

August 26, 2019

CBP Proposes Importer ID Regulations

Dear Valued Customer,

U.S. Customs and Border Protection (CBP) recently issued a notice of proposed rulemaking requiring customs brokers to collect certain information for verification of importer identities. The amendments are being proposed as the Trade Facilitation and Trade Enforcement Act of 2015 Section 116 directed CBP to create regulations for customs brokers to verify the identity of the importers who are their clients.

Preferred Filing: Federal eRulemaking Portal at <http://www.regulations.gov>

Docket No.: USCBP-2019-0024

Deadline: Comments must be received by October 15, 2019

CBP is proposing the collection of the following “minimum” information details for importer verification:

- The client’s name
- For an individual, the client’s date of birth
 - For a partnership, corporation or association, the grantor’s (signatory’s) date of birth
- For a partnership, corporation or association, any trade or fictitious names
- The address of the client’s physical location and telephone number
 - For a partnership, corporation or association, the client’s headquarters location and telephone number
- The client’s email address and business website
- A copy of the grantor’s (signatory’s) unexpired government-issued photo identification
- The client’s Internal Revenue Service (IRS) number, Employer Identification (EIN) number, or Importer of Record (IOR) number
- The client’s publicly available business identification number (e.g., Data Universal Numbering System (DUNS) number)
- A recent credit report
- A copy of the client’s business registration and license with state authorities
- The grantor’s authorization to execute power of attorney (POA) on behalf of a client

The customs broker is to collect all applicable data for every client. Some information applicable for partnerships, corporations, or associations, is not relevant to individuals, some small entities may not have a business website, an individual would not have a state registration or license, and if foreign jurisdictions do not provide credit reports, a recent credit report is not required.

The customs broker is then required to verify all the data elements obtained from the client. The means of verification set by CBP is explained in the notice. And, in addition, the customs broker is to check the client against sanctioned or restricted persons or entity lists, or if they are suspended or debarred from doing business with the U.S. Government.

Our information is compiled from a number of sources that to the best of our knowledge are accurate and correct. It is always the intent of our company to present accurate information. C.H. Robinson accepts no liability or responsibility for the information published herein.



Verification is required to be performed prior to handling business for any new client, within two years for any current client that is a partnership, or within three years for any current client that is an individual or a corporation or association. Customs brokers are then required to update their records annually with any changes to the client, POA or information in the records, and reverify the client's identity.

The proposed rule would also provide for issuance of monetary penalties for the customs broker's failure to collect, verify, secure, retain, update, or make available for inspection the information required per client. CBP could also revoke or suspend a customs broker's license or permit.

Please make any concerns you have in regards to the proposed requirements known to CBP by providing your comments. We will keep you advised of any future notices or publication of the final rule.

Thank you for being our Valued Customer. If you have any questions, please do not hesitate to contact your C.H. Robinson representative.

Sincerely,
C.H. Robinson

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