

**Congress of the United States**  
**Washington, DC 20515**

May 6, 2020

Honorable Steven T. Mnuchin  
Secretary of the Treasury  
Department of the Treasury  
1500 Pennsylvania Ave NW  
Washington, DC 20220

Dear Mr. Secretary:

We are writing you to request that the payment dates for excise taxes on imported beer, wine, and distilled spirits be postponed for 90-days in the same manner that the Treasury Department has allowed for domestically produced beverage alcohol.

We appreciate the most recent announcement from U.S. Customs and Border Protection (CBP) regarding the one-month suspension of duties and taxes for certain importers who are encountering significant financial hardship. However, this action doesn't provide parity for those beverage alcohol importers whose domestic counterparts have already received a three-month deferral of their excise tax payments via the Alcohol and Tobacco Tax and Trade Bureau (TTB).

Importers of beer, wine, and spirits pay the same federal excise tax as domestic producers; consequently, we urge you to use your statutory authority to revise CBP's most recent action to provide importers the same relief as domestic suppliers pursuant to 26 U.S.C. 7508A.

- CBP granted a 90-day deferral for all payments due for merchandise imported in March and April 2020. We urge CBP to revise this period to match TTB's 90-day deferral of all unpaid taxes with deadlines between March 1 and July 1, 2020.
- CBP required a showing of "financial hardship" to qualify for relief, which CBP defined as a decline in gross receipts of more than 40 percent compared to a comparable period in 2019. However, TTB did not require any showing of financial hardship. While some importers themselves have yet to meet the hardship criteria, their customers are often required to be closed, leaving these companies stuck with product they have already paid tax on that they cannot sell. Accordingly, we urge CBP to eliminate the financial hardship requirement – or, in the alternative, to expand the definition of financial hardship to include any decline in gross receipts and/or a certification that production facilities in the country of origin have been closed due to COVID-19.

U.S. companies import beverage alcohol brands into the U.S. from around the globe. These U.S. importers pay the same federal excise taxes as domestic producers, employ a U.S. workforce just like domestic producers, distribute their brands through the same network of U.S. distributors just like domestic producers, and sell their products to the more than 600,000 U.S. licensed retailers just like domestic producers. These imported brands are directly or indirectly

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responsible for thousands of American jobs across the country. Moreover, a high percentage of these brands are brewed with barley and hops grown by American farmers.

U.S.-based import beverage alcohol companies have contributed millions to relief efforts including those aimed at helping workers impacted by the closures of restaurants and bars across the United States. Brewers and distillers across the country have also stepped up to produce hand sanitizer as part of the crisis and help ensure that first responders, health care workers, and their communities have access to this critical product.

We understand the Treasury Department is working through countless issues to help protect the health and safety of American families and American businesses. As a part of these efforts, we hope that Treasury will revise the tax deferral that CBP has offered beverage alcohol importers to match the relief that domestic producers are currently allowed. They are investing in our country and our people and deserve the same treatment.

Respectfully,



Will Hurd  
Member of Congress



Kathleen M. Rice  
Member of Congress



Joseph D. Morelle  
Member of Congress

Alan Lowenthal  
Member of Congress

Brian Higgins  
Member of Congress

Dan Newhouse  
Member of Congress

Danny Davis  
Member of Congress

Earl L. "Buddy" Carter  
Member of Congress

Henry Cuellar

John Katko

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John Moolenaar  
Member of Congress

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Tom Reed  
Member of Congress

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Thomas R. Suozzi  
Member of Congress

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Scott DesJarlais  
Member of Congress

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Bill Huizenga  
Member of Congress

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Glenn "GT" Thompson  
Member of Congress

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Vicente Gonzalez  
Member of Congress

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Grace Meng  
Member of Congress

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Veronica Escobar  
Member of Congress

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Peter T. King  
Member of Congress

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Denver Riggleman  
Member of Congress

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Anthony Brindisi  
Member of Congress

cc: Acting Secretary Chad Wolf, Department of Homeland Security  
Deputy Assistant Secretary Timothy Skud, Department of the Treasury