

September 11, 2008: Sanchez Introduces Border Search Bill

FOR IMMEDIATE RELEASE

September 11, 2008

REP. SANCHEZ INTRODUCES LEGISLATION TO PROTECT TRAVELERS' CIVIL LIBERTIES AT U.S. POINTS OF ENTRY

Border Search bill would provide accountability provisions for U.S. Customs and Border Protection Officers to conduct border searches

WASHINGTON, D.C. - Today, Representative Loretta Sanchez, Chairwoman of the Subcommittee on Border, Maritime and Global Counterterrorism, introduced H.R. 6869 the Border Search Accountability Act of 2008, that would create and define much-needed guidelines for authorized U.S. agents and any other Department of Homeland Security official authorized to conduct border searches of electronic devices.

Currently federal border agents may conduct border searches and seize travelers' personal laptops and other electronic storage devices without evidence or suspicion of wrongdoing. This bill would strengthen protections for U.S. citizens and their property by establishing specific guidelines concerning the retention, storage, copying and sharing of personally identifiable information that may be contained in seized electronic devices.

"This legislation will ensure that when an individual's property is seized at a U.S. point of entry, there is a well-defined procedure in place that will protect their electronic data - especially information that does not pose a threat to our homeland security," said Sanchez. "My bill also requires the Department of Homeland Security to post information about individuals' rights related to border searches in visible areas near the search points, so that individuals will understand their rights if their property is seized. Finally, my bill establishes a clear-cut process for reporting abuses."

The Border Search Accountability Act of 2008 also ensures that the Trade Secrets Act, the Privacy Act and all other governing rules and regulations pertaining to privileged and personal data such as, attorney- client privileged material, and doctor-patient privileged material will be handled with the utmost discretion.

"I was deeply concerned to learn about the lack of protections individuals' have when their electronic equipment is randomly seized," said Sanchez. "With the passage of the Border Search Accountability Act of 2008, Americans will be able to travel with more peace of mind knowing that their data will be further protected and that there are stringent accountability measures in place for safeguarding their personal information."

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