

Trade Chronology since 2016

Case Western University School of Law International Trade Law Update
October 25, 2019

(A) Snapshot of trade actions as of October 2019

(B) Trade timeline 2017-2019

(A) Snapshot – trade actions as of October 2019

(1) General resources:

- **USTR webpage** on Section 301 investigation on China, from 2017 to the present: <https://ustr.gov/issue-areas/enforcement/section-301-investigations/section-301-china>
- **US Customs webpages** on application of trade remedies including FAQs and guidance on import procedures, for (a) [Section 301 tariffs](#), (b) [Section 232 tariffs and quotas](#) on aluminum and steel, (c) [Section 201 \(safeguard\) tariffs on solar cells/panels and washing machines](#), and (d) [Other trade remedies](#).
- **Commerce Department webpage on foreign retaliation** against US tariffs: https://www.trade.gov/mas/ian/tradedisputes-enforcement/retaliations/tg_ian_002094.asp. Includes [Retaliation Product Coverage Matrix](#)

(2) US Section 301 tariffs on goods originating in China:

- These Section 301 tariffs apply to goods originating in China - based on where goods were produced or “substantially transformed”, not the place of shipment. They apply only to goods of the PRC, but not Hong Kong, Macau or Taiwan. Value figures are based on calendar year 2017 imports from China. The tariffs apply to goods designated by tariff classification number, on four lists: List 1 (July 2018), List 2 (August 2018), List 3 (September 2018) and List 4 (September 2019 and December 2019).
- (a) “List 1”: ~\$34B
- 25% tariff surcharge applied to goods classified under specific listed tariff numbers, entered for consumption, or withdrawn from warehouse for

consumption, on or after 12:01 am ET, **July 6, 2018** ([83 FR 28710](#), June 20, 2018). Many of these items were industrial inputs.

- After Pres. Trump [tweeted](#) Aug. 23, 2019 that 25% additional tariffs on Lists 1, 2 and 3 would be raised to 30% on October 1, USTR announced proposal to raise to 30%, and requested comments ([84 FR 46212](#), Sept. 3, 2019)
- Trump [tweeted](#) on Sept. 11 that as a good-will gesture, the tariff increase on Lists 1, 2 and 3 will be postponed from October 1 to October 15.

(b) “List 2”: ~\$16B

- **25% tariff surcharge** applied on or after **August 23, 2018** ([83 FR 40823](#), Aug. 16, 2018). Many of these items were also industrial inputs, particularly chemicals and semiconductors.
- Later developments (tariff increase to 30% as of October 1, postponed to October 15): see above.

(c) “List 3”: ~\$200B

- **10% tariff surcharge** was applied on or after **Sept. 24, 2018**, and initially scheduled to increase to 25% on or after Jan. 1, 2019 ([83 FR 47974](#), Sept. 21, 2018). This was the first list to include many consumer items.
- After Dec. 1, 2018 Trump-Xi agreement to negotiate, the **increase to 25%** was **postponed** to March 2, 2019 ([83 FR 65198](#), Dec. 19, 2018). After Trump [tweeted](#) his decision to further postpone the increase (Feb. 24), on March 5, 2019 USTR published a notice extending the 10% rate “until further notice” ([84 FR 7966](#), March 5, 2019).
- **May 10, 2019, List 3 tariff surcharge increased to 25%:** Trump [tweeted](#) on May 5 that the US was breaking off talks and the 10% rate would increase to 25% on May 10. USTR then published a notice modifying its Sept. 24, 2018 action, to increase the rate of additional tariffs on List 3 items from 10% to 25% ([84 FR 20459](#), May 9, 2019). To avoid hitting goods in transit, the 25% rate initially applied to goods on List 3 entered on or after May 10, 2019, and exported to the US on or after May 10. As [clarified](#) on May 10 (published on [May 15](#)), the 25% surcharge applied to **all List 3 imports on and after June 1**.
- Later developments (tariff increase to 30% as of October 1, postponed to October 15): see above.

(d) “List 4”: ~\$300B – almost all other imports from China, except pharmaceuticals, some medical products, rare earth materials and critical minerals

- **10% tariff surcharge:** USTR announced 10% tariff surcharge on Aug. 13, 2019 (published Aug. 20 at [84 FR 45821](#)), to be applied to all products on two sub-lists: For Annex A (products for which China’s share of US imports from

the world is <75% for each subheading), this notice applied a 10% tariff surcharge starting **September 1, 2019**, and for Annex C (products for which China's share of US imports is 75% or more for each subheading), the 10% tariff surcharge will apply starting **Dec. 15, 2019**.

- After China announced it would retaliate against the August 20 tariffs, Pres. Trump [tweeted on](#) August 23 that the 10% additional tariffs to be applied as of September 1 would be raised to 15%; also, the 10% tariffs to be applied as of December 15 would be raised to 15%. On August 30, USTR issued a FR notice implementing this change ([84 FR 45821](#)).

(3) US Section 301 tariffs on products from EU/Member States (Airbus retaliation)

- USTR [press release](#) announced October 2 that US will apply tariffs starting October 18 on products on a [retaliation list](#): 10% tariffs on aircraft from France, Germany, Spain and UK, and 25% tariffs on various agricultural and industrial products of EU, including wine, whisky, cheese, butter, olives, ham, canned fruits and juices, sweaters, suits, books, prints and more.

(4) US Section 232 tariffs on aluminum and steel:

- Since June 1, 2018, imports of steel and aluminum from almost all countries have been subject to additional tariffs of 25% for steel and 10% for aluminum. Imports from Canada and Mexico have been excluded from these tariffs since May 20, 2019.
- Steel: 25% tariff surcharges apply to imports of subject goods originating in all countries except Argentina, Australia, Brazil, Canada, Mexico and South Korea. Absolute quotas apply to imports from Argentina, Brazil and South Korea.
- Aluminum: 10% tariffs apply to imports of subject goods originating in all countries except Argentina, Australia, Canada and Mexico. Absolute quotas apply to imports from Argentina.

(5) US Section 201 (safeguard) actions on solar cells and panels, and residential washers

- Proclamation [9693](#) imposed tariff rate quota on solar cells and increased duties on solar panels, for four years; Proclamation [9694](#) imposed tariff rate quota on residential washing machines and tariff rate quota on washing machine parts, for three years; both were issued January 23, 2018 effective starting February 7, 2018.

