

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

RUSSIAN HUMAN RIGHTS

Mr. WICKER. Mr. President, I expect to be joined in a moment by my colleague and good friend, Senator CARDIN, and he and I and perhaps others will be talking about the deteriorating situation in Russia with regard to human rights and the rule of law.

I came to the floor in November to speak about the deteriorating situation. I spoke about the wrongful imprisonment and tragic death of Russian lawyer Sergei Magnitsky.

Mr. President, let me state that at this point I will be happy to yield to my colleague from Maryland to actually kick off this discussion. I think that was the agreed-upon order, and staff believed I would have a few moments. But I would be glad to defer to my friend.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Mr. CARDIN. Mr. President, I ask unanimous consent that there be 30 minutes available for a colloquy controlled by Senator WICKER and myself.

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

Mr. CARDIN. I thank the Chair, and I thank Senator WICKER for starting us off on the discussion of what is happening in Russia today.

I rise today, along with some of my colleagues, to bring attention to the growing issue of human rights violations in Russia, typified by the case of Sergei Magnitsky. Just last week, as part of a bilateral Presidential commission, Attorney General Holder met with the the Russian Minister of Justice to discuss the rule of law issues. That same week, Russian officials moved in their criminal prosecution of Sergei Magnitsky. Mr. President, I remind you that Mr. Magnitsky has been dead for more than 2 years.

Last May I joined with Senator MCCAIN, Senator WICKER, and 11 other Senators from both parties to introduce the Sergei Magnitsky Rule of Law Accountability Act. We now have nearly 30 cosponsors, and I urge more to join us and look at ways to move forward on helping halt abuses like this in the future.

After exposing the largest known tax fraud in Russian history, Sergei Magnitsky, a Russian tax lawyer, working for an American firm in Moscow, was falsely arrested for crimes he did not commit and tortured in prison. Six months later, he became seriously ill and was consistently denied medical attention, despite 20 formal requests. Then, on the night of November 16, 2009, he went into critical condition.

But instead of being treated in a hospital, he was put in an isolation cell, chained to a bed, beaten by eight prison guards with rubber batons for 1 hour and 18 minutes until he was dead. Sergei Magnitsky was 37 years old and left behind a wife, two children, and a dependent mother.

While the facts surrounding his arrest, detention, and death have been independently verified and accepted at the highest levels of Russian Government, those implicated in his death and the corruption he exposed remain unpunished, in positions of authority, and some have even been decorated and promoted. Following Magnitsky's death, they have continued to target others, including American business interests in Moscow.

These officials have been credibly linked to similar crimes and have ties to the Russian mafia, international arms trafficking, and even drug cartels. The money they stole from the Russian budget was laundered through a network of banks, including two in the United States. Calls for an investigation have fallen on deaf ears.

In an Orwellian turn of events, the law enforcement officers accused by Magnitsky and those complicit in his murder are moving to try him for the very tax crimes they committed. Think of the irony. He exposed corruption in Russia. As a result, he was arrested, imprisoned, tortured, and killed. Now those who perpetrated the crime on him are charging him, after his death, with the crimes they committed.

We cannot be silent. One of the most articulate voices in the Senate on this issue has been Senator WICKER, who is the leading Republican on the Helsinki Commission, and I applaud him for his efforts not only in bringing the Magnitsky abuse to public attention and what is happening in Russia, but in many other areas where human rights violations have occurred.

I will be glad to allow my colleague some time on this issue, Mr. President.

Mr. WICKER. I thank my colleague from Maryland. And yes, indeed, there are other cases of human rights violations, not the least of which I have highlighted time and again on this Senate floor—being the cases of Mikhail Khodorkovsky and Platon Lebedev. Each is an appalling story such as the one Senator CARDIN pointed out with regard to Mr. Magnitsky, a story about the corruption within the Russian Government itself. My colleagues and I will continue to speak out about these cases in the hope that attention will inspire change.

I look forward to the day when the focus of a floor statement can be about the progress we have made with Russia. This is something to which my colleague and I dearly look forward. We look forward to the day when Russia begins to uphold democracy, human rights, and the rule of law.

