US & Multilateral Trade and Policy Developments

Japan External Trade Organization

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Contents

Trade Policy Developments

President Trump Modifies Reciprocal Tariff Exceptions and Negotiating Process

President Trump issued an executive order (EO) on September 5, 2025, introducing several important revisions to the reciprocal tariffs and the trade deal negotiation process.[1] The EO:

- Modifies the Annex II product exclusions list for the reciprocal tariffs;
- Alters the trade deal negotiating process by delegating more authority to the Secretary of Commerce and United States Trade Representative (USTR); and
- Identifies specific products that the Trump administration is willing to exempt from reciprocal tariffs in future trade deals.

The changes to the Annex II exclusions list entered into effect on September 8, while the proposed trade deal-based exceptions will only become effective upon the conclusion of a specific trade deal. The EO does not explain the reason behind the changes. Shifting the focus of negotiations from the White House to USTR and Commerce may streamline the political process for finalizing trade deals, and the new potential tariff exclusions could incentivize other countries to engage in negotiations.

Changes to the Annex II tariff exclusions list

The EO adds 39 new 8- and 10-digit Harmonized Tariff Schedule of the United States (HTSUS) codes to the reciprocal tariff exclusions list and removes 8 of the original HTSUS 8-digit codes from the list. The exclusions list, originally published in Annex II of the April 2 reciprocal tariff order,[2] identifies products exempt from reciprocal tariffs. This list includes products subject to ongoing Section 232 investigations and products that the Trump administration intends to permanently exempt from the tariffs, such as oil and gas, fertilizer inputs, precious metals, and certain minerals and natural resources.

An updated version of the Annex II exclusions list is attached to the September 5 EO, while specific changes are detailed in Annex I. The EO does not fully explain the reason for the changes, though the White House indicated that some adjustments are related to the product scope of ongoing Section 232 investigations.

- **Additions:** The additions to the exclusions list include precious metals (correcting the gold exception announced by the Trump administration in early August), certain critical minerals (such as graphite, molybdenum, nickel, zinc, and neodymium-iron-boron permanent magnets), wood pulp, certain pharmaceutical inputs, and light-emitting diodes (LEDs). Most of the products are likely within the scope of the ongoing Section 232 investigations of critical minerals, lumber and timber products, pharmaceutical products and inputs, and semiconductors. In 2024, the United States imported US$30.4 billion worth of goods under these HTSUS codes.
- **Removals:** The removals from the exclusions list include pharmaceutical inputs, PET resin, and silicone products. In 2024, the United States imported $6.4 billion worth of goods under these HTSUS codes. Annex III of the EO (discussed below) — a list of specific products for which the president will permit country-specific exceptions in trade deals — includes all these HTSUS codes. However, the new potential tariff exclusion will only apply to products classified under these HTSUS codes that are “non-patented articles for use in pharmaceutical applications.”

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[1] Executive Order of September 5, 2025: “Modifying the Scope of Reciprocal Tariffs and Establishing Procedures for Implementing Trade and Security Agreements,” accessible here: https://federalregister.gov/d/2025-17507.

[2] Executive Order 14257 of April 2, 2025: “Regulating Imports With a Reciprocal Tariff To Rectify Trade Practices That Contribute to Large and Persistent Annual United States Goods Trade Deficits,” 90 FR 15041 (April 7, 2025), accessible here: https://www.federalregister.gov/documents/2025/04/07/2025-06063/regulating-imports-with-a-reciprocal-tariff-to-rectify-trade-practices-that-contribute-to-large-and.

The Annex II tariff changes entered into effect with respect to such goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 am Eastern Time on September 8, 2025.[3]

Changes to the trade deal negotiation process

The EO introduces a new administrative structure for President Trump's trade deal negotiations, delegating negotiation and implementation authority to USTR and the Department of Commerce. Going forward, the trade deals and tariff modifications will not require sign-off by President Trump. The EO sets out broad instructions for the negotiating process, covering both initial framework agreements and final agreements. It delegates presidential authority to alter tariffs imposed under the International Emergency Economic Powers Act (IEEPA) and Section 232, as needed to carry out the negotiations, to USTR, the Secretary of Commerce, and the Secretary of Homeland Security (who oversees US Customs and Border Protection). According to the EO, these cabinet officials shall advise the president upon the conclusion of any agreement, but they are empowered to conclude agreements without the president's sign-off.

The first use by Commerce and USTR of these delegated authorities may be for the European Union trade deal. The August 21 US-EU Framework Agreement included commitments by the Trump administration to create new product-specific tariff exceptions for the EU by September 1 and lower the automotive Section 232 tariff rates. Since then, President Trump has not issued executive orders to implement the pledged modifications. The background section of the September 5 EO highlights the US-EU Framework Agreement as one of the arrangements the administration should begin taking steps to implement.

Prior to this, there was no established, publicly disclosed process for the negotiations. The Trump administration appeared to follow a process where Commerce, USTR, and Treasury would jointly negotiate potential trade deals, which would then be presented to President Trump for approval or modification. This process created a bottleneck at the White House, and several trade deals, such as those with Vietnam and Switzerland, appear to have fallen apart after reaching the president for finalization. While President Trump has not explained his motivations for establishing the new process, delegating authority may streamline the negotiation process.

Potential tariff exceptions in trade deals

Though the EO delegates broad negotiating authority to USTR and Commerce, President Trump has also limited his cabinet secretaries' authority to eliminate the IEEPA and Section 232 tariffs, stating he is only willing to grant tariff exceptions under certain circumstances and for certain products. To that end, Annex III, "Potential Tariff Adjustments for Aligned Partners" (PTAAP), lists specific products that President Trump has authorized Commerce and USTR to consider for tariff exceptions. The list includes products that are not domestically produced, certain agricultural products, civil aircraft and parts, and non-patented articles for use in pharmaceuticals.

Unlike the automatic exceptions in Annex II, the Annex III exceptions are conditional. USTR and Commerce must determine, "based on the scope and nature of the trading partner's commitments," whether to grant these exceptions as part of a trade deal.

These products fall into four general categories:

- **Unavailable natural resources and closely related derivative products:** The list includes various ores and semi-processed minerals, including forms of graphite, barytes, manganese, nickel, cobalt, aluminum, zinc, and tin, among others.
- **Certain agricultural products not grown or produced in sufficient quantity in the United States to meet domestic demand:** The list includes certain live animals, fish, nursery plants and flowers, select food products,

[3] CSMS # 66151866 - UPDATE – Products Exempted from Reciprocal Tariffs, September 6, 2025, accessible here: https://content.govdelivery.com/accounts/USDHSCBP/bulletins/3f165ba.

and various agricultural products only produced in tropical regions (such as coffee, tea, bananas, pineapples, cocoa, palm oil, herbs, and spices).

- **Civil aircraft and aircraft parts:** As with the UK trade agreement from June and the recent deals with the EU and Japan, this exception applies to aircraft and parts that are ordinarily subject to duty fee treatment under the World Trade Organization Agreement on Trade in Civil Aircraft. The EO specifically describes the exception as applying to "articles of civil aircraft (all aircraft other than military aircraft); their engines, parts, and components; their other parts, components, and subassemblies; and ground flight simulators and their parts and components, that otherwise meet the criteria of General Note 6 of HTSUS."[4] As with the other aviation products tariff exceptions, importers would rely on the specific list of products provided in the tariff exception order, not the HTSUS codes for which the rate of duty "Free (C)" appears in the "Special" sub-column of the HTSUS.
- **Generic pharmaceuticals and their ingredients:** This exception includes HTSUS codes related to pharmaceuticals and pharmaceutical ingredients, but only for articles within those classifications that are "non-patented articles for use in pharmaceutical applications" (*i.e.*, generics). The EO does not explain how this classification would be determined. The EU and Japan trade deals include similar exceptions, which the Trump administration has not yet implemented. The HTSUS codes the EO removed from the Annex II exclusions list are all included in the pharmaceuticals category of the Annex III list.

The listed exceptions do not necessarily apply to all articles classified within the HTSUS codes listed. Articles on the Annex III list that are within the pharmaceutical and aircraft exceptions will only qualify for the exception if they also meet the specific qualifying conditions. Some HTSUS codes have other limitations on their scope (marked by an "Ex" in the "scope limitations" column of Annex III), which are defined in the modified descriptions. For example, the exception for HTSUS 0805.90.01 ("Citrus fruit, not elsewhere specified or included, fresh or dried, including kumquats, citrons and bergamots") may be claimed only for etrogs, a citron used in certain religious ceremonies.

While the EO outlines the broad principles behind the Annex III list, it does not explain the rationale for selecting specific HTSUS codes. A few listings are unusual. For instance, the HTSUS codes provided for the coffee exception do not include unflavored instant coffee (HTSUS 2101.11.21). It is unclear from the EO whether the Trump administration is open to modifying the list.

USTR Opens Annual Request for Comments on Foreign Trade Barriers

On September 15, 2025, the United States Trade Representative (USTR) issued its annual request for public comments on significant foreign trade barriers for the 2026 edition of the National Trade Estimate Report (NTE Report).[5] The annual report includes a country-by-country review of the significant foreign barriers facing US exporters and investors for major trade partners, making it a useful guide to the United States' market access priorities and US industry concerns.

The annual NTE Reports

USTR submits the NTE Report to the president and Congress annually by the end of March. Broadly, the annual report covers US concerns about barriers to trade and investment caused by foreign import policies, technical barriers to trade, sanitary and phytosanitary measures, government procurement practices, intellectual property protection, services barriers, barriers to digital trade and electronic commerce, investment barriers, export subsidies, competition rules, state-owned enterprise practices, labor rights practices, and environmental measures.

[4] *See*, 19 CFR 10.183: Duty-free entry of civil aircraft, aircraft engines, ground flight simulators, parts, components, and subassemblies, accessible here: https://www.ecfr.gov/current/title-19/section-10.183.

[5] "Request for Comments on Significant Foreign Trade Barriers for the 2026 National Trade Estimate Report," 90 FR 44448 (September 15, 2025), accessible here: https://www.federalregister.gov/documents/2025/09/15/2025-17782/request-for-comments-on-significant-foreign-trade-barriers-for-the-2026-national-trade-estimate.

The 2025 report – published in the first months of President Trump's term – maintained the same structure and factual tone of previous years' reports.[6] It followed an unusual 2024 NTE Report published by the Biden administration,[7] in which President Biden's USTR withdrew many past US objections to digital trade barriers and local content requirements, along with some objections to customs barriers, discriminatory applications of antitrust policies, and trade-distorting subsidies. The Trump administration restored most of the removed topics in the 2025 version, including many objections to foreign limits on cross-border data flows, discriminatory applications of anti-trust policies, and local content requirements.

The Trump administration's use of NTE Reports

The NTE Reports have gained more attention in 2025, with the Trump administration citing the foreign trade barriers identified in the reports as justification for the "reciprocal" tariff policy. The preliminary trade deals announced by the Trump administration shortly before the imposition of the reciprocal tariffs in August often focused on trade barriers identified in the reports. Underlining the Trump administration's interest in using the NTE Reports in the reciprocal trade negotiations, USTR has added Bosnia & Herzegovina, Moldova, North Macedonia, and Serbia to the list of trade partners it intends to cover in the report. These four countries have not featured in recent NTE reports (suggesting the US government and business community did not have significant market access concerns regarding them), but they were targets of high reciprocal tariffs regardless. The US business community will likely view the 2026 NTE Report comment process as another opportunity to ensure their concerns are considered by USTR in the Trump administration's trade deal negotiations.

Other than the new practice of relying on the NTE Report in the reciprocal trade negotiations, the Trump administration appears to be following the same general practices in assembling the report as in past years. One notable addition to the 2026 request for comments is that USTR has added a point highlighting its interest in receiving public comments on trade barriers created by "non-market policies and practices," which would include "industrial plans that target specific industries for domination by domestic enterprises, pressuring or otherwise acting to ensure domestic enterprises purchase domestic-made products over U.S. imported products, creating or maintaining non-market excess capacity particularly in key industrial sectors, and directing or allowing regulatory authorities to exercise their authority in a discriminatory manner, including by treating domestic enterprises more favorably" as well as "failures to take effective action to address non-market policies and practices of third countries."

Request for comments

The NTE Reports are based on information collected by USTR, other government agencies, US embassies abroad, and private sector input. The deadline for the private sector and other members of the public to submit written comments is October 30, 2025. USTR will consider public comments when deciding what topics to include in the annual report. The Federal Register notice describes the procedures for filing comments to the docket at regulations.gov. The submitted comments will be accessible on the docket for public inspection.

