



THE SECRETARY OF THE INTERIOR
WASHINGTON

ORDER NO. **3379**

Subject: Temporary Cessation of Non-Emergency Unmanned Aircraft Systems Fleet Operations

Sec. 1 Purpose. This Order is intended to better ensure the cybersecurity and supply of American technology of unmanned aircraft systems (UAS) procured for use and operation in support of the Department of the Interior's (Department) mission. Protecting America's national treasures and critical resources requires a sustained effort to securely access, collect, and maintain information, much of which is sensitive.

Sec. 2 Scope. This Order applies to all Bureaus/Offices. As used herein, the term "unmanned aircraft systems" encompasses unmanned aerial systems, drones, and similar technology, including component parts, that are remotely controlled and subject to Federal Aviation Administration regulations. It covers activities conducted in furtherance of the Department's mission, using Department funds, or for purposes identified in a cooperative agreement, contract, grant, or other agreement between the Department and another party. Designated components of UAS include and are not limited to hardware and software components necessary for collecting, storing, and transmitting data or similar information.

Sec. 3 Authority. This Order is issued under the authority of 41 U.S.C. § 3304(a)(3); the Federal Acquisition Regulation, 48 C.F.R. 6.302-3; 2 C.F.R. 200.300; and section 2 of Reorganization Plan No. 3 of 1950 (64 Stat.1262), as amended.

Sec. 4 Background. The Department invested in a fleet of UAS to help meet its multiple statutory obligations. These obligations vary, but at times they include emergency management, fighting wildland fires, conducting search and rescue, surveying Federal land, collecting research data, and assisting law enforcement, among others. The Department has been a leader in deploying UAS to better achieve its goals. These efforts include assessing, collecting, and maintaining information that relates to our critical American energy, transportation, and defense infrastructure. In certain circumstances, information collected during UAS missions has the potential to be valuable to foreign entities, organizations, and governments.

The President has identified additional UAS considerations. On June 10, 2019, Presidential Determination No. 2019-13, pursuant to the Defense Production Act, determined that the "domestic production capability for small unmanned aerial systems is essential to the national defense." With this Order, the Department is taking action to ensure that our minimum procurement needs account for such concerns, which include cybersecurity, technological considerations, and facilitating domestic production capability. Pending further guidance based on completion of an ongoing review, the fleet is grounded with the exception of emergency operations described in guidance to be issued by the Assistant Secretary – Policy, Management and Budget (AS – PMB).

Sec. 5 Implementation.

a. AS – PMB is responsible for:

(1) Issuing any necessary implementing guidance within thirty (30) days of the date of this Order. The AS – PMB shall consult with other Federal agencies possessing relevant expertise to develop guidance, as deemed appropriate and necessary, and establish procedures to identify Designated UAS, which are UAS manufactured by designated foreign-owned companies or UAS with designated foreign-manufactured components.

(2) Determining any required reporting.

(3) Approving any deviations or waivers from this Order.

b. Heads of Bureaus/Offices. In order to better ensure that the Department's minimum needs properly account for American technology and cybersecurity concerns and are based on the foregoing considerations, heads of affected Bureaus/Offices shall immediately take the following actions, consistent with governing laws, regulations, and policy and 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.

(4) Execute their responsibilities under this Order consistent with guidance from AS – PMB.

Sec. 6 Delegation of Authority. The AS – PMB is delegated authority to carry out the requirements of this Order. This authority may be redelegated as appropriate.

Sec. 7 Expiration Date. This Order is effective immediately. It will remain in effect until its provisions are converted to the Departmental Manual or until it is amended, superseded, or revoked, whichever occurs first.



Secretary of the Interior

Date: **JAN 29 2020**