Unfortunately, today is not the day. In recent months, an overwhelming number of headlines out of Russia

focus on the Russian spring. Opposition groups, citizens, and, in many cases, the mainstream media have reacted to moves by the Russian regime they view as no longer acceptable.

On September 24 of last year, President Medvedev struck a deal that would clear the way for his predecessor, Vladimir Putin, to run next month for a third Presidential term. As the Wall Street Journal noted in an opinion piece last December:

Even the most thick-skinned citizens saw that turning the Presidency into the object of a private swap made a mockery of the Constitution.

Russia's fraudulent parliamentary elections in December further deepened the political crisis and affirmed the erosion of democracy. Secretary Clinton—our Secretary of State—called them neither free nor fair. So this is a bipartisan denunciation of the process.

Observers have claimed that 12 to 15 percent of the votes were falsified in favor of the United Russia Party. According to most analysts, improvement is not expected in the upcoming Presidential election this March.

But these corrupt actions have not been ignored. On December 10, more than 60,000 Russians took to the streets of Moscow in protest. Similarly, on February 4, some 120,000 citizens from across the political spectrum braved below-zero weather during a prodemocracy march in central Moscow. Their demands were clear: Release political prisoners such as Khodorkovsky and Lebedev. Allow opposition parties to register. Hold free and fair elections. And pledge not to give a single vote to Putin on March 4. Similar rallies were held in small towns across Russia.

We can be glad for the call for reform and we are glad it is growing louder. According to a February poll by Russia's independent Levada Center, 43 percent of Russians now support prodemocracy protests. Additional protests are already scheduled for later this month.

Specifically let me once again underscore the horrific facts about Sergei Magnitsky, because they need to be heard, and perhaps some of our colleagues were not listening the first time.

In the midst of this public outcry and demand for democratic process, the news out of Russia with regard to Mr. Magnitsky is almost unbelievable. Last week, it was revealed that the police in Russia plan to retry the tax evasion case of the late Sergei Magnitsky. As many of my colleagues are aware, Mr. Magnitsky is already dead. He died in Russian detention more than 2 years ago. He was a lawyer and a partner in an American-owned law firm based in Moscow. He was married, with two children, as my friend has said. His clients included the Hermitage Fund, which is the largest foreign portfolio investor in Russia.

Through his investigative work on behalf of Hermitage, Mr. Magnitsky

discovered that Russian Interior Ministry officers, tax officials, and organized criminals worked together to steal \$230 million in public funds, orchestrating the largest tax rebate fraud in the history of the Russian Republic.

In 2008, Mr. Magnitsky voluntarily gave sworn testimony against officials from the Interior Ministry Russian tax department and the private criminals whom he found had perpetrated the fraud. A month later, an arrest was made—and the person arrested was Mr. Magnitsky himself. He was placed in pretrial detention and held without trial for 12 months.

While in custody, he was pressured and tortured by Russian officials, hoping he would withdraw his testimony and falsely incriminate himself and his client. But he refused to do so, and his condition worsened and his health worsened. He spent months without medical care. Requests for medical examination and surgery were denied by Russian government officials.

On November 13, 2009, Mr. Magnitsky's condition deteriorated dramatically. Doctors saw him on November 16, when he was transferred to a Moscow detention center that actually had medical facilities. Yet, instead of being treated at those facilities immediately, he was placed in an isolation cell, handcuffed, and beaten until he died.

In the months following his death, Russian officials repeatedly denied facts concerning his health condition. The Russian state investigative committee claimed that Magnitsky was not pressured or tortured, but died naturally of heart disease, and his death was nobody's fault. This is from the Russian Government.

Since Mr. Magnitsky's death, two subsequent reviews have helped clarify some of the facts. In late December of 2009, the Moscow Public Oversight Commission, an independent watchdog mandated under Russian law to monitor human rights, issued its conclusions on this case. This independent Russian oversight commission stated that in detention, Magnitsky had been subjected to torture, physical and psychological pressure; that he was denied medical care; and that his right to life had been violated by the Russian state.

The conclusions were sent to the Russian General Prosecutor's Office, the Russian State Investigative Committee, the Russian Ministry of Justice, and the Presidential Commission. None of these agencies has responded to the report's conclusions.