US Department of Commerce Agenda Includes New Import Security and Export Control Proposals

The US Department of Commerce has disclosed several notable regulatory proceedings affecting imports and exports in the September 2025 publication of the government's semiannual regulatory agenda.[8] The updated agenda

[6] "2025 National Trade Estimate Report on Foreign Trade Barriers," March 31, 2025, accessible here: https://ustr.gov/sites/default/files/files/Press/Reports/2025NTE.pdf.

[7] "2024 National Trade Estimate Report on Foreign Trade Barriers," March 29, 2024, accessible here: https://ustr.gov/sites/default/files/2024%20NTE%20Report_1.pdf.

[8] "Spring 2025 Semiannual Agenda of Regulations," 90 FR 45484 (September 22, 2025), accessible here: https://www.federalregister.gov/documents/2025/09/22/2025-18325/spring-2025-semiannual-agenda-of-regulations; and the Office of Management and Budget's Spring 2025 Agency Rule List for the Department of Commerce, accessible here: https://www.reginfo.gov/public/do/eAgendaMain?operation=OPERATION_GET_AGENCY_RULE_LIST&currentPub=true&agencyCode=&showStage=active&agencyCd=0600&Image58.x=20&Image58.y=12.

describes five proposed import restrictions under the Information and Communications Technology and Services (ICTS) Rule, new and continuing export control actions, updates on the delayed know-your-customer requirements for infrastructure services providers, and expected changes to country-of-origin disclosure in US export filings.

The US government's Unified Agenda of Regulatory and Deregulatory Actions is a government-wide listing of all rulemaking actions that agencies may be planning over the next 12 months. The Spring 2026 publication – which was published September 2025 – covers plans for July 1, 2025 through June 31, 2026. The actions described in the agenda are not final and the scheduled publication dates are subject to change, but it can provide useful information on executive branch plans.

BIS activity on the new ICTS Rule

The Department of Commerce's new ICTS Rule – proposed under President Trump's first term and fully implemented during the Biden administration – empowers the Secretary of Commerce (through BIS) to review and prohibit classes of transactions involving ICTS that are designed, developed, manufactured, or supplied by persons owned by, controlled by, or subject to the jurisdiction or direction of certain foreign adversaries, and that pose an undue or unacceptable risk to US national security and to US persons.[9] In practice, the ICTS Rule allows BIS to prohibit the import and sale of certain ICT goods and services that may present national security risks. The restrictions can target either specific companies or entire classes of technologies.

The first two ICT Rule restrictions were announced at the end of the Biden administration and target Kaspersky Lab, Inc. (the US subsidiary of a Russia-based antivirus software and cybersecurity company), certain transactions involving the import or sale of connected vehicles, and certain hardware and software with a sufficient nexus to China or Russia (the "Connected Vehicles Rule"). Work on implementing ICTS rule restrictions is continuing, though the Trump administration has made few public statements about its plans. The public summary of the April 1 reports to the president on "America First Trade Policy" noted the Trump administration believes the Biden administration underused the system and that the Department of Commerce should expand its activities. The new regulatory agenda publication describes a broad array of new ICTS Rule actions for the first time, while affirming that several ICTS Rule proposals from the Biden administration are still in development.

New listings in the Spring 2025 Semiannual Agenda of Regulations

The following are selected new listings in the Department of Commerce's regulatory agenda that may be significant if completed:

- **"Securing the Information and Communications Technology and Services Supply Chain: Networking Equipment and Services in Data Centers"**:[10] The listing describes an interim final rule (IFR) implementing an ICTS Rule class restriction that would restrict transactions related to ICTS supplied by, "entities under the ownership or control of, or subject to the jurisdiction or direction of, a foreign adversary which deal in, install, or service networking equipment and services in data centers[.]" BIS scheduled the IFR for an August 2025 publication, but it has not yet been issued.

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[9] EO 13873 of May 15, 2019, "Securing the Information and Communications Technology and Services Supply Chain," 84 FR 22689 (May 17, 2019), accessible here: https://federalregister.gov/d/2024-04382; and EO 14034 of June 9, 2021, "Protecting Americans' Sensitive Data From Foreign Adversaries," 86 FR 31423 (June 11, 2021), accessible here: https://www.federalregister.gov/documents/2021/06/11/2021-12506/protecting-americans-sensitive-data-from-foreign-adversaries. The implementing regulations can be found at 15 C.F.R. 791, accessible here: https://www.ecfr.gov/current/title-15/subtitle-B/chapter-VII/subchapter-E/part-791?toc=1. More information is available on the Office of Information and Communications Technology and Services (OICTS) webpage, accessible here: https://www.bis.gov/about-bis/bis-leadership-and-offices/OICTS.

[10] Securing the Information and Communications Technology and Services Supply Chain: Networking Equipment and Services in Data Centers, accessible here: https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202504&RIN=0694-AK23.

- **“Securing the Information and Communications Technology and Services Supply Chain: Communications and Networking Devices”**:[11] The listing describes an IFR to be published by the end of 2025 that would implement an ICTS Rule class restriction that would restrict transactions related to ICTS, “designed, developed, manufactured, or supplied by persons owned by, controlled by, or subject to the jurisdiction or direction of certain foreign adversaries, and which are integral to communications and networking devices, potentially such as small office/home office (SOHO) routers.”

- **“Securing the Information and Communications Technology and Services Supply Chain: Medium- and Heavy- Duty Connected Vehicles”**:[12] This listing describes an expansion of the Connected Vehicle Rule for classes of transactions involving ICTS “which are integral to connected vehicles weighing more than 10,000 pounds” (primarily trucks and busses). The Connected Vehicles Rule prohibits transactions involving the import and sale of certain hardware and software components used in automotive telecommunications and autonomous driving systems (as well as finished vehicles that contain such systems) that are designed, developed, manufactured, or supplied by persons owned by, controlled by, or subject to the jurisdiction or direction of China (including Hong Kong and Macau) or Russia.[13] The restriction for vehicles over 10,000 lbs. was intended to be part of the original connected vehicles proposed rule, but BIS delayed its completion.

- **“Section 1758 Technologies Controls”**:[14] Section 1758 technologies controls target emerging and foundational technologies that have potential for misuse. There are currently 47 Section 1758 controls, 46 of which are multilateral under the Wassenaar Agreement or the Australia Group. Because of the evolving nature of these technologies, BIS must continue iterating the controls. The new listing in the agenda describes a Notice of Proposed Rulemaking (NPRM) that would be issued by the end of 2025 that would propose “changes based on Section 1758 technology controls.” It does not describe what the specific changes may be. At BIS’ annual update conference in March 2025, BIS staff said they are interested in examining advanced manufacturing, biotechnologies, quantum technologies, and space technologies in 2025.

- **“Revisions to the Export Administration Regulations: Rare Earth Minerals and Strategic Metals”**:[15] A new addition to the regulatory agenda tentatively scheduled a revision to export controls on rare earth minerals and strategic metals for around July 2025.

- **“Framework for Secure Sharing of Advanced AI Technology with Trusted U.S. Partners Worldwide”**: On May 13, 2025, BIS announced its decision to rescind the Framework for Artificial Intelligence Diffusion (the “AI Diffusion Rule”) in a forthcoming Federal Register notice.[16] BIS has not yet issued the formal rescission, but stated in May that it would not enforce the rule in the meantime. A new update to the agenda listing for the AI Diffusion Rule states that BIS, “intends to rescind portions of the revisions and additions implemented by the Framework for Artificial Intelligence Diffusion.”[17] The action had been tentatively scheduled for July 2025 but has

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[11] Securing the Information and Communications Technology and Services Supply Chain: Communications and Networking Devices, accessible here: https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202504&RIN=0694-AK16.

[12] Securing the Information and Communications Technology and Services Supply Chain: Medium- and Heavy- Duty Connected Vehicles, accessible here: https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202504&RIN=0694-AK15.

[13] “Securing the Information and Communications Technology and Services Supply Chain: Connected Vehicles,” 90 FR 5360 (January 16, 2025), accessible here: https://www.federalregister.gov/documents/2025/01/16/2025-00592/securing-the-information-and-communications-technology-and-services-supply-chain-connected-vehicles. See also, BIS’ informational webpage on the Connected Vehicles rule, accessible here: https://www.bis.gov/node/22645.

[14] Section 1758 Technologies Controls, accessible here: https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202504&RIN=0694-AK17.

[15] Revisions to the Export Administration Regulations: Rare Earth Minerals and Strategic Metals, accessible here: https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202504&RIN=0694-AK20.

[16] “Department of Commerce Announces Recission of Biden-Era Artificial Intelligence Diffusion Rule, Strengthens Chip-Related Export Controls,” BIS, May 13, 2025, accessible here: https://www.bis.gov/press-release/department-commerce-announces-recission-biden-era-artificial-intelligence-diffusion-rule-strengthens-chip.

[17] Rescinding: Framework for Artificial Intelligence Diffusion, accessible here: https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202504&RIN=0694-AJ90.

not yet been issued. In a separate listing, published for the first time in the September regulatory agenda, BIS states it "is proposing a new framework for securing the core Artificial Intelligence (AI) technology, advanced integrated circuits (ICs), while promoting AI innovation and prosperity among the United States and its trusted partners."[18] The agenda had scheduled an NPRM for publication in August 2025, but BIS has not yet issued it.

Updates on ongoing regulatory actions

Besides unveiling new plans, the agenda update also includes revisions to older listings. Several notable updates are summarized below:

- **"Securing the Information and Communications Technology and Services Supply Chain: Unmanned Aircraft"**:[19] BIS published an advance notice of proposed rulemaking (ANPRM) on January 3, 2025 that proposes to restrict certain ICTS components of unmanned aircraft systems that are designed, developed, manufactured, or supplied by persons owned by, controlled by, or subject to the jurisdiction or direction of foreign adversaries. According to the updated regulatory agenda, BIS had tentatively scheduled the issuance of an interim final rule to implement the restrictions for September 2025.
- **"Securing the Information and Communications Technology and Services Supply Chain: Cloud Computing Products and Services"**:[20] The listing describes an NPRM that would propose an ICTS Rule class restriction targeting transactions related to "data center products and services, as defined in the rule, that are designed, developed, manufactured, or supplied by entities under the ownership or control of, or subject to the jurisdiction or direction of, a foreign adversary [which] may present inherent vulnerabilities to certain end users and end uses." The NPRM has been on the regulatory agenda since 2024, but BIS has not yet issued any rulemaking actions. The updated agenda has tentatively scheduled the issuance of an NPRM for September 2025.
- **Potential revisions to the advanced semiconductor, semiconductor manufacturing equipment, and artificial intelligence export controls**:[21] Since the US government introduced new export controls targeting the advanced computing ecosystem, BIS has regularly issued revised and expanded controls to adapt to evolving technologies and circumvention efforts. The updated agenda includes at least three updated listings describing potential revisions to the controls: (i) an update to the advanced computing export controls IFR that would provide corrections and clarifications in response to public comments; (ii) an update to the semiconductor manufacturing equipment export controls IFRs that would provide corrections and clarifications in response to public comments; and (iii) modifications to the previously-issued Foreign Direct Product IFRs for certain commodities to impair the capability to produce "advanced-node integrated circuits" by certain destinations or entities of concern. The updates are tentatively scheduled for late 2025, though the Trump administration has also signaled that it may moderate new export control actions to reduce trade tensions with China.

[18] Framework for Secure Sharing of Advanced AI Technology with Trusted US Partners Worldwide, accessible here: https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202504&RIN=0694-AK22.

[19] Securing the Information and Communications Technology and Services Supply Chain: Unmanned Aircraft, accessible here: https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202504&RIN=0694-AJ72.

[20] Securing the Information and Communications Technology and Services Supply Chain: Cloud Computing Products and Services, accessible here: https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202504&RIN=0694-AJ18.

[21] Implementation of Additional Export Controls: Certain Advanced Computing Items and Semiconductor Manufacturing Items; Supercomputer and Semiconductor End Use; Updates to the Controls and Corrections, accessible here: https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202504&RIN=0694-AI94; Export Controls on Semiconductor Manufacturing Items; Entity List Modifications, accessible here: https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202504&RIN=0694-AJ23; and Foreign-Produced Direct Product Rule Additions, and Refinements to Controls for Advanced Computing and Semiconductor Manufacturing Items, accessible here: https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202504&RIN=0694-AJ74.

- **“Request for Comments Concerning the Imposition of Export Controls on Certain Brain-Computer Interface (BCI) Emerging Technology”**:[22] BIS is considering a new Section 1758 technologies control for brain computer interface technology and is seeking public feedback. BIS first issued an ANPRM to gather public feedback in October 2021. The newly updated regulatory agenda states BIS plans to issue an NPRM by the end of 2025.

