



U.S. Department of Justice

Office of Legal Policy

Assistant Attorney General

Washington, D.C. 20530

December 27, 2023

MEMORANDUM FOR THE DEPUTY ATTORNEY GENERAL

FROM: Susan M. Davies
Acting Assistant Attorney General
Office of Legal Policy

SUSAN DAVIES

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Amy E. Nieman
U.S. Army War College Fellow
Office of Legal Policy

AMY NIEMAN

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SUBJECT: Department of Justice (Department) Summary of Unmanned Aircraft
Systems (UAS) Operations During Fiscal Year (FY) 2023

PURPOSE: To obtain approval for the Office of Legal Policy (OLP) to post online the attached Department Summary of UAS Operations during FY2023 in the Department's Office of Information Policy (OIP) Freedom of Information Act (FOIA) Library (Attachment B).

DECISION REQUIRED BY: Approval by the Deputy Attorney General is requested as soon as practicable.

EXECUTIVE SUMMARY: 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 make certain information available to the public annually regarding that use in order to promote transparency about their UAS activities. The OIP FOIA Library hosts proactively disclosed senior leadership office FOIA records, including those from the Office of the Deputy Attorney General (ODAG) and OLP. The attached summary (Attachment B) will satisfy the requirements of the 2015 Presidential Memorandum when it is posted in the OIP FOIA Library, after approval by the Deputy Attorney General.

DISCUSSION: 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

Pursuant to the Department’s 2019 UAS Policy,² on June 4, 2020, the Deputy Attorney General issued the Department’s Tracking and Reporting Requirements for UAS policy (Attachment A, with decision memorandum) requiring the components employing UAS to track and report certain information to ODAG and OLP no later than November 1 of each year for the prior fiscal year. One of the purposes of that policy was to assist ODAG and OLP in preparing the annual summary required by the 2015 Presidential Memorandum. At the direction of the Deputy Attorney General in the decision memorandum for that policy, only a summary of the first three items reported from components (*i.e.*, UAS deployments in support of Department operations categorized by purpose, UAS deployments in support of other agencies, and UAS deployments performed by other entities at the Department’s request) will be published in the Department’s fiscal year summary, in order to protect law enforcement sensitive information such as law enforcement techniques and procedures.

The fiscal year summary prepared by OLP (Attachment B) satisfies the requirements of the 2015 Presidential Memorandum for FY2023 because it: 1) provides notice to the public regarding where the Department’s UAS are authorized to operate in the national airspace system; 2) indicates that during FY2023, 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; and 3) provides a general summary of the Department’s UAS operations during FY2023, including a brief description of types or categories of missions flown, and the number of times the Department provided assistance to other agencies, including to State, local, tribal, or territorial governments. Additionally, the annual summary details the number of times Department components received assistance from other agencies. Although the fiscal year summary (Attachment B) will be published online in the OIP FOIA Library, OLP recommends, consistent with prior annual reports, that the Department not draw further attention to the FY2023 public report with a press release. Increased media attention could compromise law enforcement sensitive information by inviting aggregation of the information.

For internal Department records and ease of review, and not for public disclosure, Attachment C summarizes the information compiled from the components’ reports into three tables showing: 1) UAS deployments in support of Department operations, categorized by purpose; 2) UAS deployments in support of other Federal and State, local, tribal and territorial governments; and 3) UAS deployments by other entities at the Department’s request. Attachment C is not intended to be published because it contains law enforcement sensitive information from the components’ reports; the components’ reports are compiled in Attachment D.

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), <https://www.govinfo.gov/content/pkg/FR-2015-02-20/pdf/2015-03727.pdf>.

² Department of Justice 2019 Unmanned Aircraft System Policy, Justice Manual, Title 9: Criminal, Chapter 95.100, “Department of Justice Policy on the Use of Unmanned Aircraft Systems,” <https://www.justice.gov/jm/9-95000-unmanned-aircraft-systems-uas#9-95.100>.