More recently, a second finding was issued by the Russian President's Human Rights Council. It issued its independent expert findings on the case. The report found that Magnitsky was arrested on trumped-up charges—yet, they are being brought forward again after his unfortunate death—in breach of Russian law and in breach of the European human rights convention, that his prosecution was unlaw-

ful, that he was systemically denied medical care, that he was beaten in custody which was the proximate cause of his death, that his medical records were falsified, and that there is an ongoing coverup and resistance by all government bodies to investigate.

Senator CARDIN and I and Senator MCCAIN and others have no choice but to continue coming to this floor, to continue using every forum we can possibly use to bring these facts to light.

I have taken quite a bit of our time with my prepared statement, so I yield back to my friend from Maryland as to any other thoughts he might have. I want to commend his leadership with regard to the legislation.

Do I understand now that we have some 30 cosponsors?

Mr. CARDIN. That is correct. And, again, I thank the Senator for his leadership and I thank him for his comments.

We have 30 cosponsors of the Magnitsky legislation and I am going to be encouraging more of our colleagues to join us in cosponsorship. I want to talk a little bit about that, if I might. But let me underscore the point Senator WICKER made.

Mr. Magnitsky died 2 years ago for crimes perpetrated on him that have been well documented. The Russian Federation is now charging him after his death for those crimes—after his death. Not even in Stalin's time did they try people after they died. This is the first time in Russian history that a man has been tried after his death. Further, they have summoned Mr. Magnitsky's widow and ailing mother as witnesses against their husband and son. This is a new chapter in brazen impunity.

An editorial last week in the *Financial Times* observed that:

If he is convicted, the accused's citizenship could be revoked, he could be exiled, and forced to die somewhere else.

That might be funny if it weren't real.

If that weren't enough, the Russian Justice Minister recently proposed that the United States and Russia conclude an extradition treaty.

Legal farces like we have seen in the case of Sergei Magnitsky and many others bring reasonable people to only two conclusions, both of which are profoundly disturbing: Either senior leaders are not the ones running the country or the senior leadership is complicit in these outrages.

The Magnitsky story sounds like a Hollywood thriller, but his case is real and the rampant corruption, violence, and lawlessness do exist in the Russian Government. His cause has become a global campaign for justice.

As Senator WICKER pointed out, the popular opinion in Russia is on the side of justice. There have been over 4,000 stories on Sergei Magnitsky since his death in Russia.

We know from countless historical cases, such as the death in police custody of the anti-apartheid activist

Steve Biko in 1977, that one person's life and sometimes death can change the system. Since we are now living on the Internet, such change often comes much faster than expected.

I am going to comment about the legislation I filed and the need for us to consider that, but I notice Senator SHAHEEN is on the floor. Senator SHAHEEN is a member of the Helsinki Commission. She also chairs the Subcommittee on European Affairs on the Senate Foreign Relations Committee and has been an outspoken champion on behalf of human rights. I am pleased she is here, and I wish to give her an opportunity to talk about this issue.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I thank Senator CARDIN and Senator WICKER for their efforts today coming down to the floor to raise this important human rights issue.

As you say, if we didn't see the facts, we would believe this was fiction, what is going on in Russia today. But I think these efforts are particularly important given what is happening today in Russia.

We have seen historic demonstrations on the streets of Moscow over the last several months. Ordinary Russian citizens, fed up with nearly a decade of corruption, have courageously taken to the streets to demand their voices be heard. The fraudulent Duma elections and the cynical and manipulative decision by Prime Minister Putin to return to the Presidency have reawakened civil society throughout Russia.

As a leading Russian social activist Alexei Navalny wrote from his jail cell following the peaceful December demonstrations:

We all have the only weapon we need and the most powerful. That is the sense of self-respect.

Today, as we call for justice for human rights abuses in Russia, we also stand with those brave Russian citizens who have risked so much in calling for their rights to be respected, just as Sergei Magnitsky did.

As we have seen throughout this last year of upheaval around the globe, the rising voice of a public driven to peaceful protest can be deafening. Prime Minister Putin and his regime would be wise to listen to the people of Russia.

I also want to echo what Senators WICKER and CARDIN have said about the importance of passing the Sergei Magnitsky Rule of Law Accountability Act. There are now 28 Senate cosponsors. I am one of those cosponsors and am proud to be, and I want to associate myself with what Senators have said on the floor of the Senate today.

