

American E-Commerce Business Alliance

aeba.org

March 2026

Senator Bill Cassidy
United States Senate
455 Dirksen Senate Office Building
Washington, D.C. 20510

RE: In Support of the SAFE Act -- Securing Accountability in Foreign Entries

Dear Senator Cassidy,

On behalf of the American E-Commerce Business Alliance (AEBA), a coalition of American businesses fighting for a fair and level digital marketplace, we write to commend you for introducing the SAFE Act and to express our full and unqualified support for this legislation.

The SAFE Act addresses one of the most critical gaps in American trade enforcement. AEBA supports it without reservation and without request for modification. It is the right bill at the right time.

Why the SAFE Act Matters

For decades, the U.S. customs system has allowed foreign entities with no meaningful American presence to serve as importers of record. A company with no U.S. address, no employees, no tax identification, and no assets on American soil could import goods into the world's largest consumer market with virtually no accountability.

The SAFE Act closes this gap by requiring verifiable, accountable importers of record. This is not a minor procedural change -- it is critical infrastructure for fair trade. When every importer is identifiable and accountable, enforcement of duties, product safety standards, and trade regulations becomes possible in a way it simply was not before.

This legislation addresses the broader takeover of U.S. commerce by foreign entities that have operated anonymously and without consequence. The SAFE Act ensures that if you want to import goods into the United States, you must be willing to stand behind them.

How It Fits the Bigger Picture

The SAFE Act is one essential piece of a broader reform needed to protect American commerce. It fixes the identity gap -- ensuring we know who is importing goods into the United States.

Separately, existing domestic law already provides the authority to address tax enforcement. Under IRC Section 864 and the Tax Cuts and Jobs Act, foreign sellers with substantial U.S. marketplace activity already have obligations as a U.S. Trade or Business. Established withholding mechanisms -- FIRPTA (Section 1445), backup withholding (Section 3406), and Sections 1441/1442 -- provide the collection tools.

These are two complementary pieces of a complete solution:

1. The SAFE Act identifies them.

Verifiable importers of record mean foreign sellers can no longer operate anonymously.

2. Existing domestic law taxes them.

IRC Section 864 and the TCJA establish the authority to treat substantial marketplace activity as a taxable U.S. presence.

3. Withholding collects it.

Marketplace-level withholding under FIRPTA, Section 3406, and Section 1441 ensures compliance without relying on voluntary self-reporting from foreign entities.

Together, these measures close the loop entirely. The SAFE Act provides the foundation. Existing law and enforcement mechanisms complete the structure.

AEBA's Commitment

The AEBA coalition represents American businesses of all sizes -- from small family-run brands to companies generating hundreds of millions in annual revenue. Every one of them pays U.S. income tax. Every one of them complies with U.S. customs, product safety, and regulatory requirements. And every one of them competes daily against foreign sellers who have faced none of these obligations.

AEBA and its member companies stand ready to support the SAFE Act through testimony, data, coalition engagement, and public advocacy. We urge swift passage of this legislation.

Thank you for your leadership. The SAFE Act proves that Congress is listening. American businesses are counting on it.

Respectfully,

The American E-Commerce Business Alliance

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Co-signer Name & Title

Company / Organization

Date