

**U.S. Customs and Border Protection  
Broker Management Office**

**BROKER QUESTIONNAIRE**

**Note: Please complete this questionnaire in its entirety. In section 1, regarding your company's information, if you notice anything that is not accurate, draw a single line across the incorrect information then provide the correct information with your initials.**

**This completed questionnaire must be submitted to me with the requested documentations as outlined on the last page, by Thursday, July 16, 2020.**

**Please send the completed questionnaire and requested documents in pdf, via email to:**

[linda.selga@cbp.dhs.gov](mailto:linda.selga@cbp.dhs.gov)

**The purpose of this questionnaire is to obtain information about the brokerage's organizational structure and procedures related to U. S. Customs and Border Protection (CBP) transactions. The questionnaire is designed to give the CBP team a general understanding of the broker's operations. Also to ensure that the Broker conduct his/her Brokerage business within 19CFR 111 guidelines.**

**Section 1: Company Information**

**Broker Information:**

Filer Code: \_\_\_\_\_ EIN: \_\_\_\_\_

Name of Brokerage: \_\_\_\_\_.

License Qualifier: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Broker Email Address: \_\_\_\_\_

**Name and Title of Local permit qualifier and/or License qualifier:**

1. \_\_\_\_\_

Driver License Number: \_\_\_\_\_

Name on the Driver License: \_\_\_\_\_

2. \_\_\_\_\_

Driver License Number: \_\_\_\_\_

Name on the Driver License: \_\_\_\_\_

**Section 2: Company Overview**

**Section 2.1: Company Information**

How long has company been in business? \_\_\_\_\_

Hours of operation: \_\_\_\_\_

**Section 2.2: Changes in Business - (19 CFR 111.28 and 111.30)**

Have there been any changes in ownership of the company? YES ( ) NO ( )

Have there been any changes to the licensed qualifier and/or permit qualifier? YES ( ) NO ( )

Have any changes to the Corporate Structure occurred: YES ( ) NO ( ) N/A ( )

Have the Corporate Officers changed: YES ( ) NO ( )

Have any changes to the business address or residential address occurred: YES ( ) NO ( )

**Section 2.3: Volume and Type of Activity**

Does the company specialize in a certain commodity or type of merchandise?

\_\_\_\_\_

What Countries of Origin do the majority of your clients import from? \_\_\_\_\_

What entry types do you specialize in? \_\_\_\_\_

Number of entries filed per year. \_\_\_\_\_

Who are your largest clients? \_\_\_\_\_

What methods do you utilize to solicit for or receive new business? \_\_\_\_\_

Do you obtain a credit check on new or pending clients? YES ( ) NO ( )

Explain. \_\_\_\_\_

**Section 2.4: Services Provided**

Do you offer other services besides Customhouse Brokerage (i.e. trucking, freight forwarding, etc.)? YES ( ) NO ( )

Details: \_\_\_\_\_

What percentage of the overall business is other than Brokerage activity? \_\_\_\_\_

Do you participate in the Remote Location Filing (RLF) Program? YES ( ) NO ( )

**List RLF Ports, if any:** \_\_\_\_\_

Do you act as Importer of Record (IOR) for your clients? YES ( ) NO ( )

How often do you act as IOR? \_\_\_\_\_

Describe the circumstances: \_\_\_\_\_

How often do you act as an Ultimate Consignee? \_\_\_\_\_

Describe the circumstances: \_\_\_\_\_

**Section 2.5: Conflict of Interest (19 CFR 111.31)**

Is the qualifying licensee employed by another broker or does he/she serve as the licensee or permit qualifier for another broker or any other company? YES ( ) NO ( )

If yes, explain: \_\_\_\_\_

Does the licensed Broker have any interest (i.e. financially, etc.) in any other Customhouse Brokerage business or any other business entity (i.e. freight forwarding, warehousing, trucking, etc.)? YES ( ) NO ( )

If yes, explain: \_\_\_\_\_

Are you aware if any of your employees have an interest (financially, etc.) in any Customhouse Brokerage business, freight forwarding, trucking, etc.? YES ( ) NO ( )

If yes, explain: \_\_\_\_\_

**Section 2.6: Employee Information - 19 CFR 111.28 and 19 CFR 111.53**

Have there been any changes to most recently submitted Employee list (employees newly hired or recently terminated)? YES ( ) NO ( )

Were these changes reported to CBP timely? YES ( ) NO ( )

If no, give reason \_\_\_\_\_

Do you perform background checks on potential employees? YES ( ) NO ( )

What type of background check? \_\_\_\_\_

What method is used to determine if an employee has been convicted of a felony?  
\_\_\_\_\_

Is the licensed Broker or any employees related to any CBP employees? YES ( ) NO ( )