The case of Mr. Magnitsky is a tragic one. He was falsely imprisoned, beaten, denied medical care, and ultimately killed, as you all have so eloquently explained. And to this day, no one has been held accountable for his tragic and unnecessary killing. We stand here today to press for accountability in Mr. Magnitsky's death. However, I think it

is important for us to reiterate that this is more than simply a question of one man's tragic case.

The State Department's human rights report for this year described numerous violations, as Senator CARDIN said so well: attacks on journalists, physical abuse of citizens, harsh prison conditions, politically motivated imprisonments, and other government harassments and violence.

The European Court of Human Rights has issued more than 210 judgments, holding Russia responsible for grave human rights violations, including abductions, killings, and torture in Chechnya and throughout the northern Caucasus.

There are many more cases like Magnitsky, which is why the bill is so important. It seeks to ensure that no human rights abusers, in Russia or elsewhere in the world, are granted the privilege of traveling to this country or utilizing our American financial system.

As chair of the Subcommittee on European Affairs, I was pleased to preside over a hearing on the Magnitsky bill and on the state of human rights in Russia. I thank Chairman KERRY for helping to make that hearing possible.

During the hearing we had a very constructive conversation with State Department officials, and we heard unanimous support for the legislation from an impressive panel of human rights activists and Russian experts. We have also received letters that I ask unanimous consent to have printed in the RECORD from leading human rights and civil society leaders in Russia calling on the Senate to pass the Magnitsky bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PEOPLE'S FREEDOM PARTY,
Russia, December 11, 2011.

Sen. JEANNE SHAHEEN,
Chairman,
Sen. JOHN BARRASSO,
Ranking Member, Subcommittee on European
Affairs, U.S. Senate Committee on Foreign
Relations.

DEAR SENATORS: I am writing to express my strong support for S. 1039, the Sergei Magnitsky Rule of Law Accountability Act of 2011, currently under consideration by the U.S. Senate.

Last Saturday, over 100,000 Russian citizens gathered in central Moscow to protest against the authoritarian and kleptocratic regime of Vladimir Putin—the regime that has curtailed media freedom, turned elections into a farce, and Parliament and the judiciary into rubber-stamps, put opponents behind bars, and presided over unprecedented corruption (the latest Transparency International Index places Russia 143rd, below Eritrea and Sierra Leone). Too often, as in the case of Sergei Magnitsky, the corruption and the lawlessness result in human tragedy.

Apart from robbing the Russian people of its wealth and its dignity, Mr. Putin's regime is robbing it of its voice. The December 4th parliamentary election was marred by widespread fraud: some 13 million votes were stolen as a result of ballot-stuffing and other manipulations designed to preserve the ruling United Russia party's majority (even with this, the party received less than 50 per-

cent of the vote). Nine opposition parties across the political spectrum, including the People's Freedom Party, were denied access to the ballot altogether. This behavior violates not only Russian, but also international norms—including the statutes of the OSCE, to which both Russia and the United States are party.

It is time to end the impunity for those who continue to show contempt for international norms and values, while enjoying the privileges of free travel and financial interactions in the West. S.1039 would provide an important measure of accountability for those who violate the basic—and internationally protected—rights and freedoms of Russian citizens. It is time to tell thieves and human rights violators that they are no longer welcome.

It is the task of Russian citizens and Russian citizens alone to bring about political change and democratic governance in our country. But by passing S. 1039, the U.S. Senate can do more to help the cause of democracy and the rule of law in Russia than by all the statements and speeches combined.

Sincerely,

BORIS NEMTSOV,
Co-Chairman.

16 SEPTEMBER 2011.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Hon. JOHN KERRY,
Chairman, Committee on Foreign Relations,
U.S. Senate.

DEAR MESSRS. SENATORS: This letter is an expression of support for S. 1039, the "Sergei Magnitsky Rule of Law Accountability Act of 2011", currently pending before the Senate Committee on Foreign Relations.

This bill prescribes sanctions in the form of denial of visas to the US and freezing of bank accounts in the USA for persons—including officials of the Russian Federation—who have engaged in human rights violations, ones such as abuses of power whether for personal or political motives or for covering up abuses by colleagues.

