

SEC. 8. JUSTICE.

The Congress, acting jointly through its Justice Committees, shall appoint a special prosecutor to undertake an investigation of apparent violations of United States and International Law with respect to United States operation of weaponized and surveillance drones since 2002 and to undertake appropriate indictments based on her/his findings. All findings will be made public.

SEC. 9. INTERNATIONAL RESPONSIBILITIES.

The United States will immediately begin negotiations with other nations to achieve an international ban on weaponized drones and drone surveillance.

(e) Environmental Observation -

(1) The Departments of Commerce, the Interior, Agriculture and the Environmental Protection Agency may maintain a limited number of drones solely for the purpose of observation of atmospheric conditions, environmental features and conditions including but not limited to geological formations and changes, crop conditions, animal, bird and fish populations, and oceans, and may contract with private entities for drone research as necessary.

(2) Private entities may undertake environmental observation with drones with the permission of the Federal Aviation Administration and appropriate the federal department or agency and subject to the conditions for use described below.

(f) Conditions for Use -

(1) Notification - With respect to items (a) through (e) above, the geographic areas over which drone operations are to be conducted will be made known to the public 24 hours in advance of the operations, unless in an emergency, and immediately upon cessation of said operations.

(2) Drone imaging and other information generated by drones and their operators will be available for public viewing in real time upon demand as will all recordings of images and other data generated. No information generated during these operations may be used in criminal proceedings or intelligence gathering.

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SEC. 10. PERMITTED USES.

(a) Safety research - Drones may be used for the purpose of research into safe operation under supervision of the Federal Aviation Administration (FAA) in six test zones established by the FAA.

(b) Commercial transport. - Drones may be used for the commercial transport of goods under safety standards established by the Federal Aviation Administration, using imaging technology strictly limited to that necessary for the safe operation of these aircraft and imaging and related information shall be part of the “black box” flight recording of each flight and shall be subject to the same laws and regulations governing “black box” information.

(c) Search and Rescue - Each State may maintain one drone for the purposes of search and rescue with each search and rescue operation limited to two weeks, subject to weekly extensions by the governor of the State.

(d) Hazardous Conditions - The Departments of Commerce and the Interior and the Environmental Protection Agency may maintain a limited number of drones solely for the purpose of gathering information in emergency situations involving weather, fires, chemical and radioactive releases or other similar events creating conditions that would present risks to piloted aircraft.

THERE OUGHT TO BE A LAW AGAINST DRONE KILLING AND DRONE SURVEILLANCE...

AND THIS IS IT!



The bodies of nine men killed in a U.S. drone attack on a wedding party in Yemen in Dec. 2013 are displayed prior to burial near the town of Radda. Photo: Nasser Al-Sane/Repreive

BACKGROUND

The proposed Drone Control Act of 2014 offers a set of legislative goals that not only address current drone attacks and intimidation but also the introduction into the world of weapons that are making war and surveillance unacceptably easy for those possessing them. In terms of weapons development, the drone is arguably more terrifying than the nuclear bomb in its potential for generating war and enabling mass control.

Activists are constantly asked: "Aren't there good uses for drones?" This legislation recognizes that there are tasks in which drones can be helpful and spells out the conditions for the "safe" use drones.

This proposed legislation recognizes drone technology as a revolutionary technology, the use of which needs to be defined and controlled within overarching principles of existing laws.

With respect to existing laws, debate continues on interpretations of U.S. and international laws as they relate to drone warfare and drone surveillance while the drone killing and violation of rights continue. This proposed bill cuts through the debate and asserts interpretations of law that will stop drone killing and the violations of rights and will begin to establish appropriate and inappropriate uses of drone technology.

The proposed bill is intended to speak on behalf of people now under drone attack and drone surveillance and for those of us who want never to have this experience.

As to acceptability within the Congress for the proposed bill, our challenge is to hold Congress accountable to approve laws that are the best that can be had for the protection and benefit of the people. We have an opportunity to make progress precisely because we are in a moment when drone technology is new and its implications are little understood by the general public and politicians. Under these circumstances, the proposed bill provides a strong outline for clarification and education as well as means of stopping the spread of drone killing and drone surveillance.



This photo released by the US Navy shows an X-47B unmanned combat air system (UCAS).

A BILL

To control federal, state and local use of drones.

SECTION 1. SHORT TITLE.

This Act may be cited as the “Drone Control Act of 2014”.

SECTION 2. DEFINITIONS

Drone - Any remotely controlled heavier or lighter than air craft, tethered or untethered, including but not limited to those equipped to capture and record images, heat variations, sound, electronic transmissions, air samples and other data and observations.

Drone surveillance - The use of a drone for monitoring, recording or targeting by video imaging, heat sensing, radar, interception of electronic signals, or other means, the activities, comings and goings and associations of persons, groups and populations.

