



**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503**

April 16, 2024
(House)

STATEMENT OF ADMINISTRATION POLICY

H.R. 4639 – Fourth Amendment Is Not For Sale Act (Rep. Davidson, R-OH, and seven cosponsors)

The Administration strongly opposes H.R. 4639, the Fourth Amendment Is Not For Sale Act. It generally would prohibit the Intelligence Community and law enforcement from obtaining certain commercially available information – subject only to narrow, unworkable exceptions. It does not affect the ability of foreign adversaries or the private sector to obtain and use the same information, thus negating any privacy benefit to U.S. persons while threatening America’s national security.

Responsible access to, and use of, commercially available information is critical to scores of vital missions carried out on behalf of the American people, including: protecting our American personnel and capabilities; understanding the activities and capabilities of foreign governments like the People’s Republic of China; tracking the global shipment of deadly drugs like fentanyl; detecting dangerous cyber threats; assisting the victims of serious crimes like cyberattacks and child exploitation; assessing and disrupting terrorist activity; and more.

The Administration has taken, and continues to take, comprehensive steps to address legitimate privacy concerns related to the unregulated proliferation of commercially available information, including Administration action to protect sensitive health and location information, and President Biden’s recent Executive Order to protect Americans’ sensitive personal data from countries of concern. The Administration looks forward to working with Congress on the responsible collection, retention, and use of commercially available information in ways that protect both privacy and national security.

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