

## HR 1385

Preserving American Privacy Act of 2015

**Congress:** 114 (2015–2017, Ended)

**Chamber:** House

**Policy Area:** Crime and Law Enforcement

**Introduced:** Mar 17, 2015

**Current Status:** Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.

**Latest Action:** Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. (Mar 31, 2015)

**Official Text:** <https://www.congress.gov/bill/114th-congress/house-bill/1385>

### Sponsor

**Name:** Rep. Poe, Ted [R-TX-2]

**Party:** Republican • **State:** TX • **Chamber:** House

### Cosponsors (8 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Crawford, Eric A. "Rick" [R-AR-1]	R · AR		Mar 17, 2015
Rep. Hensarling, Jeb [R-TX-5]	R · TX		Mar 17, 2015
Rep. Jeffries, Hakeem S. [D-NY-8]	D · NY		Mar 17, 2015
Rep. Lofgren, Zoe [D-CA-19]	D · CA		Mar 17, 2015
Rep. Lummis, Cynthia M. [R-WY-At Large]	R · WY		Mar 17, 2015
Rep. Pearce, Stevan [R-NM-2]	R · NM		Mar 17, 2015
Rep. Salmon, Matt [R-AZ-5]	R · AZ		Mar 17, 2015
Rep. Labrador, Raul R. [R-ID-1]	R · ID		May 26, 2015

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Mar 31, 2015

### Subjects & Policy Tags

**Policy Area:**

Crime and Law Enforcement

### Related Bills

*No related bills are listed.*

## Preserving American Privacy Act of 2015

Amends the federal criminal code to require a governmental entity operating a public unmanned aircraft system to minimize the collection or disclosure of covered information. Defines "covered information" as: (1) information that is reasonably likely to enable identification of an individual, or (2) information about an individual's property that is not in plain view.

Requires such entity to submit to the Attorney General, with an application for a certificate or license to operate such a system in national airspace, a data collection statement that describes the purpose for which the system will be used, the length of time the collected information will be retained, the entity responsible for operating the system, the data minimization policies barring the collection of information unrelated to the investigation and requiring the destruction of information that is no longer relevant, and applicable audit and oversight procedures. Authorizes the Attorney General to request that the Secretary of Transportation revoke such a certificate or license if the operator's activity contravenes such statement. Directs the Attorney General to issue regulations to establish a database indexing such certificates, licenses, and statements.

Prohibits a government entity from operating a public unmanned aircraft system and collecting or disclosing covered information for a law enforcement purpose, except: (1) pursuant to a warrant or court order meeting specified requirements; (2) for the purpose of patrolling or securing the border within 25 miles from any external land boundary of the United States; (3) with the prior written consent of the individual to whom the covered information pertains; or (4) where an emergency situation exists that involves immediate danger of death or serious physical injury to any person, or conspiratorial activities threatening the national security interest or characteristic of organized crime, and that requires action before a warrant or order can be obtained. Bars covered information obtained otherwise from being received as evidence in any trial, hearing, or other proceeding.

Requires federal judges and state and local prosecuting attorneys to report on such warrants or orders issued or denied each year to the Administrative Office of the United States Courts, which shall report a summary of such information to Congress.

Provides for administrative discipline proceedings when there is a serious question about whether a U.S. officer or employee acted intentionally with respect to a violation of this Act.

Prohibits: (1) intentionally operating a private unmanned aircraft system to capture, in a manner that is highly offensive to a reasonable person, any type of visual image, sound recording, or other physical impression of an individual engaging in personal or familial activity under circumstances in which the individual had a reasonable expectation of privacy; and (2) any investigative or law enforcement officer or private individual from operating an unmanned aircraft system that is armed with a firearm within U.S. airspace.

## Actions Timeline

- **Mar 31, 2015:** Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.
- **Mar 17, 2015:** Introduced in House
- **Mar 17, 2015:** Referred to the House Committee on the Judiciary.