



# FedEx Regulatory Alerts & Updates

## Regulatory Alert: 2019 Miscellaneous Tariff Bill Petition Process

October 14, 2019

### BACKGROUND

The Miscellaneous Tariff Bill (MTB) Act temporarily reduces or eliminates import duties on specified raw materials and intermediate products used in manufacturing that are not produced or available domestically. It is intended to ensure that U.S. manufacturers are not at a disadvantage to their foreign competitors when sourcing manufacturing components.

Under the MTB process, U.S. importers may petition for duty-free or reduced-duty treatment of certain imported products by submitting an MTB petition to the U.S. International Trade Commission (USITC). Typically, importers request duty relief for manufacturing raw material inputs such as chemicals, electronic goods, and proprietary parts that are not produced in the U.S. However, there are no restrictions on what products and parts can be requested.

On August 27, 2019, the USITC published a Final Rule regarding the procedures for the preparation and filing of Miscellaneous Tariff Bill (MTB) petitions and public comments.

The current Miscellaneous Tariff Bill contains 1,663 items in the Harmonized Tariff Schedule of the U.S. (HTSUS) and was passed on October 13, 2018. It expires on or before December 31, 2020.

### WHAT HAS CHANGED?

The USITC opened the MTB portal on October 11, 2019.

The Miscellaneous Tariff Bill Petition System (MTBPS) is for U.S. importers to submit petitions of their products for review and consideration for duty suspensions and reductions. The MTBPS website has links to submit petitions, review petitions, help guides and documentation, and a "contact us" link.

The deadline for U.S. importers to submit their MTB petitions is December 10, 2019.

### Q&A

#### **Q1: Are U.S. importers limited on how many products they can petition for MTB relief?**

A1: No, but each individual petition must be properly filed and adhere to the filing requirements detailed in 19 CFR Part 220.5 "Contents of petition." The complete USITC Regulations are posted below in the References section.

**Q2: Once a given petition is approved by USITC, does that end the MTB process?**

A2: No. Any successful petition would then need to be reviewed by Congress for possible incorporation into the new MTB. If enacted by Congress, the bill then must be signed into law by the president before becoming effective.

**Q3: When would the approved petitions that comprise the new MTB become effective?**

A3: Basically, the day after the current MTB ends. Once signed into law, the new MTB petitions may become effective January 1, 2021, with an expiration date of December 31, 2024.

**Q4: Is there a guideline document that helps importers through this process?**

A4: Yes, in the USITC MTB Information link below, go to the "Before You File" section under GUIDES for more details and advice from USITC on the filing process.

**REFERENCES:**

USITC Regulations Part 220 Process for Consideration of Petitions for Duty Suspensions and Reductions

<https://ecfr.io/Title-19/pt19.3.220>

USITC Miscellaneous Tariff Bill Petition System

<https://mtbps.usitc.gov/external/>

USITC MTB Information

[https://www.usitc.gov/trade\\_tariffs/mtb\\_program\\_information](https://www.usitc.gov/trade_tariffs/mtb_program_information)

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[https://www.fedex.com/content/dam/fedex/us-united-states/International/images/2019/Q4/RegAlert\\_19\\_020\\_Miscellaneous\\_Tariff\\_Bill\\_of\\_2018\\_SEP\\_18\\_18\\_747290312.pdf](https://www.fedex.com/content/dam/fedex/us-united-states/International/images/2019/Q4/RegAlert_19_020_Miscellaneous_Tariff_Bill_of_2018_SEP_18_18_747290312.pdf)