WHITE & CASE

US & Multilateral Trade and Policy Developments

Japan External Trade Organization

November 2025

Contents

Trade Policy Developments

Congress Considers New Technology Restrictions, Procurement Limits, and Investment Rules in 2026 NDAA

The US Congress is currently considering the 2026 National Defense Authorization Act (NDAA), an annual bill that often includes significant trade and economic security measures. The House of Representatives passed its version of the bill on September 10, 2025,[1] while the Senate approved its version on October 9.[2] The Senate's bill includes amendments related to export control modifications, new technology security measures (including the BIOSECURE Act), expanded foreign investment screening for both inbound and outbound transactions, as well as the GAIN AI Act, none of which were part of the House's version of the bill. To pass the final 2026 NDAA into law, the House and Senate will have to reconcile the two competing versions of the bill in a conference committee. Progress on the legislation has been slow since September, with Congress focused on budget disputes related to the government shutdown.

The NDAA is an annual bill that Congress must pass to authorize the Department of Defense to spend appropriated funds. The bill is considered "must-pass" legislation, which incentivizes members of Congress to attach other bills to it as amendments. As a result, NDAAs often contain trade and investment-related security measures. The BIOSECURE Act and outbound investment restrictions laws amended to the Senate's 2026 NDAA were also candidates for inclusion in the 2025 NDAA during the 2023-2024 legislative session. Congress withdrew these measures in the 2025 bill during intensive last-minute negotiations in December 2025.

GAIN AI Act

The Guaranteeing Access and Innovation for National Artificial Intelligence (GAIN AI) Act of 2025 is a new Senate proposal to require that advanced semiconductor manufactures prioritize sales to US AI developers before exporting their products.[3] The bill has bipartisan support in the Senate, sponsored by Senators Jim Banks (R-IN) and Elizabeth Warren (D-MA). In the House, the bill is supported by House Select Committee on the Chinese Communist Party leaders John Moolenaar (R-MI) and Raja Krishnamoorthi (D-IL). However, there is also strong opposition to the bill in some political circles. The Trump administration and large sections of the US technology industry have opposed the bill, with White House AI and crypto czar David Sacks pressuring Congress to drop the proposal. Supporters' attempt to amend the bill to the House version of the 2026 NDAA was blocked by its opponents.

The bill would amend the Export Control Reform Act of 2018 (ECRA) to require export licenses for the export, reexport, or in-country transfer of advanced integrated circuits and products containing advanced integrated circuits to most countries. The latest version of the bill would exempt Country Groups A:4, A:5, and A:6,[4] but other versions of the proposal would apply to all countries.

Along with the standard export control license requirements, when applying for licenses to export the controlled advanced integrated circuits to certain countries of concern, the person applying for the license would have to certify to the Bureau of Industry and Security (BIS) that they have offered US customers a right of first refusal for purchasing any advanced integrated circuits offered for sale, that there is no order backlog for US clients, and that foreign customers are not paying lower prices than US customers.

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[1] H.R.3838 - Streamlining Procurement for Effective Execution and Delivery and National Defense Authorization Act for Fiscal Year 2026, 119th Congress (2025-2026), accessible here: https://www.congress.gov/bill/119th-congress/house-bill/3838.

[2] S.2296 - National Defense Authorization Act for Fiscal Year 2026, 119th Congress (2025-2026), accessible here: https://www.congress.gov/bill/119th-congress/senate-bill/2296.

[3] Sections 6081 - 6083 of the Senate approved bill. See also, Guaranteeing Access and Innovation for National Artificial Intelligence (GAIN AI) Act of 2025, S.Amdt.3714 to S.2296, 119th Congress (2025-2026), accessible here: https://www.congress.gov/amendment/119th-congress/senate-amendment/3714.

[4] Country Groups A:4, A:5, and A:6 include countries with which the United States has close relations, including all NATO members and other allied and strategic countries.

Covered countries of concern are defined as those "subject to a comprehensive United States arms embargo" (*i.e.*, Country Group D:5, which includes China and Russia[5]), or that the "Director of National Intelligence assesses is hosting, or has the intention of hosting, a military or intelligence facility associated with" a country subject to a comprehensive United States arms embargo. The bill establishes a fixed definition of advanced integrated circuits based on performance, covering integrated circuits with digital processing units that meet at least one of the following performance thresholds: (i) "a total processing performance of 2,400 or more and a performance density of 1.6 or more;" (ii) "a total processing performance of 1,600 or more and a performance density of 3.2 or more;" or (iii) "a total DRAM bandwidth of 1,400 gigabytes per second or more, interconnect bandwidth of 1,100 gigabytes per second or more, or a sum of DRAM bandwidth and interconnect bandwidth of 1,700 gigabytes per second or more." These performance thresholds are similar to the current performance thresholds used in BIS' export controls on advanced semiconductors.

BIOSECURE Act

The BIOSECURE Act[6] is a bipartisan proposal to prohibit the US government and organizations that receive US government funding from procuring services or equipment from certain biotechnology companies linked to China and other listed foreign adversaries. The bill has been circulating in Congress since 2023 in various forms, often coming close to passage but ultimately failing. The latest version of the bill – slightly modified from the version that passed the House of Representatives in 2024 – was among the amendments the Senate passed with its version of the 2026 NDAA. After years of debate, the Senate's adoption of a variation of the House version may suggest the conference committee could reach agreement to include the bill in the reconciled 2026 NDAA and pass it into law. The BIOSECURE Act would prohibit the US government's ability to procure items or participate in contracts involving certain biotechnology companies through two prohibitions:

1. Executive branch agencies would be barred from procuring or obtaining "any biotechnology equipment or service produced or provided by a biotechnology company of concern;" and

2. Such agencies would be prohibited from entering into new contracts or extending existing contracts with any entity if the entity: "uses biotechnology equipment or services produced or provided by a biotechnology company of concern" acquired after the effective date "in performance of the contract with the executive agency"; or knows or has reason to believe performance of the contract will require the use of biotechnology equipment or services produced or provided by a biotechnology company of concern and acquired after the effective date of the prohibition.

The BIOSECURE Act also prohibits executive branch agencies from obligating or expending loan or grant funds to any recipient to "procure, obtain, or use any biotechnology equipment or services produced or provided by a biotechnology company of concern," or enter into a new contract or extend an existing contract with any entity covered by the contracting prohibition. Loan and grant recipients are similarly bound by these prohibitions.

The version of the BIOSECURE Act adopted in the Senate amendment is mostly identical to the House version approved in the 2023-2024 term, on which the Senate never voted.[7] The 2026 NDAA amendment version incorporates similar flexibilities to what the House had added to its version of the bill shortly before approving it in 2024, including a longer implementation timeline for existing contracts, a safe harbor for legacy equipment, and a notice and refutation opportunity for suspect companies. The 2026 NDAA amendment version makes two notable changes:

[5] Supplement No. 1 to Part 740—Country Groups, accessible here: https://www.bis.gov/regulations/ear/740#supplement-1-740.

[6] Section 881 of the Senate approved bill. See also, BIOSECURE Act, S.Amdt.3841 to S.Amdt.3748, 119th Congress (2025-2026), accessible here: https://www.congress.gov/amendment/119th-congress/senate-amendment/3841.

[7] H.R.8333 - BIOSECURE Act, 118th Congress (2023-2024), accessible here: https://www.congress.gov/bill/118th-congress/house-bill/8333.

1. Adds an exception that would allow the government to waive the restriction during public health emergencies.

2. Removes the direct designation of BGI, MGI, Complete Genomics, WuXi AppTec, and WuXi Biologics as Biotechnology Companies of Concern, replacing the company listings with a rule that designates any companies that are on the Department of Defense list of Chinese Military Companies (Section 1260H of the 2021 NDAA).[8] The 2025 Chinese Military Companies list includes BGI (and MGI, which is a BGI subsidiary), but does not include Complete Genomics or WuXi.

Despite the progress, some parts of the bill remain ambiguous, including the meaning of the restrictions on biotechnology equipment and services "in performance of" contracts with federal agencies, creating uncertainty about how far-reaching the bill's restrictions will be for the private sector.

Other industrial policy and technology security measures

The House and Senate bills also include various measures to expand collaboration and funding for industrial base development and economic security policy, including significant expansions to the Industrial Base Fund and specific restrictions on defense acquisitions of certain technologies from China, other foreign adversaries, and foreign entities of concern.

- **Expands the Industrial Base Fund:** Both the Senate and House versions include a provision to significantly expand the Industrial Base Fund. The Department of Defense would be able to use the expanded fund to subsidize, enter into purchase agreements, and take direct financial stakes in companies involved in a broad range of industrial sectors affecting military supply chains, ranging from semiconductor components to shipbuilding.

- **Establishes an Economic Defense Unit:** The Senate version of the bill establishes a new Economic Defense Unit to manage economic security policies and coordinate support for critical industries, including insuring access to critical minerals.

- **Restricts procurement of certain technologies and services from foreign adversary countries or foreign entities of concern:** The House version of the bill includes new restrictions on defense acquisitions of advanced batteries and certain mineral inputs from foreign entities of concern, acquisitions of optical glass from foreign adversaries, contracting of tutoring services from foreign adversaries, and prohibits use of National Defense Sealift Fund to purchase vessels built in China. The Senate version of the bill prohibits procurement of Chinese seafood; procurement of clothing and fabric from foreign adversaries (in situations involving domestic sourcing requirement waivers); and proposes prohibiting procurement of TP-Link telecommunications products.[9] Both versions include measures to phase out acquisition of computer and printer equipment from entities owned or controlled by China, and to restrict acquisitions of light detection and ranging technology from foreign adversaries.

Legislating outbound US investment restrictions

The Foreign Investment Guardrails to Help Thwart (FIGHT) China Act[10] is a bipartisan bill that would expand limits and reporting requirements for US investors in certain technology sectors in China. The bill would cover acquisitions, debt financing, joint ventures, and any other equity interests (or convertible debts) and prohibit the covered investments in entities related to prohibited technologies, which include certain advanced semiconductors and design

[8] The January 2025 version of the "Entities Identified as Chinese Military Companies Operating in the United States in Accordance with Section 1260H of the William M. ("Mac") Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283)," is accessible here: https://media.defense.gov/2025/Jan/07/2003625471/-1/-1/1/ENTITIES-IDENTIFIED-AS-CHINESE-MILITARY-COMPANIES-OPERATING-IN-THE-UNITED-STATES.PDF.

[9] According to recent media reports, BIS may also soon invoke the ICTS Rule to prohibit TP-Link routers country-wide.

[10] See Section 1721 of the Senate approved bill. See also, S.Amdt.3926 to S.Amdt.3748, 119th Congress (2025-2026), accessible here: https://www.congress.gov/amendment/119th-congress/senate-amendment/3926.

automation software, certain advanced AI models, quantum computing, supercomputers, and hypersonic technologies. New reporting requirements would apply to covered investments in a broader array of technologies related to semiconductors and AI, which are not classified within the prohibited technologies categories. An identical bill to the Senate's FIGHT China Act was introduced to the House in March 2025 by a bipartisan group of representatives, but it is not part of the House's version of the 2026 NDAA.[11]

The legislative efforts would expand upon the Outbound Investment Security Program (OISP), which was established in 2023 by the Biden administration under executive branch authorities. The OISP restricts or requires notifications for certain types of outbound investments by US persons in entities associated with China, Macau, and Hong Kong, specifically when those investments involve semiconductors and microelectronics, quantum information technologies, and AI. Following the issuance of this rule, Congress has continued to negotiate over varying legislative approaches to restricting US investment in China. The FIGHT China Act reflects these ongoing discussions by combining elements of a broader OISP framework with proposals for an entity-specific sanctions program.

Committee on Foreign Investment in the United States (CFIUS) expansions

The Senate version of the bill includes two notable expansions of the Committee on Foreign Investment in the United States' (CFIUS) enforcement scope:

1. Expand the scope of industries subject to review by CFIUS and potentially prohibit certain transactions to include transactions of agricultural land near military facilities.[12] In general, the president would be required to prohibit covered transactions that involve persons from China, Russia, Iran, and North Korea.

2. Require CFIUS to annually review and update the list of national security sensitive sites.[13] Real estate transactions involving property near listed sites are subject to CFIUS review.

Global IUU fishing and forced labor enforcement

The Fighting Foreign Illegal Seafood Harvests (FISH) Act of 2025[14] would establish a global strategy for combatting illegal, unreported, and unregulated (IUU) fishing and forced labor in the fishing industry. The bill is amended to the Senate version of the 2026 NDAA, but not the House version.

The bill directs the National Oceanic and Atmospheric Administration (NOAA) to create a new IUU Vessel List, which will publicly catalogue "foreign vessels, foreign fleets, and beneficial owners of foreign vessels or foreign fleets engaged in IUU fishing or fishing-related activities in support of IUU fishing." Owners and beneficial owners of listed entities would be subject to visa sanctions and revocation of any current visas. The sponsors of the bill intend for the visa sanction to, in effect, prevent any vessels that are determined to be involved in IUU fishing from entering US ports. The bill also encourages the president to enter into new cooperation agreements with other countries to counter IUU fishing, urges the Coast Guard to increase enforcement activities, and promotes greater adoption of high seas boarding and inspection programs in regional fisheries management organizations.

The bill also directs the Interagency Working Group on IUU Fishing to develop a strategy to combat forced labor in the fishing industry. The Working Group is directed to "identify information and resources to prevent fish and fish products from IUU fishing and fishing that involves the use of forced labor from negatively affecting United States commerce." Additionally, the Department of Commerce is directed to "develop a strategy for utilizing relevant United States Government data to identify seafood harvested on foreign vessels using forced labor." The bill relies on

[11] H.R.2246 - Foreign Investment Guardrails to Help Thwart (FIGHT) China Act, 119th Congress (2025-2026), accessible here: https://www.congress.gov/bill/119th-congress/house-bill/2246.

[12] Section 1075 of the Senate approved bill.

[13] Section 1067 of the Senate approved bill.

[14] Subtitle I, Sections 1091 – 1099F of the Senate approved bill. See also, S.Amdt.3888 to S.Amdt.3748, 119th Congress (2025-2026), accessible here: https://www.congress.gov/amendment/119th-congress/senate-amendment/3888.

Section 307 of the Tariff Act of 1930 for its definitions of forced labor, but the bill would not create any new authorities to restrict imports.

Trump Administration Exempts Certain Agriculture Products and Fertilizer Inputs from IEEPA Reciprocal Tariffs

On November 14, 2025, President Trump issued an executive order (EO) suspending the global baseline and reciprocal tariffs imposed under the International Emergency Economic Powers Act (IEEPA) for certain agricultural products and fertilizers.[15] The newly tariff exempted products include 248 HTSUS 8-digit codes for coffee, tea, beef, tomatoes, bananas, oranges, nuts, spices, chocolate, a variety of tropical fruits and juices, and fertilizer inputs.

Media reports suggest the tariff exclusions were issued to address growing concerns in the Trump administration about the impact of their tariffs on inflation. In the White House fact sheet,[16] the Trump administration credited the new tariff exceptions to "the substantial progress in reciprocal trade negotiations – including the conclusion of 9 framework deals, 2 final agreements on reciprocal trade, and 2 investment agreements – current domestic demand for certain products, and current domestic capacity to produce certain products, among other things[.]"

Update: On November 20, 2025, President Trump issued second Executive Order, which adds the exceptions to the Brazil 40% IEEPA tariff exceptions list as well.[17]

Expansion of the Annex II exclusions list

The EO implements the new exceptions by amending the Annex II IEEPA tariff exceptions list, which was introduced in the April 2 EO establishing the reciprocal tariffs.[18] The revised Annex II, which is included in the annexes to the November 14 EO,[19] identifies new exceptions with the note "addition." Annex I of the EO provides the technical legal instructions, incorporating the new exceptions directly into the HTSUS Chapter 99 notes at Subdivision (v)(iii) of US note 2 to subchapter III.

Most of the new exceptions apply broadly to all products classified within the 8-digit HTSUS codes. Certain products denoted with an "Ex" in the note column have a narrower tariff exclusion, which is based on the description provided instead of the entire HTSUS code.

Tariff orders affected

The new exception applies to all tariffs that rely on the Annex II exceptions list, including the IEEPA 10% baseline tariff; all higher, country-specific IEEPA reciprocal tariffs; the tariffs imposed under the reciprocal trade agreements; and the additional 25% IEEPA "secondary tariff" on imports from India. As the IEEPA reciprocal tariffs are the basis

[15] Executive Order of November 14, 2025: "Modifying the Scope of the Reciprocal Tariff with Respect to Certain Agricultural Products," accessible here: https://www.whitehouse.gov/presidential-actions/2025/11/modifying-the-scope-of-the-reciprocal-tariff-with-respect-to-certain-agricultural-products/; and the technical annexes (Annex I, which includes the HTSUS amendments, and the revised Annex II list) are accessible here: https://www.whitehouse.gov/wp-content/uploads/2025/11/annex.pdf.

[16] White House "Fact Sheet: Following Trade Deal Announcements, President Donald J. Trump Modifies the Scope of the Reciprocal Tariffs with Respect to Certain Agricultural Products," November 14, 2025, accessible here: https://www.whitehouse.gov/fact-sheets/2025/11/fact-sheet-following-trade-deal-announcements-president-donald-j-trump-modifies-the-scope-of-the-reciprocal-tariffs-with-respect-to-certain-agricultural-products/.

[17] Executive Order of November 20, 2025: "Modifying the Scope of Tariffs on the Government of Brazil," accessible here: https://www.whitehouse.gov/presidential-actions/2025/11/modifying-the-scope-of-tariffs-on-the-government-of-brazil/.

[18] See Annex II of 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, 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.

[19] The 12 HTSUS Chapter 44 codes for hardwood timber and lumber in the revised Annex II list are incorrect. The correct tariff exclusions for Chapter 44 are listed in the current HTSUS Chapter 99 notes. Since the Chapter 99 amendments in Annex I do not contain this error, the actual tariff rules in Annex II are unaffected.

for President Trump's reciprocal tariff deals, the new exceptions list will alter US tariff commitments under these agreements.

The Brazil 40% IEEPA tariff has a separate exceptions list and is not affected by the change. Similarly, the IEEPA-fentanyl tariffs on imports from China, Canada, and Mexico remain unchanged.

Entry into force

The tariff exceptions are retroactive to the day before President Trump issued the EO, entering into effect with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern standard time on November 13, 2025.

US Customs and Border Protection's (CBP) notice instructs importers to correct import declarations to account for the change or to seek refunds if duties have already been deposited.[20]

Products affected

The new exceptions cover a broad range of products, including various tropical foods not produced in significant quantities in the United States (based on the "Potential Tariff Adjustments for Aligned Partners" (PTAAP) list), several miscellaneous food products, certain foods and plant products used in religious ceremonies, and specific fertilizer inputs that were not exempted under the original Annex II list. In 2024, US imports of these products totaled between $51.6 billion and $67.3 billion. The EO does not provide reasons for the selection of particular products for tariff exclusion or for the omission of similar products (for example, coffee is on the exclusion list, but instant coffee is not).

- **Agricultural products that are not produced in significant quantities in the United States:** The exceptions for tropical food products include coffee, tea, tropical fruits, nuts, spices, and chocolate. These products were previously part of the PTAAP list, designated as not being produced in the United States in sufficient quantities.
- **Other food products and fruits not previously on the PTAAP list:** The EO exempts beef, fresh tomatoes, oranges and orange juice, acai berries and acai juice, and coconut juice from the tariffs. The beef exception is the most significant, covering nearly all products imported under HTSUS 0201 (fresh beef) and 0202 (frozen beef), as well as preserved beef products under HTSUS 1602.
- **Several food products used in religious ceremonies:** The list includes several special exceptions for food products used in religious ceremonies, which were also previously part of the PTAAP list. These products include etrogs, myrtle, and date palm branches (which are used in the Jewish holiday of Sukkot); Christian communion bread; and essential oils for religious purposes. These exceptions are based on the product's intended use and do not cover all products classified within the listed HTSUS 8-digit code.
- **Specific fertilizer inputs that had not been exempted under the original Annex II list:** The Trump administration exempted many fertilizer inputs under the original Annex II exceptions list. The new EO adds several more exceptions, mostly consisting of urea and phosphate inputs.

Removal from the Potential Tariff Adjustments for Aligned Partners Annex

Of the 248 HTSUS codes on the new exceptions list, 171 were previously included in the PTAAP list. President Trump issued the PTAAP list in Annex III of EO 14346 in September, instructing his negotiators to offer tariff exceptions for the listed products as incentives to finalize reciprocal trade deals.[21] With the new blanket exception, all US trade partners now benefit from these exceptions, regardless of whether they have reached reciprocal trade

[20] "CSMS # 66814923 - UPDATE– Agricultural Products Exempted from Reciprocal Tariffs," November 14, 2025, accessible here: https://content.govdelivery.com/bulletins/gd/USDHSCBP-3fb83cb.

[21] Executive Order 14346 of September 5, 2025: "Modifying the Scope of Reciprocal Tariffs and Establishing Procedures for Implementing Trade and Security Agreements," 90 FR 43737, accessible here: https://www.federalregister.gov/documents/2025/09/10/2025-17507/modifying-the-scope-of-reciprocal-tariffs-and-establishing-procedures-for-implementing-trade-and.

deals. The revised, shortened PTAAP list is included in the third annex of the EO. The new tariff exceptions cover most of the tropical agricultural products that were previously on the PTAAP list.

President Trump recently granted tariff exceptions for many of these products (such as coffee, spices, and various fruits) in reciprocal trade agreements with Malaysia and Cambodia, announced on October 26, 2025. However, because these products are now excluded from the IEEPA tariffs worldwide, the EO partially preempts the implementation of the two trade agreements. Shortly before announcing the new tariff exceptions, the Trump administration announced that it had reached frameworks for reciprocal trade agreements with South Korea, Switzerland, Argentina, El Salvador, Ecuador, and Guatemala. These notional agreements also include pledges by the Trump administration to provide exceptions for products not grown, mined, or naturally produced in sufficient quantities in the United States. The joint statements on these framework agreements do not include specific product lists, making it unclear to what extent these preliminary agreements have been preempted by the EO's new tariff exceptions.

CBP Increases Air Cargo Data Requirements; Opens CTPAT Third-Party Logistics Providers Pilot

In late November 2025, US Customs and Border Protection (CBP) issued two new rules affecting certain cargo entry procedures for certain logistics providers.

