

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> 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.

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## 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

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## 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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