

# **Commercial Customs Operations Advisory Committee (COAC) Government Issue Paper: 21<sup>st</sup> Century Customs Framework (21CCF) Task Force**

March 2022



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

Office of Trade

21<sup>st</sup> Century Customs Framework (21CCF) Task Force

March 2022

**Action Required:** Informational

**Background:**

- The 21st Century Customs Framework (21CCF) is U.S. Customs and Border Protection's (CBP) initiative to address current and future trade challenges and modernization barriers—many of which adversely impact U.S. businesses, consumers, and our economic security.
- This effort will update CBP's Title 19 authorities and underlying statutes, which have not seen comprehensive reform since the Customs Modernization Act was passed in 1993, and currently limit CBP's ability to operate in a rapidly evolving modern trade environment.
- In pursuing 21CCF, CBP envisions a trading system where: Legitimate goods move swiftly and securely; ethical production methods are used throughout the global supply chain; domestic industries compete on a level playing field; and the U.S. leads the world with innovative trade practices. CBP seeks to achieve this through:
  - **A re-imagined entry process** that aligns more closely with the modern supply chain and leverages the latest technology to improve security and facilitation.
  - **Improved data sharing** to reduce duplicative data submissions, improve coordination with stakeholders, and provide intellectual property rights holders with the information they need to protect their marks.
  - **Modernized enforcement authorities** allowing CBP to hone in on bad actors in modern supply chains, apply timely and appropriate consequences that produce meaningful change in violative behavior, and maintain a fair and level playing field for lawful traders.
- CBP kicked off 21CCF with a public meeting in March 2019, where private sector trade partners provided testimony to a panel of executives from across the U.S. Government. This meeting was attended by nearly 1,000 registered attendees.
- To facilitate government and industry collaboration, CBP stood up a 21CCF Task Force working group under the Commercial Customs Operations Advisory Committee (COAC), announced at the COAC Public Meeting on March 27, 2021.
- The 21CCF Task Force is comprised of representatives with a variety of roles and equities across the customs environment, including CBP, Partner Government Agencies (PGAs), brokers, importers, exporters, express carriers, sureties, and online marketplaces.
- The Task Force held 7 meetings in FY2021, focused on the Limited Data Collection, Restricted Data Usage, and Narrow Visibility & Accountability challenge areas.
- The Task Force reconvened in March 2022 under the 16th Term COAC and completed a series of working sessions on the fourth Challenge Area, Untimely & Ineffective

Enforcement, and discussed recommendations on trade facilitation and other benefits that industry would like to see codified in law.

### **Issue:**

- While some modernization progress can be made via regulatory, policy, and technical changes, legislative updates will be needed to truly unlock the transformative reform envisioned by 21CCF.
- Any legislative changes should represent a range of stakeholder equities – including those of the Trade and Government – to the greatest extent possible.
- CBP has drafted and circulated legislative discussion drafts structured around what the agency views as the biggest impediments to trade modernization and is seeking the 16<sup>th</sup> Term COAC’s leadership in the following:
  - Driving consensus recommendations on how the Agency can statutorily address 21CCF challenges, whether that be through the legislative changes that CBP is proposing in its discussion drafts, or through the formulation of alternative legislative approaches.
  - Driving consensus recommendations on trade facilitation and other benefits that industry would like to see codified in law.
  - Submitting recommendations through the COAC by June 15, 2022 for CBP consideration.

### **Current Status:**

- The Task Force reconvened this March under the 16th Term COAC and completed a series of working sessions on the fourth Challenge Area, Untimely & Ineffective Enforcement.
- The Task Force also met this March to discuss recommendations on trade facilitation and other benefits that industry would like to see codified in law.
- 21CCF priorities are also gaining traction in Congress, most notably with Senator Bill Cassidy (R-LA) and Senator Sheldon Whitehouse’s (D-RI) draft “Customs Modernization Act of 2021”. This bill aligns closely with the 21CCF vision and was shared with the trade industry in November 2021 to solicit their feedback. CBP is working with the Senator’s offices and other committees of jurisdiction to answer questions related to 21CCF. CBP also looks forward to continuing our close and collaborative dialogue with industry and other key stakeholders to discuss their views on 21CCF and other trade modernization priorities.

### **Next Steps:**

- Now through June, the 21CCF Task Force will discuss, validate, and provide actionable feedback on discussion drafts aligned to the first four Challenge Areas and submit their recommendations to CBP for consideration in June.
- CBP recognizes the invaluable perspectives offered by industry and PGAs and looks forward to partnering to drive 21CCF priorities in partnership with the new COAC.

- For more information on 21CCF, please visit the 21CCF webpage on CBP.gov:  
<https://www.cbp.gov/trade/21CCF>