- **“Taking Additional Steps to Address the National Emergency with Respect to Significant Malicious Cyber-Enabled Activities”**:[23] The proposed rule would introduce a know-your-customer requirement for infrastructure as a service (IaaS, or cloud computing) providers. It emerged from instructions from President Trump’s 2021 executive order (EO) on “Taking Additional Steps To Address the National Emergency With Respect to Significant Malicious Cyber- Enabled Activities” and President Biden’s 2024 EO on “Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence,” which directed BIS to consider ways to require IaaS service providers to identify their clients. BIS issued an NPRM in January 2024 outlining its proposal for a know-your-customer rule, following the Biden administration’s EO. President Trump revoked President Biden’s EO on January 28, 2025, but the 2021 EO remains in effect, and he has continued renewing the declaration of national emergency related to significant malicious cyber-enabled activities (which underlies both EOs). According to the regulatory agenda update, BIS is still assessing the public comments from the 2024 NPRM. Suggesting BIS is still far from completing the proposal, the new agenda classifies the final rule as a long-term action.

- **Listings related to export transactions filings and origin reporting**:[24][17] The agenda includes three listings from the Census Bureau and BIS related to proposed rules for export transactions reporting and country of origin declarations in export filings. The proposed actions would involve revisions to the Census Bureau’s Foreign Trade Regulations (FTR) and BIS’ Export Administration Regulations (EAR), amending and aligning regulations to clarify the requirements governing routed and standard export transactions and introducing a new country of origin data element for certain export filings. BIS and the Census Bureau plan to issue NPRMs for the export transaction revisions concurrently by the end of 2025. The Census Bureau tentatively scheduled an NPRM for the country-of-origin data element for July 2025 but has not yet issued it. The Census Bureau had considered including some of these proposed changes in its August 2025 FTR revision for in-transit shipments but withdrew the proposal to coordinate the changes with BIS.

[22] Request for Comments Concerning the Imposition of Export Controls on Certain Brain-Computer Interface (BCI) Emerging Technology, accessible here: https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202504&RIN=0694-AI41.

[23] Taking Additional Steps to Address the National Emergency With Respect to Significant Malicious Cyber-Enabled Activities, accessible here: https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202504&RIN=0694-AJ35.

[24] Foreign Trade Regulations (15 C.F.R. 30): New Filing Requirement & Clarification to Current Requirements, accessible here: https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202504&RIN=0607-AA64; Foreign Trade Regulations (FTR): Clarification of Filing Requirements Regarding Standard and Routed Export Transactions, accessible here: https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202504&RIN=0607-AA56; and Clarification of the Definition of a Routed Export Transaction, accessible here: https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202504&RIN=0694-AF67.

Trade Actions

Section 301

USTR Invites Public Input on Extending China Section 301 Exclusions

On September 16, 2025, the United States Trade Representative (USTR) issued a request for comments on whether it should continue extending any of the product tariff exclusions for the China Section 301 tariff action.[25] The 178 active product exclusions are scheduled to expire on November 29, 2025, following several brief extensions by the Trump administration over the past few months. USTR's new request for comments asks, "whether any of the 178 effective exclusions warrant further extension beyond November 29, 2025."

Should these exclusions expire, the listed products will be subject to Section 301 tariffs of either 25% or 7.5%. The Section 301 tariffs on imports from China are additive with the Section 232 and International Emergency Economic Powers Act (IEEPA) tariffs.

China Section 301 exclusions and recent extensions

USTR has created various lists of exclusions from the China Section 301 tariffs since 2018, though the system for applying for new exclusions is no longer active. In 2024, the Biden administration issued extensions through May 31, 2025 for certain general exclusions and COVID-related exclusions and created a new exclusion for certain solar manufacturing equipment, while allowing the rest of the exclusions to expire. The Trump administration has extended all the Biden administration's exclusions in two 90-day extensions, first from May 31 to August 31, and then from August 31 to November 29, 2025.[26]

The two sets of exclusions are:

- **General and COVID-related exclusions:** The 164 remaining general and COVID-related tariff exclusions are under HTSUS 9903.88.69 and listed in US notes 20(vvv) to subchapter III of chapter 99 of the HTSUS.
- **Solar manufacturing equipment exclusion:** The 14 exclusions for certain solar wafer and cell manufacturing equipment classified within HTSUS 8486.10.0000, 8486.20.0000, and 8486.40.0030 are under HTSUS 9903.88.70 and listed in US note 20(www) to subchapter III of chapter 99 of the HTSUS.

USTR published a list of the products that qualify for the exceptions on the new public comment docket for ease of review.[27]

When the Biden administration extended the Section 301 exclusions to May 2025, USTR emphasized that it expects importers to treat the exclusions as temporary and to seek alternative suppliers outside of China. The Trump administration has not explained why it has issued repeated 90-day extensions. Trump administration officials had previously suggested they intended to let the exclusions expire, viewing them as a temporary measure.

[25] "Request for Comments on Whether Particular Exclusions in the Section 301 Investigation of China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation Warrant Further Extension," 90 FR 44749 (September 16, 2025), accessible here: https://www.federalregister.gov/documents/2025/09/16/2025-17894/request-for-comments-on-whether-particular-exclusions-in-the-section-301-investigation-of-chinas.

[26] "Notice of Product Exclusion Extensions: China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation," 90 FR 23987 (June 6, 2025), accessible here: https://www.federalregister.gov/documents/2025/06/05/2025-10203/notice-of-product-exclusion-extensions-chinas-acts-policies-and-practices-related-to-technology; and "Notice of Product Exclusion Extensions: China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation," 90 FR 42500 (September 2, 2025), accessible here: https://www.federalregister.gov/documents/2025/09/02/2025-16733/notice-of-product-exclusion-extensions-chinas-acts-policies-and-practices-related-to-technology.

[27] Index of Current Exclusions, USTR, accessible here: https://ustr.gov/sites/default/files/files/Issue_Areas/Enforcement/Section%20301/Index%20of%20Exclusions%20for%20Possible%20Extension%20Beyond%20November%2029%20FINAL.pdf.

Call for public input

Interested stakeholders may submit comments through the public docket at comments.ustr.gov. Comments are due by October 16, 2025. The notice provides additional instructions on how to participate and submit comments. Participating in the public comment process can help shape the outcome of the investigation and prompt regulators to further clarify actions.

USTR states in the notice that it will review the comments submitted and consider whether the exclusions warrant further extension on a case-by-case basis. To defend extending any of the exclusions, USTR asks that stakeholders include the following information in their comments:

- Contact information, including the full legal name of the organization making the comment, whether the commenter is a third party (*e.g.*, law firm, trade association or customs broker) submitting on behalf of an organization or industry, and the name of the third-party organization, if applicable.
- The exclusion covered by the comment.
- Whether the exclusion warrants further extension.
- The availability of products covered by the exclusion from sources outside of China.
- Efforts undertaken to source the product from the United States or third countries.
- Why additional time is needed to shift sourcing from China and whether further extending the exclusion will likely contribute to a shift in sourcing of the product outside of China.
- Whether further extending the exclusion is consistent with the Administration's priorities and US interests.

Section 232

Trump Administration Initiates Section 232 Investigations on Medical Supplies and Industrial Machinery

On September 24, 2025, the US Department of Commerce Bureau of Industry and Security (BIS) announced the initiation of investigations into the effects on US national security of imports of (1) personal protective equipment, medical consumables, and medical equipment, including devices,[28] and (2) robotics and industrial machinery.[29] The investigations could result in the imposition of tariffs or other import restrictions by Spring 2026. BIS is conducting the investigations under Section 232 of the Trade Expansion Act of 1962 (Section 232), a law that empowers the president to restrict imports of products that threaten to impair national security. Section 232 investigations can take up to 270 days to complete (setting the latest date for completion in May 2026), but the Trump administration has signaled it intends to move faster. Like other recent Section 232 investigations, the two new initiation notices provide short timespans for public comments and do not reference any plans to hold public hearings.

The investigation on personal protective equipment, medical consumables, and medical equipment, including devices

The investigation notice on medical supplies describes the investigation as seeking to, "determine the effects on the national security of imports of personal protective equipment (PPE), medical consumables, and medical equipment including devices." The notice elaborates on what is within the scope of each of the categories, as follows:

[28] "Notice of Request for Public Comments on Section 232 National Security Investigation of Imports of Personal Protective Equipment, Medical Consumables, and Medical Equipment, Including Devices" (public inspection version, to be published on September 26, 2025), accessible here: https://federalregister.gov/d/2025-18729.

[29] "Notice of Request for Public Comments on Section 232 National Security Investigation of Imports of Robotics and Industrial Machinery" (public inspection version, to be published on September 26, 2025), accessible here: https://federalregister.gov/d/2025-18749.

- "**Personal protective equipment (PPE)** refers to PPE used in health care settings. PPE includes, but is not limited to, surgical masks, N95 respirators, gloves, gowns, and related medical parts and components."
- "**Medical consumables** refers to single-use or short-term-use items used for patient diagnosis, treatment, and prevention of conditions. Medical consumables include but are not limited to: medical/surgical instruments (e.g., syringes, needles, infusion (IV) pumps, forceps, scalpels); medical/surgical supplies (e.g., intravenous (IV) bags, catheters, tracheostomy tubes, anesthesia equipment, gauze/bandages, sutures, diagnostic and laboratory reagents); and related medical parts and components. Pharmaceuticals, such as prescription drugs, over-the-counter drugs, biologics, and specialty drugs, will not be covered under this investigation as those imports are being examined in a separate Section 232 investigation."[30]
- "**Medical equipment** refers broadly as durable equipment, tools, and machines used in healthcare to support patient care. Examples include but are not limited to: carriages and wheelchairs; crutches; and hospital beds."
- "A **medical device** is any instrument, apparatus, or machine used in the diagnosis, monitoring, or treatment of medical conditions. Examples include but are not limited to: pacemakers; insulin pumps; coronary stents; heart valves; hearing aids; robotic and non-robotic prosthetics; blood glucose monitors; orthopedic appliances; electromedical apparatus (e.g., computed tomography scanners, magnetic resonance imaging machines); electrosurgical apparatus; x-ray apparatus/other radiation equipment; respiratory machines (e.g., ventilators, respirators, oxygen apparatus); and MRI machines."

The robotics and industrial machinery investigation

The investigation notice on industrial robots and machinery describes the investigation as seeking to, "determine the effects on the national security of imports of robotics and industrial machinery."

The notice elaborates on what is within the scope of each of the categories, stating that, "this equipment spans [computer numerical control (CNC)] machining centers, turning and milling machines, grinding and deburring equipment, and industrial stamping and pressing machines. It also includes automatic tool changers, jigs and fixtures, and machine tools for cutting, welding, and handling work pieces. Application-specific specialty metalworking equipment used to treat, form, or cut metal, such as autoclaves and industrial ovens, metal finishing and treatment equipment, [electrical discharge machining (EDM)] machinery, and laser and water-cutting tools and machinery is also included. The scope of this investigation does not include unmanned aircraft systems, which are covered by a different section 232 investigation[.]"[31]

Opportunity for public comments

Interested stakeholders may submit comments through the two public dockets at Regulations.gov. Comments are due around October 17, 2025. The notices provide additional instructions on how to participate and submit comments. BIS will consider and respond to public comments as it conducts the investigations. Participating in the public comment process can help shape the outcome of the investigation and prompt regulators to further clarify actions. The BIS notices do not mention public hearings (public hearings are discretionary for Section 232 investigations).

The notices highlight that BIS is especially interested in comments that directly address the regulatory criteria for determining the effects of imports on national security:

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[30] "Notice of Request for Public Comments on Section 232 National Security Investigation of Imports of Pharmaceuticals and Pharmaceutical Ingredients," 90 FR 15951 (April 16, 2025), accessible here: https://www.federalregister.gov/documents/2025/04/16/2025-06587/notice-of-request-for-public-comments-on-section-232-national-security-investigation-of-imports-of.

[31] "Notice of Request for Public Comments on Section 232 National Security Investigation of Imports of Unmanned Aircraft Systems (UAS) and Their Parts and Components," 90 FR 31958 (July 16, 2025), accessible here: https://www.federalregister.gov/documents/2025/07/16/2025-13365/notice-of-request-for-public-comments-on-section-232-national-security-investigation-of-imports-of.