Weaponized Drones - Drones that carry any weapon, device or substance that is capable of doing any degree of harm to human beings and other living things.

SEC. 3. FINDINGS.

Congress finds that -

(a) Drone surveillance, which enables drone attacks, is a unique technology with an unprecedented “ability to break down any practical privacy safeguards”¹ providing the capability to visually, and through heat sensing and other means, intimately monitor and record the lives of specific persons and groups on a continuous basis over days, weeks and months, and to sweep into its gaze an ever-widening group of people who may in some way be associated with those “targeted” and thus who may become suspect.

(b) The United States conducts or has con-

ducted drone attacks in a number of countries, including Afghanistan, Pakistan, Yemen, Somalia, Iraq, Libya and the Philippines, killing an undetermined number of people since these attacks began in 2002, conducts constant combat patrols with weaponized drones and flies surveillance drones over parts of these and other countries, resulting in fear, anxiety, trauma, hostility; disruption of normal community life, education, work and commerce; and suppression of rights of privacy, freedom of assembly, and free speech.

(c) Drone attacks and/or drone surveillance operations are hostile acts, in violation of international law and the UN Declaration of Human Rights guaranteeing national sovereignty and the rights to life, due process, privacy, freedom of assembly and free speech, and these drone operations can effectively amount to occupation, all of the above amounting to acts of war; none of which have been specifically authorized by the Congress.

(d) Drone attacks and/or drone surveillance operations are hostile acts that have been directed against United States citizens, violating their rights to life, privacy, due process, freedom of assembly, and free speech, acts forbidden by the Constitution.

(e) With respect to due process, there are long-established, effective procedures under international and domestic law to ensure this right in criminal proceedings. U.S. drone attacks in which the President and his subordinates act as judge, jury and executioner violate international and domestic law and create a sense of lawlessness that fosters violence.

(f) The President has been unwilling to provide to the Congress and the public critical information on drone attacks and directives governing these attacks.

(g) The use of weaponized drones and drone surveillance against persons, groups and populations presents an unacceptable risk with respect to ease of: (1) conducting assassinations and executions; (2) embarking on covert and open

war and prolonging war and hostilities; (3) attempts to intimidate and control individuals, groups and populations; (4) creating atmospheres of suspicion, anger, revenge, belligerence, militancy and provocation toward violence.

(h) Warrants allowing drone surveillance by law enforcement agencies do not offer adequate privacy protection for those who may come in contact with the person targeted by the warrant in the course of drone surveillance.

(i) Production and deployment of weaponized and surveillance drones is spreading rapidly around the world.

(j) Drone technology may be useful in: commercial transport; search and rescue operations; monitoring dangerous weather and other hazards; study of environmental factors and other non-military/non-law enforcement uses in which video imaging of persons, groups and populations is expressly prohibited and all imaging used by drones is immediately open to public review, whether undertaken by government or private entities.

SEC. 4. CEASING ALL DRONE ATTACKS AND DRONE SURVEILLANCE.

(a) The United States shall immediately cease all drone attack and drone surveillance operations by every department, agency and/or government contractor and discontinue any joint drone attack or surveillance operations being conducted in cooperation with other governments.

(b) Existing weaponized drones will be dismantled and recycled, and United States military drone control bases inside and outside the United States will be dismantled and removed. Weaponized drones possessed by state and local agencies will be disposed of/recycled, and the Federal government will reimburse these agencies for purchases of any such drones encouraged or required by the Federal government.

(c) All state and local government agencies

and private individuals and entities are prohibited from possessing weaponized drones and are strictly prohibited from undertaking drone surveillance.

SEC. 5. CEASING PRODUCTION AND EXPORT AND IMPORT OF WEAPONIZED DRONES AND SURVEILLANCE DRONES.

(a) The United States will immediately stop all funding for research, development and production of weaponized drones and drones designed specifically for surveillance.

(b) Production of weaponized drones and surveillance drones by any public or private entity is prohibited, as is the import and export of these devices and/or parts thereof.

SEC. 6. DISCLOSURE.

(a) All federal departments and agencies shall release to the public all records, including video recordings, for all drone attack and surveillance operations since 2002; this shall include any and all documents detailing specific instances of coordination between operators of drones and the National Security Agency.

(b) The President shall make available to the Congress and the public any and all documents relating to United States international and domestic drone operations held by the Office of the President, including but not limited to, all approvals for drone attacks and surveillance, legal findings related to drone operations, casualty reports, and evaluations.

SEC. 7. INDEMNIFICATION.

The United States will undertake to identify the immediate family members of every person, including United States citizens, killed or wounded in United States drone attacks since 2002, and will indemnify them in amounts to be established by panels of indigenous aid and human rights agencies.

¹ *Drones in Domestic Surveillance Operations: Fourth Amendment Implications and Legislative Response*. Congressional Research Service - April 3, 2013.