

October X, 2021

The Honorable [NAME]
Member of Congress
Washington, DC 20515

Dear Representative [NAME]:

As businesses that supply our customers with products from Europe, we ask that you support the Fair Tariff Act of 2021.

Most American companies that import European goods are small businesses. We are proud of how we have built our businesses and how we bring Americans high quality and popular products from skilled producers. Some are unique goods not available from elsewhere. We are partners in the success of restaurants, grocers, wineries and many other kinds of businesses across the country. Both we and our customers suffer when transatlantic disputes lead to tariffs, and especially when we have no time to react to new tariffs.

In October 2019 and again in January 2021, then-United States Trade Representative (USTR) Robert Lighthizer announced that, in retaliation for subsidies on Airbus planes, he would add 25 percent tariffs on billions worth of European products. The tariffs were meant to deter imports and penalize foreign producers, but Ambassador Lighthizer refused to exempt goods U.S. companies had already purchased and had in transit. Once those goods landed in the U.S., Customs hit those U.S. companies with incredibly harmful 25 percent surprise tax bills.

While the Airbus tariffs were cancelled in June 2021, we could face new tariffs in the near future. Whether the possibility of a renewed Boeing-Airbus dispute, which was paused rather than finally resolved, or from any of the many other geopolitical and trade disputes brewing around the world, we live in an era of heightened tariff risk.

The Fair Tariff Act provides a simple and easily administrable fix to prevent “goods on the water” tariffs. It would direct USTR to apply future Section 301 additional tariffs to those goods *exported* after the effective date, rather than the current practice of *imported* after the effective date. The bill would also refund those “goods on the water” tariffs paid following implementation of the October 2019 and January 2021 product lists. The bill would *bolster* trade enforcement by focusing retaliatory tariffs on goods not yet purchased by U.S. companies.

The Fair Tariff Act of 2021 is a measured step that merits quick passage by Congress. Please support it, and we look forward to working with you to enact it into law.

Sincerely,