

Senators BROWN and WARREN, Senators BURR and CASEY and SCHUMER, Senators GRAHAM, SHAHEEN, MANCHIN, KLOBUCHAR, COLLINS, BALDWIN, HIRONO, FRANKEN, MENENDEZ, and HEITKAMP for understanding and supporting this amendment. We have other support as well. I wish to thank Senator GRAHAM. He made a comment, because we care deeply—we were so pleased to get the Schumer-Graham-Brown-Stabenow and others' efforts in the Customs bill related to China and currency, which is so important and which we also need to get all the way to the President's desk. But we know that if we don't put language in the negotiating document we give to the White House, then we are not really serious. Senator GRAHAM said: This amendment is the real deal. That is firing with real bullets.

So if we are serious, if the 60 people who signed the letter are serious—and I hope and believe we are—then we need to make sure the negotiating position we take is to ask—and to direct—the administration to put this in the final negotiations on TPP.

We have, as I mentioned before, enforceable standards language on labor and environment and intellectual property rights. This is not complicated. We need to make sure we are clear on currency manipulation. The IMF has rules about what is and what is not direct currency manipulation. They are clear rules. There are 187 countries, in addition to Japan, that have already signed up saying they will abide by that definition. We just don't enforce it, and we have lost millions of jobs. Again, Japan, after signing, has intervened—the Bank of Japan has intervened 376 times in the last 25 years. We are being asked to rely on a handshake and good-faith assurances that there won't be 377 times. But we are being told if we even put language requiring a negotiating principle into this document, that somehow Japan will walk away. This makes absolutely no sense whatsoever. We have a responsibility, if we are giving up our rights to amend a document, to amend a trade agreement. If we are giving up our rights to require a supermajority vote in Congress, if we are doing that, we have a responsibility to the people we represent to make sure we have given the clearest possible negotiating objectives to the administration as to what we can expect to be in a trade agreement. That is what TPA is all about. If, in fact, currency manipulation is the mother of all trade barriers, why in the world would we not make it clear that currency manipulation should be a clear negotiating objective for the United States of America?

Let me just say again that we can compete with anybody and win. Our workers, our businesses, our innovation can compete with anybody and win. But it is up to us in Congress, working with the White House, to make sure the rules are fair. I hope colleagues will join us in passing the Portman-Stabenow amendment to

make it clear we understand in a global economy what is at stake and that we are going to vote on the side of American businesses and American workers. Thank you, Mr. President.

RECESS

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

Thereupon, the Senate, at 12:29 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

ENSURING TAX EXEMPT ORGANIZATIONS THE RIGHT TO APPEAL ACT—Continued

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Thank you, Mr. President. I appreciate the Presiding Officer being my colleague from my State of Ohio.

AMENDMENT NO. 1251

Mr. President, with the Trans-Pacific Partnership, we are considering the largest trade deal in our Nation's history. Forty percent of GDP is affected by the Trans-Pacific Partnership. We have a responsibility to ensure this deal does not get any bigger without congressional approval. That is why I am offering this amendment, the so-called docking amendment, along with many of my colleagues, to prevent the Trans-Pacific Partnership from being a backdoor trade agreement with China. What does that mean? Right now, there is nothing in this trade legislation—nothing—that we are considering to prevent the People's Republic of China from joining the TPP at a later date. Without a formal process requiring congressional input and approval for countries like China to join the TPP, we might as well be talking about the China free-trade agreement.

This amendment spells out in law a detailed, important process, step by step, for future TPP partners to join the agreement. It does not say they cannot join; it just says here is how they join—because TPP and TPA seem to be silent on that.

Here is how it works. The President would be required to notify Congress of his or her intent to enter into negotiations with a country that wants to join the TPP. The notice period would be 90 days. During that time, the Finance Committee and the Ways and Means Committee would have to vote to certify that the country considering joining the TPP is capable of meeting the standards of the agreement. It would stop sort of backdoor Presidential authority, whether it is President Obama or the next President making that decision. After that, both the Senate and the House would have to pass a resolution within the 90-day window approving that country joining the negotiations.

So if the President decides that he or she wants China to join these 12 Trans-

Pacific Partnership countries, the President cannot do that unilaterally. The President needs to go through this process and ultimately bring it to a vote by Congress. Then the American people can have their say. If it is just done unilaterally and quickly and maybe even kind of quietly by the President, the public would have no input. But if it goes through the congressional process, the Finance Committee and the Ways and Means Committee—I do not think we speak to the order of that—the notice period would be 90 days, so the country would then have 90 days to speak its mind about what we all think, we 300-some million people in this country think about this new country—not just China. That is obviously the most important, the most salient, the one we pay the most attention to—the second largest economy in the world. The implementing bill for that country to join the TPP would be subject to fast-track authority only if TPA were still in effect at that time. This process is vital to ensuring a public debate on what would be one of the most consequential economic decisions in a decade.

TPP, as we all know, already affects 40 percent of the world's GDP. If China piggybacks on this agreement, we will be looking at a sweeping agreement that will encompass the two largest economies on Earth. In fact, it would then perhaps be three; it would be the United States, then China, then Japan. A deal of that scale demands public scrutiny. A deal of that scale demands congressional input. A deal of that scale demands that the American public weigh in.

We know China already expressed interest in joining the agreement at the end of last year. News reports indicate they are monitoring these talks closely. Of course they are. We also know China manipulates its currency, even though Presidents Obama and Bush would not say that. We know they manipulate their currency. We know China floods our market with subsidized and dumped steel imports. We know China pursues an industrial policy designed to undercut American manufacturing.

Sitting in front of me is the junior Senator from the State of Washington, who has worked so hard and is on this floor to make sure it happens, that we reauthorize the Export-Import Bank. We know what China has done there to sort of end run the United States and what the failure of our doing that here would mean to even give greater advantages to China.

Mr. President, 2016 will mark China's 15-year anniversary in the World Trade Organization. We saw what happened after Congress, in 1999, 2000—that period—normalized trade relations with China. China became a member of the World Trade Organization. Fifteen years ago, our trade deficit with China was not much more than \$15 billion a year. Today, our trade deficit with China is \$25 billion a month. So it went