

USTR Requests Comments on Unfair and Non-Reciprocal Trade Practices

February 24, 2025

As a follow-up to President Trump's recently announced "Fair and Reciprocal Plan" for implementing reciprocal tariffs, and according to a draft notice recently published on its website, the Office of the U.S. Trade Representative (USTR) is now accepting public comments on unfair trade practices and non-reciprocal arrangements pursuant to the America First Trade Policy Presidential Memorandum and the Presidential Memorandum on Reciprocal Trade and Tariffs. The deadline to comment is March 11, 2025.

According to the notice, which will be published in the *Federal Register* on Tuesday, February 25, USTR is seeking input on unfair trade practices on a country-by-country basis, including on "policies, measures, or barriers that undermine or harm U.S. production, or exports, or a failure by a country to take action to address a non-market policy or practice in a way which harms the United States." USTR is prioritizing major trading economies, particularly G20 nations, and those with significant trade deficits with the United States, listing 21 economies including Australia, Brazil, Canada, China, the European Union, Mexico, the United Kingdom, and Vietnam.

Submissions will inform:

1. A report due April 1, 2025, regarding unfair foreign trade practices, as required by the January 20, 2025, America First Trade Policy Presidential Memorandum; and
2. USTR's initiation of actions to investigate the harm to the United States from any non-reciprocal arrangements adopted by trading partners as directed in the February 13, 2025 Presidential Memorandum on Reciprocal Trade and Tariffs.

Authors

Timothy C. Brightbill
Partner

202.719.3138
tbrightbill@wiley.law

Tessa Capeloto
Partner

202.719.7586
tcapeloto@wiley.law

Robert E. DeFrancesco, III
Partner

202.719.7473
rdefrancesco@wiley.law

Greta M. Peisch
Partner

202.719.3378
gpeisch@wiley.law

Maureen E. Thorson
Partner

202.719.7272
mthorson@wiley.law

Christopher B. Weld
Partner

202.719.4651
cweld@wiley.law

Practice Areas

Customs Law and Compliance

International Trade

National Security

Tariffs & Trade Policy

Trade Policy and Trade Negotiations

USTR intends for the public's submissions to assist the agency in identifying any unfair and non-reciprocal trade practices and recommending appropriate actions to remedy them. That said, the notice specifies that USTR may also take action in advance of submissions, as warranted. This request for public comment is part of broader trade policy reviews under the America First Trade Policy Presidential Memorandum, including investigations related to the United States-Mexico-Canada Agreement, and other trade and sectoral agreements.

Wiley's International Trade and National Security practices are well-positioned to help clients ensure that their voices are heard on reciprocal tariffs and other key trade issues. With sharp insight into shifting policies – especially in Washington – we deliver strategic guidance that shapes the global trade landscape.

To stay informed on all of the Executive Orders and announcements from the Trump Administration, please visit our dedicated resource center below.

Wiley's Trump Administration Resource Center