

AMERICANS FOR FREE ★ TRADE

December 11, 2023

The Honorable Katherine Tai
United States Trade Representative
600 Seventeenth Street, N.W.
Washington, D.C. 20508

RE: Extension of Section 301 China Tariffs Exclusions and Four-Year Review

Dear Ambassador Tai:

On behalf of the undersigned members of Americans for Free Trade, we are writing to request that USTR provide an immediate extension for the limited [tariff exclusions](#) and [COVID exclusions](#) from the section 301 tariffs on products from China. The exclusions are currently set to expire on December 31, just 20 days from now. The pattern of making last-minute announcements regarding the tariff exclusions exacerbates uncertainty for U.S. companies who need to make business decisions months in advance. Absent an immediate announcement of the outcome in the four-year tariff review, we urge USTR to extend the expiring exclusions now.

In the last five years, American importers, including members of our coalition, have paid more than [\\$198 billion](#) in section 301 tariffs on products imported from China. The product exclusions granted to date have provided limited but important relief for some U.S. companies – relief that continues to be needed. Repeatedly announcing exclusion determinations at the last minute, now the fourth time for the current exclusions in place, creates challenges for companies who are planning for orders months in advance and need the predictability in order to make contracts. Predictability and advance notice are even more important for those companies who import products where there is no domestic or other sourcing alternative.

In USTR's September 11th [Federal Register notice](#) extending the exclusions until the end of the year, the agency noted that the extension was provided “[t]o provide a transition period for the expiring exclusions and to allow for further consideration under the four-year review.” In other words, it was anticipated that USTR would conclude its four-year review of the tariffs and announce next steps – to include a determination regarding the exclusions – by the end of 2023. Since USTR has yet to issue the results of the four-year review and it is unclear when it will do so, **we urge USTR to announce a determination on the exclusions now before they expire** in a few weeks.

We also urge USTR to conclude the four-year review expeditiously and announce the outcomes before the end of the year. The broader stakeholder comment period has been closed for almost a year now. Americans for Free Trade and the hundreds of organizations who

commented about the continuing negative impact of the tariffs need to know the results to ensure they have certainty and predictability in their supply chains. In concluding this review, we strongly urge USTR to avoid increasing tariff rates or subjecting additional products to tariffs. New and higher tariffs would claw back the progress the United States has made in combating inflation and create more dislocation, inefficiencies, and potentially job loss across the economy. Finally, as part of the review's outcome, we renew our request for USTR to create a more robust exclusions process that is open to all products covered by the China 301 tariffs.

As economic uncertainty continues, the administration must use every available tool to provide economic relief and predictability going forward to ensure American businesses can compete globally. Immediately renewing the tariff exclusions that are set to expire in a few weeks, opening up a new and robust exclusions process for all covered products, and announcing the results of the four-year review are important steps towards providing the economic certainty U.S. businesses need.

Sincerely,

Accessories Council	Association For Creative Industries
ACT The App Association	Association for PRINT Technologies
Agriculture Transportation Coalition (AgTC)	Association of American Publishers
Alliance for Chemical Distribution (ACD)	Association of Equipment Manufacturers (AEM)
ALMA, International (Association of Loudspeaker Manufacturing and Acoustics)	Association of Home Appliance Manufacturers
American Apparel & Footwear Association (AAFA)	Auto Care Association
American Association of Exporters and Importers (AAEI)	Beer Institute
American Association of Port Authorities	Building Service Contractors Association International (BSCAI)
American Bakers Association	Business Alliance for Customs Modernization
American Bridal & Prom Industry Association (ABPIA)	California Retailers Association
American Chemistry Council	Can Manufacturers Institute
American Clean Power Association	CAWA - Representing the Automotive Parts Industry
American Down and Feather Council	Chemical Industry Council of Delaware (CICD)
American Fly Fishing Trade Association	Coalition of New England Companies for Trade (CONNECT)
American Home Furnishings Alliance	Coalition of Services Industries (CSI)
American Lighting Association	Colorado Retail Council
American Petroleum Institute	Columbia River Customs Brokers and Forwarders Assn.
American Pyrotechnics Association	Computer & Communications Industry Association (CCIA)
American Rental Association	Consumer Brands Association
American Seed Trade Association	Consumer Technology Association
American Specialty Toy Retailing Association	Council of Fashion Designers of America (CFDA)
American Trucking Association	CropLife America
Arizona Technology Council	Customs Brokers & Freight Forwarders Assn. of Washington State
Arkansas Grocers and Retail Merchants Association	