Egregious abuses of human rights are, unfortunately, common in today's Russia. Sergei Magnitsky, the namesake of the bill, was deprived of his liberty without cause and in violation of basic principles of justice. Russian authorities were responsible for his perishing while in custody. Magnitsky ended up in jail because, executing his official duties, he discovered theft from the Russian budget of a large sum of money, committed by a group of senior Russian officials. Russian authorities continue to evade bringing the officials guilty of Magnitsky's death to justice.

For us it is very important that US legislators take steps to bring the persons who are violating the law and abusing power in Russia to justice. We believe human rights should not be sidelined for perceived political interests.

Human rights should not be sidelined for the sake of political interests, whatever they may be.

Sergei Magnitsky fell victim to inhuman Russian justice. No small number of our citizens are illegally deprived of liberty in consequence of the defects of this system. Impunity for those who fabricated the charges against Magnitsky and caused him to die, gives free rein to other officials, who enrich themselves with the property of others or pursue the political opponents of the authorities. The felonious enforcement cliques seize the property of their victims who resist these takeovers, pursue them and deprive them of their liberty for many long years. And in detention they can be subjected to abuse and even torture.

The most famous victims of such takeovers are the owner of the YUKOS company Mi-

khail Khodorkovsky and the manager of this company Platon Lebedev. Amnesty International has recognized both of them as prisoners of conscience. The result of their arrest and the takeover of the company became expansion of the gigantic economic empire owned by persons from Prime Minister V. Putin's inner circle.

Opposition politicians, human rights advocates and civic activists have become victims of persecutions and unlawful arrests under made-up pretexts. Such persecutions will not cease as long as those who are responsible for the death of Magnitsky, for the imprisonment of Khodorkovsky and Lebedev, and the crackdown on Russian civil society remain unpunished.

Bill S. 1039 prescribes sanctions not only with respect to the Magnitsky case, but applies to the entire range of human rights abuses, among others, in Russia as well. Accordingly, officials responsible for the politically motivated persecution of Mikhail Khodorkovsky, Platon Lebedev and the other victims of the persecution of the YUKOS company as well as those who impede the exercise of fundamental democratic liberties, ones such as freedom of assembly, freedom to create parties, freedom of elections etc. ought to be included in this list. This is a list that is much longer than that list of roughly 60 individuals sent by Senator Cardin to the US State Department in 2010. Such a list must from now on be supplemented with new names.

The threat of sanctions against the perpetrators of the Magnitsky tragedy struck a raw nerve with the Russian officials responsible for this tragedy. The consistent implementation of international pressure on the corruptioneers in the leadership circles of Russia will be a significant support for our civil society and for those honest people within the Russian power structures who are trying to renew and reform government institutions.

We call upon you, Honorable Senators, to support S. 1039, the "Sergei Magnitsky Rule of Law Accountability Act of 2011." We hope that it will be considered without delay and favorably in the Senate Committee on Foreign Relations and then by the full Senate.

Respectfully,

Ludmilla Alexeeva, chairwoman of the Moscow Helsinki Group; Lev Ponomarev, head of the All-Russia Movement For Human Rights; Nina Katerli, writer, member of the Russian PEN-CENTRE, member of the Public Expert Board of the All-Russia Movement For Human Rights; Lidiya Grafova, journalist; Liya Akhedzhakova, people's artist of the RF; Natalia Fateyeva, people's artist of the RF; Boris Vishnevsky, observer for Novaya gazeta; Konstantin Azadovskii, literary historian, Chairman of the executive committee of the Saint Petersburg PEN-club; Eldar Ryazanov, film director, scriptwriter, poet; Alexey Devotchenko, Russian theater and movie actor, honoured artist of Russia; Boris Nemtsov, politician; Mark Urnov, Russian political scientist, scientific head of the Applied Political Science Department of the Higher School of Economics State University; Victor Shenderovich, Soviet and Russian satirist, TV and radio host, liberal publicist, human rights advocate; Vladimir Ryzhkov, opposition politician; Rafail Ganelin, historian, corresponding member of the Russian Academy of Sciences.

