



March 23, 2020

The Honorable Acting Commissioner Mark A. Morgan  
U.S. Customs and Border Protection  
1300 Pennsylvania Avenue, NW  
Washington, DC 20229

**Re: CSMS #42097586 – Additional Days of Payments Due to COVID-19**

Dear Acting Commissioner Morgan:

We write on behalf of the members of the Committee to Support U.S. Trade Laws (“CSUSTL”) in reference to U.S. Customs and Border Protection’s (“CBP”) communication to the trade, through Cargo Systems Messaging Service (“CSMS”) message #42097586 (March 20, 2020), explaining that “due to the severity of 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 agency’s message further indicated that CBP was “working on a future message that will provide further information.”

As with all Americans, CSUSTL’s members are confronting incredibly challenging circumstances as the result of necessary and appropriate public health measures taken to limit the spread of COVID-19. Many of our members’ factories have been ordered to shutter operations for an extended period of time. Those manufacturing facilities that remain open face an uncertain and volatile market where demand in some segments has all but collapsed.

In this environment, news that CBP is currently considering requests by importers for delays in the payment of estimated trade remedy duties, including antidumping and countervailing duties, is deeply disturbing. Each of the American industries that has petitioned for and obtained an antidumping and/or countervailing duty order has recently demonstrated that they are either materially injured by reason of unfairly traded imports or that they will suffer material injury by reason of unfairly traded imports should

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trade relief be removed. Under current circumstances, all affected industries have now been made even more vulnerable to the adverse impacts of dumped and subsidized imports. CBP should not – and must not – exercise discretionary authority to facilitate the entry of unfairly traded imports into the U.S. market.

Moreover, CSUSTL strenuously objects to any request made by U.S. importers of unfairly-traded goods to avoid paying funds into the public treasury during an unprecedented national emergency. Setting to one side the harm caused by such imports on U.S. producers, as the federal government considers broad-based relief programs to support working men and women across the country, it is grossly inappropriate for importers to request that CBP afford them significant additional days for the payment of estimated trade remedy duties that could otherwise contribute to the resources available to address this crisis. Such requests would be even more troubling when presented by nonresident importers of record.

On behalf of CSUSTL, we thank you and everyone who works for you within CBP for their commitment to the agency's mission during these exceptionally trying times. Please do not hesitate to contact the undersigned should you require clarification of any aspect of this submission.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Mark B. Benedict', is written over a horizontal line.

**Mark B. Benedict**

**President**

**Committee to Support U.S. Trade Laws (CSUSTL)**