Air Cargo Advance Screening (ACAS) Interim Final Rule

On November 21, 2025, CBP published an interim final rule (IFR) expanding the mandatory Air Cargo Advance Screening (ACAS) program by adding new mandatory data elements for all shipments and new conditional elements for certain shipments.[22] Air carriers and certain other filers are required under ACAS to transmit data before loading cargo onto aircraft. CBP uses the data to identity and target high-risk cargo before is shipped to the United States. CBP has determined that it needs more information under ACAS to ensure security, prompting development of the IFR new data disclosures.

The new ACAS data requirements include:

- New mandatory data elements (at the lowest air waybill level) now include consignee email address and phone number for all shipments, plus certain location/ship-to fields.
- New conditional element tied to shipper status: ACAS filings must indicate whether the shipper is a "Verified Known Consignor" (VKC) and, if so, transmit the VKC registration number and CBP designating-body code.
- If no VKC, additional conditional data may be required, especially for lower-frequency/unknown shippers: including shipper email and phone, customer account identifiers (name/issuer/number), account shipping frequency/volume code, account establishment date, billing type, and in some cases the unmasked IP/MAC-address data tied to the shipment or account creation.

The IFR is effective immediately upon publication, although CBP will phase in full enforcement over the next 12 months. CBP's regulatory impact analysis projects up to $1.1 billion in implementation costs over fiscal years 2024–2033 for affected logistics providers. The IFR notes that CBP intends to recognize the EU known consignor program as equivalent and will recognize US Transportation Security Administration (TSA) known shippers as equivalent.

[22] Enhanced Air Cargo Advance Screening (ACAS), 90 FR 52796 (November 21, 2025), accessible here: https://www.federalregister.gov/documents/2025/11/21/2025-20606/enhanced-air-cargo-advance-screening-acas; and CSMS # 66916746 - Update Enhanced Air Cargo Advance Screening (ACAS), November 25, 2025, accessible here: https://content.govdelivery.com/accounts/USDHSCBP/bulletins/3fd118a. For more information, the latest ACAS Implementation Guide is accessible here: https://www.cbp.gov/document/guides/air-cargo-advance-screening-acas-implementation-guide.

Call for public input

As an IFR, the rule is preliminary. CBP is still considering revisions and accepting public input. Public comments may be submitted until January 20, 2026. The IFR provides additional instructions on how to participate and submit comments. CBP 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.

Customs Trade Partnership Against Terrorism (CTPAT) Pilot for Third Party Logistics Providers

On November 21, 2025, CBP issued a General Notice announcing a pilot program for asset-based and non-asset-based third-party logistics providers (3PLs) to participate in the Customs Trade Partnership Against Terrorism (CTPAT).[23] Asset-based 3PLs provide logistics services using their own warehousing assets and transport resources. Non-asset-based 3PLs do not own assets but partner with a network of other carriers and providers to a client's supply chain needs. The notice invites 3PLS to contact CBP if they wish to participate in the pilot program and provides further details on the plans for the pilot. Companies that apply to participate will be considered on an individual basis and must meet certain basic security requirements. The pilot will begin no earlier than December 1, 2025, and will run for no more than five years.

About CTPAT

CTPAT is the United States' equivalent of a customs trusted trader program. Congress established the program after the September 11 terrorist attacks to create a partnership between the government and importers to improve supply chain security from the point of origin to the point of distribution. CTPAT focuses heavily on enhanced security screening of its participants. Private sector participants that meet CTPAT's security requirements are entitled to reduced examination rates, access to Free and Secure Trade (FAST) lanes, and front-of-the-line processing.

Updated CTPAT guidance issued in 2008 allowed certain types of third-party logistics providers to participate in the program but excluded many others.[24] The guidance defined a third-party logistics provider as a "firm that provides outsourced or 'third party' logistics services to companies for part, or sometimes all of their supply chain management function." CBP's guidance explicitly excluded non-asset-based providers from participation.

Legislation ordering the pilot

The pilot program implements S. 794, the "Customs Trade Partnership Against Terrorism [CTPAT] Pilot Program Act of 2023," which President Biden signed into law on October 1, 2024.[25] The law instructs DHS to carry out a voluntary pilot program to assess whether adding a broader variety of third-party logistics providers (including non-asset-based providers) to CTPAT would "enhance port security, combat terrorism, prevent supply chain security breaches, or otherwise meet the goals of CTPAT." The law was introduced by a bipartisan group of Senators in March 2023, approved by the Senate in July 2023, and then approved by the House on September 23, 2024. The International Warehouse Logistics Association (IWLA) and the Transportation Intermediaries Association (TIA) were key supporters of S. 794, hoping it would help more of their members participate in CTPAT.[26]

[23] "Asset-Based and Non-Asset-Based Third Party Logistics Customs Trade Partnership Against Terrorism (CTPAT) Program Pilot," 90 FR 52690 (November 21, 2025), accessible here: https://www.federalregister.gov/documents/2025/11/21/2025-20648/asset-based-and-non-asset-based-third-party-logistics-customs-trade-partnership-against-terrorism.

[24] CBP's guidance for third-party logistics providers participation in CTPAT is accessible here: https://www.cbp.gov/sites/default/files/documents/3pl_security_criteria_3.pdf.

[25] S.794 - CTPAT Pilot Program Act of 2023, 118th Congress (2023-2024), accessible here: https://www.congress.gov/118/bills/s794/BILLS-118s794enr.pdf.

[26] "IWLA Statement on the Introduction of CTPAT Pilot Program Act," December 21, 2023, accessible here: https://iwla.com/iwla-statement-on-the-introduction-of-ctpat-pilot-program-act/; and "TIA Celebrates Passage of CTPAT Pilot Program Act," November 24, 2024, accessible here: https://news.tianet.org/strengthening-supply-chains-tia-celebrates-passage-of-ctpat-pilot-program-act-2/.

After completing the pilot, DHS will provide a report to Congress on its findings. Lessons learned from the pilot would then inform potential longer-term revisions to the rules around third-party logistics provider participation in CTPAT. The law also instructs the Government Accountability Office (GAO) to submit a report to Congress on the effectiveness of CTPAT in improving port security in one year.

Trade Actions

Section 301

USTR Extends China Section 301 Tariff Exclusions Through November 9, 2026

On November 26, 2025, the United States Trade Representative (USTR) announced the extension of all active product exclusions under the China Section 301 tariffs through November 9, 2026.[27] The 178 exclusions were previously scheduled to expire on November 29, 2025.[28]

The one-year extension fulfills a commitment made by the Trump administration as part of the third US-China trade war de-escalation agreement, which the two governments unveiled on October 30, 2025.[29] The agreement includes the suspension of various trade restrictions, such as the recently introduced export controls, reductions in US tariffs on Chinese imports and China's retaliatory tariffs, delays to scheduled tariff increases, suspension of the new vessel services fees, and suspension of various entity-specific enforcement actions taken by China in recent months. Most of the specific commitments were implemented in early November, though negotiations continue regarding China's export control and soybean purchase commitments.

China Section 301 exclusions and recent extensions

Since 2018, USTR has issued various lists of exclusions from the China Section 301 tariffs. 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 subsequently 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.[30]

The two active sets of exclusions are:

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

[27] "USTR Extends Exclusions from China Section 301 Tariffs Related to Forced Technology Transfer Investigation," USTR, November 26, 2025, accessible here: https://ustr.gov/about/policy-offices/press-office/press-releases/2025/november/ustr-extends-exclusions-china-section-301-tariffs-related-forced-technology-transfer-investigation; and "Notice of Product Exclusion Extensions: China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation," 90 FR 55232 (December 1, 2025), accessible here: https://www.federalregister.gov/documents/2025/12/01/2025-21671/notice-of-product-exclusion-extensions-chinas-acts-policies-and-practices-related-to-technology.

[28] A list of the active exclusions is available on the USTR website at "Index of Current Exclusions," 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.

[29] "The spokesperson of MOFCOM answered reporters' questions on the joint arrangement of China-US economic and trade consultations in Kuala Lumpur," October 30, 2025, accessible here: https://www.mofcom.gov.cn/syxwfb/art/2025/art_e8453c07ce374814ba65bdb6ff5813c4.html (in Chinese); and "President Donald J. Trump Strikes Deal on Economic and Trade Relations with China," White House, November 1, 2025, accessible here: https://www.whitehouse.gov/fact-sheets/2025/11/fact-sheet-president-donald-j-trump-strikes-deal-on-economic-and-trade-relations-with-china/.

[30] "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.

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.

Extension decisions and the recent call for public comments

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. Trump administration officials had similarly suggested they intended to let the exclusions expire, viewing them as a temporary measure.

From September 16 to October 16, 2025, USTR held a request for comments on whether it should continue extending any of the product tariff exclusions for the China Section 301 tariff action.[31] The request for comments asked, "whether any of the 178 effective exclusions warrant further extension beyond November 29, 2025." USTR stated in the notice that it would review the comments submitted and consider whether the exclusions warrant further extension on a case-by-case basis. USTR states in the extension notice that it had received comments supporting the extension of147 exclusions and comments opposing the continuation of 10 exclusions. Although USTR reviewed these comments, the decision to extend all exclusions for another year was ultimately based on the terms of the trade war de-escalation agreement.

[31] "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.

Trade Agreements

United States and China Agree to Extend Trade War De-escalation for One Year

On October 30, 2025, the United States and China announced a third agreement to de-escalate the US-China trade war. The agreement suspends various trade restrictions imposed by both governments, including suspending recently unveiled export controls, lowering US tariffs on imports from China and China's retaliatory tariffs, delaying scheduled tariff increases, suspending the new vessel services fees imposed by both governments, and suspending various entity-specific enforcement actions taken by China in recent months. Unlike previous de-escalation agreements, which only lasted for 90 days, the new arrangement will last for one year, providing increased certainty for businesses. Both governments intend to continue negotiations with the goal of extending the agreement again in the third quarter of 2026.

Recent escalation and October negotiations

Since the Trump administration escalated US-China trade tensions in early 2025 through a series of tariff orders and subsequent rounds of retaliation, the United States and China have negotiated two consecutive 90-day agreements to de-escalate tensions.[32] The latest truce was set to expire on November 10, at which point the United States' 10% baseline tariff imposed under the International Emergency Economic Powers Act (IEEPA) was scheduled to increase to the full 34% reciprocal rate, and China planned to impose an equivalent retaliatory tariff.[33] While these agreements have prevented tariffs from reaching blockade levels and have curbed the expansion of export controls, the overall trade environment remains more restrictive than it was before January 2025.

Trade tensions escalate again

As both governments prepared to negotiate a possible extension of the truce beyond November 10, the dispute escalated again in October. The United States imposed new Section 301 vessel fees and tariffs targeting China in early October and then introduced the Affiliates Rule, a significant expansion of US export controls which fell heavily on Chinese companies. China had also boycotted US soybeans to put pressure on the Trump administration. After the United States imposed the vessel fees and Affiliates Rule, China retaliated with vessel fees on US-owned or built ships and introduced a significant expansion of global export controls on critical minerals and derivative articles. President Trump responded to the critical mineral export control announcement by threatening to impose significant new tariffs and export controls on trade with China, though he ultimately did not issue formal legal instructions to implement these measures.

Negotiating the third de-escalation agreement

Despite the escalation, the two governments proceeded with negotiations in late October. Ambassador Jamieson Greer and Treasury Secretary Scott Bessent met with Vice Premier He Lifeng and International Trade Representative Li Chenggang for negotiations in Malaysia on the sidelines of the ASEAN Summit on October 25 in Kuala Lumpur. After reaching an agreement in principle at that meeting, Presidents Trump and Xi met in South Korea on the sidelines of the APEC summit to finalize the arrangement. The outcome of the leaders' meeting was first outlined in a spokesperson statement from the Chinese government on October 30.[34] President Trump, Ambassador Greer, and

[32] For the first de-escalation agreement, see "Joint Statement on U.S.-China Economic and Trade Meeting in Geneva," May 12, 2025, accessible here: https://www.whitehouse.gov/briefings-statements/2025/05/joint-statement-on-u-s-china-economic-and-trade-meeting-in-geneva/, and here: https://www.mofcom.gov.cn/syxwfb/art/2025/art_3bcf393df58d4483804c0c3d692a5744.html (in Chinese). For the second de-escalation agreement, see "Joint Statement on U.S.-China Economic and Trade Meeting in Stockholm," August 11, 2025, accessible here: https://www.whitehouse.gov/briefings-statements/2025/08/joint-statement-on-u-s-china-economic-and-trade-meeting-in-stockholm/, and here: https://www.mofcom.gov.cn/xwfb/rcxwfb/art/2025/art_0453aabb67694e04a9eef99753d0f161.html (in Chinese).

[33] Executive Order 14334 of August 11, 2025: Further Modifying Reciprocal Tariff Rates To Reflect Ongoing Discussions With the People's Republic of China, 90 FR 39305, accessible here: https://www.federalregister.gov/documents/2025/08/14/2025-15554/further-modifying-reciprocal-tariff-rates-to-reflect-ongoing-discussions-with-the-peoples-republic.

[34] The spokesperson of MOFCOM answered reporters' questions on the joint arrangement of China-US economic and trade consultations in Kuala Lumpur, October 30, 2025, accessible here: https://www.mofcom.gov.cn/syxwfb/art/2025/art_e8453c07ce374814ba65bdb6ff5813c4.html (in Chinese).

Secretary Bessent corroborated the broad contours of the Chinese statement following the meeting,[35] but the United States did not issue an official, comprehensive statement until the following Saturday evening.[36]

Unlike the original de-escalation agreement in May and the August extension, the United States and China have not issued a joint statement detailing a mutual understanding of the commitments. Some of the commitments, such as the full scope of China's critical mineral export control changes and tariff suspensions, remain unclear. Both governments gradually published implementing instructions for the various commitments throughout the week following the deal's announcement. The various actions adopted to date are summarized below, based on government rulemaking actions and media reports that followed the deal's announcement.

United States' commitments

President Trump appears to have agreed to the following actions for the United States. The relevant agencies implemented each of the changes through subsequent rulemaking actions over the following week, with most changes entering effect by November 10.

- **Suspend implementation of the Affiliates Rule for one year:** The Bureau of Industry and Security (BIS) issued the Affiliates Rule on September 29, 2025 to impose restrictions on entities 50% or more owned directly or indirectly by one or more entities on the Entity List, Military End-User (MEU) List, and certain entities on the Specially Designated Nationals and Blocked Persons (SDN) List.[37] Prior to the Affiliates Rule, BIS applied the restrictions only to the specifically named entities and their non-legally distinct branches. Under the de-escalation agreement, BIS has issued a one-year stay of the action, effective November 10, 2025.[38] The license requirements and related provisions of the Affiliates Rule will resume on November 10, 2026.
- **Continue suspension of the 34% IEEPA reciprocal tariff for the next year, leaving the 10% IEEPA baseline tariff in place:** The 34% IEEPA reciprocal tariff on imports from China, initially announced alongside the other global reciprocal tariffs in Executive Order 14257 of April 2, 2025[39] has been suspended since the first de-escalation agreement in May. Since then, only the 10% IEEPA baseline tariff has been assessed on imports from China. Under the second 90-day de-escalation agreement, the 34% rate had been scheduled to be reinstated on November 10, 2025. The new agreement extends the suspension of the 34% rate until November 10, 2026, maintaining the 10% baseline tariff for the next year.[40]
- **Lower the 20% IEEPA-fentanyl tariff to 10%:** The reduction in the tariff, which applies to all imports from China and Hong Kong, enters effect on November 10, 2025.[41] Previously, Trump administration officials indicated that the fentanyl tariffs would only be lifted after China demonstrated enhanced enforcement against the trade of

[35] *See*, for example, an October 30, 2025, Truth Social post by President Trump highlighting that China had agreed to suspend recent retaliatory actions as part of the agreement, accessible here: https://truthsocial.com/@realDonaldTrump/posts/115462098072054944.

[36] Fact Sheet: "President Donald J. Trump Strikes Deal on Economic and Trade Relations with China," White House, November 1, 2025, accessible here: https://www.whitehouse.gov/fact-sheets/2025/11/fact-sheet-president-donald-j-trump-strikes-deal-on-economic-and-trade-relations-with-china/.

[37] "Expansion of End-User Controls To Cover Affiliates of Certain Listed Entities," 90 FR 47201 (September 30, 2025), accessible here: https://www.federalregister.gov/documents/2025/09/30/2025-19001/expansion-of-end-user-controls-to-cover-affiliates-of-certain-listed-entities.

[38] "One Year Suspension of Expansion of End-User Controls for Affiliates of Certain Listed Entities," 90 FR 50857 (November 12, 2025), accessible here: https://www.federalregister.gov/documents/2025/11/12/2025-19846/one-year-suspension-of-expansion-of-end-user-controls-for-affiliates-of-certain-listed-entities.

[39] 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, 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.

[40] Executive Order 14358 of November 4, 2025: Modifying Reciprocal Tariff Rates Consistent with the Economic and Trade Arrangement Between the United States and the People's Republic of China, accessible here: https://federalregister.gov/d/2025-19826.

[41] Executive Order 14357 of November 4, 2025: Modifying Duties Addressing the Synthetic Opioid Supply Chain in the People's Republic of China, accessible here: https://federalregister.gov/d/2025-19825.

fentanyl precursor chemicals, exceeding the pre-trade war levels of cooperation. In exchange for the tariff reduction, China announced new export controls on certain fentanyl precursor chemicals (discussed below). President Trump also stated that the other 10 percentage points of the tariff will be withdrawn once China demonstrates further progress.

- **Suspend the Section 301 vessel fees and cargo handling equipment tariffs for one year:** On October 14, 2025, the United States implemented its new Section 301-based vessel fees on (i) vessels that are owned or operated by China-linked entities, (ii) most vessels that were built in China but owned and operated by non-Chinese entities, and (iii) all foreign-built vehicle carriers.[42] The action also imposed additional tariffs on certain Chinese cargo handling equipment, with the possibility of expanding to more equipment types. Under the de-escalation agreement, USTR has suspended these actions, including all three vessel fees and the tariffs, for one year, effective from November 10, 2025 through November 9, 2026.[43]
- **Continue to extend certain product exclusions from the Section 301 tariffs:** The 178 active product exclusions from the Section 301 tariffs are currently scheduled to expire on November 29, 2025, following several brief extensions by the Trump administration over the past few months. Should these exclusions expire, the listed products will be subject to Section 301 tariffs of either 25% or 7.5%. Most recently, on September 16, 2025, 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.[44] Under the new de-escalation agreement, USTR will extend the exceptions until November 10, 2026.

All applicable Section 232 tariffs and the 2018 Section 301 tariffs remain in full effect for imports from China. The Section 301 tariffs stack on all other applicable tariffs, while the 10% (previously 20%) IEEPA-fentanyl tariff applies to all products. Because of this mix of overlapping tariffs, the total tariff on any one product originating from China varies significantly. For example, aluminum oxide (HTSUS 2818.20.00) is on the IEEPA Annex II exception list and not subject to Section 301 or Section 232 tariffs, making its total tariff only 10% (the 10% IEEPA-fentanyl rate and a 0% MFN tariff). In contrast, an electric vehicle from China (HTSUS 8703.80.00) would face a total tariff of 137.5% (the 10% IEEPA-fentanyl tariff, the 25% Section 232 tariff, the 100% Section 301 tariff, and the 2.5% MFN tariff).

Review of the US-China Phase One Agreement to continue

Shortly before the negotiators met, USTR initiated a new Section 301 investigation on China's compliance with its obligations under the January 2020 Economic and Trade Agreement Between the Government of the United States of America and the Government of the People's Republic of China (Phase One Agreement).[45] The investigation could provide USTR with grounds to impose additional Section 301 tariffs on imports from China, or it could be a fact-finding and negotiating process for revisiting the Phase One Agreement's commitments with China. Ambassador

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[42] "Notice of Action and Proposed Action in Section 301 Investigation of China's Targeting the Maritime, Logistics, and Shipbuilding Sectors for Dominance, Request for Comments," 90 FR 17114 (April 23, 2025), accessible here: https://www.federalregister.gov/documents/2025/04/23/2025-06927/notice-of-action-and-proposed-action-in-section-301-investigation-of-chinas-targeting-the-maritime; as amended by, "Notice of Modification and Proposed Modification of Section 301 Action: China's Targeting of the Maritime, Logistics, and Shipbuilding Sectors for Dominance," 90 FR 48320 (October 16, 2025), accessible here: https://www.federalregister.gov/documents/2025/10/16/2025-19568/notice-of-modification-and-proposed-modification-of-section-301-action-chinas-targeting-of-the.

[43] "Notice of Modification of Section 301 Action: China's Targeting of the Maritime, Logistics, and Shipbuilding Sectors for Dominance," advance copy of the Federal Register Notice, November 9, 2025, accessible here: https://ustr.gov/sites/default/files/files/Press/Releases/2025/Section%20301%20Ships%20FRN%20Action%20Suspension%2011-9-25%20Final.pdf.

[44] "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.

[45] "Initiation of Section 301 Investigation: China's Implementation of Commitments under the Phase One Agreement; Notice of Hearing; and Request for Public Comments," 90 FR 48733 (October 28, 2025), accessible here: https://federalregister.gov/d/2025-19679; and "USTR Initiates Section 301 Investigation of China's Implementation of the Phase One Agreement," USTR, October 24, 2025, accessible here: https://ustr.gov/about/policy-offices/press-office/press-releases/2025/october/ustr-initiates-section-301-investigation-chinas-implementation-phase-one-agreement.

Greer has stated USTR intends to continue the investigation, despite the de-escalation agreement. Speaking to press, he stated the de-escalation agreement did not solve the challenges faced by US companies operating in China and the USTR will continue working on those issues.

China's commitments

China's commitments appear to include the following:

- **Suspension of certain critical minerals-related export controls for one year:** On October 9, 2025, China's Industry Security and Import/Export Control Bureau (Security and Control Bureau) under the Ministry of Commerce (MOFCOM) issued six notifications to impose export controls on products, equipment, and technologies related to rare earth elements, semiconductors, superhard materials, and lithium batteries, among others.[46] Prior to that, in April 2025, China imposed export controls on certain medium and heavy rare earth elements and permanent magnets.[47] Under the previous de-escalation arrangements, China has been providing temporary licenses to US civilian end-users for the April controls but has not lifted those controls. Obtaining broad relief from these new export controls was the United States' primary negotiating priority.