In FY2023, the Department's five law enforcement components conducted 2,228 deployments in support of Department operations, representing a 54% increase in deployments from FY2022. The components recorded approximately 1040 hours and 54 minutes of flight time, representing an 83.3% increase in flight time from FY2022. United States Marshal Service (USMS) deployments increased by 78% from FY 2022; Drug Enforcement Administration (DEA) deployments increased by 38%; Federal Bureau of Investigation (FBI) deployments increased by 36%; and Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) deployments increased by 26%. The Bureau of Prisons (BOP) had no operational deployments in FY2023 but anticipates fielding UAS in late FY2024. The Department, and more specifically the FBI, conducted 17 deployments in support of State, local, tribal, or territorial governments, which represents no change from 17 deployments in FY2022; but the total flight time of about 45 hours and 30 minutes in FY2023 represents an increase of 154%.

The amount of assistance received from non-DOJ Federal agencies and State, local, tribal or territorial governments in FY2023 decreased 25% from FY2022, to a total of 24 deployments. Most of these deployments were in support of DEA surveillance and coverage of search warrants or "buy/walk" operations, which totaled 20 hours, 15 minutes of flight time, a 75% decrease in total flight time in FY2023 from FY2022.

The Department purchased an additional 228 UAS during FY2023, bringing the total UAS owned by the Department to 1192, representing a 18.5% increase in overall inventory. Of that acquisition total, the USMS purchased 115 UAS; the DEA purchased 39 UAS; and the FBI purchased 74 UAS. Neither BOP nor ATF acquired any UAS during FY2023.

Each component certifies in its respective reports that its Senior Component Official for Privacy completed an assessment of overall use of UAS and associated sensors prior to deploying any new UAS technology, finalized or continues to draft appropriate privacy documentation, and conducted an annual privacy review, meeting a requirement of the 2015 memorandum and the 2019 UAS Policy.

CONSULTATION: The Office of Privacy and Civil Liberties, the National Security Division, and OIP were consulted.

OTHER STAKEHOLDERS: None.

Memorandum for the Deputy Attorney General
Subject: Department Summary of UAS Operations During FY2023

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RECOMMENDATION: I recommend you approve the Department Summary of UAS Operations During FY2023 and authorize OLP to date the enclosed summary of FY2023 component UAS operations (Attachment B) with the date of this action and post it in the OIP FOIA Library.

Memorandum for the Deputy Attorney General
Subject: Department Summary of UAS Operations During FY2023

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APPROVE: Marion 3/4/2024
PRINCIPAL ASSOCIATE DEPUTY ATTORNEY
GENERAL

Concurring Components:

ATF MARVIN RICHARDSON
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Date: 2024.01.18 14:22:34 -0500
KATHLEEN
BOP TOOMEY
Digitally signed by TOOMEY
Date: 2024.01.26 11:08:58 -0500
DEAGARY HILL
Digitally signed by GARY HILL
Date: 2024.01.29 10:53:24 -0500
FBI ABBATE.PAULJ11J39725
Digitally signed by ABBATE.PAULJ11J39725
Date: 2024.02.07 13:05:58 -0500
USMS MARK PITTELLA
Digitally signed by MARK PITTELLA
Date: 2024.02.07 13:13:11 -0500

DISAPPROVE: _____

Non-concurring Components:

OTHER: _____

None.

Attachments:

A – Department of Justice Tracking and Reporting Requirements for Unmanned Aircraft Systems (with decision memorandum)

B – Department of Justice Summary of UAS Operations During FY2023 (for approval and public dissemination)

C – Department of Justice FY2023 Summary of UAS Operations Tables (LES)

D – Component UAS Operations Reports for FY2023 (LES)

E – Department of Justice Summary of UAS Operations During FY2022 (published)

TAB - A

BREAK

SEPARATE RECORD FOLLOWS

Department of Justice
Tracking and Reporting Requirements for Unmanned Aircraft Systems
Effective: June 4, 2020

