



U.S. Department of Justice

Office of the Deputy Attorney General

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DEPARTMENT OF JUSTICE SUMMARY OF UNMANNED AIRCRAFT SYSTEMS (UAS) OPERATIONS DURING FISCAL YEAR 2021

The February 15, 2015, *Presidential Memorandum on Promoting Economic Competitiveness While Safeguarding Privacy, Civil Rights, and Civil Liberties in Domestic Use of Unmanned Aircraft Systems* (the “2015 Presidential Memorandum”) requires Federal agencies that use UAS to: 1) “provide notice to the public regarding where the agency’s UAS are authorized to operate in the [National Airspace System]”; 2) “keep the public informed about the agency’s UAS program as well as changes that would significantly affect privacy, civil rights, or civil liberties”; and 3) “[publish], on an annual basis, a general summary of the agency’s UAS operations during the previous fiscal year, to include a brief description of types or categories of missions flown, and the number of times the agency provided assistance to other agencies, or to State, local, tribal, or territorial governments.”¹

Once published in the Department’s Office of Information Policy Online Freedom of Information Act Library, this report satisfies the requirements of the 2015 Presidential Memorandum for operations conducted during Fiscal Year 2021 (FY2021), without revealing information reasonably expected to compromise national security or law enforcement activities.

The Department’s five law enforcement operational components, *i.e.*, the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), the Federal Bureau of Prisons (BOP), the Drug Enforcement Administration (DEA), the Federal Bureau of Investigation (FBI), and the U.S. Marshals Service (USMS), operate UAS to accomplish their assigned law enforcement and national security missions. Based on the nationwide jurisdiction of the Department’s law enforcement components, these UAS operations are authorized to occur throughout the United States and its territories. The Department flies where UAS are authorized under Federal Aviation Administration (FAA) regulations or any other location as authorized by the FAA. Pursuant to the Department’s 2019 UAS Policy, components may only use UAS in connection with properly authorized investigations and activities,² and the Department complies with all controlling legal requirements of the jurisdiction when operating UAS, including required

¹ Memorandum on Promoting Economic Competitiveness While Safeguarding Privacy, Civil Rights, and Civil Liberties in Domestic Use of Unmanned Aircraft Systems, 80 Fed. Reg. 9355, §1(d)(iii) (Feb. 15, 2015), *available at* <https://www.govinfo.gov/content/pkg/FR-2015-02-20/pdf/2015-03727.pdf>.

² Department of Justice 2019 Unmanned Aircraft Systems Policy, Office of Legal Policy website, *available at* <https://www.justice.gov/jm/9-95000-unmanned-aircraft-systems-uas#9-95.100>.

coordination with the FAA. No other Department components operated UAS to accomplish their missions during FY2021.

During FY2021, any risk to or potential impact on privacy, civil rights, or civil liberties associated with the Department's use of UAS was appropriately mitigated consistent with applicable law and the Department's 2019 UAS Policy. As required by the Department's 2019 UAS Policy, Senior Component Officials for Privacy continue to assess new UAS technology prior to employment, ensure their components complete all privacy documentation, and conduct annual privacy reviews of component use of UAS.

The Department's five law enforcement operational components conducted 651 UAS deployments³ during FY2021 in support of Department of Justice operations, representing a 163% increase in deployments from FY2020. All totaled, the components recorded approximately 357 hours and 29 minutes of flight time, representing a 107% increase in flight time from FY2020.

The general types or categories of missions flown include the following types of support: fire and explosive scene investigation, roof surveys and assessments, pre-warrant surveillance, photography, officer safety, execution of search warrants, communications tower inspections, criminal investigations, counterterrorism, counterintelligence, counter weapons of mass destruction, cyber, and fugitive apprehension.

The Department provided UAS assistance to other Federal agencies and to State, local, tribal, or territorial governments during FY2021, a total of one (1) UAS deployment, representing an 80% decrease from FY2020 in external assistance, for a total flight time of approximately 30 minutes.

The Department received UAS assistance from non-DOJ Federal agencies and from State, local, tribal, or territorial governments during FY2021 a total of 30 UAS deployments, representing a 66% decrease from FY2020 in the number of deployments from external sources.

³ A "UAS deployment" is the sending and/or tasking of a UAS and operator(s) by a component in support of an official duty of that component and may involve one or more flights, usually as a result of limited battery life. If a UAS is deployed but not ultimately used for operations, that deployment is still reported to the Department but is not included in this number. Further, this number does not include training and non-operational administrative UAS activities.