



IEEPA TARIFFS END

On February 20, the U.S. Supreme Court issued a 6-3 decision striking down the International Emergency Economic Powers Act (IEEPA)-based additional tariffs. Executive Order (EO) 14389 officially ended the collection of IEEPA tariffs for goods entered or withdrawn from warehouse for consumption on or after 12:00 a.m. eastern time on February 24, 2026. See our [February 20](#) and [February 23](#) What's New updates for further details. [Learning Resources, Inc. v. Trump](#) (Case No. 24-1287); 91 [Fed. Reg. 9437](#) (Feb. 25, 2026); CSMS [#67834313](#) (Feb. 22, 2026).

SECTION 122 TARIFFS BEGIN

Hours after the Supreme Court decision was issued on February 20, President Trump announced a new 10% "global tariff." The Section 122 "import surcharges" went into effect for goods entered or withdrawn from warehouse for consumption on or after 12:01 a.m. Eastern Time on February 24. It applies for 150 days to imported articles from all countries, but excepts articles outlined in Annex I and Annex II of Presidential Proclamation 1102, including certain critical minerals, agricultural products, pharmaceuticals and their ingredients, electronics, and articles subject to Section 232 orders. A rate increase to 15% was announced by President Trump, but it has not been implemented. See our [February 21](#) What's New update for further details. 91 [Fed. Reg. 9339](#) (Feb. 25, 2026); CSMS [#67844987](#) (Feb. 23, 2026).

Multiple lawsuits have already been filed by [importers](#) and 24 U.S. [states](#) against the Section 122 tariffs. It appears that litigation will be expedited. The U.S. Court of International Trade (CIT) has already scheduled a hearing for April 10.

IEEPA REFUNDS

An administrative refund process is being developed by U.S. Customs and Border Protection (CBP). On March 4, the CIT judge assigned to an IEEPA tariff refund case issued an order directing liquidation of not finally liquidated entries without IEEPA tariffs. CBP has since provided status reports on its new

2026 FIRM SEMINARS

We will be offering the following Spring training seminars in-person at our Kansas City office:

Import/Export 101 – April 7
Import/Export 201 – April 8

See our [website](#) for more detailed information. Please contact [Shari Rees](#) with questions. Seminars are offered to Miller & Company clients only.

FTZ INVENTORY

Foreign-Trade Zone (FTZ) merchandise with Privileged Foreign (PF) dates prior to February 24, 2026 and subject to a Type 06 Cargo Release on or after February 24, 2026 will not be subject to IEEPA or Section 122 tariffs. Merchandise with PF dates on or after February 24, 2026 will be subject to Section 122 tariffs upon Customs entry filing. See our [March 9](#) What's New update for further details. Contact [Marshall Miller](#), [David Ostheimer](#), or [Amanda Ward](#) with questions.

FTZB PRODUCTION DECISIONS

The Foreign-Trade Zones Board (FTZB) approved six Production Authority requests on March 5. These are the first Production Authority decisions published since November 24, 2025. One of the six approvals included a two-year limitation on medical dressing production. Contact [Marshall Miller](#), [David Ostheimer](#), or [Amanda Ward](#) with questions. 91 [Fed. Reg. 11499, 11500](#) (March 10, 2026).

MADE IN AMERICA EO

On March 13, President Trump issued an [Executive Order](#) directing the Federal Trade Commission (FTC) to prioritize enforcement against deceptive U.S.-origin claims, consult with relevant agencies, and consider new regulations, including oversight of online marketplaces. The EO further instructs agencies responsible for origin labeling to coordinate guidance, promote voluntary U.S.-origin labeling, and review government contracts for misrepresented U.S.-origin claims. Contact [Sean Murray](#) with questions.

EXCESS CAPACITY 301

On March 11, the U.S. Trade Representative (USTR) [announced](#) a new Section 301 investigation into "structural excess capacity" and production in the manufacturing sectors of China, the EU, Singapore, Switzerland, Norway, Indonesia, Malaysia, Cambodia, Thailand, Korea, Vietnam, Taiwan, Bangladesh, Mexico, Japan, and India. Comments on the investigations are due by April 15 and USTR will hold a public hearing on May 5. Clients are encouraged to submit comments. See our [March 12](#) What's New update for further details. Please contact [Marshall Miller](#), [Brian Murphy](#), or [Sean Murray](#) with questions or for assistance with comments. A pre-publication draft of the [Federal Register notice](#) has been issued.

