

**October 2023**

The close cooperation and strategic relations between the European Union and its Member States and the United States are based on a common history and a set of shared democratic values. The European Union's transatlantic policies are guided by the [new EU-US agenda for global change](#), published on 2 December 2020.

Relations between the [Parliament and the US Congress](#) date back to 1972. The relationship was strengthened and institutionalised with the creation of the [Transatlantic Legislators' Dialogue \(TLD\)](#) in 1999. The dialogue brings together Members of the European Parliament and Members of the US House of Representatives in biannual inter-parliamentary meetings that alternate between the US and the EU. The co-chairs of the TLD are Congressman Nathaniel Moran (R-Texas) of the House Foreign Affairs Committee and MEP Radosław Sikorski (EPP, Poland), who is a member of the European Parliament's Foreign Affairs Committee and also the chair of the European Parliament's [Delegation for relations with the United States of America \(D-US\)](#).

Taken together, the two economies account for more than [30 % of global gross domestic product \(GDP\)](#) (in terms of purchasing power). In 2020, they accounted for almost two thirds of both outward and inward [stock of global FDI](#). The EU and the US are also each other's [largest investors](#).

This topical digest, produced for Members of the European Parliament, presents EPRS publications discussing various aspects of US governance, politics and policies.

US: Economic indicators and trade with the EU

Infographic by Györgyi Macsai, September 2023

The US cybersecurity posture under Biden

'At a glance' note by Gisela Grieger, September 2023

Adding to President Biden's 2021 Executive Order on cybersecurity and 2022 congressional legislation, the 2023 US national cybersecurity strategy lays out a comprehensive vision for a 'defensible, resilient and values-aligned' digital US ecosystem. In a departure from previous US policy, the strategy seeks to rebalance the responsibility to defend cyberspace and to realign incentives for long-term cybersecurity investment.

US approach to outbound investment screening

'At a glance' note by Gisela Grieger, September 2023

On 9 August 2023, US President Joe Biden issued an executive order to regulate certain types of US outbound investment in semiconductors and microelectronics, quantum information technologies and artificial intelligence sectors in 'countries of concern', where this investment may be a threat to US national security. Investment in these technologies or subsets of them will be subject to notification rules, or prohibited.

The Rule of Law, a Comparative Law Perspective: United States of America

Study by the Comparative Law Library Unit, July 2023

US rule of law principles have origins in selected philosophies, legal histories, and lived experiences. With this background, the founders of the US created a system, with separate government functions and checks and balances, to ensure that no government branch successfully usurped the power of the other branches, and to promote stability across government while it adapts to society's changing needs.

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Non-EU countries' regulations on crypto-assets and their potential implications for the EU

Briefing by Issam Hallak, September 2023

In the US, crypto-assets are subject to the financial markets supervisor, if they qualify as a security. However, various cases have proved that such qualification can vary, creating legal uncertainty. Moreover, the applicable regulation is for securities, not financial institutions. Recent debates have given rise to more stringent and protective regulation being envisaged by legislators.

EU and US action to support media freedom

EU-US explainer by Tarja Laaninen and Naja Bentzen, May 2023

The First Amendment is the primary safeguard for media freedom in the US. It prohibits Congress from making any law that abridges the freedom of the press, with the Supreme Court making exceptions for certain types of speech, such as obscenity, child pornography, or words that may incite violence.

Women's rights and gender equality

EU-US explainer by Rosamund Shreeves, March 2023

The US Constitution has guaranteed women's suffrage since the passage of the 19th amendment in 1919. Although there is no specific constitutional provision prohibiting discrimination on the basis of sex and/or gender, an Equal Rights Amendment has been proposed.

President Biden's 2023 State of the Union address

'At a glance' note by Gisela Grieger, February 2023

The SOTU address is mandated by the US Constitution, which in Article II, Section 3, Clause 1 provides that the President 'shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such measures as he shall judge necessary and expedient'.

Growing transatlantic divide on abortion rights

'At a glance' note by Gisela Grieger, October 2022

On 24 June 2022 the US Supreme Court issued its opinion in *Dobbs v Jackson Women's Health Organization*, which overruled the *Roe v Wade* decision from 1973 and held that there is no federal constitutional right to abortion.

United States climate change policies: State of play ahead of COP27

Briefing by Liselotte Jensen and Gisela Grieger, graphics: Ville Seppälä, October 2022

The US was responsible for 12 % of global emissions in 2019. Its 2019 per capita emissions of 18 tonnes CO₂ equivalent (tCO₂e), is triple of the world average and over double the EU level.

Right to health, a comparative law perspective – United States of America

Study by the Comparative Law Library Unit, May 2022

The United States does not recognise a right to health. Governments are responsible for providing a healthy environment for individuals who are in their custody, such as prisoners, but there is no overall recognised right. US health policy is grounded upon the federal system, which assigns certain duties to the central government and the state governments.

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Refugee and asylum systems

EU-US explainer by Anita Orav, EPRS, with Pelin Ensari, April 2022

The refugee and asylum policies of the European Union and the United States are aligned with the human rights principles of the 1951 United Nations Convention relating to the Status of Refugees. However, structural weaknesses in application processes and resettlement programmes have disrupted humanitarian processing, and left both EU and US systems battling massive backlogs in applications.

US Congress and trade policy tackling China

'At a glance' note by Gisela Grieger, March 2022

Members of both the House and the Senate see an urgent need both for a trade policy offensive specifically for the Indo-Pacific region to maintain US leadership in setting international standards and norms, and for an upgrade of defensive trade policy tools to address China's unfair trade practices.