Mrs. SHAHEEN. Around the world, governments are also taking up this

important call. The European Parliament, Canada, and The Netherlands are considering similar pieces of legislation. This summer, the U.S. State Department barred dozens of Russian officials from traveling to the United States over their involvement in the death of Magnitsky.

I want to commend the administration, and particularly Secretary Clinton for her strong words condemning the recent fraudulent elections in Russia. But despite all these efforts, there is more we can do to support human rights in civil society, freedom of expression in Russia.

Passing the Magnitsky bill this year is one of them. In the midst of an election year, at a time of difficult partisanship, I believe this is one effort—as we have seen so well from Senator CARDIN and Senator WICKER today—this is one effort on which both sides of the aisle can agree. We stand today unambiguously in support of the rule of law, democracy, and respect for human rights in Russia. I hope our colleagues in the Congress and at the State Department will work constructively in the months ahead to pass this critical legislation.

Before I yield the floor, I also think it is important to call attention to the particularly egregious act that Russia committed in recent days before the United Nations, when they vetoed the Security Council resolution aimed at halting the ongoing violence in Syria. Today, more than 25,000 people have fled Syria; more than 7,000 innocent Syrians have died at the hands of President Assad. Despite Syria's growing isolation, Russia continues to harbor and arm the Syrian regime. This is unacceptable. I think our passage of the Magnitsky bill will send a very strong sign to Russia that not only in the Magnitsky case and other human abuses in-country are they going to be held accountable, but their actions internationally will also make them accountable to the international community.

Again, I say thank you to Senators CARDIN and WICKER for their leadership on this issue. I am pleased and honored to be able to join them in making this fight.

Mr. WICKER. Mr. President, we were honored to have Senator SHAHEEN join us. I know there are others who would like to be here today.

We are here to tell the sordid facts of this case. But we are also here because change can occur. If this were completely hopeless, what would be the point of this exercise? Change occurred in Eastern Europe. I must admit there was a time in my younger days when I doubted it would ever occur. My hat is off to the intrepid members of the Public Oversight Commission who had the courage to issue a report critical of their government to the Russian President's Human Rights Council. So voices are being heard. There is a thread of truth coming from the almost Iron Curtain of authoritarianism that we have reverted to in Russia.

The Senator from New Hampshire mentioned other organizations in Russia. I am glad she has had those letters printed in the RECORD.

I also point out I have to applaud the international reaction. In December, the European Parliament passed a resolution recommending an EU-wide travel ban and asset freeze for officials tied to Mr. Magnitsky's death.

We need to act as a Senate and as a Congress. I am calling on every Senator within the sound of my voice today, every legislative director dealing with defense and foreign policy issues, once again to look at the Sergei Magnitsky Rule of Law Accountability Act.

I will tell my friend from New Hampshire that the number is now up to 30, we learned on the floor today from Senator CARDIN, so we have 30 Senators involved. We ought to have a majority of Senators before the end of this day, if people would just take the time to look. I join her in congratulating the Foreign Relations Committee on bringing further light to this issue. I thank the State Department, as she said. I will simply conclude my portion by saying recent events make it even more important that the Foreign Relations Committee and that this Senate take up and pass this legislation. I urge all my colleagues to consider joining us on this legislation.

Mr. CARDIN. If I might, I thank Senator SHAHEEN for her comments, but more importantly I thank her for her leadership. The hearing she held on the Sergei Magnitsky bill was very helpful.

First, I think in answer to the question of why we should care, we all understand America's leadership on moral issues. The world looks to America to stand against these fundamental abuses of human rights, so that in and of itself is a reason for us to act.

It is also apparent from the hearings that actions of these criminals, these violations in Russia, involve our financial institutions. So we are talking about the integrity of American companies to be able to do business internationally.

It is not only the moral issue about which we have a right to speak out. As my colleagues on the floor know, in the commitments we all signed onto in Helsinki in 1975, we had committed ourselves to basic human rights and the obligation of any member state to question the conduct in another state. Russia is a signator of the Helsinki Final Act. The United States is a signator. We have a responsibility to bring this to the world's attention.

