

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3846
OFFERED BY MS. LORETTA SANCHEZ OF
CALIFORNIA**

In the proposed section 411(k), add at the end the following:

1 “(5) AUDITS.—The Inspector General of the
2 Department of Homeland Security shall develop and
3 annually administer an auditing mechanism to re-
4 view whether searches of electronic devices at or be-
5 tween United States ports of entry are being con-
6 ducted in conformity with the standard operating
7 procedures required under subparagraph (A) of
8 paragraph (1). Such audits shall be submitted to the
9 appropriate congressional committees and shall in-
10 clude, at a minimum, the following:

11 “(A) A description of the activities of offi-
12 cers and agents of United States Customs and
13 Border Protection with respect to such
14 searches.

15 “(B) The number of such searches.

16 “(C) The number of instances in which in-
17 formation contained in such devices that were

1 subjected to such searches was retained, copied,
2 shared, or entered in an electronic database.

3 “(D) The number of such devices detained
4 as the result of such searches.

5 “(E) The number of instances in which in-
6 formation collected from such device was sub-
7 jected to such searches was transmitted to a
8 another Federal agency, including whether such
9 transmission resulted in a prosecution or con-
10 viction.”.