  Under the new one-year de-escalation agreement, China will significantly ease its export controls. However, the two governments differ in their public accounts of China's commitments. According to the US factsheet, China will "issue general licenses valid for exports of rare earths, gallium, germanium, antimony, and graphite for the benefit of U.S. end users and their suppliers around the world," which "means the de facto removal of controls China imposed in April 2025 and October [2025]." In contrast, according to MOFCOM's spokesperson statements, "China will suspend the implementation of relevant export control measures announced on October 9 for one year and will study and refine specific plans."

  On November 7, 2025, the China Security and Control Bureau issued Announcement No. 70 of 2025, stating that MOFCOM and the General Administration of Customs (GAC) will suspend the implementation of the October 9 export control rules.[48] The suspension will last until November 10, 2026. The announcement does not reference the April 2025 export control actions or the statement that China will "study and refine specific plans." US media reports suggest that China may be considering actions to streamline the license process under the April export controls and potentially issue general licenses, but the government has not issued any official instructions.

  On November 9, 2025, MOFCOM published Notification No. 72/2025, suspending certain export control measures specifically targeting exports to the United States that were announced in MOFCOM Notification No. 46 of 2024 and have been in force since December 3, 2024.[49] The measures subject to suspension include (i) a

[46] MOFCOM Notification No. 55/2025, export control measures on superhard materials, accessible here: https://www.mofcom.gov.cn/zwgk/zcfb/art/2025/art_949f47563b834dad95b0010f375a892c.html;
MOFCOM Notification No. 56/2025, export control measures on certain rare earth equipment and materials, accessible here: https://www.mofcom.gov.cn/zwgk/zcfb/art/2025/art_1315078cebe04210bc35c72a4e7f7967.html;
MOFCOM Notification No. 57/2025, export control measures on certain medium and heavy rare earth items, accessible here: https://www.mofcom.gov.cn/zwgk/zcfb/art/2025/art_79646f0161564975a938fe00fee158d5.html;
MOFCOM Notification No. 58/2025, export control measures on lithium batteries and artificial graphite anode materials, accessible here: https://www.mofcom.gov.cn/zwgk/zcfb/art/2025/art_79646f0161564975a938fe00fee158d5.html;
MOFCOM Notification No. 61/2025, export control measures on certain overseas rare earth items (among others), accessible here: https://www.mofcom.gov.cn/zwgk/zcfb/art/2025/art_7fc9bff0fb4546ecb02f66ee77d0e5f6.html; and
MOFCOM Notification No. 62/2025, export control measures on certain rare earth technologies, accessible here: https://www.mofcom.gov.cn/zwgk/zcfb/art/2025/art_6cb42957741440c6984de696b70df9ae.html (in Chinese).

[47] MOFCOM and GAC Notification No. 18 of 2025, accessible here: https://www.mofcom.gov.cn/zwgk/zcfb/art/2025/art_9c2108ccaf754f22a34abab2fedaa944.html (in Chinese).

[48] MOFCOM Announcement No. 70 of 2025 and GAC Announcements No. 55, 56, 57, and 58 of 2025 and MOFCOM/GAC Announcements No. 61 and 62 of 2025 announcing the implementation of the decisions of MOFCOM/GAC Announcements No. 55, 56, 57, and 58 of 2025 and MOFCOM Announcements No. 61 and 62 of 2025, November 7, 2025, accessible here: https://www.mofcom.gov.cn/zwgk/zcfb/art/2025/art_b1ec77dd3f0d4762952904df7cdaadec.html (in Chinese).

[49] MOFCOM Announcement No. 72 of 2025 on the adjustment and implementation of the decision of MOFCOM Announcement No. 46 of 2024, November 9, 2025, accessible here: https://www.mofcom.gov.cn/zwgk/zcfb/art/2025/art_5c68985a6b1a46778e2e8dbff1bb1601.html; and

presumptive rejection of dual-use export license applications for exports of gallium, germanium, antimony, and superhard materials to the United States; and (ii) stricter end-user and end-use reviews on export of dual-use graphite items to the United States. The suspension entered effect on November 9, 2025 and will remain in effect until November 27, 2026.

- **Continue suspension of the scheduled 24 percentage point increase to its 10% retaliatory tariff on the US IEEPA reciprocal tariff:** After the United States imposed the 10% IEEPA baseline tariff in April, China imposed a 10% retaliatory tariff (which would increase to the reciprocal tariff rate of 34% if the United States imposes the full reciprocal rate).[50] In response to the US suspension of the China's full 34% IEEPA reciprocal tariff rate, China will continue to suspend its 24 percentage point retaliatory tariff increase for another year. China's 10% retaliatory tariff to the US IEEPA 10% baseline tariff will remain in effect on all imports from the United States, effective on 01:01 p.m. Beijing time on November 10, 2025, for the next year.[51]
- **Remove tariffs on US agriculture products imposed in retaliation for the 20% IEEPA-fentanyl tariff:** China responded to the US IEEPA-fentanyl tariffs in two stages. Following the initial 10% IEEPA-fentanyl tariff imposed by the United States on February 4, China levied an additional 15% tariff on coal and LNG; and an additional 10% tariff on crude oil, agricultural machinery, large-displacement vehicles, and pickup trucks.[52] On March 4, after the United States increased the IEEPA-fentanyl tariff from 10% to 20%, China imposed (i) a 15% additional duty on imports of US chicken, wheat, corn, and cotton; and (ii) a 10% additional duty on imports of US sorghum, soybeans, pork, beef, aquatic products, fruits, vegetables, and dairy products.[53] In response to the United States lowering the IEEPA-fentanyl tariff back to 10%, China will remove (i) the 15% tariff on chicken, wheat, corn, and cotton; and (ii) the 10% tariff on sorghum, soybeans, pork, beef, aquatic products, fruits, vegetables, and dairy products from the United States, effective on 01:01 p.m. Beijing time on November 10, 2025.[54]
- **Withdraw various investigations and sanctions actions targeting US companies:** As part of its retaliation strategy, China has adopted a broad range of entity specific actions targeting US companies. China has added US companies to the Export Control List (ECL) and the Unreliable Entities List (UEL), which it explicitly stated were retaliatory actions. China has also initiated several antimonopoly investigations of US companies (including Nvidia and Google), new antidumping investigations targeting imports from the United States, and new industry competitiveness investigations in recent months, which Washington has interpreted as also being part of China's retaliation strategy. On November 5, China issued statements confirming it intends to suspend various recent ECL[55] and UEL[56] listings of US companies for one year and suspended an anticircumvention investigation of

MOFCOM Announcement No. 46 of 2024 on strengthening export controls on relevant dual-use items to the United States, December 3, 2024, accessible here: https://www.mofcom.gov.cn/zwgk/zcfb/art/2024/art_3d5e990b43424e60828030f58a547b60.html (in Chinese).

[50] Announcement of the Tariff Commission of the State Council (CTC) on the imposition of tariffs on imported goods originating in the United States, Announcement of the Tariff Commission No. 4 of 2025, accessible here: https://gss.mof.gov.cn/gzdt/zhengcefabu/202504/t20250404_3961451.htm (in Chinese).

[51] CTC Announcement on adjusting the tariff measures on imported goods originating in the United States, Announcement of the Tariff Commission No. 10 of 2025, accessible here: https://gss.mof.gov.cn/gzdt/zhengcefabu/202511/t20251105_3975756.htm (in Chinese).

[52] CTC Announcement on the imposition of tariffs on some imported goods originating in the United States, Announcement of the Tariff Commission No. 1 of 2025, accessible here: https://www.mof.gov.cn/zhengwuxinxi/caizhengxinwen/202502/t20250204_3955222.htm (in Chinese).

[53] CTC Announcement on the imposition of tariffs on some imported goods originating in the United States, Announcement of the Tariff Commission No. 2 of 2025, accessible here: https://gss.mof.gov.cn/gzdt/zhengcefabu/202503/t20250304_3959228.htm (in Chinese).

[54] CTC Announcement on the suspension of tariff measures on some imported goods originating in the United States, Announcement of the Tariff Commission No. 9 of 2025, accessible here: https://gss.mof.gov.cn/gzdt/zhengcefabu/202511/t20251105_3975755.htm (in Chinese).

[55] The spokesperson of MOFCOM answered reporters' questions on the measures to adjust the export control list, November 5, 2025, accessible here: https://www.mofcom.gov.cn/xwfb/xwfyrth/art/2025/art_7e09fc75390f4a078466b56ac9d6503a.html (in Chinese).

[56] The spokesperson of MOFCOM answered reporters' questions on the measures to adjust the list of unreliable entities, November 5, 2025, accessible here: https://www.mofcom.gov.cn/xwfb/xwfyrth/art/2025/art_3cd57285290044edb3036563bc4c7352.html (in Chinese).

certain optical fibers from the United States.[57] The potential suspension of other actions, including the antimonopoly investigations, are unconfirmed.

- **Permit Nexperia's China facilities to resume exports of mature-node semiconductors:** China has stated it will issue export licenses for eligible exports to civilian end users and "strive to promote the resumption of supply by Nexperia (China)," while continuing to object to the actions taken by the Netherlands.[58]

- **Potential extension of certain product exclusions granted for the retaliatory tariffs imposed in response to the Section 301 tariff:** China's retaliatory tariffs to the US Section 301 tariffs allow importers to apply for certain market-based tariff exclusions for certain products. In recent months, China has indicated it would end the exclusions in late 2025. The US factsheet states that China has agreed to extend the exclusions through December 31, 2026, but China's statements do not explicitly acknowledge any commitments on the matter. Certain users have noted that China's exclusion filing system has started accepting new applications, after it was previously closed. The government of China has not made any official statements on the potential change.

- **Suspend fees on US-owned or built vessels imposed by China in retaliation for the US Section 301 vessel fees:** In response to the vessel fees and tariffs imposed by the United States in October 2025 under the Section 301 investigation of Chinese shipbuilding practices, China imposed similar fees on US-owned, flagged, or built vessels, initiated an investigation into US practices, and sanctioned certain Hanwha Ocean subsidiaries it alleged were supporting the US actions.[59] According to both governments' statements, China will lift these retaliatory measures in exchange for the United States suspending its Section 301 action for one year.

  On November 10, 2025, China's Ministry of Transportation (MOT) issued Notification No. 60/2025,[60] announcing (i) the suspension of special vessel fees on US ships imposed on October 14, effective from 1:00 p.m. on the same day, and (ii) the suspension of the MOT investigation into alleged US discriminatory measures against China's marine, shipbuilding, and related supply chains, which it initiated on October 14, 2025. At the same time, MOFCOM announced a suspension of the Hanwha Ocean sanctions.[61] The suspensions will remain in effect for one year, until November 10, 2026. MOFCOM stated that these actions respond to the US suspension of the Section 301 vessel fees and tariffs, which USTR issued on the evening of November 9.

- **Resume purchasing US soybeans, sorghum, lumber, and other agriculture products:** In recent months, China has boycotted certain US agriculture products, which was interpreted by Washington as an attempt to exert pressure on US negotiators. China has also imposed food safety and pest control-based import restrictions on several US products and exporters, including by suspending US lumber imports and suspending imports from several US soybean traders. China's GAC issued notices on November 7, 2025, removing the import suspension

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[57] MOFCOM Announcement No. 71 of 2025 on the suspension of anticircumvention measures for import-related cut-off wavelength displacement single-mode fibers originating in the United States, accessible here: https://trb.mofcom.gov.cn/myjjdc/art/2025/art_6bd305d0a9704b16a87b2823d2988063.html (in Chinese).

[58] The spokesperson of MOFCOM answered reporters' questions on issues related to Nexperia semiconductors, November 4, 2025, accessible here: https://www.mofcom.gov.cn/xwfb/xwfyrth/art/2025/art_793e01df3c9d4eb0b18a827d430cb8ba.html; and The spokesperson of MOFCOM answered reporters' questions on the European statement on Nexperia semiconductors, November 9, 2025, accessible here: https://www.mofcom.gov.cn/xwfb/xwfyrth/art/2025/art_93de1dd041a64bd1829a54d1f38eff51.html (in Chinese).

[59] MOT Notification No. 54/2025, MOT Announcement on the collection of special port fees for ships to US ships, accessible here: https://xxgk.mot.gov.cn/2020/jigou/syj/202510/t20251010_4177939.html; MOT Notification No. 55/2025, accessible here: https://xxgk.mot.gov.cn/2020/jigou/syj/202510/t20251013_4178126.html; and MOFCOM Decree No. 6 of 2025 on countermeasures against five US subsidiaries of Hanwha Marine Co., Ltd, October 14, 2025, accessible here: https://www.mofcom.gov.cn/zcfb/blgg/bl/2025/art/2025/art_c77b3df818ba400c9bfe78c2cd62ee36.html (in Chinese).

[60] MOT Notification No. 60/2025, accessible here: https://xxgk.mot.gov.cn/2020/jigou/syj/202511/t20251104_4179268.html (in Chinese).

[61] MOFCOM Decree No. 7 of 2025 on the suspension of countermeasures against five US subsidiaries of Hanwha Marine Corporation for one year, November 10, 2025, accessible here: https://www.mofcom.gov.cn/zwgk/zcfb/art/2025/art_6c39182947834183b260fe287d2c0792.html (in Chinese).

on US lumber, effective November 10, 2025,[62] and resuming import licenses for the suspended US soybean traders.[63]

Regarding the resolution of the soybean boycott, the US factsheet states that China has agreed to purchase 12 million metric tons of US soybeans by the end of January 2026, and continue with annual purchases of 25 million metric tons of soybeans for the next three years (the United States exported 27 million metric tons of soybeans to China in 2024). China has not elaborated on the purchase plan, but some US media outlets have reported that Chinese buyers have placed a small number of soybean and other grain orders in recent days.

- **Consider investing in the Alaska LNG project:** According to statements from US officials, China is considering investing in or entering into long-term purchasing agreements with the proposed Alaska LNG project. Securing investors and long-term purchasers to finance the US$44 billion project, which aims to build a new LNG export terminal and pipeline to ship natural gas from Alaska's North Slope to Asia, has become a major focus of the Trump administration's negotiations with Asian trade partners in recent months. China has not commented on the plan.

- **Allow President Trump to proceed with his deal to transfer the ownership of TikTok to a US entity:** According to the United States, an agreement on TikTok was finalized during the meetings in Malaysia. China stated that it has reaffirmed its earlier commitment to "properly resolve TikTok-related issues with the United States" but has not announced further details.

- **Increase cooperation to counter trafficking of fentanyl precursor chemicals:** The purported purpose of the IEEPA-fentanyl tariffs on China, Mexico, and Canada is to pressure the three countries into increasing cooperation on countering trade in fentanyl and precursor chemicals. On November 10, 2025, MOFCOM issued Notification No. 73/2025,[64] announcing adjustments to the Catalogue of Precursor Chemicals Exported to Specified Countries and Regions,[65] effective immediately. MOFCOM added 13 fentanyl precursor chemicals to the Catalogue, making exports of these substances to the United States, Canada, and Mexico — now designated countries — subject to export control.[66]

United States and Korea Announce Framework for a Reciprocal Trade and Investment Agreement

On November 13, 2025, the Trump administration and South Korean President Lee Jae Myung released a "Joint Fact Sheet" outlining the proposed US-Korea agreement on reciprocal trade and investment.[67] The announcement describes a preliminary framework rather than a finalized agreement and does specify implementation timelines.

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[62] GAC Notice No. 216/2025, accessible here: http://www.customs.gov.cn/customs/302249/2480148/6813576/index.html (in Chinese).

[63] GAC Notice No. 217/2025, accessible here: http://www.customs.gov.cn/customs/302249/2480148/6813628/index.html (in Chinese).

[64] MOFCOM Notification No. 73/2025, accessible here: https://www.mofcom.gov.cn/zwgk/zcfb/art/2025/art_df629a8dc2244bc4a57f3656618bfb5f.html (in Chinese).

[65] The updated Catalogue of Precursor Chemicals Exported to Specified Countries and Regions is accessible here: https://www.mofcom.gov.cn/api-gateway/jpaas-web-server/front/document/download?fileUrl=YW5UzzlvCwcM%2FNHHX%2FtT6KYc7i4iYCs13RxyX1cYsF7ws3Uq96GWzikjZK8f0dVnSLFULAdiyOAe8EYw33MozWwleqDG%2B5JdeoqwkRfYTyA4yX3G0JFXN9MmZOOYpNun2N9yRxNNClHyCVmCeAzJdi5YJ0V%2F%2B (PDF download link, in Chinese).

[66] The updated List of Designated Countries/Regions Related to Export Control of Precursor Chemicals, accessible here: https://www.mofcom.gov.cn/api-gateway/jpaas-web-server/front/document/download?fileUrl=YW5UzzlvCwcM%2FNHHX%2FtT6KYc7i4iYCs13RxyX1cYsF5CQhWpx6YtCbX1lDrB7BI9T9MWVA2hjveI9Uf4DXhnQj9eHfqusJ9XXPCtXM82tF84yX3G0JFXN9MmZOOYpNun2N9yRxNNClHyCVmCeAzJdi5YJ0V%2F%2BVlpsd6ARWq4y68%3D&fileName=2.%E7%89%B9%E5%AE%9A%E5%9B%BD%E5%AE%B6%EF%BC%88%E5%9C%B0%E5%8C%BA%EF%BC%89%E7%9B%AE%E5%BD%95.pdf (PDF download link, in Chinese).

[67] Joint Fact Sheet on President Donald J. Trump's Meeting with President Lee Jae Myung, November 13, 2025, accessible here: https://www.whitehouse.gov/fact-sheets/2025/11/joint-fact-sheet-on-president-donald-j-trumps-meeting-with-president-lee-jae-myung/ (US version) and here: https://www.president.go.kr/newsroom/briefing/PyaGp1wE (Korean version).

When completed, the agreement is expected to include new US tariff reductions, Korean commitments on non-tariff barriers and domestic regulations, and commitments by Korea to invest in the United States.

President Trump initially announced the deal in a July 2025 Truth Social post,[68] but at that time, it was only a high-level handshake agreement. Subsequent negotiations continued for several months. On October 29, President Trump and President Lee then met in Korea on the sidelines of the APEC summit. Following the meeting, President Lee's office issued a statement describing the framework agreement and Korea's rationale for accepting it,[69] while the United States did not issue a statement. The November 13 joint fact sheet is the first mutually agreed document outlining the reciprocal trade agreement the parties have issued.

Tariff commitments

US tariff commitments

The Trump administration is committing to moderating the reciprocal tariffs imposed on Korea under the International Emergency Economic Powers Act (IEEPA) and several of the Section 232 tariff actions. The commitments appear to generally provide Korea with treatment similar to Japan and the European Union (EU).

- **IEEPA reciprocal tariff rate:** For products covered by the IEEPA reciprocal tariff, the United States will apply the higher of either (i) a 15% IEEPA rate or (ii) the MFN or the preferential rate provided under the Korea – United States Free Trade Agreement (KORUS). This arrangement matches the IEEPA rates on imports from Japan and the EU for most products and would provide a small preference for certain products that have significant MFN tariff rate reductions under KORUS. Because KORUS eliminates nearly all standard US tariffs, nearly all imports from Korea will be subject to the 15% IEEPA rate.

  Following the July 31 modifications to the IEEPA rates, Korea has faced a 15% IEEPA reciprocal tariff, additive with any KORUS FTA or MFN tariff rate. Korea's original assigned IEEPA rate in the April 2 tariff order was 25%.

- **New IEEPA reciprocal tariff exceptions:** The United States will grant Korea IEEPA reciprocal tariff exceptions for generic pharmaceuticals, generic pharmaceutical ingredients, generic pharmaceutical chemical precursors, and certain natural resources unavailable in the United States. The specific HTSUS codes affected are not listed in the announcement but would be based on the Potential Tariff Adjustments for Aligned Partners (PTAAP) list.[70]

- **Civil aircraft and parts tariff exception:** The United States will grant a tariff exception for civil aircraft and aircraft parts for both (i) the IEEPA reciprocal tariffs and (ii) the Section 232 tariff actions on steel and steel derivative articles, aluminum and aluminum derivative articles, and semi-finished copper and intensive copper derivative products. As with the IEEPA tariff exemptions, this exemption is based on a list of aircraft and aircraft parts in the PTTAP list. Similar exemptions were granted in other recent reciprocal trade deals (including Japan and the EU), as well as in the additional 40% IEEPA tariff on imports from Brazil.

  Although the tariff exception applies to several Section 232 tariff orders, in addition to the IEEPA reciprocal tariffs, it is unclear whether the Trump administration intends to exempt these products from future Section 232 tariff orders as well. The Department of Commerce Bureau of Industry and Security (BIS) is currently carrying out Section 232 investigations on imports of commercial aircraft and jet engines (initiated on May 1, 2025) and unmanned aircraft and parts (initiated on July 1, 2025).

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[68] Truth Social post of July 30, 2025, accessible here: https://truthsocial.com/@realDonaldTrump/posts/114944494894008041.

[69] Briefing by Kim Yong-beom, head of the policy office, regarding the Korea-US luncheon summit, October 29, 2025, accessible here: https://www.president.go.kr/newsroom/briefing/D24K4MN6#none.

[70] Executive Order 14346 of September 5, 2025: "Modifying the Scope of Reciprocal Tariffs and Establishing Procedures for Implementing Trade and Security Agreements," 90 FR 43737, accessible here: https://www.federalregister.gov/documents/2025/09/10/2025-17507/modifying-the-scope-of-reciprocal-tariffs-and-establishing-procedures-for-implementing-trade-and.

- **Reducing certain Section 232 tariffs:** For products covered by Section 232 sectoral tariffs, the Trump administration has offered reduced rates for certain actions, with arrangements similar to those for the EU and Japan:

  – **Automobiles and automobile parts tariffs:** The United States will reduce the tariff to the higher of either (i) a 15% Section 232 rate or (ii) the MFN/KORUS FTA rate (the US 25% MFN tariff on light trucks will not phase out until 2041 under KORUS). The current Section 232 rate is 25%, additive with any applicable MFN tariff.

  – **Softwood timber and lumber, upholstered wooden furniture, and kitchen cabinets tariffs:** The United States will reduce the tariff to the higher of either (i) a 15% Section 232 rate or (ii) the MFN/KORUS FTA rate. The current Section 232 rates are 10% for softwood timber and lumber, 25% (increasing to 30% in 2026) for upholstered wooden furniture, and 25% (increasing to 50% in 2026) for kitchen cabinets, which are all additive with any applicable MFN tariff. The new Korea 15% rate is likely intended to apply to the upholstered wooden furniture and kitchen cabinets tariffs only, not the lower softwood timber and lumber rate (though the fact sheet does not specify).