The *Department of Justice Policy on the Use of Unmanned Aircraft Systems* (the “UAS Policy”) requires the Deputy Attorney General (DAG) to issue requirements for Department components to track and report relevant information pertaining to their operation of Unmanned Aircraft Systems (UAS). Consistent with the UAS Policy, these *Department of Justice Tracking and Reporting Requirements for Unmanned Aircraft Systems* (the “Tracking and Reporting Requirements”) will ensure the accurate tracking and reporting of the Department’s UAS operations, which is vital to promoting transparent, safe, and effective use of UAS; enhancing public understanding of that use; and ensuring compliance with other legislative and regulatory reporting requirements related to UAS.¹

Tracking Requirements. At a minimum, each component that operates UAS must internally track, in a readily digestible and organized manner, the following data for each component UAS flight: flight crew names; UAS type (i.e., make and model); flight date(s); flight location; day/night hours; flight hours per crew member; launches/landings per crew member; mission type (i.e., operational, training, demonstration); case/file name or number (as applicable); flying office/section within component; benefitting office or component; approving official for flight. Components may track additional information at their discretion, as appropriate.

Annual Reporting Requirements. Consistent with the UAS Policy, no later than November 1st of each year, each component that operates UAS will provide an annual report to the Office of the Deputy Attorney General (ODAG) and the Office of Legal Policy (OLP) summarizing its UAS operations during the previous fiscal year. The report will include the following:

1. **UAS Deployments² in Support of Department of Justice Operations (both number of deployments and hours), Categorized by Purpose (e.g., criminal investigation, crime scene examination, fugitive apprehension, other photography or mapping, etc.):**
 - a. Purpose #1: (total number), (total hours)
 - b. Purpose #2: (total number), (total hours)
2. **UAS Deployments in Support of Other Agencies (both number of deployments and hours)**
 - a. Other Federal Agency #1[name]: (number), (hours), (purpose)
 - b. State, Local, Tribal, or Territorial Agency #1[name]: (number), (hours), (purpose)
3. **UAS Deployments Performed by Other Entities at Department’s Request (both number of deployments and hours)**
 - a. Other Federal Agency #1[name]: (number), (hours), (purpose)

¹ The Deputy Attorney General may, at any time, modify or supplement the Tracking and Reporting Requirements.

² 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. The component is required to track the total number of flights for any deployment. If a UAS is deployed but not ultimately used for operations, then the deployment is still reported.

- b. State, Local, Tribal, or Territorial Agency #1[name]: (number), (hours), (purpose)
- 4. **Number of UAS Accidents Reported to the FAA, if any, under 14 CFR Part 107.9 for Department-Operated UAS**
 - a. Involving serious injury to any person or any loss of consciousness: (number)
 - b. Involving damage to any property, other than the UAS, where the cost of repair (including materials and labor) exceeds \$500 or the fair market value of the damaged property exceeds \$500 in the event of total loss: (number)
- 5. **Number and Type of UAS Owned, Including Number and Type of UAS Acquired During Fiscal Reporting Period**
 - a. Type
 - i. Quadcopter: (number owned, number acquired in fiscal year)
 - ii. Fixed Wing: (number owned, number acquired in fiscal year)
 - iii. Other: (number owned, number acquired in fiscal year)
- 6. **Certification of Component's Required Privacy Reviews and Assessments**
 - a. Whether the Senior Component Official for Privacy completed an assessment of the component's overall use of UAS and associated sensors prior to deploying any new UAS technology, ensured the component completed all appropriate privacy documentation, and completed an annual privacy review for the UAS employed that previous fiscal year.
 - b. Provide the name of the official who completed the review.

Protection of Information. When reporting on UAS operations involving information that has been deemed classified pursuant to Executive Order 13526, a successor order, or other relevant authority, components will appropriately classify such information and mark it for special access, controls, and safeguarding, and will report it via appropriate classified systems, as necessary. The Department views much of the information reported pursuant to this policy as Law Enforcement Sensitive information, the public disclosure of which could jeopardize law enforcement and public safety missions. Components should designate and treat such information, including the annual reports required hereunder, as Law Enforcement Sensitive wherever applicable and appropriate.

