

Importers Suffering Financial Hardship: Extension of Payment Time on Certain Import Duties

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On April 19, 2020, President Trump issued an [Executive Order](#) allowing importers “suffering significant financial hardship because of COVID-19” a 90-day extension to pay certain U.S. Customs duties. The Order applies to goods entered in March or April of 2020. No interest will accrue on the postponed payments during the 90-day period. The changes do not allow for the return of any deposits that have already been paid.

There are some limitations on eligibility for this relief. Entries containing goods subject to any of the following are NOT eligible:

- Antidumping duties;
- Countervailing duties;
- Section 232 duties (steel and aluminum);
- Section 201 duties; and
- Section 301 duties (Goods from China and the EU)

Entries eligible for this duty postponement must not contain goods subject to any of the above duties. If an entry in whole or in part contains goods subject to any of the above duties, the entire entry is ineligible for duty postponement.

Importers do not need to submit any documentation to U.S. Customs requesting the extension, but must maintain documentation supporting (1) that the specific entries qualify and (2) that the company falls under U.S. Custom’s definition of “significant financial hardship.” Factors indicating such hardship include the full or partial suspension of the importer’s operations during March or April 2020 **due to orders from a competent governmental authority** resulting in the importer’s

gross receipts for March 13-31 or April 2020 being less than 60 percent of the gross receipts for a comparable period in 2019.

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