

108TH CONGRESS
1ST SESSION

S. 624

To authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of the Russian Federation, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 13, 2003

Mr. BAUCUS (for himself and Mr. LEVIN) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of the Russian Federation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 The Congress finds that—

5 (1) the Russian Federation has adopted con-
6 stitutional protections and statutory and administra-
7 tive procedures that accord its citizens the right and
8 opportunity to emigrate, free of anything more than
9 a nominal tax on emigration or on the visas or other

1 documents required for emigration and free of any
2 tax, levy, fine, fee, or other charge on any citizens
3 as a consequence of the desire of such citizens to
4 emigrate to the country of their choice or to return
5 to the Russian Federation;

6 (2) the Russian Federation has been found to
7 be in full compliance with the freedom of emigration
8 requirements under title IV of the Trade Act of
9 1974 since 1994;

10 (3) the Russian Federation has taken important
11 steps toward the creation of democratic institutions
12 and a free-market economy and, as a participating
13 state of the Organization for Security and Coopera-
14 tion in Europe (in this Act referred to as the
15 “OSCE”), is committed to developing a system of
16 governance in accordance with the principles regard-
17 ing human rights and humanitarian affairs that are
18 set forth in the Final Act of the Conference on Secu-
19 rity and Cooperation in Europe (also known as the
20 “Helsinki Final Act”) and successive documents;

21 (4) the Russian Federation is committed to ad-
22 dressing issues relating to its national and religious
23 minorities as a participating state of the OSCE, to
24 adopting measures to ensure that persons belonging
25 to national minorities have full equality both individ-

1 ually and communally, and to respecting the inde-
2 pendence of minority religious communities, al-
3 though problems still exist regarding the registration
4 of religious groups, visa, and immigration require-
5 ments, and other laws, regulations, and practices
6 that interfere with the activities or internal affairs
7 of minority religious communities;

8 (5) the Russian Federation has enacted legisla-
9 tion providing protection against discrimination or
10 incitement to violence against persons or groups
11 based on national, racial, ethnic, or religious dis-
12 crimination, including anti-Semitism;

13 (6) the Russian Federation has committed
14 itself, including through exchanges of letters, to en-
15 suring freedom of religion, equal treatment of all re-
16 ligious groups, and combating racial, ethnic, and re-
17 ligious intolerance and hatred, including anti-Semi-
18 tism;

19 (7) the Russian Federation has engaged in ef-
20 forts to combat ethnic and religious intolerance by
21 cooperating with various United States nongovern-
22 mental organizations;

23 (8) the Russian Federation is continuing the
24 restitution of religious properties, including religious
25 and communal properties confiscated from national

1 and religious minorities during the Soviet era, facili-
2 tating the reemergence of these minority groups in
3 the national life of the Russian Federation, and has
4 committed itself, including through exchanges of let-
5 ters, to continue the restitution of such properties;

6 (9) the Russian Federation has received normal
7 trade relations treatment since concluding a bilateral
8 trade agreement with the United States that entered
9 into force on June 17, 1992;

10 (10) the Russian Federation is making progress
11 toward accession to the World Trade Organization,
12 recognizing that many central issues remain to be
13 resolved, including removal of unjustified restrictions
14 on agricultural products of the United States, com-
15 mitments relating to tariff reductions for goods,
16 trade in services, protection of intellectual property
17 rights, reform of the industrial energy sector, elimi-
18 nation of export incentives for industrial goods, re-
19 form of customs procedures and technical, sanitary,
20 and phytosanitary measures, and inclusion of trade
21 remedy provisions;

22 (11) the Russian Federation has enacted some
23 protections reflecting internationally recognized
24 labor rights, but serious gaps remain both in the
25 country's legal regime and its enforcement record;

1 (12) the Russian Federation has provided con-
2 stitutional guarantees of freedom of the press, al-
3 though infringements of this freedom continue to
4 occur; and

5 (13) the Russian Federation has demonstrated
6 a strong desire to build a friendly and cooperative
7 relationship with the United States.

8 **SEC. 2. TERMINATION OF APPLICATION OF TITLE IV OF**
9 **THE TRADE ACT OF 1974 TO THE RUSSIAN**
10 **FEDERATION.**

11 (a) PRESIDENTIAL DETERMINATIONS AND EXTEN-
12 SIONS OF NONDISCRIMINATORY TREATMENT.—Notwith-
13 standing any provision of title IV of the Trade Act of 1974
14 (19 U.S.C. 2431 et seq.), the President may—

15 (1) determine that such title should no longer
16 apply to the Russian Federation; and

17 (2) after making a determination under para-
18 graph (1) with respect to the Russian Federation,
19 proclaim the extension of nondiscriminatory treat-
20 ment (normal trade relations treatment) to the prod-
21 ucts of that country.

22 (b) TERMINATION OF APPLICATION OF TITLE IV.—
23 On and after the effective date of the extension under sub-
24 section (a)(2) of nondiscriminatory treatment to the prod-

1 ucts of the Russian Federation, chapter 1 of title IV of
2 the Trade Act of 1974 shall cease to apply to that country.

