

109TH CONGRESS
1ST SESSION

S. 817

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

IN THE SENATE OF THE UNITED STATES

APRIL 15, 2005

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

A BILL

To amend the Trade Act of 1974 to create a Special 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. CREATION OF SPECIAL TRADE PROSECUTOR.**

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

7 “(2) There shall be in the Office 3 Deputy
8 United States Trade Representatives, 1 Chief Agri-
9 cultural Negotiator, and 1 Special Trade Prosecutor.

10 The 3 Deputy United States Trade Representatives,

1 the Chief Agricultural Negotiator, and the Special
2 Trade Prosecutor shall be appointed by the Presi-
3 dent, by and with the advice and consent of the Sen-
4 ate. As an exercise of the rulemaking power of the
5 Senate, any nomination of a Deputy United States
6 Trade Representative, the Chief Agricultural Nego-
7 tiator, or the Special Trade Prosecutor submitted to
8 the Senate for its advice and consent, and referred
9 to a committee, shall be referred to the Committee
10 on Finance. Each Deputy United States Trade Rep-
11 resentative, the Chief Agricultural Negotiator, and
12 the Special Trade Prosecutor shall hold office at the
13 pleasure of the President and shall have the rank of
14 Ambassador.”.

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

18 “(6) The principal function of the Special
19 Trade Prosecutor shall be to ensure compliance with
20 trade agreements relating to United States manufac-
21 tured goods and services. The Special Trade Pros-
22 ecutor shall have the authority to investigate and
23 recommend prosecuting cases before the World
24 Trade Organization and under trade agreements to
25 which the United States is a party. The Special

1 Trade Prosecutor shall recommend administering
2 United States trade laws relating to foreign govern-
3 ment barriers to United States goods and services.
4 The Special Trade Prosecutor shall perform such
5 other functions as the United States Trade Rep-
6 resentative may direct.”.

○