FORCED LABOR 301

On March 12, USTR [announced](#) Section 301 investigations into 60 of the U.S.'s largest trading partners over whether their acts and policies are failing to impose or effectively enforce a ban on the import of goods produced with forced labor in a manner that is unreasonable or discriminatory and burdens or restricts U.S. commerce. The diverse list of countries subject to the investigation includes Australia, China, Israel, Japan, Norway, Russia, Switzerland, the UAE, the UK, and the EU. Public comments are being accepted through April 15, and a public hearing is scheduled for April 28. See our [March 13](#) What's New update for further details. Please contact [Marshall Miller](#), [Brian Murphy](#), or [Sean Murray](#) with questions. A pre-publication draft of the [Federal Register notice](#) has been issued.

FUTURE 301 ACTIONS

As demonstrated by the recent Section 301 announcements, the USTR 2026 Trade Policy Agenda [states](#) that it will continue to use existing Section 301 actions and consider new investigations or other enforcement tools to address unfair and discriminatory trade practices. Noted areas of concern include global overcapacity, unfair agricultural and seafood practices, pharmaceutical pricing, digital

Consolidated Administration and Processing of Entries (CAPE) web-based portal for importers and brokers to submit IEEPA tariff refund requests. See our [March 13](#) What's New for the latest update. Contact [Marshall Miller](#), [Brian Murphy](#), [Sean Murray](#), or [David Ostheimer](#) with questions.

EU REACTION

Following the U.S. Supreme Court decision overturning the IEEPA tariffs, the European Commission issued a [statement](#) that the U.S. and EU should stand by their commitments in the August 2025 EU-US Joint Statement, including no duty increases above the "all-inclusive ceiling" previously agreed.

DE MINIMIS SUSPENSION

Following the Supreme Court's [Learning Resources](#) decision, President Trump issued Executive Order 14388 to continue the suspension of Section 321 de minimis duty-free entries for all countries under 19 U.S.C. § 1321(a)(2)(C). 91 Fed. Reg. [9433](#) (Feb. 25, 2026); CSMS [#67845486](#) (Feb. 23, 2026).

VENEZUELA LICENSES

On March 13, OFAC issued revised General Licenses [46B](#), [48A](#), and [49A](#). These revisions generally expand the scope of authorized transactions beyond the oil and gas sectors to include the petrochemical and electricity sectors. Contact [Sean Murray](#) or [Chuck Ballard](#) with questions.

U.S. TRADE DEFICIT REPORT

The U.S. Census Bureau and the U.S. Bureau of Economic Analysis recently [released](#) U.S. trade data showing full-year exports increased by more than six percent, and the annual deficit declined slightly compared to the prior year.

NEW USA TRADE ONLINE

The U.S. Census Bureau has [released](#) a new version of USA Trade Online. The online tool provides access to U.S. international trade data that may be useful for importers and exporters and allows users to create customizable reports. Contact [Brenda Zeller](#) with questions or for assistance in creating and running reports.

DE MINIMIS OR EVASION

On February 26, the Bureau of Industry and Security (BIS) [announced](#) a settlement with Teledyne FLIR (Teledyne) which [agreed](#) to remit \$1 million. BIS alleged that Teledyne miscalculated the value of U.S. content when applying the de minimis rule to camera kits and camera cores reexported from Sweden to China, which incorrectly exempted the reexports from controls.

CHINA BIOTECH PRACTICES

CHINA PNTR STATUS

The U.S. International Trade Commission (USITC) has initiated an investigation into the economic effects of revoking Permanent Normal Trade Relations (PNTR) status for all products from China. The [investigation](#) will analyze potential impacts on U.S. industry, prices, production, sourcing, and alternative scenarios, including a phased-in tariff approach for national security sensitive products. Due to the accelerated timeline, USITC does not plan to hold a public hearing. Comments are due April 13, and the USITC expects to publish its report on August 21. 91 Fed. Reg. [10130](#) (Mar. 2, 2026).

U.S.-INDONESIA AGREEMENT

The U.S. and Indonesia announced a reciprocal trade agreement on February 19. Under the agreement, the U.S. will impose a 19% reciprocal tariff on most Indonesian imports, with limited product-specific exceptions and a future mechanism for certain textile and apparel imports. The agreement will enter into force 90 days after the parties confirm the completion of their respective national legal procedures. The [USTR](#) has provided additional information on the agreement, including changes to the Harmonized Tariff Schedule of United States.

CRITICAL MINERALS

The USTR is seeking public [comments](#) on the design of a plurilateral Agreement on Trade in Critical Minerals. USTR is soliciting input to identify trade measures to increase domestic availability of mined, refined, and processed critical minerals; incentivize reshoring of production; diversify sourcing among like-minded partners; and establish a resilient marketplace free from distortions, supported by minimum price or other price-stabilizing mechanisms. Comments are due March 19. 91 Fed. Reg. [9686](#) (Feb. 26, 2026).