Department Summary of UAS Operations. Consistent with the Policy, and without revealing law enforcement, national security, or other information protected from disclosure, ODAG and the OLP will use reported information to produce a publicly releasable summary of Department-wide UAS operations providing information required by 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 (or any successor memorandum) and any other information deemed appropriate for public release by ODAG.

Internal Requirements Only. These Tracking and Reporting Requirements apply to Department components and employees and are intended only to improve internal management of the Department of Justice. They are not intended to, do not, and may not be relied upon, to create any rights, substantive or procedural, enforceable at law by any party in any matter civil or criminal.



U.S. Department of Justice

Office of Legal Policy

May 19, 2020

Office of the Assistant Attorney General

Washington, D.C. 20530

MEMORANDUM FOR THE DEPUTY ATTORNEY GENERAL

FROM:

Beth A. Williams
Assistant Attorney General
Office of Legal Policy

BETH
WILLIAMS

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MARK
Mark Champoux CHAMPOUX
Principal Deputy Assistant Attorney General

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CHAMPOUX
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Kevin M. Jinks Kevin M.
Senior Counsel Jinks

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Anthony M. Shults Anthony
Senior Counsel Shults

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SUBJECT:

*Department of Justice Tracking and Reporting Requirements for
Unmanned Aircraft Systems*

PURPOSE:

To recommend you approve, pursuant to the 2019 *Department of Justice Policy on the Use of Unmanned Aircraft Systems* (the "UAS Policy"), the proposed UAS tracking and reporting requirements applicable to all components.

DISCUSSION:

I. Background

The UAS Policy requires the Deputy Attorney General (DAG) to issue requirements for components to track and report relevant information pertaining to UAS operations. As detailed below, the proposed tracking requirements (attached to this memorandum) set out the categories of information that each component must track for every UAS operation. The purpose of tracking this information is to ensure effective oversight of component UAS operations and compliance with all applicable policy, law, and regulation. The proposed reporting requirements ensure that the DAG, the Office of the Deputy Attorney General (ODAG), and the Office of Legal Policy (OLP) have the information necessary to understand component UAS operations and to inform the Department's interaction with interagency partners, including the Federal Aviation Administration (FAA). Moreover, the February 15, 2015, Presidential Memorandum on Promoting Economic Competitiveness While Safeguarding Privacy, Civil Rights, and Civil

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Liberties in Domestic Use of Unmanned Aircraft Systems (the “Presidential Memorandum”) requires the Department to publish, on an annual basis, a general summary of the Department’s UAS operations during the previous fiscal year. At a minimum, that summary must include “a brief description of types or categories of missions flown, and the number of times the [Department] provided assistance to other agencies, or to State, local, tribal, or territorial governments.”¹ The proposed reporting requirements will assist ODAG and OLP in preparing that annual report, which promotes transparency to the public.

II. Tracking Requirements

Tracking appropriate information about UAS operations throughout the Department is necessary to enable effective management and oversight of Department UAS programs. Appropriate tracking will also help ensure the Department has the information it needs to demonstrate to Congress and other stakeholders the value and effectiveness of the Department’s UAS operations and to defend the Department in the event of any accusations of inappropriate or unlawful use of UAS. To those ends, OLP proposes that each component that operates UAS must internally track for each flight, at a minimum, the following items of information:

- Flight crew names
- UAS type (*i.e.*, make and model)
- Flight date(s)
- Flight location
- Day/night hours
- Flight hours per crew member
- Launches/landings per crew member
- Mission type (*i.e.*, operational, training, demonstration)
- Case/file name or number (as applicable)
- Flying office/section within component
- Benefitting office or component
- Approving official for flight

