

Administration of Donald J. Trump, 2026

Memorandum on Action by the United States in the Investigation Under Section 301 of the Trade Act of 1974 of Brazil's Acts, Policies, and Practices Related to Digital Trade and Electronic Payment Services; Unfair, Preferential Tariffs; Anti-Corruption Enforcement; Intellectual Property Protection; Ethanol Market Access; and Illegal Deforestation

July 15, 2026

Memorandum for the United States Trade Representative

Subject: Action by the United States in the Investigation Under Section 301 of the Trade Act of 1974 of Brazil's Acts, Policies, and Practices Related to Digital Trade and Electronic Payment Services; Unfair, Preferential Tariffs; Anti-Corruption Enforcement; Intellectual Property Protection; Ethanol Market Access; and Illegal Deforestation

At my specific direction, on July 15, 2025, the United States Trade Representative (Trade Representative) initiated an investigation under section 301 of the Trade Act of 1974, as amended (19 U.S.C. 2411) (section 301), into Brazil's acts, policies, and practices related to digital trade and electronic payment services; unfair, preferential tariffs; anti-corruption enforcement; intellectual property protection; ethanol market access; and illegal deforestation.

On June 1, 2026, the Trade Representative determined that certain of Brazil's acts, policies, and practices in these issue areas are unreasonable or discriminatory and burden or restrict United States commerce and thus are actionable under section 301(b)(1) (19 U.S.C. 2411(b)(1)). The Trade Representative has further advised me that he has continued to consult with the Government of Brazil to obtain the elimination of these acts, policies, and practices, but those consultations have not satisfactorily resolved United States concerns.

As a result of his determination, the Trade Representative proposed to determine that action is appropriate, including applying tariffs of 25 percent on all goods of Brazil, with exemptions for certain goods. The Office of the United States Trade Representative (USTR) invited comments by interested persons on this proposed action and convened a public hearing on July 6 and 7, 2026. USTR received over 360 written comments, and 77 witnesses testified at the hearing.

The Trade Representative has informed me of the substance of significant comments on the proposed action and advised me that after considering the comments and testimony received, the products identified in the Annex to this memorandum warrant exemption from tariffs imposed in connection with this action, as they are (a) raw materials that if subject to these tariffs could lead to the unavailability of domestic supply; (b) products that could cause economy-wide disruptions if subject to these tariffs; (c) products that cannot be grown or produced in sufficient quantities or at reasonable prices in the United States or obtained from other sources; or (d) articles for which these tariffs may not contribute substantially to the elimination of the acts, policies, and practices of Brazil found to be actionable in the investigation described above.

After considering and taking account of this information and advice; the information, findings, and determinations in USTR's Notice of Determination (2026–1158; 91 FR 33854); the need to obtain the elimination of the acts, policies, and practices of Brazil found to be actionable; and other pertinent information, it is hereby directed as follows:

Section 1. Tariffs and Exemptions. (a) The Trade Representative shall impose a tariff of 25 percent on all goods of Brazil, with exemptions for certain goods as discussed in subsection (b) of this section.

(b) The Trade Representative shall exempt from the tariff directed in subsection (a) of this section the products identified in the Annex to this memorandum. I determine that each of these products constitutes (a) raw materials that if subject to these tariffs could lead to the unavailability of domestic supply; (b) products that could cause economy-wide disruptions if subject to these tariffs; (c) products that cannot be grown or produced in sufficient quantities or at reasonable prices in the United States or obtained from other sources; or (d) articles for which these tariffs may not materially contribute to the elimination of the acts, policies, and practices of Brazil found to be actionable in the investigation described above. After weighing the relevant considerations, including potential economic harm and efficacy of tariffs, I determine that the products identified in the Annex to this memorandum shall be exempted from the tariff directed in subsection (a) of this section, and the Trade Representative shall direct that the Harmonized Tariff Schedule of the United States be modified as provided in the Annex to this memorandum.

(c) In my judgment, the tariff of 25 percent on all goods of Brazil, with the exemptions for certain goods as discussed in subsection (b) of this section, is appropriate and feasible to obtain the elimination of the acts, policies, and practices of Brazil found to be actionable under section 301. I determine that alternatives to the action directed in this memorandum, such as a lower tariff rate, negotiation without the imposition of tariffs, and action under other statutory authority without action under section 301, would be less effective and less preferable than the action directed in this memorandum. In my judgment, the specific direction in this memorandum is consistent with the purposes of section 301.

Sec. 2. General Provisions. (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Sec. 3. Publication. The Trade Representative is authorized and directed to publish this memorandum in the *Federal Register*.

DONALD J. TRUMP

[Filed with the Office of the Federal Register, 11:15 a.m., July 17, 2026]

NOTE: This memorandum and its attached annex were published in the *Federal Register* on July 20.

Categories: Communications to Federal Agencies : Trade Act of 1974, U.S. investigation under section 301 of Brazil acts, policies, and practices related to digital trade and electronic payment services, unfair, preferential tariffs, anticorruption enforcement, intellectual property protection, ethanol market access, and illegal deforestation, memorandum.

Subjects: Brazil, U.S. Trade Act of 1974 investigation; United States Trade Representative.

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