(6) Foreign retaliation against US trade actions:

- US Commerce Department [list of foreign retaliation actions here](#); Retaliation Product Coverage Matrix [here](#) includes foreign actions retaliating for Section 232 and Section 301 tariffs.
- **Chinese retaliation for US Section 232 tariffs** on imports of steel and aluminum from China, announced [here](#) and [here](#) in March 2018; products and tariffs also listed in Retaliation Product Coverage Matrix. Some Chinese imports of US products are subject to both tariff retaliation for Section 232 tariffs plus tariff retaliation for Section 301 tariffs.
- **Chinese retaliation for US Section 301 List 1:** tariff surcharge of 25% on selected US products (beef, pork, poultry, fish, seafood, dairy, vegetables, fruit, nuts, rice, soybeans, whiskey, tobacco, automobiles) effective July 6, 2018
- **Chinese retaliation for US Section 301 List 2:** tariff surcharge of 25% on ~\$16B of imports from US, including coal, coke, oil, natural gas, chemicals, paper, metal scrap, autos, tractors, trucks, buses, motorcycles, bicycles, trailers and medical devices, effective August 23, 2018
- **Chinese retaliation for US Section 301 List 3:** tariff surcharge of 5% - 10% on ~\$60 billion in imports from US on 4 lists, including food products, beverages, infant formula, building inputs, minerals, chemicals/plastic/rubber, wood and paper products, uranium, pharmaceuticals, fertilizer, personal care products, leather, textiles and apparel, metals, tools, heating and cooling equipment, household appliances, machinery, power generating equipment, phones, electronics/parts, optics, musical instruments, effective September 24, 2018. China suspended retaliatory tariffs imposed on US autos and auto parts starting January 1, 2019.
- **Chinese retaliation June 2019 for US Section 301 tariff increase on List 3:** On May 13, the State Council Customs Tariff Commission issued a [press release](#) and [notice](#) that the rates of the September 24, 2018 tariff surcharges will increase to 5% - 25%, on and after June 1, 2019.
- **Chinese retaliation August 23 for US Section 301 tariff increases on List 4:** [Notice](#) imposing tariff surcharges on ~\$75 billion in imports from the US, some of which were already subject to retaliatory tariffs.
- **Exclusions:** China Customs Tariff Commission [issued](#) a [notice](#) on May 13, 2019 that it is providing a [mechanism](#) for [Chinese companies and industry associations](#) to apply for **exclusions from China's tariff retaliation for US Lists 1 and 2**. (SCMP comment [here](#)) The exclusions are valid for one year when granted and are based on difficulties finding substitutes for US goods, injury that tariffs cause to the applicant, negative impact on domestic industry, technology, jobs, environment or society. First list of exclusions announced Sept. 11, 2019.

(B) Trade Timeline 2017-19

- **Prelude: 2016 Trump trade program** (<https://www.donaldjtrump.com/policies/trade/> as of Nov. 2016): (1) Withdraw from TPP; (2) appoint tough and smart trade negotiators; (3) direct Secretary of Commerce to identify trade agreement violations and direct all agencies to use US and international law to end abuses; (4) tell NAFTA partners we want to immediately renegotiate to get a better deal – if they don't agree to renegotiate, we will withdraw; eliminate Mexico's VAT and end sweatshops in Mexico; (5) instruct Treasury Secretary to label China a currency manipulator; (6) instruct the USTR to bring trade cases against China, in the US and at the WTO; China's unfair subsidy behavior is WTO-illegal; (7) use every lawful presidential power (including tariffs under Section 201, Section 301, Section 232) to remedy trade disputes if China does not stop its illegal activities, e.g. trade secret theft
- **December 2016:** Trump tweets threat to impose 35% tax on products from any company that moves production offshore. Negotiates [deal](#) with management of Carrier and United Technologies, stating that 1100 jobs will stay in Indiana.
- **Jan. 21, 2017:** Inauguration
- **Jan. 23, 2017:** Trump signs [presidential memorandum](#) on withdrawal from TPP. During this period, White House staff also debates withdrawing from NAFTA and Korea-US FTA (KORUS)
- **Jan. 30:** USTR transmits [letter](#) to TPP treaty depositary stating US intention not to become party to TPP
- **(March:** After repeated efforts, Administration does not repeal and replace Obamacare)
- **March 31:** Trump signs [executive order](#) on Omnibus Report on Significant Trade Deficits (report submitted to White House in June 2017; never released)
- **March 31:** Trump signs [executive order](#) on enhanced collection of antidumping and countervailing duties and violations of trade and customs laws (two reports submitted in 2017 for review by DHS/Customs; never released)
- **March 31:** USTR releases annual [Trade Policy Agenda](#) with statement on Trump Administration trade policy
- **January 2017 – January 2018:** Japan and Australia convene remaining members of TPP; negotiators agree on incorporating [adjusted TPP text](#) into a new Comprehensive and Progressive TPP (CPTPP) of 11 members, signed March 8, 2018, which [entered into force](#) starting Dec. 30, 2018

- **April 6-7:** Trump-Xi summit at Mar-a-Lago; Trump designates Wilbur Ross to lead 100-day follow-on negotiations with China. In wake of summit, Trump [tweets](#) that China is not a currency manipulator if it is helping the US with North Korea
- **April 18:** Trump signs executive order on Buy American and Hire American; report and recommendations transmitted Nov. 24 to White House, result in later executive order
- **April 26:** Solar panel producer Suniva [files petition with USITC](#) seeking safeguard relief against imports of solar cells and panels into US, under §201 of Trade Act of 1974.
- **April 19-29:** During the 10-day period before April 29, the 100th day of the Trump Administration:
 - On **April 20, 2017**, Trump signs executive order launching Section 232 investigation on “steel” and on **April 27, 2017:** Trump signs executive order launching Section 232 investigation on “aluminum”. Orders do not define scope of investigations; the industry had not requested these investigations. Orders state June deadlines (which slip; investigations conclude in January 2018).
 - **April 26:** Trump releases one-page tax plan which omits the “border adjustable tax” that House Republicans had been promoting
 - **April 25-26:** Trump orders staff to produce executive order withdrawing from NAFTA, to announce at an April 29 rally in Pennsylvania celebrating the 100th day of the Administration; USDA Secretary Perdue persuades Trump that withdrawal will hurt farmers, Gary Cohn captures withdrawal letter from Trump’s desk, Pena Nieto and Trudeau phone Trump, Trump tweets that he has decided to renegotiate NAFTA instead.
 - **April 29:** At rally site, Trump signs executive order on Addressing Trade Agreement Violations and Abuses, calling for “performance review” of all US trade and investment agreements, and report to White House by Oct. 25. (Report was submitted on time, and never released).
 - **April 29:** Trump also signs executive order establishing Office of Trade and Manufacturing Policy in White House, run by Peter Navarro
- (May 4, House passes health care bill which later dies in Senate)
- (May 9, Trump fires Comey; May 10, Trump meets with Russian Foreign Minister in Oval Office)
- **May 11, 2017:** Senate confirms Robert Lighthizer as USTR. Also: result of Wilbur Ross negotiations with China released; US-China Joint Statement released
- **May 31:** Whirlpool files [petition](#) with USITC seeking safeguard relief against imports of large residential washers into US; USITC institutes investigation, under §201 of Trade Act of 1974.

