



UPDATE ON MANIFEST CONFIDENTIALITY

What Is Manifest Confidentiality?

Section 103.31(c) of the Customs Regulations provides that an importer or consignee may request confidential treatment for its name and address as shown on the inbound manifest—including identifying marks and numbers. Also, an importer may request confidential treatment of the name and address of the shipper or shippers.

Why Would I Want to Ask for Confidential Treatment?

The Customs Regulations make vessel manifests and some statistical information available to members of the press. The term “press” is interpreted broadly to include commercial operations that provide manifest information to the public for a fee. Members who Google their name may find that there are companies who are prepared to provide specific information about their shipments. In addition, we have seen that “trolls” have used this trade data to get information about importer’s foreign purchases. There also has been recent False Claims Act litigation in which the claimant used import data culled by an information service from manifest data to make part of its case.

How Do I Get Manifest Confidentiality?

If you want to request that CBP will not make public your company information, there is a process to follow. Requests for confidential treatment may be mailed to: CBP Privacy Officer, U.S. Customs and Border Protection, 90 K Street, N.E., 10th Floor, Washington, DC 20229-1177. **This is a different address than the one listed in the Customs Regulations.**

Requests also may be submitted by fax [202.325.0154] or email [vesselmanifestconfidentiality@cbp.dhs.gov].

If you are a CEE Participating Account, or if you have a National Account Manager, you also can ask them to help you with this request.

What Should Be Included in My Request for Confidentiality?

[Here is a draft letter](#) to use as part of the request to CBP.

If your company has multiple IORs, there should be a separate request for each IOR. In the letter to CBP, there is a limit of ten (10) variations of how the company may be listed in a confidentiality request. We now understand that while there is a limit on the number of variations in an individual request, there is no limit on the number of requests that a company can file. This is very important because there often are breaches of confidentiality because misspellings of the company name are not covered unless specifically requested.

Once a request is submitted, you should continue to monitor information services to ensure that misspellings by shippers have not led to disclosure of your shipment information. Accordingly, when making the request for confidential treatment, you should include any and all variations of your name that shippers might use.

What About Renewing Manifest Confidentiality?

Once granted, this confidential treatment will remain in effect for two years. Companies should file a renewal certification 60 to 90 days prior to the expiration of the certification. You can view CBP’s Information Center Summary [here](#).

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