

In the Senate of the United States,

April 7, 2022.

Resolved, That the bill from the House of Representatives (H.R. 7108) entitled “An Act to suspend normal trade relations treatment for the Russian Federation and the Republic of Belarus, and for other purposes.”, do pass with the following

AMENDMENT:

Strike all after the enacting clause and insert the following:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Suspending Normal*
3 *Trade Relations with Russia and Belarus Act”.*

4 ***SEC. 2. FINDINGS.***

5 *Congress finds the following:*

6 *(1) The United States is a founding member of*
7 *the World Trade Organization (WTO) and is com-*
8 *mitted to ensuring that the WTO remains an effective*
9 *forum for peaceful economic engagement.*

1 (2) *Ukraine is a sovereign nation-state that is*
2 *entitled to enter into agreements with other sovereign*
3 *states and to full respect of its territorial integrity.*

4 (3) *The United States will be unwavering in its*
5 *support for a secure, democratic, and sovereign*
6 *Ukraine, free to choose its own leaders and future.*

7 (4) *Ukraine acceded to the Marrakesh Agreement*
8 *Establishing the World Trade Organization (WTO*
9 *Agreement) and has been a WTO member since 2008.*

10 (5) *Ukraine's participation in the WTO Agree-*
11 *ment creates both rights and obligations vis-à-vis*
12 *other WTO members.*

13 (6) *The Russian Federation acceded to the WTO*
14 *on August 22, 2012, becoming the 156th WTO mem-*
15 *ber, and the Republic of Belarus has applied to accede*
16 *to the WTO.*

17 (7) *From the date of its accession, the Russian*
18 *Federation committed to apply fully all provisions of*
19 *the WTO.*

20 (8) *The United States Congress authorized per-*
21 *manent normal trade relations for the Russian Fed-*
22 *eration through the Russia and Moldova Jackson-*
23 *Vanik Repeal and Sergei Magnitsky Rule of Law Ac-*
24 *countability Act of 2012 (Public Law 112–208).*

1 (9) *Ukraine communicated to the WTO General*
2 *Council on March 2, 2022, urging that all WTO*
3 *members take action against the Russian Federation*
4 *and “consider further steps with the view to sus-*
5 *pending the Russian Federation’s participation in the*
6 *WTO for its violation of the purpose and principles*
7 *of this Organization”.*

8 (10) *Vladimir Putin, a ruthless dictator, has led*
9 *the Russian Federation into a war of aggression*
10 *against Ukraine, which—*

11 (A) *denies Ukraine and its people their col-*
12 *lective rights to independence, sovereignty, and*
13 *territorial integrity;*

14 (B) *constitutes an emergency in inter-*
15 *national relations, because it is a situation of*
16 *armed conflict that threatens the peace and secu-*
17 *rity of all countries, including the United States;*
18 *and*

19 (C) *denies Ukraine its rightful ability to*
20 *participate in international organizations, in-*
21 *cluding the WTO.*

22 (11) *The Republic of Belarus, also led by a ruth-*
23 *less dictator, Aleksander Lukashenka, is providing*
24 *important material support to the Russian Federa-*
25 *tion’s aggression.*

1 (12) *The Russian Federation’s exportation of*
2 *goods in the energy sector is central to its ability to*
3 *wage its war of aggression on Ukraine.*

4 (13) *The United States, along with its allies and*
5 *partners, has responded to recent aggression by the*
6 *Russian Federation in Ukraine by imposing sweeping*
7 *financial sanctions and stringent export controls.*

8 (14) *The United States cannot allow the con-*
9 *sequences of the Russian Federation’s actions to go*
10 *unaddressed, and must lead fellow countries, in all*
11 *fora, including the WTO, to impose appropriate con-*
12 *sequences for the Russian Federation’s aggression.*

13 **SEC. 3. SUSPENSION OF NORMAL TRADE RELATIONS WITH**
14 **THE RUSSIAN FEDERATION AND THE REPUB-**
15 **LIC OF BELARUS.**

16 (a) *NONDISCRIMINATORY TARIFF TREATMENT.*—*Not-*
17 *withstanding any other provision of law, beginning on the*
18 *day after the date of the enactment of this Act, the rates*
19 *of duty set forth in column 2 of the Harmonized Tariff*
20 *Schedule of the United States shall apply to all products*
21 *of the Russian Federation and of the Republic of Belarus.*

