



ALERTS

Shaping The Future Of Tariffs: USITC Investigating Economic Impact Of Section 301 And 232 Actions

June 13, 2022

Highlights

U.S. International Trade Commission (USITC) is investigating the economic impact of Section 301 Chinese-origin and Section 232 steel and aluminum tariffs

Deadline is July 6, 2022, to request an appearance at the USITC public hearing scheduled for July 21, 2022

Interested parties may also submit written comments to the USITC in lieu of or in addition to appearing at the hearing

In early May, the U.S. International Trade Commission (USITC) [announced its fact-finding investigation](#) into the economic impact of the Section 301 China tariffs and the Section 232 steel and aluminum tariffs. As directed by Congress, the USITC must submit a report on U.S. trade, production, and prices in the industries directly and most affected by these tariffs to Congress by March 15, 2023.

To aid in its investigation, the USITC invites interested parties – such as importers of steel, aluminum and Chinese-origin goods as well as domestic manufacturers of such goods – to testify at a public hearing. The deadline to request an appearance at the hearing is July 6, 2022,

RELATED PEOPLE



David M. Spooner

Partner
Washington, D.C.

P 202-371-6377
F 202-289-1330
david.spooner@btlaw.com



Linda M. Weinberg

Partner
Washington, D.C.

P 202-408-6902
F 202-289-1330
linda.weinberg@btlaw.com



Clinton K. Yu

Partner
Washington, D.C.

P 202-371-6376
F 202-289-1330
clinton.yu@btlaw.com



Luis F. Arandia, Jr.

Partner
Washington, D.C.

P 202-408-6909
F 202-289-1330
Luis.Arandia@btlaw.com

RELATED PRACTICE AREAS

and the hearing is set for July 21, 2022.

Parties also may submit pre- and post-hearing briefs and additional written comments regarding the effect of the tariffs. Importers and others interested in participating in the investigation are urged to monitor the USITC's instructions for proper submission of such [hearing appearance requests](#), briefs and written comments.

Background

In 2018, the United States levied 25 percent and 10 percent tariffs on certain steel and aluminum imports, respectively, under Section 232 of the Trade Expansion Act of 1962. Additionally, in 2018 and 2019, the U.S. imposed duties under Section 301 of the Trade Act of 1974 on Chinese-origin goods, which exist in four tranches and range from 7.5 percent to 25 percent, totaling approximately \$370 billion of annual U.S. imports. These Section 232 and Section 301 tariffs remain in effect today.

Much like the U.S. Trade Representative's (USTR) current [sunset review](#) of the Section 301 tariffs, the USITC's public hearing and written comments process will play a significant role in shaping the future of the tariff actions. The USITC investigation differs, however, in that it is examining the economic impact of Section 301 and Section 232 tariffs on U.S. industries, while the USTR is currently conducting the first phase review of soliciting domestic support for the Section 301 tariff actions. Plus, the USITC investigation invites participation from a broader spectrum of parties (i.e., those who benefit from or are adversely impacted by Section 232 and Section 301 tariffs).

Pertinent Dates

The USITC investigation's deadlines can be found in its [Federal Register notice](#) and are:

- July 6, 2022: For filing requests to appear at the public hearing
- July 8, 2022: For filing prehearing briefs and statements
- July 14, 2022: For filing electronic copies of oral hearing statements
- July 21, 2022: Public hearing
- Aug. 12, 2022: For filing post-hearing briefs and statements
- Aug. 24, 2022: For filing all other written submissions
- March 15, 2023: For transmittal of commission report to Congressional committees

For more information, please contact the Barnes & Thornburg attorney with whom you work or David Spooner at 202-371-6377 or david.spooner@btlaw.com; Linda Weinberg at 202-408-6902 or linda.weinberg@btlaw.com; Clinton Yu at 202-371-6376 or clinton.yu@btlaw.com; or Luis Arandia at 202-408-6909 or

luis.arandia@btlaw.com.

© 2022 Barnes & Thornburg LLP. All Rights Reserved. This page, and all information on it, is proprietary and the property of Barnes & Thornburg LLP. It may not be reproduced, in any form, without the express written consent of Barnes & Thornburg LLP.

This Barnes & Thornburg LLP publication should not be construed as legal advice or legal opinion on any specific facts or circumstances. The contents are intended for general informational purposes only, and you are urged to consult your own lawyer on any specific legal questions you may have concerning your situation.