US Congress approach to US-Taiwan relations

'At a glance' note by Gisela Grieger, March 2022

Perceived as a vibrant democracy, worth protecting to secure peace and security in the Indo-Pacific region, the Biden administration invited Taiwan to the 2021 US Summit for Democracy, defining shared values rather than statehood as the criterion for participation. However, like the Trump executive, Biden's administration has not delivered on Congress's call to start talks with Taiwan on a free trade agreement, but has embraced an alternative framework for engagement.

Strong bicameralism: Pressures for change in inter-institutional legislative negotiations in the EU, the USA, and Germany

In-depth analysis, EPRS, March 2022

In this paper, Gijs Jan Brandsma, Associate Professor at Radboud University, Nijmegen, and Christilla Roederer-Rynning, Professor at the University of Southern Denmark, reflect on the means for finding agreement between the two chambers in bicameral legislatures.

US approach to preventing imports of goods made using forced labour

'At a glance' note by Gisela Grieger, January 2022

In recent years, the US has taken a range of steps to strengthen US legislation and enforcement practice from a human rights, trade and foreign policy perspective in the fight against the widespread use of forced labour in the increasingly complex global supply chains of the 21st century.

Who does what in security and defence?

EU-US explainer by Tania Latici with Tristan Krause, September 2021

Despite the historical transatlantic security and defence relationship, the institutional landscapes of the EU and the US are distinct and complex. This document seeks to give an overview of who does what in security and defence institutions on both sides of the Atlantic.

Parliamentary Democracy in Action – Comparing the EP and five national parliaments

Study, EPRS, September 2021

This study concentrates on some of the aspects discussed in the European Parliament President's Focus Group exercise, notably the organisation of plenary sessions, the exercise and protection of parliaments' prerogatives, parliamentary diplomacy and/or the communication capacity of parliaments. It seeks to address these areas, with the aim of identifying where best practice exists and where there might still be room for improvement.

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Regulation of the digital sector

EU-US explainer by Naja Bentzen with Tristan Krause, July 2021

With online platforms and markets enmeshed in our societies and economies, the need to revisit and update existing digital regulations is becoming increasingly apparent. The debate around these reforms in the US, the EU and elsewhere touches on fundamental questions of privacy, transparency and free speech and the dynamic between private firms and governmental oversight is complex.

The principles of equality and non-discrimination, a comparative law perspective – United States of America

Study by the Comparative Law Library Unit, March 2021

This study provides a brief history of the evolution of the principles of equality and non-discrimination developed in United States federal law and major events that furthered the development of the principles. It provides a detailed review of relevant constitutional, statutory, and case law with respect to these principles.

The role of the Electoral College in US presidential elections

Briefing by Andrej Auersperger-Matić and Matthew Parry, November 2020

The Electoral College is a temporary body established every 4 years in conjunction with the federal elections, with the task of electing the President and Vice-President of the United States.

Understanding US Presidential elections

Briefing by Matthew Parry and Carmen-Cristina Cîrlig, October 2020

Because the US President is simultaneously head of state, head of government and commander-in-chief, the presidential elections are a hugely important part of American political life. Although millions of Americans vote in presidential elections every 4 years, the President is not directly elected by the people. Citizens elect the members of the Electoral College, who then cast their votes for the President and Vice-President.

Ratification of international treaties, a comparative law perspective from the United States of America

Study by the Comparative Law Library Unit, July 2020

This study describes relevant constitutional, statutory, and other legal provisions with respect to the making and ratification of treaties, as well as legal provisions relating to the making of executive agreements, which also constitute binding international obligations of the United States. The study also discusses the approach to international law taken by the US legal system, and the position of treaties and executive agreements within the hierarchy of US laws.

United States: Export Control Reform Act (ECRA)

Briefing by Elena Lazarou, November 2019

In 2018 the United States of America introduced the Export Control Reform Act (ECRA), aiming to restrict the export of emerging and foundational technologies potentially used for civilian and military purposes ('dual use technologies') not having been subject to export control in the past.

Freedom of expression, a comparative law perspective – The United States

Study by the Comparative Law Library Unit, October 2019

The legislative foundation for freedom of expression law in the US is grounded in the First Amendment to the Constitution. Based on this text, the Supreme Court has created the freedom of expression doctrinal framework by which lower courts and other branches of government are bound. Unlike other jurisdictions, the US grants broad freedom of expression protections based largely on the idea that 'good' speech will prevail over 'bad' speech in the open market.

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The right to respect for private life: digital challenges, a comparative-law perspective – The United States *Study by the Comparative Law Library Unit, October 2019*

This study analyses the legislation in force, the most relevant case law and the nature of the right to respect for private life. Unlike jurisdictions that have adopted an omnibus approach to privacy protection, the US takes a sectoral approach to regulating privacy.

US presidential executive action

Briefing by Micaela Del Monte, March 2017

Executive orders (EOs) and memoranda raise questions, including what actions the President may legally and unilaterally take, for what purposes the President may use his executive authority, and what he can actually do without passing through Congress.

How Congress and President shape US foreign policy

Briefing by Micaela Del Monte and Elena Lazarou, March 2017

This briefing explores the powers conferred to Congress to conclude international agreements, to regulate commerce with foreign nations, to use military force and to declare war. It also explains how Congress performs its oversight – or 'watchdog' – functions with regard to foreign policy, the tools at its disposal, and the role of committees in the process.

The role of constitutional courts in multi-level governance – United States of America: The Supreme Court *Comparative Law Library Unit, November 2016*

This report provides information about the Supreme Court of the United States, how it is organised and functions, the mechanisms by which cases reach the Court and how it treats treaties that have not been ratified by the United States government.

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