

113TH CONGRESS  
1ST SESSION

# S. 1016

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 SENATE OF THE UNITED STATES

MAY 22, 2013

Mr. PAUL introduced the following bill; which was read twice and 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 2013”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

8 (1) the term “drone” has the meaning given the  
9 term “unmanned aircraft” in section 331 of the

1 FAA Modernization and Reform Act of 2012 (49  
2 U.S.C. 40101 note); and

3 (2) the term “law enforcement party” means a  
4 person or entity authorized by law, or funded by the  
5 Government of the United States, to investigate or  
6 prosecute offenses against the United States.

7 **SEC. 3. PROHIBITED USE OF DRONES.**

8 Except as provided in section 4, a person or entity  
9 acting under the authority, or funded in whole or in part  
10 by, the Government of the United States shall not use a  
11 drone to gather evidence or other information pertaining  
12 to criminal conduct or conduct in violation of a statute  
13 or regulation except to the extent authorized in a warrant  
14 that satisfies the requirements of the Fourth Amendment  
15 to the Constitution of the United States.

16 **SEC. 4. EXCEPTIONS.**

17 This Act does not prohibit any of the following:

18 (1) PATROL OF BORDERS.—The use of a drone  
19 to patrol national borders to prevent or deter illegal  
20 entry of any persons or illegal substances.

21 (2) EXIGENT CIRCUMSTANCES.—The use of a  
22 drone by a law enforcement party when exigent cir-  
23 cumstances exist. For the purposes of this para-  
24 graph, exigent circumstances exist when the law en-  
25 forcement party possesses reasonable suspicion that

1 under particular circumstances, swift action to pre-  
2 vent imminent danger to the life of an individual is  
3 necessary.

4 (3) HIGH RISK.—The use of a drone to counter  
5 a high risk of a terrorist attack by a specific indi-  
6 vidual or organization, when the Secretary of Home-  
7 land Security determines credible intelligence indi-  
8 cates there is such a risk.

9 **SEC. 5. REMEDIES FOR VIOLATION.**

10 Any aggrieved party may in a civil action obtain all  
11 appropriate relief to prevent or remedy a violation of this  
12 Act.

13 **SEC. 6. PROHIBITION ON USE OF EVIDENCE.**

14 No evidence obtained or collected in violation of this  
15 Act may be admissible as evidence in a criminal prosecu-  
16 tion in any court of law in the United States.

○