

117TH CONGRESS
2D SESSION

H. R. 7014

To suspend normal trade relations treatment for the Russian Federation and the Republic of Belarus, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2022

Mr. BRADY (for himself, Mr. SMITH of Nebraska, Mr. BUCHANAN, Mr. REED, Mr. KELLY of Pennsylvania, Mr. SMITH of Missouri, Mr. RICE of South Carolina, Mr. SCHWEIKERT, Mrs. WALORSKI, Mr. LAHOOD, Mr. WENSTRUP, Mr. ARRINGTON, Mr. FERGUSON, Mr. ESTES, Mr. SMUCKER, Mr. HERN, Mrs. MILLER of West Virginia, and Mr. MURPHY of North Carolina) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To suspend normal trade relations treatment for the Russian Federation and the Republic of Belarus, 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. SHORT TITLE.**

4 This Act may be known as the “Suspending Normal
5 Trade Relations with Russia and Belarus Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) The United States is a founding member of
4 the World Trade Organization (WTO) and is com-
5 mitted to ensuring that the WTO remains an effec-
6 tive forum for peaceful economic engagement.

7 (2) Ukraine is a sovereign nation-state that is
8 entitled to enter into agreements with other sov-
9 ereign states and to full respect of its territorial in-
10 tegrity.

11 (3) The United States will be unwavering in its
12 support for a secure, democratic, and sovereign
13 Ukraine, free to choose its own leaders and future.

14 (4) Ukraine acceded to the Marrakesh Agree-
15 ment Establishing the World Trade Organization
16 (WTO Agreement) and has been a WTO member
17 since 2008.

18 (5) Ukraine's participation in the WTO Agree-
19 ment creates both rights and obligations vis-à-vis
20 other WTO members.

21 (6) The Russian Federation acceded to the
22 WTO on August 22, 2012, becoming the 156th
23 WTO member, and the Republic of Belarus has ap-
24 plied to accede to the WTO.

1 (7) From the date of its accession, the Russian
2 Federation committed to apply fully all provisions of
3 the WTO.

4 (8) The United States Congress authorized per-
5 manent normal trade relations for the Russian Fed-
6 eration through the Russia and Moldova Jackson-
7 Vanik Repeal and Sergei Magnitsky Rule of Law
8 Accountability Act of 2012 (Public Law 112–208).

9 (9) Ukraine communicated to the WTO General
10 Council on March 2, 2022, urging that all WTO
11 members take action against the Russian Federation
12 and “consider further steps with the view to sus-
13 pending the Russian Federation’s participation in
14 the WTO for its violation of the purpose and prin-
15 ciples of this Organization”.

16 (10) Vladimir Putin, a ruthless dictator, has led
17 the Russian Federation into a war of aggression
18 against Ukraine, which—

19 (A) denies Ukraine and its people their col-
20 lective rights to independence, sovereignty, and
21 territorial integrity;

22 (B) constitutes an emergency in inter-
23 national relations, because it is a situation of
24 armed conflict that threatens the peace and se-

1 curity of all countries, including the United
2 States; and

3 (C) denies Ukraine its rightful ability to
4 participate in international organizations, in-
5 cluding the WTO.

6 (11) The Republic of Belarus, also led by a
7 ruthless dictator, Aleksander Lukashenka, is pro-
8 viding important material support to the Russian
9 Federation's aggression.

10 (12) The Russian Federation's exportation of
11 goods in the energy sector is central to its ability to
12 wage its war of aggression on Ukraine.

13 (13) The United States, along with its allies
14 and partners, has responded to recent aggression by
15 the Russian Federation in Ukraine by imposing
16 sweeping financial sanctions and stringent export
17 controls.

18 (14) The United States cannot allow the con-
19 sequences of the Russian Federation's actions to go
20 unaddressed, and must lead fellow countries, in all
21 fora, including the WTO, to impose appropriate con-
22 sequences for the Russian Federation's aggression.