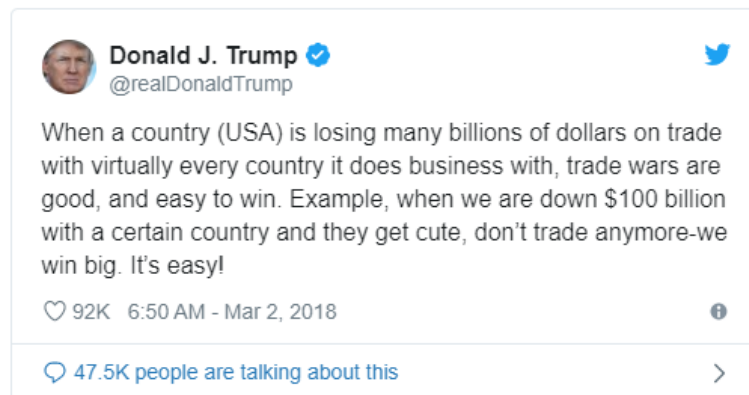
- **May – November 2017:** Section 232 investigations move forward, with public comments, hearing, lobbying by US automotive industry and other downstream US users, and extensive debate about scope of investigation or action. June deadline passes.
- **May 18, 2017:** Administration [notifies Congress](#) of intent to renegotiate NAFTA; USTR announces [negotiating objectives](#) July 17; renegotiations launched August 16 and go through five rounds in August – November 2017
- **August:** Trump authorizes Section 301 investigation on China IP rights (reportedly persuaded by Lighthizer and Gary Cohn; according to Woodward's *Fear*, Cohn, Lighthizer and Rob Porter sought priority attention to China rather than §232 tariffs. **August 18:** USTR Lighthizer [initiates](#) investigation of China's unfair trade practices related to forced technology transfer, intellectual property theft and innovation policies. USTR moves forward, solicits public comment and holds hearing October 10 on Chinese practices (see Regulations.gov docket at [USTR-2017-0016](#)).
- **September 2017:** (Woodward, *Fear*) Trump wants 25% tariffs on steel with no exemptions, but defers until tax bill enacted. Commerce Department prepares reports on §232 investigations proposing tariffs, but Defense Department opposes tariffs on US allies, and urges exceptions for Australia, Mexico, Canada, UK, Japan and Korea.
- **November 10:** Trump state visit to China.
- **December 15:** Commerce Department completes reports on Section 232 [steel](#) and [aluminum](#) investigations; recommends quotas or tariffs to enable US industry to operate at 80% of 2017 capacity utilization rate (global tariff of 24% for steel and 7.7% on aluminum). DoD [memorandum](#) agrees that imports based on unfair trading practices impair national security, but notes that defense requirements are only ~3% of US production, expresses concern about effect of tariffs on US allies.
- **December 20:** Trump signs Executive Order 13817 on Federal Strategy to Ensure Secure and Reliable Supplies of Critical Materials (targeted at reducing dependence on foreign supplies). Report and [strategy](#) released June 2019.
- **December 22, 2017:** Trump signs Tax Cuts and Jobs Act.
- **December/January 2017-18:** USTR completes section 301 investigation and lengthy report; reportedly, White House working group on trade policy led by Rob Porter discusses strategy to move forward with negotiations with China before acting on tariffs on steel and aluminum.

2018

- **January 11 & 22:** Commerce Department releases reports on its investigations, concluding that imports of certain steel mill products, and of certain types of wrought and unwrought aluminum “threaten to impair” US national security; conclude that the only way to remove this threat of impairment is to reduce imports to a level that

enables US steel mills, and aluminum industry, to operate at 80%+ of rated production capacity.

- **January 23:** Trump signs Proclamations [9693](#) and [9694](#) imposing tariff rate quotas and increased duties on imports of solar cells and panels, and residential washing machines and parts, effective February 7.
- **February 7:** Rob Porter [resigns](#) as White House staff secretary.
- **February 28 - Mar.2:** Chinese envoy Liu He [meets](#) with Lighthizer, Mnuchin and Cohn and US business community, seeking to relaunch pre-Trump bilateral economic negotiations; US side refuses and US business tells him China must reform.
- **March 1:** Ross and Navarro invite steel and aluminum CEOs to meet with Trump March 1; Gary Cohn persuades Trump to make the meeting a listening session; during the meeting, Trump [announces](#) that he will impose 25% tariff on steel and 10% tariff on aluminum "for a long period of time" "and you will regrow your industries". March 2: Navarro states "I don't believe any country will retaliate". EU [reacts](#); Commission prepares retaliation list.



- **March 6:** Gary Cohn resigns as head of National Economic Council.
- **March 8:** Section 232 proclamations [9704](#) on aluminum and [9705](#) on steel temporarily exclude Canada and Mexico, proclaim tariffs on covered imports from all other sources effective March 23, authorize Commerce to grant exclusions from duties if it determines steel or aluminum article for which exclusion is requested is not produced in US "in a sufficient and reasonably available amount or of a satisfactory quality" or should be excluded "based upon specific national security considerations." Trump expresses willingness to negotiate, designates USTR as negotiator.
- **March 8:** In Chile, heads of government of the 11 parties to the Comprehensive and Progressive TPP (CPTPP) sign the agreement.

