Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MACARTHUR) having assumed the chair, Mr. JENKINS of West Virginia, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes, had come to no resolution thereon.

## MOTION TO INSTRUCT CONFEREES ON H.R. 644, TRADE FACILITATION AND TRADE ENFORCEMENT ACT OF 2015

Ms. KUSTER. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore (Mr. JENKINS of West Virginia). The Clerk will report the motion.

The Clerk read as follows:

Ms. Kuster moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to the bill, H.R. 644 be instructed to agree to the provisions contained in subtitle A of title VII of the Senate amendment relating to currency manipulation.

The SPEAKER pro tempore. Pursuant to clause 2 of rule XXII, the gentlewoman from New Hampshire (Ms. KUSTER) and the gentleman from Texas (Mr. BRADY) each will control 30 minutes.

The Chair recognizes the gentlewoman from New Hampshire.

Ms. KUSTER. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of my motion that will instruct conferees to include in the conference report language to combat currency manipulation from the Senate-passed version of H.R. 644.

Currency manipulation by foreign governments is one of the greatest challenges we face to creating the type of free and fair trade that will benefit all Americans from top to bottom and help us create more jobs right here at home.

I, like so many others, am highly focused on helping our domestic manufacturers grow and create good, strong, middle class jobs. Since taking office, I have made supporting job creation and economic opportunity my number one priority, and our State's manufacturers play an integral role in that conversation.

Unfortunately, U.S. manufacturers already face so many challenges that make it more difficult to compete with foreign companies. From the lower cost of labor to limited environmental protections, our manufacturers must compete with foreign policies that lead to an uneven playing field.

Unfair currency manipulation makes that competition even more difficult. Currency manipulation is when governments use monetary policy to devalue their currency, which makes their exports cheaper and foreign imports more expensive.

The good news is that we have the most talented workers and the most innovative companies in the world, and we can compete and win despite these challenges.

For example, right in my district in New Hampshire, I visited dozens of new manufacturing companies that are harnessing cutting-edge technologies, like precision manufacturing and healthcare technology, to revitalize the industry and create modern, 21st century jobs for our workers. We must support these American manufacturers by cracking down on unfair advantages overseas that hinder their success.

This motion will help to level the playing field for manufacturers in New Hampshire and across the country by directing the Department of Commerce to slap duties on goods that have unfairly benefited from undervalued currency. This is the only provision in either customs bill that will effectively deter currency manipulation by our trading partners.

Working to address currency devaluation has long enjoyed bipartisan support. In 2010, the House overwhelmingly passed legislation restricting currency manipulation by a vote of 348–79. Earlier this year, the Senate version of this legislation passed 78–20, in large part because of the critical language restricting currency manipulation.

However, the version of this legislation passed by the House does not include the bipartisan provision that so many agree is crucial for limiting the ability of U.S. workers and businesses to compete more fairly with foreign companies and workers.

I strongly support fair and open trade that will spur job creation back here in the United States. When 95 percent of global consumers exist outside the United States, we have to find new markets for our manufacturers and other producers to grow and create more jobs here at home.

But when U.S. manufacturers are already disadvantaged by foreign products that are subsidized by their home currency, it is difficult for them to compete both at home and abroad.

And the impacts of this unfair manipulation are real. The Peterson Institute estimates that, over the past decade, at least 1 million and as many as 5 million jobs have been lost due to currency manipulation.

Additionally, an analysis by the Economic Policy Institute estimates that by eliminating currency manipulation we can reduce our trade deficit by as much as $500 billion, leading to a substantial increase in GDP growth and helping our American economy thrive.

Specifically, New Hampshire could expect to see roughly 13,000 new jobs as a result of an effective policy against currency manipulation.

The status quo is simply not good enough for U.S. workers, and that is why I am offering this motion today.

Our workers are already competing with foreign companies that pay their employees a fraction of what U.S. workers make. We should do whatever we can to help make it less difficult for U.S. companies to compete globally. Adding this currency manipulation language to the bill before us today will give us the best chance to do that.

Please join me in supporting my motion in support of American manufacturers.

Mr. Speaker, I reserve the balance of my time.

GENERAL LEAVE

Mr. BRADY of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the Motion to Instruct Conferees on H.R. 644.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

I rise in opposition to the motion to instruct conferees.

There is no question currency manipulation is a real problem, and I and many other Republicans are committed to fighting it. The bill that we are going to conference on includes strong currency provisions, thanks to the hard work of Representative MILLER and members of the Michigan delegation.

