

114TH CONGRESS
1ST SESSION

S. 1702

To require the administering authority to determine an individual countervailable subsidy rate upon request if four or fewer exporters and producers are involved in the investigation or review, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 25, 2015

Mr. KING (for himself, Ms. COLLINS, Mr. LEAHY, and Mr. MANCHIN) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To require the administering authority to determine an individual countervailable subsidy rate upon request if four or fewer exporters and producers are involved in the investigation or review, 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 cited as the “Fairness in Respond-
5 ent Selection Act of 2015”.

1 **SEC. 2. REQUIREMENT TO DETERMINE INDIVIDUAL**
 2 **COUNTERAVAILABLE SUBSIDY RATE IF FOUR**
 3 **OR FEWER EXPORTERS AND PRODUCERS**
 4 **ARE INVOLVED IN THE INVESTIGATION OR**
 5 **REVIEW.**

6 (a) IN GENERAL.—Section 777A(e) of the Tariff Act
 7 of 1930 (19 U.S.C. 1677f–1(e)) is amended by adding at
 8 the end the following:

9 “(3) INDIVIDUAL SUBSIDY RATE UPON RE-
 10 QUEST.—

11 “(A) IN GENERAL.—If the administering
 12 authority determines under paragraph (2) that
 13 it is not practicable to determine an individual
 14 countervailable subsidy rate for an exporter or
 15 producer and the number of exporters and pro-
 16 ducers involved in the investigation or review is
 17 not more than 4, the administering authority
 18 shall, at the request of the exporter or pro-
 19 ducer, determine an individual countervailable
 20 subsidy rate for the exporter or producer.

21 “(B) RULE OF CONSTRUCTION.—Subpara-
 22 graph (A) may not be construed as specifying
 23 that more than 4 exporters and producers con-
 24 stitutes a large number of exporters and pro-
 25 ducers for purposes of paragraph (2).”.

26 (b) EFFECTIVE DATE.—

1 (1) IN GENERAL.—The amendment made by
2 subsection (a) shall apply to any investigation or re-
3 view initiated by the administering authority on or
4 after March 1, 2015.

5 (2) ADMINISTERING AUTHORITY DEFINED.—In
6 this subsection, the term “administering authority”
7 has the meaning given that term in section 771(1)
8 of the Tariff Act of 1930 (19 U.S.C. 1677(1)).

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