

113TH CONGRESS  
1ST SESSION

# S. 355

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.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 14, 2013

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

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## 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 such Article 25 of  
 23 the subsidies of a member identified under para-  
 24 graph (2) not later than 180 days after—

25 (A) in the case of a member identified  
 26 under paragraph (2)(A), the date on which the

1           second notification not submitted by the mem-  
2           ber was required to be submitted; or

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

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

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