



February 7, 2018

Support Protecting Data at the Border Act, S. 823 and H.R. 1899

On behalf of our activist community, I urge you to contact your senators and representative and ask them to support the Protecting Data at the Border Act, S. 823 and H.R. 1899, introduced by Sens. Ron Wyden (D-Ore.) and Rand Paul (R-Ky.) and Reps. Jared Polis (R-Colo.) and Blake Farenthold (R-Texas). The bills would safeguard the Fourth Amendment rights of American citizens at the border.

For years, the U.S. border has been regarded by various federal agencies as a place where the Constitution does not apply. This has resulted in thousands of American citizens having their personal information searched without a warrant. They are also forced to surrender their smartphones and laptops under intimidation by border authorities. Often, authorities may refuse American citizens entry unless they consent to give up their devices.

This problem is not going away, either. According to data from U.S. Customs and Border Protection (CBP), such searches and seizures have more than tripled since 2015, and there is no sign of slowing down. We must act now to protect innocent Americans from losing their constitutional rights when they travel to and from the border.

These bills offer common sense solutions to the problems at hand. First, it would require border agents to obtain a warrant before accessing the contents of an American citizen's device. They must also notify Americans that they have the right to refuse a search, and that they may not be denied entry should they do so. Also included in the legislation is a provision that requires officials to get rid of any information they obtain, unless there is probable cause to believe that the digital contents contain evidence of, or are the fruits of, a crime. Officials must also collect data relating to how many searches they conduct and on whom, for better oversight and accountability.

This is a straightforward bill to protect American citizens. The framers of our Constitution, in their wisdom, believed all citizens had certain unalienable rights. Just because an American travels, does not mean they forfeit these rights that are the foundation of our Republic. It is for these reasons, I urge you to contact your senators and representative and ask them to support the

Protecting Data at the Border Act, S. 823 and H.R. 1899.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Brandon', with a stylized flourish at the end.

Adam Brandon
President, FreedomWorks