

Comparison of USTR’s Proposals Published 21 February vs. USTR Notice Published 17 April

April 29, 2025 William Cecil, Mette Duffy

PRACTICES Ship Sale and Purchase, Ship Construction and Conversion, Shipping Dispute Resolution

On 17 April 2025, the USTR published its “Notice of Action and Proposed Action in Section 301 Investigation of China’s Targeting the Maritime, Logistics, and Shipbuilding Sectors for Dominance, Request for Comments” (the USTR Notice) concerning its proposals first set out in a federal notice on the USTR’s website on 21 February 2025.

The actions set out in the USTR Notice are not cumulative; either a vessel is subject to (a) one of the three fees set out in Annexes I, II, or III to the USTR Notice, or (b) to the requirements of Annex IV of the USTR Notice. If any fee is applied, only one fee will be applied under the terms of the respective Annex.

The fees and requirements under the USTR Notice are assessed in the following order:

1. A vessel that is specially designed for the international maritime transport of liquefied natural gas (LNG), is subject to Annex IV. A vessel subject to Annex IV is not subject to the fees in Annexes I, II, or III.
2. A vessel identified as a “Vehicle Carrier” will be subject to Annex III.
3. A vessel that meets the conditions of Annex I, e.g., a vessel operated by a Chinese entity or owned by a Chinese entity, will be subject to the fee imposed under Annex I.
4. A vessel may be subject to Annex II when Annex I and Annex III do not apply.

Definitions of various terms are given within the Annexes to the USTR Notice to assist with their interpretation.

We set out in the table below what we consider to be the key terms of the USTR Notice Annexes alongside the USTR’s original proposals for ease of comparison, and we then consider what have been the key changes to the USTR’s proposals.

[Read the full article.](#)