  – **Pharmaceuticals investigation:** The potential future tariff on pharmaceuticals will be capped at 15% for Korea. President Trump announced on September 25 that he would impose a "100% Tariff on any branded or patented Pharmaceutical Product, unless a Company IS BUILDING their Pharmaceutical Manufacturing Plant in America." He has since delayed the action to negotiate company-specific deals.

  – **Semiconductors investigation:** For the potential future tariff on semiconductors and semiconductor manufacturing equipment, the United States will "provide terms for such Section 232 tariffs on Korea that are no less favorable than terms that may be offered in a future agreement covering a volume of semiconductor trade at least as large as Korea's, as determined by the United States." The Korean government has stated that this commitment is intended to provide Korean semiconductor manufacturers with equivalent treatment to Taiwanese semiconductor manufacturers (according to recent media reports, the Trump administration is close to completing a framework agreement with Taiwan that would include commitments to minimize US semiconductor tariffs). The EU framework agreement sets a 15% maximum tariff for the semiconductor Section 232 action, while the Japan framework agreement includes a similar "no less favorable terms" commitment. However, the EU and Japan agreements do not caveat the tariff rate commitment with a volume limit.

  – **Unaffected Section 232 actions:** The joint fact sheet does not mention any potential reductions to the Section 232 actions on steel and steel derivative articles; aluminum and aluminum derivative articles; semi-finished copper and intensive copper derivative products; or trucks, parts, and buses. It also does not reference limits to potential tariffs imposed under the ongoing investigations of critical minerals, civil aircraft, polysilicon, unmanned aircraft, wind turbines, robotics and industrial machinery, or medical supplies.

Korea's tariff commitments

The joint fact sheet does not reference any tariff reduction commitments by Korea. Under KORUS, Korea has eliminated almost all tariffs on US-origin products. Only a few US agricultural products remain subject to tariff rate quotas under KORUS, while the deadline to complete the phase-out of all seafood tariffs is in 2026.

Korea's non-tariff barrier and domestic regulation commitments

The joint fact sheet highlights several new non-tariff barriers and domestic regulation commitments by Korea, which are scheduled for adoption by the KORUS Joint Committee in the next few months. Many of these commitments address specific concerns raised by US companies in USTR's annual National Trade Estimate (NTE) Reports. The

Trump administration negotiated similar modifications to KORUS in 2018,[71] after threatening to withdraw from the agreement. The new commitments include:

- **Automotive trade:** Korea will remove the 50,000-vehicle limit on the number of US-originating vehicles that can be imported under US Federal Motor Vehicle Safety Standards (FMVSS) instead of Korean motor vehicle standards. The current cap was set in the 2018 negotiations, an increase from the original 25,000-vehicle cap. Korea has also agreed to streamline vehicle emissions certification requirements.
- **Food and agriculture non-tariff barriers:** Korea has agreed to work with the United States to streamline approval processes for agricultural biotechnology products, establish a dedicated team to handle US horticultural requests, and to not impose geographical indication (GI) restrictions on certain common cheese and meat names.
- **Digital services regulations:** Korea has made a variety of commitments on non-discrimination in digital services trade. This will include measures related to cross-border data flows (including for location, reinsurance, and personal data), network usage fees, and online platform regulation. The US technology industry hopes the commitments will stall the proposed Online Platform Regulation Act, which would impose new regulations on large technology companies. The pressure on Korea to abandon the Online Platform Regulation Act is part of a broader effort by the United States to slow the spread of laws similar to the EU Digital Markets Act. Korea will also support a permanent moratorium on customs duties on electronic transmissions at the WTO.
- **Intellectual property protection:** Korea will continue its work towards acceding to the Patent Law Treaty.
- **Competition proceedings:** Korea has agreed to recognize attorney-client privilege in competition proceedings.
- **Labor rights:** The fact sheet references intent to combat forced labor globally, including by "by combatting the importation of goods made with forced labor." Other recent reciprocal trade agreements have included commitments to introduce laws prohibiting imports of goods made with forced labor. The joint fact sheet does not specify whether Korea's commitment would amount to an import prohibition.
- **Environmental protection:** The joint fact sheet states that Korea will "effectively enforce its environmental laws to facilitate reciprocal trade, including by fully implementing the WTO Agreement on Fisheries Subsidies."

Economic security commitments

As with other recent reciprocal trade agreements, the joint fact sheet includes references to enhanced economic security cooperation, though the statements are vague. The commitments include references to:

- Combating tariff evasion;
- Taking complementary actions to address unfair and non-market policies and practices;
- Enhancing inbound investment regulations;
- Enhancing outbound investment regulations; and
- Ensuring that "international procurement obligations provide a benefit to those countries that have taken on the same commitments."

[71] Fact Sheet on U.S.-Korea Free Trade Agreement Outcomes, USTR, September 2018, accessible here: https://ustr.gov/about-us/policy-offices/press-office/fact-sheets/2018/september/fact-sheet-us-korea-free-trade.

US investment agreement

The joint fact sheet states that Korea has made commitments to finance hundreds of billions of dollars' worth of new investments in the United States. The investments would involve strategic industrial sectors, such as shipbuilding, energy, semiconductors, pharmaceuticals, critical minerals, and artificial intelligence/quantum computing.

For shipbuilding, the joint fact sheet specifies that the agreement includes $150 billion of Korean investment in the US shipbuilding sector. According to the Korean government, the shipbuilding investment financing will be in the form of loans and loan guarantees through commercial banks to Korean shipbuilding companies, including financing arrangements for ship orders from the Korean shipbuilders. Korean investments in US shipbuilding are already underway, with Hanwha Ocean acquiring Pennsylvania's Philly Shipyard in 2024. Hanwha Ocean has said it plans to invest $5 billion in expanding the facility.

Besides the shipbuilding investments, the joint fact sheet states there will be $200 billion of additional Korean investments in the other strategic sectors. The commitment resembles the investment commitment in the Japan framework agreement and investment memorandum of understanding (MOU) but includes additional guardrails. The total annual investment under the MOU will not exceed $20 billion, Korea has obtained commitments to avoid buying dollars to finance the investments in ways that would destabilize foreign exchange markets, and the investment commitments may be reduced if the transactions lead to market instability. Korea has argued these guardrails are necessary to ensure market stability. The Korean negotiators have also insisted on the investment projects having commercial rationality and robust guarantees that Korea will recover its investments.

The joint fact sheet states that Korea and the United States are still negotiating the details of the MOU. However, Korean officials have stated the MOU is already signed and have published a copy.[72] The Trump administration has not commented further on the MOU's status.

The joint fact sheet also "welcomed a series of commercial commitments in strategic sectors," including purchases of Boeing aircraft, existing private investment commitments, and a new US export promotion exhibition to be hosted in Korea. The joint fact sheet does not include any new export purchase commitments by Korea.

Other framework agreements announced alongside the Korea agreement

At the same time as the Korea announcement, the Trump administration announced frameworks for forthcoming agreements on reciprocal trade with Switzerland and Liechtenstein, Argentina, El Salvador, Ecuador, and Guatemala. As with the Korea statement, none of these announcements were accompanied by final agreement texts. The Latin America agreements[73] formalize the reduced reciprocal tariff rates set forth by President Trump's July 31, 2025 IEEPA tariff executive order, while the Switzerland and Liechtenstein deal[74] would lower the IEEPA rate to 15% or MFN (if higher) and provide new tariff reductions for several Section 232 actions. The Trump administration is also pledging to introduce new tariff exemptions for certain products, including raw materials and agricultural products. In return for the moderation of the US tariffs, these countries have agreed to varying tariff reductions, non-tariff barrier concessions, US investments and export purchases, and economic security cooperation policies.

[72] Memorandum of Understanding Between Korea and the United States with Respect to Strategic Investments, accessible here: https://www.motir.go.kr/attach/viewer/095a2dda9c864e1d90d751f7668a1117/f6603c070021c7f86001fdd38b1fd7a6/778bdbf5db9ced7c8fd52756c00bf0cd.

[73] For documents related to all four of the Latin America agreements, see "Ambassador Greer Issues Statement on Frameworks for Agreements on Reciprocal Trade with El Salvador, Argentina, Ecuador, and Guatemala," USTR, November 13, 2025, accessible here: https://ustr.gov/about/policy-offices/press-office/press-releases/2025/november/ambassador-greer-issues-statement-frameworks-agreements-reciprocal-trade-el-salvador-argentina.

[74] Joint Statement on a Framework for a United States – Switzerland – Liechtenstein Agreement on Fair, Balanced, and Reciprocal Trade, November 14, 2025, accessible here: https://www.whitehouse.gov/briefings-statements/2025/11/joint-statement-on-a-framework-for-a-united-states-switzerland-liechtenstein-agreement-on-fair-balanced-and-reciprocal-trade/.

United States Implements Certain Tariff Commitments Under the US-Korea Trade Deal

On December 4, 2025, the Department of Commerce International Trade Administration (ITA) and the United States Trade Representative (USTR) issued a Federal Register Notice[75] to implement certain tariff reductions under the Trump administration's "Korea Strategic Trade and Investment Deal," which the two countries announced in a "Joint Fact Sheet" on November 13, 2025.[76] The changes lower the Section 232 tariffs on automotive and wood products, as well as the IEEPA reciprocal tariff rate. Additionally, a new tariff exception for civil aircraft and parts is introduced, though the anticipated IEEPA tariff exceptions for pharmaceutical products and natural resources unavailable in the United States were not implemented. The automotive tariff reductions are retroactive to November 1, 2025, while the other changes apply retroactively from November 14, 2025.

The US-Korea Deal and implementation

On November 13, 2025, the Trump administration and South Korean President Lee Jae Myung released a "Joint Fact Sheet" outlining the proposed US-Korea agreement on reciprocal trade and investment. The announcement presents a preliminary framework rather than a finalized agreement and does specify implementation timelines. When completed, the agreement is expected to include new US tariff reductions, Korean commitments on non-tariff barriers and domestic regulations, and commitments by Korea to invest in the United States. President Trump initially announced the deal in a July 2025 Truth Social post,[77] but at that time, it was only a high-level handshake agreement. The November 13 joint fact sheet is the first mutually agreed document outlining the reciprocal trade arrangement between the two countries.

Although the agreement has not been finalized, the two countries have proceeded with implementation of certain provisions, including most of the US tariff reduction commitments. On November 26, South Korea's ruling party introduced the "Special Act on Strategic Investment Management between Korea and the United States" to the National Assembly. This legislation is intended to fulfill Korea's commitment to support $20 billion per year in investments in the United States, up to a total of $200 billion, as outlined in the agreement.[78] The Act would establish the Korea-US Strategic Investment Corporation, which would manage a fund financed by money from Korean foreign exchange reserves earnings and government-guaranteed bonds. The fund would also provide loans and loan guarantees to support the separate $150 billion pledge in private shipbuilding investments in the United States. On December 1, US Secretary of Commerce Howard Lutnick announced that, in return for Korea introducing the legislation, the Trump administration would proceed with issuing the pledged tariff reductions.[79]

Tariff modifications implemented in the December 4 Notice

- **Reduced IEEPA reciprocal tariff rate:** For products covered by the IEEPA reciprocal tariff, the tariff rate has been lowered from 15% to the higher of either (i) a 15% IEEPA rate or (ii) the MFN rate or the preferential rate provided under the Korea – United States Free Trade Agreement (KORUS).[80] Because KORUS eliminates nearly

[75] "Implementing Certain Tariff-Related Elements of the U.S.-Korea Strategic Trade and Investment Deal," December 4, 2025, accessible here: https://www.federalregister.gov/public-inspection/2025-21940/implementing-certain-tariff-related-elements-of-the-us-korea-strategic-trade-and-investment-deal; and CSMS # 66987366 - Guidance – Implementation of Tariff-Related Elements of the United States-Korea Strategic Trade and Investment Deal, December 3, 2025, accessible here: https://content.govdelivery.com/bulletins/gd/USDHSCBP-3fe2566.

[76] Joint Fact Sheet on President Donald J. Trump's Meeting with President Lee Jae Myung, November 13, 2025, accessible here: https://www.whitehouse.gov/fact-sheets/2025/11/joint-fact-sheet-on-president-donald-j-trumps-meeting-with-president-lee-jae-myung/ (US version) and here: https://www.president.go.kr/newsroom/briefing/PyaGp1wE (Korean version).

[77] Truth Social post of July 30, 2025, accessible here: https://truthsocial.com/@realDonaldTrump/posts/114944494894008041.

[78] Memorandum of Understanding Between Korea and the United States with Respect to Strategic Investments, accessible here: https://www.motir.go.kr/attach/viewer/095a2dda9c864e1d90d751f7668a1117/f6603c070021c7f86001fdd38b1fd7a6/778bdbf5db9ced7c8fd52756c00bf0cd.

[79] X (Twitter) post by the US Department of Commerce, December 1, 2025, accessible here: https://x.com/CommerceGov/status/1995563692230898128.

[80] The Special Program Indicator "KR" must be present in the relevant HTSUS Column 1 Special Rate field to make the determination using KORUS.

all standard Column 1 tariffs, most imports from Korea remain subject to a total tariff of 15%. This adjustment aligns Korea's treatment with the IEEPA tariff arrangements for Japan and the EU.

The Trump administration also committed to grant Korea new IEEPA reciprocal tariff exceptions for generic pharmaceuticals, generic pharmaceutical ingredients, generic pharmaceutical chemical precursors, and certain natural resources unavailable in the United States. However, these exceptions are not included in the December 3 notice. It remains unclear whether the Trump administration intends to implement the exceptions alongside the framework agreement, or wait until the parties conclude a final trade agreement. Notably, a similar exception list has not been implemented under the Japan trade deal, while the EU trade deal's exception list has been implemented.

- **Automobile (passenger vehicles and light trucks) and automobile parts Section 232 tariff reduction:** The notice reduces the Section 232 tariff from 25% to the higher of either (i) a 15% Section 232 rate or (ii) the MFN/KORUS FTA rate (the US 25% MFN tariff on light trucks will not phase out until 2041 under KORUS).

  The automotive tariff unstacking rule is sustained regardless of whether the Section 232 or KORUS rate applies, meaning that the products are still exempt from the Section 232 tariffs on steel, aluminum, and copper, as well as wood products (for automobile parts only). The IEEPA tariff also does not apply. Additionally, Clause 15 of Proclamation 10984, which addresses drawback eligibility, continues to apply to Korean automobiles and automobile parts. There is no tariff reduction for the Section 232 tariffs on trucks, buses, and their parts.

- **Timber, lumber, and derivatives Section 232 tariff reduction:** The notice reduces the Section 232 tariff on Korean-origin (i) upholstered wooden furniture and (ii) completed kitchen cabinets and vanities and parts of kitchen cabinets and vanities to a flat tariff rate of 15%, replacing the current Section 232 rate and any KORUS/MFN rate that may apply. The standard wood products Section 232 rates are 10% for softwood timber and lumber, 25% (increasing to 30% in 2026) for upholstered wooden furniture, and 25% (increasing to 50% in 2026) for kitchen cabinets and vanities and parts, which are all additive with any applicable MFN tariff. The Korea arrangement does not alter the 10% softwood lumber rate.

  Clauses 8 and 14 of Proclamation 10976, which address foreign trade zone entries and drawback eligibility, continue to apply to Korean-origin timber, lumber, and derivative products.

- **Tariff exception for certain civil aircraft and aircraft parts:** Korean-origin civil aircraft and aircraft parts, except for unmanned aircraft, are now exempt from the IEEPA reciprocal tariffs and the Section 232 aluminum, steel, and copper tariffs. Part B of the annex to the notice lists the 554 HTSUS codes that may qualify for the aircraft exception. The list is based on the Executive Order 14346 Annex III list of "potential tariff adjustments for aligned partners" (PTAAP), but does not include an exception for unmanned aircraft (HTSUS 8806). To claim the exception for a listed product, importers must certify on their entry summary that the imported product is a civil aircraft or is imported for use in a civil aircraft, in accordance with the standard rules in HTSUS General Note 6.[81]

  The list of aircraft exceptions for Korea is similar to those provided to the EU and Japan. In contrast, the UK and Brazil aircraft tariff exceptions include unmanned aircraft under HTSUS 8806. Another distinction is that the Korea list includes cork articles (4504.90.00), which are on the UK, Japan, and Brazil aircraft lists, but not on the EU or PTAAP lists. The EU list provides an IEEPA tariff exception for 4504.90.00 separately, while the PTAAP identifies it as a potential IEEPA exception.

- **Other expected Section 232 modifications:** The US-Korea agreement also includes commitments to cap any potential future tariffs under the pharmaceutical Section 232 action at 15% and to ensure that any future Section 232 tariffs on semiconductors will be no less favorable to Korea than terms offered in any future agreement

[81] 19 CFR 10.183, accessible here: https://www.ecfr.gov/current/title-19/part-10/section-10.183.

covering a comparable volume of semiconductor trade. These provisions are not included in the December 3 notice, as the relevant Section 232 actions are not yet implemented.

Entry into effect

The changes enter into effect on various dates, each with retroactive application:

- The tariff reductions for the Section 232 automotive action apply to automobiles and automobile parts entered for consumption, or withdrawn from warehouse consumption, on or after 12:01 a.m. eastern time on November 1, 2025.
- The tariff reductions for the Korea IEEPA reciprocal rate and for the Section 232 timber, lumber, and derivatives actions apply to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern time on November 14, 2025.
- The tariff exceptions for certain aircraft and aircraft parts apply to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern time on November 14, 2025.

CBP's guidance directs importers to request refunds for any excess tariffs paid on the affected products since the effective dates of the changes.

United States Announces Prospective Reciprocal Trade Deals with Argentina, Guatemala, El Salvador, and Ecuador

On November 13, 2025, the United States announced reciprocal trade deal frameworks with Guatemala, El Salvador, Ecuador, and Argentina. The White House issued joint statements outlining the key elements of each of these preliminary frameworks, with additional details provided in fact sheets released by the Office of the US Trade Representative (USTR) the same day.

While the tentative trade deals share common objectives, each framework is tailored to advance US interests in the context of its relationship with each partner country. Guatemala's and Argentina's agreements appear more comprehensive, with Guatemala's focused on regulatory and enforcement commitments and Argentina's also including tariff reductions. El Salvador's framework focuses on market access and regulatory efficiency, while Ecuador's agreement includes substantial tariff reductions by Ecuador, trade facilitation reforms, and strong oversight provisions.

The frameworks include language reflecting the US commitment to removing reciprocal tariffs on certain qualifying exports that cannot be sufficiently grown, mined, or naturally produced in the United States, based on the list in the "Potential Tariff Adjustments for Aligned Partners (PTAAP)" list published on September 5, 2025.[82] Shortly after announcing the deals, President Trump issued an executive order on November 14, 2025 to suspend the baseline and reciprocal tariffs under the International Emergency Economic Powers Act (IEEPA) (as well as the 25% IEEPA "secondary tariff" on India) for specific agricultural and fertilizer products worldwide, many of which were from the PTAAP list.[83] The order exempts 248 items identified under HTSUS 8-digit codes, including tropical foods such as

[82] *See* Annex III of Executive Order 14346 of September 5, 2025 "Modifying the Scope of Reciprocal Tariffs and Establishing Procedures for Implementing Trade and Security Agreements," (90 FR 43737), accessible here: https://www.federalregister.gov/documents/2025/09/10/2025-17507/modifying-the-scope-of-reciprocal-tariffs-and-establishing-procedures-for-implementing-trade-and.

[83] Executive Order of November 14, 2025: "Modifying the Scope of the Reciprocal Tariff with Respect to Certain Agricultural Products," accessible here: https://www.whitehouse.gov/presidential-actions/2025/11/modifying-the-scope-of-the-reciprocal-tariff-with-respect-to-certain-agricultural-products/; and the technical annexes (Annex I, which includes the HTSUS amendments, and the revised Annex II list) are accessible here: https://www.whitehouse.gov/wp-content/uploads/2025/11/annex.pdf. A second executive order, issued on November 20, extended the new exceptions to also apply to the 40% IEEPA tariff on Brazil, which is accessible here: https://www.whitehouse.gov/presidential-actions/2025/11/modifying-the-scope-of-tariffs-on-the-government-of-brazil/.

bananas, oranges, tea, coffee, tomatoes, nuts, spices, beef, various tropical fruits and juices, as well as key inputs for fertilizer – many of which are central to trade with Argentina, Guatemala, El Salvador, and Ecuador.

Negotiations to finalize the agreements are ongoing between US officials and representatives from Argentina, Guatemala, El Salvador, and Ecuador.

United States-Argentina Agreement on Reciprocal Trade and Investment[84]

On November 13, 2025, the United States announced that it had reached a Framework for an Agreement on Reciprocal Trade and Investment with Argentina. The White House released a Joint Statement summarizing the main aspects of the agreement, which was further detailed in a Fact Sheet released by USTR on the same day. The Argentine government published only a brief press release on social media highlighting the "historic" nature of the agreement, which it described as "aimed at strengthening bilateral economic ties, promoting trade, and stimulating new investment flows." The press release further states that "this agreement stems from a profound and necessary reconfiguration of global value chains, driven by President Trump and the new tariff structure that the United States is establishing with its principal partners, including Argentina. In this way, our country joins a select group of nations with trade preferences, representing significant recognition of the economic program led by President Javier Milei and opening new opportunities for growth."[85]

The forthcoming agreement aims to address several US concerns identified in the 2025 National Trade Estimate (NTE) Report. In response, the Argentine government has committed to resolving these issues as part of the negotiations on tariffs.

Tariff commitments

Argentina commits to providing preferential market access for certain US exports, including medicines, chemicals, machinery, information technology products, medical devices, motor vehicles, and a broad range of agricultural products. Although Argentina has already unilaterally lowered import tariffs on some products on an MFN basis, it is not yet confirmed whether additional tariff preferences will be granted specifically to the United States. Argentina's average MFN applied rate for industrial products was 13.8% in 2023, which remains higher than US tariffs on comparable goods.

The United States commits to removing its 10% IEEPA baseline tariff for certain Argentine exports included in the PTAAP list. The Joint Statement indicates that the list of products from Argentina will include certain natural resources unavailable in the United States and non-patented inputs for use in pharmaceutical applications, without providing further details.

The United States commits to considering the agreement's effect on national security, including taking the agreement into account when making determinations under Section 232, but makes no explicit commitments to Section 232 tariff reductions.