3 **SEC. 3. POLICY OF THE UNITED STATES.**

4 It is the policy of the United States to remain fully
5 committed to a multifaceted engagement with the Russian
6 Federation, including by—

7 (1) urging the Russian Federation to ensure
8 that its national, regional, and local laws, regula-
9 tions, practices, and policies fully, and in conformity
10 with the standards of the OSCE—

11 (A) provide for the free emigration of its
12 citizens;

13 (B) safeguard religious liberty throughout
14 the Russian Federation, including by ensuring
15 that the registration of religious groups, visa
16 and immigration requirements, and other laws,
17 regulations, and practices are not used to inter-
18 fere with the activities or internal affairs of mi-
19 nority religious communities;

20 (C) enforce and enhance existing Russian
21 laws at the national and local levels to combat
22 ethnic, religious, and racial discrimination and
23 related violence;

24 (D) expand the restitution of religious and
25 communal properties, including by establishing

1 a legal framework for the timely completion of
2 such restitution; and

3 (E) respect fully freedom of the press;

4 (2) working with the Russian Federation, in-
5 cluding through the Secretary of Labor and other
6 appropriate executive branch officials, to address the
7 issues described in section 1(11); and

8 (3) continuing rigorous monitoring by the
9 United States of human rights issues in the Russian
10 Federation, including the issues described in para-
11 graphs (1) and (2), providing assistance to non-
12 governmental organizations and human rights
13 groups involved in human rights activities in the
14 Russian Federation, and promoting annual discus-
15 sions and ongoing dialog with the Russian Federa-
16 tion regarding those issues, including the participa-
17 tion of United States and Russian nongovernmental
18 organizations in such discussions.

19 **SEC. 4. REPORTING REQUIREMENT.**

20 The reports required by sections 102(b) and 203 of
21 the International Religious Freedom Act of 1998 (22
22 U.S.C. 6412(b) and 6433) shall include an assessment of
23 the status of the issues described in subparagraphs (A)
24 through (D) of section 3(1).

1 **SEC. 5. CONTINUED ENJOYMENT OF RIGHTS UNDER THE**
2 **JUNE 17, 1992, BILATERAL TRADE AGREE-**
3 **MENT.**

4 (a) FINDING.—The Congress finds that the trade
5 agreement between the United States and the Russian
6 Federation that entered into force on June 17, 1992, re-
7 mains in force between the 2 countries and provides the
8 United States with important rights, including the right
9 to use specific safeguard rules to respond to import surges
10 from the Russian Federation.

11 (b) APPLICABILITY OF SAFEGUARD.—Section 421 of
12 the Trade Act of 1974 (19 U.S.C. 2451) shall apply to
13 the Russian Federation to the same extent as such section
14 applies to the People's Republic of China.

15 **SEC. 6. EXERCISE OF CONGRESSIONAL OVERSIGHT OVER**
16 **WTO ACCESSION NEGOTIATIONS.**

17 (a) NOTICE OF AGREEMENT ON ACCESSION TO WTO
18 BY RUSSIAN FEDERATION.—Not later than 5 days after
19 the date on which the United States has entered into a
20 bilateral agreement with the Russian Federation on the
21 terms of accession by the Russian Federation to the World
22 Trade Organization, the President shall so notify the Con-
23 gress, and the President shall transmit to the Congress,
24 not later than 15 days after that agreement is entered
25 into, a report that sets forth the provisions of that agree-
26 ment.

1 (b) RESOLUTION OF DISAPPROVAL.—

2 (1) INTRODUCTION.—If a resolution of dis-
3 approval is introduced in the House of Representa-
4 tives or the Senate during the 30-day period (not
5 counting any day which is excluded under section
6 154(b) of the Trade Act of 1974 (19 U.S.C.
7 2194(b)), beginning on the date on which the Presi-
8 dent first notifies the Congress under subsection (a)
9 of the agreement referred to in that subsection, that
10 resolution of disapproval shall be considered in ac-
11 cordance with this subsection.

12 (2) RESOLUTION OF DISAPPROVAL.—In this
13 subsection, the term “resolution of disapproval”
14 means only a joint resolution of the two Houses of
15 the Congress, the matter after the resolving clause
16 of which is as follows: “That the Congress does not
17 approve the agreement between the United States
18 and the Russian Federation on the terms of acces-
19 sion by the Russian Federation to the World Trade
20 Organization, of which Congress was notified on
21 ____.”, with the blank space being filled with the
22 appropriate date.

23 (3) PROCEDURES FOR CONSIDERING RESOLU-
24 TIONS.—

1 (A) INTRODUCTION AND REFERRAL.—Res-
 2 olutions of disapproval—

3 (i) in the House of Representatives—

4 (I) may be introduced by any
 5 Member of the House;

6 (II) shall be referred to the Com-
 7 mittee on Ways and Means and, in
 8 addition, to the Committee on Rules;
 9 and

10 (III) may not be amended by ei-
 11 ther Committee; and

12 (ii) in the Senate—

13 (I) may be introduced by any
 14 Member of the Senate;

15 (II) shall be referred to the Com-
 16 mittee on Finance; and

17 (III) may not be amended.

18 (B) COMMITTEE DISCHARGE AND FLOOR
 19 CONSIDERATION.—The provisions of sub-
 20 sections (c) through (f) of section 152 of the
 21 Trade Act of 1974 (19 U.S.C. 2192(c) through
 22 (f)) (relating to committee discharge and floor
 23 consideration of certain resolutions in the
 24 House and Senate) apply to a resolution of dis-

1 approval to the same extent as such subsections
2 apply to resolutions under such section.

3 (c) RULES OF HOUSE OF REPRESENTATIVES AND
4 SENATE.—Subsection (b) is enacted by the Congress—

5 (1) as an exercise of the rulemaking power of
6 the House of Representatives and the Senate, re-
7 spectively, and as such are deemed a part of the
8 rules of each House, respectively, and such proce-
9 dures supersede other rules only to the extent that
10 they are inconsistent with such other rules; and

11 (2) with the full recognition of the constitu-
12 tional right of either House to change the rules (so
13 far as relating to the procedures of that House) at
14 any time, in the same manner, and to the same ex-
15 tent as any other rule of that House.

○