

**AMENDMENT TO H.R. 4**  
**OFFERED BY MR. WELCH OF VERMONT**

At the end of title III, insert the following:

1 **SEC. 3** \_\_\_\_ . **UNMANNED AIRCRAFT SYSTEMS PRIVACY POL-**  
2 **ICY.**

3 (a) **POLICY.**—It is the policy of the United States  
4 that the operation of any unmanned aircraft or unmanned  
5 aircraft system shall be carried out in a manner that re-  
6 spects and protects personal privacy consistent with the  
7 United States Constitution and Federal, State, and local  
8 law.

9 (b) **SENSE OF CONGRESS.**—It is the sense of Con-  
10 gress that—

11 (1) each person that uses an unmanned aircraft  
12 system for compensation or hire, or in the further-  
13 ance of a business enterprise, except for news gath-  
14 ering, should have a written privacy policy consistent  
15 with subsection (a) that is appropriate to the nature  
16 and scope of the activities regarding the collection,  
17 use, retention, dissemination, and deletion of any  
18 data collected during the operation of an unmanned  
19 aircraft system;

1           (2) each privacy policy described in paragraph  
2           (1) should be periodically reviewed and updated as  
3           necessary; and

4           (3) each privacy policy described in paragraph  
5           (1) should be publicly available.

6           (c) FEDERAL TRADE COMMISSION AUTHORITY.—A  
7 violation of a privacy policy by a person that uses an un-  
8 manned aircraft system for compensation or hire, or in  
9 the furtherance of a business enterprise, in the national  
10 airspace system shall be an unfair and deceptive practice  
11 in violation of section 5(a) of the Federal Trade Commis-  
12 sion Act (15 U.S.C. 45(a)).

13          (d) COMMERCIAL AND GOVERNMENTAL OPERA-  
14 TORS.—

15           (1) IN GENERAL.—Except for model aircraft  
16 under section 44808 of title 49, United States Code,  
17 in authorizing the operation of any public unmanned  
18 aircraft system or the operation of any unmanned  
19 aircraft system by a person conducting civil aircraft  
20 operations, the Administrator of the Federal Avia-  
21 tion Administration, to the extent practicable and  
22 consistent with applicable law and without compro-  
23 mising national security, homeland defense, or law  
24 enforcement, shall make the identifying information  
25 in paragraph (2) available to the public via an easily

1       searchable online database. The Administrator shall  
2       place a clear and conspicuous link to the database  
3       on the home page of the Federal Aviation Adminis-  
4       tration's Web site.

5               (2) CONTENTS.—The database described in  
6       paragraph (1) shall contain the following:

7               (A) The name of each individual, or agen-  
8       cy, as applicable, authorized to conduct civil or  
9       public unmanned aircraft systems operations  
10      described in paragraph (1).

11              (B) The name of each owner of an un-  
12      manned aircraft system described in subpara-  
13      graph (A).

14              (C) The expiration date of any authoriza-  
15      tion related to a person identified in subpara-  
16      graph (A) or subparagraph (B).

17              (D) The contact information for each per-  
18      son identified in subparagraphs (A) and (B),  
19      including a telephone number and an electronic  
20      mail address, in accordance with applicable pri-  
21      vacy laws.

22              (E) The tail number or specific identifica-  
23      tion number of all unmanned aircraft author-  
24      ized for use that links each unmanned aircraft  
25      to the owner of that aircraft.

1 (F) For any unmanned aircraft system, ex-  
2 cept those operated for news gathering activi-  
3 ties protected by the First Amendment to the  
4 Constitution of the United States, that will col-  
5 lect personally identifiable information about in-  
6 dividuals, including the use of facial recogni-  
7 tion—

8 (i) the circumstance under which the  
9 system will be used;

10 (ii) the specific kinds of personally  
11 identifiable information that the system  
12 will collect about individuals; and

13 (iii) how the information referred to  
14 in clause (ii), and the conclusions drawn  
15 from such information, will be used, dis-  
16 closed, and otherwise handled, including—

17 (I) how the collection or retention  
18 of such information that is unrelated  
19 to the specific use will be minimized;

20 (II) under what circumstances  
21 such information might be sold,  
22 leased, or otherwise provided to third  
23 parties;

24 (III) the period during which  
25 such information will be retained;

1 (IV) when and how such informa-  
2 tion, including information no longer  
3 relevant to the specified use, will be  
4 destroyed; and

5 (V) steps that will be used to  
6 protect against the unauthorized dis-  
7 closure of any information or data,  
8 such as the use of encryption methods  
9 and other security features.

10 (G) With respect to public unmanned air-  
11 craft systems—

12 (i) the locations where the unmanned  
13 aircraft system will operate;

14 (ii) the time during which the un-  
15 manned aircraft system will operate;

16 (iii) the general purpose of the flight;  
17 and

18 (iv) the technical capabilities that the  
19 unmanned aircraft system possesses.

20 (3) RECORDS.—Each person described in para-  
21 graph (2)(A), to the extent practicable without com-  
22 promising national security, homeland defense, or  
23 law enforcement shall maintain and make available  
24 to the Administrator for not less than 1 year a  
25 record of the name and contact information of each

1 person on whose behalf the unmanned aircraft sys-  
2 tem has been operated.

3 (4) DEADLINE.—The Administrator shall make  
4 the database available not later than 1 year after the  
5 date of enactment of this Act.

6 (e) ANALYSIS OF CURRENT REMEDIES UNDER FED-  
7 ERAL, STATE, AND LOCAL JURISDICTIONS.—Not later  
8 than 1 year after the date of enactment of this Act, the  
9 Comptroller General of the United States shall conduct  
10 and submit to the appropriate committees of Congress a  
11 review of the privacy issues and concerns associated with  
12 the operation of unmanned aircraft systems in the na-  
13 tional airspace system that—

14 (1) examines and identifies the existing Fed-  
15 eral, State, or local laws, including constitutional  
16 law, that address an individual's personal privacy;

17 (2) identifies specific issues and concerns that  
18 may limit the availability of existing civil or criminal  
19 legal remedies regarding inappropriate operation of  
20 unmanned aircraft systems in the national airspace  
21 system;

22 (3) identifies any deficiencies in current Fed-  
23 eral, State, or local privacy protections; and

1           (4) recommends legislative or other actions to  
2           address the limitations and deficiencies identified in  
3           paragraphs (2) and (3).