If yes, who \_\_\_\_\_

**Section 3: Powers of Attorney  
19 CFR 141.31 - 141.46**

**Section 3.1: Verification of POAs**

How are Powers of Attorney (POAs) obtained from the client?  
\_\_\_\_\_

How is the process expedited for POA, if requested by a new client?  
\_\_\_\_\_

How do you validate the information on the POAs?  
\_\_\_\_\_  
\_\_\_\_\_

How do you verify a clients' Federal Employer Identification Number (i.e., importer of record number)? For example, do you obtain forms from the Internal Revenue Service and/or verify the number against CBP internal systems? If so, please explain. \_\_\_\_\_  
\_\_\_\_\_

Are clients referred from freight forwarders, out of port Brokers, etc.? YES ( ) NO ( )

- How do you validate the information on referred POAs?
- Are you provided with Sub-Powers of Attorney from these parties?

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Is the validation process different when a POA is received from another party? (i.e. freight forwarder, out of port Broker, other logistics providers)

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Do you review POA validations performed by the employees? YES ( ) NO ( )  
How? \_\_\_\_\_

### **Section 3.2: Non-resident Importers**

Do you have clients that are non-resident importers? YES ( ) NO ( )

What are the company's established procedures for validating POAs for non-resident IOR's?

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Do you request proof of authorization from the party signing a POA on behalf of a non-resident importer? YES ( ) NO ( ) Explain. \_\_\_\_\_

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Do the non-resident importers authorize you/your company to accept service of process?  
YES ( ) NO ( )

## **Section 4: Relations with Unlicensed Persons**

### **19 CFR 11.36**

#### **Section 4.1: Referrals for Brokerage Business**

Are clients ever referred to you from another business? YES ( ) NO ( )

How often do you obtain clients from freight forwarders and/or other logistics providers?

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What type of brokerage services are provided to referred clients?

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Do any of your clients utilize a freight forwarder or other logistics provider? YES ( ) NO ( )

Which freight forwarding companies do they use? \_\_\_\_\_

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How is the importer billed when a freight forwarder is used? \_\_\_\_\_

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#### **Section 4.2: Relations with a Freight Forwarder**

Do you compensate freight forwarders for referring brokerage business? YES ( ) NO ( )

What form is the compensation? \_\_\_\_\_

When a client is referred from another business, how is the importer billed? (Who bills the importer for the brokerage services?) \_\_\_\_\_

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How does the importer submit payment when the business was referred by a freight forwarder or other party? \_\_\_\_\_

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What is your procedure for forwarding documents to the importer (such as billing receipts and CBP entry documentation)? \_\_\_\_\_

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Has a freight forwarder prohibited direct contact with the importer? YES ( ) NO ( )

Why? \_\_\_\_\_

**Section 5: Bonds**  
**19 CFR 113.62**

Do you provide e-bonds for clients as attorney in fact?    YES ( )    NO ( )

Do you use a specific bond company/surety? If so, what is the name? \_\_\_\_\_  
\_\_\_\_\_

What are your procedures for issuing and notifying the bond company when issuing a Single Transaction Bond (STB)? \_\_\_\_\_  
\_\_\_\_\_

**Section 6: Record Keeping**  
**19 CFR 111.21 - 111.27, 19 CFR 143.37, 19 CFR 163**

**Section 6.1: Maintenance of Files**

Are entry files maintained and tracked?    YES ( )    NO ( )

Describe system, tracking numbers, etc.: \_\_\_\_\_  
\_\_\_\_\_

Location of records: \_\_\_\_\_

Have there been any changes in the location where the records are kept? YES ( ) NO ( )  
Explain. \_\_\_\_\_

How long are records retained? \_\_\_\_\_

How are records disposed of at the end of the retention period? \_\_\_\_\_  
\_\_\_\_\_

How are your electronic entry filing records maintained? \_\_\_\_\_  
\_\_\_\_\_



**Section 7: Financial**  
**19 CFR 111.29, 19 CFR 141.1**

Section 7.1: Due Diligence in Paying Monies

In what form are clients billed? \_\_\_\_\_

At what point in the transaction are bills issued? \_\_\_\_\_

How are payments to CBP managed? \_\_\_\_\_

How do you manage payments of duties, taxes, and fees to CBP when the importer makes payment directly to you? \_\_\_\_\_

Do you use statement processing? YES ( ) NO ( )

- Which type? (ACH, Check Statement or both) \_\_\_\_\_

- Do you file Periodic Monthly Statements? YES ( ) NO ( )

Do you issue credit to your importers? YES ( ) NO ( )

- If yes, what are the terms? \_\_\_\_\_

- Are duties, taxes, and fees due CBP paid by you on your client's behalf in these instances? YES ( ) NO ( )

- Do you make these payments on your Broker statement? YES ( ) NO ( )