- **March 14:** EU [states](#) it will seek exclusion from §232 tariffs.
- **March 22:** Section 232 proclamations [9710](#) on aluminum and [9711](#) on steel; temporarily exclude Australia, Argentina, Brazil, South Korea, EU, Canada, Mexico; May 1 deadline set for alternative means of removing security threat. Section 232 tariffs to apply to imports of steel and aluminum from all other sources starting March 23.
- **March 22:** President Trump signs [memorandum](#) directing USTR to take “all appropriate action under Section 301” including increased tariffs on \$50B in Chinese goods, to address unfair acts by China, and to publish a tariff target list; also to pursue WTO dispute settlement. Also directs Treasury to propose action to address concerns about Chinese investment in the US. ([Presidential remarks at signing](#))
- **March 22:** USTR issues 215-page [Section 301 Report on China’s Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation](#) and [Executive Summary](#)
- **March 23:** China imposes [retaliatory tariffs](#) on pork, wine, fruits and nuts, steel pipe and tube from US.
- **March 26:** EU [launches safeguard investigation](#) on steel products to prevent trade diversion
- **March 30:** USTR releases 2019 Trade Policy Agenda and Annual Report including [statement on Trump trade policy priorities](#).
- **April 3:** USTR issues [Federal Register notice including formal determination](#) (based on March 22 report) that acts, policies or practices of China are “unreasonable or discriminatory”, and burden or restrict US commerce. FR notice also **proposes action** in response to unfair acts by China: to impose 25% additional tariffs on a list of imported products of China (**List 1**) valued at \$50B in CY 2017. As required by law, FR notice requests public comments and hearing testimony (Regulations.gov docket for comments, testimony and hearing transcript: [USTR-2018-0005](#)).
- **April 4:** Chinese government declares it will match U.S. tariffs; announces list of \$50B in imports from the US to be hit with 25% tariffs, including aircraft, soybeans and others.
- **April 5:** President Trump issues [statement](#) that in light of China’s “unfair retaliation”, he has instructed USTR to consider whether “\$100B of additional tariffs” would be appropriate under Section 301, and if so, to identify the products upon which to impose the tariffs.
- **April 15:** Secy. Ross applies “entity list” ban on exports to ZTE for violating Iran sanctions; after Xi phone call, Trump [tweets](#) that Commerce will make a deal that lets ZTE continue in operation; in May, Senate vote almost reverses deal

- April 30:** Section 232 proclamations [9739](#) for aluminum and [9740](#) for steel; exempt Argentina, Australia, Brazil from tariffs indefinitely pending final agreements; extend negotiations with Canada, Mexico and EU until May 31. Proclamation 9740 also orders an absolute annual quota for each of 54 separate subcategories of steel from South Korea (allocated quarterly, no swing, no carry-forward, no carry-back) instead of §232 tariffs; no agreement on aluminum; aluminum tariffs apply to South Korea from May 1 onward.
- Week of April 30-May 3:** US delegation led by Sec. Mnuchin visits Beijing and transmits 4-page set of [demands](#) that China must: do \$200B trade deficit reduction; end Made in China 2025 industrial policy; end forced technology transfer; end cybertheft; strengthen IP protection and enforcement; withdraw its WTO case against US Section 232 tariffs; not oppose US restrictions on Chinese investment in US; remove restrictions on US investment in China; cut Chinese tariffs to US levels; not oppose US import restrictions or tariffs on products in critical sectors; improve market access for US services and agriculture; let US impose tariffs if China fails to carry out these commitments. Visit does not end well.
- May 17-18:** Large Chinese delegation led by Liu He in Washington, [declines](#) to agree to \$200B target for cut in trade deficit, but agrees to **May 19** [joint statement](#) on consensus to “significantly increase purchases” of US goods and services (with no numerical target), and to improve IP protection.
- May 23:** After repeated signals by Trump of desire to impose tariffs on imported cars, Commerce Department [initiates](#) Section 232 investigation on national security implications of imports of automobiles, including SUVs, vans and light trucks, and automotive parts.
- May 29:** President Trump issues [statement](#) that (a) US will impose 25% tariffs on \$50B of Chinese goods “containing industrially significant technology, including those related to the ‘Made in China 2025’ program;” and (b) US will implement investment restrictions and enhanced export controls for Chinese persons and entities related to acquisition of industrially significant technology (investment controls were later enacted August 2018 in [Foreign Investment Risk Review Modernization Act \(FIRRMA\)](#); [interim regulations](#) for FIRRMA released October 10).
- May 31:** Section 232 **Proclamation [9759](#)** on steel exempts Argentina, Brazil and South Korea from steel tariffs, based on quota agreements with US; exempts imports from Australia permanently with no import quota; applies tariffs to steel from Canada, Mexico and EU starting June 1. **Proclamation [9758](#)** on aluminum exempts Argentina from steel tariffs based on import quota, exempts imports from Australia permanently with no import quota, applies tariffs to aluminum from Canada, Mexico, EU, Brazil, other sources. EU [reacts](#); launches WTO complaint against US and [announces](#) [“rebalancing tariffs”](#) on US products, based on legal theory that the US Section 232 tariffs are WTO-illegal “safeguard measures”.

- **May 2018:** NAFTA renegotiation fails to close in time for Congress to vote on the agreement before November 2018
- **June 2-3:** US interagency team and Secy. Ross meet in Beijing to discuss purchase commitments, reportedly China [offers](#) to buy \$70B in grains, energy and manufactured goods in 2019, but talks end with no settlement; June 3 Chinese [statement](#) says purchase commitments will not go into effect if US raises tariffs.
- **June 5:** Mexico publishes [decree](#) retaliating for \$232 tariffs, imposing tariffs on steel, pork, cheese, apples, whisky and other products, effective June 5 or July 5.
- **June 15:** After June 14 White House [decision](#), USTR issues a [Federal Register notice](#) announcing **finalized List 1**. USTR notice eliminates \$16B of the initially proposed \$50B in imports, and imposes 25% tariff surcharge on a net \$34B in CY 2017 imports from China. June 15 FR notice also announces **exclusion process** for List 1. China announces its [finalized retaliation list](#) including beef, pork, poultry, fish, seafood, dairy, vegetables, fruit, nuts, rice, soybeans, whiskey, tobacco, automobiles
- **June 15:** USTR [Federal Register notice](#) on finalized List 1 also proposes [List 2](#) (\$16B in imports from China to substitute for the \$16B in imports removed from List 1 as announced on April 3). The FR notice requests comments and hearing testimony on List 2 items (Regulations.gov [docket USTR-2018-0018](#)). China quickly announces proposed retaliatory tariffs on \$16B in goods from US.
- **June 18:** In response to Chinese announcement of retaliatory tariffs, Trump issues [statement](#) directing USTR to identify \$200B of imports of Chinese goods for additional tariffs at 10%, to be applied if China applies its retaliatory tariffs.
- **June 21:** Turkey [retaliates](#) for \$232 tariffs: tariffs on \$266 million in imports of US goods (coal, paper, walnuts/almonds, tobacco, rice, whisky, automobiles, cosmetics, machinery, petrochemicals).
- **June 22:** EU [applies tariffs](#) of 10% to 50% on \$3.3 billion in imports from US, including corn, rice, whisky, steel, steel products, aluminum, motorboats and other products. **July 6:** EU [announces](#) provisional safeguard against steel diversion following US tariffs
- **June 25:** EU President Juncker meets with Trump; both sides agree on [Joint Statement](#) agreeing (a) to “work together” toward eliminating tariffs on non-auto industrial goods, and reducing barriers to trade in services, chemicals, pharmaceuticals, medical products and soybeans; (b) to strengthen energy cooperation including US LNG exports to EU; (c) to launch a dialogue on standards; (d) to work together to reform WTO and address unfair trade practices; (e) to set up Executive Working Group. “While we are working on this, we will not go against the spirit of this agreement, unless either party terminates the negotiations.”

