

# US Customs and Border Protection (CBP) Modernization Regulations

Effective December 19th, 2022, CBP has made significant changes to Customs broker regulations in part 111 of title 19 of the Code of Federal Regulations (19 CFR 111). The following are highlights of some of the key changes that are a part of these regulations, known as Customs Broker Modernization Regulations.

## Key Changes are As Follows...

### Direct Power of Attorney Required

[19 CFR 111.36(c)(3)]

Customs brokers must now execute powers of attorney (POAs) directly with their importer of record or drawback clients, and not through a freight forwarder or other third party, in order to transact Customs business for client.

Even if a POA document is signed by the client, it is not valid if the communication to collect the POA was not between the Customs broker and client directly.



### CBP 24/7 Point of Contact Required

(19 CFR 111.3)

US Customs now requires brokers to appoint a contact to be available to CBP 24/7. Brokers are expected to provide additional coverage to ensure timely responses to CBP regardless of business hours.



### Reporting False Information

(19 CFR 111.32)

A Customs broker must not file or assist in the filing of any claims or documents known by the broker to be false. Furthermore, Customs brokers now have a regulatory obligation to report to CBP upon determining that the client is intentionally attempting to use the broker to defraud the US Government or commit a criminal act.

### Maintaining Records & Conducting Customs Business in the United States

(19 CFR 111.23 & 19 CFR 111.30)

The regulations now make it clear that Customs brokers must maintain original records, including electronic records, within the Customs territory of the United States only. Additionally, it is now formally codified in the new regulations that all Customs business, including preparation of entries, is required to be conducted in the United States.

Juno Customs Solutions has never contracted with foreign-based employees and has always maintained its records in the United States.

More information about the Customs Broker Modernization Regulations can be found on CBP's website at:

<https://www.cbp.gov/trade/programs-administration/customs-brokers/frequently-asked-questions>

To view the final rule on these regulations in the Federal Register, please visit:

<https://www.federalregister.gov/documents/2022/10/18/2022-22445/modernization-of-the-customs-broker-regulations>



Ensure your business' compliance by using Entry Insight, JCS' next-generation brokerage portal, custom-built for importers with state-of-the-art features.

Our advanced brokerage portal combined with our veteran Customs professionals have you covered!



**For a demo of Entry Insight, please contact: [agray@junocustoms.com](mailto:agray@junocustoms.com)**

**Or scan to schedule a JCS Consultation!**



For questions about the Customs Broker Modernization Regulations:  
[consulting@junocustoms.com](mailto:consulting@junocustoms.com)

For questions about rates and services, or to receive a quote:  
[junobd@junologistics.com](mailto:junobd@junologistics.com)