These proposed tracking requirements reflect years of best practice by the Federal Bureau of Investigation (FBI), which is the only Department component with a fully operational UAS program at this time. To this point, the FBI has tracked this information pursuant only to internal policy and informal guidance from ODAG and OLP. Thus, as reflected in the UAS Policy, memorializing Department-wide tracking requirements will ensure that UAS operations across components will be consistently and adequately tracked. Moreover, establishing such

¹ Presidential Memorandum on Promoting Economic Competitiveness While Safeguarding Privacy, Civil Rights, and Civil Liberties in Domestic Use of Unmanned Aircraft Systems at §1(d)(iii) (Feb. 15, 2015), available at <https://obamawhitehouse.archives.gov/the-press-office/2015/02/15/presidential-memorandum-promoting-economic-competitiveness-while-safegua>.

SUBJECT: *Department of Justice Tracking and Reporting Requirements for Unmanned Aircraft Systems*

requirements now will allow other Department components to implement adequate tracking mechanisms from the inception of their UAS programs.

Additionally, at the current time, components are exploring the potential use of automated software tracking systems. Establishing minimum tracking requirements will allow those components to better engage with software vendors to develop effective and efficient platforms.

III. Annual Reporting Requirements

The following proposed annual reporting requirements—explained in further detail in the attached document—aim to ensure effective oversight of component UAS operations by ODAG and OLP:

1. UAS Deployments in Support of Department of Justice Operations (both number of deployments and hours), Categorized by Purpose (*e.g.*, criminal investigation, crime scene examination, fugitive apprehension, other photography or mapping, etc.)
2. UAS Deployments in Support of Other Agencies (both number of deployments and hours)
3. UAS Deployments Performed by Other Entities at Department's Request (both number of deployments and hours)
4. Number of UAS Accidents Reported to the FAA, if any, under 14 CFR Part 107.9 for Department-Operated UAS
5. Number and Type of UAS Owned, Including Number and Type of UAS Acquired During Fiscal Reporting Period
6. Certification of Component's Required Privacy Reviews and Assessments

The first two reporting requirements ensure that ODAG and OLP have the information necessary to publish the annual summary required by the Presidential Memorandum, discussed above. Moreover, combined with the third requirement, the information obtained will demonstrate how components utilize UAS, how often they support State, local, tribal, and territorial (SLTT) partners using UAS, and how often they request and receive UAS support external to the Department, enabling Department leadership oversight of UAS programs and use.

The fourth proposed reporting requirement is rooted in the requirements of 14 CFR Part 107.9 regarding accident reporting to the FAA. Part 107.9 requires remote pilots in command to report UAS accidents to the FAA when: 1) the accident causes serious injury to any person or a loss of consciousness; or 2) the accident causes damage to any property, not including damage to the UAS, where the costs of repair (including materials and labor) is greater than \$500 or when the fair market value of the damaged property is greater than \$500 (in the event of a total loss). To enhance the Department's situational awareness of accidents meeting an external reporting threshold, the proposed reporting requirements incorporate the FAA's standards directly into internal Department policy.

SUBJECT: *Department of Justice Tracking and Reporting Requirements for Unmanned Aircraft Systems*

The fifth proposed reporting requirement seeks information necessary for ODAG and OLP to understand component UAS operational needs and budgetary requirements. It also ensures that components share relevant information about UAS operations with one another and with Department staff sections responsible for facilitating UAS programs (*i.e.*, the Office of Privacy and Civil Liberties, the Office of the Chief Information Officer, etc.).

Finally, the sixth proposed reporting requirement helps ensure adherence to privacy-related requirements in the Department's UAS Policy. In particular, the UAS Policy requires that Senior Component Officials for Privacy assess the component's overall use of UAS and associated sensors prior to deploying new UAS technology. It also requires those officials to ensure the component completes all appropriate privacy documentation and conducts annual privacy reviews.

