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October 2025 Newsletter





Preserving Refund Rights for IEEPA-Based Tariffs

By Adrienne Braumiller, Founding Partner

Importers who have paid tariffs imposed under the International Emergency Economic Powers Act (IEEPA) should take immediate steps to preserve their eligibility for potential refunds. Multiple lawsuits are currently challenging the legality of these tariffs, and the Supreme Court is set to decide the issue in November. If the Court ultimately invalidates the tariffs, importers may be entitled to recover duties paid.

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Unconstitutionality of IEEPA Tariffs Upheld - Supreme Court to Review

By James R. Holbein, Of Counsel,
Braumiller Law Group

BACKGROUND

The Court of Appeals for the Federal Circuit (CAFC) sitting en banc (11 active judges participating) affirmed, in a 7-4 majority decision filed on August 29, 2025, the decision of the U.S. Court of International Trade (CIT) that the



President's use of emergency authorities to "regulate" imports does not authorize the tariffs imposed by several Executive Orders.

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The End of De Minimis Section 321 Clearances

By [Bruce Leeds](#), Senior Counsel Braumiller Law Group

Prior to August 29 of this year, 19 USC 321 – popularly known as a Section or de minimis clearance – allowed imported shipments valued at less than \$800 to enter the US free of duty and entry requirements. The idea behind this was (1) the cost of processing an entry and duty payment would be more than the duty collected, and (2) setting the threshold at this level would promote eCommerce. It would also allow US Customs & Border Protection (CBP) to use its resources more effectively.

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**Sanctions, Bans, and Tariffs
How The U.S. is Feuling Chinese Innovation**

By [Bob Brewer](#), Braumiller Law Group

Just look at the current landscape of how China has been innovating through various trade related sanctions, bans, and tariffs. Just like dealing with lions, tigers and bears, oh my! Of course, in this case the scarecrow was the only one without a brain, so Dorothy, the lion, and the tin man had no excuse. If they were Chinese, they would have surmised that the yellow brick road is not the only path to finding the little fat man behind the curtain, otherwise known as the wizard. Nope. They would have instead used high tech surveillance drones allowing them to bypass the flying monkeys and wicked witch. Probably would have found the wizard in a day.



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Rare Earth Minerals-Part 2 Enter Greenland's Global Significance

By **Bob Brewer**, Braumiller Law Group

If you had the chance to read one of my previous articles titled Rare Earth Minerals and China's Global Dominance,

<https://www.braumillerlaw.com/rare-earth-minerals-and-chinas-global-dominance/> you'd see how much China dominates in possessing these rare earth mineral deposits of gold in their soil. It's been more than a little concerning to the Trump Administration as these deposits have everything to do with international security as they are needed in the production of the very high-end microchips. So, now that it has been discovered that Greenland apparently has one of

the largest deposits on the planet, Trump has stated that we will have Greenland, one way or another.

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China's Global Port Investments It's About Control and the Reshaping of Trade Flows

By **Bob Brewer**, Braumiller Law Group

China owns outright or has majority control in 17 overseas ports globally, according to recent estimates. However, its broader footprint is much larger with 129 port projects worldwide that involve Chinese investment, construction, or operational control. 115 of these are active, spanning every continent except Antarctica, which is next. Once you finish this one, see my previous article on the subject. <https://www.braumillerlaw.com/coming-soon-a-new-polar-icebreaker-competition-in-the-arctic-region-for-trade-route-supremacy/>



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Wyoming Laws More Crypto-Friendly with Issuance of State Stablecoin



By [James Holbein](#), Of Counsel, and [Justin Holbein](#), Web3 Developer and Consultant

INTRODUCTION

On August 29, 2025, Wyoming made history becoming the first state in the United States to issue its own stablecoin, the Frontier (FRNT) token, marking a groundbreaking moment in state-level cryptocurrency adoption. This milestone follows the signing of the federal “Guiding and Establishing National Innovation for U.S. Stablecoins of 2025” or “GENIUS Act of 2025” (the Act) on July 18, 2025., which established the legal framework for payment stablecoins nationwide and explicitly authorized state participation in stablecoin issuance. Congress is reportedly working on additional legislation to pass at the end of this year, including the *Digital Asset Market Clarity Act of 2025* or the “CLARITY Act of 2025” that passed the House along with the GENIUS Act..

