

# Congress of the United States

Washington, DC 20515

April 29, 2026

Commissioner Rodney Scott  
U.S. Customs and Border Protection  
1300 Pennsylvania Avenue, NW  
Washington, DC 20004

Dear Commissioner Scott,

I am writing to express my concern with the rollout of the newly launched Consolidated Administration and Processing of Entries (CAPE) portal administered by U.S. Customs and Border Protection (CBP) to return tariff earnings to American businesses. Individual Americans, who had to pay the highest costs for these tariffs, are ineligible to apply, and small businesses may not even be able to benefit to the fullest extent. The structure of this refund process, as currently designed, risks delivering the greatest benefits to the largest and most well-resourced corporations while leaving small businesses at a significant disadvantage. I urge CBP to take immediate steps to ensure that this program is administered to ensure small businesses receive the refunds they deserve.

On April 2, 2025, the Trump Administration announced a series of sweeping and unlawful tariffs. These actions triggered a prolonged period of economic devastation for small businesses across the country, while many of the nation's largest corporations used their scale and pricing power to pass rising costs onto consumers while posting record profits.<sup>1</sup> After months of irreversible economic damage to small businesses, the Supreme Court ruled that not only are these tariffs unconstitutional, but that American importers are owed more than \$166 billion taken from them by the Trump administration's illegal policy.<sup>2</sup>

Small businesses have borne the brunt of these tariffs in ways that extend far beyond the direct cost of import duties. Small business importers in Illinois have been forced to pay an average of \$449,000.<sup>3</sup> Comprising 99.6% of all businesses in the state and employing 43.7% of all Illinoisans, small businesses are the backbone of Illinois's economy, and the scale of this harm cannot be overstated.<sup>4</sup> These tariffs, compounded by immigration enforcement actions, have driven year-over-year revenue declines of 20–50% for many local enterprises, with businesses across Illinois reporting steep drops in foot traffic, significant revenue loss, and acute workforce instability.<sup>5</sup> It is imperative that those who have suffered the most are prioritized in the refund process.

---

<sup>1</sup> Harriet Torry and Justin Lahart, "The Economic Divide Between Big and Small Companies Is Growing," December 25, 2025, <https://www.wsj.com/business/the-economic-divide-between-big-and-small-companies-is-growing-f3bcf222>.

<sup>2</sup> Tony Romm and Ana Swanson, "Trump Administration Takes Steps to Refund \$166 Billion in Tariffs - The New York Times," New York Times, April 20, 2026, <https://www.nytimes.com/2026/04/20/us/politics/trump-administration-tariff-refunds.html>.

<sup>3</sup> Michael Negron, Mimla Wardak, and Kennedy Andara, "In the First Year, President Trump's Tariffs Have Cost Small-Business Importers \$306,000 on Average," Center for American Progress, March 26, 2026, <https://www.americanprogress.org/article/in-the-first-year-president-trumps-tariffs-have-cost-small-business-importers-306000-on-average/>.

<sup>4</sup> Office of Advocacy, "2025 Small Business Profiles for the States, Territories, and Nation," Office of Advocacy, June 30, 2025, <https://advocacy.sba.gov/2025/06/30/2025-small-business-profiles-for-the-states-territories-and-nation/>.

<sup>5</sup> Marlen Garcia, "Immigration Crackdown Hurts Chicago's Latino Businesses," Crain's Chicago Business, accessed April 15, 2026, <https://www.chicagobusiness.com/elevate/chicago-latino-businesses-hurt-immigration-policies/>.


Unlike small businesses, large corporations maintain dedicated compliance teams, have established relationships with customs brokers, and possess the financial flexibility to pursue lengthy claims processes.<sup>6</sup> These structural advantages, compounded by early reports of website crashes, confusing interfaces, and delays within the CAPE portal itself, threaten to shut small businesses out of a process they are legally entitled to participate in.<sup>7</sup> At the same time, public statements by the President threatening retribution on companies who pursue refunds risk creating a chilling effect on small businesses already navigating a complex and financially precarious environment.<sup>8</sup> Together, these factors threaten to deter eligible small businesses from seeking the relief they are legally entitled to.

Families across the country are already feeling the strain of higher prices on everyday goods, while uncertainty in the economy threatens job stability and wages.<sup>9</sup> Small businesses, long the backbone of our communities, are facing increased costs, tighter margins, and, in too many cases, closure.<sup>10</sup> When policies favor the wealthiest among us, working families, local entrepreneurs, and our communities bear the consequences. I therefore strongly urge CBP to reserve a meaningful percentage of total refund disbursements specifically for small businesses, defined by clear thresholds for employee count and annual gross revenue.

I further urge CBP to publicly report data on refund distribution, including breakdowns by business size, to ensure transparency and accountability in the administration of this process. I request that these findings be made public and transmitted to my office no later than July 13, 2026.

Thank you for your prompt attention to the severe economic harm these tariffs have inflicted on small businesses across Illinois and this country. I expect a timely response.

Sincerely,



---

Raja Krishnamoorthi  
Member of Congress

---

<sup>6</sup> Natalie Madeira Cofield, “What Small Businesses Should Know about Tariff Refunds,” Forbes, April 20, 2026, <https://www.forbes.com/sites/nataliemadeiracofield/2026/04/20/what-small-businesses-should-know-about-new-tariff-refund-opportunities/>.

<sup>7</sup> Megan Cerullo, “Tariff Refund Portal off to Bumpy Start as Some Businesses Report Glitches,” CBS News, April 20, 2026, <https://www.cbsnews.com/news/tariff-refund-portal-system-trump-cape-cbp/>.

<sup>8</sup> Gabrielle Fonrouge and Dan Mangan, “Trump Says ‘I’ll Remember’ Companies That Don’t Seek Tariff Refunds,” CNBC, April 21, 2026, <https://www.cnbc.com/2026/04/21/trump-says-hell-remember-companies-that-dont-see-tariff-refund.html>.

<sup>9</sup> Mark Niquette, Jennah Haque, and Jade Khatib, “Why Americans Feel Squeezed by the Cost of Living,” Bloomberg, February 18, 2026, <https://www.bloomberg.com/graphics/2026-cost-of-living/>.

<sup>10</sup> Jing Feng and Maya Huter, “For Small Businesses Hit by Soaring Costs, Layoffs Are Painful and Personal,” NBCNews.com, December 8, 2025, <https://www.nbcnews.com/business/consumer/small-business-owners-layoffs-personal-rcna247229>.