The United States also commits to granting additional market access for Argentine beef, which currently enters the US market under a multilateral tariff-rate quota (TRQ) of 20,000 tons. The Argentine government has stated that "a significant expansion of access for Argentine beef to the US market has been agreed upon," although the specific volume of the expanded TRQ has not been announced. US media has reported that the Trump administration has considered increasing the TRQ to 80,000 tons. The TRQ is not specifically mentioned in the framework agreement,

[84] "Joint Statement on Framework for a United States-Argentina Agreement on Reciprocal Trade and Investment," White House, November 13, 2025, accessible here: https://www.whitehouse.gov/briefings-statements/2025/11/joint-statement-on-framework-for-a-united-states-argentina-agreement-on-reciprocal-trade-and-investment/; and "Fact Sheet: The United States and Argentina Agree to a Framework for an Agreement on Reciprocal Trade and Investment," USTR, November 13, 2025, accessible here: https://ustr.gov/about/policy-offices/press-office/fact-sheets/2025/november/fact-sheet-united-states-and-argentina-agree-framework-agreement-reciprocal-trade-and-investment.

[85] X (Twitter) post of the Office of the Argentine President, November 14, 2025, accessible here: https://x.com/OPRArgentina/status/1989120756450750562 (in Spanish).

and any adjustment would likely require US congressional approval. Although the administration has not implemented any TRQ changes, the November 14 executive order exempting various agricultural products from the IEEPA tariff included fresh, frozen, and preserved beef.

Non-tariff barrier and economic policy cooperation commitments

- **Sanitary measures:** As part of the negotiations, Argentina has already opened its market to US live cattle and has committed to allowing sanitary access for US poultry and poultry products within one year. Additionally, Argentina will simplify the product registration process with its sanitary authority for US beef, beef products, beef offal, and pork products, and will not require facility registration for imports of US dairy products.

- **Technical regulations:** Argentina will permit US goods that meet applicable US or international standards, technical regulations, or conformity assessment procedures to enter its market without requiring additional conformity assessments. For instance, vehicles manufactured in the United States that comply with US Federal Motor Vehicle Safety Standards and emissions standards will be accepted for import. In March 2025, Argentina streamlined its safety and environmental certification procedures for vehicles and auto parts, restricting acceptance to certifications issued by UNECE-accredited entities under UNECE standards. Additionally, Argentina has committed to accept US Food and Drug Administration certificates and prior marketing authorizations for medical devices and pharmaceuticals.

- **Other non-tariff measures:** The Joint Statement notes that Argentina has already removed many non-tariff barriers that previously restricted market access, including import licensing requirements. Additionally, Argentina has committed not to require consular formalities for US exports and to phase out the 3% statistical tax on imports from the United States, a levy applied to goods imported for consumption, in addition to regular import tariffs, which is currently extended until December 31, 2027. The parties also intend to cooperate further to address other non-tariff barriers affecting US trade in food and agricultural products.

- **Courier services:** Argentina will no longer prohibit express carriers from becoming Authorized Economic Operators (AEOs). Argentina will also permit monthly payments for express carriers and implement full pre-arrival processing while protecting data submitted to its single window.

- **Digital trade:** Argentina has committed to facilitating digital trade by recognizing the United States as an adequate jurisdiction under Argentine law for the cross-border transfer of data, including personal data; and by refraining from discrimination against US digital services or digital products. Argentina also intends to recognize as valid under its law electronic signatures that are valid under US law.

- **Intellectual property rights:** Argentina will continue to improve enforcement against counterfeit and pirated goods, including those sold online. Certain Argentine physical markets have been listed in USTR's 2024 Review of Notorious Markets for Counterfeiting and Piracy (Notorious Markets List). These challenges include issues related to patentability criteria, patent backlog, and geographical indications, and will require legislative action. Argentina has also agreed to work toward aligning its intellectual property regime with international standards. A key US request is for Argentina to accede to the Patent Cooperation Treaty (PCT), which enables applicants to file a single international application for patent protection in multiple countries.

- **Economic security cooperation:** Argentina will enhance cooperation with the United States to combat non-market policies and practices of other countries. The two countries have also committed to identifying tools to align approaches on export controls, investment security, duty evasion, and related issues.

- **State-owned enterprises and subsidies:** Argentina has committed to address potential distortionary actions of state-owned enterprises and to take steps to address industrial subsidies that may have an impact on the bilateral trading relationship.

- **Labor protection:** Argentina will adopt and implement a ban on the importation of goods produced by forced or compulsory labor and will strengthen protections for internationally recognized labor rights. Argentina is already a party to most International Labor Organization (ILO) conventions.
- **Environmental protection:** Argentina has committed to take measures to further combat illegal logging; and fully implement the obligations of the WTO Agreement on Fisheries Subsidies. Argentina will encourage a more resource-efficient economy, including in the critical minerals sector.
- **Critical minerals development:** Argentina and the United States will cooperate to facilitate investment and trade in critical minerals. Argentina has joined the Minerals Security Partnership (MSP) Forum, a US-led initiative to accelerate the development of diverse and sustainable critical energy mineral supply chains globally. Argentina also signed a Memorandum of Understanding (MOU) with the United States in August 2024 to strengthen cooperation on critical minerals.
- **Soybean trade:** The two countries agreed to cooperate on efforts to stabilize the global soybean trade.

Strategic alliance

The Joint Statement notes that US President Trump and Argentine President Milei "reaffirmed the strategic alliance between the United States and Argentina, grounded in shared democratic values and a common vision of free enterprise, private initiative, and open markets." President Milei's administration has made alignment with the United States a diplomatic priority, in contrast with previous Argentine administrations, which focused on strengthening ties with the BRICS countries—particularly Brazil, China, and Russia. This shift encompasses not only security cooperation but also a broader ideological alignment. Earlier this year, Argentina had proposed signing a free trade agreement (FTA) with the United States, a proposal that did not fit within President Trump's Fair and Reciprocal Trade Plan.

The announcement of the new framework agreement followed President Trump's strong endorsement of President Milei's economic program. In the lead-up to the Argentine mid-term elections held on October 26, 2025, Argentina also secured a currency-swap agreement with the United States and additional financial assistance aimed at preventing a run on the Argentine peso.

Framework for United States-Guatemala Agreement on Reciprocal Trade[86]

This framework agreement is intended to enhance the economic partnership that began in 2006 under the Dominican Republic–Central America–United States Free Trade Agreement (CAFTA-DR).[87] According to the fact sheet, bilateral trade in goods and services between the United States and Guatemala in 2024 approached $18.7 billion, resulting in a $4.7 billion US goods trade surplus. Guatemala's Ministry of Economy issued a press release on November 14, 2025[88] describing the prospective trade deal as "a historic agreement" that will eliminate tariffs on more than 70% of Guatemala's exports to the United States.

Tariff commitments

The baseline reciprocal tariff of 10% remains in place. However, the United States commits to exempting certain products from the tariffs and granting certain originating products that qualify for preferential treatment under CAFTA-DR, such as textiles and apparel, preferential treatment. These items must meet the rules of origin set by CAFTA-DR,

[86] "Joint Statement on Framework for a United States-Guatemala Agreement on Reciprocal Trade and," White House, November 13, 2025, accessible here: https://www.whitehouse.gov/briefings-statements/2025/11/joint-statement-on-framework-for-united-states-guatemala-agreement-on-reciprocal-trade/; and "Fact Sheet: The United States and Guatemala Agree to a Framework for an Agreement on Reciprocal Trade," USTR, November 13, 2025, accessible here: https://ustr.gov/about/policy-offices/press-office/fact-sheets/2025/november/fact-sheet-united-states-and-guatemala-agree-framework-agreement-reciprocal-trade.

[87] CAFTA-DR members include Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua, the Dominican Republic, and the United States.

[88] Guatemala's Ministry of Economy press release dated November 14, 2025 is accessible here (in Spanish): https://www.mineco.gob.gt/guatemala-alcanza-acuerdo-historico-con-estados-unidos-para-reduccion-de-aranceles.

including compliance with the “yarn-forward” rule. The yarn-forward rule requires that apparel be made from yarn produced within CAFTA-DR member countries to qualify for duty-free benefits. This rule is designed to ensure that the entire production process occurs within the free trade area, thereby supporting and integrating the textile industries of the participating countries, including the United States.

The joint statement does not reference any tariff reduction commitments by Guatemala. Under CAFTA-DR, Guatemala has eliminated nearly all tariffs on US-origin products.

Non-tariff barrier commitments

The joint fact sheet highlights several new non-tariff barrier and domestic regulation commitments by Guatemala.

- **Industrial trade**: Guatemala commits to accepting vehicles and automotive parts built to US standards, recognizing prior marketing authorizations for medical devices and pharmaceuticals, and permitting imports of remanufactured goods from the United States. Guatemala also commits to streamlining regulatory requirements for US exports by accepting electronic certificates, eliminating apostille requirements, and expediting product registration.
- **Agriculture trade:** Guatemala agrees to recognize US regulatory oversight and certificates, maintain science- and risk-based regulatory frameworks, and to not impose geographical indication (GI) restrictions on certain common cheese and meat names. The agreement promotes trade facilitation by requiring Guatemala to adopt good regulatory practices, conduct public consultations, and publish regulatory measures and policy priorities.
- **Intellectual property:** Guatemala has committed to strengthening intellectual property (IP) protection and enforcement by joining and fully implementing key international treaties, addressing issues identified in the USTR’s Special 301 Report, and enhancing enforcement against IP theft.
- **Digital trade:** Guatemala agrees to prohibit discriminatory digital services taxes, allow free cross-border data flows, support the permanent WTO moratorium on customs duties for electronic transmissions, and implement the WTO’s Joint Initiative on Services Domestic Regulation.
- **Labor and environment:** Guatemala commits to protecting internationally recognized labor rights, prohibiting imports produced by forced labor, strengthening its labor laws, and maintaining high levels of environmental protection. Commitments include improving forest governance, combating illegal logging and wildlife trade, and fully implementing the WTO Agreement on Fisheries Subsidies.
- **Economic security:** Guatemala commits to addressing potential market distortions caused by state-owned enterprises and industrial subsidies, and to strengthening economic and national security cooperation with the United States. This includes measures to enhance supply chain resilience, prevent duty evasion, and cooperate on investment security and export controls. Guatemala also commits to restricting access to central government procurement for suppliers from countries without free trade agreements (FTAs), aligning its approach with US procurement practices.

Framework for United States-El Salvador Agreement on Reciprocal Trade[89]

This framework agreement also intends to enhance the economic partnership that began in 2006 under CAFTA-DR. According to the fact sheet, bilateral trade in goods and services between the United States and El Salvador in 2024 approached $10.7 billion, resulting in a $2.2 billion US goods trade surplus. The El Salvadorian government has not

[89] “Joint Statement on Framework for a United States-El Salvador Agreement on Reciprocal Trade,” White House, November 13, 2025, accessible here: https://www.whitehouse.gov/briefings-statements/2025/11/joint-statement-on-framework-for-united-states-el-salvador-agreement-on-reciprocal-trade/; and “Fact Sheet: The United States and El Salvador Agree to a Framework for an Agreement on Reciprocal Trade,” USTR, November 13, 2025, accessible here: https://ustr.gov/about/policy-offices/press-office/fact-sheets/2025/november/fact-sheet-united-states-and-el-salvador-agree-framework-agreement-reciprocal-trade.

yet issued a formal press release; however, President Nayib Bukele did publish a copy of the US version of the joint statement on his social media account.[90]

Tariff commitments

The baseline reciprocal tariff of 10% remains in place. Similar to the trade deal with Guatemala, the United States commits to exempting certain products from the tariffs and granting certain originating products that qualify for preferential treatment under CAFTA-DR, such as textiles and apparel, preferential treatment. These items must meet the CAFTA-DR rules of origin, including the “yarn-forward” rule.

The joint statement does not reference any tariff reduction commitments by El Salvador. Under CAFTA-DR, El Salvador has eliminated nearly all tariffs on US-origin products.

The United States agrees to “positively consider” the agreement with El Salvador into account when considering future Section 232 actions, including the potential imposition of import tariffs. The framework agreements with Guatemala and Ecuador do not contain this language.

Non-tariff barrier commitments

The joint fact sheet highlights several new non-tariff barrier and domestic regulation commitments by El Salvador.

- **Industrial trade**: El Salvador commits to accepting vehicles and automotive parts built to US standards, recognizing FDA certificates for medical devices and pharmaceuticals, and permitting imports of remanufactured goods from the United States. El Salvador also commits to streamlining documentation for US exports by accepting electronic certificates, removing apostille requirements, and expediting product registration.
- **Agriculture trade**: El Salvador agrees to address barriers related to fumigation, facility and product registration, and will accept US regulatory certificates for agricultural exports. The agreement also commits El Salvador to not impose GI restrictions on certain common cheese and meat names. El Salvador will advance trade facilitation by adopting good regulatory practices, publishing regulatory measures, and conducting public consultations.
- **Intellectual property**: El Salvador agrees to enhance intellectual property protection and enforcement, move forward with key international treaties, and ensure transparency regarding geographical indications.
- **Digital trade**: El Salvador commits to prohibiting discriminatory digital services taxes and supporting the permanent WTO moratorium on customs duties for electronic transmissions.
- **Labor and environment**: El Salvador commits to protecting labor rights by prohibiting imports produced by forced labor and will adopt and enforce high environmental standards. Commitments include measures to improve forest governance, combat illegal logging, wildlife trade, and illegal mining, and work toward full implementation of the WTO Fisheries Subsidies Agreement.
- **Economic security**: El Salvador will strengthen economic and national security cooperation, address duty evasion, and make commitments on government procurement, investment security, and export controls. El Salvador will address the impact of state-owned enterprises and industrial subsidies.

Framework for United States-Ecuador Agreement on Reciprocal Trade[91]

This framework agreement builds upon the US-Ecuador Trade and Investment Council Agreement, originally signed in 1990 and updated in 2020. According to the fact sheet, bilateral trade in goods and services between the United

[90] X post of President Nayib Bukele, November 14, 2025, accessible here: https://x.com/nayibbukele/status/1989083922886692960.

[91] “Joint Statement on Framework for a United States-Ecuador Agreement on Reciprocal Trade,” White House, November 13, 2025, accessible here: https://www.whitehouse.gov/briefings-statements/2025/11/joint-statement-on-framework-for-united-states-ecuador-agreement-on-reciprocal-trade/; and “Fact Sheet: The United States and Ecuador Agree to a Framework for an Agreement on Reciprocal Trade,” USTR, November 13,

States and Ecuador in 2024 approached $90.4 billion. On November 14, 2025, the Office of the President of Ecuador published a statement on social media praising the "historic" trade deal.[92] Ecuador's framework agreement distinguishes itself by targeting both tariff and non-tariff barriers to US exports.

Tariff commitments

The reciprocal tariff of 15% remains in place. However, goods that cannot be grown, mined, or naturally produced in the United States in sufficient quantities will be granted new exemptions from the tariff.

Ecuador has committed to reducing or eliminating tariffs on key US exports, including machinery, health products, ICT goods, chemicals, motor vehicles, and a range of agricultural products. Specifically, Ecuador will lower or eliminate tariffs on tree nuts, fresh fruit, pulses, wheat, wine, and distilled spirits. The country has also agreed to eliminate the variable tariff applied to many agricultural products under the Andean Price Band System, which sets minimum and maximum prices for agricultural imports by the Andean Community.[93] Additionally, Ecuador plans to establish tariff-rate quotas for various other agricultural goods.

Non-tariff barrier commitments

The joint fact sheet highlights several new non-tariff barrier and domestic regulation commitments by Ecuador.

- **Agriculture trade:** Ecuador commits to continual reform of its import licensing and facility registration systems for food and agricultural products to improve transparency and predictability, reducing unnecessary barriers to US agricultural exports. The agreement also commits Ecuador to not impose GI restrictions on certain common cheese and meat names.
- **Trade facilitation:** Ecuador commits to advancing trade facilitation by ending pre-shipment inspection requirements, establishing contingency plans for its Single Window system, and expanding its Authorized Economic Operator program to include express delivery carriers within three months.
- **Intellectual property:** Ecuador commits to ensuring transparency and fairness regarding geographical indications and addressing issues identified in the USTR's 2025 Special 301 Report. The United States and Ecuador will continue to finalize commitments on international intellectual property treaties.
- **Labor:** Ecuador commits to protecting internationally recognized labor rights and strengthening enforcement of its labor laws. Ecuador will also adopt and implement a prohibition on the importation of goods produced by forced or compulsory labor.
- **Environment:** Ecuador commits to maintaining high levels of environmental protection and effectively enforcing its environmental laws. Additional commitments include improving forest sector governance, combating illegal logging, encouraging resource efficiency, fully implementing the WTO Agreement on Fisheries Subsidies, strengthening enforcement of fisheries-related measures, and combating illegal wildlife trade.
- **Services:** Ecuador commits to refraining from introducing new discriminatory barriers to services and to removing existing barriers on advertising services.
- **Digital trade:** Ecuador commits to facilitating digital trade by prohibiting discriminatory digital services taxes and supporting a permanent WTO moratorium on customs duties for electronic transmissions.

2025, accessible here: https://ustr.gov/about/policy-offices/press-office/fact-sheets/2025/november/fact-sheet-united-states-and-ecuador-agree-framework-agreement-reciprocal-trade.

[92] X post of the Office of the Ecuadorian President, November 14, 2025, accessible here (in Spanish): https://x.com/Presidencia_Ec/status/1989105178126221487.

[93] Members of the Andean Community are Bolivia, Colombia, Ecuador, and Peru.

- **Economic and national security:** The United States and Ecuador commit to strengthening economic and national security cooperation, enhancing supply chain resilience and innovation, addressing non-market policies, combating duty evasion, and cooperating on investment security and export controls.

Mexico Strengthens Investigative Authority over Forced Labor in Imports under USMCA

The Mexican government has strengthened its regulatory framework, initially established on May 18, 2023, to restrict the importation of goods produced with forced or compulsory labor, including forced child labor, in alignment with its obligations under the United States-Mexico-Canada Agreement (USMCA). This framework is detailed in the "Agreement establishing the goods whose importation is subject to regulation by the Ministry of Labor and Social Welfare," published in the Official Journal of the Federation (*Diario Oficial de la Federación*, DOF) on February 17, 2023,[94] and most recently amended by an agreement published in the DOF on October 29, 2025.[95]

The regulation applies to goods classified under specific tariff codes that may be wholly or partially produced using forced or compulsory labor, including forced child labor. The mechanism is grounded in Article 23.6 of the USMCA,[96] which requires Mexico, Canada, and the United States to prohibit the importation of goods produced in whole or in part by forced or compulsory labor, including forced or compulsory child labor.

Under the amended rules, individuals and legal entities may initiate an investigation by submitting a request through one of three channels: (i) written submission at a Ministry of Labor and Social Welfare (STPS) office; (ii) email to buzontrabajoforzoso@stps.gob.mx; or (iii) electronically via the foreign trade digital window (*Ventanilla Digital Mexicana de Comercio Exterior,* VUCEM).[97]

The amendments primarily address the Sole Annex of the Agreement, aiming to clarify and streamline the process for submitting investigation requests, as well as expanding who is authorized to file the requests. Notably, Article 2, section III, now defines a "request" as the filing submitted by natural or legal persons to initiate the administrative procedure concerning the use of forced or compulsory labor in the production of goods, pursuant to Article 23.6 of the USMCA. In contrast, the original 2023 rule defined the entities able to file requests as "natural or legal persons legally constituted in Mexico[.]"

The revised annex differentiates between mandatory and optional information required for a request. The STPS may act ex officio or upon request from any individual or entity; if sufficient evidence is provided, it will initiate an investigation and may seek cooperation from foreign authorities to verify whether goods are produced with forced labor. Upon issuing a determination of forced labor, the affected goods will be listed on the STPS website and communicated to customs authorities to enforce import restrictions. Requests submitted prior to the entry into force of the October 2025 amendment will be processed under the previous rules. According to publicly available information, the STPS has not yet published determinations adding specific goods to the forced labor list.

The amendments strengthen Mexico's commitment to eradicating forced and child labor, both nationally and internationally, by aligning with global labor standards and human rights obligations. It places greater accountability on importing companies by mandating them to implement labor due diligence practices, ensuring transparency, and ethical labor conditions throughout their supply chains.

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[94] "Agreement establishing the goods whose importation is subject to regulation by the Ministry of Labor and Social Welfare," February 17, 2023, accessible here (in Spanish): https://www.dof.gob.mx/nota_detalle.php?codigo=5679955&fecha=17/02/2023#gsc.tab=0.

[95] "Agreement modifying the agreement that establishes the goods whose importation is subject to regulation by the Ministry of Labor and Social Welfare," October 29, 2025, accessible here (in Spanish): https://www.dof.gob.mx/nota_detalle.php?codigo=5771379&fecha=29/10/2025#gsc.tab=0.

[96] *See*, Article 23.6 of the USMCA Labor chapter, accessible here: https://ustr.gov/sites/default/files/files/agreements/FTA/USMCA/Text/23-Labor.pdf.

[97] The VUCEM is accessible here (in Spanish): https://www.ventanillaunica.gob.mx/vucem/index.html.

The amended agreement entered into force on October 30, 2025, and the STPS will have 180 calendar days to implement the necessary regulatory and administrative adjustments.

United States Seeks New Agreements to Secure Critical Minerals Supply Chains

The Trump administration has intensified efforts to diversify sourcing of critical minerals in recent months, signing new critical minerals cooperation agreements and incorporating mineral supply chain commitments into its reciprocal trade agreements. These actions were taken in response to China's expansion of export controls on rare earth elements and other critical minerals, which disrupted global manufacturing supply chains and prompted the Trump administration to de-escalate from its trade war stance.

In recent weeks, the Trump administration has signed agreements related to minerals trade with Argentina, Australia, Cambodia, Japan, Malaysia, and Thailand. The agreements establish new cooperation arrangements, new market access commitments, and identify specific prospective projects with a total value of over $10 billion. Additionally, the United States hosted a business development event with the five Central Asian countries (Kazakhstan, the Kyrgyz Republic, Tajikistan, Turkmenistan, and Uzbekistan),[98] which resulted in an agreement with Kazakhstan to strengthen critical mineral supply chain resilience and facilitated new commercial deals across the region.

The United States has prioritized agreements not only with mineral-rich countries, such as Australia and Kazakhstan, but also with countries that have advanced downstream production capabilities, such as Japan. By securing deals with countries capable of different stages within the critical minerals supply chain, the United States aims to decrease its reliance on Chinese raw materials and refining processes.

