



April 19, 2024

The Honorable Charles E. Schumer
Majority Leader
United States Senate
Washington, D.C. 20510

The Honorable Mitch McConnell
Minority Leader
United States Senate
Washington, D.C. 20510

Dear Senators Schumer and McConnell,

On behalf of the International Association of Chiefs of Police (IACP) and the Fraternal Order of Police (FOP), we are writing to inform you of our strong and continued opposition to any consideration of H.R. 4639/S. 2576, the “Fourth Amendment Is Not For Sale Act,” as a standalone measure or as amendment to H.R. 7888, the “Reforming Intelligence and Securing America Act.”

The “Fourth Amendment is Not For Sale Act,” which was adopted by the House, will have a devastating effect on the basic ability of law enforcement to conduct investigations into violent crimes like murder, kidnapping, terrorism, and other serious offenses. The legislation would cut off access to vital investigative tools routinely used by law enforcement agencies every day—Constitutional tools that generate leads into crucial and often complex cases. Investigators do this by selectively using third-party data, which is widely available for use for a variety of purposes that have nothing to do with public safety.

If enacted, these provisions would prohibit police agencies from accessing vital data that assists police officers in their routine duties and investigations. The success of police agencies’ crime and violence prevention efforts are highly dependent upon the time sensitive access, analysis, and sharing of effective and actionable information. This legislation would prevent police from accessing critical investigative information that is needed to generate leads, respond quickly to threats, and prevent potential harm to our communities.

For example, the provisions of this legislation will make it more difficult for police agencies to obtain geolocation data posing a significant challenge to police investigations. Geolocation data is an invaluable tool in the ability of police agencies to prevent and solve crimes, locate suspects, and gather crucial evidence. Delaying access to this data hinders the ability police agencies to effectively perform their duties and safeguard public safety.

Without access to this type of data, investigators will not be able to “connect the dots”—to see patterns and establish links between the crime and the perpetrator. By prohibiting access to this commercially available data, Congress would be tying the hands of law enforcement and significantly increasing the time it takes to conduct successful investigations into serious crimes.

The IACP and FOP are not alone in our grave concerns about the impact this legislation will have on the ability of police agencies and officers to safeguard our communities. The Administration opposes the “Fourth Amendment is Not for Sale Act,” and, prior to the House vote, the bipartisan House Law Enforcement Caucus also announced its opposition to the bill and urged its Members to vote no.

On behalf of the membership of the IACP and the FOP we strenuously urge that the Senate reject any and all efforts to enact the “Fourth Amendment is Not For Sale Act,” as a standalone or as an amendment to an underlying bill.

Please do hesitate to contact us if you have any questions.

Sincerely,



Patrick Yoes
National President
Fraternal Order of Police



Wade Carpenter
President
International Association of Chief of Police