In addition, earlier this year, we passed a trade promotion authority legislation that, for the very first time, raised fighting manipulation to a primary negotiating objective and provides the administration more tools to tackle the practice.

However, if the United States begins unilaterally levying tariffs, our trading partners will no doubt do the same, leading to a very dangerous cycle. This would undermine the very purpose of trade agreements: to break down barriers and to open economic freedom. More importantly, this would hurt American competitiveness and hurt our jobs.

I am also concerned that pursuing a unilateral approach could cause the United States to be a target for retaliation by countries like China, harming our businesses and their employees, and risk putting the United States in violation of international obligations and out of WTO compliance.

And the administration agrees.

□ 1845

Earlier this year, Secretary Lew sent a letter to Congress stating that the administration would oppose legislation that would use the countervailing duty process to address currency undervaluation because it would raise questions about consistency with our international obligations and that it would be counterproductive to our ongoing bilateral and multilateral engagement as well as to our efforts to

promote greater accountability on currency policies in the context of the Trans-Pacific Partnership.

Mr. Speaker, the United States has a unique responsibility as a world reserve currency. This type of measure puts our standing at risk.

Mr. Speaker, I reserve the balance of my time.

Ms. KUSTER. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, this motion is the next step in fast-track consideration of Asian trade agreements and perhaps other trade agreements.

The fast-trackers know that the only way they can sell this agreement to the American people is to rely on stealth as much as possible to hide the agreement, as they have, for as long as possible; and then, even at the present time, not to give full information about all aspects of this agreement, such as the alleged $18,000 tax cuts being provided foreigners, without indicating what tax cuts are available for Americans or what the effect of these tax cuts might be. And now, today, under this new, more inclusive House that we have heard so much about with the new Speaker, we are provided less than an hour's notice for the fast-trackers to strike again.

In moving to go to conference on a bill to attempt to fix a defective fast-track proposal, they have done so under a procedure that cut off all debate. We were not permitted to say a word about the customs bill as a whole, and the only way that we are able to comment about what is happening here at all is thanks to the gentlewoman from New Hampshire who has offered a nonbinding motion about one of the many questionable provisions in this customs bill. It is a very important provision concerning currency manipulation that allows some foreign trading partners to use their currencies and adjust them to get what they cannot do through normal trade procedures and greatly disadvantage American manufacturers and hurt American jobs.

I applaud the gentlewoman's consideration and offering of that amendment. Even though it will not bind the conference committee, it is a way for the House to speak out about that issue.

But this is not the only flaw that exists in the customs bill. Indeed, the first provision included in this customs bill as passed by the House—ironically, brought up today, as countries with good will are struggling with the issue of how we address climate change in Paris—instructs that no trade agreements can obligate the United States with respect to global warming or climate change.

So the bill that is being sent to conference, as approved in the House, is designed to prevent our acting concerning climate change, which is the great threat—perhaps one of the major national security threats, and certainly the greatest environmental threat of our time. We can see the effects all around us when we are not surrounded by climate change deniers, of which there are many in this House who refuse to accept science and prefer mythology and ideology to science. Hence, this provision in a bill in a trade negotiation that began considering ways to address climate change now has a prohibition against doing it.

A second problem—I am all for trade. I voted for trade or supported trade with most of the countries that are in the Trans-Pacific Partnership. One of those countries, however, believes in turning a blind eye to trading women, trading children, trading indentured workers, and that country is Malaysia.

Until the last couple of months, Malaysia was in a category with North Korea and a handful of other countries as a country that was doing the least and had the worst record when it comes to human trafficking. So the United States Senate approved a provision to address that concern with Malaysia. And when that provision was in the Ways and Means Committee in markup, I specifically asked then-Chairman RYAN to ensure that we had any human trafficking amendment language from the Senate committee in this customs bill or in his TPP bill.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. KUSTER. Mr. Speaker, I yield the gentleman an additional 2 minutes.

Mr. DOGGETT. He told me in the course of that hearing that he would oppose truly conforming the House bill with the Senate bill because ''it would make it more difficult to negotiate TPP,'' this Asian trade agreement.

So we put the desire for trade over our principles. I think it is possible to have more trade and support a 21st century trade policy without sacrificing our values as Americans.

What has happened in the meantime is a reclassification of Malaysia, all designed to get the trade there without getting Malaysia to do what it should about human trafficking, which I think is really tragic.

