

HR 1899

Protecting Data at the Border Act

Congress: 115 (2017–2019, Ended)

Chamber: House

Policy Area: Immigration

Introduced: Apr 4, 2017

Current Status: Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.

Latest Action: Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. (Apr 26, 2017)

Official Text: <https://www.congress.gov/bill/115th-congress/house-bill/1899>

Sponsor

Name: Rep. Polis, Jared [D-CO-2]

Party: Democratic • **State:** CO • **Chamber:** House

Cosponsors (24 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Beyer, Donald S., Jr. [D-VA-8]	D · VA		Apr 4, 2017
Rep. Farenthold, Blake [R-TX-27]	R · TX		Apr 4, 2017
Rep. Smith, Adam [D-WA-9]	D · WA		Apr 4, 2017
Rep. Rush, Bobby L. [D-IL-1]	D · IL		Apr 5, 2017
Rep. Cohen, Steve [D-TN-9]	D · TN		Apr 12, 2017
Rep. Gabbard, Tulsi [D-HI-2]	D · HI		Apr 12, 2017
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Apr 24, 2017
Rep. Blumenauer, Earl [D-OR-3]	D · OR		Apr 24, 2017
Rep. DelBene, Suzan K. [D-WA-1]	D · WA		Apr 24, 2017
Rep. Gutierrez, Luis V. [D-IL-4]	D · IL		Apr 24, 2017
Rep. Jayapal, Pramila [D-WA-7]	D · WA		Apr 24, 2017
Rep. Raskin, Jamie [D-MD-8]	D · MD		Apr 24, 2017
Rep. Kilmer, Derek [D-WA-6]	D · WA		Apr 26, 2017
Rep. Veasey, Marc A. [D-TX-33]	D · TX		Apr 26, 2017
Rep. DeSaulnier, Mark [D-CA-11]	D · CA		Apr 28, 2017
Rep. Lieu, Ted [D-CA-33]	D · CA		Apr 28, 2017
Rep. DeGette, Diana [D-CO-1]	D · CO		Jun 20, 2017
Rep. Cicilline, David N. [D-RI-1]	D · RI		Jun 26, 2017
Rep. Lofgren, Zoe [D-CA-19]	D · CA		Jul 27, 2017
Rep. DeFazio, Peter A. [D-OR-4]	D · OR		Sep 5, 2017
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Sep 11, 2017
Rep. Espaillat, Adriano [D-NY-13]	D · NY		Sep 12, 2017
Rep. Shea-Porter, Carol [D-NH-1]	D · NH		Oct 23, 2017
Rep. Takano, Mark [D-CA-41]	D · CA		Jan 3, 2018

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security Committee	House	Referred to	Apr 17, 2017
Judiciary Committee	House	Referred to	Apr 26, 2017

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

Bill	Relationship	Last Action
115 S 823	Identical bill	Jul 11, 2018: Committee on Homeland Security and Governmental Affairs Subcommittee on Federal Spending Oversight and Emergency Management. Hearings held. With printed Hearing: S.Hrg. 115-365.

Summary (as of Apr 4, 2017)

Protecting Data at the Border Act

This bill prohibits a governmental entity from: (1) accessing the digital contents of electronic equipment belonging to, or in the possession of, a U.S. person (person) at the border without a valid warrant; or (2) denying a person's U.S. entry or exit based on the person's refusal to disclose an access credential or in order to determine whether such person will consensually provide an access credential, access, or online account information.

A border officer may access the digital contents of electronic equipment without a warrant if the officer determines that an emergency situation exists. The officer must subsequently apply for a warrant within seven days, and if such warrant is not granted: (1) digital content copies must be destroyed, (2) digital contents or information may not be disclosed, and (3) the person shall be notified of such destruction.

A governmental entity may not make or retain a copy of the digital contents of electronic equipment, an online account, or online account information without probable cause to believe that such information contains evidence of, or constitutes the fruits of, a crime.

Unlawfully accessed information: (1) must be destroyed and the person notified of its destruction; (2) may not be disclosed; and (3) may not be received in evidence in any trial, hearing, or other proceeding.

A governmental entity shall keep a record of each instance in which it obtains access to an individual's digital information.

A governmental entity may not seize electronic equipment belonging to, or in the possession of, a person at the border without probable cause to believe that such equipment contains information relevant to a felony.

Actions Timeline

- **Apr 26, 2017:** Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.
- **Apr 17, 2017:** Referred to the Subcommittee on Border and Maritime Security.
- **Apr 4, 2017:** Introduced in House
- **Apr 4, 2017:** Referred to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.