- For the investigation on **personal protective equipment, medical consumables, and medical equipment, including devices**, the notice states that comments addressing the regulatory criteria could include answering questions related to, "(i) The current and projected demand for PPE, medical consumables, and medical equipment, including devices, in the United States; (ii) the ex-tent to which domestic production of PPE, medical consumables, and medical equipment, including devices, can meet domestic demand; (iii) the role of foreign supply chains, particularly of major exporters, in meeting United States demand for PPE, medical consumables, and medical equipment, including devices; (iv) the concentration of US imports of PPE, medical consumables, and medical equipment, including devices, from a small number of suppliers or foreign nations and the associated risks; (v) the impact of foreign government subsidies and predatory trade practices on the competitiveness of PPE, medical consumables, and medical equipment, including devices, manufacturers, in the United States; (vi) the economic impact of artificially suppressed prices of PPE, medical consumables, and medical equipment, including de-vices, due to foreign unfair trade practices and state-sponsored overproduction; (vii) the potential for export restrictions by foreign nations, including the ability of foreign nations to weaponize their control over supplies of PPE, medical consumables, and medical equipment (including de-vices); (viii) the feasibility of increasing domestic capacity for PPE, medical consumables, and medical equipment, including devices, to reduce import reliance; (ix) the impact of current trade policies on domestic production of PPE, medical consumables, and medical equipment, including devices, and whether additional measures, including tariffs or quotas, are necessary to protect national security; (x) the potential for foreign control or exploitation of supply chains for PPE, medical consumables, and medical equipment, including devices, supply chain; (xi) the ability of foreign persons to weaponize the capabilities or attributes of foreign-built PPE, medical consumables, and medical equipment, including devices; and (xii) any other relevant factors."
- For the investigation on **robotics and industrial machinery**, the notice states that comments addressing the regulatory criteria could include answering questions related to, "(i) the current, projected, and optimal demand for robotics and industrial machinery, and their parts and components in the United States; (ii) the extent to which domestic production of robotics and industrial machinery, and their parts and com-ponents can meet domestic demand; (iii) the role of foreign supply chains, particularly of major exporters, in meeting United States demand for robotics and industrial machinery, and their parts and components; (iv) the concentration of US imports of robotics and industrial machinery, and their parts and components from a small number of suppliers or foreign nations and the associated risks; (v) the impact of foreign government subsidies and predatory trade practices on the competitiveness of the robotics and industrial machinery, and their parts and components, in the United States; (vi) the economic impact of artificially suppressed prices of robotics and industrial machinery, and their parts and components due to foreign unfair trade practices and state-sponsored overproduction; (vii) the potential for export restrictions by foreign nations, including the ability of foreign nations to weaponize their control over supplies of robotics and industrial machinery, and their parts and components; (viii) the feasibility of in-creasing domestic capacity for robotics and industrial machinery, and their parts and components to reduce import reliance; (ix) the impact of current trade policies on domestic production of robotics and industrial machinery, and their parts and components, and whether additional measures, including tariffs or quotas, are necessary to protect national security; (x) the impact of the use or lack of use of robotics and industrial machinery on US manufacturing employment; (xi) the potential for foreign control or exploitation of the robotics and industrial machinery supply chain; (xii) the ability of foreign persons to weaponize the capabilities or attributes of foreign-built robotics and industrial machinery, and their parts or components; (xiii) the future role of robotics and industrial machinery in the production of items essential to national security or in activities related to national security; and (xiv) any other relevant factors."

The Trump administration's Section 232 investigations

The law, regulations, and the Trump administration's practices

Section 232 empowers the president to adjust imports or take other non-trade policy actions regarding imports of products that threaten to impair national security, after an investigation by BIS.[32] The purpose of BIS' investigation phase is to determine the effect of the subject imports on US national security. BIS has 270 days from the date an investigation is initiated to complete its investigation and present its findings and policy recommendations to the president. If BIS finds that the subject imports threaten to impair national security, the president has 90 days from receiving the findings to determine whether he agrees with the findings, and to determine whether to use any of the president's statutory authorities to adjust imports. If the president determines to take any such action, he must implement the action no later than 15 days after the date of the presidential determination.

The Trump administration's recent activities

The medical supplies and industrial machinery Section 232 investigations are the latest in a series of sector-specific tariff actions under the Trump administration. Since taking office on January 20, 2025, President Trump has expanded the Section 232 tariffs on steel and aluminum; revived a Section 232 investigation from his first term to impose tariffs on imports of passenger vehicles, light trucks, and certain automotive parts; and imposed new tariffs on semi-finished copper and intensive copper derivative products. Other ongoing investigations target imports of timber, lumber, and wood products; semiconductors and semiconductor manufacturing equipment; pharmaceuticals and pharmaceutical ingredients; processed critical minerals and downstream products; trucks and truck parts; commercial aircraft and jet engines and their parts; wind turbines and their parts and components; and unmanned aircraft systems (UAS) and their parts and components.

Though the law allows as much as 270 + 90 days to complete an investigation and decision, there is no lower bound on the timeline. The Trump administration has signaled it intends to proceed quickly to implement tariffs under the ongoing investigations, including by providing unusually short public consultation periods and declining to hold public hearings. The first new Section 232 action completed in 2025 (addressing imports of copper) saw tariffs implemented 144 days after BIS initiated the investigation. President Trump and senior administration officials have repeatedly stated that the outcomes of the other ongoing investigations are imminent, though they have provided few details.

President Trump's two-track tariff strategy

In recent months, the Trump administration has appeared to move towards a two-track tariff strategy, imposing (i) "baseline" and "reciprocal" tariffs on most products from most countries under the International Emergency Economic Powers Act (IEEPA), apparently seeking to negotiate more favorable market access conditions in return for the lifting of the tariffs; and (ii) Section 232 tariffs on imports associated with industries the Trump administration views as strategically important. Unlike most other tariffs President Trump has imposed, the IEEPA "baseline" / "reciprocal" tariffs and the Section 232 tariffs do not "stack" on top of each other. Instead, products affected by Section 232 tariffs are exempt from the IEEPA "baseline" / "reciprocal" tariffs.

The Trump administration's recent trade deal framework agreements with US allies include commitments to moderating some of the active and potential future Section 232 tariff actions, in addition to reductions to the IEEPA "baseline" / "reciprocal" tariffs:

- The agreements with the United Kingdom, European Union, and Japan include reduced automotive Section 232 tariff rates or alternative tariff-rate quotas.

[32] 19 USC. §1862, accessible here: https://www.govinfo.gov/app/details/USCODE-2023-title19/USCODE-2023-title19-chap7-subchapII-partIV-sec1862; and 15 C.F.R. part 705, accessible here: https://www.ecfr.gov/current/title-15/subtitle-B/chapter-VII/subchapter-A/part-705. More information on BIS' Section 232 activities can be found on the BIS website, accessible here: https://www.bis.gov/about-bis/bis-leadership-and-offices/SIES/section-232-investigations.

- The agreement with the UK includes a commitment to negotiating preferential treatment for UK goods subject to the ongoing Section 232 investigation on pharmaceuticals and pharmaceutical ingredients, as well as a general commitment to negotiate preferential treatment for the UK in any future Section 232 tariff actions.
- The agreement with the EU commits to a 15% maximum tariff for any potential Section 232 tariffs on timber, lumber, and wood products; pharmaceuticals and pharmaceutical ingredients; and semiconductors and semiconductor manufacturing equipment.
- The agreement with Japan includes a commitment to providing imports from Japan with treatment that is no less favorable than that provided to any other trade partner in the potential Section 232 tariff actions on pharmaceuticals and pharmaceutical ingredients as well as semiconductors and semiconductor manufacturing equipment.

The other ongoing Section 232 investigations, including the two announced on September 25, are not specifically referenced in any of the framework agreements. US trade partners, including the UK, EU, and Japan, are unlikely to receive any benefits under these investigations or ensuing trade measures without further negotiations.

Commerce Department Starts Automotive Section 232 Inclusions Process and Next Steel and Aluminum Inclusions Round

On September 17, 2025, the US Department of Commerce's Bureau of Industry and Security (BIS) and International Trade Administration (ITA) announced a new "Inclusions Process" for US automotive industry manufacturers to request that Commerce add new automotive parts to the coverage of the 25% automobile parts Section 232 tariffs.[33] Applicants will have four two-week windows every year to file the requests with ITA, followed by a two-week public comment window for stakeholders to review the requests. ITA will make decisions on any tariff modifications within 60 days from the start of the public comment window. The first inclusions application window is scheduled to open on October 1, 2025.

Additionally, BIS is conducting the second round of applications for the steel and aluminum derivatives products inclusions process. The window for submitting new inclusion applications closed on September 29. BIS will post the applications for public review and comment soon, followed by a 60-day review period.

The new automobile parts tariffs Inclusions Process

The ITA submission process will allow companies that produce automobiles or automobile parts in the United States (or their industry association representative) to file applications for the addition of new derivative articles to the Section 232 tariffs. The action follows from President Trump's proclamation on March 26, 2025, which imposed Section 232 tariffs on automobiles and automobile parts and directed the Department of Commerce to create a process for adding other automobile parts to the tariffs.[34] The regulations and procedures for the automotive inclusions process are identical to those established by BIS for the steel and aluminum derivatives products inclusions process in May 2025.

ITA initially announced the commencement of the automotive parts inclusions process in a June 24, 2025 press release.[35] The press release stated that the first applications round would be held from July 1 to July 15. However,

[33] "Adoption and Procedures of the Section 232 Automobile Parts Tariff Inclusions Process," 90 FR 44767 (September 17, 2025), accessible here: https://www.federalregister.gov/documents/2025/09/17/2025-18015/adoption-and-procedures-of-the-section-232-automobile-parts-tariff-inclusions-process; and the new regulations at Supplement No. 2 to Part 705, Title 15, accessible here: https://www.ecfr.gov/current/title-15/subtitle-B/chapter-VII/subchapter-A/part-705/appendix-Supplement%20No.%202%20to%20Part%20705.

[34] Proclamation 10908 of March 26, 2025: "Adjusting Imports of Automobiles and Automobile Parts into The United States," 90 FR 14705, accessible here: https://www.federalregister.gov/documents/2025/04/03/2025-05930/adjusting-imports-of-automobiles-and-automobile-parts-into-the-united-states.

[35] "The Department of Commerce Announces New Auto Parts Tariff Inclusions Process," ITA, June 24, 2025 (updated September 16), accessible here: https://www.trade.gov/press-release/department-commerce-announces-new-auto-parts-tariff-inclusions-process. An earlier version of the

the process was delayed, and the July application window did not occur. Consequently, ITA has not yet added any products to the automotive parts tariff. ITA has not provided an explanation for the delay nor publicly acknowledged the missed application round.

The first application window is now scheduled to open on October 1, 2025. Following a two-week submission window, ITA will post the inclusion requests after the closing of the two-week window for submissions. The deadline for ITA to decide on the applications will be 60 days following publication of these non-confidential versions. Any tariff changes will follow soon after. Based on BIS' recent practices, ITA will likely issue a Federal Register notice on October 1 to confirm the application window has opened.

Application submission windows

ITA has established four two-week windows per year for submitting inclusion applications. These windows are in the first two weeks of January, April, July, and October, beginning on the first business day of the month. Though the rule specifies these dates, delays are still possible. As BIS has done with the recent steel and aluminum Section 232 inclusion applications windows, ITA will likely announce the opening of each application window with a Federal Register notice.

The inclusion applications phase

Producers of automobiles or automobile parts within the United States (or an industry association representing one or more such producers) can file applications to seek the inclusion of additional automobile parts in the Section 232 tariffs. The applications must "establish that imports have increased in a manner that threatens to impair the national security or otherwise undermines the objectives set forth in Proclamation 9888, the Automobile Proclamation, or any subsequent proclamation addressing the threatened impairment to the national security under Section 232."

To file an application, submitters must email a PDF to ITA containing the following information:

- "Clear identification of the requestor (i.e., producer of an automobile or automobile parts article, or an industry association of such producers);"
- "A precise description of the automobile parts article that is the subject of the request;"
- "The eight or ten-digit HTSUS classification requested to be included in the scope of the tariffs;"
- "An explanation of why the article is an automobile parts article;"
- "Pertinent information on the domestic industry affected;"
- "Statistics on imports and domestic production;" and
- "A description of how and to what extent imports of the article have increased in a manner that threatens to impair the national security or otherwise undermines the objectives set forth in Proclamation 9888, the Automobile Proclamation, or any subsequent proclamation addressing the threatened impairment to the national security."

If an application includes business confidential information, the filer should include a non-confidential public version. The applications have a 30-page limit. ITA will review the applications upon receipt to ensure they meet the regulation's requirements. For any application deemed invalid due to missing elements or other errors, ITA may grant the filer 48 hours to resubmit a corrected filing.

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press release with the July 1 application window is accessible here: https://web.archive.org/web/20250712161046/https://www.trade.gov/press-release/department-commerce-announces-new-auto-parts-tariff-inclusions-process.

