

*Administration of Donald J. Trump, 2018*

**Statement on Signing the African Growth and Opportunity Act and Millennium Challenge Act Modernization Act**

*April 23, 2018*

Today, I have signed into law H.R. 3445, the African Growth and Opportunity Act and Millennium Challenge Act Modernization Act (the "Act").

My Administration will treat section 205 of the Act, which purports to require both notification to and consultation with the Congress as a precondition to engaging in certain foreign affairs activities, as advisory, consistent with my predecessor's directive when a similar version of this provision was initially enacted. Statement on Signing the Consolidated Appropriations Act, 2004, 1 Pub. Papers 126, 127 (January 23, 2004). Mandatory consultation is not consistent with the Constitution's separation of powers. I hope that both notice and consultation will be possible in every case, and I recognize the benefits of working with the Congress on the foreign aid agreements contemplated by this Act. Nevertheless, the law must be executed so as to avoid interference with the President's constitutional authority to conduct foreign affairs, as well as to avoid the undue disclosure of sensitive diplomatic communications.

DONALD J. TRUMP

The White House,  
April 23, 2018.

NOTE: The statement referred to former President George W. Bush. H.R. 3445, approved April 23, was assigned Public Law No. 115-167.

*Categories:* Bill Signings and Vetoes : African Growth and Opportunity Act and Millennium Challenge Act Modernization Act, signing statement.

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