22 (b) *AUTHORITY TO PROCLAIM INCREASED COLUMN 2*
23 *RATES.*—

24 (1) *IN GENERAL.*—*The President may proclaim*
25 *increases in the rates of duty applicable to products*

1 *of the Russian Federation or the Republic of Belarus,*
2 *above the rates set forth in column 2 of the Har-*
3 *monized Tariff Schedule of the United States.*

4 (2) *PRIOR CONSULTATION.*—*The President shall,*
5 *not later than 5 calendar days before issuing any*
6 *proclamation under paragraph (1), consult with the*
7 *Committee on Ways and Means of the House of Rep-*
8 *resentatives and the Committee on Finance of the*
9 *Senate regarding the basis for and anticipated im-*
10 *impact of the proposed increases to rates of duty de-*
11 *scribed in paragraph (1).*

12 (3) *TERMINATION.*—*The authority to issue proc-*
13 *lamations under this subsection shall terminate on*
14 *January 1, 2024.*

15 **SEC. 4. RESUMPTION OF APPLICATION OF HTS COLUMN 1**

16 **RATES OF DUTY AND RESTORATION OF NOR-**
17 **MAL TRADE RELATIONS TREATMENT FOR**
18 **THE RUSSIAN FEDERATION AND THE REPUB-**
19 **LIC OF BELARUS.**

20 (a) *TEMPORARY APPLICATION OF HTS COLUMN 1*
21 *RATES OF DUTY.*—

22 (1) *IN GENERAL.*—*Notwithstanding any other*
23 *provision of law (including the application of column*
24 *2 rates of duty under section 3), the President is au-*
25 *thorized to temporarily resume, for one or more peri-*

1 *ods not to exceed 1 year each, the application of the*
2 *rates of duty set forth in column 1 of the Harmonized*
3 *Tariff Schedule of the United States to the products*
4 *of the Russian Federation, the Republic of Belarus, or*
5 *both, if the President submits to Congress with respect*
6 *to either or both such countries a certification under*
7 *subsection (c) for each such period. Such action shall*
8 *take effect beginning on the date that is 90 calendar*
9 *days after the date of submission of such certification*
10 *for such period, unless there is enacted into law dur-*
11 *ing such 90-day period a joint resolution of dis-*
12 *approval.*

13 (2) *CONSULTATION AND REPORT.—The President*
14 *shall, not later than 45 calendar days before submit-*
15 *ting a certification under paragraph (1)—*

16 (A) *consult with—*

17 (i) *the Committee on Ways and Means*
18 *and the Committee on Foreign Affairs of the*
19 *House of Representatives; and*

20 (ii) *the Committee on Finance and the*
21 *Committee on Foreign Relations of the Sen-*
22 *ate; and*

23 (B) *submit to all such committees a report*
24 *that explains the basis for the determination of*
25 *the President contained in such certification.*

1 (b) *RESTORATION OF NORMAL TRADE RELATIONS*
2 *TREATMENT.*—

3 (1) *IN GENERAL.*—*The President is authorized to*
4 *resume the application of the rates of duty set forth*
5 *in column 1 of the Harmonized Tariff Schedule of the*
6 *United States to the products of the Russian Federa-*
7 *tion, the Republic of Belarus, or both, if the President*
8 *submits to Congress with respect to either or both such*
9 *countries a certification under subsection (c). Such*
10 *action shall take effect beginning on the date that is*
11 *90 calendar days after the date of submission of such*
12 *certification, unless there is enacted into law during*
13 *such 90-day period a joint resolution of disapproval.*

14 (2) *CONSULTATION AND REPORT.*—*The President*
15 *shall, not later than 45 calendar days before submit-*
16 *ting a certification under paragraph (1)—*

17 (A) *consult with—*

18 (i) *the Committee on Ways and Means*
19 *and the Committee on Foreign Affairs of the*
20 *House of Representatives; and*

21 (ii) *the Committee on Finance and the*
22 *Committee on Foreign Relations of the Sen-*
23 *ate; and*

1 (B) submit to all such committees a report
2 that explains the basis for the determination of
3 the President contained in such certification.

