

□ 1320

Mr. Speaker, the idea behind this diminution—in fact, elimination—of tariff and nontariff barriers is so we can enhance freedom, enhance opportunity, and improve the quality of life and the standard of living for people not only here in the United States, but around the world, as well. We understand that even in repressive societies, that if we can proceed with economic liberalization, political liberalization will follow.

I have to counter the statement that was made by my California colleague, Mr. ROHRBACHER, about China. I am not going to stand here on the day that Xi Jinping has become the new leader of China and claim that things are perfect in China, but I will argue that permanent normal trade relations and China's accession to the World Trade Organization has been beneficial. Why? Because if one looks at the great leap forward in China, there were tens of millions of people who were killed. During the cultural revolution, well over a million people were starved to death.

So you look at the great leap forward, you look at the cultural revolution in China, and you look today at the horrendous human rights violations that exist in China, and my goal is still to see us move towards political pluralism, the development of democratic institutions, a greater sense of the rule of law. But there are a few thousand political prisoners in China. It's horrible. It's not acceptable. But, Mr. Speaker, I argue that that is progress.

It was 10 years ago that I was very privileged to work with President Clinton in seeing China's accession to the World Trade Organization and permanent normal trade relations established. We were able to do that right here in a bipartisan way, and things are better than they were. They're not great; they're not acceptable; but, Mr. Speaker, they are better than they were.

I know there are some who—and Mr. ROHRBACHER thoughtfully did point to the fact that Russia is obviously not what it was like under the Soviet Union. I mean, we can all think back to the refuseniks. I remember adopting refuseniks, Jews who were unable to emigrate from Russia. You think about all of the military expenses that were involved throughout the Cold War, stories—I just came back from Georgia and the Ukraine, overseeing their elections, having been throughout Eastern Europe and Central Europe and heard stories about the kind of repression that existed. As bad as Russia is today, it's still a marked improvement over what existed during the Cold War and the time of the Soviet Union.

A lot of us held out a great deal of hope for Russia, more so than we have right now, just a few years ago, and because we've seen backward steps. I've talked about my friend Mikhail Khodorkovsky, who, at this moment, is

languishing in a Russian prison for simply criticizing Vladimir Putin. I'm here today in large part because I want Mikhail Khodorkovsky to be freed. I want to see an end to that kind of treatment of individuals.

Similarly, tomorrow marks the third anniversary of the tragic death of Sergei Magnitsky. It was absolutely horrible that this 37-year-old lawyer, a young man with, as my friend pointed out, a wife and small children, was imprisoned for simply being a whistleblower. He was tortured, abused, and left to die 3 years ago tomorrow. Again, in the 21st century, that is intolerable. It can't be accepted. That's why we need to continue to pursue this effort on economic liberalization.

I'm not going to counter what my friend said about the importance of the Magnitsky component to this legislation, but I would like to share the words of some formerly incarcerated Russians, some of whom were incarcerated human rights leaders in Russia who long before we did the Magnitsky language talked about how important this is. Let me just read a bit of this letter that is signed by seven human rights activists. It goes down the line of these Russians who have been opposition leaders in the forefront.

Before we did this, understanding how important PNTR and China's accession to the WTO would be, they said:

The persistence on the books of the Jackson-Vanik amendment does not help to solve the problems with democracy and human rights in modern Russia at all. Moreover, it brings direct harm. This helps Mr. Putin and his cronies.

He is basically saying that repeal of Jackson-Vanik is something that is going to help undermine Putin and his cronies.

They go on to say:

Those who defend the argument that Jackson-Vanik's provisions should still apply to Russia in order to punish Putin's antidemocratic regime only darken Russia's political future, hamper its economic development, and frustrate its democratic aspirations.

We, leading figures of the Russian political opposition, strongly stand behind the efforts to remove Russia from the provisions of the Jackson-Vanik amendment.

This is exactly what this measure has done before.

While I'm gratified that we've been able, in a bipartisan way to include Magnitsky, there is recognition that simply repeal of Jackson-Vanik would go a long way towards undermining the political repression that exists in Russia today.

Mr. Speaker, I also have to say on this overall issue of trade, thanks are being spread around. I want to express my appreciation to my very good friends and colleagues, DAVE CAMP, the chairman of the Ways and Means Committee, and KEVIN BRADY, who chairs the Trade Subcommittee. I've worked with them for many years on the important issue of trade liberalization and in our pursuit of ensuring that we can create good American jobs, union

and nonunion jobs, by opening up these markets.

I also have to say that I know people like to malign the 87 newly elected Republican Members, this Tea Party class of crazy people. You read that. You hear that in the media on a regular basis. Frankly, I have to say, Mr. Speaker, the leadership that they have shown on this issue and on the issues of Colombia, Panama, and South Korea are very important issues. Mr. Speaker, let me just say that I express my appreciation to the fact that 73 of them signed a letter to the President saying that this needed to be brought forward. We want to work in a bipartisan way to make this happen.