Then there is the third issue addressed in this customs bill, and that is the question of enforcement. Of course, when it comes to protection of the environment, when it comes to standards so that we are not in a race to the bottom with our American workers versus foreign workers, say in Vietnam working for 60 cents an hour, this United States Trade Representative's office has been asleep at the wheel. That is the name of a great Texas swing band, but it is not a very good policy when it comes to enforcing the law. Unfortunately, these enforcement provisions which are part of this customs bill leave it to USTR to proceed as it has in the past.

I think, instead of going to conference, what we should be doing is going back to the drawing board in the committee, looking at the enforcement provisions, and asking why it is that, though it has had responsibility to enforce environmental and labor guarantees, it has not brought successful actions to accomplish either.

And specifically with regard to the environment, in addition to the climate change provisions, one of the most troubling developments as far as both climate and the environment is the question of logging in the Amazon region and other sensitive areas. USTR was charged with seeking audits of that logging and seeing that we acted under agreements that were approved during the Bush administration. It has failed to do so.

So, for one reason after another, going to conference is a mistake. I applaud the motion. I hope it is adopted, but it is tragic that we are moving in this direction.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

People often ask: How do you end the gridlock in Washington? The answer is found in the Constitution. The House of Representatives passes its best idea on how to solve a problem, the Senate does the same, and then you go to a conference committee to try to find common ground and to try to find solutions that advance the principles of both parties to try to solve big problems.

The motion we passed earlier tonight was to start that open and transparent process of going to a conference committee and having representatives of the House and Senate, Republicans and Democrats, come together to try to work out these issues. The underlying bill passed the House and the Senate earlier this summer. There have been a lot of, I think, very healthy discussions between both Chambers and both parties in how we find common ground.

So this motion is to instruct those conferees; but in truth, what we are seeking is that open, transparent, I think, constitutional process where we listen to the ideas of, for example, the gentleman from Michigan (Mr. LEVIN), a member of the Ways and Means Committee whom I respect, where we listen to the ideas of Senate Republicans and Democrats and we, again, try to find common ground on a couple of things: one, how do we streamline the time and the cost and efficiency of America trading its goods as we work to sell America throughout the world, working through issues that were raised in trade promotion authority by both parties.

These are legitimate, sincere issues. We have got an opportunity at conference to discuss them. Then, hopefully, we will find common ground and bring that solution back to the House and to the Senate for final approval. This is simply what we are trying to do.

Again, this motion to instruct goes after an issue we all agree on: currency manipulation. The key is to do it the right way so that it doesn't boomerang on America but actually gets to this

issue. We are going to have this discussion in the conference committee.

Mr. Speaker, I reserve the balance of my time.

Ms. KUSTER. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. I thank the gentlewoman for yielding, and congratulations on your motion to instruct.

First, let me just say, in terms of process, I do think it is important that, before there is a motion to go to conference, there be some notification to the minority; because there have been discussions underway about the customs bill for a long time, and no one on our side, including our leadership, was given any notice of the motion to go to conference today. I think that is a mistake, and I hope it won't be repeated. I say that in good faith and with some good cheer. It is a bad precedent, and I hope it won't be followed.

Let me just say a word about currency. We have been working on this for years. We passed several bills through this House directly relating to currency, and it never became law. Instead, there has been interminable talk about doing something. So, finally, there was placed in the Senate bill the proposal of CHUCK SCHUMER. We have an almost similar bill in the House. What is happening here is, I think, that the House bill is going to eliminate the Schumer amendment.

So for all the talk on currency, we are essentially going to be back to where we were and have been for years. There are no teeth in the amendment that was proposed by my colleague from Michigan (Mrs. MILLER). There are no teeth in it. It is kind of all gums. The same is true of the other language in the Senate bill on currency, with all due respect. It just doesn't face up to the issue.

We have proposed some ideas to try to add strength to what has been a weak structure, and essentially what happens now is, instead of further discussions, we are going to conference. I think it is now preordained that the Schumer amendment will be eliminated. It will be left with essentially empty language in terms of real strength to it.

So I congratulate my very distinguished colleague from New Hampshire for not only bringing this up, but for your eloquence. We lost millions of jobs because of currency manipulation by Japan in the nineties and by China thereafter. The estimate is 2, 3, 4 million jobs. What more does this institution want?

Let me just say a couple of words about two other provisions.

The House bill essentially added language to TPA that said that there must be assurance that trade agreements do not require changes to U.S. law or obligate the United States with respect to global warming or climate change.

□ 1900

So here we are going to conference one of the days of the Paris conference, and we face the language in the House that eliminates any meaningful opportunity in trade agreements to address climate change.

It may take me a little longer. I may have to ask for a minute, but I want to say something about our previous action.

