

Section 301 Tariff Exclusions

Section 301 duties are a mechanism for the United States to address “unfair foreign barriers to US exports.”¹ In 2018, President Donald Trump imposed these tariffs on Chinese products. These tariffs have been put in place while related investigations are being carried out pertaining to goods exported to China. However, exclusions from these Section 301 tariffs may be requested.

The United States Trade Representative is allowing exclusion requests to be made via its website. There are currently four trade lists with proposed tariff action. In each list, the specific HTS subheading is listed with the proposed tariff amount. Each list also offers a fillable PDF for an “Exclusion Request Form”. Next to the PDF link, there is a deadline as to when the request from should be submitted. A quicker way to finding the good is to search the HTS subheading number within the Section 301-Tariff section. This generated search will automatically show on which list the good can be found. All of this information can be found directly on the US Trade Representative website by following this link: <https://ustr.gov/issue-areas/enforcement/section-301-investigations/search>.

If an extension request has already been submitted but there has been no decision yet by the US Trade Representative, the Center of Excellence and Expertise may grant a liquidation extension of an existing deadline.² To request the extension of the liquidation deadline, the specific CEE Import Specialist must be contacted. This liquidation deadline may be extended up to three years, according to the ACE Entry Summary Business Process Document.³

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¹ Wayne M. Morrison, *Enforcing U.S. Trade Laws: Section 301 and China*, Congressional Research Service, June 26, 2019, <https://fas.org/sgp/crs/row/IF10708.pdf>

² *Centers of Excellence and Expertise Directory*, U.S. Customs and Border Protection, <https://www.cbp.gov/trade/centers-excellence-and-expertise-information/cee-directory>

³ *Trade Remedies*, U.S. Customs and Border Protection, <https://www.cbp.gov/trade/programs-administration/trade-remedies>