

109TH CONGRESS  
1ST SESSION

# S. 1542

To amend the Trade Act of 1974 to create a Chief Trade Prosecutor to ensure compliance with trade agreements, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 28, 2005

Ms. STABENOW (for herself, Mr. GRAHAM, Mr. BAYH, Mr. BAUCUS, and Mr. LEVIN) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend the Trade Act of 1974 to create a Chief Trade Prosecutor to ensure compliance with trade agreements, 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. ESTABLISHMENT OF POSITION OF CHIEF  
4 TRADE PROSECUTOR.**

5       (a) ESTABLISHMENT OF POSITION.—Section  
6 141(b)(2) of the Trade Act of 1974 (19 U.S.C.  
7 2171(b)(2)) is amended to read as follows:

8           “(2) There shall be in the Office 3 Deputy  
9 United States Trade Representatives, 1 Chief Agri-

1       culture Negotiator, and 1 Chief Trade Prosecutor.  
2       The 3 Deputy United States Trade Representatives,  
3       the Chief Agriculture Negotiator, and the Chief  
4       Trade Prosecutor shall be appointed by the Presi-  
5       dent, by and with the advice and consent of the Sen-  
6       ate. As an exercise of the rulemaking of the Senate,  
7       any nomination of a Deputy United States Trade  
8       Representative, the Chief Agricultural Negotiator, or  
9       the Chief Trade Prosecutor submitted to the Senate  
10      for its advice and consent, and referred to a com-  
11      mittee, shall be referred to the Committee on Fi-  
12      nance. Each Deputy United States Trade Represent-  
13      ative, the Chief Agricultural Negotiator, and the  
14      Chief Trade Prosecutor shall hold office at the pleas-  
15      ure of the President and shall have the rank of Am-  
16      bassador.”.

17      (b) FUNCTIONS OF POSITION.—Section 141(c) of the  
18      Trade Act of 1974 (19 U.S.C. 2171(c)) is amended by  
19      adding at the end the following new paragraph:

20           “(6) The principal function of the Chief Trade  
21      Prosecutor shall be to ensure that United States  
22      trading partners comply with trade agreements to  
23      which the United States is a party. The Chief Trade  
24      Prosecutor shall assist the United States Trade Rep-  
25      resentative in investigating and prosecuting disputes

1 before the World Trade Organization, and pursuant  
2 to other trade agreements to which the United  
3 States is a party, and shall assist the United States  
4 Trade Representative in carrying out the Trade  
5 Representative's functions under subsection (d). The  
6 Chief Trade Prosecutor shall make recommendations  
7 with respect to the administration of United States  
8 trade laws relating to foreign government barriers to  
9 United States goods, services, intellectual property,  
10 and other trade matters. The Chief Trade Pros-  
11 ecutor shall perform such other functions as the  
12 United States Trade Representative may direct.”.

13 (c) COMPENSATION.—Section 5314 of title 5, United  
14 States Code, is amended by inserting “Chief Trade Pros-  
15 ecutor” as a new item after “Negotiator”.

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