The Trump administration is also expanding efforts to develop domestic sources. On November 7, the US Geological Survey expanded its list of critical minerals to include boron, copper, lead, metallurgical coal, phosphate, potash, rhenium, silicon, silver, and uranium, unlocking access to new subsidy programs for miners and processors.[99]

Recent US bilateral critical mineral deals

Australia

On October 20, 2025, Australian Prime Minister Anthony Albanese and President Trump signed the *United States-Australia Framework For Securing of Supply in the Mining and Processing of Critical Minerals and Rare Earths.*[100] This non-binding agreement aims to strengthen the supply of critical minerals and rare earths essential for national security, advanced manufacturing, and defense industries by increasing Australia's domestic production and refining capacity.

- The United States and Australia will use existing industrial capabilities and reserves, as well as mobilize government and private sector investment.
- Within six months of the framework's implementation, both countries will jointly provide at least US $1 billion collectively to finance projects in both countries.
- Permitting processes for mining, separation, and processing of critical minerals will be streamlined or "deregulated" as necessary.

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[98] *Commerce Celebrates $25 Billion C5+1 Deal Zone*, International Trade Administration, November 6, 2025, accessible here: https://www.trade.gov/press-release/commerce-celebrates-25-billion-c51-deal-zone.

[99] *Final 2025 List of Critical Minerals*, 90 Fed. Reg. 50494 (November 7, 2025), accessible here: https://www.federalregister.gov/documents/2025/11/07/2025-19813/final-2025-list-of-critical-minerals.

[100] *United States-Australia Framework For Securing of Supply in the Mining and Processing of Critical Minerals and Rare Earths*, White House, October 20, 2025, accessible here: https://www.whitehouse.gov/briefings-statements/2025/10/united-states-australia-framework-for-securing-of-supply-in-the-mining-and-processing-of-critical-minerals-and-rare-earths/.

- The respective domestic critical minerals markets will be protected from unfair trade practices, including the adoption of standards-based systems.

Australia is the world's largest producer of lithium and ranks among the top five producers of cobalt, manganese, nickel, and rare earths.[101] Beyond these minerals, the country also possesses significant natural deposits of 26 of 31 commodities listed on Australia's Critical Minerals List.[102] Despite these resources, more than 75% of Australia's deposits are undeveloped, and the country continues to export primarily raw materials rather than the refined and processed versions of these minerals.

Japan

On October 27, 2025, Japanese Prime Minister Takaichi Sanae and President Trump signed the *United States - Japan Framework for Securing the Supply of Critical Minerals and Rare Earths through Mining and Processing.*[103] This non-binding agreement closely mirrors the provisions of the Australian framework, including expedited permits, protection against unfair trade practices, and a financial commitment. However, there are a few notable differences in the language of this framework:

- Under Section I 2(b), the agreement states that within six months of the framework's date, the United States and Japan "intend" to take measures to provide financial support, but unlike the Australian agreement, does not provide a concrete investment amount.
- The framework includes a tenth stipulation under Section I, stating that the countries "intend to work together to consider a mutually complementary stockpiling arrangement."

While Japan has nearly no domestic production of critical minerals, the Japan Organization for Metals and Energy Security (JOGMEC) has spent the last fifteen years securing and diversifying Japan's critical minerals supply chains. With this new agreement, Japan's expertise and supply chain infrastructure are complemented by US financial support.

Japan is also a leading global producer in magnet technology, a critical bottleneck where raw critical minerals are transformed into real, strategic value. The trade agreement recognizes this comparative advantage under Section I 2(a) by specifying projects of interest to include permanent magnets, batteries, catalysts, and optical materials. With the creation of the Rapid Response Group and fair pricing standards, the United States and Japan can work together to protect this downstream connection from supply chain shocks.

Cambodia

On October 26, 2025, at the 47th ASEAN Summit in Kuala Lumpur, Cambodian Prime Minister Hun Manet and President Trump signed the *Agreement Between the United States of America and the Kingdom of Cambodia on Reciprocal Trade.*[104] This reciprocal trade agreement would be legally binding upon entry into force. Under the agreement, Cambodia will facilitate US investment into commercial opportunities, with particular respect to critical minerals and infrastructure. Cambodia will provide infrastructure services on terms "no less favorable than it accords to its own investors." In return, US institutions, such as the Export-Import Bank of the United States (EXIM Bank) and

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[101] *Why Australia for critical minerals*, Australian Trade and Investment Commission, accessed November 10, 2025, accessible here: https://international.austrade.gov.au/en/do-business-with-australia/sectors/energy-and-resources/critical-minerals/why-australia-for-critical-minerals - accordion-907eb6af06-item-cc6a6da84d.

[102] Australia's Critical Minerals List is accessible here: https://www.industry.gov.au/publications/australias-critical-minerals-list-and-strategic-materials-list.

[103] *United States-Japan Framework For Securing the Supply of Critical Minerals and Rare Earths through Mining and Processing*, White House, October 27, 2025, accessible here: https://www.whitehouse.gov/briefings-statements/2025/10/united-states-japan-framework-for-securing-the-supply-of-critical-minerals-and-rare-earths-through-mining-and-processing/.

[104] *Agreement Between the United States of America and the Kingdom of Cambodia on Reciprocal Trade*, White House, October 26, 2025, accessible here: https://www.whitehouse.gov/briefings-statements/2025/10/agreement-between-the-united-states-of-america-and-the-kingdom-of-cambodia-on-reciprocal-trade/.

the US International Development Finance Corporation (DFC) will work to "consider" supporting investments in critical sectors in Cambodia in collaboration with US private sector partners.

Cambodia's mining industry remains largely underdeveloped, with natural resources contributing only 0.84% of GDP in 2021.[105] However, Cambodia does have known deposits of gold, copper, and iron. With support from the United States, Cambodia could increase the extraction and production of these materials, and there is potential for new minerals to be discovered through exploration projects.

Malaysia

On October 26, 2025, at the 47th ASEAN Summit in Kuala Lumpur, Malaysian Prime Minister Anwar Ibrahim and President Trump signed both the *Agreement Between the United States of America and Malaysia on Reciprocal Trade* (Malaysia ART)[106] and a Memorandum of Understanding (MOU), titled *Cooperation to Diversify Global Critical Minerals Supply Chains and Promote Investments.*[107] The Malaysia ART is legally binding upon entry into force, while the MOU is non-binding.

Malaysia is the Southeast Asian leader in aluminum, iron, and manganese production, according to a recent Intergovernmental Forum on Minerals Cooperation in ASEAN.[108] Before a moratorium on mining in 2016, Malaysia was also a leading producer of bauxite.

Under the Malaysia ART, Malaysia will facilitate US investment into commercial opportunities, with particular respect to critical minerals and infrastructure. Malaysia will provide infrastructure services on terms "no less favorable than it accords to its own investors." In return, US institutions, such as the US EXIM Bank and the DFC will work to "consider" supporting investments in critical sectors in Malaysia in collaboration with US private sector partners.

The Malaysia ART shares near identical language as the Cambodian agreement with respect to critical mineral investment and collaboration.

The MOU aims to strengthen cooperation and diversify global critical mineral supply chains through the promotion of trade and investment between Malaysia and the United States.

- Both countries agree to share information, knowledge, and technical expertise on best practices to increase the competitiveness of the critical minerals sectors.
- Each country retains the discretion to determine the suitability of projects for investment and is granted the first opportunity to invest in projects deemed appropriate.

Thailand

On October 26, 2025, at the 47th ASEAN Summit in Kuala Lumpur, Thai Prime Minister Anutin Charnvirakul and President Trump signed an MOU titled *Cooperation to Diversify Global Critical Minerals Supply Chains and Promote*

[105] Cambodia: Natural resources income, theGlobalEconomy.com, accessed November 10, 2025, accessible here: https://www.theglobaleconomy.com/Cambodia/Natural_resources_income.

[106] *Agreement Between the United States of America and Malaysia on Reciprocal Trade*, White House, October 26, 2025, accessible here: https://www.whitehouse.gov/briefings-statements/2025/10/agreement-between-the-united-states-of-america-and-malaysia-on-reciprocal-trade/.

[107] *Memorandum of Understanding Between the Government of the United States of America and the Government of Malaysia Concerning Cooperation to Diversify Global Critical Minerals Supply Chains and Promote Investments*, White House, October 26, 2025, accessible here: https://www.whitehouse.gov/briefings-statements/2025/10/memorandum-of-understanding-between-the-government-of-the-united-states-of-america-and-the-government-of-malaysia-concerning-cooperation-to-diversify-global-critical-minerals-supply-chains-and-promote/.

[108] *ASEAN-IGF Minerals Cooperation: Scoping study on critical minerals supply chains in ASEAN*, Intergovernmental Forum on Mining, Minerals, Metals, and Sustainable Development, May 2023, accessible here: https://www.iisd.org/system/files/2023-05/scoping-study-critical-minerals-asean.pdf.

Investments.[109] This MOU is similar to the MOU with Malaysia, but includes additional commitments for direct US involvement in strengthening Thailand's critical minerals sector.

The MOU aims to strengthen cooperation and diversify global critical mineral supply chains through the promotion of trade and investment between Thailand and the United States.

- Both countries agree to share information, knowledge, and technical expertise on best practices to increase the competitiveness of the critical minerals sectors.
- Each country retains the discretion to determine the suitability of projects for investment and is granted the first opportunity to invest in projects deemed appropriate. This "First Opportunity to Invest" provision is comparable those found in the Malaysian MOU and the US-Ukraine Minerals Agreement, giving US firms priority in investment opportunities.
- The United States will assist Thailand in all aspects of critical mineral production, such as geographical analysis, mining, extraction, and refining.

Thailand currently has limited capacity to produce critical minerals. The ASEAN-IGF Minerals Cooperation report states, "Thailand's primary mining sector has mostly focused on non-metallics and fossil fuels, with little domestic metallic production, despite promising reserves." While Thailand may have "promising reserves" and the MOU states that the United States will "assist Thailand in analyzing the extent of its critical mineral resource base," the MOU also prioritizes the development of domestic processing industries.

Argentina

On November 13, 2025, the United States announced that it had reached a *Framework for an Agreement on Reciprocal Trade and Investment with Argentina.*[110] The Framework includes a brief provision on critical minerals, stating that "Argentina and the United States will cooperate to facilitate investment and trade in critical minerals." The Framework does not provide further details on this cooperation. Argentina signed an MOU with the United States and joined the Minerals Security Partnership (MSP) Forum in August 2024. The MSP Forum is a US-led initiative to accelerate the development of diverse and sustainable critical energy mineral supply chains globally. Current members of the MSP Forum include Argentina, the Democratic Republic of the Congo, the Dominican Republic, Ecuador, Greenland, Kazakhstan, Mexico, Namibia, Peru, the Philippines, Serbia, Türkiye, Ukraine, Uzbekistan, and Zambia.

Central Asia engagements

On November 6, 2025, the United States hosted a "Deal Zone" with the five Central Asian countries (C5): Kazakhstan, the Kyrgyz Republic, Tajikistan, Turkmenistan, and Uzbekistan. The event featured $25 billion in commercial deals between the five countries and the United States.

President Trump has shown growing interest in Central Asia, recognizing the region's abundant but largely untapped natural resources. While not all deals with the C5 countries are focused on natural resources, they reflect the United States' broader strategy to enhance supply chain resiliency.

Critical minerals have become a central aspect of US engagement with the C5 nations. Kazakhstan and Uzbekistan are both members of the MSP Forum, and the region holds vast reserves of natural resources that are essential to

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[109] *Memorandum of Understanding Between the Government of the United States of America and the Government of the Kingdom of Thailand Concerning Cooperation to Diversify Global Critical Minerals Supply Chains and Promote Investments*, White House, October 26, 2025, accessible here: https://www.whitehouse.gov/briefings-statements/2025/10/memorandum-of-understanding-between-the-government-of-the-united-states-of-america-and-the-government-of-the-kingdom-of-thailand-concerning-cooperation-to-diversify-global-critical-minerals-supply-cha/.

[110] *Joint Statement on Framework for a United States-Argentina Agreement on Reciprocal Trade and Investment*, White House, November 13, 2025, accessible here: https://www.whitehouse.gov/briefings-statements/2025/11/joint-statement-on-framework-for-a-united-states-argentina-agreement-on-reciprocal-trade-and-investment/.

US national security, such as uranium, chromite, copper, titanium, gold, and antimony. However, Russia and China dominate the production networks in these countries. For example, Kazakhstan exports 27% of its minerals to China and 16% to Russia, while only 5% go to the United States.[111] The commercial deals with the United States are intended to reduce Russian and Chinese influence over critical mineral exports by strengthening US partnerships with the C5 countries.

Kazakhstan[112]

The deal between the United States and Kazakhstan includes a partnership between Cove Capital and the Kazakh government for the privatization of Severniy Katpar, a tungsten mining company. This initiative aims to develop the "largest known untapped global tungsten resource in the world," with an immediate transaction valued at over $1 billion, and the associated mineral deposits estimated to be worth over $80 billion. Both US EXIM and DFC have issued letters of interest about financing the project.

The Colorado School of Mines will support the establishment of Ulytau Technical University in Kazakhstan. The aim of this partnership is to increase the quantity and quality of professional engineers and geoscientists with critical minerals expertise.

Tajikistan

Although the US deal with Tajikistan does not specifically address critical minerals, Tajikistan is a major global producer of antimony, which is an important material for batteries and semiconductors.

Proposal to grant permanent normal trade relations

Alongside the intensified diplomatic and business engagement efforts, the Trump administration is also working with Congress to grant permanent normal trade relations (PNTR) to the C5 countries. A bipartisan bill introduced to the House of Representatives and the Senate on November 4, 2025 would empower the president to grant PNTR to all countries covered by the Jackson–Vanik amendment except Belarus, Cuba, and North Korea.[113] Lawmakers supporting the bill have cited interests in improving access to Central Asian mineral reserves as part of their motivation.[114]

A PNTR designation permanently grants the United States' WTO most-favored nation (MFN) tariff rates to a subject country.[115] However, the Jackson–Vanik amendment to the Trade Act of 1974 requires that certain non-market economies receive conditional normal trade relations designations from the US president instead of PNTR. Kazakhstan, Tajikistan, Turkmenistan, and Uzbekistan (as well as Azerbaijan) are still subject to the Jackson-Vanik amendment and receive normal trade relations status through temporary designations by the president (Belarus, Cuba, and North Korea are also subject to the amendment, but do not have conditional normal trade relations designations). While the conditional normal trade relations designations under the Jackson–Vanik amendment

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[111] *Ten Years of C5+1: U.S.–Central Asia Minerals Cooperation*, Center for Strategic and International Studies (CSIS), November 4, 2025, accessible here: https://www.csis.org/analysis/ten-years-c51-us-central-asia-minerals-cooperation.

[112] *Commercial Deal Zone Announcements*, ITA Office of Public Affairs, November 6, 2025, accessible here: https://trade.gov/sites/default/files/2025-11/C5_1_Commercial_Deal_Zone_Announcements.pdf?_gl=1*1app7gn*_ga*MTgzODc1Njk0MS4xNzM0NjQzNTM3*_ga_L884J52XQ5*czE3NjI2OTk1OTYkbzQzJGcwJHQxNzYyNjk5NTk2JGo2MCRsMCRoMA..*_ga_6D3N6M4S6H*czE3NjI1NDUyMjMkbzQyJGcwJHQxNzYyNTQ1MjIzJGo2MCRsMCRoMA...

[113] H.R.5917 - To authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to products of certain countries, 119th Congress (2025-2026), accessible here: https://www.congress.gov/bill/119th-congress/house-bill/5917; S.3103 - A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to products of certain countries, 119th Congress (2025-2026), accessible here: https://www.congress.gov/bill/119th-congress/senate-bill/3103.

[114] "Miller, Colleagues Introduce Legislation to Restore Normal Trade Relations with Key Countries," November 6, 2025, accessible here: https://miller.house.gov/media/press-releases/miller-colleagues-introduce-legislation-restore-normal-trade-relations-key.

[115] Tajikistan joined the WTO in 2013 and Kazakhstan joined in 2015. Uzbekistan, Turkmenistan, and Azerbaijan are currently negotiating accession. Kyrgyz Republic joined the WTO in 1998 and the US Congress waived the Jackson-Vanik requirements in 2000.

provide the same MFN rights as PNTR, proponents of the bill intend to signal a stronger US commitment to engagement in the region and to help expand commercial ties.

Although the bill would permanently extend MFN tariff rates to these countries, the Trump administration's IEEPA reciprocal and Section 232 tariffs remain in effect on almost all trade. Imports from Kazakhstan are subject to a 25% IEEPA reciprocal tariff, while imports from the other Central Asian countries face the 10% baseline tariff rate.

G7 Critical Minerals Production Alliance

On October 31, 2025, the G7 met in Toronto, Canada, and launched its critical minerals alliance, first announced on June 17, 2025.[116] The goal of this alliance, as stated by the Government of Canada, is to mobilize public and private capital, secure offtake agreements and co-investments, and promote standards-based markets for critical minerals. These objectives closely align with provisions found in the US agreements.

The meeting resulted in 26 new investments, partnerships, and initiatives designed to accelerate $6.4 billion in critical minerals projects.[117] The announcement also included new critical minerals collaboration:

- **UK Export Finance** is collaborating with Canadian agencies to explore financial support for critical minerals projects that benefit both countries' supply chains.
- **ENI (Italy)** plans to invest in Canadian lithium, graphite, and rare earth recycling technologies, while Italian steel producers are evaluating Canadian projects for supply security.
- **Canada and Australia** signed a Joint Declaration of Intent to cooperate on critical minerals, focusing on supply chain resilience, financing, technology, and policy alignment.

At the meeting, Canada's Energy and Natural Resources Minister Tim Hodgson announced that Canada intends to amend its Defense Productions Act to set up a critical minerals stockpile.[118] Canada also committed over $20 million to support research and development projects in the critical minerals sector.

United States and United Kingdom Announce Tentative Pharmaceutical Pricing and Tariffs Agreement

On December 1, 2025, the United States and the United Kingdom (UK) announced a "pharmaceutical pricing agreement in principle," which includes commitments to exempt UK pharmaceuticals and medical supplies from US imposed tariffs and to increase prices paid by the UK National Health Service (NHS) for certain pharmaceuticals. While the governments have not released official documentation detailing the specific terms of the deal, press statements from both sides outline the general framework.[119] The agreement builds on President Trump's US-UK Economic Prosperity Deal (EPD) and supports the administration's "Most-Favored-Nation Pricing" policy for

[116] *Chair's Summary*, Prime Minister of Canada, June 17, 2025, accessible here: https://www.pm.gc.ca/en/news/statements/2025/06/17/g7-chairs-summary.

[117] *Canada unlocks 26 new investments and partnerships with 9 allied countries to secure critical minerals supply chains*, Government of Canada, October 31, 2025, accessible here: https://www.canada.ca/en/natural-resources-canada/news/2025/10/canada-unlocks-25-new-investments-and-partnerships-with-9-allied-countries-to-secure-critical-minerals-supply-chains.html.

[118] Canada unlocks 26 new investments and partnerships with 9 allied countries to secure critical minerals supply chains, October 31, 2025, accessible here: https://www.canada.ca/en/natural-resources-canada/news/2025/10/canada-unlocks-25-new-investments-and-partnerships-with-9-allied-countries-to-secure-critical-minerals-supply-chains.html.

[119] "U.S. Government Announces Agreement in Principle with the United Kingdom on Pharmaceutical Pricing," USTR press release, December 1, 2025, accessible here: https://ustr.gov/about/policy-offices/press-office/press-releases/2025/december/us-government-announces-agreement-principle-united-kingdom-pharmaceutical-pricing; and "Landmark UK-US pharmaceuticals deal to safeguard medicines access and drive vital investment for UK patients and businesses," UK press release, December 1, 2025, accessible here: https://www.gov.uk/government/news/landmark-uk-us-pharmaceuticals-deal-to-safeguard-medicines-access-and-drive-vital-investmentfor-uk-patients-and-businesses.

pharmaceuticals. For the UK, the pricing commitments also address ongoing disputes related to compensation and product approvals with UK pharmaceutical companies.

US–UK Economic Prosperity Deal

The US-UK EPD was the first trade deal announced in President Trump's second term, initially unveiled on May 8, 2025.[120] The announcement primarily focused on pledges by the United States to reduce tariffs imposed by the Trump administration in exchange for UK commitments to enhance cooperation on economic security and lower certain market access barriers for US food and agriculture products. Implementation of the initial trade commitments under the EPD began in late June 2025.[121]

Both governments have characterized the EPD as the initial phase of a broader future agreement, which they anticipate will cover additional policy areas. Ongoing negotiations include issues such as Section 232 tariffs (particularly those on steel), technology and agriculture market access, the reciprocal tariffs imposed by the Trump administration, and other related matters. The tentative pharmaceutical pricing agreement is the first major update to the EPD's commitments since May.

Executive Order on "Most-Favored-Nation Pricing"

The tentative pharmaceutical pricing agreement contributes to a larger effort by the Trump administration to create a "Most-Favored-Nation Pricing" system for sales of pharmaceuticals in the United States, which President Trump established in an Executive Order (EO) dated May 12 on "Delivering Most-Favored-Nation Prescription Drug Pricing to American Patients."[122] The EO describes a combination of measures the United States would use to (i) pressure foreign governments into increasing the prices paid for pharmaceutical products in their markets, and (ii) pressure pharmaceutical suppliers to lower retail prices charged in the United States.

Section 3 of the EO directs the Department of Commerce and the United States Trade Representative (USTR) to "take all necessary and appropriate action to ensure foreign countries are not engaged in any act, policy, or practice that may be unreasonable or discriminatory or that may impair United States national security and that has the effect of forcing American patients to pay for a disproportionate amount of global pharmaceutical research and development, including by suppressing the price of pharmaceutical products below fair market value in foreign countries." The UK arrangement is the first instance in which a US trade partner has committed to raising its pharmaceutical prices as part of this US policy effort.

UK commitments

The UK has committed to increasing the net price paid by the NHS for new medicines by 25%. This will involve adjusting the cost effectiveness thresholds and introducing a new value set for assessing health states in National Institute for Health and Care Excellence (NICE) medicine evaluations. NICE confirmed the planned changes in a separate statement, which also noted the changes will enter effect in April 2026.[123] As a result, NHS annual spending on medicines will rise, requiring budget increases beyond those proposed in the latest government budget. Though

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[120] "General Terms for the United States of America and the United Kingdom of Great Britain and Northern Ireland Economic Prosperity Deal," May 8, 2025, accessible here: https://ustr.gov/sites/default/files/files/Press/fs/US UK EPD_050825_FINAL rev v2.pdf.

