

HR 2868

Drone Aircraft Privacy and Transparency Act of 2013

Congress: 113 (2013–2015, Ended)

Chamber: House

Policy Area: Transportation and Public Works

Introduced: Jul 30, 2013

Current Status: Referred to the Subcommittee on Commerce, Manufacturing, and Trade.

Latest Action: Referred to the Subcommittee on Commerce, Manufacturing, and Trade. (Aug 2, 2013)

Official Text: <https://www.congress.gov/bill/113th-congress/house-bill/2868>

Sponsor

Name: Rep. Welch, Peter [D-VT-At Large]

Party: Democratic • State: VT • Chamber: Senate

Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Jones, Walter B., Jr. [R-NC-3]	R · NC		Dec 11, 2013
Rep. Pocan, Mark [D-WI-2]	D · WI		Dec 11, 2013
Rep. O'Rourke, Beto [D-TX-16]	D · TX		Jan 9, 2014
Rep. McGovern, James P. [D-MA-2]	D · MA		Jan 13, 2014

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Aug 2, 2013
Transportation and Infrastructure Committee	House	Referred to	Jul 31, 2013

Subjects & Policy Tags

Policy Area:

Transportation and Public Works

Related Bills

Bill	Relationship	Last Action
113 S 1639	Related bill	Nov 4, 2013: Read twice and referred to the Committee on Commerce, Science, and Transportation.
113 HR 1262	Related bill	Mar 22, 2013: Referred to the Subcommittee on Commerce, Manufacturing, and Trade.

Drone Aircraft Privacy and Transparency Act of 2013 - Amends the FAA Modernization and Reform Act of 2012 to direct the Secretary of Transportation (DOT) to study and identify any potential threats to privacy protections posed by the integration of unmanned aircraft (drone) systems into the national airspace system, including any potential violations of privacy principles.

Directs the Secretary to establish certain procedures to allow for civil operation in the national airspace system of small drone systems that do not meet expedited operational authorization requirements. Requires such procedures to ensure that the integration of drone systems into the national airspace system is done in compliance with privacy principles.

Prohibits the Secretary from approving, issuing, or awarding any certificate, license, or other grant of authority to operate a drone system in the national airspace system unless the application for it includes a data collection statement, meeting certain requirements, that provides reasonable assurance that the applicant will operate the drone system in accordance with privacy principles. Applies the same privacy principles requirement to any drone system to be operated by a law enforcement agency or a law enforcement agency contractor or subcontractor, except that the application for it shall include a data minimization statement, meeting certain requirements, instead of a data collection statement.

Directs the Administrator of the Federal Aviation Administration (FAA) to make any approved certificate, license, or other grant of authority, plus other specified information, available in a searchable format on the public FAA website.

Prohibits a public agency, entity, or individual officially representing a public agency from using a drone system, or requesting information or data collected by another entity through use of a drone system, for protective activities, or for law enforcement or intelligence purposes, except pursuant to a warrant issued using the procedures described in the Federal Rules of Criminal Procedure (or, in the case of a state court, issued using state warrant procedures) by a court of competent jurisdiction, or as otherwise provided in the Foreign Intelligence Surveillance Act of 1978. Makes an exception to this prohibition in exigent circumstances when a public agency, entity, or representative of the public agency reasonably believes: (1) there is an imminent danger of death or serious physical injury; (2) there is a high risk of a terrorist attack by a specific individual or organization, according to the Secretary of Homeland Security (DHS); or (3) a search and rescue mission is appropriate.

Makes it unlawful to operate a drone system in a manner that is not in accordance with the terms of a data collection statement or in a manner violating any portion of the final rule for the procedures for civil operation of small drone systems required by this Act. Grants enforcement authority to the Federal Trade Commission (FTC).

Authorizes a state to bring a civil action on behalf of state residents in state or U.S. district court for injunctive relief against violations of this Act or related regulations if the state attorney general has reason to believe that an interest of state residents has been or is threatened or adversely affected by a prohibited act or practice.

Creates a private right of action in state or U.S. district court for persons injured by a prohibited act.

Allows a suit against a governmental entity.

Requires the FAA to revoke the certificate, license, or other grant of authority to operate a drone system operated in a prohibited manner.

Declares that nothing in this Act may be construed to apply to model aircraft flown strictly for hobby or recreational purposes and meeting certain other criteria.

## Actions Timeline

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- **Aug 2, 2013:** Referred to the Subcommittee on Commerce, Manufacturing, and Trade.
- **Jul 31, 2013:** Referred to the Subcommittee on Aviation.
- **Jul 30, 2013:** Introduced in House
- **Jul 30, 2013:** Referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.