Public comment window

After receiving the applications and closing the two-week submission window, ITA will begin its reviews by posting the non-confidential versions of the valid applications for a 14-day public comment window. Interested stakeholders can submit feedback on the posted applications through the public dockets at regulations.gov. The annual docket for October's submission window will be found under the ID: ITA-2025-0038. The January docket is ITA-2025-0039, April is ITA-2025-0040, and July is ITA-2025-0037. The interim final rule (IFR) states that collecting public comments "will ensure a transparent, complete, and legally robust process for conducting analysis and making final determinations of derivative inclusion requests," but provides no criteria for what the public comments should address or explain how ITA will consider the public comments.

ITA application review

Posting the applications for public comment will start the 60-day clock for ITA to complete the reviews. Alongside gathering public comments, ITA will assess the inclusion applications under two criteria: (i) "whether the described product at the eight- or ten-digit HTSUS classification is an automobile parts article;" and (ii) "whether imports of such automobile parts articles have increased in a manner that threatens to impair the national security or otherwise undermines the objectives set forth in Proclamation 9888, the Automobile Proclamation, or any subsequent proclamation addressing the threatened impairment to the national security."

ITA determination

For each application, ITA will make a positive or negative determination by the end of the 60-day review period. ITA will then post determination memoranda to the public docket on regulations.gov for each of the determinations. The memoranda will state whether ITA has approved or denied the application and summarize the rationale for their determination.

To implement tariffs for affirmative determinations, ITA will issue a Federal Register notice identifying the derivative products at the eight- to ten-digit HTSUS subheading and amending the products to the derivative products list in the Section 232 proclamation. The IFR states the new tariffs "will take effect shortly thereafter."

Call for input on the ITA's interim inclusions process rule

As an interim final rule, the regulation managing the inclusion process is preliminary. ITA is inviting public feedback and may issue an updated final rule at a later date, adjusting the regulations based on its operational experience and in response to any public feedback. Interested stakeholders may submit comments through the public dockets at regulations.gov. Comments are due by November 3, 2025. The Federal Register notice (in the "Addresses" section) provides more information on how to participate.

Second application round for the steel and aluminum derivative products inclusions

BIS opened the second steel and aluminum Section 232 inclusions application round on September 15, 2025 (a two-week delay from the scheduled September 1 opening).[36] The period to submit inclusion requests ended on September 29, 2025. BIS will post the submitted inclusion requests to a public docket for review. After the inclusion requests are published, interested parties will have 14 days to submit comments on the requests, and BIS will have 60 days to issue its decisions on whether to grant the inclusion requests.

In the first inclusions applications round, BIS added 407 HTSUS codes to the scope of the aluminum and steel Section 232 tariffs. The covered products included industrial machinery components, vehicles, railroad cars, various consumer products, and containers and container products. In 2024, approximately US$210 billion of merchandise, or about 6.5% of total US goods imports, fell under these HTSUS codes.

[36] "Notice of the Opening of the Inclusions Window for the Section 232 Steel and Aluminum Tariff Inclusions Process," 90 FR 44799 (September 17, 2025), accessible here: https://www.federalregister.gov/documents/2025/09/17/2025-18008/notice-of-the-opening-of-the-inclusions-window-for-the-section-232-steel-and-aluminum-tariff.

BIS did not fully follow the IFR's requirements for the process during the first applications round. BIS granted inclusions for nearly all the products that were included in the applications, appearing to have only declined requests when the products were already within the scope of other Section 232 investigations, rather than relying on the criteria provided in the IFR. The decision memoranda posted by BIS to the docket also provided no information on BIS' decision-making processes, contrasting with the IFR's requirement that BIS summarize the rationale for its decisions. BIS also exceeded the 60-day timeline for making the decisions, taking 90 days between the issuance of the inclusions on August 15 and the initiation of the 60-day review on May 20, 2025. Based on the challenges BIS appears to have encountered with this first applications round, stakeholders should anticipate further delays and challenges with the current application rounds.

The inclusions applications process has sparked controversy in Washington due to the uncertainty created by the potential tariffs and the perceived lack of a transparent and reliable administrative process. Coinciding with the opening of the second steel and aluminum applications round, a coalition of major US industry associations published a public letter to BIS, objecting to the process.[37]

Trump Administration Issues Wood Products Section 232 Tariffs

On September 29, 2025, President Trump issued a Presidential Proclamation to impose Section 232 tariffs on softwood timber and lumber, as well as certain wood cabinetry and furniture.[38] The Presidential Proclamation is the result of the Section 232 investigation on imports of timber and lumber, which the US Department of Commerce's Bureau of Industry and Security (BIS) initiated on March 10, 2025[39] (the same day the copper Section 232 investigation began).

Effective October 14, 2025, the Section 232 action will impose a 10% tariff on softwood timber and lumber, a 25% tariff on upholstered wood products (furniture), and a 25% tariff on cabinets. The upholstered wooden product tariff will increase to 30% and the cabinets tariff will increase to 50% on January 1, 2026. Additionally, most other wood products in HTSUS Chapter 44, which were previously exempt from the International Emergency Economic Powers Act (IEEPA) tariffs under the Annex II exclusions list during BIS's Section 232 investigation, will lose their exemption and become subject to the IEEPA tariffs starting October 14, 2025. A small set of tropical hardwoods will remain exempt from both the Section 232 and IEEPA tariffs. This Section 232 tariff action may expand further over the next year. The Presidential Proclamation states that the government will consider extending the tariffs to cover hardwood in 2026, instructs the Department of Commerce to establish a product inclusions process, and permits the Department of Commerce to increase the tariff rates if it believes importers are undervaluing wood imports.

Announcement and potential implementation challenges

President Trump initially announced the tariffs in a September 25 post on his Truth Social account.[40] He described the action as a "50% Tariff on all Kitchen Cabinets, Bathroom Vanities, and associated products" and "a 30% Tariff on Upholstered Furniture" beginning on October 1, 2025. In the post, President Trump complained of a "large scale 'FLOODING' of these products into the United States by other outside Countries," and stated the tariffs are necessary to protect US manufacturing and national security. The final action, as issued in the Presidential Proclamation, is

[37] "Multi-Association Letter Expressing Concern on Steel, Aluminum Derivative Expansion & Inclusions Process," September 26, 2025, accessible here: https://www.uschamber.com/international/u-s-chamber-commerce-departments-new-section-232-steel-and-aluminum-inclusions-process.

[38] Presidential Proclamation of September 29, 2025: Adjusting Imports of Timber, Lumber, And Their Derivative Products into the United States, accessible here: https://www.whitehouse.gov/presidential-actions/2025/09/adjusting-imports-of-timber-lumber-and-their-derivative-products-into-the-united-states/; and "Lumber and Timber 232 Annex," which includes the ordered HTSUS Chapter 99 revisions, accessible here: https://www.whitehouse.gov/wp-content/uploads/2025/09/timber-.pdf.

[39] "Notice of Request for Public Comments on Section 232 National Security Investigation of Imports of Timber and Lumber," 90 FR 11941 (March 13, 2025), accessible here: https://www.federalregister.gov/documents/2025/03/13/2025-04060/notice-of-request-for-public-comments-on-section-232-national-security-investigation-of-imports-of.

[40] On the wood products Section 232 announcement, see Truth Social post of September 25, 2025, 7:10 pm ET, accessible here: https://truthsocial.com/@realDonaldTrump/posts/115267459188661048.

slightly different from his initial description, taking effect two weeks later and with slightly adjusted tariff rates and scope.

Implementation during a government shutdown

Shortly after President Trump issued the Presidential Proclamation to implement the tariffs, federal budget appropriations expired, resulting in a government shutdown. While most functions of the US Customs and Border Protection (CBP) and the BIS are still in operation, the International Trade Commission (ITC) has furloughed most of its staff and halted regular operations. The shutdown will likely disrupt publication of necessary implementation details, such as formal amendments to the HTSUS.

Despite the disruption, CBP staff have indicated they still have the resources needed to implement the tariffs as scheduled on October 14. However, as of the writing of this report, CBP and BIS have not yet issued the necessary procedures and guidance. Several sections of the Presidential Proclamation require further development and explanation before the action can be fully implemented. Additionally, ITC has not yet published the revisions to the HTSUS.

Other coinciding tariff announcements

Alongside the wood products Section 232 tariff announcement on September 25, President Trump also announced his intent to impose tariffs under (i) the Section 232 investigation on pharmaceuticals and active pharmaceutical ingredients and (ii) the Section 232 investigation on trucks. In the pharmaceuticals announcement, he stated that tariffs would be imposed on "branded or patented Pharmaceutical Product, unless a Company IS BUILDING their Pharmaceutical Manufacturing Plant in America," beginning on October 1.[41] In the trucks announcement, he indicated "a 25% Tariff on all 'Heavy (Big!) Trucks' made in other parts of the World," also beginning on October 1.[42] As of the writing of this report, he has not issued Presidential Proclamations to implement the pharmaceuticals or trucks tariffs. Media reports suggest that the delay in issuing the pharmaceuticals Presidential Proclamation is intended to allow more time for negotiating company-specific deals. The reason for delaying the Presidential Proclamation on truck tariffs remains unclear.

Shortly before issuing the Presidential Proclamation to implement the wood products Section 232 action on September 29, President Trump posted another tariff announcement on Truth Social. In the post, he stated that he "will be imposing a 100% Tariff on any and all movies that are made outside of the United States."[43] The announcement included fewer practical details than the previous three Section 232 tariff announcements. There are no active Section 232 investigations or other trade actions involving the movie industry, and the legal basis for an action against movie imports is unclear. President Trump may be suggesting that USTR initiate a Section 301 investigation into market-distorting movie production subsidies provided by foreign governments. Ambassador Greer later stated in comments to the media that there would be an investigation before any action, but he did not explicitly state whether he intends to initiate a Section 301 investigation.

Entry into force

The Section 232 tariffs on wood products are effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern time on October 14, 2025. The Presidential Proclamation does not provide any exceptions for goods already in transit to the United States.

[41] On the pharmaceuticals Section 232 announcement, see Truth Social post of September 25, 2025, 7:24 pm ET, accessible here: https://truthsocial.com/@realDonaldTrump/posts/115267512131958759.

[42] On the trucks Section 232 announcement, see Truth Social post of September 25, 2025, 6:51 PM ET, accessible here: https://truthsocial.com/@realDonaldTrump/posts/115267382531822964.

[43] On the movie tariff threat, see Truth Social post of September 29, 2025, 8:56 AM ET, accessible here: https://truthsocial.com/@realDonaldTrump/posts/115287691323395767.

Goods admitted into a US foreign trade zone on or after the effective date may only be admitted as "privileged foreign" status (19 C.F.R. 146.41) and will be subject upon entry for consumption to any duty related to the applicable HTSUS subheading.

Notably, drawback will be available with respect to the duties imposed pursuant to this Presidential Proclamation. Most previous tariff orders have not allowed duty drawback.

Tariff rates, products, and 2026 rate increase

There are three sets of tariffs that will enter into effect on October 14 under this Section 232 action:

- **Softwood timber and lumber: 10%.** This category includes 15 HTSUS 8-digit codes under Chapter 44, covering coniferous wood (such as pine and fir) as well as railway cross-ties. In 2024, the United States imported $7.0 billion worth of these products.
- **Upholstered wooden products: 25%.** This category includes four HTSUS 10-digit codes within HTSUS 9401.61 for wood-framed, upholstered household chairs. In 2024, the United States imported $9.1 billion worth of these products.
- **Kitchen cabinets and vanities, both finished and parts: 25%.** This category includes three HTSUS 10-digit codes within HTSUS 9403 for wooden kitchen cabinets, miscellaneous wood furniture, and miscellaneous wood furniture parts. In 2024, the United States imported $9.5 billion worth of these products. Several of these codes pertain to miscellaneous categories that include many types of furniture parts. Importers of articles classified within these HTSUS codes, but not specifically cabinets and vanities, can claim an exception from the tariff.

On January 1, 2026, the upholstered wooden products tariff will increase from 25% to 30% and the kitchen cabinets and vanities tariff will increase from 25% to 50%.

Reduced tariff rates for countries that have negotiated trade deals

Several countries have negotiated or are attempting to negotiate trade deals with the Trump administration, including commitments to preferential rates under the Section 232 investigations. In the wood products Section 232 order, President Trump has granted these preferential rates to the three trade partners with which he has completed preliminary framework agreements for trade deals.

These preferential rates only apply to the parts of the Section 232 action affecting upholstered wooden products and kitchen cabinets and vanities. There are no preferential tariff rates for the softwood timber and lumber part of the tariff.

The current preferential arrangements are:

- **United Kingdom:** The Section 232 tariff rate for upholstered wooden products and kitchen cabinets and vanities is 10%, in addition to MFN and any other applicable tariffs.
- **Japan:** The total tariff for upholstered wooden products and kitchen cabinets and vanities is 15%, which replaces any applicable MFN rate.
- **European Union:** The total tariff for upholstered wooden products and kitchen cabinets and vanities is 15%, which replaces any applicable MFN rate.