Customs Brokers & Freight Forwarders of Northern California
 Electronic Transactions Association
 Energy Workforce & Technology Council
 Experiential Designers and Producers Association
 Exhibitions & Conferences Alliance
 Fashion Accessories Shippers Association (FASA)
 Fashion Jewelry & Accessories Trade Association
 Flexible Packaging Association
 Florida Ports Council
 Florida Retail Federation
 Footwear Distributors and Retailers of America (FDRA)
 Fragrance Creators Association
 Game Manufacturers Association
 Gemini Shippers Association
 Georgia Retailers
 Global Business Alliance
 Global Chamber®
 Global Cold Chain Alliance
 Greeting Card Association
 Halloween & Costume Association (HCA)
 Home Fashion Products Association
 Home Furnishings Association
 Household and Commercial Products Association
 Housing Affordability Coalition
 Idaho Retailers Association
 Illinois Retail Merchants Association
 Independent Office Products & Furniture Dealers Association (IOPFDA)
 Indiana Retail Council
 Information Technology Industry Council (ITI)
 International Bottled Water Association (IBWA)
 International Foodservice Distributors Association
 International Housewares Association
 International Warehouse and Logistics Association
 International Wood Products Association
 ISSA - The Worldwide Cleaning Industry Association
 Jeweler's Vigilance Committee
 Juice Products Association (JPA)
 Juvenile Products Manufacturers Association
 Leather and Hide Council of America
 Licensing Industry Merchandisers' Association
 Los Angeles Customs Brokers and Freight Forwarders Assn.
 Louisiana Retailers Association
 Maine Grocers & Food Producers Association
 Maine Lobster Dealers' Association
 Maritime Exchange for the Delaware River and Bay
 Maryland Retailers Association
 MEMA, The Vehicle Suppliers Association
 Michigan Chemistry Council
 Michigan Retailers Association
 Minnesota Retailers Association
 Missouri Retailers Association
 Motorcycle Industry Council
 NAPIM (National Association of Printing Ink Manufacturers)
 National Association of Chain Drug Stores (NACDS)
 National Association of Foreign-Trade Zones (NAFTZ)
 National Association of Home Builders
 National Association of Music Merchants
 National Association of Trailer Manufacturers (NATM)
 National Confectioners Association
 National Council of Chain Restaurants
 National Electrical Manufacturers Association (NEMA)
 National Fisheries Institute
 National Foreign Trade Council
 National Grocers Association
 National Industrial Transportation League (NITL)
 National Lumber and Building Material Dealers Association
 National Marine Manufacturers Association
 National Pork Producers Council
 National Restaurant Association
 National Retail Federation
 National Ski & Snowboard Retailers Association
 National Sporting Goods Association
 Natural Products Association
 New Jersey Retail Merchants Association
 North American Association of Food Equipment Manufacturers (NAFEM)
 North American Association of Uniform Manufacturers and Distributors (NAUMD)

North Carolina Retail Merchants Association
Ohio Council of Retail Merchants
Outdoor Industry Association
Pacific Coast Council of Customs Brokers and
Freight Forwarders Assns. Inc.
Pennsylvania Retailers' Association
PeopleforBikes
Personal Care Products Council
Pet Food Institute
Pet Advocacy Network
Plumbing Manufacturers International
Power Tool Institute (PTI)
PRINTING United Alliance
Promotional Products Association International
Recreational Off-Highway Vehicle Association
Retail Association of Maine
Retail Council of New York State
Retail Industry Leaders Association
Retailers Association of Massachusetts
RISE (Responsible Industry for a Sound
Environment)
RV Industry Association
San Diego Customs Brokers and Forwarders
Assn.
Semiconductor Industry Association (SIA)
Snowsports Industries America
Software & Information Industry Association
(SIIA)

South Dakota Retailers Association
Specialty Equipment Market Association
Specialty Vehicle Institute of America
Sports & Fitness Industry Association
TechNet
Technology Trade Regulation Alliance (TTRA)
Telecommunications Industry Association (TIA)
Texas Retailers Association
Texas Water Infrastructure Network
The Airforwarders Association
The Fertilizer Institute
The Hardwood Federation
Toy Association
Travel Goods Association
Truck & Engine Manufacturers Association (EMA)
United States Council for International Business
United States Fashion Industry Association
US Global Value Chain Coalition
US-China Business Council
Virginia Association of Chain Drug Stores
Virginia Retail Federation
Virginia-DC District Export Council (VA-DC DEC)
Washington Retail Association
Water Quality Association
Window and Door Manufacturers Association
World Pet Association, Inc. (WPA)