



United States Department of State

Washington, D.C. 20520

June 26, 2023

The Honorable
Elizabeth Warren
United States Senate
Washington, DC 20510

Dear Senator Warren:

Thank you for your May 2 letter to Secretary Blinken and Ambassador Tai regarding Investor-State Dispute Settlement (ISDS) provisions found in some international investment agreements. We appreciate you sharing your views on these important issues.

The Biden-Harris Administration does not believe corporations should receive special tribunals in trade agreements that are not available to other organizations, and he opposes the ability of private corporations to attack labor, health, and environmental policies through ISDS. Secretary Blinken shares these views, and the United States is not currently pursuing any trade or investment agreements that would establish ISDS.

Regarding the request for arbitration filed by Prospera against Honduras under the Dominican Republic-Central America Free Trade Agreement (CAFTA-DR), we are monitoring developments in this regard. As you may be aware, CAFTA-DR provides that a non-disputing party has the right to make written and oral submissions to an ISDS tribunal on issues of interpretation of the agreement. The State Department's Office of the Legal Adviser would lead and coordinate with USTR and other agencies on any such submissions.

More broadly, the Biden-Harris Administration will continue to advance worker-centered international economic policies that deliver sustainable and inclusive economic prosperity for all, through initiatives such as the Indo-Pacific Economic Framework for Prosperity and the Americas Partnership for Economic Prosperity.

We hope this information is useful to you. Please let us know if we may be of further assistance.

Sincerely,

A handwritten signature in blue ink that reads "Naz Durakoğlu". The signature is written in a cursive style with a large, prominent "N" and "D".

Naz Durakoğlu
Assistant Secretary
Bureau of Legislative Affairs