Date

Company Address

Email/phone

Dear [Member],

I am a constituent, located in \_\_\_\_\_ and am asking for your help and support in passing The Customs Business Fairness Act [HR 4816]. This act is revenue neutral for the US Government and would allow customs brokers who have acted as a passthrough for payments from their clients to the Customs and Border Protection to be protected from the 90-day claw back Bankruptcy provision in current law. This act does not impact any bankruptcy bills or the current bankruptcy process, nor does it reorder the current debtor hierarchy. It merely protects a customs broker who has collected government revenue and passed that through to the government from liability to revert those fees to the court in a bankruptcy filing.

[INSERT PARAGRAPH ABOUT YOUR COMPANY HERE]

My company, and businesses like mine, provide good high paying jobs in your district and we need this protection. All it takes is one client going out of business to send a customs brokerage into bankruptcy. With all the current tariffs, some of our clients have seven figure tariff bills every month. There is no way we can afford to pass that amount of money through to the government, and then come up with anywhere close to that amount if it was ‘clawed back’ by a bankruptcy judge. Our normal fees or payments made in the regular course of business would continue to be subject to the 90-day claw back provision, just not any duties that passed through our brokerage to CBP.

This bill was passed in late 2020 as a rider on the Covid relief bill with a 1-year sunset clause because many of the provisions in that bill were to be reviewed further in a year. That date has passed, and my industry is once again in need of relief. The current economic climate forbodes many potential bankruptcy filings – and we do not want to be a casualty of another’s misfortune. I want to do my part to keep the economy strong; and keep my employees in your district working and paying taxes. Please help me to do so by supporting HR 4816.

Sincerely,

[NCBFAA Member}