

Administration of Joseph R. Biden, Jr., 2023

Statement on Signing the United States-Taiwan Initiative on 21st-Century Trade First Agreement Implementation Act

August 7, 2023

Today, I have signed into law H.R. 4004, the "United States-Taiwan Initiative on 21st-Century Trade First Agreement Implementation Act" (the "Act"). Among other things, the Act would impose requirements on the negotiations of certain further trade agreements between the United States and Taiwan.

Section 7 of the Act includes requirements for the negotiation of certain further trade agreements with Taiwan that raise constitutional concerns. Section 7(b) of the Act would require the United States Trade Representative (USTR) to provide negotiating texts to congressional committees in the midst of negotiations with a foreign partner, and section 7(c) of the Act would preclude the USTR from transmitting United States-proposed texts to Taiwan while the Congress is reviewing them. Section 7(c) of the Act would further, in violation of *INS v. Chadha*, afford 2 members of the Congress the power to increase the required waiting period before the USTR may provide texts to Taiwan. Section 7(d) of the Act would require the inclusion of members of the Congress as accredited members of the United States delegation who would be entitled to daily briefings, including of tentative agreements. In cases where the requirements of section 7 of the Act would impermissibly infringe upon my constitutional authority to negotiate with a foreign partner, my Administration will treat them as non-binding.

JOSEPH R. BIDEN JR.

The White House,
August 7, 2023.

NOTE: H.R. 4004, approved August 7, was assigned Public Law No. 118–13. An original was not available for verification of the content of this statement.

Categories: Bill Signings and Vetoes : United States-Taiwan Initiative on 21st-Century Trade First Agreement Implementation Act, signing statement.

Subjects: Taiwan, trade with U.S.; U.S. Trade Representative; United States-Taiwan Initiative on 21st-Century Trade First Agreement Implementation Act.

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