U.S. Department of the Interior

"Covered 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 "Covered UAS." In doing so, it provides Department and bureau leadership with important information necessary to ensure compliance with Secretarial Order (SO) 3379 of January 29, 2020 and follow-on guidance issued via DAS-PRE memorandum issued on October 20, 2022 and Executive Order (EO) 13981. 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 the UAS comply with the requirements of SO 3379 and EO 13981.

Background: SO 3379 and the follow-on DAS-PRE Memorandum issued on October 20th, 2022 requires heads of DOI bureaus and offices to: **(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, and **(4)** execute their responsibilities under this Order consistent with guidance from the Assistant Secretary for Policy, Management and Budget (AS PMB). On October 20, 2022, in accordance with SO 3379 and EO 13981, AS PMB issued implementation guidance on the definition of "covered UAS."

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) Executive Order 13981

https://www.federalregister.gov/documents/2021/01/22/2021-01646/protecting-the-united-states-from-certain-unmanned-aircraft-systems

(3) AS PMB Memorandum: "Covered UAS" under Secretary's Order 3379 of October 20,2022:
SO Update and OAS-28 Information Bulletin.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 UAS - 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.

Critical Electronic Component - 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.

"Covered UAS" Questions:

1. Is the UAS manufactured, in whole or in part, by an entity domiciled in an adversary country?

YES_____ NO_____

2. Does the UAS use printed circuit boards manufactured by an entity domiciled in an adversary country?

YES_____ NO_____

3. Does the UAS use flight controller modules manufactured by an entity domiciled in an adversary country

YES_____ NO_____

4. Does the UAS use sensors manufactured by an entity domiciled in an adversary country?

YES_____ NO_____

5. Does the UAS use radios manufactured by an entity domiciled in an adversary country?

YES_____ NO_____

6. Does the UAS use cameras manufactured by an entity domiciled in an adversary country?

YES_____ NO_____

7. Does the UAS use gimbals manufactured by an entity domiciled in an adversary country?

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 by an entity domiciled in an adversary country?

YES_____ NO_____

Please Identify:

Critical Electronic Components	Country of Origin	Make	Model
Flight controller			
Ground control system/processor			
Radios			
Digital transmission devices			
Cameras			
Gimbal			

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

Departmental personnel that have questions regarding what is and what is not a covered UAS should contact their national aviation manager for assistance.

Point of Contact

Name: _____

Agency / Company: _____

Email & Phone: _____