

The Evolution and Transformation of the Role of the Customs Broker

Customs and Border Protection (CBP) has plans to transform the role of the Customs Broker with many proposed regulatory changes effecting: permits; confidentiality with regard to the exchange of information; the scope of what is meant by the term “the customs business;” employee reporting; and the verification of the correctness of clients’ entries. Additionally, CBP plans to require continuing education for brokers.

These changes and additions to the Broker Regulations will have many practical and legal implications. These issues will be discussed, in an open workshop format, to promote the free exchange of ideas among an experienced panel of speakers and the audience at NCBFAA’s upcoming meeting in Las Vegas in April.

Brokers should consider how these proposed changes will affect their operations including: having to obtain the power of attorney directly from the importer; or at the very least, having direct communication with the importer; having to verify the legitimacy of an importer for security reasons; if they act as a compliance evaluators of the importer’s customs transactions in the context of ISA membership, how will they deal with the issues of confidentiality, and the discovery of errors caused either by the importer or the broker itself; how the burden on time and costs devoted to continued education will be handled; how broker penalties should be assessed and what actions will likely result in penalties; and how the possible abandonment of local permitting requirements will either benefit or harm the broker’s business.

Daniel J. Gluck



Daniel Gluck is a member of the New York Bar and is admitted to practice before the U.S. District Court for the Southern District of New York and the Eastern Districts of New York, the U.S. Court of International Trade and the U.S. Court of Appeals for the Second Circuit. Mr. Gluck attended St. John's University (B.A., 1977) and St. John's University Law School (1980). Mr. Gluck was a law clerk to Judges Abraham D. Sofaer (1983-1985), former U.S. District Judge, Southern District of New York; and John M. Walker, Jr. (1985-1986), formerly District Judge of the Southern District of New York, and currently Chief Judge of the U.S. Court of Appeals for the Second Circuit. He was also an **Attorney Advisor for the U.S. Customs Service, Washington Headquarters,** where he issued Regulations and Rulings, in three Branches: **Value, Special Free Trade Programs and Admissibility Branch;** **Classification Branch;** and **Miscellaneous Penalties Branch.**

Mr. Gluck is a former instructor for Pace University's World Trade Institute, ("WTI"), teaching a course in Customs and International Trade Law; and presenting seminars on Importing Chemicals & Pharmaceuticals; Customs Law; and E-Commerce. He has lectured at several **embassies** and government agencies, the Fashion Institute of Technology and at several importing companies. He has spoken at the Annual Meeting of the American Association of Exporters and Importers; the annual meeting of the West Coast Customs Brokers Conference; the International Bar Association Annual Meeting **on the topic of NAFTA Country of Origin Requirements;** National Customs Brokers & Forwarders Association of America; Western Cargo Conference; and Women in International Trade. In addition, Mr. Gluck was a member of the World Customs Organization, High Level ad hoc Group on Harmonized Tariff Schedules matters. He is a member of the American and New York State Bar Associations, as well as the Customs and International Trade Bar Association, where he has served on its Special Committee on Electronic Interface.

Mr. Gluck has authored numerous articles on the subject of Customs and International Trade Law appearing in the *New York Law Journal*; *World Wide Shipping Magazine*; *Global Trade Magazine*; the *U.S. Customs House Guide*; the *North American Free Trade Guide*; and assisted in the drafting of The Practising Law Institute's publication, *Importing into the United States*. He has also been a featured guest on Sky Radio discussing the Customs Modernization Act.

In addition to practice before U.S. Customs and Border Protection and the Commerce Department, Mr. Gluck has represented clients in matters involving the Environmental Protection Agency, Food & Drug Administration, U.S. Postal Service, U.S. Trade Representative, Federal Trade Commission, International Trade Commission, Department of Agriculture, Consumer Product Safety Commission, Fish & Wildlife Service, and the Patent & Trademark Office. He is a former member of the American Association of Exporters and Importers, having served on its Chemical Committee.

Adam Hill



Adam Hill is the Vice President of Operations for Scarborough International, Ltd. His focus is on the implementation and integration of recent US Customs programs and policies. In addition, Adam focuses on the development and implementation of best practices to note operational efficiencies across all product lines. Adam also assists in the development of supply chain programs that vastly expand the scope of the traditional customs broker and freight forwarder. Adam is a Licensed Customs Broker and a Certified Customs Specialist. Adam is a member of the Automation Subcommittee under the Customs Committee for the National Customs Brokers and Forwarders Association of America (NCBFAA). He also serves as a member of the US Customs and Border Protection Trade Support Network (TSN), where he provides input on the design and development of modernization projects. In addition, he was elected to the Board of Directors of the International Trade Council of Greater Kansas City in 2012. Adam holds an undergraduate degree from William Jewell College and an MBA from the Fogelman College of Business & Economics at The University of Memphis.

Michael Lahar



Michael Lahar began working in the field of international trade and Customs in 1987, after attending the University of New England with a major in Business Administration. Mike joined a nationally known brokerage and forwarding firm, quickly progressing to earn an individual license as a Customs broker from the U.S. Treasury in 1989. In 1997, he began his career with Deringer as a Post Entry Specialist. Mike was instrumental in the development of Deringer's centralized Post Entry Team and was a prominent mentor to Deringer's imaging technologies. He has also served as a trade consultant upon the government's Toxic Substance Control Act (TSCA) and North American Free Trade Agreement (NAFTA) initiatives.

Mike joined the Deringer Logistics Consulting Group in 2001 as a specialist in the laws and regulations related to liquidated damages and penalty cases. While recognized as an expert in this area, he also holds expertise in special entry programs including Temporary Importation Bonds (TIBs), contracts and government entries. In 2002, Mike became involved with the implementation of Deringer's FDA registration program, which is a key component of the federal Bio-terrorism Act of 2002. He returned to Deringer operations in Champlain, NY as the FDA Team Leader in 2005, became involved with Deringer's training programs, and earned the title of National Post-Entry Supervisor. Currently, Mr. Lahar serves as the corporate Compliance Manager with oversight of post entry and regulatory issues. He also continues his work as a trainer providing guidance and speaking on various government agency agendas concerning trade.

Cindy Allen



Cindy Allen, is the Vice President and Head of Brokerage, U.S. for DHL Global Forwarding, a business unit of DPDHL, the world's largest logistics group. Based out of Columbia, South Carolina, she manages all of the U.S. customs-related services. Leading a team of approximately 900 people, she is responsible for business strategy with a focus on compliance, growth, and innovation while ensuring DHL Global Forwarding continually provides customers with the most extensive offering of customs-related services.

Cindy joined DHL in 2012 from U.S. Customs and Border Protection, where she held an Executive Director position since 2010; before that she was Director of the Educational Institute for the National Customs Brokerage and Forwarder Association of America. Her 25 years of brokerage experience, working with transportation and logistics companies, is a key advantage when collaborating with customers to deliver the best solutions possible.

A licensed customs broker since 1990, Cindy holds the additional industry credentials of Certified Customs Specialist and Certified Export Specialist. She spent the majority of her career as an industry professional in Detroit, Michigan and her three children still live in the area. Cindy currently resides in Columbia, South Carolina making frequent visits to her previous hometown of Washington DC where she resided for five years.