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U.S. Customs and

Border Protection

(/)

CBP Statement on Border Search of Electronic Devices

Release Date: October 30, 2019

U.S. Customs and Border Protection (CBP) is tasked with protecting our nation's borders and enforcing numerous laws at U.S. ports of entry. CBP's ability to lawfully inspect electronic devices crossing the border is integral to keeping America safe in an increasingly digital world.

All travelers crossing the United States border are subject to CBP inspection. On rare occasions, CBP officers may search a traveler's mobile phone, computer, camera and other electronic devices during the inspection process. These searches have resulted in evidence helpful in combating terrorist activity, child pornography, drug smuggling, human smuggling, bulk cash smuggling, human trafficking, export control violations, intellectual property rights violations and visa fraud.

CBP has established strict guidelines to ensure that these searches are exercised judiciously, responsibly and consistent with the public trust. CBP expects its employees to conduct their duties in a professional manner and to treat all members of the public with dignity and respect.

Background:

In addition to longstanding federal court precedent recognizing the constitutional authority of the U.S. Government to conduct border searches, numerous federal statutes and regulations also authorize CBP to inspect and examine all individuals and merchandise entering or departing the United States, including all types of personal property, such as electronic devices. See, for example, 8 U.S.C. §§ 1225, 1357 and 19 U.S.C. §§ 482, 507, 1461, 1496, 1499, 1581, 1582. CBP established strict guidelines for conducting border searches of electronic devices in its January 2018 [Directive on Border Searches of Electronic Devices](https://www.cbp.gov/sites/default/files/assets/documents/2018-Jan/CBP-Directive-3340-049A-Border-Search-of-Electronic-Media-Compliant.pdf) (<https://www.cbp.gov/sites/default/files/assets/documents/2018-Jan/CBP-Directive-3340-049A-Border-Search-of-Electronic-Media-Compliant.pdf>).

In Fiscal Year 2019, CBP processed more than 414 million travelers at U.S. ports of entry. During that same period of time, CBP conducted 40,913 border searches of electronic devices, representing .01 percent of arriving international travelers.

Below is a month-to-month comparison for Fiscal Years 2017, 2018 and 2019.

International Travelers Processed with Electronic Device Search

	FY 2017	FY 2018	FY 2019
October	2,561	2,539	3,026
November	2,379	2,446	2,962
December	2,404	2,509	3,365
January	2,760	3,090	3,765
February	2,303	2,512	3,096
March	2,605	2,921	3,526
April	2,275	2,701	3,218
May	2,537	2,764	3,138
June	2,304	2,606	3,480
July	2,359	2,798	3,458
August	3,133	3,320	4,085
September	2,580	3,090	3,794
Total	30,200	33,296	40,913

U.S. Customs and Border Protection is the unified border agency within the Department of Homeland Security charged with the management, control and protection of our nation's borders at and between official ports of entry. CBP is charged with securing the borders of the United States while enforcing hundreds of laws and facilitating lawful trade and travel.

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