

Draft Review Procedures for Section 301 Limited Exclusion Process for Certain Manufacturing Equipment

Introduction

These procedures are for reviewers examining requests received in the Section 301 limited exclusions process for certain manufacturing equipment.

I. Administrative Procedures

A. Establishing a Docket:

- Docket number reserved on Federal Document Management System.
- Docket built on USTR's Salesforce.

B. Public Request Period:

- Exclusions requests and associated objections or supporting comments are posted publicly on the appropriate docket on the USTR comment portal.
- Requests for temporary exclusions for certain manufacturing equipment used in domestic manufacturing under Chapters 84 and 85 of the Harmonized Tariff Schedule of the United States (HTSUS) will be received on a rolling basis.
- We expect the docket will open in October 2024 and remain open through May 2025.

II. Review Procedures

Reviewers will review each request for an exclusion, including any comments supporting or opposing the request, for the following information:

- Does the request identify manufacturing equipment that is covered by one of the eligible subheadings of the HTSUS?
- Does the request provide a complete and detailed description of the particular Chinese origin manufacturing equipment of concern?
- Does the request assert and support that the manufacturing equipment that is the subject of the request has limited availability outside of China?
- Does the request discuss the requester's attempts to source the manufacturing equipment that is the subject of the request from domestic or third party sources?
- Does the request support the assertion that the manufacturing equipment that is the subject of the request will be used for domestic manufacturing?
- Do interested parties objecting to the exclusion provide information on whether the manufacturing equipment or comparable equipment is available in the United States or from third country sources?

Reviewers will make a recommendation on whether to grant or deny the request for an exclusion and provide a short summary of their rationale supporting the decision. Recommendations are submitted to USTR's Office of General Counsel for consideration.