1 **SEC. 3. SUSPENSION OF NORMAL TRADE RELATIONS WITH**
2 **THE RUSSIAN FEDERATION AND THE REPUB-**
3 **LIC OF BELARUS.**

4 (a) **NONDISCRIMINATORY TARIFF TREATMENT.**—
5 Notwithstanding any other provision of law, beginning on
6 the day after the date of the enactment of this Act, the
7 rates of duty set forth in column 2 of the Harmonized
8 Tariff Schedule of the United States shall apply to all
9 products of the Russian Federation and of the Republic
10 of Belarus.

11 (b) **AUTHORITY TO PROCLAIM INCREASED COLUMN**
12 **2 RATES.**—

13 (1) **IN GENERAL.**—The President may proclaim
14 increases in the rates of duty applicable to products
15 of the Russian Federation or the Republic of
16 Belarus, above the rates set forth in column 2 of the
17 Harmonized Tariff Schedule of the United States.

18 (2) **PRIOR CONSULTATION.**—The President
19 shall, not later than 5 calendar days before issuing
20 any proclamation under paragraph (1), consult with
21 the Committee on Ways and Means of the House of
22 Representatives and the Committee on Finance of
23 the Senate regarding the basis for and anticipated
24 impact of the proposed increases to rates of duty de-
25 scribed in paragraph (1).

1 (3) TERMINATION.—The authority to issue
2 proclamations under this subsection shall terminate
3 on January 1, 2024.

4 **SEC. 4. PROHIBITION ON IMPORTATION OF ENERGY PROD-**
5 **UCTS OF THE RUSSIAN FEDERATION.**

6 (a) IN GENERAL.—Notwithstanding any other provi-
7 sion of law, all products of the Russian Federation classi-
8 fied under chapter 27 of the Harmonized Tariff Schedule
9 of the United States shall be banned from importation into
10 the United States, other than products imported on or be-
11 fore 11:59 p.m. eastern daylight time on the date that is
12 45 days after the date of the enactment of this Act.

13 (b) TERMINATION UPON EXTENSION OF NORMAL
14 TRADE RELATIONS WITH THE RUSSIAN FEDERATION.—
15 The prohibition under subsection (a) shall terminate on
16 the date on which the President grants permanent non-
17 discriminatory tariff treatment (normal trade relations) to
18 the products of the Russian Federation pursuant to sec-
19 tion 5(b)(3).

1 **SEC. 5. RESUMPTION OF APPLICATION OF HTS COLUMN 1**
2 **RATES OF DUTY AND RESTORATION OF NOR-**
3 **MAL TRADE RELATIONS TREATMENT FOR**
4 **THE RUSSIAN FEDERATION AND THE REPUB-**
5 **LIC OF BELARUS.**

6 (a) TEMPORARY APPLICATION OF HTS COLUMN 1
7 RATES OF DUTY.—

8 (1) IN GENERAL.—Notwithstanding any other
9 provision of law (including the application of column
10 2 rates of duty under section 3), the President is au-
11 thORIZED to temporarily resume, for one or more pe-
12 riods not to exceed 1 year each, the application of
13 the rates of duty set forth in column 1 of the Har-
14 monized Tariff Schedule of the United States to the
15 products of the Russian Federation, the Republic of
16 Belarus, or both, if the President submits to Con-
17 gress with respect to either or both such countries
18 a certification under subsection (c) for each such pe-
19 riod. Such action shall take effect beginning on the
20 date that is 90 calendar days after the date of sub-
21 mission of such certification for such period, unless
22 there is enacted into law during such 90-day period
23 a joint resolution of disapproval.

24 (2) CONSULTATION AND REPORT.—The Presi-
25 dent shall, not later than 45 calendar days before
26 submitting a certification under paragraph (1)—

1 (A) consult with the Committee on Ways
2 and Means of the House of Representatives and
3 the Committee on Finance of the Senate; and

4 (B) submit to both such committees a re-
5 port that explains the basis for the determina-
6 tion of the President contained in such certifi-
7 cation.