4 (3) *PRODUCTS OF THE RUSSIAN FEDERATION.*—
5 If the President submits pursuant to paragraph (1) a
6 certification under subsection (c) with respect to the
7 Russian Federation and a joint resolution of dis-
8 approval is not enacted during the 90-day period de-
9 scribed in that paragraph, the President may grant
10 permanent nondiscriminatory tariff treatment (nor-
11 mal trade relations) to the products of the Russian
12 Federation.

13 (4) *PRODUCTS OF THE REPUBLIC OF*
14 *BELARUS.*—If the President submits pursuant to
15 paragraph (1) a certification under subsection (c)
16 with respect to the Republic of Belarus and a joint
17 resolution of disapproval is not enacted during the
18 90-day period described in that paragraph, the Presi-
19 dent may, subject to the provisions of chapter 1 of
20 title IV of the Trade Act of 1974 (19 U.S.C. 2431 *et*
21 *seq.*), grant nondiscriminatory tariff treatment (nor-
22 mal trade relations) to the products of the Republic
23 of Belarus.

24 (c) *CERTIFICATION.*—A certification under this sub-
25 section is a certification in writing that—

1 (1) *specifies the action proposed to be taken pur-*
2 *suant to the certification and whether such action is*
3 *pursuant to subsection (a)(1) or (b)(1) of this section;*
4 *and*

5 (2) *contains a determination of the President*
6 *that the Russian Federation or the Republic of*
7 *Belarus (or both)—*

8 (A) *has reached an agreement relating to*
9 *the respective withdrawal of Russian or*
10 *Belarusian forces (or both, if applicable) and ces-*
11 *sation of military hostilities that is accepted by*
12 *the free and independent government of Ukraine;*

13 (B) *poses no immediate military threat of*
14 *aggression to any North Atlantic Treaty Organi-*
15 *zation member; and*

16 (C) *recognizes the right of the people of*
17 *Ukraine to independently and freely choose their*
18 *own government.*

19 (d) *JOINT RESOLUTION OF DISAPPROVAL.—*

20 (1) *DEFINITION.—For purposes of this section,*
21 *the term “joint resolution of disapproval” means only*
22 *a joint resolution—*

23 (A) *which does not have a preamble;*

24 (B) *the title of which is as follows: “Joint*
25 *resolution disapproving the President’s certifi-*

1 *cation under section 4(c) of the Suspending Nor-*
2 *mal Trade Relations with Russia and Belarus*
3 *Act.”; and*

4 *(C) the matter after the resolving clause of*
5 *which is as follows: “That Congress disapproves*
6 *the certification of the President under section*
7 *4(c) of the Suspending Normal Trade Relations*
8 *with Russia and Belarus Act, submitted to Con-*
9 *gress on _____”, the blank space being filled in*
10 *with the appropriate date.*

11 *(2) INTRODUCTION IN THE HOUSE OF REP-*
12 *RESENTATIVES.—During a period of 5 legislative*
13 *days beginning on the date that a certification under*
14 *subsection (c) is submitted to Congress, a joint resolu-*
15 *tion of disapproval may be introduced in the House*
16 *of Representatives by the majority leader or the mi-*
17 *nority leader.*

18 *(3) INTRODUCTION IN THE SENATE.—During a*
19 *period of 5 days on which the Senate is in session be-*
20 *ginning on the date that a certification under sub-*
21 *section (c) is submitted to Congress, a joint resolution*
22 *of disapproval may be introduced in the Senate by*
23 *the majority leader (or the majority leader’s designee)*
24 *or the minority leader (or the minority leader’s des-*
25 *ignee).*

1 (4) *FLOOR CONSIDERATION IN THE HOUSE OF*
2 *REPRESENTATIVES.—*

3 (A) *REPORTING AND DISCHARGE.—If a*
4 *committee of the House to which a joint resolu-*
5 *tion of disapproval has been referred has not re-*
6 *ported such joint resolution within 10 legislative*
7 *days after the date of referral, that committee*
8 *shall be discharged from further consideration*
9 *thereof.*