I urge support of this rule, and then tomorrow when we have the vote on PNTR, a strong bipartisan support in behalf of the efforts of Messrs. CAMP and LEVIN and BRADY and others.

With that, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 o'clock and 26 minutes p.m.), the House stood in recess.

□ 1705

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DOLD) at 5 o'clock and 5 minutes p.m.

PROVIDING FOR CONSIDERATION OF H.R. 6156, RUSSIA AND MOLDOVA JACKSON-VANIK REPEAL AND SERGEI MAGNITSKY RULE OF LAW ACCOUNTABILITY ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 808) providing for consideration of the bill (H.R. 6156) to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to products of the Russian Federation and Moldova and to require reports on the compliance of the Russian Federation with its obligations as a member of the World Trade Organization, and for other purposes,

on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 808, if ordered, and suspending the rules and concurring in the Senate amendments to H.R. 2453.

The vote was taken by electronic device, and there were—yeas 243, nays 164, not voting 25, as follows:

[Roll No. 605]

YEAS—243

Adams	Frank (MA)	McHenry
Aderholt	Franks (AZ)	McIntyre
Alexander	Frelinghuysen	McKeon
Altmire	Gardner	McKinley
Amash	Garrett	McMorris
Amodei	Gerlach	Rodgers
Austria	Gibbs	Meehan
Bachmann	Gibson	Mica
Bachus	Gingrey (GA)	Miller (FL)
Barletta	Gohmert	Miller (MI)
Barton (TX)	Goodlatte	Miller, Gary
Bass (NH)	Gosar	Mulvaney
Benishek	Gowdy	Murphy (PA)
Berg	Granger	Myrick
Biggart	Graves (GA)	Neugebauer
Bilbray	Graves (MO)	Noem
Bilirakis	Griffin (AR)	Nugent
Bishop (UT)	Griffith (VA)	Nunes
Black	Guinta	Nunnelee
Blackburn	Guthrie	Olson
Bonner	Hall	Palazzo
Bono Mack	Hanna	Paulsen
Boustany	Harper	Pearce
Brady (TX)	Harris	Petri
Brooks	Hartzler	Pitts
Brown (GA)	Hastings (WA)	Platts
Brown (FL)	Hayworth	Poe (TX)
Bucshon	Heck	Pompeo
Buerkle	Hensarling	Posey
Burgess	Herger	Price (GA)
Burton (IN)	Herrera Beutler	Quayle
Calvert	Himes	Reed
Camp	Huelskamp	Rehberg
Campbell	Huizenga (MI)	Reichert
Canseco	Hultgren	Renacci
Cantor	Hunter	Ribble
Capito	Hurt	Rigell
Carter	Issa	Rivera
Cassidy	Jenkins	Roby
Chabot	Johnson (IL)	Roe (TN)
Chaffetz	Johnson (OH)	Rogers (AL)
Coble	Johnson, Sam	Rogers (KY)
Coffman (CO)	Jordan	Rogers (MI)
Cole	Kelly	Rohrabacher
Conaway	Kind	Rokita
Connolly (VA)	King (IA)	Rooney
Costa	King (NY)	Ros-Lehtinen
Cravaack	Kingston	Roskam
Crawford	Kinzinger (IL)	Ross (FL)
Crenshaw	Kline	Royce
Culberson	Labrador	Runyan
DeGette	Lamborn	Ryan (WI)
Denham	Lance	Scalise
Dent	Landry	Schilling
DesJarlais	Lankford	Schmidt
Diaz-Balart	Latham	Schock
Dold	LaTourette	Schweikert
Donnelly (IN)	Latta	Scott (SC)
Dreier	Lewis (CA)	Scott, Austin
Duffy	LoBiondo	Sensenbrenner
Duncan (SC)	Long	Sessions
Duncan (TN)	Lucas	Shimkus
Ellmers	Luetkemeyer	Shuster
Emerson	Lummis	Simpson
Eshoo	Lungren, Daniel	Smith (NE)
Farenthold	E.	Smith (NJ)
Fincher	Mack	Smith (TX)
Fitzpatrick	Marchant	Southerland
Flake	Marino	Stark
Fleischmann	Massie	Stearns
Fleming	Matheson	Stivers
Flores	McCarthy (CA)	Stutzman
Fortenberry	McCaul	Sullivan
Fox	McClintock	Terry

Thompson (PA)	Walden	Wolf
Thornberry	Walsh (IL)	Womack
Tiberi	Webster	Woodall
Tipton	West	Yoder
Turner (NY)	Westmoreland	Young (AK)
Turner (OH)	Whitfield	Young (FL)
Upton	Wilson (SC)	Young (IN)
Walberg	Wittman	