We put in May 10 provisions relating to Peru and the Amazon. Why? In part, because it was displacing people who were living there, but also because the Amazon conditions affect the climate throughout the Americas.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. KUSTER. I yield an additional 2 minutes to the gentleman from Michigan.

Mr. LEVIN. And if this language were in place when we did May 10, we would not have been able to have that provision that is part of American law proudly. So we are headed in the wrong direction.

Let me just say a last word about human trafficking. The State Department reports on human trafficking in Malaysia are very clear. The ink could not be darker. That is that there has been massive human trafficking and, essentially, what the House language did was to weaken the proposal of Senator MENENDEZ.

Then the State Department, I think, essentially did not face up to the realities within their own reports and moved Malaysia from tier 3 to tier 2 so that they could continue to be part of the negotiations.

I don't see how people can look in the mirror and not say to themselves that we have to take into account human trafficking.

So I finish with this. There are some positive provisions within the Customs bill, but there are also these very difficult and I think, in some respects, dangerous, in the case of currency, worse-than-innocuous provisions because, in currency, it retreats from the little step of meaning that we were going to take.

So I congratulate the gentlewoman who is such a noble warrior on so many issues for bringing up this motion to instruct, and I urge strong support.

Mr. BRADY of Texas. Mr. Speaker, I reserve the balance of my time.

Ms. KUSTER. Mr. Speaker, I yield 4 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, Customs bills in the past have been positive. They have been useful in trade enforcement packages.

However, the majority in this body has baked into this legislation harmful provisions that make the fast-track law even worse.

It fails to protect Dodd-Frank and financial regulations, consumer safeguards. It stops our trade agreements from doing anything to address immigration. It strips out provisions tackling currency manipulation, an abuse that is costing millions of Americans their jobs.

Don't take my word for it. Listen to the Peterson Institute. Listen to what they have to say, no left-leaning organization. It says that, as a result of currency manipulation, the United States has lost up to 5 million jobs.

Why would we go down this road again? Why wouldn't we make currency manipulation prohibitive, instead of using language that is not even in the bill, but in a forum that they have put together around the TPP that says that countries should refrain from currency manipulation, they should avoid currency manipulation?

Avoid? Refrain? What kind of tough enforcement language is that? It is not.

What do countries do when they manipulate their currency? They drop the cost of their currency. Their goods become cheaper. Our goods are more expensive. We don't sell them abroad.

You know what happened in Mexico with NAFTA. They talked about all the beautiful provisions, all the tariffs dropping, et cetera. When they devalued the peso, it was all gone.

This is without strong, tough—and it won't be strong and tough because of the Senate language. But this is a good faith effort to deal with currency.

But, in fact, the lack of currency enforcement here is going to cause ruination in terms of American jobs and it is going to lower their wages. And already Malaysia has devalued its currency, as has Vietnam.

This agreement bans the United States from making commitments on climate change in trade agreements. My colleagues have spoken about this, provisions that are necessary to ensure that our trade policy does not negate our climate goals.

You have got—what is it?—I don't know—200 countries assembled in Paris to look at how we bring some sanity to climate control and what we do. We have the President there. These efforts are more important now than ever, and we will be able to do nothing about dealing with the issue of climate.

This is a massive step backward for the already weak environmental obligation in our trade agreements. This bill contains no funding support for the enforcement and monitoring of our trade agreements. Lack of enforcement has plagued our trade deals for decades.

Despite environmental rules in the U.S.-Peru free trade agreement, the overwhelming majority of timber from Peru is illegally logged. Despite the labor rules in the Colombia free trade agreement, over 118 Colombian trade unionists have been murdered.

The SPEAKER pro tempore (Mr. BABIN). The time of the gentlewoman has expired.

Ms. KUSTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut.

Ms. DELAURO. Within the last week, Vietnam, one of the partners in this agreement, arrested labor activists. 118 Colombian trade unionists were murdered. Vietnam will not allow organized labor, and in the agreement they

get a free pass for 5 years while our jobs are just being drained away.

Now the Congress is reviewing the TPP, the largest free trade agreement of its kind in history. It does include countries like Vietnam and Malaysia, where labor and human rights abuses are rampant.

My colleagues have talked about Malaysia and trafficking and forced labor. Where are the values of this Nation when we can take Malaysia that traffics in young girls and say that they have gotten better and they go from a tier 3 country to a tier 2 country just so that they can be part of this agreement?

Where are the values of the United States of America? They are not present here. We can't afford more free trade agreements without adequate enforcement.

Worst of all, this bill weakens protection in so many areas. We are dealing, as I said, in trafficking. It is modern slavery. That is what that is all about.

