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United States Senate

COMMITTEE ON APPROPRIATIONS

WASHINGTON, DC 20510-6025

<http://appropriations.senate.gov>

March 12, 2019

The Honorable Robert Lighthizer
Office of the U.S. Trade Representative
600 17th Street, NW
Washington D.C. 20508

Dear Ambassador Lighthizer,

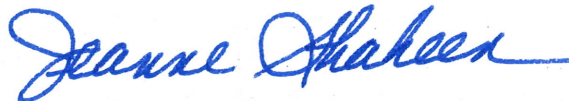
As Chairman and Ranking Member of the U.S. Senate Commerce, Justice, Science, and Related Agencies Appropriations Subcommittee, we write to reiterate Congress' direction to the Office of the U.S. Trade Representative (USTR) to establish an exclusion process for the third round of tariffs applied to goods from China under Section 301 of the Trade Act of 1974. As you are aware, title IV of division C of the Joint Explanatory Statement accompanying the Consolidated Appropriations Act, 2019 (Public Law 116-9), states: "USTR shall establish an exclusion process for tariffs imposed on goods subject to Section 301 tariffs in round 3. This process should be initiated no later than 30 days after the enactment of this act, following the same procedures as those in rounds 1 and 2."

We were troubled to learn in your testimony to the House of Representatives Committee on Ways and Means on February 27, 2019, that USTR does not plan to adhere to Congress' direction and has no intention to implement an exclusion process for the third round of tariffs. Although we agree that actions must be taken to curb the unfair trade practices of China, the imposition of the third round of Section 301 tariffs is impacting U.S. importers who deserve the opportunity to petition their government for relief. We are compelled to remind you that any actions short of implementing an exclusion process for the third round of Section 301 tariffs by March 17, 2019, will be in defiance of the express direction of Congress.

Sincerely,



Jerry Moran
Chairman
Subcommittee on Commerce,
Justice, Science and Related Agencies



Jeanne Shaheen
Ranking Member
Subcommittee on Commerce,
Justice, Science and Related Agencies