

**Commercial Customs Operations Advisory Committee  
Government Issue Paper  
Rapid Response Subcommittee  
Broker Modernization Working Group**

**June 2023**



**U.S. Customs and  
Border Protection**

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**Office of Trade/Trade Policy and Programs  
COAC Rapid Response Subcommittee  
Broker Modernization Working Group  
June 2023**

**Action Required:** Informational

**Background:**

- The Broker Modernization Working Group is focused on modernization efforts across the brokerage industry, including the broker exam, updated broker regulations published on October 18, 2022, and the proposed continuing education regulation for individual licensed customs brokers.
- The Commercial Customs Operations Advisory Committee (COAC) Broker Modernization Working Group's feedback and input is critical to the success of these regulatory and exam changes.

**Issue:**

- CBP and the trade community are engaging on the implementation of the 19 C.F.R. § 111 broker modernization regulations.
- CBP is continuing efforts to modernize the Customs Broker License Exam (CBLE).

**Current Status:**

**Modernization of the Broker Regulations, 19 C.F.R. § 111**

- CBP has been working with the broker community for the past eight months to implement the new regulations published on October 18, 2022. CBP is striving to do so in a way that not only allows for but encourages compliance.
- Many resources are available on the Broker Modernized Regulation webpage on CBP.gov, including the *Customs Broker Guidance for the Trade Community* document, four recorded webinars, 58 frequently asked questions, and other resources such as job aids, fact sheets, a comparison chart of old and new regulations, and a sample national permit application.
- As part of this implementation effort, CBP has been working to address concerns and feedback from the broker community.
  - The first update of the broker guidance document, published on December 19, 2022, addressed broker-requested clarifications on the *Separation from Client* chapter.
    - Based on feedback from the broker community, CBP pushed out the timeframes for brokers to satisfy the updated requirements for Powers of Attorney (to be direct between the broker and the importer or drawback claimant) and Employee Reporting (to allow time to come into compliance).
- In April 2023, CBP conducted in-person outreach at the 2023 Trade Facilitation and Cargo Security Summit (Trade Summit) and National Customs Brokers and Forwarders Association of America (NCBFAA) national conference.
  - CBP participated in five panel discussions at the Trade Summit centered on the modernization of the broker regulations and had a booth for summit participants to ask about the updated regulations.

- CBP also participated on a panel discussion at the NCBFAA national conference, which centered on modernization of broker regulations and the associated enhancements to ACE.

#### Customs Broker License Examination

- The CBP Office of Trade's Broker Management Branch administered the CBLE on April 26, 2023, for 1,279 registrants, 1,175 of whom were registered for in-person exams and 104 were registered for remote exams. The final tally of candidates who sat for the exam totaled 1,189. Of those, 1,095 sat for in-person exams and 94 sat for remote-proctored exams.
- The administration of the April 2023 saw improvements over the October 2022 exam, when major issues with the secure browser system occurred.

#### Continuing Education

- The proposed Final Rule for Broker Continuing Education is currently under review within the U.S. Department of Homeland Security.
- If finalized as currently drafted, brokers would need to comply with the education requirements during the 2024 – 2027 triennial period and report their completion on the 2027 Triennial Status Report.

#### Next Steps:

##### Modernization of Broker Regulations, 19 CFR § 111

- CBP is aiming for a Summer 2023 publication date for the next version of *Customs Broker Guidance for the Trade Community*.

#### Customs Broker License Exam

- CBP continues working with the Broker Modernization Work Group on input for the modernized CBLE going forward.

#### Continuing Education

- After the Continuing Education Final Rule is published, CBP will set up an accreditation process for qualifying education.

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