

110TH CONGRESS  
2D SESSION

# H. R. 6588

To preclude searches of laptop computers and similar devices based on the power as sovereign to search at the border or upon entry to the United States.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 23, 2008

Ms. ZOE LOFGREN of California introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To preclude searches of laptop computers and similar devices based on the power as sovereign to search at the border or upon entry to the United States.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Electronic Device Pri-  
5 vacy Act of 2008”.

6 **SEC. 2. BORDER SEARCHES OF LAPTOPS.**

7 (a) **GENERALLY PROHIBITED.**—No person acting  
8 under the authority of the United States shall have any  
9 authority, derived from the power of a sovereign to search

1 at borders or upon entry to the territory of that sovereign,  
2 to require that any person entering the United States sub-  
3 mit to a search of the electronic contents of that person's  
4 laptop computer or similar device.

5 (b) THIS SECTION DOES NOT PROHIBIT SEARCHES  
6 BASED ON OTHER LAWFUL AUTHORITY.—Subsection (a)  
7 shall not be construed to in any way limit or affect any  
8 search based on lawful authority other than the power of  
9 a sovereign to search at borders or upon entry to the terri-  
10 tory of that sovereign.

11 (c) DEFINITION.—As used in this Act, the term  
12 “laptop computer or other similar device” means a com-  
13 puter of the sort generally recognized as being a laptop  
14 computer, and includes any other electronic device nor-  
15 mally used for electronic mail or messaging, or storing  
16 electronic data.

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