



# 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

**Effective:** 4/02/2020

**Expires:** 4/02/2021

**Title:** Notification of Secretary's Order Number 3379 and the Process for Submitting Waiver Requests for Emergency Unmanned Aircraft Systems (UAS)

#### 1. Purpose

[Secretary's Order Number 3379](#) (SO 3379) requires stopping all non-emergency Unmanned Aircraft Systems (UAS) operations within Indian Affairs (IA). The cessation applies 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. Further direction has been provided by the DOI Office of Policy, Management and Budget (PMB) in a memorandum issued on January 31, 2020, titled "[Implementation Guidance on Secretary's Order 3379](#)." The guidance provides instructions for requesting waivers in an event that emergency operations require the use of DOI UAS.

#### 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

##### A. Waiver Requests and Requirements

There are two categories of emergency use of UAS that may be requested: Emergency Operations and Emergency Readiness. If either waiver situation arises, the requestor's coordination with BIA, Branch of Wildland Fire Management, Director of Aviation is mandatory.

**Emergency operations** are defined as: (1) UAS missions to fight and help prevent wildland fire, and 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.

The procedure to request a waiver under emergency operations requiring the use of DOI-owned UAS, are provided below:

- 1) Complete the Commercial Off-the-Shelf UAS Emergency Operation Reporting Form (available at: <https://doimspp.sharepoint.com/sites/uas-guidance?CT=1582826630504&OR=OWA-NT&CID=d09691d4-59d6-5f24-81a7-ce45cadf3ceb>) within 24 hours after the operations conclusion or within 48 hours of the commencement of operations, whichever is earlier.
- 2) Coordinate with the BIA Aviation Director or their designee to submit (via e-mail) the completed Emergency Operation Reporting Form to [uas@ios.doi.gov](mailto:uas@ios.doi.gov) with the subject line: [Bureau/Office Name] Emergency Operation Report.

**Emergency Readiness** is defined as training necessary to maintain Federal Aviation Administration (FAA)-approved certification to operate a UAS for emergency operations. Approvals will be limited to missions that will assist UAS operators maintain their minimum FAA-certification requirements, and where the operator reasonably anticipates the need to operate a UAS for emergency operations within the next year.

The procedures to request a waiver under emergency readiness is provided below:

- 1) Complete the Commercial Off-the-Shelf UAS Emergency Readiness Waiver Form (available at: <https://doimspp.sharepoint.com/sites/uas-guidance?CT=1582826630504&OR=OWA-NT&CID=d09691d4-59d6-5f24-81a7-ce45cadf3ceb>) at least 30 days prior to the proposed training date.
- 2) Coordinate with the BIA National Aviation Manager or their designee, to submit (via e-mail) the completed Emergency Readiness Waiver Form to [uas@ios.doi.gov](mailto:uas@ios.doi.gov) with the subject line: [Bureau/Office Name] Readiness Waiver Form.

## **B. Current Status of IA UAS**

Status of Indian Affairs' 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. Disposition of these aircraft is unknown. All procurement of UAS is suspended until the Office of Aviation Services (OAS) determines and approves UAS models which comply with SO3379.

Interagency Aviation Training course "Basic Remote Pilot" (A-450) will not be available to Non-Emergency UAS remote pilot trainees until further notice. The DOI UAS Committee and the United States Forest Service have canceled all further UAS training through end of Fiscal Year 2020. Prospective UAS remote pilots can continue to pursue prerequisite training (as defined in OPM-11) in preparation for attendance of A-450 when courses resume.

BIA Aviation section will compile the impacts of SO 3379 on mission accomplishment throughout BIA for submission to the Director, Bureau of Indian Affairs (DBIA). All operations and missions negatively affected by the order are requested to report the impacts to the Director of Aviation. Units which have UAS are encouraged provide documentation of program costs or loss caused by SO3379.

#### 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) ensuring coordination among the Department of Interior (DOI) Office of Wildland Fire (OWF) and other Bureau/office programs and activities;
- 4) participating in wildland fire governance and coordination activities to promote common, consistent, and effective wildland fire programs and policies;
- 5) ensuring that 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. **Office of Trust Services** is responsible for establishing overall Aviation Management and Safety Program policies, including aircraft accident prevention.

C. **Division of Forestry and Wildland Fire Management** is responsible for ensuring coordination among wildland fire and other Bureau programs and activities.

D. **BIA Director of Aviation** 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 Program when implementing DOI policy;
- 4) as requested, providing assistance to Tribes operating compact/contract programs involving the use of aircraft;
- 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  
Date: 2020.04.02 12:18:52 -0400

4/02/2020

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Darryl LaCounte  
Director, Bureau of Indian Affairs

Date