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Importing Steel into Mexico A Pillar of Compliance for Suppliers Trading with Mexico

By [Brenda Cordova](#), Braumiller Law Group Mexico Legal Counsel, and [Judith Montes de Oca](#)

The steel trade with Mexico is particularly strategic at this moment. Companies are shifting supply chains to North America, and Mexico which has been an attractive manufacturing hub for various industries, such as automotive, aerospace, construction, electronics, household

appliances, and more. This trend is driving strong demand for imported steel while simultaneously creating new export opportunities for Mexican producers. Much of this advantage stems from the USMCA, because steel originating within the USCMA region can qualify for preferential tariff treatment when traded within the United States and Canada, provided that the applicable rules of origin are fully met.



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Join us for our final two 2025 Tuesday Trade Talks with ICPA, and stop by our booth at the ICPA Fall Conference in Grapevine, TX October 26, 2025 – October 31, 2025---Booth #18

Tuesday Trade Talks with ICPA

Surviving the Tariff Storm: Legal Updates and Compliance Strategies

October 7, 2025, 10:30AM – 12:00PM CST, Jim Holbein/ Braumiller Law Group

This webinar has been approved for 1.5 credit(s) for CES/MES, CCS/MCS, LCB credit type(s)

Registration: <https://conta.cc/46aDUD6>

2025 ICPA Fall Conference "Trade Days" - Grapevine, TX

October 26, 2025 – October 31, 2025

Partner & Founder Adrienne Braumiller will be speaking @ 8:45 on the 27th on the topic of: Tariffs, Tariffs, and more Tariffs

Our **Mexico Legal Counsel, Brenda Cordova** will be covering Optimizing Customs Operations for IMMEX Companies on the 28th, as well as the workshop on the 29th covering Maximizing Efficiency: Strategies from the IMMEX. Also on the 29th, our **Senior Counsel Bruce Leeds** will join Schulz Trade Law for the ITAR workshop. **Full conference agenda:** <https://web.cvent.com/event/87777e5a-0707-4324-ad2c-505715a291f7/websitePage:47fbe2f4-f6ef-4491-a52e-fbd02c805bc3>

Tuesday Trade Talks with ICPA

Tariff Mitigation Strategies: A Deep Dive into What's Possible

November 4, 2025, 10:30AM – 12:00PM CST, Jennifer Horvath/ Braumiller Law Group & George Tuttle/Tuttle Law

SAVE THE DATE

This webinar has been approved for 1.5 credit(s) for CES/MES, CCS/MCS, LCB credit type(s)

MIC-Braumiller-ICPA Mexico Summit November 5th-6th Mexico City Sheraton

Info: [Home - MEXICO SEMINAR: Navigating the Trade Landscape \(Challenges & Opportunities Between Mexico & the US\)](#) Our Mexico Legal Counsel will be there.

Massachusetts Export Center, Presents Mastering Tariff Management, the Essential Tools with speaker **Robert Stein, VP Braumiller Consulting Group**
Friday, November 7, 2025 Time: 12:00 – 1:15 p.m. ET

Info: <https://www.braumillerlaw.com/events/mastering-tariff-management-the-essential-tools/>

THIRTEENTH ANNUAL (virtual only)

“Partnering for Compliance[™]” Customs/Import Boot Camp 2026

With Braumiller Law Group speakers Adrienne Braumiller, Managing Partner, and Senior Counsel Bruce Leeds

Thursday, January 22nd, 2026

An official Certificate of Completion outlining 7 credit(s) for CCS/MCS, LCB credit type(s) through NCBFAA will be awarded

Information & registration: <https://www.partneringforcompliance.org/pfcimp26.pdf>



If you are so inclined and have a moment, or two, or ten, check out our podcasts and videos regarding all things in

International Trade Compliance

Podcasts: [BLG Podcast - Braumiller Law Group](#)

Videos: [Videos - Braumiller Law Group](#)

Services booklet BLG: <https://www.braumillerlaw.com/services-booklet/>

Services booklet BCG: <https://www.braumillerconsulting.com/booklet/>



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*SO, YOU RECENTLY DISCOVERED THAT YOU MADE A MISTAKE AND HAVE
BEEN USING THE WRONG CLASSIFICATION CODE FOR THE LAST YEAR.*



To err is human.

Besides, we are not the most intelligent beings in the universe.

Never have been. Never will be.

Problem is, Customs does not take that into consideration.

Need a Prior Disclosure?

We can assist.





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