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United States Senate

COMMITTEE ON FINANCE

WASHINGTON, DC 20510-6200

RUSSELL SULLIVAN, STAFF DIRECTOR
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June 12, 2012

The Honorable John S. McCain
United States Senate
241 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Benjamin L. Cardin
United States Senate
509 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Joseph I. Lieberman
United States Senate
706 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Roger Wicker
United States Senate
555 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senators McCain, Cardin, Lieberman, and Wicker:

Thank you for your letter of March 16, 2012 regarding trade and human rights in Russia. I appreciate knowing that your support for the Senate extending Permanent Normal Trade Relations (PNTR) status to Russia, which requires the repeal of the Jackson-Vanik amendment, is conditioned on Senate passage of the Sergei Magnitsky Rule of Law Accountability Act (S.1039), or the Magnitsky Act. I want to take this opportunity to share with you why I am prepared to support the position you have articulated and how I plan, as Chairman of the Finance Committee, to ensure that these two important pieces of legislation can be linked together, reported out of the Committee, and voted on by the full Senate as soon as possible this year.

I am a strong supporter of granting PNTR status to Russia. Such action would not only benefit American workers and firms by creating jobs in the U.S. economy; it would also strengthen the middle class and other forces of modernization in Russia that share our values and aspirations about their country's future. For the United States to enjoy the full benefits of freer trade with Russia following its accession to the World Trade Organization, the Congress must repeal the Jackson-Vanik amendment for Russia. It is critical that we do so as soon as possible, so U.S. workers and businesses are not disadvantaged relative to their foreign competitors following Russia's accession to the World Trade Organization, which could happen as early as next month.

I share your concerns about human rights issues in Russia. It is clear that the Magnitsky Act enjoys overwhelming support in the Senate and growing support in the House. It is equally clear that many of our colleagues are rallying around the position you have advanced—that the repeal of Jackson-Vanik for Russia must be accompanied by passage of the Magnitsky Act. I am fully committed to ensuring that the Senate can act on both items this year.

Today, I plan to introduce legislation with Senators McCain, Kerry, and Thune to extend PNTR to Russia and to repeal Jackson-Vanik. When the Finance Committee marks up this bill shortly thereafter, I will work as Chairman of the Committee to add the full text of the Magnitsky Act (S.1039)—including all of its findings and other provisions, as modified and agreed to by Senator Cardin, Senator McCain, and the bill's other bipartisan co-sponsors—as an amendment to the PNTR legislation for Russia. I will urge my fellow members of the Finance Committee to vote in favor of this inclusion of the Magnitsky Act. I also intend to follow our usual Finance Committee practice of allowing open debate and votes on germane amendments.

I am confident that the resulting Russia PNTR-Magnitsky legislation will enjoy strong support in the Finance Committee and can be quickly taken up by the full Senate. I believe the Senate should debate and vote on this combined legislation before we break for the August recess, and I will urge the Senate Majority Leader to schedule the appropriate time for this important business, including time for debate and to offer amendments. Finally, I will work in any conference with my House colleagues to ensure that the final version of this legislation contains the full text of the Magnitsky Act in a form that is acceptable to its bipartisan Senate co-sponsors.

I also want to reiterate my strong support for extending PNTR status and repealing Jackson-Vanik for Moldova. In the same Finance Committee business meeting when we would consider Russia PNTR legislation and the Magnitsky Act, as outlined above, I am committed to marking up legislation to repeal Jackson-Vanik and extend PNTR treatment for Moldova. Similarly, once this legislation is reported out of the Finance Committee, I will urge the Senate Majority Leader to bring it up for debate, amendment, and a vote when the Senate considers similar legislation for Russia. I believe the Senate should repeal Jackson-Vanik and extend PNTR for Moldova at the same time that we do so for Russia. I am committed to making that happen.

I believe the proposed actions described in this letter offer a realistic path to ensuring strong bipartisan votes in favor of these important pieces of legislation. I hope we can work together to advance these common goals of strengthening our economy, deepening our relations with Russia and Moldova, and furthering our support for universal human rights.

Sincerely,


Max Baucus

cc: The Honorable John Thune
The Honorable John Kerry