

## Enact Customs Modernization that Balances Trade Enforcement with Facilitation

- Customs Brokers and Forwarders handle about 97% of all import transactions and nearly the same amount of export transactions with Customs and Border Protection (CBP) and approximately fifty (50) additional partner government agencies (PGAs).
- The U.S. government licenses NCBFAA members who undergo continuing education to support compliance with U.S. laws. However, the proposed Customs Modernization (21<sup>st</sup> Century Framework) legislation fails to require U.S regulated customs brokers and express consignment operators (who employ customs brokers) to file de minimis (less than \$800 entries) even when an HTSUS number and/or admissibility data is necessary for PGA release.
- With our national security and safety ever more dependent on accurate and complete trade data, we need to ensure that our targeting systems have the necessary data from accountable and responsible U.S. parties to safeguard our country, while enabling U.S. businesses of all sizes to flourish consistent with current, reliable business models.
- Except in matters of intentional fraud, enforcement provisions should not reflect a “gotcha” mentality, void of any due process, requiring companies automatically to adjudicate matters in court, without opportunities to resolve actions administratively.
- Facilitative measures must include a true, unified One U.S. Government (1USG) release at the border along with partnership programs that benefit trusted traders.
- The Act should promote streamlined data sets as well as predictable, uniform rules and processes. Parties providing advanced data through digital ledger and other technologies should also receive pre-clearance benefits prior to arrival and if possible before export from abroad.

**We urge Congress to enact Customs Modernization through a framework that promotes facilitation and streamlines the trade process with intelligent enforcement.**



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