The Presidential Proclamation also highlights that USTR and Commerce are negotiating trade deals with other countries that may also involve wood products. According to the Proclamation, conclusion of these negotiations could allow USTR and Commerce to modify the wood products Section 232 tariff rates for other countries. These prospective deals should, “address the threatened impairment of the national security with respect to imported wood products from any country.”

Imposition of IEEPA tariffs on most timber and lumber products that are not subject to the Section 232 tariffs

The Presidential Proclamation also adds many timber and lumber products to the scope of the IEEPA reciprocal tariffs and the IEEPA India tariff. Under the original executive order implementing the IEEPA tariffs, a broad range of HTSUS Chapter 44 timber and lumber products were exempted in the Annex II exclusions list. The purpose of their exclusion was to provide space for investigating whether these products should be subject to the Section 232 action instead.

Now that the Section 232 action is ready to enter into effect, the Presidential Proclamation instructs that the Chapter 44 codes currently exempt from the IEEPA tariff but not included in the wood products Section 232 tariff will lose the Annex II exception and become subject to the IEEPA tariffs on October 14, 2025. This loss of the IEEPA tariff exemption applies to all HTSUS Chapter 44 classifications unless that HTSUS code is both: (i) included on the “Potential Tariff Adjustments for Aligned Partners” Annex of Executive Order 14346 of September 5, 2025; and (ii) not subject to an antidumping or countervailing duty order.

Following these instructions, the HTSUS Chapter 44 codes for timber and lumber that had previously been exempt from tariffs are split into three tariff sets as of October 14:

- **Subject to the wood products Section 232:** The 15 timber and lumber codes subject to the 10% timber and lumber portion of the Section 232 action were all previously included in the Annex II exceptions. These products are coniferous timber and lumber (also known as softwood) and railway cross-ties. In 2024, the United States imported $7.0 billion worth of these products. The five largest import sources were Canada, Germany, Sweden, Chile, and New Zealand.
- **Newly subject to IEEPA reciprocal tariffs:** The Section 232 Presidential Proclamation removes 143 timber and lumber HTSUS 8-digit codes that were not included in the Section 232 action from the IEEPA reciprocal tariffs Annex II exceptions list, subjecting them to the IEEPA tariffs beginning on October 14. Affected products include various types of hardwood timber and lumber, as well as sawdust, plywood, oriented strand board, wood moldings, veneered panels, medium-density fiberboard, and charcoal. In 2024, the United States imported $9.0 billion worth of these products. Approximately half of these imports originated from Canada and Mexico, which would still be exempt from the IEEPA tariffs due to the USMCA exception in the IEEPA fentanyl tariffs. Other leading import sources (which will now be subject to the IEEPA reciprocal tariffs) include Brazil, Chile, Vietnam, Indonesia, China, and Cambodia.
- **Remaining on Annex II, exempt from both IEEPA reciprocal tariffs and the wood products Section 232 tariffs:** There are 12 HTSUS Chapter 44 8-digit codes from the Annex II exclusions list that are (i) included on the “Potential Tariff Adjustments for Aligned Partners” Annex of Executive Order 14346 of September 5, 2025; and (ii) not subject to an antidumping or countervailing duty order, and therefore will remain on the Annex II exclusions list after October 14. These products are all tropical hardwoods used in manufacturing luxury furniture, such as red meranti (lauan), teak, sapelli, and iroko. In 2024, the United States imported $278 million worth of these products, mostly from Brazil, Cameroon, Malaysia, Republic of the Congo, Indonesia, and Ghana.

Relationship with other tariffs and stacking

The Presidential Proclamation includes several rules to determine how the new wood products Section 232 tariff will stack with the Trump administration’s other tariff actions:

- **Automotive Section 232:** If a wood product is subject to both the wood Section 232 and the auto Section 232 tariffs, only the auto Section 232 tariff will be applied.

- **IEEPA reciprocal tariffs, IEEPA Brazil tariff, and IEEPA India (Russia oil) tariff:** Products subject to the wood products Section 232 tariff are exempt from the IEEPA reciprocal tariffs, IEEPA Brazil tariff, and IEEPA India (Russia oil) tariff.
- **Canada and Mexico IEEPA-fentanyl tariffs:** If a product is subject to both the wood products Section 232 tariff and the IEEPA-fentanyl tariffs on Mexico and Canada, then the products will be subject only to the wood products Section 232 tariff. Wood products originating in Canada and Mexico, as subject to the IEEPA-fentanyl tariffs, were previously exempt from tariffs under the USMCA exception. Such products will now be subject to the wood products Section 232 tariffs. This is a significant tariff increase for Canada, which is the United States' leading supplier of softwood lumber.

Future tariff modifications and scope expansions

The Presidential Proclamation introduces several measures that could lead to expansions of the wood products Section 232 tariffs in the near future:

- **Potential hardwood tariff:** By October 1, 2026, the Department of Commerce will provide new recommendations to the president examining whether tariffs should be imposed on imports of hardwood timber and lumber, as well as derivative products.
- **Wood derivatives products inclusions process:** Instructs the Department of Commerce to establish a process to add other wood products to the scope of the tariffs. The Department of Commerce may add products to the tariff on its own or in response to requests from the domestic industry. Similar inclusions processes are included in the steel, aluminum, copper, and automotive parts Section 232 tariffs.
- **"Undervaluation" tariff:** This part of the Presidential Proclamation instructs the Department of Commerce to "establish a process for determining whether there is a threat of undervaluation of wood product imports subject to tariffs pursuant to this proclamation." If "undervaluation" is detected, the Department of Commerce may "impose specific, compound, or mixed tariffs [that] correspond approximately to the *ad valorem* duty rate otherwise in effect[.]" "Undervaluation" is not defined in the proclamation. The intent of this provision is unclear, and no similar rules exist in any of the Trump administration's other tariff actions.

Trade Agreements

United States and Japan Begin Implementing Trade and Investment Deal

On September 4, 2025, President Trump issued an executive order (EO 14345) to implement his administration's commitments under the trade deal framework agreement with Japan.[44] The order corrects the reciprocal tariff rate on imports from Japan, lowers the automotive Section 232 tariff to 15%, and introduces new tariff exceptions for civil aircraft and other products. On September 15, the Department of Commerce International Trade Administration (ITA) issued the required Federal Register Notice to implement EO 14345's tariff modifications,[45] and US Customs and Border Protection (CBP) issued additional implementation guidance.[46]

The Cabinet Secretariat of Japan published a US-Japan joint statement on the framework agreement the two governments signed during meetings in Washington around September 4.[47] The framework agreement summarizes Japan's market access, investment, and purchase commitments and the Trump administration's assurances on tariff reductions more comprehensively than previous announcements. On the same day, Secretary of Commerce Howard Lutnick and Ryosei Akazawa, Japan's Minister in charge of Economic Revitalization and lead negotiator, signed a memorandum of understanding (MOU) to implement the trade deal's strategic investment agreement.[48] Though Japan has published copies of both the framework agreement and MOU, the Trump administration has published neither (although EO14345 describes itself as "implementing the framework agreement between the United States and Japan").

The July 22 handshake agreement

President Trump initially announced the deal with Japan on July 22, 2025, through a Truth Social post following a meeting with Minister Akazawa.[49] Although the Japanese government confirmed a deal had been reached, no joint statement was issued at the time. Instead, each side later issued unilateral announcements with their own interpretations of the deal. While the statements aligned on broad facts, many details of the arrangement remained unclear.

In exchange for moderating the Trump administration's reciprocal and Section 232 tariffs, Japan agreed to ease regulatory barriers for US vehicle imports, increase rice imports under its current quota system, and ease trade barriers for certain other agricultural products, such as corn, soybeans, fertilizer, and bioethanol. Japan also committed to investing US$550 billion in the United States, although the specifics of this investment were not detailed. Japanese negotiators likely focused on investment offers instead of market access concessions, given Japan's already low trade barriers and limited ability to offer more in that regard. According to Trump administration officials, the investment commitment was crucial for Japan to secure the US tariff concessions.

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[44] Executive Order 14345 of September 4, 2025: "Implementing the United States–Japan Agreement," 90 FR 43535, accessible here: https://www.federalregister.gov/documents/2025/09/09/2025-17389/implementing-the-united-states-japan-agreement; Fact Sheet: "President Donald J. Trump Implements A Historic U.S.-Japan Framework Agreement," White House, September 5, 2025, accessible here: https://www.whitehouse.gov/fact-sheets/2025/09/fact-sheet-president-donald-j-trump-implements-a-historic-u-s-japan-framework-agreement/; and "Visit to the United States by Minister in charge of Economic Revitalization Akazawa," Cabinet Secretariate of Japan, accessible here: https://www.cas.go.jp/jp/seisaku/tariff_measures/houmon/index_shinchaku.html (in Japanese).

[45] "Implementing Certain Tariff-Related Elements of the United States-Japan Agreement," unpublished FRN (September 16, 2025), accessible here: https://federalregister.gov/d/2025-17908.

[46] "CSMS # 66242844 – Updated Guidance "Implementation for the United States-Japan Agreement and Modification of Duties on Imports from Japan," September 15, 2025, accessible here: https://content.govdelivery.com/accounts/USDHSCBP/bulletins/3f2c91c.

[47] "Joint Statement on the Framework Agreement between the United States and Japan on July 22, 2025," accessible here: https://www.cas.go.jp/jp/seisaku/tariff_measures/houmon/pdf/250905kyodoseimei.pdf.

[48] Memorandum of Understanding Between the Government of Japan and the Government of The United States of America with Respect to Strategic Investments, accessible here: https://www.cas.go.jp/jp/seisaku/tariff_measures/houmon/pdf/250905oboegaki.pdf.

[49] Truth Social post of July 24, 2025, accessible here: https://truthsocial.com/@realDonaldTrump/posts/114899417740854572.

US-Japan Framework Agreement implementation executive order

EO 14345 directs the Department of Commerce to issue instructions modifying US tariffs affecting Japan, including the International Emergency Economic Powers Act (IEEPA) reciprocal tariffs and the Section 232 sectoral tariffs.

- **US reciprocal tariff modification and retroactive effect**

  EO 14345 replaces the 15% reciprocal tariff rate with an alternative arrangement that combines the reciprocal tariff rate with existing MFN rates. The system establishes a two-track tariff of either (i) a flat 15% maximum tariff, inclusive of MFN tariffs, for all products that have MFN rates less than 15%; or (ii) no additional reciprocal tariff if the MFN tariff rate is already at or above 15%. The new arrangement is identical to the arrangement the Trump administration has applied to goods from the European Union since August 7. The United States has MFN tariff rates at or above 15% on certain food, dairy, footwear, and apparel products as well as light trucks, which are covered under the automotive Section 232 tariff.

  As anticipated, the executive order implements the new tariff retroactively to products of Japan entered for consumption or withdrawn from warehouse for consumption on or after 12:01 a.m. eastern time on August 7, 2025, the date on which the reciprocal tariffs entered into effect. Importers will be able to apply for refunds for any tariff overcharges, following the processes described in the CBP guidance.

- **New exceptions to the reciprocal tariff**

  EO 14345 directs the Department of Commerce to introduce new exceptions from the reciprocal tariff for certain natural resources that are unavailable in the United States or insufficient to meet domestic demand, as well as generic pharmaceuticals, including generic ingredients and generic chemical precursors. The executive order does not specify the products that fall within these categories. Annex III of President Trump's September 5 executive order on trade deal implementation (EO 14346) lists specific products that would fit these categories,[50] though the Department of Commerce and the United States Trade Representative (USTR) will have discretion in determining which exceptions would be granted to Japan.

  EO 14345 does not specify a timeline for issuing these exceptions and the implementation order issued by ITA on September 16 does not include these exceptions. It is unclear whether the Trump administration intends to implement the exceptions alongside the framework agreement, or if it will wait until the parties conclude a final trade agreement. EO 14345 directs the Secretary of Commerce to act in a manner consistent with the president's tariff orders and consider "the scope and nature of the commitments of the Government of Japan under the Agreement; the scope and nature of the commitments of the United States under the Agreement; the actions taken by the Government of Japan to implement its commitments under the Agreement; and the actions taken by the United States to implement its commitments under the Agreement."

- **Civil aircraft and parts tariff exception**

  Separate from the rest of the proposed product-specific reciprocal tariff exceptions, EO 14345 directs the Department of Commerce to introduce a new exception from all the Trump administration's tariff actions for products of Japan that are ordinarily subject to duty-free treatment under the World Trade Organization Agreement on Trade in Civil Aircraft. This exception covers the reciprocal tariffs, as well as the Section 232 tariffs on steel, aluminum, and copper.