- **June 27:** After internal debate, White House [decides](#) to deal with concerns on Chinese inward investment by relying on existing investment review framework (CFIUS) and working with Congress on amended investment review rules (FIRRMA), rather than creating China-specific investment regime based on IEEPA.
- **July 1:** Andres Manuel Lopez Obrador wins Mexican presidential election. Lopez Obrador appoints NAFTA negotiator who joins existing negotiating team; US resumes NAFTA talks with Mexico, focusing on rules of origin and labor issues.
- **July 1:** Canada retaliates against §232 tariffs by [Order](#) imposing 25% or 10% surtaxes on imports of US steel and aluminum products and separate [Order](#) imposing 10% surtaxes on various US products ([list here](#)) **July 11:** Canada implements [process for companies to request remissions](#) from these surtaxes
- **July 6:** US List 1 tariffs on goods from China [applied](#); China's tariffs also go into effect.
- **July 6:** Russian government [announces](#) retaliation against §232 tariffs: duty surcharges of 25%-40% on imports of US fiber optics and equipment for roadbuilding, oil & gas, metal processing and mining.
- **July 10:** USTR Lighthizer [statement](#) announces proposed [list](#) of \$200B in imports of Chinese goods to be subject to 10% additional tariffs (**List 3**); [Federal Register notice](#) requests comments and hearing testimony on List 3 items (Regulations.gov docket USTR-2018-0026). USTR FR notice on List 3 frames the proposed action as modifying the Section 301 action taken earlier by taking a supplemental action, based on [19 USC 2417\(a\)](#).
- **July 16:** US brings WTO [disputes](#) against tariffs imposed by China, EU, Canada, Mexico and Turkey to retaliate against US Section 232 tariffs on steel and aluminum
- **July 17:** EU and Japan sign EU-Japan Economic Partnership Agreement (which later enters into force Feb. 1, 2019)
- **July 18:** Commerce Department initiates Section 232 investigation of uranium imports in response to petition submitted in January 2018.
- **August 1:** After White House [debate](#), USTR Lighthizer issues [statement](#) announcing President Trump has directed consideration of increasing the duty rate for List 3 from 10% to 25%; USTR publishes [FR notice](#) on August 7 extending the comment period for List 3.
- **August 3:** China issues [customs notice](#) announcing intention to retaliate against List 3 tariffs, by applying tariffs of 5% to 25%, for items on four lists amounting to \$60 billion in imports from the US.
- **August 7:** USTR [Federal Register notice](#) announces finalized [List 2](#), which eliminates only 5 products from List 2 as originally proposed, and applies 25% tariffs on those items, to

start August 23; notice announces that there will be an exclusion process for List 2. China quickly [announces](#) its finalized retaliation list on \$14.2B of imports from US, including coal, coke, oil, natural gas, chemicals, paper, metal scrap, autos, tractors, trucks, buses, motorcycles, bicycles, trailers and medical devices.

- **August 10:** in connection with discussions over detention of Pastor Brunson by Turkish government, President Trump signs Proclamation [9772](#) increasing the \$232 tariff on Turkish steel to 50%, because “imports have not declined as much as anticipated and capacity utilization has not increased to [the] target level”.
- **August 15:** Turkey [doubles tariffs](#) on imports from US of passenger cars, alcoholic drinks, leaf tobacco, cosmetics, rice, coal.
- **August 23:** US List 2 tariffs [applied](#); China also applies its retaliatory tariffs for List 2.
- **August 22-23:** Midlevel delegation led by Wang Shouwen meets in Washington with US group led by Treasury Undersecretary David Malpass, talks [end with no progress](#) on industrial policy or tech transfer.
- **August 27:** Trump [announces](#) trade agreement with Mexico to replace NAFTA; states that US will put tariffs on Canadian autos if negotiations with Canada don’t succeed.
August 31: Administration [notifies](#) Congress of intention to enter into agreement with Mexico 90 days later, and with Canada if it is willing.
- **August 29:** President signs Proclamation [9776](#) on aluminum and Proclamation [9777](#) on steel, authorizing Commerce Department to also provide exclusions from products subject to absolute import quotas.
- **September 17:** President issues [statement](#) directing USTR to move ahead on tariffs, at initial rate of 10% from September 24 until end of 2018, then increasing to 25% on January 1, 2019. USTR announces tariffs on finalized [List 3](#). In finalized List 3, USTR exempts about \$20B of originally proposed items. This notice does not provide for any exclusion process for List 3.
- **September 18:** China Customs notice [announces](#) intention to apply retaliatory tariffs at 5% or 10% on products in the same 4 lists announced on August 3.
- **September 21:** China [cancels](#) trade negotiations with US scheduled for late September/early October.
- **September 24:** US List 3 Tariffs enter into effect; Chinese retaliatory tariffs also enter into effect. September 28: USTR publishes [FR notice](#) updating some HTSUS Chapter 44 subheadings in List 3 to conform to modified HTSUS

