

112TH CONGRESS
1ST SESSION

S. 1779

To require the United States Trade Representative to notify the World Trade Organization if any member of the World Trade Organization fails during 2 consecutive years to disclose subsidies under the Agreement on Subsidies and Countervailing Measures, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 2, 2011

Mr. MERKLEY (for himself, Mr. ENZI, Mr. BARRASSO, Mr. SCHUMER, Mr. LEVIN, and Ms. SNOWE) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To require the United States Trade Representative to notify the World Trade Organization if any member of the World Trade Organization fails during 2 consecutive years to disclose subsidies under the Agreement on Subsidies and Countervailing Measures, 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,*

1 **SECTION 1. MANDATORY DISCLOSURE BY THE UNITED**
2 **STATES IF MEMBERS OF THE WORLD TRADE**
3 **ORGANIZATION FAIL TO DISCLOSE SUB-**
4 **SIDIES UNDER THE AGREEMENT ON SUB-**
5 **SIDIES AND COUNTERVAILING MEASURES.**

6 (a) IN GENERAL.—The United States Trade Rep-
7 resentative shall—

8 (1) review each notification of subsidies sub-
9 mitted under Article 25 of the Agreement on Sub-
10 sidies and Countervailing Measures by a member of
11 the World Trade Organization with which the
12 United States maintains a material and persistent
13 trade deficit;

14 (2) identify any such member that, for 2 con-
15 secutive years—

16 (A) fails to submit such a notification; or

17 (B) omits information or includes inac-
18 curate information in such a notification that is
19 material with respect to the totality of the sub-
20 sidies of the member; and

21 (3) notify the Committee on Subsidies and
22 Countervailing Measures under Article 25 of the
23 Agreement on Subsidies and Countervailing Meas-
24 ures of the subsidies of a member identified under
25 paragraph (2) not later than 180 days after—

1 (A) in the case of a member identified
2 under paragraph (2)(A), the date on which the
3 second notification not submitted by the mem-
4 ber was required to be submitted; or

5 (B) in the case of a member identified
6 under paragraph (2)(B), the date of the sub-
7 mission of the second notification in which the
8 information was omitted or the inaccurate in-
9 formation was included, as the case may be.

10 (b) AGREEMENT ON SUBSIDIES AND COUNTER-
11 VAILING MEASURES DEFINED.—The term “Agreement on
12 Subsidies and Countervailing Measures” means the Agree-
13 ment on Subsidies and Countervailing Measures referred
14 to in section 101(d)(12) of the Uruguay Round Agree-
15 ments Act (19 U.S.C. 3511(d)(12)).

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