

112TH CONGRESS
2^D SESSION

H. R. 5925

To protect individual privacy against unwarranted governmental intrusion through the use of the unmanned aerial vehicles commonly called drones, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 2012

Mr. AUSTIN SCOTT of Georgia introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To protect individual privacy against unwarranted governmental intrusion through the use of the unmanned aerial vehicles commonly called drones, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Preserving Freedom
5 from Unwarranted Surveillance Act of 2012”.

6 **SEC. 2. PROHIBITED USE OF DRONES.**

7 Except as provided in section 3, a person or entity
8 acting under the authority of the United States shall not
9 use a drone to gather evidence or other information per-

1 taining to criminal conduct or conduct in violation of a
2 regulation except to the extent authorized in a warrant
3 issued under the procedures described in the Federal
4 Rules of Criminal Procedure.

5 **SEC. 3. EXCEPTIONS.**

6 This Act does not prohibit any of the following:

7 (1) PATROL OF BORDERS.—The use of a drone
8 to patrol national borders to prevent or deter illegal
9 entry of any immigrants or illegal substances.

10 (2) EXIGENT CIRCUMSTANCES.—The use of a
11 drone by a law enforcement party when exigent cir-
12 cumstances exist. For the purposes of this para-
13 graph, exigent circumstances exist when the law en-
14 forcement party possesses reasonable suspicion that
15 under particular circumstances, swift action to pre-
16 vent imminent danger to life or serious damage to
17 property, or to forestall the imminent escape of a
18 suspect, or destruction of evidence.

19 (3) HIGH RISK.—The use of a drone to counter
20 a high risk of a terrorist attack by a specific indi-
21 vidual or organization, when the Secretary of Home-
22 land Security determines credible intelligence indi-
23 cates there is such a risk.

1 **SEC. 4. REMEDIES FOR VIOLATION.**

2 Any aggrieved party may in a civil action obtain all
3 appropriate relief to prevent or remedy a violation of this
4 Act.

5 **SEC. 5. DEFINITIONS.**

6 In this Act:

7 (1) The term “drone” means any powered, aer-
8 ial vehicle that does not carry a human operator,
9 uses aerodynamic forces to provide vehicle lift, can
10 fly autonomously or be piloted remotely, can be ex-
11 pendable or recoverable, and can carry a lethal or
12 nonlethal payload.

13 (2) The term “law enforcement party” means a
14 person or entity authorized by law to investigate or
15 prosecute offenses against the United States.

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