

Public Law 96-275  
96th Congress

## An Act

To protect the confidentiality of Shippers' Export Declarations, and to standardize export data submission and disclosure requirements.

June 17, 1980

[H.R. 6842]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 301 of title 13, United States Code, is amended by adding at the end thereof the following new subsection:

Shippers' Export  
Declarations,  
confidentiality.

"(g) Shippers' Export Declarations (or any successor document), wherever located, shall be exempt from public disclosure unless the Secretary determines that such exemption would be contrary to the national interest."

SEC. 2. Section 4199 of the Revised Statutes (46 U.S.C. 93) is amended to read as follows:

"SEC. 4199. (a) Copies of bills of lading or equivalent commercial documents relating to all cargo encompassed by the manifest required under this chapter shall be attached to such manifest and delivered to the appropriate officer of the United States Customs Service at the time such manifest is delivered.

Export data  
submission and  
disclosure  
requirement  
standardization.

"(b) The following information shall be included on such manifest, or on attached copies of bills of lading or equivalent commercial documents:

- "(1) Name and address of shipper.
- "(2) Description of the cargo.
- "(3) Number of packages and gross weight.
- "(4) Name of vessel or carrier.
- "(5) Port of exit.
- "(6) Port of destination.

"(c) Except as provided in subsection (d), the following information contained on such manifest, or on attached copies of bills of lading or equivalent commercial documents, shall be available for public disclosure:

- "(1) Name and address of shipper, unless the shipper has made a biennial certification claiming confidential treatment pursuant to procedures adopted by the Secretary of the Treasury.
- "(2) General character of the cargo.
- "(3) Number of packages and gross weight.
- "(4) Name of vessel or carrier.
- "(5) Port of exit.
- "(6) Port of destination.
- "(7) Country of destination.

"(d) The information listed in subsection (c) shall not be available for public disclosure if—

Disclosure,  
exemptions.

"(1) the Secretary of the Treasury makes an affirmative finding on a shipment-by-shipment basis that disclosure is likely to pose a threat of personal injury or property damage; or

"(2) the information is exempt under the provisions of section 552(b)(1) of title 5 of the United States Code.

Access  
procedures,  
establishment.

"(e) The Secretary of the Treasury, in order to allow for the timely dissemination and publication of the information listed in subsection (c) above, is authorized to establish procedures to provide access to manifests, or attached bills of lading or equivalent commercial documents which shall include provisions for adequate protection against the public disclosure of information not available for public disclosure from such manifests or attached bills of lading, or equivalent commercial documents."

13 USC 301 note.

Sec. 3. Nothing in this Act shall be construed as authorizing the withholding of information from Congress.

Effective dates.  
13 USC 301 note.

Sec. 4. (a) Except as provided in subsection (b), this Act, and the amendments made by this Act, shall become effective on the later of July 1, 1980, or the date of enactment of this Act.

(b) The amendment made by section 2 shall become effective on the date which is forty-five days after the date of enactment of this Act.

Approved June 17, 1980.

#### LEGISLATIVE HISTORY:

HOUSE REPORT No. 96-928, pt. 1 (Comm. on Post Office and Civil Service).

SENATE REPORT No. 96-796 accompanying S. 2419 (Comm. on Governmental Affairs).

CONGRESSIONAL RECORD, Vol. 126 (1980):

May 12, considered and passed House.

June 11, considered and passed Senate in lieu of S. 2419.