- **September 30:** US and Canada [announce](#) agreement; Canada, Mexico and US conclude negotiations on NAFTA replacement, “[US-Mexico-Canada Agreement](#)” (the US name; Canadian and Mexican names differ).
- **October 11:** White House reported to be [willing](#) to move ahead on plans for Trump-Xi meeting at G-20 summit in Buenos Aires at end of November; October 25, [reported](#) to be seeking concrete Chinese proposal before agreeing to meet.
- **October 16:** Administration [notifies Congress](#) of its intention to negotiate trade agreements with [EU](#), [Japan](#) and [UK \(after Brexit\)](#).
- **November 1:** Trump – Xi phone call; contacts [resume](#) between Mnuchin and Liu He during month of November.
- **November 6, 2018:** Election Day. Democratic party wins majority of House.
- **November 20:** USTR issues 53-page [Update of March 22 Section 301 Report](#) arguing that Chinese policies and practices have not changed
- **November 30:** At Buenos Aires G-20 summit, Trump, Pena Nieto and Trudeau [sign](#) the text of the USMCA/T-MEC/CUSMA agreement. [Final text](#) of agreement includes side letters between US and Mexico, and US and Canada, concerning §232 tariffs on autos.
- **December 1:** new Mexican President Lopez Obrador takes office.
- **December 1, 2018:** At summit meeting during G-20 meeting in Buenos Aires, Trump and Xi [agree](#) to negotiate during following 90 days (to March 2, 2019) and US agrees to postpone the tariff increase on List 3 for that period. US and China issue different statements about what the leaders agreed. Trump [names Lighthizer](#) to lead the US-China talks.
- **December 14:** China [announces](#) it will suspend its retaliatory tariffs on US autos/auto parts for 3 months starting January 1, 2019. December 19: USTR issues [Federal Register notice](#) postponing (until March 2, 2019 at 12:01 am) date when List 3 additional duties will increase to 25%. Meanwhile, discussions continue by phone.
- **December 30:** Comprehensive and Progressive TPP (CPTPP) of 11 members [enters into force](#) without US participation; most market access benefits are front-loaded
- **December 22, 2018 – January 25, 2019:** US government shutdown; USTR stays open until mid-January. (February 17: Trump signs omnibus spending bill ending shutdown. [Conference Report](#) for the bill [requires](#) USTR to establish exclusion process for List 3 tariffs and consult with Congress about it.)

2019

- January 7-8, 2019:** Deputy USTR Jeff Gerrish [leads delegation](#) to Beijing for talks. January 30, 2019: Vice Premier Liu He with large delegation meets with Cabinet delegation in Washington; on Jan. 31, Liu meets with Trump. Liu [reportedly](#) offers Chinese purchases of farm and energy products, liberalization of investment in China, but not structural changes; seeks summit with Xi in China.
- January 11:** USTR releases [negotiating objectives](#) for US-EU trade agreement negotiations
- February 11-15:** Negotiations in Beijing, followed by negotiations February 19-25 in Washington. Reuters [reports](#) talks focusing on texts of six MOUs: on forced tech transfers and cybertheft; IP rights; agriculture market opening; financial services; non-tariff barriers (e.g. subsidies, licensing, standards); and currency. Also separately, bilateral trade deficit reduction, and enforcement mechanisms.
- February 17:** Commerce Department transmits report on Section 232 investigation of autos and auto parts to President. As of September 2019, Commerce Department has not been publicly released.
- February 22:** Trump [meets with Lighthizer, Mnuchin, Liu He and press in Oval Office](#) and indicates he might extend March 2 deadline; Trump argues with Lighthizer against a “memorandum of understanding” to resolve the negotiations: [White House transcript of discussion with press](#)
- February 24:** [Trump tweets](#) he is “pleased to report” US has made “substantial progress” on “important structural issues” will delay US increase in tariffs on List 3 items; suggests future summit with Xi at Mar-a-Lago, to conclude agreement; “A very good weekend for U.S. & China!”
- February 27:** Lighthizer [testimony on China negotiations](#) to House Ways and Means Committee hearing. [Chairman Neal statement](#); [YouTube video of hearing](#). Lighthizer testimony states US making real progress, seeks “specific language on specific issues that is enforceable through a very clear process”; enforcement could require years of sustained effort. Lighthizer [announces](#) there will be no List 3 exclusion process until List 3 tariffs increased to 25%.
- February 27-28:** Trump summit with Kim Jong Un in Hanoi; summit ends early with walkout by Trump
- March 1:** USTR [Annual Report and Trade Policy Agenda](#)

- **March 4:** Commerce Department initiates Section 232 investigation of titanium sponge imports, in response to petition from sole US producer submitted Sept. 27, 2018; Commerce Department report on investigation will be due Nov. 29, 2019
- **March 5:** USTR FR notice continues 10% additional tariff rate on List 3 items “until further notice” ([84 FR 7966](#), March 5, 2019). Negotiations continue in March focusing on textual obligations, on enforcement, and on US insistence to keep some tariffs in force after the deal.
- **March 29:** release of annual USTR [National Trade Estimates](#) report.
- **March 28-30:** Lighthizer and Mnuchin visit Beijing. **March 31:** China [extends](#) suspension of its retaliatory tariffs on US autos/auto parts. **April 3-6:** Liu He comes to Washington. Mnuchin [announces](#) that China has agreed on enforcement mechanism. Work continues on text of a 150+ page English-language bilateral agreement in 7 chapters. China and US [said to be discussing](#) application of China’s cybersecurity law with respect to cloud services. Meanwhile, Chinese government approves licenses for certain foreign owned financial services firms.

Discussions continue on written agreement and underlying issues, including: **core issues** in Section 301 investigation (forced tech transfer, IP protection, cybertheft, industrial policy, competition policy, investment discrimination); **other outstanding bilateral issues** (e.g. market access for cloud services/ telecom, data localization, financial services market access (payment cards, banking, securities, insurance, consumer finance), agricultural trade (biotech, agricultural subsidies, tariff rate quotas), currency manipulation); schedule for **removal of tariffs** by both sides; **purchase commitments by China** (grains, soybeans, LNG, other products?); **implementation actions** to be taken by Chinese side; **enforcement mechanism**, including possible authorization for each side to impose unilateral tariffs if the other side is not complying

- **April 8:** Anticipating that WTO will soon authorize US to retaliate against European subsidies to Airbus, USTR proposes list of approximately \$21 billion in imports of European products to be targeted by tariffs up to 100% (aircraft, parts, wine, cheeses, other processed foods); publishes FR notice **April 12** initiating Section 301 investigation, seeking comment and announcing a hearing ([84 FR 15028](#))
- **April 9:** EU Council approves negotiating mandates for negotiations with US on [elimination of industrial tariffs](#), and on an agreement on [conformity assessment](#)
- **April 18:** USITC releases its [report](#) on the probable economic effect of the USMCA on the US economy and on specific industry sectors.
- **April 26:** at Beijing Belt and Road Forum, Xi [announces](#) plans for “reform and opening-up measures” including investment liberalization, more free trade zones, a free trade

port, better IP protection, tariff reduction. In US, press reports final deal may not include all issues; suggests Xi may travel to US in June to sign off after the deal is final.