We can do more. What can we do about this? There are many aspects of the Magnitsky tragedy that are difficult for us to pursue in the United States. It cannot be through our justice system; it has to be their justice system that has to be reformed. But there are steps we can take. The legislation we all filed recognizes the right to visit America is a privilege granted by the United States. The visa is a

privilege. There is no guaranteed right to come to America.

One thing we can do is say those who are committing these gross human rights violations should not be given the privilege of entering the United States.

I wish to acknowledge and thank Secretary of State Clinton for taking action against human rights violators. That is the right policy. The legislation we have authored institutionalizes a process where we deny the right for those individuals to visit, to come to the United States.

Obviously, that has a price to them. Of course, what we are trying to do is get the government—in this case Russia—to do what is right.

The second thing we could do is deal with their financial participation in U.S. institutions. These people do get involved in international finance. They do have resources that travel through U.S. financial institutions. We do have laws that allow us to hold those funds through due process. We can do that.

That is the reason why the legislation we have talked about today, the legislation I introduced, along with my colleagues, would institutionalize those types of changes. For those who think it may not mean much, let me remind them about what we did when the Soviet Union denied the rights of Jews to be able to leave the country. In the Congress, we took action by legislation. Many said: Would that make any difference?

It made a huge difference. It brought about change in the Soviet Union. Other countries followed our leadership. As both my colleagues have pointed out, if we act, other countries will act. It will become the norm and that will help us establish the expectation that countries do need to address tragedies such as Sergei Magnitsky's and, more importantly, take steps so it never happens again. That is what we are attempting to do by moving forward with this legislation. As Senator WICKER said, we do urge our colleagues to join us in this effort.

Senator WICKER mentioned what is happening around the world. We see countries go through a democratic transformation we never thought we would see in our lifetime. It happened in Europe and they are now some model democracies, our NATO allies, countries that just a few decades ago we thought would be our enemies to this day. So we have seen change occur. We want to be on the right side of this issue, the right side of history, on moving Russia forward with the types of reforms to which the people of Russia are entitled.

We have the right to do that under the Helsinki Act. We have the responsibility to point out these issues. We can take action that can make a huge difference. That is why we are engaged in this discussion, to say we want Russia to do the right thing. We want to speak out to the Russian people. We think we can play a very important role.

The U.S. Helsinki Commission, of which I had the honor to be the Senate chair and Senator WICKER is the lead Republican on the Senate side, has a proud history of putting a spotlight on problems. People do not like name calling, but we have to point out where the violations occur. Unfortunately, if we do not do it, it becomes statistics. But if we do it, we put a face on it—so we realize these are people who have families who have been abused because they are trying to do the right thing—we can get action. That is why I am so proud of the legacy of the U.S. Helsinki Commission and what we have been able to do.

This is another chapter in that proud history of saying we are going to stand for basic human rights, that is a priority for our country, we can do better and we can do justice for Sergei Magnitsky and we can do justice for the people of Russia.

Mrs. SHAHEEN. Will the Senator yield for a question?

Mr. CARDIN. I will be glad to yield.

Mrs. SHAHEEN. One of the things the Senator talked about so eloquently, as we talked about the ability of our financial systems to impact what is happening in Russia—one of the things we heard about at the hearing on the Magnitsky bill was from the head of the American Chamber in Russia who talked about what the impact of this kind of case is on American companies trying to do business and the concern it raises about issues of corruption and the ability to operate freely in Russia. Does my colleague not agree that we can also urge those companies that are operating in Russia to speak out when cases such as this happen and they have concerns about what it does to their business in the country?

The ACTING PRESIDENT pro tempore. The majority's 30 minutes has expired.

Mr. CARDIN. We are going to yield the floor. Let me agree with my colleague, Senator SHAHEEN. She is absolutely right. It is going to be easier for them to speak out if they know we are going to continue raising these issues.

I thank Senators SHAHEEN and WICKER and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming is recognized.

THE BUDGET

Mr. BARRASSO. Mr. President, I come to the floor as someone who sat through the President's State of the Union and I have just come from a Senate Energy Committee hearing. I sat through the State of the Union near the Secretary of Energy and was happy when I heard some of the comments of the President when he talked about an "all of the above" strategy, needing all of the sources of energy. But this Monday the President's budget came out which is very different than that. It is a budget I would like to discuss this

morning and talk about because, as I read through it, it looks to me as though the President has abandoned his role as leader of the Nation by not being honest with the American people about the significance of the debt that we as Americans face. To me, this budget ambushes the American people. The President, under the pretense of economizing, promises to cut \$4 trillion of deficit over 10 years, but the budget itself actually piles \$11 trillion of new debt in that same timeframe.