[121] Executive Order of June 16, 2025: "Implementing the General Terms of the United States of America-United Kingdom Economic Prosperity Deal," accessible here: https://www.whitehouse.gov/presidential-actions/2025/06/implementing-the-general-terms-of-the-united-states-of-america-united-kingdom-economic-prosperity-deal/; "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; and "UK-US Economic Prosperity Deal, Statement made on 18 June 2025," UIN HCWS709, accessible here: https://questions-statements.parliament.uk/written-statements/detail/2025-06-18/hcws709.

[122] Executive Order 14297 of May 12, 2025: "Delivering Most-Favored-Nation Prescription Drug Pricing to American Patients," 90 FR 20749, accessible here: https://www.federalregister.gov/documents/2025/05/15/2025-08876/delivering-most-favored-nation-prescription-drug-pricing-to-american-patients.

[123] "Changes to NICE's cost-effectiveness thresholds confirmed," NICE, December 1, 2025, accessible here: https://www.nice.org.uk/news/articles/changes-to-nice-s-cost-effectiveness-thresholds-confirmed.

costs will increase, these changes may also improve access to newer medicines for British patients and encourage pharmaceutical companies to continue investing in the UK.

According to USTR's statement, the UK has also agreed to ensure that higher prices for new medicines are not offset by demands for portfolio-wide concessions under the Voluntary Scheme for Branded Medicines Pricing, Access and Growth (VPAG) or other rebate mechanisms. Additionally, the repayment rate for companies under the current VPAG scheme will decrease to 15% in 2026 and remain at or below that level for the scheme's duration (current rates are between 23.5% and 35.6%). VPAG, which requires drugmakers to repay a portion of branded drug sales exceeding certain limits, is scheduled to expire in 2028. Notably, the UK's statement does not mention VPAG practices.

US commitments

In exchange for the UK's commitment to increase pharmaceutical prices, the Trump administration has agreed not to impose tariffs on UK pharmaceutical and medical supplies products under potential future tariff actions. Specifically, the Trump administration will:

- "Exempt U.K.-origin pharmaceuticals, pharmaceutical ingredients, and medical technology from Section 232 tariffs[.]" While other trade partners (including Japan, Korea, the European Union, and Switzerland) have negotiated a 15% cap for any tariffs imposed on patented products under the prospective pharmaceuticals and pharmaceutical ingredients Section 232 action and IEEPA reciprocal tariff exceptions for certain generic pharmaceuticals, the UK is the first to secure a full tariff exemption for the sector. This is also the first reference to a limit on medical supplies tariffs under the Section 232 investigation, which the Trump administration initiated after the pharmaceutical investigation. Both investigations remain ongoing, and the final tariff actions are pending.
- "Refrain from targeting U.K. pharmaceutical pricing practices in any future Section 301 investigation[.]" The Trump administration has threatened to initiate Section 301 investigations targeting countries over their pharmaceutical pricing strategies, but USTR has not yet initiated any investigations.

The statement from USTR notes that the US tariff commitments are effective "for the duration of President Trump's term," suggesting the tentative agreement is intended to be temporary. Similarly, the UK statement notes that the US tariff commitments will last "for at least 3 years[.]"

USTR's also states that the Trump administration will "work to ensure that U.K. citizens have access to the latest pharmaceutical breakthroughs[.]" This commitment is not explained further in either of the governments' statements.

USTR's "freeloading" investigation and Section 301 investigation threats

On May 23, 2025, USTR announced a "freeloading" investigation into foreign pharmaceutical pricing policies.[124] The announcement called for "comments from interested parties regarding any act, policy, or practice that may be unreasonable or discriminatory and that has the effect of forcing American patients to pay for a disproportionate amount of global pharmaceutical research and development, including by suppressing the price of pharmaceutical products below fair market value in foreign countries." Though the investigation announcement draws on language from Section 301 ("any act, policy, or practice that may be unreasonable or discriminatory"), the inquiry is not a Section 301 action. The investigation does not follow any standard statutory processes, and the intended outcome of the investigation is unclear. USTR may intend to use the information gathered from public comments to inform negotiations or a potential future Section 301 action.

[124] "Request for Comments Regarding Foreign Nations Freeloading on American-Financed Innovation," 90 FR 23105 (May 30, 2025), accessible here: https://www.federalregister.gov/documents/2025/05/30/2025-09757/request-for-comments-regarding-foreign-nations-freeloading-on-american-financed-innovation; and "USTR Seeks Comments Regarding Foreign Nations Freeloading on American-Financed Innovation," USTR, May 23, 2025, accessible here: https://ustr.gov/about/policy-offices/press-office/press-releases/2025/may/ustr-seeks-comments-regarding-foreign-nations-freeloading-american-financed-innovation.

United States, Switzerland, and Liechtenstein Announce Framework for a Reciprocal Trade and Investment Agreement

On November 14, 2025, the United States, Switzerland, and Liechtenstein,[125] released a joint statement announcing a framework for a "United States – Switzerland – Liechtenstein Agreement on Fair, Balanced, and Reciprocal Trade."[126] The framework agreement includes a reduction of the US IEEPA reciprocal tariffs on Swiss goods from 39% to 15% (Liechtenstein was already subject to a 15% reciprocal rate), introduction of new reciprocal tariff exceptions, and a 15% cap on any potential future tariffs imposed under the pharmaceutical and semiconductor Section 232 investigations. In exchange, Switzerland and Liechtenstein have offered to reduce tariffs on certain non-sensitive food and agriculture products, support private investment, discuss increasing regulatory alignment (most notably in agriculture and digital services), and enhance cooperation on economic security interests.

Next steps and implementation

The countries aim to finalize negotiations on the full agreement by "the first quarter of 2026," which would put more substance on the broad commitments laid out in the joint statement. Negotiators are also working on a coordinated implementation plan to ensure that tariff concessions take effect simultaneously on both sides. Swiss officials indicated their intention to implement the tariff reductions in the first half of December. The Trump administration has not commented on its implementation plan.

On December 5, 2025, this Swiss government adopted a draft negotiating mandate for the trade agreement.[127] The next step for Switzerland is consult the foreign affairs committees of the National Council and Council of States, as well as the cantons through the Conference of Cantonal Governments.

Tariff commitments

US tariff commitments

The United States has committed to reduce tariffs in a manner consistent with its agreements with the European Union (EU), Japan, and Korea.

- **IEEPA reciprocal tariff rate:** For products subject to the IEEPA reciprocal tariff rate, the United States will apply the higher of either (i) a 15% IEEPA tariff rate, or (ii) the most favored nation (MFN) tariff rate. As nearly all US MFN rates are below 15%, most imports will be subject to the 15% IEEPA tariff.
- **New IEEPA reciprocal tariff exceptions:** The United States will grant Switzerland and Liechtenstein IEEPA reciprocal tariff exceptions for generic pharmaceuticals, generic pharmaceutical ingredients, generic pharmaceutical chemical precursors, and certain natural resources unavailable in the United States. The specific

[125] While the US-Swiss relationship has been the focus of negotiations and political attention, Liechtenstein – which is part of the Swiss Customs Area – also participated in the negotiations and is included in the agreement. Büsingen am Hochrhein, a small German exclave that is also part of the Swiss Customs Area, is not mentioned in the framework agreement.

[126] "Joint Statement on a Framework for a United States – Switzerland – Liechtenstein Agreement on Fair, Balanced, and Reciprocal Trade," November 14, 2025, accessible here: https://www.whitehouse.gov/briefings-statements/2025/11/joint-statement-on-a-framework-for-a-united-states-switzerland-liechtenstein-agreement-on-fair-balanced-and-reciprocal-trade/ (US version); and here: https://www.wbf.admin.ch/en/joint-statement-en (Swiss version). Further comments from the Trump administration can be found in the White House Fact Sheet, "The United States, Switzerland, and Liechtenstein Reach a Historic Trade Deal," White House, November 14, 2025, accessible here: https://www.whitehouse.gov/fact-sheets/2025/11/fact-sheet-the-united-states-switzerland-and-liechtenstein-reach-a-historic-trade-deal/; further comments from Switzerland can be found on the State Secretariate for Economic Affairs' website, accessible here: https://www.seco.admin.ch/seco/en/home/Aussenwirtschaftspolitik_Wirtschaftliche_Zusammenarbeit/Wirtschaftsbeziehungen/usa.html; and a statement by the government of Liechtenstein is accessible here: https://www.liechtensteinusa.org/article/liechtenstein-united-states-and-switzerland-issue-joint-statement-on-trade.

[127] "Draft negotiating mandate for a trade agreement with the USA," Swiss Federal Council, December 5, 2025, accessible here: https://www.news.admin.ch/en/newnsb/HdHW8zPFrf2i30cJfRzFC.

HTSUS codes affected are not listed in the announcement but would be based on the Potential Tariff Adjustments for Aligned Partners (PTAAP) list.[128]

- **Reducing certain Section 232 tariffs:** For products covered by Section 232 sectoral tariffs, the United States has offered reduced rates for certain actions:
  - **Pharmaceuticals investigation:** The potential future tariff on pharmaceuticals will be capped at 15% for Switzerland and Liechtenstein. President Trump announced on September 25 that he would impose a "100% Tariff on any branded or patented Pharmaceutical Product, unless a Company IS BUILDING their Pharmaceutical Manufacturing Plant in America." He has since delayed the action to negotiate company-specific deals. The pharmaceutical industry plays a large role in Switzerland's economy, accounting for roughly 50% of exports and 7% of GDP.[129]
  - **Semiconductors investigation:** The potential future tariff on semiconductors and semiconductor manufacturing equipment will be capped at 15% for Switzerland and Liechtenstein.
  - **Unaffected Section 232 actions:** The joint fact sheet does not mention any potential reductions to the Section 232 tariffs in place on steel and steel derivative articles; aluminum and aluminum derivative articles; semi-finished copper and intensive copper derivative products; trucks, parts, and buses; automobiles and automobile parts; or softwood timber and lumber, upholstered wooden furniture, and kitchen cabinets tariffs. It also does not reference limits to potential tariffs imposed under the ongoing investigations of critical minerals, civil aircraft, polysilicon, unmanned aircraft, wind turbines, robotics and industrial machinery, and medical supplies.

Switzerland and Liechtenstein's tariff commitments

Switzerland and Liechtenstein have committed to eliminate tariffs on US industrial goods, fish and seafood, and certain non-sensitive agricultural goods. In a separate statement, Switzerland listed tropical fruits, nuts, certain alcohols (whiskey, rum, liqueur, and beer), food preparations and dietary supplements, tobacco products, and coffee as the relevant non-sensitive products. The countries will also establish small, preferential tariff rate quotas for 1,500 tons of US poultry, 500 tons of US beef, and 1,000 tons of US bison, which are sectors viewed as sensitive to Swiss agriculture interests. Switzerland states in its negotiating mandate that it is prepared to make further tariff concessions to the United States, provided the United States also makes further tariff concessions.

Switzerland and Liechtenstein eliminated MFN tariffs on all manufactured and non-agriculture products as of January 1, 2024. In contrast, the countries have maintained relatively high MFN rates on agriculture products, with an average applied MFN rate of 28.5% in 2024 (the average applied MFN rate for non-agricultural products is 0%). The highest tariffs are concentrated in meat, dairy, cereals, oilseeds, and beverages and tobacco, while tariffs on non-sensitive products tend to be lower. The average applied MFN rate for seafood is just 0.2%.

Non-tariff barriers and domestic regulation commitments

The joint statement highlights numerous non-tariff commitments with the goal of making trade "more seamless." The commitments describe coordination and consultation efforts, rather than binding commitments to specific policy changes. Most of the language mirrors standard commitments found in the Trump administration's recent reciprocal trade agreements, covering areas such as regulatory coordination, economic security, labor rights, customs procedures, and environmental protection. Additionally, several provisions related to agriculture protection, sanitary

[128] Executive Order 14346 of September 5, 2025: "Modifying the Scope of Reciprocal Tariffs and Establishing Procedures for Implementing Trade and Security Agreements," 90 FR 43737, accessible here: https://www.federalregister.gov/documents/2025/09/10/2025-17507/modifying-the-scope-of-reciprocal-tariffs-and-establishing-procedures-for-implementing-trade-and.

[129] "Chemical and pharmaceutical industry," Swiss Federal Department of Foreign Affairs (FDFA), December 28, 2023, accessible here: https://www.aboutswitzerland.eda.admin.ch/en/chemical-and-pharmaceutical-industry.

and phytosanitary standards (SPS), and cross-border data flows address specific market access concerns, similar to those highlighted in USTR's annual National Trade Estimate Reports.

- **Industry standards:** Switzerland intends to work the United States to improve alignment and coordination on standards. This includes efforts to facilitate the recognition of Federal Motor Vehicle Safety Standards and the acceptance of medical devices approved by the US Food and Drug Administration. According to Switzerland, this may involve "treating conformity assessment bodies the same as domestic ones and recognizing certain US standards as a basis for technical regulations," thought the specific commitments are not defined.

- **Agricultural non-tariff barriers:** Switzerland will collaborate with the United States to address measures that restrict market access for US poultry products and to "cooperate on streamlining sanitary requirements for labelling and certificates, particularly for beef, bison, and dairy products." Swiss poultry standards previously barred the entry of most US poultry and beef products, due to higher standards than the FDA. Switzerland generally aligns its SPS standards with those of the EU, which will limit options for concessions to the United States. Switzerland has stated that while it has agreed to work with the United States on "specific measures to manage poultry imports," it is not accepting US food standards or production methods.

- **Intellectual property:** The countries "intend to discuss robust commitments related to intellectual property rights protection and enforcement, including transparent and fair treatment of geographical indications." There is no further detail on these commitments.

- **Digital services:** The agreement states that the countries intend to continue refraining from imposing digital services taxes (DSTs) and customs duties on electronic transmissions. This also includes support for the adoption of a permanent WTO moratorium on customs duties on electronic transmissions.

  The United States and Switzerland also plan to work together to facilitate cross-border data flows and address data localization requirements. The agreement also notes an intent to explore mechanisms that promote interoperability between the nations' data privacy frameworks. Switzerland issued an adequacy determination for US data protection standards in September 2024 based on the Swiss-US Data Protection Framework (DPF), allowing the transfer of personal data with the United States.

- **Labor rights:** The countries will increase their cooperation on labor-related issues, such as forced labor and child labor within supply chains. Unlike most of the Trump administration's other recent agreements, the text does not mention adoption of an import prohibition on goods made with forced labor.

- **Environmental protections:** The joint statement states that Switzerland and Liechtenstein intend to continue to adopt and implement high levels of environmental protections and work together with the United States on trade-related environmental measures.

- **Government Procurement:** The text states the parties intend to clarify that countries which are not party to the WTO Agreement on Government Procurement should not benefit from non-discriminatory treatment in procurement markets.

Economic security commitments

The joint statement includes provisions on increasing economic security cooperation. These commitments lack details and focus on a vague intention of cooperation rather than concrete commitments. Switzerland has emphasized that its neutrality policy is unchanged and that it has not obligated itself to adopt US sanctions or other security measures against any third countries. The provisions include:

- Strengthened cooperation in addressing non-market policies of third countries.

- Strengthened cooperation with regard to US export controls and sanctions.

- Switzerland will cooperate with the United States on reviewal of inbound investment, including on the basis of national security.
- Cooperation to secure supply chains and improve supply chain resilience.

No investment or export purchase commitments

Unlike some of the Trump administration's other reciprocal trade agreements, the agreement with Switzerland and Liechtenstein does not include commitments to make specific government-backed investments in the United States or to purchase US products for export. The joint statement and White House factsheet state that Switzerland is investing $200 billion and Liechtenstein is investing $200 million in the United States. However, the text only contains a commitment to "encourage and facilitate" private investment. Switzerland has stated the numbers are based on private projects that are already underway. Switzerland has also highlighted private sector plans to buy US energy products and government plans to purchase US defense equipment, but these are not part of the agreement text.

CPTPP

Ministers Chart Ambitious Path for Sustainable and Inclusive Trade at Ninth CPTPP Commission Meeting

From November 18-20, 2025, Ministers and representatives of the twelve Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) member states – Australia, Brunei, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, the United Kingdom, and Vietnam – convened in Melbourne for the ninth CPTPP Commission meeting. As chair, Australia set the theme "Delivering Sustainable Trade and Resilient Growth," focusing on three priorities: increasing intra-member trade, simplifying trade processes, and ensuring trade benefits are inclusive and sustainable.[130]

During the meeting, the parties reaffirmed their commitment to a free, fair, open, transparent, inclusive, and rules-based trading environment. They announced the conclusion of the first General Review of the CPTPP, initiated in November 2023 under New Zealand's chairmanship, and pledged to expand membership in line with the Auckland Principles,[131] update and improve the agreement, and streamline its implementation.

CPTPP Ministers also held inaugural trade dialogues with the European Union and with ASEAN, whose membership includes four CPTPP members: Brunei, Malaysia, Singapore, and Vietnam. Following these meetings, CPTPP members issued two joint statements, committing to a collective response to ongoing trade and economic disruptions.

Accession candidates

The parties welcomed the substantial progress in negotiations with accession candidate Costa Rica, noting that discussions are nearing completion. They instructed the accession working group to continue negotiations expeditiously and report back in December 2025, with the aim of finalizing Costa Rica's membership before year-end.

They also announced the commencement of the accession process with Uruguay, which requested accession in 2022, and scheduled further meetings in early 2026 to consider the candidacies of Indonesia (requested accession in 2024), the United Arab Emirates, and the Philippines, whose requests were recently confirmed. All these candidates were deemed consistent with the Auckland Principles for accession negotiations.

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[130] The "Joint Ministerial Statement on the occasion of the Ninth Commission Meeting of the CPTPP," November 21, 2025, is accessible here: https://www.dfat.gov.au/trade/agreements/in-force/cptpp/joint-ministerial-statement-occasion-ninth-commission-meeting-cptpp.

[131] The Auckland Principles refer to three requirements for CPTPP accession including (i) preparedness to meet the agreement's high standards; (ii) a demonstrated pattern of complying with trade commitments; and (iii) recognition that decisions are dependent on the consensus of the CPTPP Membership.

No mention was made regarding the status of China and Taiwan's accession applications, which date from 2021. However, the parties reaffirmed their opposition to economic coercion, emphasizing that such practices are inconsistent with CPTPP membership standards. They expressed strong interest in collaborative efforts to deter and mitigate economic coercion. In a post-meeting press conference, Australian Minister for Trade and Tourism, Don Farrell, clarified that China is not yet a suitable CPTPP candidate due to ongoing tariffs and trade barriers, which conflict with the group's commitment to free and fair trade.[132]

While the commencement of the accession process does not guarantee membership, it marks the beginning of constructive discussions on terms and conditions, subject to Commission approval. CPTPP members emphasized the importance of rigorously assessing compliance with the agreement to ensure the benefits of market access liberalization are realized. Effective mechanisms, including the Commission, committees, and dispute settlement procedures, are in place to address non-compliance and other concerns.

CPTPP review and recommendations

CPTPP Ministers reaffirmed their commitment to maintaining the agreement's high standards and ensuring its continued relevance in addressing evolving global challenges. They welcomed the completion of the first General Review and endorsed the recommendations in the General Review Report.

As a result, the parties agreed to update and enhance the agreement's disciplines in five key areas, with negotiations set to begin in early 2026:

- **Electronic commerce**: Updates will address emerging issues such as artificial intelligence, digital identities, online safety, and cybersecurity, along with revised rules on data flows and consumer protection.
- **Trade in services**: Enhancements will cover cross-border trade in services, domestic regulations, and updates to financial services, including sustainable finance, cross-border data flows, and e-payments.
- **Customs administration and trade facilitation**: Provisions will be updated regarding authorized economic operators, post-clearance processes, customs brokers, and consistency in customs procedures, as well as potential revisions to advance rulings and automation.
- **Competitiveness and business facilitation**: Efforts will focus on strengthening supply chain resilience and enhancing cooperation to support integration into global and regional value chains.
- **Trade and women's economic empowerment**: The development of non-binding provisions or a new chapter will aim to advance women's participation and leadership in trade, with gender mainstreaming across CPTPP committees.

CPTPP Ministers also tasked officials with finalizing additional initiatives identified in the General Review Report, including those related to investment, state-owned enterprises, innovation, gender mainstreaming, economic coercion, and market-distorting practices. These measures are intended to ensure the CPTPP remains responsive to emerging issues through ongoing cooperation among members.

The parties also welcomed efforts to promote business utilization of the CPTPP, particularly Malaysia's initiative to lead cooperation among Trade Promotion Organizations (TPOs) to boost exports and enhance the agreement's use. Collaborative work on economic quantitative analysis was recognized as essential for assessing the benefits and impacts of the CPTPP, with an initial report presented at the Commission meeting. Additionally, the parties agreed to establish a unit to provide administrative support for the agreement's implementation, with further discussions on its functions and structure to be reported to the Commission in 2026.

[132] Minister Farrell's press release is accessible here: https://www.trademinister.gov.au/minister/don-farrell/transcript/press-conference-cptpp-2025-melbourne.

CPTPP-ASEAN Trade and Investment Dialogue

On November 20, CPTPP Ministers virtually held the first CPTPP-ASEAN Trade Investment Dialogue,[133] highlighting ASEAN's central role in regional integration and the implementation of the ASEAN Outlook on the Indo-Pacific (AOIP). The parties reaffirmed their commitment to building a cohesive, competitive ASEAN economy, promoting seamless trade and investment, and maintaining free, fair, and open markets for future growth and security.

They also reaffirmed the importance of a rules-based, non-discriminatory, and inclusive multilateral trading system, with the World Trade Organization (WTO) at its core. They expressed a shared dedication to supporting ongoing efforts in Geneva to reform the WTO, ensuring its relevance and effectiveness in addressing both current and emerging trade challenges, including practices that distort trade and investment flows.

CPTPP Ministers recognized the positive role of multilateral and plurilateral negotiations in promoting open, inclusive, and secure digital trade, including the ongoing ASEAN Digital Economy Framework Agreement (DEFA) negotiations, and committed to maintaining the global moratorium on customs duties for electronic transmissions, which is set to expire on March 31, 2026, to support digital trade growth.