FTZ CATAIR UPDATE

CBP has updated the FTZ CATAIR section for FT40 (Record Processing) to include the record number for Country of Export and Foreign Load Port descriptions on the e-214. CSMS [#67856863](#) (Feb. 24, 2026).

USTR REQUESTS NOMINATIONS

USTR has requested nominations for the Advisory Committee for Trade Policy and Negotiations, the Intergovernmental Policy Advisory Committee on Trade, the Trade Advisory Committee on Africa, and the Trade and Environmental Policy Advisory Committee. For full consideration, nominations should be submitted by April 1. 91 Fed. Reg. [10665](#), [10667](#), [10668](#), [10670](#) (March 4, 2026).

services taxes, digital discrimination, and Chinese compliance with the Phase One trade deal signed in 2020. USTR will also advance ongoing Section 301 reviews and investigations, including potential World Trade Organization (WTO)-related actions involving large civil aircraft in July.

CHINA 301 LIST 3 AND 4A

The plaintiff in the HMTX Industries case has [filed](#) a petition for a writ of certiorari with the U.S. Supreme Court to challenge the imposition of the China Section 301 tariffs on products in Lists 3 and 4A. Lower court decisions upheld these Section 301 tariffs. Contact [Brian Murphy](#) or [Sean Murray](#) with questions.

RUSSIAN SANCTIONS

On the fourth anniversary of Russia's invasion of Ukraine, Canada, the United Kingdom, Australia, and New Zealand [announced](#) new sanctions targeting Russia's shadow fleet, energy and defense sectors, and bank and financial institutions. They also lowered the price cap for purchasing Russian oil from \$47.60 per barrel to \$44.10 to be consistent with the EU's cap.

2026 USMCA REVIEW

On March 16, the U.S. and Mexico begin their first round of bilateral [discussions](#) in preparation for the 2026 joint review of the USMCA. U.S. Trade Representative Jamieson Greer and Mexican Economy Secretary Marcelo Ebrard have directed negotiators to work on measures to ensure the agreement's benefits accrue primarily to member countries, including reducing reliance on imports from outside the territory and strengthening rules of origin.

232 AUTO PARTS INCLUSION

On March 2, the Commerce Department opened a 30-day public comment period on the "tariff inclusion" process for adding HTSUS classifications in the Section 232 automobile parts tariffs. Clients are encouraged to file comments to improve the process. Contact [Brian Murphy](#) or [Sean Murray](#) with questions. 91 Fed. Reg. [10066](#) (March 2, 2026).

USMCA AUTO RULES

USITC has initiated an investigation to prepare its 2027 report on the economic impact and operation of the USMCA automotive rules of origin. A public hearing will be held on October 14. USITC must transmit its report to the President and the Senate Finance and House Ways & Means Committees no later than July 1, 2027. 91 Fed. Reg. [8521](#) (Feb. 23, 2026).

IRAN SHADOW FLEET

On February 25, OFAC [announced](#) that it was adding 30

USITC has initiated an investigation into the impact of China's state support and pricing practices in the biotechnology sector on U.S. industry. A public hearing is scheduled for May 27–28. The USITC expects to publish its report by January 22, 2027. 91 [Fed. Reg. 10153](#) (March 2, 2026).

CENSUS DEA LICENSE CODES

On February 26, Census issued [guidance](#) that exports subject to Drug Enforcement Administration (DEA) regulations should use License Type Code "OPA" (Other Partnership Agency). Many exporters have been using code "C33" since DEA exports do not have a specific license code.

ASSISTS

Clients are reminded that the value of any "assist" supplied directly or indirectly by the buyer to the manufacturer must be included in the customs value of the imported merchandise. "Assists" include components, parts, or similar items; tools, dies, molds, or machinery used in the production of the imported merchandise; and engineering, development, artwork, design work, plans, or sketches undertaken outside the U.S. that is necessary for the production of the imported merchandise. Assists are one of the most common importer errors. Contact [Brian Murphy](#) or [Sean Murray](#) with questions.

individuals, entities, and vessels to its Specially Designated Nationals (SDN) List. These individuals, entities, and vessels are being added for their role in enabling Iranian petroleum sales and ballistic missile programs.

FTZ STATISTICS	
FOREIGN-TRADE ZONES BOARD	
ACTIVITY AS 3/15/2026	
	Approved
Zones	310
Subzones*	916
	Pending
Zones	3
Subzones	6

*From [Fed. Reg.](#) Notices

Miller & Company P.C. | 4929 Main Street | Kansas City, MO 64112 US

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