Under the pretense of helping everyone to prosper, to me the President's budget buries every single American under a mountain of debt and that is a debt that is going to rob more and more from their paychecks with each passing year. The savings the President promises are not going to come. The spending he demands is for things we cannot afford. It seems to me this President's budget is another painful step on the road to bankrupting America.

We are in the fourth year of the Presidency, and for each of those 4 years the deficit has exceeded \$1 trillion; \$1 trillion in each of the 4 years of this Presidency.

How does that match with what the President has been saying? In February of 2009, the President had been President about a month, he made a pledge. The pledge was he would cut the deficit in half by the end of his first term in office. Here we are, the final year of the President's first term in office, and this deficit is still above \$1 trillion. Once again, what the President has said to the American people is very different than what he has delivered to the American people. I am still waiting for a chance in this body, in the Senate, to vote on the President's budget. The majority leader, who sits in the front row, has said he doesn't intend to even bring it to the floor of the Senate for a discussion or a debate or a vote. The law is pretty clear: The President has to introduce a budget by a certain date—the President missed that deadline—and the Senate and the House have to go ahead and pass a budget, which this body has not done now for over 1,000 days. Multiple years and no budget has passed this body.

There actually was a vote last year on the President's budget. It was one where the budget itself was called irresponsible, and there were a number of press renderings on it. The majority leader refused to bring it to the Senate floor, so the minority leader brought the President's budget to the Senate floor. Not one Republican voted for it, but not one Democrat voted for the President's budget either. The total count on the President's budget last year in the Senate: 0 votes for the President's budget, 97 votes against the President's budget. Yet the President introduces another budget this year ignoring the two major tidal waves we face, the tidal waves of Social Security and Medicare.

It is interesting. You read in the New York Times:

Obama Faces Task of Selling Dueling Budget Ideas.

President Obama more than ever confronts the challenge of persuading voters that he has a long-term plan to reduce the deficit, even as he highlights stimulus spending.

Challenging to persuade voters that he has a long-term plan to reduce the deficit. What did he promise? What did he deliver? What we see is a health care law where he promised one thing and delivered something very different. We see it now in the budget, and the numbers are so large. The numbers are so astronomically large that it is hard for one to comprehend how much a deficit of \$1 trillion truly is. You can visit with high school students or service clubs or go to townhall meetings or senior centers, the number is so large it is hard to wrap one's mind around it.

The President tries to make people believe that everything would be OK if he could just raise some taxes—just a little bit, he says—on some other people—not you but other people—and everything would be fine. When you actually look through this, to get to \$1.3 trillion, which is what the President has proposed in this year's budget as a deficit, you could take all the millionaires and billionaires—things he likes to rail about—and you could take every penny they earn over that \$1 million, all of them combined, and then on top of that sell off all the gold in Fort Knox, add it all together, and that would not be enough to cover just the deficit, that \$1 trillion the President plans to spend over and above what comes in. It is completely irresponsible, but that is what we have seen from this administration.

So we have a President who makes presentations, gives speeches, and yet what the American people see is something very different. So this morning in the Energy Committee, we had an opportunity to visit with the Secretary of Energy specifically on budgetary issues relating to the budget and the future.

Of course, the President said he supported an all-of-the-above energy plan for the country. Well, I support an all-of-the-above energy plan for the country, but when you go through the details, that is not exactly what the American people see. What the American people see is the cost of gasoline at the pump continuing to go up. They see an administration that is blocking an opportunity to move oil from northern parts of our country, as well as from Canada, to the United States for use here.

Take a look at the front-page headline of USA Today from a couple of days ago:

"Chaotic spring" predicted for gas. Average prices likely to hit \$4.05 a gallon.

People care about that. People all across the country drive around, they see the signs up, they see what the cost of a gallon of gasoline is, and they see it impacting their daily lives.

Today a number of us visited the Energy Committee and talked about today's Wall Street Journal article this