



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

October 21, 2022

MEMORANDUM

To: Assistant Secretaries
Bureau Heads

From: Lisa Branum
Deputy Assistant Secretary
Public Safety, Resource Protection, and Emergency Management

Subject: Updated Uncrewed Aircraft Systems (UAS) operations and procurement policy

1. PURPOSE

This memorandum establishes current policy for the operation and procurement of Uncrewed Aircraft Systems (UAS) at the Department, including the resumption of all non-emergency UAS flights, the procurement of non-covered UAS, and the adoption of UAS terminology consistent with executive branch guidance. This policy is informed by the Department's completion of a comprehensive review of the UAS program, as required by Secretary's Order (SO) 3379, and addresses the Department's critical need for UAS capabilities while also ensuring that requisite security measures and related mitigations are met pursuant to Executive Order (EO) 13981.

2. AUTHORITY

The Assistant Secretary for Policy, Management and Budget (AS-PMB) discharges the authority of the Secretary for Departmental management with the assistance of Deputy Assistant Secretaries (DAS) who oversee PMB offices (112 DM 1). SO 3379 specifically authorized the AS-PMB to carry out the requirements of that order and to redelegate such authority as appropriate; the AS-PMB redelegated this authority to the DAS for Public Safety, Resource Protection, and Emergency Services. PMB's Office of Aviation Services (OAS) is responsible for interpreting, developing, amending, and issuing Department-wide aviation management program policies (112 DM 12).

3. BACKGROUND

On January 29, 2020, the Department issued SO 3379, "Temporary Cessation of Non-Emergency Unmanned Aircraft Systems Fleet Operations," in order to "better ensure the cybersecurity and supply of American technology of [UAS]." To meet this purpose, SO 3379, pending the completion of an ongoing review, grounded the Department's fleet of UAS (with the exception of emergency operations for missions such as wildland fire or search and rescue) and prohibited additional procurement of "designated" UAS. Per SO 3379's direction, AS-PMB released implementing guidance related to SO 3379 over the course of the year, including the definition of "designated UAS" and a waiver process for non-emergency flights to be reviewed by a Departmental UAS Advisory Board.

The following year on January 18, 2021, the White House issued EO 13981, “Protecting the United States From Certain Unmanned Aircraft Systems,” to similarly ensure “the security of [UAS]” and to prevent the use of taxpayer dollars to procure UAS that present “unacceptable risks.” EO 13981 specifically directed agencies to review whether they could cease procuring “covered UAS.” Under EO 13981’s controlling definition, a majority of the Department’s current UAS fleet are considered covered UAS. Given this classification, and SO 3379’s grounding order pending the completion of an ongoing review, the Department reviewed its UAS program to ascertain potential security risks and identify any measures that might sufficiently mitigate those risks.

On May 30, 2021, the Department’s Executive Aviation Committee (EAC) and related subcommittee completed a comprehensive review of the DOI UAS Program. In a 95-page report outlining its findings and recommendations, the EAC concluded that the Department’s thorough and rigorous defense-in-depth security strategy, which includes overlapping technical, policy, training, and oversight components, sufficiently mitigates potential risks posed by the current fleet of covered UAS. It further found that the Department’s generally “benign” operating environment, largely accessible to the public and typically removed from populated areas or areas of national security interest, created a primarily low security risk mission environment for the operation of covered UAS. These factors, taken together, mitigate the security risk of the fleet as currently understood to an acceptable level.

The Department issues this policy after careful review of the EAC’s findings, executive guidance, and the benefits of UAS operations for the Department and its missions, including critical emergency, natural hazard, and science-related mission efficiencies as well as improving employee safety and dramatically reducing Department costs.

4. POLICY

Consistent with SO 3379 and the findings of the EAC’s comprehensive review, as well as EO 13981’s direction to prevent unacceptable risks and to consider ceasing procurement of covered UAS, the Department will resume operation of all DOI-mission appropriate UAS flights by the existing fleet and authorize procurement of appropriate non-covered UAS to diversify its fleet and further mitigate potential risk.

The Department will also adopt the EO 13981 terms and definitions related to covered UAS and will no longer use the term “designated UAS.” Further, Operational Procedures Memorandum 11 ([OPM-11](#)) will be the central Departmental policy governing the use and procurement of UAS. OAS will revise OPM-11 to reflect this updated policy. The process for approving cooperator/affiliate UAS operators remains within [351 DM 4](#), and the OAS UAS Division Chief is responsible for evaluating cooperator approval requests. This memorandum supersedes all previous AS-PMB Departmental and bureau guidance related to SO 3379.

5. IMPLEMENTATION

5.1 OPERATIONS

DOI bureaus and offices possessing “covered” fleet UAS may perform all DOI missions deemed appropriate for UAS. Additional Departmental UAS policy is provided within [OPM-11](#) and

subordinate, respective bureau policy. OAS, in collaboration with the bureaus, will revise OPM-11 as necessary to implement the directives provided in this policy.

Heads of Bureaus/Offices shall also comply with the following requirements:

1. Limit Department funds from being expended for covered UAS.
2. Condition all Department contracts, grants, and cooperative agreements relying on UAS for achieving approved objectives on the requirement that funds will not be expended on covered UAS.
3. Condition all parties' operations pursuant to a department contract, grant or cooperative agreement on the requirement that covered UAS will not be operated on Department-managed lands.
4. Execute their responsibilities under this Order consistent with guidance from AS-PMB.

5.2 PROCUREMENT

The Department allows the procurement of appropriate “non-covered” UAS to meet bureau mission requirements. Procurement of OAS-approved non-covered UAS must follow the procedures outlined in OPM-11.

6. TERMS AND DEFINITIONS

The term “covered UAS” as defined in EO 13981, and adopted for official use by the Department moving forward, means any UAS that:

- (i) is manufactured, in whole or in part, by an entity domiciled in an adversary country.
- (ii) uses critical electronic components installed in flight controllers, ground control system processors, radios, digital transmission devices, cameras, or gimbals manufactured, in whole or in part, in an adversary country (as defined by the Department of Commerce and referenced in OPM-11.)
- (iii) uses operating software (including cell phone or tablet applications, but not cell phone or tablet operating systems) developed, in whole or in part, by an entity domiciled in an adversary country.
- (iv) uses network connectivity or data storage located outside the United States, or administered by any entity domiciled in an adversary country; or
- (v) contains hardware and software components used for transmitting photographs, videos, location information, flight paths, or any other data collected by the UAS manufactured by an entity domiciled in an adversary country.
- (vi) The term “critical electronic component” means any electronic device that stores, manipulates, or transfers digital data. The term critical electronic component does not include, for example, passive electronics such as resistors, and non-data transmitting motors, batteries, and wiring.

cc: Walker Craig, Acting Director, Office of Aviation Services