Are clients advised of their right to pay duties, taxes, and fees directly to CBP? YES ( ) NO ( )  
If so, how? \_\_\_\_\_

Are procedures in place for filing entry summaries when payment has not yet been received from the client? YES ( ) NO ( ) Explain. \_\_\_\_\_

How often does this occur? \_\_\_\_\_

What are your procedures when payment is received after the summary was due and/or was already submitted? \_\_\_\_\_

Are procedures in place for issuing refunds to clients? YES ( ) NO ( )  
Explain. \_\_\_\_\_

**Section 8: Responsible Supervision and Control**  
**19 CFR 111.1, 19 CFR 111.28**

**Section 8.1: Supervision**

Describe how you provide active supervision over the Brokerage:  
\_\_\_\_\_  
\_\_\_\_\_

Describe audit procedures or review measures of employees conducting Customs Business:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What controls are in place to recognize possible problems with CBP? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Do you work in other offices? YES ( ) NO ( ) How often? \_\_\_\_\_  
When not on-site, how do you provide supervision and resolve issues with the employees?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Do you employ any other licensed Customhouse Brokers? YES ( ) NO ( )

How many? \_\_\_\_\_

**Section 8.2: Training**

How often are you available for training and consultation with the employees?

\_\_\_\_\_

What training program/materials are provided to new employees? \_\_\_\_\_

\_\_\_\_\_

Is new employee training required? YES ( ) NO ( )

What type? \_\_\_\_\_

Is training provided to employees on a regular basis? YES ( ) NO ( )

What Type? \_\_\_\_\_

Is reoccurring training for employees required? YES ( ) NO ( )

How are employees notified of changes in CBP laws, regulations, rulings, and procedures?

\_\_\_\_\_

**Section 8.3: Reference Materials and Written Guidance**

Do employees have access to Standard Operating Procedures or written instructions and guidelines? YES ( ) NO ( )

How are these materials prepared? \_\_\_\_\_

What topics are covered? \_\_\_\_\_

How often are they updated? \_\_\_\_\_

Are the following reference materials available?

Customs Regulations: YES ( ) NO ( )

Are the Customs Regulations up to date: YES ( ) NO ( )

How are they updated? \_\_\_\_\_

Harmonized Tariff Schedule of the United States (HTSUS): YES ( ) NO ( )

Date of HTSUS: \_\_\_\_\_

Electronic or printed version: \_\_\_\_\_

How are they updated? \_\_\_\_\_

Do you receive notice of changes to CBP laws and regulations? YES ( ) NO ( )

In what form: \_\_\_\_\_

(For example - Customs Bulletin, Federal Register, Internet)

Do you utilize CBP.gov? YES ( ) NO ( )

Who classifies the entries prepared by your office? \_\_\_\_\_

Who signs the entries? \_\_\_\_\_

If you think the HTS that IOR gave to you is incorrect, how you deal with that?

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#### **Section 8.4: Correspondence**

Describe procedures for responding to the following CBP correspondences:

CBP Form 28: \_\_\_\_\_

\_\_\_\_\_

CBP Form 29: \_\_\_\_\_

\_\_\_\_\_

CBP Form 4647: \_\_\_\_\_

\_\_\_\_\_

Other CBP notices: \_\_\_\_\_

\_\_\_\_\_

Do you maintain copies of CBP correspondence? YES ( ) NO ( )

Where are these files maintained? \_\_\_\_\_

Describe your procedures for correcting rejected entries/entry summaries:

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How do you ensure that an error or rejection issue is corrected and not repeated?

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Describe your procedures for responding to verbal requests from CBP: \_\_\_\_\_

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Describe how Census warnings/errors are reviewed: \_\_\_\_\_

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**Section 9: Right to Make Entry  
CFR 141.11**

**Section 9.1 Evidence of right to make entry**

How do you determine whether the Grantor identified on the Power of Attorney has the right to make entry? \_\_\_\_\_

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Which documents do you rely upon to determine whether a party can demonstrate that it has the right to make entry? \_\_\_\_\_

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## Completed Questionnaire

When returning the completed questionnaire; please provide reconstructed entry summary packages along with a copy of the following documents for the entries listed below:

- Power of Attorney
- Broker Billing Invoice
- Proof of Payment (from importer to broker)
- Billing Waiver if applicable
- Importer Security Filing
- Delivery Order
- Purchase Order

ENTRY NUMBER	ENTRY DATE	IMPORTER/ULT CONSIGNEE EIN
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

The Questionnaire and all requested complete entry summary packages associated with the documents listed above, must be scanned and saved as pdf separately. Name each file by the entry number, 000-0000000-0 and Completed Questionnaire. When completed, please reply to my email with all the entry summary files attached.

Thank you

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