Dear [INSERT Member of Congress name],

On behalf of my company, [insert company name with a hyperlink to your company website] I am writing to urge your support and consideration of co-sponsoring **H.R. 1453, the Customs Business Fairness Act (CBFA) of 2023**. This bill will protect Customs Brokers from unfair bankruptcy provisions that obligates my company to pay money disbursed to the U.S. Customs and Border Protection (CBP), which is unrecoverable, during bankruptcy proceedings.

As customs brokers, we play an important role in the duty payment process at U.S. ports, serving as a pass-through entity for the collection and payment of duties to CBP. Customs brokers collect duties from importers and in turn, pay CBP on the importer's behalf. The customs duties can be extremely high, and many importers have multiple shipments during a 90-day period amounting to millions of dollars quickly. In performing this role, customs brokers are often stuck with an unfair burden when an importer declares bankruptcy.

When bankruptcy is declared, there is a 90-day claw-back period and we, as the customs broker, must pay to the bankruptcy trustee not only our fees, but any duties tendered to us during those 90 days – even though CBP has already received said duties; making us liable for an importers’ duties. This money has to come from our own pockets. We cannot get that money back from CBP. We understand repayment of any fees or costs that we charge to the importer as part of our services but we cannot be held liable for unrefunded duties already paid into the Federal coffers.

**H.R. 1453, the Customs Business Fairness Act of 2023**, seeks to protect customs brokers who have paid duties to CBP on behalf of importers that subsequently file for bankruptcy.

Permanent protection under the CBFA would be a huge relief for custom brokers in [INSERT your city and state] and will prevent bankruptcies from causing a domino effect on our business. Of important note is that this provision is **revenue neutral**.

We urge you to become a co-sponsor of this bi-partisan bill. Representatives Garbarino (R-NY), Bacon (R-NE), Meeks (D-NY) and McBath (D-GA) are original cosponsors. Daniel O’Neill at [Daniel.ONeill@mail.house.gov](mailto:Daniel.ONeill@mail.house.gov) in Rep. Garbarino’s office is coordinating the co-sponsorships.

We are available to speak with you directly to answer any questions you may have.

Thank you for your consideration and commitment to protecting businesses in your district.