

S 2957

Protecting Data at the Border Act

Congress: 117 (2021–2023, Ended)

Chamber: Senate

Policy Area: Immigration

Introduced: Oct 7, 2021

Current Status: Read twice and referred to the Committee on the Judiciary.

Latest Action: Read twice and referred to the Committee on the Judiciary. (Oct 7, 2021)

Official Text: <https://www.congress.gov/bill/117th-congress/senate-bill/2957>

Sponsor

Name: Sen. Wyden, Ron [D-OR]

Party: Democratic • **State:** OR • **Chamber:** Senate

Cosponsors (3 total)

| Cosponsor | Party / State | Role | Date Joined |
|-------------------------------|---------------|------|-------------|
| Sen. Markey, Edward J. [D-MA] | D · MA | | Oct 7, 2021 |
| Sen. Merkley, Jeff [D-OR] | D · OR | | Oct 7, 2021 |
| Sen. Paul, Rand [R-KY] | R · KY | | Oct 7, 2021 |

Committee Activity

| Committee | Chamber | Activity | Date |
|---------------------|---------|-------------|-------------|
| Judiciary Committee | Senate | Referred To | Oct 7, 2021 |

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

| Bill | Relationship | Last Action |
|-------------|----------------|---|
| 117 HR 5524 | Identical bill | Nov 1, 2022: Referred to the Subcommittee on Immigration and Citizenship. |

Protecting Data at the Border Act

This bill limits government access to digital information at the border.

A governmental entity may not (1) access the digital contents of electronic equipment of a U.S. person at the border without a warrant, (2) deny such a person's entry into or exit from the United States because the person refused to provide access to digital content on electronic equipment or online account information, (3) delay such a person's entry or exit for more than four hours to determine whether the person will consent to providing access to online information, or (4) seize electronic equipment from a U.S. person without probable cause to believe that such equipment contains information relevant to a felony.

A governmental entity may access the contents of electronic equipment of a U.S. person without a warrant in an emergency. The entity must subsequently apply for a warrant within seven days, and if a warrant is not granted, the seized information must be destroyed and may not be disclosed.

A governmental entity may not make or retain a copy of information accessed under this bill without probable cause to believe that such information relates to a crime.

Information seized in violation of this bill (1) must be destroyed, (2) may not be disclosed, and (3) may not be received in evidence in any trial or government proceeding.

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

Actions Timeline

- **Oct 7, 2021:** Introduced in Senate
- **Oct 7, 2021:** Read twice and referred to the Committee on the Judiciary.