

make any improper use of any information or data obtained from such manifests or other papers filed in the customhouse, both he and the party or publication which he represents shall thereafter be denied access to such papers.

(e) *Availability of manifest data on magnetic tapes*—(1) *Availability*. Manifest data acquired from the Automated Manifest System (AMS) is available to interested members of the public on magnetic tape. This data, compiled daily, will contain all manifest transactions made on the nationwide system within the last 24 hour period. Data for which parties have requested confidential treatment in accordance with §103.14(d) will not be included on the tapes. These tapes may be purchased at the government's production cost. Tapes are available for specific days or on a subscription basis.

(2) *Requests and subscriptions*. Requests for tapes must be in writing and submitted to: U.S. Customs Service, Accounting Services—Accounts Receivable, P.O. Box 68907, Indianapolis, Indiana 46278. Requests must include a check to cover the cost of the tapes requested. Actual costs and other specific information should be ascertained by contacting the Accounting Services—Accounts Receivable at (317) 298-1330. Bills for subscriptions will be issued monthly, with the first month's fee due in advance. Requested tapes will be mailed from the Customs Data Center, first class, on the next business day after compilation. Parties desiring another form of delivery will have to make their own arrangements and notify Customs in advance. Subscriptions may be canceled provided Customs receives written notice at least 10 days prior to the end of the month. The U.S. Customs Data Center must be notified in writing within seven days of technical problems with tapes or non-receipt of tapes in order to receive a replacement or credit towards future tape purchases. Refunds will not be provided. Information regarding the technical specifications of the tapes, problem tapes or the non-receipt of tapes should be directed to U.S. Customs Data Center, on (703) 644-5200.

(3) *Data elements*. The following are the data elements from the AMS mani-

fest which will be provided to the public via magnetic tape:

1. Carrier code.
2. Vessel country code.
3. Vessel name.
4. Voyage number.
5. District/port of unloading.
6. Estimated arrival date.
7. Bill of lading number.
8. Foreign port of lading.
9. Manifest quantity.
10. Manifest units.
11. Weight.
12. Weight unit.
13. Shipper name.¹
14. Shipper address.¹
15. Consignee name.¹
16. Consignee address.¹
17. Notify party name.¹
18. Notify party address.¹
19. Piece count.
20. Description of goods.
21. Container number.
22. Seal number.

[T.D. 81-168, 46 FR 32565, June 24, 1981, as amended by T.D. 84-111, 49 FR 19953, May 10, 1984; 49 FR 23340, June 6, 1984; T.D. 85-123, 50 FR 29954, July 23, 1985; T.D. 91-77, 56 FR 46114-46115, Sept. 10, 1991; T.D. 92-92, 57 FR 44089, Sept. 24, 1992. Redesignated by T.D. 96-36, 61 FR 19838, May 3, 1996, and amended by T.D. 99-27, 64 FR 13675, Mar. 22, 1999]

§ 103.32 Information concerning fines, penalties, and forfeitures cases.

Except as otherwise provided in these regulations or in other directives (including those published as Treasury Decisions), port directors and other Customs officers shall refrain from disclosing facts concerning seizures, investigations, and other pending cases until Customs action is completed. After the penalty proceeding is closed by payment of the claim amount, payment of a mitigated amount, or judicial action, the identity of the violator, the section of the law violated, the amount of penalty assessed, loss of revenue, mitigated amount (if applicable), and the amount of money paid may be disclosed to the public by the appropriate port director. Public disclosure of any other item of information concerning such cases, whether open or

¹Designates data element which will be deleted where confidentiality has been requested.

§ 103.33

closed, shall only be made in conformance with the procedures provided in § 103.5.

[T.D. 81-168, 46 FR 32565, June 24, 1981. Redesignated by T.D. 96-36, 61 FR 19838, May 3, 1996]

§ 103.33 Release of information to foreign agencies.

(a) The Commissioner or his designee may authorize Customs officers to exchange information or documents with foreign customs and law enforcement agencies if the Commissioner or his designee reasonably believes the exchange of information is necessary to—

(1) Ensure compliance with any law or regulation enforced or administered by Customs;

(2) Administer or enforce multilateral or bilateral agreements to which the U.S. is a party;

(3) Assist in investigative, judicial and quasi-judicial proceedings in the U.S.; and

(4) An action comparable to any of those described in paragraphs (a) (1) through (3) of this section undertaken by a foreign customs or law enforcement agency, or in relation to a proceeding in a foreign country.

(b)(1) Information may be provided to foreign customs and law enforcement agencies under paragraph (a) of this section only if the Commissioner or his designee obtains assurances from such agencies that such information will be held in confidence and used only for the law enforcement purposes for which such information is provided to such agencies by the Commissioner or his designee.

(2) No information may be provided under paragraph (a) of this section to any foreign customs or law enforcement agency that has violated any assurances described in paragraph (b)(1) of this section.

[T.D. 86-196, 51 FR 40792, Nov. 10, 1986. Redesignated by T.D. 96-36, 61 FR 19838, May 3, 1996]

§ 103.34 Sanctions for improper actions by Customs officers or employees.

(a) The improper disclosure of the confidential information contained in Customs documents, or the disclosure of information relative to the business of one importer or exporter that is ac-

19 CFR Ch. I (4-1-99 Edition)

quired by a Customs officer or employee in an official capacity to any person not authorized by law or regulations to receive this information is a ground for dismissal from the United States Customs Service, suspension, or other disciplinary action, and if done for a valuable consideration subjects that person to criminal prosecution.

(b) Sanctions for improper denials of information by Customs officers or employees are set forth in § 103.9(c).

[T.D. 81-168, 46 FR 32565, June 24, 1981. Redesignated by T.D. 96-36, 61 FR 19838, May 3, 1996]

PART 111—CUSTOMS BROKERS

Sec.

111.0 Scope.

Subpart A—General Provisions

111.1 Definitions.

111.2 License and district permit required.

111.3 Transactions for which license is not required.

111.4 Transacting customs business without a license.

111.5 Representation before Government agencies.

Subpart B—Procedure To Obtain License or Permit

111.11 Basic requirements.

111.12 Application for license.

111.13 Examination of applicant for individual license.

111.14 Investigation of the applicant.

111.15 Issuance of license.

111.16 Denial of license.

111.17 Review of the denial of a license.

111.18 Reapplication for license.

111.19 Permits.

Subpart C—Duties and Responsibilities of Customs Brokers

111.21 Record of transactions.

111.22 [Reserved]

111.23 Retention of records.

111.24 Records confidential.

111.25 Records shall be available.

111.26 Interference with examination of records.

111.27 Audit or inspection of records.

111.28 Responsible supervision.

111.29 Diligence in correspondence and paying monies.

111.30 Notification of change of business address, organization, name, or location of business records; status report.

111.31 Conflict of interest.

111.32 False information.