8 (b) RESTORATION OF NORMAL TRADE RELATIONS
9 TREATMENT.—

10 (1) IN GENERAL.—The President is authorized
11 to resume the application of the rates of duty set
12 forth in column 1 of the Harmonized Tariff Sched-
13 ule of the United States to the products of the Rus-
14 sian Federation, the Republic of Belarus, or both, if
15 the President submits to Congress with respect to ei-
16 ther or both such countries a certification under
17 subsection (c). Such action shall take effect begin-
18 ning on the date that is 90 calendar days after the
19 date of submission of such certification, unless there
20 is enacted into law during such 90-day period a joint
21 resolution of disapproval.

22 (2) CONSULTATION AND REPORT.—The Presi-
23 dent shall, not later than 45 calendar days before
24 submitting a certification under paragraph (1)—

1 (A) consult with the Committee on Ways
2 and Means of the House of Representatives and
3 the Committee on Finance of the Senate; and

4 (B) submit to both such committees a re-
5 port that explains the basis for the determina-
6 tion of the President contained in such certifi-
7 cation.

8 (3) PRODUCTS OF THE RUSSIAN FEDERA-
9 TION.—If the President submits pursuant to para-
10 graph (1) a certification under subsection (c) with
11 respect to the Russian Federation and a joint resolu-
12 tion of disapproval is not enacted during the 90-day
13 period described in that paragraph, the President
14 may grant permanent nondiscriminatory tariff treat-
15 ment (normal trade relations) to the products of the
16 Russian Federation.

17 (4) PRODUCTS OF THE REPUBLIC OF
18 BELARUS.—If the President submits pursuant to
19 paragraph (1) a certification under subsection (c)
20 with respect to the Republic of Belarus and a joint
21 resolution of disapproval is not enacted during the
22 90-day period described in that paragraph, the
23 President may, subject to the provisions of chapter
24 1 of title IV of the Trade Act of 1974 (19 U.S.C.
25 2431 et seq.), grant nondiscriminatory tariff treat-

1 ment (normal trade relations) to the products of the
2 Republic of Belarus.

3 (c) CERTIFICATION.—A certification under this sub-
4 section is a certification in writing that—

5 (1) specifies the action proposed to be taken
6 pursuant to the certification and whether such ac-
7 tion is pursuant to subsection (a)(1) or (b)(1) of this
8 section; and

9 (2) contains a determination of the President
10 that the Russian Federation or the Republic of
11 Belarus (or both)—

12 (A) has withdrawn its forces and ceased all
13 acts of aggression against Ukraine;

14 (B) poses no immediate threat of aggres-
15 sion to any North Atlantic Treaty Organization
16 ally or partner; and

17 (C) recognizes a free and independent
18 Ukraine, including with respect to the ability of
19 its people to choose their own government.

20 (d) JOINT RESOLUTION OF DISAPPROVAL.—

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

24 (A) which does not have a preamble;

1 (B) the title of which is as follows: “Joint
2 resolution disapproving the President’s certifi-
3 cation under section 5(c) of the Suspending
4 Normal Trade Relations with Russia and
5 Belarus Act.”; and

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

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

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

1 ignee) or the minority leader (or the minority lead-
2 er's designee).

3 (4) FLOOR CONSIDERATION IN THE HOUSE OF
4 REPRESENTATIVES.—

5 (A) REPORTING AND DISCHARGE.—If a
6 committee of the House to which a joint resolu-
7 tion of disapproval has been referred has not
8 reported such joint resolution within 10 legisla-
9 tive days after the date of referral, that com-
10 mittee shall be discharged from further consid-
11 eration thereof.

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

1 tion shall not be debatable. A motion to recon-
2 sider the vote by which the motion is disposed
3 of shall not be in order.

