113TH CONGRESS
1ST SESSION

S. _____

To amend the Trade Act of 1974 to establish the position of Chief Innovation
and Intellectual Property Negotiator in the Office of the United States
Trade Representative to ensure the protection of United States innovation and intellectual property interests, and for other purposes.

_____

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice
and referred to the Committee on _____

_____

A BILL

To amend the Trade Act of 1974 to establish the position
of Chief Innovation and Intellectual Property Negotiator
in the Office of the United States Trade Representative
to ensure the protection of United States innovation and
intellectual property interests, 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 "Innovation Through

5 Trade Act of 2013".

1 **SEC. 2. ESTABLISHMENT OF CHIEF INNOVATION AND IN-**

2   **TELLECTUAL PROPERTY NEGOTIATOR.**

3   (a) IN GENERAL.—Section 141 of the Trade Act of

4 1974 (19 U.S.C. 2171) is amended—

5   (1) in subsection (b), by striking paragraph (2)

6   and inserting the following:

7 "(2) There shall be in the Office three Deputy United

8 States Trade Representatives, one Chief Agricultural Ne-

9 gotiator, and one Chief Innovation and Intellectual Prop-

10 erty Negotiator, who shall be appointed by the President,

11 by and with the advice and consent of the Senate. As an

12 exercise of the rulemaking power of the Senate, any nomi-

13 nation of a Deputy United States Trade Representative,

14 the Chief Agricultural Negotiator, or the Chief Innovation

15 and Intellectual Property Negotiator submitted to the

16 Senate for its advice and consent, and referred to a com-

17 mittee, shall be referred to the Committee on Finance.

18 Each Deputy United States Trade Representative, the

19 Chief Agricultural Negotiator, and the Chief Innovation

20 and Intellectual Property Negotiator shall hold office at

21 the pleasure of the President and shall have the rank of

22 Ambassador."; and

23   (2) in subsection (c)—

24   (A) by moving paragraph (5) two ems to

25   the left; and

26   (B) by adding at the end the following:

3

1   ''(6) The principal functions of the Chief Innovation

2 and Intellectual Property Negotiator shall be to conduct

3 trade negotiations and to enforce trade agreements relat-

4 ing to United States intellectual property and to take ap-

5 propriate actions to address acts, policies, and practices

6 of foreign governments that have a significant adverse im-

7 pact on the value of United States innovation. The Chief

8 Innovation and Intellectual Property Negotiator shall be

9 a vigorous advocate on behalf of United States innovation

10 and intellectual property interests. The Chief Innovation

11 and Intellectual Property Negotiator shall perform such

12 other functions as the United States Trade Representative

13 may direct.''.

14   (b) COMPENSATION.—Section 5314 of title 5, United

15 States Code, is amended by striking ''Chief Agricultural

16 Negotiator.'' and inserting the following:

17   ''Chief Agricultural Negotiator, Office of the United

18 States Trade Representative.

19   ''Chief Innovation and Intellectual Property Nego-

20 tiator, Office of the United States Trade Representative.''.

21   (c) REPORT REQUIRED.—Not later than 180 days

22 after the appointment of the first Chief Innovation and

23 Intellectual Property Negotiator pursuant to paragraph

24 (2) of section 141(b) of the Trade Act of 1974, as amend-

25 ed by subsection (a), and every 180 days thereafter, the

1 United States Trade Representative shall submit to the
2 Committee on Finance of the Senate and the Committee
3 on Ways and Means of the House of Representatives a
4 report describing in detail—

5   (1) enforcement actions taken by the Trade
6   Representative during the 180 days preceding the
7   submission of the report to ensure the protection of
8   United States innovation and intellectual property
9   interests; and

10   (2) other actions taken by the Trade Represent-
11   ative to advance United States innovation and intel-
12   lectual property interests.