

thing, Mr. Magnitsky was arrested in front of his wife and children and placed in pretrial detention. He was held without a trial for 1 year. The Russian Federal Security Service deemed Mr. Magnitsky was a flight risk to prolong his detention, based on false claims that he had a U.K. visa application.

While in custody, Mr. Magnitsky was tortured by officials, hoping he would withdraw his testimony, and falsely incriminate himself and his client. Refusing to do so, his conditions and his health worsened. He stayed in an overcrowded cell with no heat, no sunlight, and no toilet. The lights were kept on throughout the night to deprive him of sleep. Mr. Magnitsky lost 40 pounds and suffered from severe pancreatitis and gallstones.

Months went by without any access to medical care. Despite hundreds of petitions, requests for medical examination and surgery were denied by Russian Government officials. So were family visits. After his arrest Mr. Magnitsky saw his wife once and never again saw his children.

On November 13, 2009, Sergei Magnitsky's condition deteriorated dramatically. Doctors saw him on November 16. He was transferred to a Moscow detention center that had medical facilities and, instead of being treated there immediately, he was placed in an isolation cell, handcuffed, beaten, and subsequently Sergei Magnitsky died.

After his death, Russian officials repeatedly denied the facts surrounding his health condition. Requests by his family for an independent autopsy were rejected. Detention center officials said Mr. Magnitsky's abdominal membrane had ruptured and that he died from toxic shock. The official cause of death would blame heart failure.

According to the Russian State Investigative Committee, Mr. Magnitsky was not pressured and tortured but died naturally of heart disease. The committee said his death was "nobody's fault."

For 3 years not a single person has been prosecuted for Mr. Magnitsky's false arrest, torture, murder, or for the massive fraud that he had the courage to expose. Like many of my colleagues, I continue to have real concerns about the current state of human rights and rule of law in Russia. I have come to the floor on numerous occasions demanding accountability for Russia's rampant extrajudicial offenses.

Tragically, Mr. Magnitsky is not the only victim of the country's criminal regime. The cases of Mikhail Khodorkovsky and Planton Lebedev, who remain in prison, are also poignant examples of the corruption that pervades the Russian Government. My friend, the junior Senator from Maryland, has shown tremendous leadership on this issue and I commend him for his steadfast dedication to the highest standard of democracy and justice. I have long supported Senator CARDIN's

efforts to use the Magnitsky Act as a way to protect human rights globally.

The Magnitsky Act is a simple straightforward call for justice. It signals to the world that America will uphold its commitment to the protection of human rights and the rule of law. It is a tool that could be extremely powerful in penalizing human rights violators everywhere. Many of us had hoped to achieve a bicameral consensus in applying the Magnitsky Act globally. Although global language is not included in the House bill being considered today, sanctions against human rights violations in Russia and within the Russian Government are still an important victory. It moves us in the right direction.

I hope we can work in the next Congress to consider broadening the reach of the Magnitsky Act. Russia is not alone in its human rights abuses and the United States' unwavering stance against corruption should not stop there.

PNTR with Russia is an important vehicle for American trade and it should serve as a reminder of our country's role in promoting the advancement of human rights. At the same time, I remain committed to supporting this role as we move forward.

Mr. HATCH. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Massachusetts.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EXTENSION OF MORNING BUSINESS

Mr. KERRY. Mr. President, I ask unanimous consent that morning business be extended until the majority leader comes to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator is recognized as in morning business.

#### RUSSIA-MOLDOVA PNTR

Mr. KERRY. Mr. President, the chairman of the Finance Committee, Senator BAUCUS, is tied up right now with a scheduling conflict, working on the fiscal cliff issue, so he asked me if I would kick off the debate with respect to the Russia PNTR, H.R. 6156, the Russia and Moldova Jackson-Vanik Repeal and Sergei Magnitsky Rule of Law Accountability Act of 2012.

I am very happy to do this on behalf of Senator BAUCUS. We share a great partnership together as chairman of our two committees focused on trade and on the relationship with Russia, both of which come together in the legislation today.

I would be remiss, however, if I didn't say a word about what consumed us yesterday with the vote on the disabilities treaty. It is certainly a moment that stands out in my memories of my time in the Senate. I can't think of any other time when a former majority leader has come to the floor—a veteran—who sought to have his colleagues join together in supporting something that would improve the lives of people with disabilities.

I am not going to go back and reargue it now. That would be fruitless and I think not helpful to where we want to move to. What we want to move to is a place where we can pass this. I can say—I believe this—I can say to Senator Robert Dole that we will pass the disabilities treaty and we will pass it, I believe, early next year. I base that on the fact that some Senators had difficulties with the fact that we are in a lame-duck session and they had signed a letter which, regrettably, some of them didn't digest completely but nevertheless signed, saying they wouldn't take up a treaty in a lame-duck session and I think some felt compelled by that and others felt compelled by other things.

But here is what I think we can do. Starting next year, I believe we can move to additional hearings that can make crystal clear to all colleagues the state, as it may not have been yesterday in some cases, with respect to both the law and the facts as it applies to persons with disabilities. I pledge now to make certain that within the resolution of advice and consent, any concern that was not adequately addressed—I personally believe they were addressed—it is possible we can find the language that will address the concerns of any Senator who yesterday felt—whether it was the United Nations or homeschooling, I believe those things can be adequately addressed. I do know a number of Senators said they would be prepared to vote for it after we are out of the lame-duck session, and I am confident we will pass the disabilities treaty in a different atmosphere and in a different time.

One of the things I learned from my senior colleague Ted Kennedy, who did this for so many years, is that perseverance pays off when the issue is worth fighting for and we always have another day and another vote in the Senate. That always affords us the opportunity to make things right. We are certainly going to try and do that.

This PNTR-Magnitsky bill is, in fact, one of those opportunities where we can start to put the Senate on the right track, and I think all of us look forward to the chance to be able to do that.

This bill passed the House of Representatives by a huge margin of 365 to 43. What it would do is establish permanent normal trade relations for Russia, and it would require the identification and imposition of sanctions on individuals who are responsible for the detention, abuse and death of Sergei