



August 7, 2020

The Honorable Jon Tester
311 Hart Senate Office Building
Washington, DC 20510

The Honorable Steve Daines
320 Hart Senate Office Building
Washington, DC 20510

The Honorable Greg Gianforte
1222 Longworth House Office Building
Washington, DC 20515

Dear Senator Tester, Senator Daines, and Congressman Gianforte:

On behalf of Montana distilleries, we greatly appreciate Congress's support of economic relief programs to help distilleries across our state that are being severely impacted by the crisis brought on by the novel Coronavirus (COVID-19). The distilled spirits industry in Montana had been thriving prior to COVID-19: In 2018, the distilled spirits industry supported over \$412 million in economic activity and over 5,000 jobs across the state. Now, we urge Congress to act swiftly to enact further measures that provide liquidity and certainty to distillers who have seen sudden and steep declines in sales with the closure of stores in certain areas and travel-related outlets, restaurants, bars, and tasting rooms.

As a result of the COVID-19 crisis, many distilleries in Montana have been forced to furlough or lay off employees. Absent additional relief, some distilleries soon may be faced with the tough decision to permanently close their doors, thus also impacting their farmer suppliers and others throughout the hospitality and tourism industries. We are proud that over 10 small, medium and large distilleries across the state are also doing their part to prevent the spread of COVID-19 by transitioning to produce hand sanitizer, but they will continue to need the help and support of Congress for months to come.

Thus, as negotiations on further economic relief progress, we urge Congress to:

Provide federal excise tax (FET) relief, including through permanently enacting the current rates and deferring FET payments.

- Enact the Craft Beverage Modernization and Tax Reform Act (H.R. 1175/ S. 362). This legislation to make the current FET rates permanent has broad bipartisan support with 74 Senate cosponsors and 346 House cosponsors. Many distilleries fear that a return to "normal" operations will be closely followed by a scheduled tax increase at the end of the year, creating further financial turmoil.

Making this bill permanent is important to providing certainty to distillers as they plan for the rest of 2020 and beyond.

- Defer federal excise taxes (FET) on domestic and imported spirits products, which are paid by the American importer, and waive interest on late payments, effective from January 1, 2020 through December 31, 2020. We greatly appreciate the efforts by the Alcohol and Tobacco Tax and Trade Bureau to temporarily waive payments on FET owed on domestic product earlier this year and urge the Department of Treasury to immediately provide further relief for both domestic and imported product. This action is crucial to allowing producers to dedicate scarce resources to payroll and other operating costs.

Seek the suspension of tariffs on distilled spirits.

- De-escalate the trade dispute with the European Union (EU) by urging the simultaneous removal of the tariffs on EU and U.S. distilled spirits products. Compared to 2018, the 25% EU tariff on American Whiskey has resulted in a 33% reduction in American Whiskey exports to the EU. U.S. tariffs resulting from the WTO Airbus dispute on Single-Malt Scotch Whisky, Single-Malt Irish Whiskey from Northern Ireland, and Cordials and Liqueurs from Ireland, Italy, Spain, Germany and the United Kingdom is resulting in higher costs for consumers and lost American jobs. Suspending tariffs on distilled spirits provides an opportunity for both the EU and the U.S. to support jobs on both sides of the Atlantic during this period of tremendous economic uncertainty.

Support the RESTAURANTS Act, which creates a revitalization fund for eligible food service establishments to keep workers employed, maintain operations, and meet financial obligations.

- Authorize the Department of Treasury to provide grants to eligible food and drinking establishments for payroll, benefits, mortgage, rent, utilities, maintenance (including construction of outdoor seating), supplies (including protective equipment and cleaning materials), food, debt obligations to suppliers, and any other expenses deemed essential by the Secretary of the Treasury.

Replenish funding, reopen applications, and offer expanded flexibility for the Paycheck Protection Program (PPP) and Economic Injury Disaster Loan Program (EIDL) administered by the Department of Treasury and Small Business Administration (SBA).

- Fund and approve another round of PPP and EIDL loans that would allow past borrowers to apply for a second loan. We further support added flexibility to ensure that PPP loans can cover additional reopening costs to support employee and customer health and safety. Congress should give businesses the ability to use these funds to procure personal protective equipment (PPE) and COVID-19 test kits, as well as make PPP loans tax-deductible to eliminate additional tax liability for businesses striving to survive under current conditions.

The distilled spirits industry is uniquely positioned at the nexus of the hospitality, agriculture, retail, and tourism industries. The livelihoods of farmers, glass bottle

makers, truck drivers, warehouse workers, and countless others connected to the hospitality and tourism industry are compromised by the challenges confronting the distilled spirits industry.

We appreciate your careful consideration of these proposals. Please do not hesitate to reach out if we can be a resource during this time.

Sincerely,

A handwritten signature in black ink that reads "Chris Swonger". The letters are cursive and fluid, with a large initial "C".

Chris Swonger
President & CEO
Distilled Spirits Council of the United States

A handwritten signature in black ink that reads "Jim Harris". The signature is more stylized and angular than the one to its left, with a large initial "J".

Jim Harris
President
Montana Distiller's Guild