



October 22, 2018

Secretary Kirstjen Nielsen  
Department of Homeland Security  
Washington, D.C. 20528

Dear Secretary Nielsen,

The Committee to Protect Journalists (CPJ) and Reporters Without Borders (RSF), on behalf of the ACOS Alliance, write to request a meeting with you and your staff to discuss journalists' experiences at United States borders that undermine freedom of the press. The ACOS Alliance, which stands for A Culture of Safety, comprises more than 90 leading press freedom and media organizations including CPJ, RSF, Frontline Freelance Register, The Associated Press, Agence France-Presse, and Reuters.

Today, our organizations published a report detailing the extent of secondary screenings by Custom and Border Protection (CBP) agents of journalists who are crossing U.S. borders, including searches of laptops or phones without warrant, and questioning about journalists' reporting and contacts.

Both CPJ and RSF have documented incidents of this nature over the past several years. We have met with DHS and CBP officials in both the Trump and the Obama administrations to discuss our concerns, most recently in August 2017, when we presented draft guidelines recommending how DHS and CBP employees should treat journalists who are flagged for secondary screening at U.S. borders.

Despite requests for a follow-up, your staff has not agreed to a meeting, nor have we seen any meaningful attempt to find a solution to the problems identified or to consult with civil society on revising departmental guidelines.

In recent months, CPJ and RSF sought to gather information about cases of journalists who were either subjected to secondary screening at U.S. borders or who experienced issues obtaining U.S. visas. The results of this inquiry, which form the bases of our new reports, leave us increasingly concerned that searches of journalists' materials and electronic devices and hurdles in their visa process because of past reporting pose serious threats to press freedom and the confidentiality of journalist sources.

As we make our findings public today, we are renewing our request for a follow-up meeting and engagement on these issues by elevating our concerns directly to you. How the U.S.

government treats journalists at its borders has implications beyond the individual reporters who are directly affected; it can impinge on the ability of journalists' ability to protect the confidentiality of their sources and lead to self-censorship, detracting from the public's right to be informed. Furthermore, CBP's searches could serve as justification or even encouragement for seizing journalists' devices in other, often more repressive, countries.

We would appreciate the opportunity to restart the dialogue we began with your colleagues at the Department of Homeland Security last year in order to identify solutions that will protect the American people without risking violation of their First Amendment rights.

We look forward to hearing from you shortly.

Sincerely,

A handwritten signature in black ink, appearing to read "Courtney C. Radsch", with a long horizontal flourish extending to the right.

Courtney C. Radsch  
Advocacy Director  
Committee to Protect Journalists