10 (B) *PROCEEDING TO CONSIDERATION.—Be-*
11 *ginning on the third legislative day after each*
12 *committee to which a joint resolution of dis-*
13 *approval has been referred reports it to the*
14 *House or has been discharged from further con-*
15 *sideration thereof, it shall be in order to move to*
16 *proceed to consider the joint resolution in the*
17 *House. All points of order against the motion are*
18 *waived. Such a motion shall not be in order*
19 *after the House has disposed of a motion to pro-*
20 *ceed on a joint resolution with regard to the*
21 *same certification. The previous question shall be*
22 *considered as ordered on the motion to its adop-*
23 *tion without intervening motion. The motion*
24 *shall not be debatable. A motion to reconsider the*

1 *vote by which the motion is disposed of shall not*
2 *be in order.*

3 (C) *CONSIDERATION.*—*The joint resolution*
4 *shall be considered as read. All points of order*
5 *against the joint resolution and against its con-*
6 *sideration are waived. The previous question*
7 *shall be considered as ordered on the joint resolu-*
8 *tion to final passage without intervening motion*
9 *except two hours of debate equally divided and*
10 *controlled by the sponsor of the joint resolution*
11 *(or a designee) and an opponent. A motion to re-*
12 *consider the vote on passage of the joint resolu-*
13 *tion shall not be in order.*

14 (5) *CONSIDERATION IN THE SENATE.*—

15 (A) *COMMITTEE REFERRAL.*—*A joint reso-*
16 *lution of disapproval introduced in the Senate*
17 *shall be referred to the Committee on Finance.*

18 (B) *REPORTING AND DISCHARGE.*—*If the*
19 *Committee on Finance has not reported such*
20 *joint resolution of disapproval within 10 days on*
21 *which the Senate is in session after the date of*
22 *referral of such joint resolution, that committee*
23 *shall be discharged from further consideration of*
24 *such joint resolution and the joint resolution*
25 *shall be placed on the appropriate calendar.*

1 (C) *MOTION TO PROCEED.*—*Notwith-*
2 *standing Rule XXII of the Standing Rules of the*
3 *Senate, it is in order at any time after the Com-*
4 *mittee on Finance reports the joint resolution of*
5 *disapproval to the Senate or has been discharged*
6 *from its consideration (even though a previous*
7 *motion to the same effect has been disagreed to)*
8 *to move to proceed to the consideration of the*
9 *joint resolution, and all points of order against*
10 *the joint resolution (and against consideration of*
11 *the joint resolution) shall be waived. The motion*
12 *to proceed is not debatable. The motion is not*
13 *subject to a motion to postpone. A motion to re-*
14 *consider the vote by which the motion is agreed*
15 *to or disagreed to shall not be in order. If a mo-*
16 *tion to proceed to the consideration of the joint*
17 *resolution of disapproval is agreed to, the joint*
18 *resolution shall remain the unfinished business*
19 *until disposed of.*

20 (D) *DEBATE.*—*Debate on the joint resolu-*
21 *tion of disapproval, and on all debatable motions*
22 *and appeals in connection therewith, shall be*
23 *limited to not more than 10 hours, which shall*
24 *be divided equally between the majority and mi-*
25 *nority leaders or their designees. A motion to*

1 *further limit debate is in order and not debat-*
2 *able. An amendment to, or a motion to postpone,*
3 *or a motion to proceed to the consideration of*
4 *other business, or a motion to recommit the joint*
5 *resolution of disapproval is not in order.*

6 (E) *VOTE ON PASSAGE.—The vote on pas-*
7 *sage shall occur immediately following the con-*
8 *clusion of the debate on the joint resolution of*
9 *disapproval and a single quorum call at the con-*
10 *clusion of the debate, if requested in accordance*
11 *with the rules of the Senate.*

12 (F) *RULES OF THE CHAIR ON PROCE-*
13 *DURE.—Appeals from the decisions of the Chair*
14 *relating to the application of the rules of the*
15 *Senate, as the case may be, to the procedure re-*
16 *lating to the joint resolution of disapproval shall*
17 *be decided without debate.*

