



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