



New Section 232 Investigations Announced on Semiconductors, Pharmaceuticals, and Critical Minerals

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Over the past few weeks, the Trump Administration has announced three new investigations under Section 232 of the Trade Expansion Act of 1962 into whether imports of pharmaceuticals, semiconductors, and critical minerals and their derivatives pose threats to national security. The Commerce Department initiated the pharmaceutical and semiconductor investigations on April 1, 2025. President Trump ordered that Commerce initiate the critical minerals investigation in an executive order issued on April 15, 2025. These new investigations follow Section 232 investigations announced by the Administration in March on imports copper and lumber products. Investigations were also concluded on imports of steel, aluminum, and autos during President Trump's first term and were [recently modified](#) or, in the case of autos, [implemented](#) by the new Administration.

The product coverage of these new investigations compared with prior Section 232 investigations is notably broader. Prior Trump Administration Section 232 investigations on aluminum, steel, autos, copper, and lumber have focused narrowly on clearly defined products and their derivatives or parts. However, all three of the recently announced investigations cover broad sectors that could potentially impact a wide range of industries.

In its request for comments on [semiconductors](#), semiconductor manufacturing equipment, and their derivatives, Commerce noted that the investigation will cover semiconductor substrates and bare wafers, legacy chips, leading-edge chips, microelectronics, semiconductor manufacturing equipment components as well as downstream products that contain semiconductors, including the electronics supply chain.

The investigation into imports of [pharmaceuticals](#) and pharmaceutical ingredients includes finished drug products, medical countermeasures, critical inputs such as active pharmaceutical ingredients, and key starting materials, as well as derivative products of those items.

The investigation involving imports of [processed critical minerals](#) will cover all critical minerals identified on the United States Geological Survey's list of critical minerals, rare earth elements identified by the Department of Energy, and uranium, that have undergone processing activities after mineral ore extraction, including conversion into metals, metal powders or a master alloys; semi-finished goods that incorporate processed critical minerals such as semiconductor wafers, anodes, and cathodes; and final products incorporating such material, including permanent magnets, motors, electric vehicles, batteries, smartphones, microprocessors, radar systems, wind turbines and

their components, and advanced optical devices.

Many of the products that will fall within these investigations have already been excluded from the reciprocal tariffs implemented by the Administration (and discussed by Kelley Drye [here](#)). This includes several downstream electronic articles that were [recently added](#) to the list of products exempt from reciprocal tariffs. If tariffs are ultimately imposed on any of the products subject to these investigations, they will remain exempt from reciprocal tariffs. However, the ultimate tariff rate – or other trade-related measure – applied to them will not be known until the investigations are completed and the President determines whether and what action to take.

Section 232 provides the Commerce Department with 270 days to complete an investigation, but the executive order for critical minerals has indicated the investigation will proceed on a condensed timeline, with a final report due to the President within 180 days. The Trump Administration has also signaled that the investigations on semiconductors and pharmaceuticals will similarly move quickly. Interested parties may submit comments on Commerce’s investigations of imports of [semiconductors](#) and [pharmaceuticals](#) via www.regulations.gov by May 7, 2025. The comment period for the critical minerals investigation has yet to be announced, but may also be a relatively short (21 days in the pharmaceuticals and semiconductors cases). It is not clear at this time whether there will be future opportunities to comment on Commerce’s final reports and/or the President’s proposed remedies in each investigation.

Kelley Drye’s [International Trade team](#) is experienced in assisting with the preparation and submission of comments in Section 232 investigations, as well as assisting clients with understanding how the shifting tariff landscape may affect them.