18 (G) *CONSIDERATION OF VETO MESSAGES.—*
19 *Debate in the Senate of any veto message with*
20 *respect to the joint resolution of disapproval, in-*
21 *cluding all debatable motions and appeals in*
22 *connection with such joint resolution, shall be*
23 *limited to 10 hours, to be equally divided be-*
24 *tween, and controlled by, the majority leader and*
25 *the minority leader or their designees.*

1 (6) *PROCEDURES IN THE SENATE.*—*Except as*
2 *otherwise provided in this subsection, the following*
3 *procedures shall apply in the Senate to a joint resolu-*
4 *tion of disapproval to which this subsection applies:*

5 (A) *Except as provided in subparagraph*
6 *(B), a joint resolution of disapproval that has*
7 *passed the House of Representatives shall, when*
8 *received in the Senate, be referred to the Com-*
9 *mittee on Finance for consideration in accord-*
10 *ance with this subsection.*

11 (B) *If a joint resolution of disapproval to*
12 *which this subsection applies was introduced in*
13 *the Senate before receipt of a joint resolution of*
14 *disapproval that has passed the House of Rep-*
15 *resentatives, the joint resolution from the House*
16 *of Representatives shall, when received in the*
17 *Senate, be placed on the calendar. If this sub-*
18 *paragraph applies, the procedures in the Senate*
19 *with respect to a joint resolution of disapproval*
20 *introduced in the Senate that contains the iden-*
21 *tical matter as the joint resolution of dis-*
22 *approval that passed the House of Representa-*
23 *tives shall be the same as if no joint resolution*
24 *of disapproval had been received from the House*
25 *of Representatives, except that the vote on pas-*

1 *sage in the Senate shall be on the joint resolution*
 2 *of disapproval that passed the House of Rep-*
 3 *resentatives.*

4 (7) *RULES OF THE HOUSE OF REPRESENTATIVES*
 5 *AND SENATE.—This subsection is enacted by Con-*
 6 *gress—*

7 (A) *as an exercise of the rulemaking power*
 8 *of the Senate and the House of Representatives,*
 9 *respectively, and as such are deemed a part of*
 10 *the rules of each House, respectively, but applica-*
 11 *ble only with respect to the procedure to be fol-*
 12 *lowed in that House in the case of legislation de-*
 13 *scribed in those sections, and supersede other*
 14 *rules only to the extent that they are inconsistent*
 15 *with such rules; and*

16 (B) *with full recognition of the constitu-*
 17 *tional right of either House to change the rules*
 18 *(so far as relating to the procedure of that*
 19 *House) at any time, in the same manner, and*
 20 *to the same extent as in the case of any other*
 21 *rule of that House.*

22 **SEC. 5. COOPERATION AND ACCOUNTABILITY AT THE**
 23 **WORLD TRADE ORGANIZATION.**

24 *The United States Trade Representative shall use the*
 25 *voice and influence of the United States at the WTO to—*

- 1 (1) *condemn the recent aggression in Ukraine;*
2 (2) *encourage other WTO members to suspend*
3 *trade concessions to the Russian Federation and the*
4 *Republic of Belarus;*
5 (3) *consider further steps with the view to sus-*
6 *pend the Russian Federation’s participation in the*
7 *WTO; and*
8 (4) *seek to halt the accession process of the Re-*
9 *public of Belarus at the WTO and cease accession-re-*
10 *lated work.*

11 **SEC. 6. REAUTHORIZATION OF SANCTIONS UNDER THE**
12 **GLOBAL MAGNITSKY HUMAN RIGHTS AC-**
13 **COUNTABILITY ACT WITH RESPECT TO**
14 **HUMAN RIGHTS VIOLATIONS AND CORRUP-**
15 **TION.**

16 (a) *IN GENERAL.*—*Section 1265 of the Global*
17 *Magnitsky Human Rights Accountability Act (subtitle F of*
18 *title XII of Public Law 114–328; 22 U.S.C. 2656 note) is*
19 *repealed.*

20 (b) *CLERICAL AMENDMENT.*—*The table of contents in*
21 *section 2(b) and in title XII of division A of the National*
22 *Defense Authorization Act for Fiscal Year 2017 (Public*

- 1 *Law 114–328) are each amended by striking the items re-*
- 2 *lating to section 1265.*

Attest:

Secretary.

117TH CONGRESS
2^D SESSION

H.R. 7108

AMENDMENT