Democrats have been clamoring for years and years for our government to include enforceable labor standards and enforceable environmental provisions, and it has fallen on deaf ears.

This motion to instruct—and I say to my colleague thank you for doing this—should pass. It will pass tonight or tomorrow, but it really should not go to conference. There are so many flaws in the underlying bill and in the Trans-Pacific Partnership agreement as well, and this should not go to conference.

In fact, put a gloss on a piece of legislation that is one of the worst pieces of legislation that has hit this floor of the United States House of Representatives.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume, and I am prepared to close if the gentlewoman from New Hampshire is prepared to do so as well.

The value of a country's currency is a complex issue. It is determined by a number of factors: how much a country saves, how much it invests, the strength of its economy, its trade flows in and out. It is a complex issue.

Where Republicans and Democrats and the White House find common ground is the desire that countries don't manipulate their currency in order to give themselves an unfair trade advantage.

The difference is how best to go about it. And because it is a complex issue, there are some very good ideas on all parties' sides on how best to do that.

This motion essentially says to forget those discussions and don't have Republicans and Democrats from the House and Senate work together through this complex issue and find a common solution. This motion simply says to forget all that. There is only one solution, and we insist upon it. End the discussion.

I don't think that is the right way to go about it. I think, frankly, there are real serious concerns not just from Republicans, but from the White House on insisting on this one solution.

I think our country is better served and those who want to stop currency manipulation are better served by bringing our best ideas together in this conference committee.

That is what I am determined to do. That is what the American public wants us to do, an open, transparent, regular process that brings about the very best solution for America.

That is why I urge a ''no'' vote on this motion to instruct.

Mr. Speaker, I yield back the balance of my time.

Ms. KUSTER. Mr. Speaker, I yield myself such time as I may consume.

I want to say to my colleague, the gentleman from Texas, I think that we do agree to part of this about the danger of currency manipulation and the millions of jobs that are lost here in our country.

That is why I rise this evening to offer this motion to instruct the conferees to include in the conference report language to combat currency manipulation from the Senate-passed version of this bill.

I also want to associate myself with the comments of my colleagues because these are bipartisan issues. I have worked with my colleagues across the aisle on human trafficking, and I know that my colleagues share my values and are appalled at the egregious efforts that have gone down in Malaysia to traffic in young girls.

These are not American values that are being expressed at this historic moment, as countries across the world gather in Paris to protect our society, our whole humankind, from the ravages of climate change.

So, Mr. Speaker, I rise this evening to support my motion. I will be asking for a recorded vote.

I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Ms. KUSTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 1915

## CLIMATE CHANGE DEBATE NOT SETTLED

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, recently, President Obama declared climate change to be the number one adversary of the United States.

He has proposed wide-ranging regulations to fight this supposed enemy, regulations that not only drastically increase the scope of government but could only irreparably damage our economy. Today, we voted to reject those policies.

While he concentrates on crony capitalism disguised as feel-good policies, our true enemy has grown in strength and struck one of our oldest allies. We know this enemy: a radical form of Islam that has sworn to destroy Western civilization, that abuses and enslaves women, that seeks victory through suicide attacks and terrorizing civilians.

From manufacturing fake data to fit computer temperature models, to manipulated actual temperatures being rounded up to fit the narrative, and the resistance by government entities to reveal their methodology and internal biases show that, indeed, the debate on climate change is far from settled.

Mr. Speaker, it is time for the President to wake up, recognize that no nation should willingly choose to damage its own economy, as he proposes. It is time he recognized the United States' responsibility to the free world and end the self-destructive cycle that his policies would initiate.

## RADICAL ISLAMIC TERROR

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, just to follow up on the eloquent 1-minute speech by my friend, DOUG LAMALFA, that it is extraordinary to think that the President of the United States—some say he is the leader of the free world—would actually say publicly and, even worse, at a conference of world leaders that, in effect, the worst blow we could hit ISIS with is for the leaders to come together on climate change?

It is hard to believe the leader of the free world would make such a statement. Maybe it was just something that was given to him to read and he read, maybe it was in a teleprompter, or maybe he didn't have time to think about what he was saying. Because I have talked to too many people in all parts of the world who have dealt directly with radical Islamist terrorists, and they make clear that radical Islamist terrorists know nothing and respect nothing but power. Incredible. Just incredible.

Growing up, it would have been akin to bullies beating up and taking from smaller students on the playground and the teacher gathering all the students and other teachers together and saying, ''I am going to teach the bullies a lesson by just ignoring them and