Additionally, the parties supported incorporating the Investment Facilitation for Development Agreement into the WTO legal framework and called for updated, enforceable WTO rules and a fulling functioning dispute settlement system. In anticipation of the 14th WTO Ministerial Conference, they pledged support for Cameroon as host and committed to working with all WTO Members for positive outcomes.

To further strengthen the multilateral trading system and deepen cooperation between CPTPP parties and ASEAN member states, the Dialogue served as a platform to identify practical areas for collaboration, including:

- **Trade and investment facilitation**: The parties discussed strategies to enhance transparency and address non-tariff barriers, highlighting ongoing efforts within both the CPTPP and ASEAN to reduce transaction costs and create a predictable business environment for goods and services.
- **Digital trade**: The parties recognized the growing importance of digital trade and explored ways to lower barriers, improve efficiencies, and facilitate market access. They expressed openness to continued collaboration in this area.
- **Supply chain resilience**: The importance of resilient supply chains was emphasized, with exchanges on policies to enhance transparency, diversification, security, sustainability, and reliability. The parties stressed the need for preparedness to ensure supply chains can withstand future disruptions.
- **Regulatory coherence**: The parties acknowledged that harmonizing regulations can significantly reduce trade frictions, thereby facilitating smoother business engagement and operations across borders.

CPTPP-EU Trade and Investment Dialogue

On November 20, CPTPP Ministers and EU representatives convened the inaugural CPTPP-EU Trade and Investment Dialogue in Melbourne.[134] Both sides underscored the significance of free and open markets and the essential role of rules-based trade in supporting economic growth and security. They emphasized the importance of upholding commitments under existing trade agreements and ensuring transparent, predictable rules for trade and investment. The parties also reaffirmed their commitment to sustainable economic growth, robust global supply

[133] The "2025 CPTPP-ASEAN Trade and Investment Dialogue Joint Ministerial Statement," November 21, 2025, is accessible here: https://www.dfat.gov.au/trade/agreements/in-force/cptpp/2025-cptpp-asean-trade-and-investment-dialogue-joint-ministerial-statement.

[134] The "2025 CPTPP-EU Trade and Investment Dialogue Joint Ministerial Statement," November 21, 2025, is accessible here: https://www.dfat.gov.au/trade/agreements/in-force/cptpp/2025-cptpp-eu-trade-and-investment-dialogue-joint-ministerial-statement.

chains, and a rules-based, non-discriminatory, and inclusive multilateral trading system centered on the WTO. They expressed collective support for WTO reform efforts in Geneva to address current and emerging trade challenges.

Similar to the CPTPP-ASEAN Dialogue, the CPTPP-EU Dialogue highlighted the value of plurilateral negotiations, including Joint Statement Initiatives, and the importance of incorporating digital trade agreements, such as the Agreement on Electronic Commerce, into the WTO framework. Both sides reaffirmed their commitment to the moratorium on customs duties for electronic transmissions, recognizing its importance for digital economy growth.

To enhance cooperation, the Dialogue identified practical areas for collaboration, many of which align with the CPTPP-ASEAN priorities:

- **Trade diversification**: Both sides discussed the benefits of diversifying trade to strengthen economic resilience and sustainable growth, agreeing to continue engagement to identify mutual interests.
- **Digital trade**: The parties acknowledged the growing role of digital trade and the need for effective rules to lower barriers, improve efficiencies, and facilitate market access, expressing willingness to collaborate further.
- **Trade and investment facilitation**: Discussions focused on improving customs procedures, addressing non-tariff barriers, and streamlining regulatory processes, mirroring similar efforts with ASEAN.
- **Supply chain resilience**: Both sides shared experiences and best practices to enhance transparency, diversification, security, and sustainability in supply chains, emphasizing the need for preparedness against disruptions.

Vietnam takes over as CPTPP Chair in 2026

Vietnam will host the 10th CPTPP Commission meeting, with Australia and Peru serving as Vice Chairs. Vietnam's Industry and Trade Minister, Nguyen Hong Dien, outlined Vietnam's preparations and priority agenda for the year, emphasizing the country's commitment to building on Australia's achievements as 2025 Chair and bringing renewed momentum to the CPTPP.

Vietnam's priorities include strengthening implementation, advancing upgrade negotiations, expanding engagement with key partners, concluding Costa Rica's accession, and making progress on other accession processes. Vietnam also aims to collaborate with other CPTPP members to reinforce coordination mechanisms and enhance support for CPTPP economies.

Comment

CPTPP Ministers have set out an ambitious and comprehensive agenda aimed at strengthening the agreement's institutional framework, expanding membership, and addressing a broad range of contemporary trade issues, including digital trade, supply chain resilience, and inclusive growth. The scale and complexity of these commitments underscore the considerable time and coordination required for effective implementation. With the establishment of a new administrative unit still a year away and accession processes for new members ongoing, meaningful progress will depend on sustained effort and collaboration among members.

While the CPTPP's forward-looking agenda is a positive signal for the future of regional and global trade, the pace of institutional and policy change will likely be gradual, reflecting the realities of consensus-driven decision-making and the need for careful management in a rapidly evolving economic environment.

Uruguay to Commence Formal CPTPP Accession Negotiations

On November 21, 2025, the 9th Commission of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) approved the initiation of Uruguay's accession process.[135] Uruguay had formally applied for membership in November 2022. In a Joint Ministerial Statement from Melbourne,[136] the CPTPP members welcomed progress on key priorities, including deeper trade integration, improved implementation, and broader distribution of trade benefits.

The Commission also noted significant advancement in Costa Rica's accession and agreed to begin Uruguay's process, while deferring negotiations with the United Arab Emirates, the Philippines, and Indonesia until at least 2026. Membership in the CPTPP remains open to economies that meet the agreement's high standards and secure consensus among existing members. Established in 2018, the CPTPP includes twelve members,[137] with the United Kingdom joining as the first new member in December 2024.

Uruguay's reaction

Uruguay's Minister of Foreign Affairs Mario Lubetkin announced the decision in a press conference on November 21, emphasizing that the country's accession to the agreement has bi-partisan support, regardless of the political party in power.[138] The accession application was submitted by the center-right administration of former President Luis Lacalle Pou, and the process will now be carried forward by the center-left administration of President Yamandú Orsi.

Minister Lubetkin welcomed the positive reaction to Uruguay's accession bid received from the political system, the private sector, civil society, and the academic community. "We say that everything that should continue must continue, and everything that should change must be changed in this very particular phase of a shifting global landscape," he said. He confirmed that Uruguay will now join the CPTPP working group that will detail the conditions and procedures for accession.

Uruguay has free trade agreements (FTAs) with only four existing CPTPP members: Mexico, Chile, Peru, and Singapore. Deputy Foreign Minister Valeria Csukasi stated that "It must be understood that there are opportunities here in services and investment, and highly innovative elements in terms of disciplines, trade modernization, procedures, and ways of doing business. Some CPTPP countries are global leaders in facilitating trade so that, for example, small enterprises can benefit from the agreements."

Minister Lubetkin emphasized that, acceding to the CPTPP, forms part of a broader strategy for international integration, which also includes the recently signed Mercosur–European Free Trade Area (EFTA) FTA, the still-pending Mercosur–European Union Partnership Agreement, and other ongoing negotiations.

However, Uruguay faces a major obstacle: as a member of Mercosur, it will need the consent of the other founding members of that bloc, Argentina, Brazil, and Paraguay,[139] to engage in bilateral negotiations with non-members such as CPTPP parties. Under Mercosur rules, the four member states are bound by a customs union and are supposed to negotiate trade agreements as a bloc. This issue will likely reignite longstanding tensions within the bloc, pitting those in favor of greater flexibility (such as Argentina) against members that have traditionally taken a more rigid stance (such as Brazil). In November 2022, Uruguay's application to join the CPTPP prompted an immediate

[135] The "Decision by the Commission of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership regarding Uruguay's Formal Request to Commence the Accession Process," November 21, 2025, is accessible here: https://www.dfat.gov.au/trade/agreements/in-force/cptpp/news/decision-commission-comprehensive-and-progressive-agreement-trans-pacific-partnership-regarding-uruguays-formal-request-commence-accession-process.

[136] The "Joint Ministerial Statement on the occasion of the Ninth Commission Meeting of the CPTPP," November 21, 2025, is accessible here: https://www.dfat.gov.au/trade/agreements/in-force/cptpp/joint-ministerial-statement-occasion-ninth-commission-meeting-cptpp.

[137] Australia, Brunei Darussalam, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, the United Kingdom, and Vietnam.

[138] Uruguay's Ministry of Foreign Affairs press release is accessible here (in Spanish): https://www.gub.uy/ministerio-relaciones-exteriores/comunicacion/noticias/cptpp-le-abrio-puerta-uruguay-respaldo-internacional-politica-estado.

[139] Although Bolivia is a Mercosur member, it has not yet fully implemented the commitments required to join the bloc's customs union.

response from the other Mercosur members, who formally notified the Uruguayan government that they would "reserve the right to adopt the potential measures they deem necessary to defend their interests in the legal and commercial spheres," should Uruguay accede to the CPTPP.[140]

Deputy Foreign Minister Csukasi expressed confidence that Mercosur would not block Uruguay's CPTPP accession, noting that the regional bloc has traditionally shown a degree of flexibility. "This issue was thoroughly discussed throughout the entire negotiation process with the CPTPP members. Uruguay is a sovereign nation with both the capacity and the right to choose its own course in matters of economic and trade integration," she stated during the press conference.

CPTPP accession process

The CPTPP Commission has established an Accession Working Group to oversee Uruguay's accession process. The Working Group is tasked with: (i) reviewing Uruguay's application and supporting documentation to assess its ability to comply with CPTPP requirements; (ii) conducting accession negotiations; and (iii) submitting a written report to the Commission outlining the agreed terms and conditions for Uruguay's accession once negotiations are complete.

The Working Group consists of representatives from each CPTPP member, excluding Uruguay. However, Uruguay may be invited to participate in meetings to negotiate accession terms or for other relevant purposes.

As the CPTPP is already in force, Uruguay must accept all existing rules without renegotiation. Negotiations will focus on Uruguay's market access offers for goods, services, and government procurement, as well as non-conforming measures (NCMs) related to goods, services, financial services, investment, temporary entry for business persons, government procurement, and state-owned enterprises. Uruguay will negotiate these offers through the Working Group and, where appropriate, bilaterally with members. To proceed, Uruguay must demonstrate its ability to meet CPTPP benchmarks and provide commercially meaningful market access that aligns with the agreement's high standards and supports mutual trade, investment, and economic growth.[141]

The Joint Ministerial Statement recalls that "[the] commencement of an accession process is not a guarantee of membership and is instead a starting point for constructive discussions on the terms and conditions for an aspirant economy's accession, noting that conclusion requires the Commission's approval. We emphasize that the rigorous assessment of aspirant economies' compliance is essential to realizing the benefits of market access liberalization, including by ensuring that any illegal transshipment and related practices that evade or circumvent duties do not undermine CPTPP Parties' economies. This helps ensure that accessions increase the Agreement's value to our stakeholders."

[140] The joint Argentina-Brazil-Paraguay press release is accessible here (in Spanish): https://twitter.com/CancilleriaARG/status/1597928311317213184/photo/1.

[141] The full CCPTP accession guidelines are accessible here: https://www.mfat.govt.nz/assets/Trade-agreements/CPTPP/Accession-Process.pdf. Regarding the benchmarks, aspirant economies must: (i) demonstrate the means by which they will comply with all of the existing rules contained in the CPTPP; and (ii) undertake to deliver the highest standard of market access offers on goods, services, investment, financial services, government procurement, state-owned enterprises and temporary entry for business persons. These must deliver commercially meaningful market access for each party in a well-balanced outcome that strengthens the mutually beneficial linkages among the aspirant economy and the parties, while boosting trade, investment and economic growth, and promoting efficiency, competition and development.

RCEP

Sri Lanka Accelerates Efforts to Join Regional Comprehensive Economic Partnership

On November 24, 2025, the Sri Lankan Cabinet approved a proposal to complete and submit the initial questionnaire required for accession to the Regional Comprehensive Economic Partnership Agreement (RCEP), following recommendations from the Minister of Trade, Commerce, Food Security, and Cooperative Development.[142]

This approval follows the issuance of an initial questionnaire by the RCEP Ad Hoc Accession Working Group (AWG)[143] to interested parties, including Bangladesh, Chile, Hong Kong, and Sri Lanka, to gather information necessary for assessing applicants' compliance with RCEP provisions and rules. The questionnaire is designed to evaluate each applicant's readiness to provide commercially meaningful market access consistent with the objectives of the RCEP agreement. The submission deadline is January 25, 2026.

Sri Lanka initially submitted a Letter of Intent on June 28, 2023, expressing its interest in joining the RCEP. Accession to the RCEP would mark a significant move for Sri Lanka to enhance its trade capabilities and further integrate into regional economic networks. Participation in RCEP is expected to provide Sri Lanka with opportunities for trade liberalization, economic diversification, and a stronger position in global supply chains. Completing the preliminary questionnaire on time will be essential for advancing Sri Lanka's accession process and ensuring compliance with RCEP standards and requirements.

Under the RCEP, member countries commit to liberalizing tariffs on approximately 85% to 90% of their tariff lines. Sri Lanka's accession process highlights the increasing importance of RCEP in the global trade landscape and its role as a platform for promoting inclusive economic growth and cooperation among a wider group of countries.

[142] The press release from Sri Lanka's Office of the Cabinet of Ministers is accessible here: https://www.cabinetoffice.gov.lk/cab/index.php?option=com_content&view=article&id=16&Itemid=49&lang=en&dID=13581.

[143] During the 4th RCEP Ministers' Meeting on September 25, 2025, the RCEP Joint Committee welcomed the adoption of the Terms of Reference for the *Ad Hoc* Accession Working Group. The Committee was instructed to review accession requests in line with established procedures, aiming to advance the accession process while upholding RCEP's high standards. *See*, "Joint Media Statement of the 4th RCEP Miniters' Meeting," September 25, 2025, accessible here: https://www.meti.go.jp/press/2025/09/20250929005/20250929005-e.pdf.

Petitions & Investigations

US Trade Remedies Proceedings Resume After Longest Government Shutdown in History

The US government reopened on November 13, 2025, following a Senate compromise that enabled the adoption of a continuing resolution (CR) to temporarily restore government funding at fiscal year (FY) 2025 budget levels.[144] The shutdown, which began at the end of FY 2025 on October 1 and lasted until November 13, was the longest in US history at 43 days.

The US International Trade Commission (ITC) and the US Department of Commerce (Commerce) are now resuming trade remedy proceedings after suspending all activities during the shutdown. Other trade-related agencies remained mostly operational throughout the shutdown, including US Customs and Border Protection (except for refund processing), the Office of the United States Trade Representative, and most of the Bureau of Industry and Security (except for routine export license work).

Commerce's International Trade Administration

Commerce's International Trade Administration (ITA) ceased nearly all operations during the shutdown. Under Commerce's shutdown plan, only the ITA's steel and aluminum import monitoring and licensing systems and the Data Privacy Framework Program remained fully active.

Trade remedy proceedings were among the suspended activities. During the shutdown, a message posted to ACCESS, ITA's trade remedies document system, stated that the website was not being updated, but that interested parties should continue submitting pending documents on their due dates but take an additional 10 days if needed and that all responses should be submitted within two days of reopening. After the government reopened on November 13, 2025, ITA confirmed resumption of operations, posting a statement to ACCESS announcing it will begin accepting filings on November 17 and will toll deadlines for active cases.

ITA posted a tolling memorandum to ACCESS on November 14 confirming the deadline changes.[145] ITA initially tolled all remedies deadlines by 47 days, except for submissions due during the shutdown and requests for administrative reviews of suspension agreements and antidumping duty (ADD) and countervailing duty (CVD) orders:

- For pending submissions that were due during the shutdown, the memorandum instructs users to continue following the instructions that ITA posted to ACCESS on October 1, requiring responses to be filed by November 17.
- For ADD and CVD orders and suspension agreements with October anniversary months, all requests for administrative reviews are due by November 17, 2025.
- For ADD and CVD orders and suspension agreements with November anniversary months, all requests for administrative reviews will now be due by December 31, 2025.

On November 24, ITA announced a second set of deadline changes.[146] The second memorandum tolled all current case deadlines by an additional 21 days. The additional delay applies to all ADD and CVD segments and proceedings, including petitions, investigations, administrative reviews, sunset reviews, changed circumstances reviews, expedited CVD reviews, scope inquiries, covered merchandise inquiries, circumvention inquiries, and includes proceedings relating to the U.S. Foreign-Trade Zones Board and any deadlines for submitting comments not

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[144] H.R.5371 - Continuing Appropriations, Agriculture, Legislative Branch, Military Construction and Veterans Affairs, and Extensions Act, 2026, 119th Congress (2025-2026), accessible here: https://www.congress.gov/bill/119th-congress/house-bill/5371.

[145] Deadlines Affected by the Shutdown of the Federal Government, ITA, November 14, 2025, accessible here: https://access.trade.gov/Resources/Tolling_Memo_2025.pdf.

[146] Tolling of all Case Deadlines, ITA, November 24, 2025, accessible here: https://access.trade.gov/Resources/Second%20Tolling%20Memo%20November%202025.pdf.

connected with a specific proceeding. The delay does not apply to requests for administrative reviews of orders with November anniversary months, court-ordered redeterminations, or deadlines established for the submission of information or data by the Enforcement and Compliance case team for external parties.

US International Trade Commission

The ITC ceased all regular operations during the shutdown, including trade remedy injury investigations, Section 337 intellectual property protection proceedings, and Section 201 safeguards investigations. The ITC issued an update confirming resumption of operations on November 13, 2025 and explaining its reopening plans.[147] Staff are working to reschedule all active cases and will toll all statutory and other investigative deadlines for about 47 days. The specific timelines for each investigation may vary, and ITC will issue individual notices with specific rescheduling information for each investigation. The ITC began posting the notices for individual investigations on November 14.

The ITC resumed accepting document filings in the Electronic Document Information System (EDIS) until November 17, 2025. During the shutdown, EDIS was put in read-only mode, with filing functions disabled.

The next potential funding lapse

The continuing appropriations authority in the CR provides funding through the earlier of either January 30, 2026, or the enactment of the applicable FY 2026 appropriations act. If Congress cannot reach a compromise on a full FY 2026 budget or pass another continuing resolution by January 30, 2026, funding would lapse, and the government would shut down again.

Investigations

Commerce and ITC Initiate Five-Year Sunset Review of ADD and CVD Orders on Non-Oriented Electrical Steel from China, Germany, Japan, South Korea, Sweden, and Taiwan

On December 1, 2025, Commerce[148] and ITC[149] published initiation notices for the second five-year (sunset) reviews of the ADD orders on non-oriented electrical steel (NOES) from China, Germany, Japan, South Korea, Sweden, and Taiwan and the CVD orders on NOES from China and Taiwan. Although these reviews were originally scheduled for November 2025 and were legally instituted on November 3, they were delayed due to the government shutdown. As a result, both ITC and Commerce have tolled the review deadlines.

The ITC will assess whether revoking the ADD and CVD orders would likely result in the continuation or recurrence of material injury. Commerce will evaluate whether revocation of the ADD orders would likely lead to continued or renewed dumping, and whether revocation of the CVD orders would likely result in continued or renewed countervailable subsidies.

Covered product

For the Japan order, the product covered by these orders is NOES, which includes cold-rolled, flat-rolled, alloy steel products, whether or not in coils, regardless of width, having an actual thickness of 0.20 mm or more, in which the core loss is substantially equal in any direction of magnetization in the plane of the material. The term “substantially equal” means that the cross grain direction of core loss is no more than 1.5 times the straight grain direction (i.e., the rolling direction) of core loss. NOES has a magnetic permeability that does not exceed 1.65 Tesla when tested at a

[147] “The U.S. International Trade Commission is open and has resumed operations,” November 12, 2025, accessible here: https://www.usitc.gov/press_room/2025_lapse_of_appropriations; and “Rescheduling of USITC Investigations following the Recent Government Shutdown,” accessible here: https://www.usitc.gov/news/rescheduling.htm.

[148] “Initiation of Five-Year (Sunset) Reviews,” 90 FR 55086 (December 1, 2025), accessible here: https://www.federalregister.gov/documents/2025/12/01/2025-21693/initiation-of-five-year-sunset-reviews.

[149] “Non-Oriented Electrical Steel from China, Germany, Japan, South Korea, Sweden, and Taiwan; Institution of Five-Year Reviews,” 90 FR 55159 (December 1, 2025), accessible here: https://www.federalregister.gov/documents/2025/12/01/2025-21687/non-oriented-electrical-steel-from-china-germany-japan-south-korea-sweden-and-taiwan-institution-of.

field of 800 A/m (equivalent to 10 Oersteds) along (i.e., parallel to) the rolling direction of the sheet (i.e., B800 value). NOES contains by weight more than 1.00% of silicon but less than 3.5% of silicon, not more than 0.08% of carbon, and not more than 1.5% of aluminum. NOES has a surface oxide coating, to which an insulation coating may be applied.

NOES is subject to these orders whether it is fully processed (i.e., fully annealed to develop final magnetic properties) or semi-processed (i.e., finished to final thickness and physical form but not fully annealed to develop final magnetic properties). Fully processed NOES is typically made to the requirements of ASTM specification A 677, Japanese Industrial Standards (JIS) specification C 2552, and/or International Electrotechnical Commission (IEC) specification 60404-8-4. Semi-processed NOES is typically made to the requirements of ASTM specification A 683. However, the scope of the order is not limited to merchandise meeting the ASTM, JIS, and IEC specifications noted immediately above.

NOES is sometimes referred to as cold-rolled non-oriented (CRNO), non-grain oriented (NGO), non-oriented (NO), or cold-rolled non-grain oriented (CRNGO) electrical steel. These terms are interchangeable. Excluded from the scope of the Order are flat-rolled products not in coils that, prior to importation into the United States, have been cut to a shape and undergone all punching, coating, or other operations necessary for classification in Chapter 85 of the Harmonized Tariff Schedule of the United States (HTSUS) as a part (i.e., lamination) for use in a device such as a motor, generator, or transformer.

The products are classified under HTSUS subheadings 7225.19.0000, 7226.19.1000, and 7226.19.9000. Subject merchandise may also be entered under HTSUS subheadings 7225.50.8085, 7225.99.0090, 7226.92.5000, 7226.92.7050, 7226.92.8050, 7226.99.0180. While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope is dispositive.