



## U.S. Department of the Interior

### *“Designated UAS” Assessment Guide*

**Purpose:** This guide is intended to provide a clear and easy way to determine whether a candidate UAS meets the definition of a “Designated UAS.” In doing so, it provides Department and bureau leadership with important information necessary to ensure compliance with Secretary’s Order (SO) 3379 of January 29, 2020. This guide can be shared with prospective parties interested in entering into future contracts, grants, or cooperative agreements to operate UAS on Department-managed lands as a method to determine whether they comply with the requirements of SO 3379.

**Background:** SO 3379 requires heads of DOI bureaus and offices to the maximum extent practicable: **(1)** limit Department funds from being expended for Designated 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 Designated UAS, **(3)** condition all parties' operations pursuant to a Department contract, grant or cooperative agreement on the requirement that Designated UAS will not be operated on Department-managed lands, and **(4)** execute their responsibilities under this Order consistent with guidance from the Assistant Secretary for Policy, Management and Budget (AS PMB). On May 8, 2020, in accordance with SO 3379 AS PMB issued implementation guidance on the definition of “Designated UAS” as it is used in SO 3379.

#### References:

(1) Secretary’s Order 3379 of January 29, 2020:

<https://www.doi.gov/sites/doi.gov/files/elips/documents/signed-so-3379-uas-1.29.2020-508.pdf>

(2) AS PMB Memorandum: “Designated UAS” under Secretary’s Order 3379 of May 8, 2020:

<https://www.doi.gov/sites/doi.gov/files/uploads/memorandum-5-8-20-designated-uas-under-secretarys-order-3379.pdf>

#### Definitions:

**UAS** - An unmanned aircraft system (UAS) is an “aircraft” as defined in the FAA’s authorizing statutes and is therefore subject to regulation by the FAA. 49 U.S.C. § 40102(a)(6) defines an “aircraft” as “any contrivance invented, used, or designed to navigate or fly in the air.” The FAA’s regulations (14 C.F.R. § 1.1) similarly define an “aircraft” as “a device that is used or intended to be used for flight in the air.” Because an unmanned aircraft is a contrivance/device that is invented, used, and designed to fly in the air, it meets the definition of “aircraft.” As a UAS is defined and operates as a system that includes the vehicle, ground control station (GCS), payload, and onboard and offboard data processing capabilities, the below questions should be answered within this context.

**Covered Foreign Entity** - "Covered foreign entity" means any foreign country that is engaged in conduct determined to pose a national security risk to the United States or its allies, any political party, subsidiary, or affiliate of such a foreign country, or any corporation, subsidiary of a corporation, or other entity that is subject to influence or control from the government of such a foreign county. In addition to the above, "Covered foreign entity" also includes the People’s Republic of China (PRC), any political party, subsidiary, or affiliate of the PRC, and any corporation, subsidiary of a corporation, or other entity that is subject to influence or control from the PRC. Entities identified as a "covered foreign entity" may

be expanded, in consultation with relevant federal agencies as appropriate, and identified in updated guidance.

**“Designated UAS” Questions:**

1. Is the UAS manufactured in whole or in part by a covered foreign entity?

YES \_\_\_\_\_ NO \_\_\_\_\_

2. Does the UAS use printed circuit boards manufactured in whole or in part by a covered foreign entity?

YES \_\_\_\_\_ NO \_\_\_\_\_

3. Does the UAS use flight controller modules manufactured in whole or in part by a covered foreign entity?

YES \_\_\_\_\_ NO \_\_\_\_\_

4. Does the UAS use sensors manufactured in whole or in part by a covered foreign entity?

YES \_\_\_\_\_ NO \_\_\_\_\_

5. Does the UAS use radios manufactured in whole or in part by a covered foreign entity?

YES \_\_\_\_\_ NO \_\_\_\_\_

6. Does the UAS use cameras manufactured in whole or in part by a covered foreign entity?

YES \_\_\_\_\_ NO \_\_\_\_\_

7. Does the UAS use gimbals manufactured in whole or in part by a covered foreign entity?

YES \_\_\_\_\_ NO \_\_\_\_\_

8. Does the UAS (including the GCS) contain hardware and software necessary for collecting, storing, and transmitting photographs, videos, location information, flight paths, or any other data collected by the drones that is traceable in whole or in part to a covered foreign entity?

YES \_\_\_\_\_ NO \_\_\_\_\_

**NOTE:** If you answered YES to any of these questions, then you are dealing with a "Designated UAS."

**Point of Contact**

Name: \_\_\_\_\_

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