- **April 29-May 1:** Lighthizer and Mnuchin have “[constructive](#)” meetings in Beijing, and US press [reports](#) a deal is close, but sticking points remain. Liu He schedules visit to DC with delegation of 100+ officials for May 8-10.
- **May 3:** [reportedly](#), USTR [receives](#) message from Chinese side with edits to all seven chapters of the draft agreement deleting binding language and backing away from commitments to change laws; Chinese side insists on changes being carried out by regulatory and administrative actions by State Council, not legislation by National People’s Congress. (Later, on May 9, WSJ [reports](#) that China’s pushback was based on misunderstanding that Trump actions (attacks on Fed to cut interest rates, claims of friendship for Xi, praise of China for buying US soybeans) signaled US weakness and eagerness for a deal.) **May 5:** Trump tweets:



Later on May 5: USTR Lighthizer [tells reporters](#) China was retreating from commitments that had already been made; also [tells press](#) that Liu He will still come to Washington May 9, and he will issue Federal Register (FR) notice May 7 raising List 3 tariff to 25% starting May 10.

- **May 9:** USTR publishes [Federal Register notice](#) raising tariff surcharges on List 3 items to 25%, effective Friday, May 10 (. Chinese Ministry of Commerce [states](#) intention to take “necessary countermeasures”.
- **May 9-11:** Liu He visits Washington with small delegation, meets briefly with Lighthizer and Mnuchin. [Bloomberg](#) reports that Lighthizer and Mnuchin tell Liu that Beijing has 3 to 4 weeks to agree to a deal or face additional 25% tariffs on all remaining Chinese exports to the US (a further \$325 billion).
- **May 10:** Trump [tweets](#) that “Over the course of the past two days, the United States and China have held candid and constructive conversations on the status of the trade

relationship between both countries. The relationship between President Xi and myself remains a very strong one, and conversations... into the future will continue. In the meantime, the United States has imposed Tariffs on China, which may or may not be removed depending on what happens with respect to future negotiations!” After markets close, Lighthizer issues [statement](#) that Trump has ordered USTR to begin the notice and comment/hearing process for raising tariffs on “essentially all remaining imports from China,” with notice to be issued on Monday May 13.

- **May 10:** Liu He [states](#) to Chinese press that a deal must address three core concerns of China: (1) all the tariff surcharges must be revoked; (2) China purchase commitments must be realistic and based on agreement reached on volume in Argentina; (3) the text must be balanced and must respect dignity of both sides.
- **May 13:** USTR announces proposal to impose tariff surcharges on about \$300B in imports from China; posts [draft FR notice](#) proposing to modify earlier Section 301 action, requesting comments and announcing hearing on product target list (which includes items earlier proposed and excluded from Lists 1 – 3). This is “List 4”.
- **May 13:** China announces its response to the US increase in List 3 tariff surcharges; China will raise the rates of its September 24 tariff surcharges (which responded to the original US List 3 tariffs). China also announces an exclusion process for its tariff surcharges. In late May, Ministry of Commerce also announces it will create an “unreliable entity list” of foreign companies, organizations or individuals that break Chinese law, boycott or cut off supplies to Chinese companies for non-commercial reasons, and damage rights of Chinese companies.
- **May 16:** Commerce Department issues rule [adding](#) Huawei and 68 non-US affiliates to the export controls “Entity List” effective May 16, requiring a license application for all exports or re-exports, with a presumption of denial. Also issues [temporary general license](#) for e.g. support of existing Huawei-made infrastructure and handsets.
- **May 16:** Trump signs [proclamation](#) reducing the Section 232 tariff on steel from Turkey back to 25%, based on a finding that domestic steel capacity utilization has improved to approximately the 80% target level recommended by January 2018 Commerce Department report. (This finding establishes basis for withdrawing §232 tariffs on Canada and Mexico). Turkey does not withdraw its tariff retaliation or its WTO complaint against US §232 tariffs.
- **May 17:** [Canada](#) and [Mexico](#) each reach agreements with US on Section 232 tariffs, including removal of US tariffs on steel and aluminum imports in return for removal of retaliatory tariffs, monitoring of imports and mechanism to prevent surges. All parties then withdraw WTO disputes against each other related to the Section 232 tariffs.
- **May 17:** Trump signs [proclamation](#) under Section 232 on autos case, determining that “American-owned automotive R&D and manufacturing are vital to national security”, and displacement of American-owned production by imports threatens American innovation capacity. Proclamation endorses findings; directs USTR to negotiate

agreements to address threatened impairment of national security by imports from EU, Japan or other countries, and update President on progress within 180 days (i.e. by November 13). [Press statement](#) says that if no agreements reached within 180 days, “the President will determine whether and what further action needs to be taken”.

