

118TH CONGRESS
1ST SESSION

S. 3217

To amend section 431 of the Tariff Act of 1930 to clarify the requirements relating to disclosure of vessel, aircraft, or vehicle manifest information.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 2, 2023

Mr. WHITEHOUSE (for himself and Mr. CASSIDY) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To amend section 431 of the Tariff Act of 1930 to clarify the requirements relating to disclosure of vessel, aircraft, or vehicle manifest information.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Manifest Moderniza-
5 tion Act of 2023”.

6 **SEC. 2. DISCLOSURE OF VESSEL, AIRCRAFT, OR VEHICLE**
7 **MANIFEST INFORMATION.**

8 (a) EXPANSION AND CLARIFICATION OF DISCLOSURE
9 REQUIREMENT.—Section 431 of the Tariff Act of 1930
10 (19 U.S.C. 1431) is amended—

1 (1) in subsection (a), by striking “section 4197
2 of the Revised Statutes of the United States (46
3 U.S.C. App. 91)” and inserting “section 60105 of
4 title 46, United States Code, and every aircraft or
5 vehicle arriving in the United States as described in
6 section 433,”; and

7 (2) in subsection (c)(1)—

8 (A) in the matter preceding subparagraph
9 (A), by striking “subparagraph (2)” and all
10 that follows through “shall be available” and
11 inserting “paragraph (2), the following informa-
12 tion, when contained in a vessel, aircraft, or ve-
13 hicle manifest, shall be available”;

14 (B) in subparagraph (B), by inserting be-
15 fore the end period the following: “and the sub-
16 headings of the Harmonized Tariff Schedule of
17 the United States under which the cargo is
18 classifiable”; and

19 (C) by striking subparagraph (G) and in-
20 serting the following:

21 “(G) The country in which the cargo was pro-
22 duced and the last country through which the cargo
23 was transported.”.

1 (b) PROTECTION OF PERSONALLY IDENTIFIABLE IN-
 2 FORMATION.—Section 431(c) of the Tariff Act of 1930
 3 (19 U.S.C. 1431(c)) is amended—

4 (1) in paragraph (2)—

5 (A) by redesignating subparagraphs (A)
 6 and (B) as clauses (i) and (ii), respectively;

7 (B) by inserting “(A)” after “(2)”; and

8 (C) by adding at the end the following:

9 “(B) The Secretary shall ensure that the fol-
 10 lowing information is removed from any manifest
 11 signed, produced, delivered, or electronically trans-
 12 mitted under this section before access to the mani-
 13 fest is provided to the public:

14 “(i) Social Security numbers.

15 “(ii) Passport numbers.

16 “(iii) Dates of birth.

17 “(iv) Personal phone numbers.

18 “(v) Personal email addresses.

19 “(vi) Driver’s license and State identifica-
 20 tion numbers.

21 “(vii) Residential addresses that are not
 22 the primary address of the trade or business
 23 (excluding ZIP Codes).

24 “(viii) Names of individuals who are end-
 25 consumers.

1 “(C) Nothing in this paragraph may be con-
2 strued to permit the removal from a manifest
3 signed, produced, delivered, or electronically trans-
4 mitted under this section of the name, address, or
5 identification number of a business.”; and

6 (2) by adding at the end the following:

7 “(4) Each manifest signed, produced, delivered, or
8 electronically transmitted under this section shall include
9 a checkbox to indicate whether the shipment is going to
10 a private individual or a company.”.

11 (c) EFFECTIVE DATE.—The amendments made by
12 this section shall take effect on the date that is 30 days
13 after the date of the enactment of this Act.

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