  The September 16 ITA implementation order directs that this exception will enter into effect for goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern time on September 16, 2025. The order includes the full list of HTSUS codes that may qualify for the exception in part b of Annex I.

[50] Executive Order 14346 of September 5, 2025: "Modifying the Scope of Reciprocal Tariffs and Establishing Procedures for Implementing Trade and Security Agreements," accessible here: https://federalregister.gov/d/2025-17507.

However, many of the HTSUS codes included on the list include products that are not intended for civil aircraft use. To claim the exception for a listed product, importers must certify on their entry summary that the imported product is a civil aircraft or has been imported for use in a civil aircraft, in accordance with the standard rules in HTSUS General Note 6.[51]

Similar arrangements were included in the recent trade deals with the European Union (EU) and the United Kingdom (UK), as well as the additional 40% IEEPA tariff on imports from Brazil. EO 14346 suggests that the tariff exception for civil aircraft trade could become a common feature of future trade deals. However, for Japan, President Trump has specified that the exception should not apply to unmanned aircraft (HTSUS 8806), unlike the exceptions provided to the EU, UK, and Brazil.

- **Reducing the automotive Section 232 tariff to 15% or MFN**

EO 14345 instructs the Department of Commerce to reduce the 25% Section 232 tariff on passenger vehicles (sedans, sport utility vehicles, crossover utility vehicles, minivans, and cargo vans), light trucks, and automotive parts. The new tariff is the higher of either (i) 15% or (ii) the Column 1 MFN rate. Specifically, the executive order states that for a product of Japan with a Column 1 duty rate below 15%, the total duty rate, including the Section 232 tariff, should be 15%. For a product of Japan with a Column 1 duty rate of 15% or higher, the Section 232 tariff will be 0%. In simpler terms, if a product is subject to a regular MFN rate of 15% or higher, the Section 232 auto tariff will not apply.

According to ITA's implementation order, the modified Section 232 tariff rates enter into effect for goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern time on September 16, 2025.

The United States' MFN tariff rate on passenger vehicles is 2.5% and the MFN tariff rate on light trucks is 25%, suggesting a tariff reduction from 27.5% to 15% for passenger vehicles and from 50% to 25% for light trucks. US MFN tariff rates for the covered automotive parts vary but are all below 15%, meaning the new tariff rates for automotive parts will total 15%, inclusive of the Section 232 tariff and MFN tariff.

- **Potential changes to rules of origin**

Each section of EO 14345 describing a tariff modification includes a directive stating that the Secretary of Commerce "may issue rules, regulations, guidance, and procedures to carry out the provisions of this section, including rules for determining what are "products of Japan" for purposes of this section." This directive has not appeared in previous tariff orders, and its implications are unclear. Trump administration officials have suggested they are considering creating new preferential rules of origin for their trade deals, similar to those used in free trade agreements. As of the writing of this alert, the Trump administration has not provided further details on these plans. ITA's September 16 implementation order makes no references to rules of origin changes.

- **Limits to future Section 232 tariffs**

Alongside implementing modifications to the tariff actions that are currently in force, the Trump administration agreed in the US-Japan framework agreement to apply tariff rates to imports from Japan that are no greater than those applied to any other country in the forthcoming Section 232 tariff actions on pharmaceuticals and pharmaceutical ingredients as well as semiconductors and semiconductor manufacturing equipment. The recent US-EU framework agreement commits the Trump administration to imposing a maximum Section 232 tariff of

[51] "Imports of Automobiles, Automobile Parts, Civil Aircraft and Civil Aircraft Parts from the United Kingdom Under Executive Order 14309," 90 FR 27851 (June 30, 2025), accessible here: https://www.federalregister.gov/documents/2025/06/30/2025-12060/imports-of-automobiles-automobile-parts-civil-aircraft-and-civil-aircraft-parts-from-the-united; 19 CFR 10.183: Duty-free entry of civil aircraft, aircraft engines, ground flight simulators, parts, components, and subassemblies, accessible here: https://www.ecfr.gov/current/title-19/section-10.183.

15% on pharmaceutical and semiconductor imports from the EU,[52] implying that 15% would also be the maximum tariff rate for imports from Japan.

These commitments are not referenced in EO 14345, likely because the relevant Section 232 investigations have not been completed, and the actions are not in legal effect. If the Section 232 investigation reports recommend tariffs and President Trump decides to proceed with imposing tariffs based on the reports, the special tariff rates for Japan would likely be included in the presidential proclamation.

The US-Japan framework agreement does not reference any prospective tariff bindings for the other ongoing Section 232 investigations, which target lumber and wood products, trucks and truck parts, processed critical minerals and derivative products, commercial aircraft and jet engines, polysilicon and derivative products, unmanned aircraft systems (UAS) and UAS parts, and wind turbines and parts.

Signing of Investment MOU

Alongside President Trump's issuance of the EO, Secretary Lutnick and Minister Akazawa signed an MOU outlining the general practices for the investment fund. According to this MOU, Japan will invest $550 billion in strategic industries in the United States by January 19, 2029 (the end of President Trump's term of office). The investments would be in sectors deemed strategically important by the Trump administration, such as semiconductors, pharmaceuticals, metals, critical minerals, shipbuilding, energy (including pipelines), AI, and quantum computing.

The investments would be selected by an "Investment Committee" led by the US Department of Commerce. The Investment Committee will consult with a separate "Consultation Committee," which would include members of the Japanese government, but Japan appears to have no formal decision-making role in the investment selection process. Final decisions to authorize the investments selected by the Investment Committee would be made by President Trump. The United States would then present the investment decisions to the government of Japan. The date on which Japan is to provide the committed funding will be no sooner than 45 days after the United States notifies Japan of the investment selection. The MOU states that if Japan declines to fund the selected investments after 45 days, President Trump may increase tariffs on imports from Japan.

The investments would be structured as special purpose vehicles (SPVs) managed by the US Investment Accelerator, an informal committee at the Department of Commerce tasked by President Trump with facilitating foreign investment in the United States. Investment returns would be split between the two governments, despite the investment appearing to originate solely from Japan.

The MOU is only a mutual administrative understanding between the negotiators, not a formal legal commitment. The MOU does not explain the legal basis for the unusual arrangement under either country's laws, nor does it clarify how the government of Japan will source the required funds. The Trump administration has not yet issued any orders to establish the mechanism or provided detailed plans for the fund. Legal basis, financial oversight, and corporate governance for the project-specific SPVs, including whether the Japanese investments would be debt, equity, or loan guarantees, are also not explained.

[52] "Joint Statement on a United States-European Union framework on an agreement on reciprocal, fair and balanced trade," August 21, 2025, accessible here: https://policy.trade.ec.europa.eu/news/joint-statement-united-states-european-union-framework-agreement-reciprocal-fair-and-balanced-trade-2025-08-21_en (EU copy) and here: https://www.whitehouse.gov/briefings-statements/2025/08/joint-statement-on-a-united-states-european-union-framework-on-an-agreement-on-reciprocal-fair-and-balanced-trade/ (US copy).

United States Begins Domestic Consultations on the Future of the USMCA

On September 17, 2025, the United States Trade Representative (USTR) issued a request for public comments to inform the US position on the 2026 review of the United States – Mexico – Canada Agreement (USMCA).[53] Under USMCA Article 34, the 2026 joint review will provide a forum for the three countries to discuss recommendations to modify the agreement. Article 34 also starts a 10-year clock for the expiration of the free trade agreement, if all three countries do not certify support for its continuation at the joint review. A notification that a USMCA party opposes the 2036 renewal would trigger further consultations until either the disagreement is resolved, or the USMCA expires in 2036. The unique review system creates an action-forcing event for the three countries and their business communities to consider how to improve the free trade agreement, but it also risks spreading uncertainty over the future of investments in North American supply chains.

USMCA's 2026 joint review and 16-year term extension

- **USMCA's unique review and term extension rules**

  Article 34.7 of the USMCA[54] requires the parties to hold a "joint review" of the agreement six years after its entry into force, which is July 1, 2026. In the review, the parties may submit recommendations for revisions to the agreement, which the group would consider.

  Article 34.7 also establishes that the agreement expires in 2036 unless the parties confirm in writing that they wish to extend it for another 16 years.[55] The six-year review in 2026 is the first opportunity for the parties to notify that they approve or oppose renewal of the agreement in 2036. A notification that a party opposes the 2036 renewal would trigger further review meetings until the negotiators address the dissenting party's concerns or the USMCA expires.

  The exact procedure for conducting the review remains undecided, and there is no precedent to follow. The USMCA's text describes the review only in broad terms. If the parties decide to make amendments to the text of the agreement, Article 34.3 provides that the "amendment shall enter into force 60 days after the date on which the last Party has provided written notice to the other Parties of the approval of the amendment in accordance with its applicable legal procedures […]."

- **Processes in the US USMCA Implementation Act and the president's negotiation powers**

  Separately from the procedures in the USMCA's text, the United States will conduct an internal policy review in 2025 and early 2026. The USMCA Implementation Act[56] requires the US president to fulfil certain consultation and reporting requirements on a specified timeline before he can participate in the formal USMCA joint review and pursue any changes to the agreement. USTR is required to initiate public consultations on the review at least 270 days before the review, which the September 17 call for input fulfills. By January 2026, USTR must report to Congress outlining its plans. This report will describe the actions the Trump administration recommends for the USMCA and include a decision on whether the administration will confirm at the 2026 review that the United States wishes to extend the USMCA beyond 2036.The authority granted to the president by the USMCA Implementation Act is specific and limited, implicitly allowing the president to renegotiate parts (or potentially all)

[53] "Request for Public Comments and Notice of Public Hearing Relating to the Operation of the Agreement Between the United States of America, the United Mexican States, and Canada," 90 FR 44869 (September 17, 2025), accessible here: https://www.federalregister.gov/documents/2025/09/17/2025-18010/request-for-public-comments-and-notice-of-public-hearing-relating-to-the-operation-of-the-agreement; and "USTR Seeks Public Comment on the Joint Review of USMCA," USTR, accessible here: https://ustr.gov/about/policy-offices/press-office/press-releases/2025/september/ustr-seeks-public-comment-joint-review-usmca.

[54] USMCA Article 34, accessible here: https://ustr.gov/sites/default/files/files/agreements/FTA/USMCA/Text/34_Final_Provisions.pdf.

[55] The Article 34.7 review and extension system is separate from the standard treaty provisions granting a right to any party to withdraw with six months' notice, which is in Article 34.6.

[56] 19 USC 4611: Participation in joint reviews with Canada and Mexico regarding extension of the term of the USMCA and other action regarding the USMCA, accessible here: https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title19-section4611&num=0&edition=prelim.

of the agreement during the review process. If the president and USTR consult stakeholders and Congress and adhere to Congressional reporting requirements, the president should have sufficient authority to negotiate. Although President Trump may use threats of completely withdrawing the United States from the USMCA as part of the renegotiation process, he cannot do so unilaterally without support from the Congress.

USTR's call for public comments on the operation of USMCA

USTR's notice opens the required public consultation process, seeking input on the operation of the USMCA, as well as on the North American Competitiveness Committee (Competitiveness Committee). Interested stakeholders may submit comments, requests to participate in the public hearing, and rebuttal comments through the public docket on USTR's website.[57] The FRN provides additional instructions on how to participate and submit comments.

- **Submitting public comments:** Any interested stakeholders may submit comments through the public docket on USTR's website. The deadline for submitting public comments is November 3, 2025.
- **Speaking at the public hearing:** The public hearing will begin on November 17, 2025 and may last several days, depending on the level of interest. The deadline for submitting requests to appear at the hearing is November 3, 2025.
- **Submitting post-hearing rebuttals:** There will also be an opportunity to submit post-hearing rebuttal comments for 7 days after the end of the hearing. Post-hearing rebuttals provide an opportunity to rebut or supplement testimony presented at the hearing.

Topics for the US review, strategy considerations, and the trade war

USTR's notice highlights the government is interested in receiving feedback on the following general topics related to the review:

- "Any aspect of the operation or implementation of the USMCA."
- "Any issues of compliance with the Agreement."
- "Recommendations for specific actions that USTR should propose ahead of the Joint Review to promote balanced trade, new market access, and alignment on economic security with Mexico and Canada."
- "Factors affecting the investment climate in North America and in the territories of each Party, as well as the effectiveness of the USMCA in promoting investment that strengthens U.S. competitiveness, productivity, and technological leadership."
- "Strategies for strengthening North American economic security and competitiveness, including collaborative work under the Competitiveness Committee, and cooperation on issues related to non-market policies and practices of other countries."

Mexico and Canada also plan public consultations

Like the United States, Mexico and Canada will also hold public consultations around September – October 2025. Despite potentially adopting more defensive strategies in the 2026 joint review, both governments and their business communities will still have interests to present.

