



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Washington, D.C. 20240

National Policy Memorandum

Office of Trust Services
Division of Forestry and Wildland Fire Management

Number: NPM-TRUS-39 A1

Effective: 9/07/2021

Expires: 9/07/2022

Title: Amended Guidance under Secretary's Order Number 3379 regarding Unmanned Aircraft Systems (UAS) – Amendment 1

1. Purpose

The purpose of this memorandum is to extend NPM-TRUS-39, Notification of Secretary's Order Number 3379 and the Process for Submitting Waiver Requests for Emergency Unmanned Aircraft Systems (UAS) for an additional year, but with updated information from the Department of the Interior (DOI).

In January 2020, the DOI issued [Secretary's Order \(SO\) Number 3379](#), which required stopping all non-emergency UAS operations across all DOI bureaus/offices. The cessation applied to "designated UAS," which encompasses unmanned aircraft systems, drones, and similar technology, including component parts that are manufactured by designated foreign-owned companies or UAS with designated foreign-manufactured components. Subsequent Departmental guidance included the process for requesting waivers in the event that emergency operations or training required the use of DOI UAS ("[Implementation Guidance on Secretary's Order 3379](#)", January 31, 2020). In March 2021, the Department streamlined this guidance and released the "[Amended Guidance under Secretary's Order 3379](#)". This policy memorandum is being updated to reflect the revised Departmental guidance.

2. Scope

This policy applies to all offices under the authority of the Office of the Assistant Secretary – Indian Affairs (AS-IA), including the Bureau of Indian Affairs (BIA) and the Bureau of Indian Education (BIE).

3. Policy and Procedure

A. Emergency UAS Flight Categories and Coordination Requirement

There are two categories of emergency use of UAS: Emergency Operations and Emergency Readiness. It is mandatory that the requestor coordinate with the Director, Office of Aviation, BIA Division of Forestry and Wildland Fire Management (DFWFM), regardless of which emergency arises.

Emergency Operations means: (1) UAS missions to fight and help prevent wildland fire, such as a fuels management project and prescribed fire treatment(s), to monitor for or respond to a potential national or state emergency involving human safety, or to prevent imminent damage to human life and property; or (2) search and rescue efforts that involve the preservation of safety for human life or physical property, and flights required to characterize susceptibility to, or impacts from, natural hazards, such as floods, landslides, or other natural disasters.

Emergency Readiness means: Flights for proficiency training related to emergency operations, including DOI Remote Pilot currency training required under Office of Personnel Management (OPM)-11 and/or training associated with acquiring or maintaining qualifications outlined in National Wildfire Coordination Group (NWCG) guidance, standards, and position task books. Equipment, sensor, and data processing techniques, and readiness training are included.

B. Emergency UAS Flight Reporting Requirement

If there is a need to use a DOI UAS for an Emergency Operation or for Emergency Readiness, the operator will report the flight(s) within five business days of the flight(s) via the DOI Office of Aviation (OAS) Services form here: [DOI UAS Flight Use Report \(OAS-2U\) qualtrics](#).

The operator is no longer required to submit a UAS Reporting or Waiver form to uas@ios.doi.gov for review or approval.

C. Non-Emergency UAS Flights Grounded

All other flights outside the scope of section 3. A. of this policy (see above) remain subject to SO 3379's temporary grounding order at this time.

D. Current Status of Indian Affairs' (IA) UAS

The status of IA's UAS aircraft and equipment is being determined along with impacts to mission accomplishment. At this time, all IA-assigned UAS fall under "designated UAS" until determined otherwise. All procurement of UAS is suspended until the OAS determines and approves UAS models which comply with SO 3379.

The Interagency Aviation Training (IAT) course, A-450: Small Unmanned Aircraft System (sUAS) Basic Remote Pilot Course, will not be available to non-emergency UAS remote pilot trainees until further notice. The DOI UAS Committee has canceled non-emergency training in fiscal year (FY) 2021 pending further guidance from the Secretary. The U.S. Forest Service and the DOI are scheduling and conducting the A-450 course on a limited basis to support emergency operations as designated under SO 3379 criteria. Training which does not directly support emergency operations is still suspended. Prospective UAS remote pilots can continue to pursue prerequisite training (as defined in OPM-11) in preparation for attendance at a A-450 course when such courses resume.

All operations and missions negatively affected by the SO should be reported to the Director, Office of Aviation, DFWFM. Units/offices which have UAS are encouraged to provide documentation of program costs or loss caused by SO 3379 and the amended guidance. The Aviation Office will compile the impacts of SO 3379 on mission accomplishment throughout BIA for submission to the Director, BIA (DBIA).

4. Roles and Responsibilities

A. **DBIA** is responsible for:

1. assuring adequate resources are available to meet trust obligations in protecting and preserving Indian trust assets from loss and damage;
2. managing, administering, or taking other fire management actions directly relating to or potentially affecting assets held in trust by the United States for Indian Tribes;
3. engaging in partnerships with multiple bureaus and the DOI, Office of Wildland Fire (OWF) in support of BIA's wildland fire and fuels management activities across Indian Country;
4. participating in wildland fire governance and coordination activities to promote common, consistent, and effective wildland fire programs and policies;
5. ensuring that BIA's Wildland Fire Management program direction is clear, available, and understood by agency administrators and employees; and
6. ensuring that employees are trained, certified, and available to participate in wildland fire management programs at local, regional, and national levels;

B. **Deputy Bureau Director, Office of Trust Services (OTS)** is responsible for establishing overall Aviation Management and Safety program policies, including aircraft accident prevention.

C. **Chief, DFWFM, OTS** is responsible for ensuring coordination among and between Wildland Fire and other IA programs/activities.

D. Director, Office of Aviation, DFWFM is responsible for:

1. coordinating the submission of emergency use of UAS;
2. compiling the impacts of SO 3379 on mission accomplishments to the DBIA;
3. providing overall leadership and guidance to the Aviation Management and Safety program when implementing DOI policy;
4. providing assistance to Tribes operating compact/contract programs involving the use of aircraft, as requested;
5. serving as the primary point of contact for the OAS;
6. serving as a member of the DOI Executive Aviation Subcommittee; and
7. ensuring timely feedback to line officers on aviation activities that have been reviewed or evaluated.

5. Approval

Darryl LaCounte Digitally signed by Darryl LaCounte
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Darryl LaCounte
Director, Bureau of Indian Affairs

Date