

Foreign Importer of Record (FIOR)

Key Requirements & Preparation Guide

September 2026 | Executive Order 14411 - Strengthening Customs Enforcement

IMPORTANT: The Executive Order does not prohibit foreign companies from acting as Importer of Record for formal entries. However, Foreign IORs will face increased verification, disclosure, bonding and compliance requirements. Some implementation details and final supporting-document requirements are still being developed by CBP.

This guide summarises the main areas Australian businesses acting as a Foreign Importer of Record should review and be prepared to support. The areas in sections 2-7 form part of the enhanced framework contemplated by Executive Order 14411; detailed supporting-document and broker-verification requirements are still being developed by CBP. It is intended as a practical preparation guide and does not replace advice from your US customs broker or CBP.

1. Importer of Record information

- Effective 18 September 2026, CBP commenced enhanced verification of information held for new and existing Importers of Record on Form 5106. Inaccurate or incomplete information may result in the IOR number being immediately voided until corrected and re-established.
- Ensure the legal company name, physical and mailing addresses, email address, telephone number (including country code) and importer identification information held by CBP are accurate and complete.
- The physical address must be the actual physical location of the Importer of Record and should not be the address of a freight forwarder, customs broker, registered agent, business service centre or another person or entity. Where a broker submits Form 5106 information, it must hold a valid Power of Attorney directly with the Importer of Record.

2. Company identity, ownership and structure

- Be prepared to provide company registration details and the year the business was established.
- Maintain current director, shareholder and beneficial ownership information.
- Be able to identify related entities and relevant business affiliations.
- Be prepared to explain any US business presence, assets, warehouse or 3PL arrangements.

3. Import volumes and customs bonding

- Be able to provide anticipated US import volumes and relevant historical import activity.
- Review existing customs bond arrangements with your US customs broker.
- Foreign IOR use of continuous bonds will be subject to the framework implemented by CBP under EO 14411; do not change existing bond arrangements without first consulting your US customs broker.

4. CTPAT-validated customs broker

- For formal entries, EO 14411 provides for a Foreign IOR to be CTPAT validated, if eligible, or to use a CTPAT-validated licensed customs broker.
- Expect your broker to conduct enhanced and potentially recurrent due diligence before and during the relationship.

5. Suppliers, manufacturers and supply chain

- Maintain a current list of suppliers and actual manufacturers, including legal names, addresses and countries.
- Be able to link imported products to the relevant manufacturer and country of manufacture.
- Maintain product/style identifiers and key specifications such as composition, grade or size where relevant.
- Retain supporting supply-chain and production information that may be requested by CBP or your customs broker.

6. Tariff classification, valuation and origin

- Maintain records supporting the HTS/US tariff classification used for imported products.
- Retain commercial invoices, purchase orders and other evidence supporting the customs value declared.
- Be able to explain the valuation methodology and identify relevant additions such as assists, royalties or commissions where applicable.
- Maintain evidence supporting country of origin and manufacturing arrangements.

7. Compliance history and 'good standing'

- CBP is directed to establish a 'good standing' requirement for IORs based on factors including customs compliance and payment of customs liabilities.
- Maintain records of prior US import activity and respond promptly to any CBP or broker requests.
- Review and correct any known classification, valuation, origin or IOR-data issues with your customs broker.

8. ACE Secure Data Portal

- Discuss establishing your own CBP Automated Commercial Environment (ACE) Secure Data Portal access with your US customs broker.
- Before applying, confirm that the point-of-contact information held against the existing Form 5106 is accurate.
- ACE provides importers with direct access to important US Customs and import information and greater visibility over their US Customs activity.

What should affected TCF customers do now?

- Review your existing IOR/Form 5106 information with TCF and your US customs broker as a priority.
- Do not make immediate changes to existing formal-entry DDP or Foreign IOR arrangements solely because of EO 14411.
- Review existing customs bond arrangements with your US customs broker before making any changes.
- Consider ACE Portal access after confirming the point-of-contact information held against your existing Form 5106 is accurate.
- If you ship low-value or direct-to-consumer/e-commerce orders into the USA as a Foreign IOR, discuss these arrangements separately with TCF and your US customs broker. EO 14411 directs CBP to prohibit Foreign IORs from filing informal entries.
- Be prepared for additional information requirements as CBP implements the broader EO 14411 reforms. Detailed supporting-document and broker-verification requirements are still being developed.

Further information

Executive Order 14411 - Strengthening Customs Enforcement

The White House / Federal Register, 3 June 2026

https://www.whitehouse.gov/presidential-actions/2026/06/strengthening-customs-enforcement/?utm_source=chatgpt.com

CBP - Enhanced Enforcement of Importer of Record Identification Requirements

Federal Register notice regarding Form 5106 verification and enforcement.

https://public-inspection.federalregister.gov/2026-16911.pdf?utm_source=chatgpt.com