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OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Notice of Modification of Section 301 Action: China's Targeting of the Maritime, Logistics, and Shipbuilding Sectors for Dominance

AGENCY: Office of the United States Trade Representative (USTR).

ACTION: Notice.

SUMMARY: To allow for further discussion with China regarding the acts, policies, and practices at issue in this investigation, the U.S. Trade Representative (Trade Representative) is modifying the action taken in this investigation to further suspend that action for two months, until January 10, 2027.

DATES:

November 9, 2026: The actions taken in this investigation are further suspended through 11:59 p.m. Eastern Time on January 9, 2027.

FOR FURTHER INFORMATION CONTACT: Philip Butler, Deputy Assistant U.S. Trade Representative for Monitoring and Enforcement; Thomas Au, Senior Counsel for Industrial Policy; or David Salkeld, Associate General Counsel at (202) 395-5725.

SUPPLEMENTARY INFORMATION:

I. Background

For background on the proceedings in this investigation, please see the prior notices issued in this investigation, including 89 FR 29424 (April 22, 2024), 90 FR 8089 (January 23, 2025), 90 FR 10843 (February 27, 2025), 90 FR 17114 (April 23, 2025) (April 23, 2025 FRN), 90 FR 24856 (June 12, 2025), 90 FR 48320 (October 16, 2025) (October 16, 2025 FRN); 90 FR 50762 (November 10, 2025) (November 10, 2025 FRN), 90 FR 50947 (November 13, 2025) (November 13, 2025 FRN), and 91 FR 67388 (October 26, 2026) (October 26, 2026 FRN).

On April 17, 2025, pursuant to sections 301(b), 301(c), and 304(a) of the Trade Act of 1974, as amended (Trade Act) (19 U.S.C. 2411(b), 2411(c), and 2414(a)), and subsequently on October 16, 2025, pursuant to section 307(a) (19 U.S.C. 2417(a)), following consideration of public comments, as well as consultations with advisory committees and the Section 301 Committee, the Trade Representative determined to take action in this investigation, including fees on certain maritime transport services and duties on ship-to-shore (STS) cranes and other cargo handling equipment of China. *See* April 23, 2025 FRN; October 16, 2025 FRN (modifying certain aspects of the actions in the investigation).

On November 1, 2025, the White House announced a historic trade and economic deal reached between President Trump and President Xi of China. The White House, Fact Sheet: President Donald J. Trump Strikes Deal on Economic and Trade Relations with China (Nov. 1, 2025), https://www.whitehouse.gov/fact-sheets/2025/11/fact-sheet-president-donald-j-trump-strikes-deal-on-economic-and-trade-relations-with-china/. Pursuant to this deal, the United States would suspend for one year, beginning on November 10, 2025, the responsive actions taken in this investigation. This period would allow the United States to negotiate with China pursuant to Section 301 regarding the issues raised in this investigation as well as to continue U.S. domestic efforts and discussions with key allies and partners on revitalizing American shipbuilding.

Following consideration of public comments and advice from the Section 301 Committee, the Trade Representative, at the specific direction of the President, suspended the actions in this investigation from November 10, 2025 through November 9, 2026. *See* November 13, 2025 FRN.

Discussions with China regarding the acts, policies, and practices at issue in this investigation are ongoing. In this light, and in accordance with Section 307(a)(2) of the Trade Act, on October 23, 2026, the Trade Representative proposed to further suspend

the action in this investigation for two months, until January 10, 2027. The Trade Representative requested comments from any interested person regarding the proposal to further suspend the responsive actions. *See* October 26, 2026 FRN.

II. Determination to Modify the Action

Section 307(a)(1) of the Trade Act authorizes the Trade Representative to modify any action being taken under Section 301, subject to the specific direction of the President, including if such action being taken under Section 301(b) is no longer appropriate.

The circumstances that warranted the initial suspension continue to exist, and to allow for further discussion with China regarding the issues in this investigation, and at the direction of the President, the Trade Representative has determined that the action taken on April 17, 2025, as modified, is no longer appropriate and will be further suspended for two months, until January 10, 2027.

Therefore, effective on November 9, 2026, the U.S. Trade Representative is further suspending the responsive actions taken in this investigation in the April 23, 2025 FRN, as modified by the October 16, 2025 FRN and as further modified by the November 13, 2025 FRN, until January 10, 2027. Accordingly, effective on November 9, 2026, headings 9903.91.12, 9903.91.13, 9903.91.14, 9903.91.15, and 9903.91.16 of the Harmonized Tariff Schedule of the United States are each amended by deleting "November 10, 2026," and by inserting "January 10, 2027," in lieu thereof.

During the suspension period, no party will accrue liability for or be required to pay the fees on maritime transport services under Annexes I, II, or III of the April 23, 2025 FRN, as modified by the October 16, 2025 FRN and as further modified by the November 13, 2025 FRN. Further, during the suspension period, no party will accrue liability for or be required to pay the duties provided in Annex V.A of the October 16, 2025 FRN, as further modified by the November 13, 2025 FRN.

III. Responses to Significant Comments

In response to the October 26, 2026 FRN, USTR received approximately 60 unique comments. Some comments supported the proposal to further suspend the action. Some comments noted that further suspension of the action would avoid increased shipping costs and prevent commercial disruptions. Some comments also recommended further suspension of the actions to provide time for continued negotiation with China on the issues raised in this investigation.

Comments opposing the further suspension asserted that the responsive action is needed to address China's acts, policies, and practices by creating incentives to invest in U.S. shipbuilding and related industries, such as containers. These comments argue that, without the action, China's dominance across the maritime, logistics, and shipbuilding sectors will increase.

Some comments recommended permanent suspension of one or all of the maritime service fees provided for in Annex III of the April 23, 2025 FRN, as modified by the October 16, 2025 FRN. These comments generally asserted that if the suspension is not continued, there may be commercial disruptions that negatively impact U.S. exports.

Some comments addressing the suspension of restrictions of Annex IV of the April 23, 2025 FRN, as modified by the October 16, 2025 FRN, generally supported further suspension and recommended permanently lifting the restrictions provided in Annex IV.

Some comments addressing the suspension of the additional tariffs on STS cranes and other cargo handling equipment in Annex V.A of the October 16, 2025 FRN, as well as the proposed tariffs on additional cargo handling equipment in Annex V.B of the October 16, 2025 FRN, generally supported ending the suspension and addressing tariffs separately from the maritime service fees.

Considering the comments, the Trade Representative has determined that the action taken on April 17, 2025, as modified, is no longer appropriate and will be further suspended for two months, until January 10, 2027. During this further suspension, the United States will continue discussions with China to address the acts, policies, and practices at issue in this investigation and take actions to expand domestic commercial shipbuilding capacity, build a resilient workforce, and continue to partner with key allies to increase U.S. shipbuilding capacity. *See* The White House, America's Maritime Action Plan (Feb. 2026), https://www.whitehouse.gov/wp-content/uploads/2026/02/Restoring-Americas-Maritime-Dominance.pdf.

IV. Ongoing Monitoring

The Trade Representative will continue to monitor the issues raised in this investigation pursuant to Section 301 of the Trade Act and will consider whether it is appropriate to continue the suspension period or whether further action is appropriate in advance of the January 10, 2027, suspension deadline. If modification to the action may be appropriate pursuant to Section 307 of the Trade Act, the Trade Representative may consider the comments received in response to previously proposed responsive actions.

Jennifer Thornton,
General Counsel,
Office of the United States Trade Representative.
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