[57] Public Docket: Request for Comments on the Operation of the Agreement between the United States of America, the United Mexican States, and Canada, accessible here: https://comments.ustr.gov/s/docket?docketNumber=USTR-2025-0004; and Public Docket: Request to Appear at the Hearing on the Operation of the Agreement between the United States of America, the United Mexican States, and Canada, accessible here: https://comments.ustr.gov/s/docket?docketNumber=USTR-2025-0005.

Mexico’s Secretariat of the Economy is holding a 60-day public consultation from September 17 to November 15, 2025.[58] The call for input invites comments on the following areas of interest: General impact of USMCA on the productive sectors of Mexico.

- Challenges and opportunities arising from the implementation of the agreement.
- Specific experiences in trade in goods and services.
- Aspects related to rules of origin and customs procedures.
- Labor, environmental, and small and medium-sized issues enterprises.
- Intellectual property, digital trade, and investment.
- Any other recommendations that contribute to strengthening the Mexico's position in the joint review of the USMCA.

Canada has said it will open a public consultation soon but has not yet issued details.

Expectations for the review in 2026

The joint review and term extension arrangement create a unique action-forcing event for the three countries and their business communities to consider how to improve the free trade agreement. Businesses across all three countries should view the 2026 meetings as an opportunity to address unresolved market access and investment protection issues from the original USMCA text.

If the Trump administration decides the leverage the required USMCA reauthorization process to seek substantial changes to the agreement, the United States may withhold its reauthorization approval (or at least threaten to do so). The reauthorization process was created by the Trump administration during the USMCA negotiations in President Trump’s first term. Trump administration negotiators saw the review system as a tool they could leverage in the future to obtain updates to the agreement, rather than allowing the agreement to carry on indefinitely in its original form. Importantly, though the Trump administration may seek significant changes to the agreement that dramatically alter its economic benefits, administration officials have not suggested a desire to end USMCA completely.

A key question for negotiators will be determining how far to push the review and renegotiation, given that investor confidence depends on the parties maintaining a credible commitment to renewing the agreement by 2036. While negotiators may achieve some improvements, a prolonged dispute could raise concerns about the possibility of renewal failure. Furthermore, an extended renegotiation process could result in different political parties coming to power by the time the negotiation concludes, potentially motivating the current leadership to seek a swift resolution.

CPTPP

Korea Renews Interest to Join CPTPP

Korea’s Trade, Industry, and Energy Minister Yeo Han-koo announced that Korea has renewed its consideration of joining the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP). This announcement was made during a Cabinet meeting on September 2, 2025, where the Cabinet agreed on the necessity for Korea to diversify its export destinations and establish a trade network with like-minded economic partners. This move is part of Korea’s strategy to mitigate risks from trade conflicts between China and the United States and signifies a strategic shift in trade policy in response to geopolitical pressures.

[58] Public consultation for the revision of the USMCA, Ministry of Economy, accessible here: https://www.buzontmec.economia.gob.mx/.

According to Korean press reports quoting an official from the Ministry of Trade, Industry and Energy, the strategic value of the CPTPP has increased due to the tariff policies implemented during the Trump administration. The situation has evolved considerably since 2021, prompting a thorough review to determine what best serves the national interest. The Korean government plans to proceed step by step, incorporating internal consultations and public engagement.

Korea initially declared its intention to join the CPTPP on December 13, 2021. However, the application process was not completed under Prime Minister Moon Jae-in's administration due to strong public opposition. Additionally, strained relations with Japan complicated the accession process, as concerns were raised by Korean stakeholders about potential Japanese demands and their effects on Korea's manufacturing and agricultural sectors.

Moving forward, the Korean government will conduct internal consultations to secure a negotiating mandate before engaging with CPTPP members. Once preparations are complete, Korea will re-submit its application to join the agreement. The CPTPP Commission, which oversees the accession process for new member countries, will decide when to begin the process. In parallel, Korea must engage in bilateral discussions with all twelve CPTPP parties – namely Australia, Brunei, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, the United Kingdom, and Vietnam – to garner their support as part of the formal accession process, which requires unanimous consent from all existing members. Notably, since Korea has not signed free trade agreements with Japan and Mexico, joining the CPTPP could significantly enhance its market access to these countries.

Petitions & Investigations

Petitions

US Industry Petitions for Global Safeguard Investigation of Quartz Surface Products

On September 15, 2025, a coalition of manufacturers of US quartz surface products (QSP, or quartz countertops) filed a petition with the US International Trade Commission (ITC) seeking safeguard protection against QSP imports.[59] The petition is seeking country-specific quotas and global tariffs against QSP imports, alleging that existing trade remedies have been insufficient to protect the domestic industry. The petition highlights "a surge of QSP imports" from Thailand, Cambodia, Indonesia, and Vietnam as the main cause of the ongoing injury. ITC has not yet issued a notice to institute the investigation nor commented on the petition.

Safeguard investigations

Safeguard investigations, under Section 201 of the Trade Act of 1974, allow the government to temporarily restrict imports of a product if those imports are threatening serious injury to a domestic industry. Unlike antidumping duties (ADD) and countervailing duties (CVD), the government does not have to find sales at less than fair value or subsidies to invoke safeguard import restrictions. On the other hand, safeguard actions require that the threatened injury be serious and that the increased imports are the substantial cause of that injury, which creates a higher standard for the injury determination than in ADD and CVD investigations. If ITC makes an affirmative determination that injury has occurred, the president may impose new trade barriers, including tariffs and quotas, targeting all import sources.

Safeguard investigations must reach an injury determination in 120 days (with an option for a 30-day extension). Within 180 days, ITC must transmit the findings and recommended remedies (in the event of a positive determination) to the president. The president, not ITC, ultimately decides what remedies the United States will impose, if any. Relief actions under safeguards are temporary, set at up to a four-year duration with an option to extend for another four years.

The petition

The petitioner is the Quartz Manufacturing Alliance of America, a coalition of the US QSP producers and distributors Cambria Company LLC, Dal-Tile LLC, Guidoni USA, and Architectural Surfaces, Inc. The petition alleges that, in the past few years, imports have increased significantly and are the substantial cause of serious injury to the domestic industry. This injury is occurring despite the ADD and CVD orders already in place on imports from China, India, and Turkey, according to the petitioner. The petition also alleges that a significant volume of imports from countries not covered by the ADD and CVD orders are a result of ADD and CVD order evasion, citing several transshipment-related Enforce and Protect Act cases against importers.

The petition calls on the ITC to consider imposing a combination of country-specific quotas and a 50% tariff on all imports (or a weight-based specific tariff). The requested remedy would cover both QSP slabs and prefabricated QSP that has been cut to size offshore before importation.

Covered product

The petition describes its scope by using the existing scope of the ADD and CVD orders. It covers both slabs and QSP that have been fabricated to their final shape and size to be ready for installation. Fully finished and fabricated products include countertop surfaces, cut-to-size slabs used particularly in the hospitality industry, and various other decorative products. QSP is utilized in commercial, residential, or industrial properties as countertops, tiles, bar

[59] Information about the petitioner and a copy of the petition are accessible on the petitioner's website, accessible here: https://www.qmaa.org/.

surfaces, shower and tub surrounds, fireplace surrounds, walls, floors, bathroom vanities, and furniture surfaces. QSP may be further worked to meet customer specifications.

The imports are classifiable under the Harmonized Tariff Schedule of the United States (HTSUS) numbers 6810.99.0020, 6810.99.0040, and 7020.00.6000. All imports under 6810.99.0020 and 6810.99.0040 are covered, while 7020.00.6000 is a broader category that may include some imports that are not within the petition's scope. CBP considers the country of origin of QSP to be the country in which the slab is manufactured, not the country in which any final fabrication work is undertaken.

Investigations

Commerce Issues Preliminary Results in Administrative Review of the ADD Order on Glycine from Japan

On September 19, 2025, Commerce issued the preliminary results in the administrative review of the ADD order on glycine from Japan, preliminarily finding that producers or exporters subject to this administrative review made sales of subject merchandise at less than normal value during the period of review (June 1, 2023 - May 31, 2024).[60] The preliminary average dumping margins are 9.84% for Yuki Gosei Kogyo Co., Ltd./Nagase & Co., Ltd. and 86.22% for Resonac Corporation. The Resonac determination was based on adverse facts available, after Commerce found that Resonac withheld requested information.

The notification also includes a preliminary successor-in-interest determination for Resonac, finding Resonac Corporation to be the successor-in-interest to Showa Denko K.K. (the company changed its name shortly before the review). The notification rescinds the administrative reviews for Megmilk Snow Brand Co. Ltd.; Resonac Holdings Corporation; and Snow Brand Seed Co. Ltd; after the petitioner (Chattem Chemicals, Inc.) withdrew its requests for reviews.

Commerce will now proceed to the final stage of the review, and intends to issue the final results no later than January 17, 2026. The deadlines for the preliminary results of this review were tolled several times in 2024, delaying the results. The next administrative review, covering the period June 1, 2024 to May 31, 2025, commenced in July 2025.[61]

Covered product

The covered merchandise is glycine at any purity level or grade. This includes glycine of all purity levels, which covers all forms of crude or technical glycine including, but not limited to, sodium glycinate, glycine slurry and any other forms of amino acetic acid or glycine. Subject merchandise also includes glycine and precursors of dried crystalline glycine that are processed in a third country, including, but not limited to, refining or any other processing that would not otherwise remove the merchandise from the scope of these order if performed in the country of manufacture of the in-scope glycine or precursors of dried crystalline glycine. Glycine has the Chemical Abstracts Service (CAS) registry number of 56-40-6.

Glycine and glycine slurry are classified under Harmonized Tariff Schedule of the United States (HTSUS) subheading 2922.49.43.00. Sodium glycinate is classified in the HTSUS under 2922.49.80.00. While the HTSUS subheadings and CAS registry number are provided for convenience and customs purposes, the written description of the scope of these orders is dispositive.

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[60] "Glycine From Japan: Preliminary Results and Rescission, in Part, of Antidumping Duty Administrative Review, 2023-2024; and Preliminary Successor-in-Interest Determination," 90 FR 45185 (September 19, 2025), accessible here: https://www.federalregister.gov/documents/2025/09/19/2025-18132/glycine-from-japan-preliminary-results-and-rescission-in-part-of-antidumping-duty-administrative#footnote-10-p45186.

[61] "Initiation of Antidumping and Countervailing Duty Administrative Reviews," 90 FR 35268 (July 25, 2025), accessible here: https://www.federalregister.gov/documents/2025/07/25/2025-14096/initiation-of-antidumping-and-countervailing-duty-administrative-reviews.

Commerce and ITC Initiate Five-Year Sunset Review of ADD Order on Prestressed Concrete Steel Wire Strand from Japan, as well as Brazil, India, Mexico, South Korea, and Thailand

In October 2025, Commerce[62] and the ITC[63] published initiation notices for the sixth five-year (sunset) review of the ADD orders on Prestressed Concrete Steel Wire Strand (PC strand) from Japan, as well as the fourth sunset reviews for Brazil, India, Mexico, South Korea, and Thailand. Commerce and ITC are also conducting the fourth sunset review of the countervailing duty (CVD) order on PC strand from India.

The ITC reviews will seek to determine whether revocation of the ADD and CVD orders would likely lead to continuation or recurrence of material injury. Commerce's reviews will examine whether revocation of the ADD orders would likely lead to the continuation or recurrence of dumping and whether revocation of the CVD order would likely lead to the continuation or recurrence of net countervailable subsidies.

Covered product

The product covered by these orders has different definitions for Japan and the other countries. For the Japan order, PS strand is steel wire strand, other than alloy steel, not galvanized, which is stress-relieved and suitable for use in prestressed concrete.

For the orders on Brazil, India, Korea, Mexico, and Thailand, PC strand is steel strand produced from wire of non-stainless, non-galvanized steel, which is suitable for use in prestressed concrete (both pre-tensioned and post-tensioned) applications. The product definition encompasses covered and uncovered strand and all types, grades, and diameters of PC strand.

Products from all six countries are classified under Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7312.10.3010 and 7312.10.3012. While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope is dispositive.

[62] "Initiation of Five-Year (Sunset) Reviews," 90 FR 48048 (October 3, 2025), accessible here: https://www.federalregister.gov/documents/2025/10/03/2025-19420/initiation-of-five-year-sunset-reviews.

[63] "Prestressed Concrete Steel Wire Strand From Brazil, India, Japan, Mexico, South Korea, and Thailand; Institution of Five-Year Reviews," 90 FR 47337 (October 1, 2025), accessible here: https://www.federalregister.gov/documents/2025/10/01/2025-19130/prestressed-concrete-steel-wire-strand-from-brazil-india-japan-mexico-south-korea-and-thailand.