BRIEFING:

EXECUTIVE ORDER 14411

Important Notice: This guide is provided for informational purposes only. Exporters and Importers are solely responsible for the accuracy and completeness of all information submitted and for compliance with applicable U.S. laws and regulations. UPS customers should consult their customs broker or other qualified advisor with any questions regarding their compliance obligations.

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Background – Executive Order 14411

On June 3, 2026, Executive Order (EO) 14411, Strengthening Customs Enforcement, was issued, directing U.S. Customs and Border Protection (CBP) to enhance enforcement efforts aimed at duty evasion and noncompliance with supply chain regulations. The Executive Order requires CBP to develop and implement new regulations, policies, and processes within 180 days of the issuance date.

These talking points are intended for initial guidance only as relates to the Executive Order. CBP has not fully implemented these changes, nor have they released final details regarding all of the new regulatory, policy, and procedural requirements.

Many of the anticipated changes will focus on Importers of Record (IORs), with particular attention on Foreign Importers of Record (FIOR). According to the White House Fact Sheet, examples of these enhanced requirements may include:

- Increased bonding requirements and/or minimum levels of tangible domestic assets for IORs. CBP has, in a recent Interim Final Rule, added domestic asset requirements to be considered a U.S. IOR, but has not yet communicated specific requirements regarding bonding.
- Heightened formal entry requirements for FIORs, including the potential elimination of eligibility to use the Informal Entry process. In the most recent Interim Final Rule, CBP reserves the right to later terminate the ability for FIORs to use informal entry.
- A new "good standing" requirement for all IORs. CBP has not yet provided details regarding how this standard will be defined or applied.
- Enhanced vetting procedures for individuals and entities involved in import-related activities. CBP has issued a number of notices covering additional vetting requirements for both FIORs and U.S. IORs.

In addition, CBP has been directed to update its Importer of Record registry and establish risk-based compliance tiers based on an importer's compliance history.

Update – November 12, 2026

U.S. Customs and Border Protection, via an Interim Final Rule, has established a new definition for U.S. versus Foreign **importers of record** and added several new requirements for importing into the U.S. The new requirements will be implemented on Jan. 5, 2027, with portions of the rule subject to delayed compliance through May 5, 2027.

In short, if a company does not meet the U.S. IOR requirements, U.S. Customs will consider the company to be a foreign IOR.

- In order to be a U.S. IOR for an import into the United States, a company must meet the following requirements
    - Be organized under US law
    - Be located in the US
    - Meet at least one of the ownership or asset test
        - At least 51%, beneficially owned and controlled by U.S. citizen(s) or permanent resident(s)
        - Directly own a significant amount of unencumbered U.S. real property
        - In analyzing U.S. assets, CBP may validate cash in U.S. bank accounts, U.S. Treasury bonds, title deeds, inventory receipts, machinery/equipment titles or receipts (See IOR Declaration Requirements for more information)
- A company that does not meet these requirements is considered a foreign IOR
    - In this case, the company or their broker must be CTPAT validated if they want to retain the ability to import into the United States
        - A CTPAT validated broker can make entry on behalf of a non CTPAT foreign entity
        - Please note, the UPS Brokerage is CTPAT validated
        - The foreign IOR must be the owner or purchaser of the product being shipped or a CTPAT validated broker is needed to act as IOR

We strongly encourage all IORs to begin reviewing their operations and records to ensure they will be positioned to meet and satisfactorily document their compliance with these new requirements once implemented. A recommendation is provided in the Q&A section of this document regarding information and documentation companies should gather now in advance of the final announcement from U.S. Customs (See question: What can I do to prepare for the execution of Executive Order 14411?).

UPS Brokerage Compliance will provide updates as additional information becomes available from U.S. Customs that may include Cargo Systems Messaging Service (CSMS) notices and other agency communications. These updates will be provided under the Q&A section below.

Q&A

When will the changes recommended by CBP take effect?

The new requirements will be implemented on Jan. 5, 2027. U.S. Customs is allowing qualified U.S. brokers to request partially delayed compliance through May 5, 2027. UPS has submitted this request.

What can I do to prepare for the execution of Executive Order 14411?

