned with their own job rather than creating Montana jobs by passing my Forest Jobs and Recreation Act. That isn't fair to Montanans who are anxious to get back to work, to reclaim a life that has been disappearing in a rapid rate. We lost over 1,700 jobs in the timber industry in 2009, more last year, and still more this year.

I would ask folks who are negotiating this final deal right now to think about the folks who are counting on us to set politics aside and do what is right for our country and for Montana.

This same logic applies to the Keystone XL Pipeline. Right now, the President has the power to create jobs by approving this pipeline. He could make the decision to approve this pipeline in the very near future.

Now, let me be clear. He should do it right. Doing it right means approving this pipeline while respecting private property rights. I support the pipeline. But I will never support any corporation—much less a foreign corporation—

given the right to take away property from Montanans or any other American without a fair deal that is negotiated in good faith.

Doing it right also means ensuring that the highest possible safety standards are followed throughout Montana and rural America. I do not believe we should have to wait until January of 2013 for a decision that can create American jobs right now. In Montana, we need the jobs. We need the ability to provide incentives to boost production in places where it makes the most sense, such as the Bakken formation in eastern Montana.

Now, many folks don't know that the Keystone Pipeline will actually include an onramp in Baker, MT. That onramp will tap into the booming Bakken formation, and it will ensure that we are getting the most out of American energy resources. That matters to our economy and it matters to our energy and national security. The Keystone XL pipeline will transport North American oil and will help move this country away from spending billions of dollars per day in Middle Eastern countries that do not like us very much.

At the same time, I am concerned about the way folks on both sides of this issue are handling it right now. We do not need to entangle this issue with a payroll tax in the House bill that would add more than \$25 billion to our debt and that would cut Medicare benefits.

It is time to quit playing politics and start doing what is right, whether it is the Forest Jobs Act or the Keystone pipeline. It is time to move forward, working together to create jobs in this country.

Instead, politicians on both sides are using these important items as political footballs and that is too bad. We should be acting responsibly to create jobs with this pipeline and to put folks back to work in the woods with my bill. Instead, we are watching political maneuvering designed to score points rather than create jobs. We all know this is how Washington acts. The people who lose are the hard-working Americans and Montanans who want to get back to work. They want to build and maintain the infrastructure that powers and protects America.

I am proud to again offer my support for the Keystone XL pipeline and the jobs it will create. We need a quicker decision based on the merits of the project. After setting aside their differences and working together to protect our forests, Montanans also deserve the passage of the Forest Jobs and Recreation Act. Instead of irresponsible partisan fights, it is time that Congress finally takes a page from those who constructed the forest jobs bill. They set aside nearly 30 years of partisan bickering to find solutions where everyone gives a little and gains a lot. It is the right way to do it.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. SANDERS. Madam President, I ask unanimous consent I be permitted to engage in a colloquy with my colleagues for the remainder of the Democratic time in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### GLOBAL WARMING

Mr. SANDERS. Madam President, I understand that some of my colleagues here in the Senate and in the House as well do not believe global warming is real and they do not want to see our country and, in fact, other countries around the world take the necessary actions to deal with this issue. That is fine; everybody is entitled to their opinion. But it does seem to me to make a bit of sense that we listen to the leading scientists of this world, not only in our own country but throughout the world, and hear what they have to say about global warming and the need to respond.

The National Academy of Sciences in our country, the United States, joined by academies of science in the United Kingdom, in Italy, in Mexico, Canada, France, Japan, Russia, Germany, China, India, Brazil, South Africa, have said "climate change is happening even faster than previously estimated" and the "need for urgent action to address climate change is now indisputable."

They are not talking about whether climate change is real or not real. What they are saying and what scientists all over the world are saying is that climate change is happening even faster than previously reported. Eighteen scientific societies, including the American Geophysical Union, the American Chemical Society, and the American Association for the Advancement of Science said:

Observations throughout the world make it clear that climate change is occurring, and rigorous scientific research demonstrates that the greenhouse gases emitted by human activities are the primary driver. These conclusions are based on multiple independent lines of evidence, and contrary assertions are inconsistent with an objective assessment of the vast body of peer-reviewed science.

That comes from the American Geophysical Union, the American Chemical Society, and the American Association for the Advancement of Science. Further, it is not just scientists in our own country or throughout the world who are talking about climate change, who are talking about the need to respond vigorously to that crisis, but right within our own government, the U.S. Government, we have the Department of Defense saying:

Climate change is an accelerant of instability.

What that means is that when there is drought, when countries around the world are unable to grow the food they need, when there is flooding and people are driven off the land, and when people migrate from one area to another,