NAYS—164

Ackerman	Fattah	Pallone
Andrews	Fudge	Pascrell
Baca	Garamendi	Pastor (AZ)
Baldwin	Gonzalez	Paul
Barber	Green, Al	Pelosi
Barrow	Green, Gene	Perlmutter
Bass (CA)	Gutierrez	Peters
Becerra	Hahn	Peterson
Berkley	Hanabusa	Pingree (ME)
Berman	Hastings (FL)	Polis
Bishop (GA)	Higgins	Price (NC)
Bishop (NY)	Hinchev	Quigley
Blumenauer	Hinojosa	Rahall
Bonamici	Hirono	Rangel
Boswell	Hochul	Reyes
Brady (PA)	Holden	Richardson
Braley (IA)	Honda	Richmond
Butterfield	Hoyer	Ross (AR)
Capps	Israel	Roybal-Allard
Capuano	Johnson (GA)	Ruppersberger
Carnahan	Johnson, E. B.	Ryan (OH)
Carney	Jones	Sánchez, Linda
Carson (IN)	Kaptur	T.
Castor (FL)	Keating	Sarbanes
Chandler	Kildee	Schakowsky
Chu	Kissell	Schiff
Ciilline	Kucinich	Schrader
Clarke (MI)	Langevin	Schwartz
Clarke (NY)	Larsen (WA)	Scott (VA)
Clay	Larson (CT)	Scott, David
Cleaver	Lee (CA)	Serrano
Clyburn	Levin	Sewell
Cohen	Lipinski	Sherman
Conyers	Loebsack	Sires
Cooper	Lofgren, Zoe	Slaughter
Costello	Lowey	Smith (WA)
Courtney	Luján	Speier
Critz	Maloney	Sutton
Crowley	Markey	Thompson (CA)
Cuellar	Matsui	Thompson (MS)
Cummings	Matsui	Tierney
Curson (MI)	McCarthy (NY)	Tonko
Davis (CA)	McCollum	Tsongas
Davis (IL)	McDermott	Van Hollen
DeFazio	McGovern	Velázquez
DeLauro	McNerny	Visclosky
DelBene	Michaud	Walz (MN)
Deutch	Miller (NC)	Wasserman
Dicks	Moore	Schultz
Doggett	Moran	Waters
Doyle	Murphy (CT)	Watt
Edwards	Nadler	Waxman
Ellison	Napolitano	Welch
Engel	Neal	Wilson (FL)
Farr	Olver	
	Owens	

NOT VOTING—25

Akin	Heinrich	Pence
Bartlett	Holt	Rothman (NJ)
Boren	Jackson (IL)	Rush
Buchanan	Jackson Lee	Sanchez, Loretta
Finer	(TX)	Shuler
Forbes	Lewis (GA)	Towns
Galleghy	Manzullo	Woolsey
Grijalva	Meeke	Yarmuth
Grimm	Miller, George	

□ 1729

Messrs. CUELLAR, GARAMENDI, SMITH of Washington, LARSON of Connecticut, ISRAEL, JONES, MURPHY of Connecticut, CLAY and CARNEY, and Ms. PINGREE of Maine changed their vote from “yea” to “nay.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 605, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “nay.”

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 8, 2012.

Hon. JOHN BOEHNER,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a scanned copy of a letter received from The Honorable Kimberly M. Guadagno, Lieutenant Governor/Secretary of State, State of New Jersey, indicating that, according to the unofficial returns of the Special Election held November 6, 2012, the Honorable Donald M. Payne, Jr. was elected Representative to Congress for the Tenth Congressional District, State of New Jersey.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk.

Enclosure.

STATE OF NEW JERSEY,
DEPARTMENT OF STATE,
Trenton, NJ, November 8, 2012.

Hon. KAREN L. HAAS,
Clerk, House of Representatives, The Capitol, Washington, DC.

DEAR Ms. HAAS: This is to advise you that the unofficial results of the Special Election held on Tuesday, November 6, 2012, for Representative in Congress from the Tenth Congressional District of New Jersey, show that Donald M. Payne, Jr. received 141,714 of the total number of voters cast for that office.

It would appear from these unofficial results that Donald M. Payne, Jr. was elected as Representative in Congress from the Tenth Congressional District of New Jersey.

To the best of our knowledge and belief at this time, there is no contest to this election.

As soon as the official results are certified, to this office by the Essex, Hudson and Union County Clerks involved, an official Certificate of Election will be prepared for transmittal as required by law.

Sincerely,

KIMBERLY M. GUADAGNO,
*Lieutenant Governor/
Secretary of State.*

SWEARING IN OF THE HONORABLE DONALD M. PAYNE, JR., OF NEW JERSEY, AS A MEMBER OF THE HOUSE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey, the Honorable DONALD M. PAYNE, Jr., be permitted to take the oath of office today.

His certificate of election has not arrived, but there is no contest and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The SPEAKER. Will Representative-elect PAYNE and the members of the New Jersey delegation present themselves in the well.

All Members will rise and the Representative-elect will please raise his right hand.