



Broker-Known Importer Program

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Purpose:

The purpose of the Broker-Known Importer Program is to establish a process whereby licensed, permitted U.S. customs brokers can identify importers who are exercising reasonable care in connection with their import related activities. It is the intent of the NCBFAA to develop a review list, subject to CBP approval, that the customs broker can use to conduct this review. The review would enable the customs broker to verify the importer's identity and confirm the importer's understanding of its compliance obligations in areas such as entry declarations, ADD/CVD, IPR, valuation, and preference programs. The review could also address documentation and information requirements for customs clearance, record keeping and drawback.

What we hope to accomplish:

CBP has expressed an interest in utilizing the relationship which brokers have with their importer customers to assist with the CBP mission. The National Customs Brokers and Forwarders Association of America, Inc. has developed a concept which would provide a way for CBP to realize additional benefits from this relationship. The thought behind this program is that there are a limited number of importers who will avail themselves of the Importer Self-Assessment and Trusted Trader Programs. That being said, the customs brokerage community can become a force multiplier for CBP. The customs brokers can leverage their relationships with the importing community to identify those importers who are compliant but may or may not qualify for or otherwise elect to participate in the ISA or Trusted Trader programs.

This would be a voluntary program, both for brokers and importers, and is targeted for the importer who is going to be a regular importer into the United States. The idea is to address compliance issues with the importer prior to entry, alert CBP to the fact that the broker has performed a review and then to provide the importer with some benefit for having engaged in the process. As envisioned, the participating broker would utilize a CBP approved template to conduct the review with an importer. The broker would alert CBP to the fact that this activity has occurred through an electronic flagging at the time of entry. CBP could offer benefits to the importer that would perhaps impact that importer's risk profile in CBP's targeting system.

Additional benefits could also be extended to importers under this program. The benefits extended to an importer under this program would be unique to a specific importer-broker relationship; that is, each broker would be required to independently review the importer and the broker could not rely upon a review performed by another broker. Brokers would be required to periodically re-confirm the importer's compliance and upon request, would be required to demonstrate to CBP that the review was conducted in accordance with established guidelines. This review could be considered "customs business" as it would be an activity that relates to the preparation of documents/data which is transmitted to CBP in furtherance of the clearance process. This program can be operationalized without regulatory or statutory amendment.

