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(Original Signature of Member)

112TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

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

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

\_\_\_\_\_  
**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

1 use a drone to gather evidence or other information per-  
2 taining to criminal conduct or conduct in violation of a  
3 regulation except to the extent authorized in a warrant  
4 issued under the procedures described in the Federal  
5 Rules of Criminal Procedure.

6 **SEC. 3. EXCEPTIONS.**

7 This Act does not prohibit any of the following:

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

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

20 (3) HIGH RISK .—The use of a drone to  
21 counter a high risk of a terrorist attack by a specific  
22 individual or organization, when the Secretary of  
23 Homeland Security determines credible intelligence  
24 indicates 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.