While complete details are still being evaluated by UPS and clarifications are still being released by CBP, we recommend that all entities acting as an Importer of Record for U.S. imports begin preparing information and documentation that we anticipate may be required for compliance with these future standards. UPS Brokerage may require additional information and documentation proving, but not limited to the following:

- Year the company was established
- Legal company name and organizational structure
- Current U.S. importer number(s) and CBP account information
- Beneficial ownership information
- Business affiliations
- Documentation of domestic assets
- Anticipated import volume
- Compliance history, including penalties, liquidated damages, audits, seizures, CF 28s, CF 29s, protests, and other enforcement actions
- Documentation supporting U.S. presence
- Identification of all U.S. customs brokers utilized
- Corporate and supply chain documentation that may be requested by CBP

How will Executive Order 14411 impact enforcement of liquidated damages and penalties?

The EO directs CBP to establish a minimum penalty floor of no less than 50% of the assessed penalty amount, except in exceptional circumstances that materially impact national security.

What new requirements have been announced by U.S. Customs and Border Protection (CBP) so far related to Executive Order 14411?

- ### CTPAT Alert for Broker Responsibilities Under Executive Order 14411

In August 2026, U.S. Customs published a CTPAT alert identifying the higher standard of due diligence required of CTPAT validated brokers when representing Foreign Importers of Record. The alert can be found here.

- ### Notice: Accuracy of Importer of Record Data Submitted to CPB (91 FR 53627)

U.S. Customs published a Federal Register notice on August 19, 2026, addressing the accuracy of Importer of Record Data being submitted to CBP as one of the first steps in implementing EO 14411. This FRN address FIORs and US IORs. More info regarding this FRN and the requirements can be found here.

- ### Advanced Notice of Proposed Rulemaking: Heightened Import Disclosures for Supply Chain Visibility (91 FR 56408)

U.S. Customs published a Federal Register notice on September 2, 2026, addressing a desire to acquire from importers additional information on supply chains for U.S. imports as well as heighted data requirements for entry. This notice asks a number of questions upon which parties are requested to provide comments to help CBP craft enhanced documentation and data requirements. The advanced notice of proposed rulemaking can be found here.

- ### Notice of Proposed Rulemaking: Low-Value Shipments (91 FR 64532)

U.S. Customs published a proposed rule on October 8, 2026, seeking to establish additional requirements related to informal entries. The proposed rule can be found here.

- ### Interim Final Rule: Heightened Requirements for Foreign Importers of Record (91 FR 69977)

U.S. Customs and Border Protection has established a new definition for U.S. and foreign importers of record and added several new requirements for importing into the U.S. The new requirements will be implemented on Jan. 5, 2027, with partially delayed compliance until May 5, 2027. Specific details on the notice are available here. An overview from U.S. Customs can also be viewed here.

Can UPS act as the IOR for my shipments?

UPS may act as the IOR for UPS Small Parcel Express shipments and submit the entry for U.S. Customs clearance on behalf of our customers. Please be aware certain requirements may apply to determine who is the IOR and where UPS may be willing to act as IOR.

What if I am a foreign entity and not CTPAT validated but still want to import into the United States?

You will need a CTPAT validated broker to file your entry on your behalf. .

Is UPS CTPAT validated?

Yes, UPS (and its affiliates) are certified, validated and re-validated under the CTPAT program.

Are there any additional bonding requirements for Foreign IORs?

While the Executive Order mentions there may be additional bonding requirements, at this time, CBP has not published enhanced bonding requirements for formal entries. CBP's proposed rule on low-value shipments includes enhanced bonding requirements for informal entries.

Do I, as a Foreign IOR lose the ability to utilize the informal entry type?

At this time, CBP is not restricting FIORs use of the informal entry type, although this is subject to the same rules as formal entries as it concerns the use of a CTPAT validated broker. However, the proposed Low-Value Shipments rule would provide CBP with significant authority to limit such usage, and CBP reserves the right, in the Interim Final Rule on Heightened Requirements for Foreign Importers of Record, to ban FIORs from the use of the informal entry type.

Additional Resources

- U.S. Customs FAQ on Heightened Requirements for Foreign Importers of Record (IOR)
- U.S. Customs FAQ on Strengthening Customs Enforcement | U.S. Customs and Border Protection
- IOR Declaration Requirements
- U.S. Customs Video: Heightened Requirements for Foreign Importers of Record | U.S. Customs and Border Protection