



THE UNITED STATES TRADE REPRESENTATIVE
EXECUTIVE OFFICE OF THE PRESIDENT
WASHINGTON

May 25, 2023

The Honorable Elizabeth Warren
United States Senate
Washington, DC 20510

The Honorable Lloyd Doggett
United States House of Representatives
Washington, DC 20510

Dear Senator Warren and Representative Doggett:

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

President Biden 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. I share 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), USTR is closely tracking these developments. 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. USTR would coordinate with the State Department and other agencies should any such submissions be made.

Going forward, the Biden Administration will continue to advance worker-centered trade policies that deliver sustainable and inclusive economic growth and benefit workers, consumers, and businesses of all sizes, including through initiatives such as the Indo-Pacific Economic Framework for Prosperity and the Americas Partnership for Economic Prosperity.

Thank you again for your letter, and please do not hesitate to contact me in the future about this or other matters of concern. I look forward to continuing to partner with you and other Members of Congress going forward.

Sincerely,

A handwritten signature in blue ink, appearing to be 'K. Tai', written in a cursive style.

Ambassador Katherine Tai

cc:

The Honorable Brian Schatz
The Honorable Sherrod Brown
The Honorable Bernard Sanders
The Honorable Sheldon Whitehouse
The Honorable Susan Wild
The Honorable Rosa L. DeLauro
The Honorable Jamie Raskin
The Honorable Raúl M. Grijalva
The Honorable Greg Casar
The Honorable Jesús G. "Chuy" García
The Honorable Jamaal Bowman, Ed.D.
The Honorable Paul D. Tonko
The Honorable Jan Schakowsky
The Honorable Pramila Jayapal
The Honorable Mark Pocan
The Honorable Brad Sherman
The Honorable Veronica Escobar
The Honorable Nydia M. Velázquez
The Honorable Eleanor Holmes Norton
The Honorable James P. McGovern
The Honorable Rashida Talib
The Honorable Cori Bush
The Honorable Jared Huffman
The Honorable Summer Lee
The Honorable Donald Norcross
The Honorable Ilhan Omar
The Honorable Barbara Lee
The Honorable Jill Tokuda
The Honorable Ro Khanna
The Honorable Henry C. "Hank" Johnson, Jr.
The Honorable Mary Kaptur