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

15 (5) CONSIDERATION IN THE SENATE.—

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

19 (B) REPORTING AND DISCHARGE.—If the
20 Committee on Finance has not reported such
21 joint resolution of disapproval within 10 days
22 on which the Senate is in session after the date
23 of referral of such joint resolution, that com-
24 mittee shall be discharged from further consid-
25 eration of such joint resolution and the joint

1 resolution shall be placed on the appropriate
2 calendar.

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

22 (D) DEBATE.—Debate on the joint resolu-
23 tion of disapproval, and on all debatable mo-
24 tions and appeals in connection therewith, shall
25 be limited to not more than 10 hours, which

1 shall be divided equally between the majority
2 and minority leaders or their designees. A mo-
3 tion to further limit debate is in order and not
4 debatable. An amendment to, or a motion to
5 postpone, or a motion to proceed to the consid-
6 eration of other business, or a motion to recom-
7 mit the joint resolution of disapproval is not in
8 order.

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

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

21 (G) CONSIDERATION OF VETO MES-
22 SAGES.—Debate in the Senate of any veto mes-
23 sage with respect to the joint resolution of dis-
24 approval, including all debatable motions and
25 appeals in connection with such joint resolution,

1 shall be limited to 10 hours, to be equally di-
2 vided between, and controlled by, the majority
3 leader and the minority leader or their des-
4 ignees.

5 (6) PROCEDURES IN THE SENATE.—Except as
6 otherwise provided in this subsection, the following
7 procedures shall apply in the Senate to a joint reso-
8 lution of disapproval to which this subsection ap-
9 plies:

10 (A) Except as provided in subparagraph
11 (B), a joint resolution of disapproval that has
12 passed the House of Representatives shall,
13 when received in the Senate, be referred to the
14 Committee on Finance for consideration in ac-
15 cordance with this subsection.

16 (B) If a joint resolution of disapproval to
17 which this section applies was introduced in the
18 Senate before receipt of a joint resolution of
19 disapproval that has passed the House of Rep-
20 resentatives, the joint resolution from the
21 House of Representatives shall, when received
22 in the Senate, be placed on the calendar. If this
23 subparagraph applies, the procedures in the
24 Senate with respect to a joint resolution of dis-
25 approval introduced in the Senate that contains

1 the identical matter as the joint resolution of
2 disapproval that passed the House of Rep-
3 resentatives shall be the same as if no joint res-
4 olution of disapproval had been received from
5 the House of Representatives, except that the
6 vote on passage in the Senate shall be on the
7 joint resolution of disapproval that passed the
8 House of Representatives.

9 (7) RULES OF THE HOUSE OF REPRESENTA-
10 TIVES AND SENATE.—This subsection is enacted by
11 Congress—

12 (A) as an exercise of the rulemaking power
13 of the Senate and the House of Representa-
14 tives, respectively, and as such are deemed a
15 part of the rules of each House, respectively,
16 but applicable only with respect to the proce-
17 dure to be followed in that House in the case
18 of legislation described in those sections, and
19 supersede other rules only to the extent that
20 they are inconsistent with such rules; and

21 (B) with full recognition of the constitu-
22 tional right of either House to change the rules
23 (so far as relating to the procedure of that
24 House) at any time, in the same manner, and

1 to the same extent as in the case of any other
2 rule of that House.

3 **SEC. 6. COOPERATION AND ACCOUNTABILITY AT THE**
4 **WORLD TRADE ORGANIZATION.**

5 The United States Trade Representative shall use the
6 voice and influence of the United States at the WTO to—

7 (1) condemn the recent aggression in Ukraine;

8 (2) encourage other WTO members to suspend
9 trade concessions to the Russian Federation and the
10 Republic of Belarus;

11 (3) consider further steps with the view to sus-
12 pend the Russian Federation's participation in the
13 WTO; and

14 (4) seek to halt the accession process of the Re-
15 public of Belarus at the WTO and cease accession-
16 related work.

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