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OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Notice of Product Exclusion Extensions: China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation

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

ACTION: Notice.

SUMMARY: In prior notices, the U.S. Trade Representative (Trade Representative) modified the actions in the Section 301 investigation of China's acts, policies, and practices related to technology transfer, intellectual property, and innovation by excluding from additional duties certain products of China. While most exclusions have expired in prior years, certain exclusions remain in force. This notice announces the Trade Representative's determination to further extend all 178 current exclusions.

DATES: The modifications announced in the annexes to this notice further extend the exclusions through 11:59 p.m. eastern time on January 9, 2027.

FOR FURTHER INFORMATION CONTACT: For general questions about this notice, contact Deputy Assistant U.S. Trade Representative for Monitoring & Enforcement Philip Butler at (202) 395-5725. For specific questions on customs classification or implementation of the product exclusions, contact traderemedy@cbp.dhs.gov.

SUPPLEMENTARY INFORMATION:

A. Background

In the course of this investigation, the Trade Representative has imposed additional duties on products of China in four tranches. *See* 83 FR 28719 (June 20, 2018); 83 FR 40823 (August 16, 2018); 83 FR 47974 (September 21, 2018), as modified by 83 FR 49153 (September 28, 2018); and 84 FR 43304 (August 20, 2019), as modified by 84 FR 69447 (December 18, 2019) and 85 FR 3741 (January 22, 2020). Additionally, the

Trade Representative has established certain processes by which U.S. stakeholders could request the temporary exclusion of particular products subject to the actions. With few exceptions, most of these exclusions expired in 2019 and 2020.

On December 29, 2023, USTR invited the public to submit comments on whether to extend 352 previously reinstated exclusions and 77 COVID-related exclusions. *See* 88 FR 90225 (December 29, 2023). On May 30, 2024, USTR announced the extension of 164 of these exclusions through May 31, 2025. *See* 89 FR 46948 (May 30, 2024) (the May 30, 2024 FRN). In connection with the four-year review of the actions taken in this investigation, on September 18, 2024, USTR announced fourteen exclusions covering certain solar manufacturing equipment. *See* 89 FR 76581 (September 18, 2024) (the September 18, 2024 FRN). The fourteen exclusions were effective from January 1, 2024, through May 31, 2025. On May 31, 2025, USTR announced the further extension of the 164 exclusions extended in May 2024 and the fourteen exclusions granted in September 2024, through August 31, 2025. *See* 90 FR 23987 (June 5, 2025). USTR announced a further extension for these 178 exclusions for 90 days, through November 29, 2025. *See* 90 FR 42500 (September 2, 2025).

On September 16, 2025, USTR invited the public to submit comments on whether any of the 178 current exclusions warrant further extension beyond November 29, 2025. *See* 90 FR 44749 (the September 16, 2025 FRN). Among the factors considered, the September 16, 2025 FRN provided that USTR would consider whether further extending an exclusion is consistent with the Administration's priorities and how further extending an exclusion would impact U.S. interests, including the overall impact of the exclusion on the goal of obtaining the elimination of China's acts, policies, and practices covered in the Section 301 investigation.

On November 1, 2025, the White House announced a historic trade and economic deal reached between President Trump and President Xi Jinping of China.[1] Pursuant to this deal, the United States would further extend the 178 exclusions scheduled to expire on November 29, 2025, until November 10, 2026. Among other actions, China would continue its exclusion process and further extend existing exclusions through December 31, 2026, which would facilitate China's purchases of U.S. goods.

On November 26, 2025, USTR announced the extension of all 178 current exclusions through November 9, 2026, and that USTR might consider further extensions or additional modifications as appropriate. *See* 90 FR 55232 (December 1, 2025).

B. Determination To Extend Exclusions

The Section 301 statute, which is set out in Sections 301 to 308 of the Trade Act of 1974, as amended (19 U.S.C. 2411–2418), provides authority for the Trade Representative to modify the action being taken in an investigation. In particular, Section 307(a)(1) authorizes the Trade Representative to modify or terminate any action taken under Section 301, subject to the specific direction, if any, of the President, if the burden or restriction on U.S. commerce of the acts, policies, and practices that are the subject of the action has increased or decreased, or the action is being taken under Section 301(b) and is no longer appropriate.

In light of ongoing discussions with China, the Trade Representative has determined that it is appropriate to further extend all 178 current exclusions until January 10, 2027.

The Trade Representative's decision to further extend the 178 current exclusions takes into consideration the public comments received in response to the September 16, 2025 FRN. The Trade Representative's decision to extend these exclusions also takes

[1] Fact Sheet, The White House, 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/.

into consideration public comments previously provided, the advice of the advisory committees, and the advice of the interagency Section 301 Committee.

As indicated in the May 30, 2024 FRN and the September 18, 2024 FRN, the exclusion extensions in the annexes to this notice are available for any product that meets the description in the product exclusion. Further, the scope of each exclusion is governed by the scope of the ten-digit Harmonized Tariff Schedule of the United States (HTSUS) statistical reporting numbers and product descriptions set forth in U.S. notes 20(vvv)(i), 20(vvv)(ii), 20(vvv)(iii), and 20(vvv)(iv) and 20(www) to subchapter III of chapter 99 of the HTSUS.

U.S. Customs and Border Protection will issue instructions on entry guidance and implementation.

The Trade Representative may continue to consider further extensions or additional modifications as appropriate.

ANNEX A

The Trade Representative has determined to extend all exclusions under heading 9903.88.69 and U.S. notes 20(vvv)(i), 20(vvv)(ii), 20(vvv)(iii), and 20(vvv)(iv) to subchapter III of chapter 99 of the HTSUS. *See* 89 FR 46948 (May 30, 2024), 90 FR 23987 (June 5, 2025), 90 FR 42500 (September 2, 2025), and 90 FR 55232 (December 1, 2025). The extension is effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern time on November 10, 2026, and before 11:59 p.m. eastern time on January 9, 2027. Effective on November 10, 2026, the article description of heading 9903.88.69 of the HTSUS is modified by deleting "November 9, 2026," and by inserting "January 9, 2027," in lieu thereof.

ANNEX B

The Trade Representative has determined to extend all exclusions under heading 9903.88.70 and U.S. note 20(www) to subchapter III of chapter 99 of the HTSUS. *See* 89 FR 76581 (September 18, 2024), 90 FR 23987 (June 5, 2025), 90 FR 42500 (September 2, 2025) and 90 FR 55232 (December 1, 2025). The extension is effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern time on November 10, 2026, and before 11:59 p.m. eastern time on January 9, 2027. Effective on November 10, 2026, the article description of heading 9903.88.70 of the HTSUS is modified by deleting "November 9, 2026," and by inserting "January 9, 2027," in lieu thereof.

Jennifer Thornton,

General Counsel,

Office of the United States Trade Representative.

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