- **May 30:** At 7:30 pm Thursday night, Trump [tweets](#) that on June 10, US will impose 5% tariff on all goods entering from Mexico, “until illegal migrants entering through Mexico STOP”. White House [announces](#) that Trump will invoke International Emergency Economic Powers Act to impose 5% tariff on June 1, to be increased to 10% on July 1, 20% on September 1, 25% on October 1 and remain at 25% until Mexico stops illegal inflow of aliens through its territory. Tariff [reported](#) to be pushed by immigration advisor Stephen Miller, opposed by Mnuchin and Lighthizer.
- **May 30-June 7:** White House floats possible new declaration of emergency to back tariffs on Mexico; tariff and declaration meet strong resistance from Senate Republicans, farm groups and Customs; 140 business groups sign [letter](#) opposing tariffs on goods from Mexico. [Reportedly](#) mainstream business groups even discuss cancelling their campaign for USMCA passage. After intensive bilateral talks, on Friday night **June 7** Trump [tweets](#) satisfaction with bilateral deal, and calls off tariff.
- **June 2:** [Reports](#) indicate that in week of May 27, administration considered imposing Section 232 tariffs on surging imports of aluminum from Australia (pushed by Lighthizer and Navarro, opposed by State and Defense); administration had exempted Australia from Section 232 tariffs after “handshake deal” in 2017.
- **June 28:** During G-20 summit in Osaka, Japan, Trump and Xi meet and agree to restart negotiations and hold off on tariffs. Trump links Huawei to outcome of talks and announces China will buy US farm products.
- **July 5:** USTR proposes another \$4 billion in European products as potential targets for tariff retaliation against Airbus subsidies ([84 FR 32248](#))
- **July 10:** USTR initiates Section 301 investigation of the Digital Services Tax under consideration by the French government.
- **July:** Contacts between US and China on meetings to restart negotiations; Trump tweets that China not buying farm products
- **July 12:** In Section 232 case on uranium imports, Trump signs [Presidential memorandum](#) stating that he does not concur with Commerce finding that uranium imports threaten to impair US national security. Memorandum calls for new US Nuclear Fuel Working Group to analyze nuclear fuel supply chain and develop recommendations for reviving US nuclear fuel production by October 10. (Background included [efforts](#) by US nuclear-fueled utilities opposing actions that could increase uranium prices.)
- **July 30-31:** Talks in Shanghai restart negotiations; Chinese side ties purchases to US promises on Huawei

- **August 1:** As Mnuchin and Lighthizer brief Trump on Shanghai meetings in Oval Office, Trump [decides](#) to impose 10% tariffs on List 4 starting September 1, refuses to notify Beijing before announcing the tariffs, and sends out [tweets](#); later [announces](#) tariffs may be raised to 25% if there is no deal, and US will not “do business” with Huawei. China [reported](#) to have few options to retaliate.
- **August 5:** Chinese government [ceases](#) defending RMB, lets it fall below 7 RMB/\$1 for first time since 2008; MOFCOM spokesman [confirms](#) Chinese companies have stopped buying US farm products, the List 4 tariffs are “a serious violation” of June 28 Trump-Xi meeting, and China will not rule out new tariffs on US farm products. Dow drops 767 points. Trump [tweets](#) that China is a currency manipulator; after markets close, Mnuchin “under the auspices of President Trump” [designates](#) China as a currency manipulator. (Background: see [here](#) and [here](#))
- **August 13:** After intensive lobbying by retailers and others, USTR [announces](#) that the tariffs on List 4 items from China will be delayed until December 15 for goods where China’s share of US imports is 75% or more for each subheading; USTR releases lists of products subject to tariffs Sept. 1 and Dec. 15 (published Aug. 20 at [84 FR 45821](#)) Press reports that delay was unilateral move with no quid pro quo from China.
- **August 22-23:** China announces it will retaliate against US List 4 tariffs. [Reportedly](#), Trump initially suggests doubling tariffs on China; Mnuchin and Lighthizer enlist CEOs to call Trump about potential impact on stock market and US economy. After market closes, Trump [tweets](#) that tariffs on Lists, 1, 2 and 3 will increase to 30% as of October 1, and tariffs on List 4 will be increased to 15%. USTR then issues [announcement](#) that it will issue FR notice ASAP implementing these decisions; tariff increase on Lists 1, 2 and 3 will follow notice and comment.
- **August 25:** Trump and Japanese PM Abe announce that US and Japan are finishing a limited tariff agreement and a separate agreement on digital trade. Trump announces Japan will purchase US corn.
- **August 30:** USTR publishes FR notice ([84 FR 45821](#)) announcing that tariffs on List 4 will be increased to 15%; for products that were subject to 10% tariff surcharge as of Sept. 1, this increase applies the following day, and for products subject to 10% surcharge as of December 15, it applies as of December 15.
- **Sept. 3:** USTR publishes proposal to increase tariffs on Lists 1, 2 and 3 and requests comments ([84 FR 46212](#), Sept. 3, 2019)
- **Sept. 11:** Trump [tweets](#) on Sept. 11 that as a good-will gesture, the tariff increase on Lists 1, 2 and 3 will be postponed from Oct. 1 to Oct. 15. White House [reported](#) to be considering interim deal with China to reduce impact of tariffs on US economy (reports denied Sept. 20). China [issues](#) exclusions from its retaliatory tariffs for 11 products.

- **Sept. 16:** Trump [notifies Congress](#) that Administration has reached “initial trade agreement regarding tariff barriers” with Japan and intends to enter into this agreement, under 19 USC 4202(a).
- **Sept. 19-20:** US-China talks resume with “constructive discussions” at deputy level in Washington. USTR issues exclusions from Section 301 tariffs for 437 products. On Sept. 20, Trump calls China “threat to the world” and [rejects](#) “partial deal”. Liu He to come to Washington Oct. 10-11.
- **Sept. 25:** Trump and PM Abe of Japan announce a bilateral tariff agreement, to enter into force 1/1/20; Japan provides market access for US agricultural products comparable (but not quite equivalent) to TPP, and US provides tariff elimination for some Japanese industrial exports not including autos or auto parts. Leaders also announce a high-standard digital trade agreement similar to the digital trade chapter of USMCA. Agreement text to be released later after completion of legal scrub. USTR fact sheet [here](#) and [here](#).

[Joint Statement](#) states that “[w]hile faithfully implementing these agreements, both nations will refrain from taking measures against the spirit of these agreements and this Joint Statement.” Abe later states that Trump agreed not to impose Section 232 tariffs on Japanese autos. Lighthizer [states](#) that agreement does not include automobiles; at this point it is not Trump’s intention to impose tariffs on Japanese autos; and there will be phase-two negotiations on full FTA.
- **October 2:** WTO arbitration panel releases [report](#) determining amount of countermeasures US may request in its dispute ([DS316](#)) against EU and member state subsidies to Airbus A380 and A350XWB: \$7,496,623,000 per year. USTR [press release](#) announces it will apply tariffs starting as of **October 18** on products on final [retaliation list](#): 10% tariffs on aircraft from France, Germany, Spain and UK, and 25% tariffs on various agricultural and industrial products of EU, including bottled still wine, whisky, cheese, butter, olives, ham, canned fruits and juices, sweaters, suits, books, prints and more.
- **October 10:** Nuclear Fuel Working Group on uranium imports due to submit its report (see July 12, 2019)
- **October 14:** WTO DSB will meet to approve US retaliation against EU in Airbus case.