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Date: March 24, 2020

The Honorable Mark A. Morgan
Acting Commissioner
US Customs and Border Protection
1300 Pennsylvania Avenue, Northwest
Washington, D.C. 20229

Re: Deferring Duties Will Cause Harm to Americans

Dear Acting Commissioner Morgan:

The Coalition for a Prosperous America (CPA) and its members write to express our deepest concern with the latest information that your agency is providing deferred duties on imports¹ and is considering allowing a 90 day deferral for all duties. This deferral by the US Customs and Border Protection (CBP) harms US producers who were injured by unfair imports and are now harmed by the coronavirus.

At a time of financial hardship and unrest as a result of the coronavirus – CBP should not reintroduce unfairly traded goods to cause American workers further economic pain because of lobbying efforts of stateless companies. Layoffs and loss of revenue are two issues the American public are dealing with daily. This effort by CBP will only exacerbate the financial situation of countless Americans.

China is stockpiling unsold goods right now during its shutdown and will be poised to flood the US market when shipping and ports reopen. The goods will likely be sold at drastically lower prices than before.

While President Trump and Congress are working to provide economic relief and stem the tide of financial woes – the CBP appears to be doing the exact opposite. Lifting payment of duties, which include antidumping and countervailing duties – strikes at the heart of American industry. Even worse, these American industries that will feel the direct pain of CBP's actions – have

¹ See Cargo Systems Messaging Service (CSMS) message #42097586 (March 20, 2020), states "due to the severity of the Novel Coronavirus Disease (COVID-19), [CBP] will approve on a case by case basis additional days for payment of estimated duties, taxes, and fees due to this emergency." The message continues that "[CBP] was working on a future message that will provide further information."

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already demonstrated past injury because of unfair trade practices, and now – CBP seeks to provide relief to importers who have run afoul of accepted trade practices. This cannot stand.

Further, the idea of limiting funds to the US Treasury during a time of national emergency is unconscionable. CBP should be doing everything in its power to enforce current standards and law to see that Treasury is supported in this time of need. We ask that CBP immediately correct its message and reassure the American public that it will not lift duties that protect their jobs. The Trump administration is working hard to protect those jobs. The CBP needs to provide immediate clarification and correct its prior comments.

We thank you for your leadership and commitment to the mission of CBP and request that you do not delay collection of import duties that are essential to protect American jobs. Please do not hesitate to contact the undersigned should you have any questions

Sincerely,



Daniel DiMicco, Chairman



Michael Stumo, CEO

CC: Department of Commerce, Secretary Wilbur Ross
Department of the Treasury, Secretary Steven Mnuchin
White House Office of Trade and Manufacturing Policy, Director Peter Navarro
White House Director of National Economic Council, Larry Kudlow
White House Director of Domestic Policy Council, Joe Grogan
United States Trade Representative, Ambassador Robert Lighthizer