The proposed policy contains a provision concerning protection of classified and law enforcement sensitive (LES) information, the public disclosure of which could jeopardize law enforcement and public safety missions. To protect LES information, including the information components track and report to the Department, OLP recommends the tracking and reporting requirements policy document be marked "LES" and protected, wherever appropriate, from public disclosure in response to any request for information under the Freedom of Information Act (FOIA) or in the course of litigation. Federal Programs Branch litigators and the Department's Office of Information Policy (OIP) agree this proposed policy document and the reports submitted pursuant to it can be designated and protected as LES information (*e.g.*, types of UAS used for law enforcement surveillance, the location of a UAS crash or the route of travel during a sensitive law enforcement mission, etc.). Much of the information the policy requires components to track will likely be protected from disclosure by applicable FOIA exemptions. OLP will work with Federal Programs Branch, OIP, and the components to ensure that LES information is appropriately marked and protected from disclosure.

For the annual public summary on Department UAS operations that is required by Presidential Memorandum, OLP recommends that a summary of information reported under requirements 1, 2, and 3 would be appropriate for public dissemination. To protect against disclosure of law enforcement techniques and procedures, OLP recommends that information reported under requirements 4, 5, and 6 not be publicly disseminated except on a case-by-case basis as the Department may deem appropriate to advance its UAS missions.

For these reasons, OLP recommends you approve and issue the proposed tracking and annual reporting requirements.

FOR DECISION: The Office of Legal Policy recommends that the Deputy Attorney General approve the attached *Department of Justice Tracking and Reporting Requirements for Unmanned Aircraft Systems*.

APPROVE:


6-4-2020

DISAPPROVE: _____

Tab - B

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SEPARATE RECORD FOLLOWS



U.S. Department of Justice

Office of the Deputy Attorney General

Washington, D.C. 20530

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DEPARTMENT OF JUSTICE SUMMARY OF UNMANNED AIRCRAFT SYSTEMS (UAS) OPERATIONS DURING FISCAL YEAR 2023

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 2023 (FY2023), 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 or plan to 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

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), <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, <https://www.justice.gov/jm/9-95000-unmanned-aircraft-systems-uas#9-95.100>.

required coordination with the FAA. No other Department components operated UAS to accomplish their missions during FY2023.

During FY2023, 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 2,228 UAS deployments³ during FY2023 in support of Department of Justice operations, representing a 54% increase in deployments from FY2022. All totaled, the components recorded approximately 1040 hours and 54 minutes of flight time, representing an 83.3% increase in flight time from FY2022.

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

The Department provided UAS assistance to other Federal agencies and to State, local, tribal, or territorial governments (SLTT) during FY2023 with a total of 17 UAS deployments, which represents no change from FY2022. However, the total flight time of about 45 hours and 30 minutes in FY2023 represents an increase of 154% in total flight time over FY2022.

The Department received UAS assistance from other Federal agencies and from SLTT during FY2023 with a total of 24 UAS deployments, representing a 25% decrease from FY2022 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.

Tab - C

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SEPARATE RECORD FOLLOWS

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Department of Justice FY2023 Summary of UAS Operations Tables

DOJ Reporting Requirement #1: UAS Deployments in Support of DOJ Operations			
Component	Deployments	Flight Time	General Description of Deployments
ATF	463	36 hours, 23 minutes	Officer safety
	84	15 hours, 59 minutes	Fire & explosive scene investigation
	34	12 hours, 44 minutes	Criminal investigations
BOP	0	0	N/A
DEA	612	339 hours, 30 minutes	Pre-warrant surveillance, photography, buy/walks, execution of search warrants
	7	3 hours, 30 minutes	Demand reduction/ Red Ribbon events
	1	20 minutes	Communications tower inspection
FBI	668	491 hours, 15 minutes	Criminal investigations
	44	30 hours, 6 minutes	Counterterrorism
	6	9 hours, 30 minutes	Counterintelligence
	12	7 hours, 42 minutes	Cyber
	5	5 hours, 12 minutes	Weapons of mass destruction
USMS	282	83 hours, 41 minutes	Fugitive apprehension
	3	58 minutes	Communications support
	5	1 hour, 46 minutes	Judicial security
	2	2 hours, 18 minutes	Site survey
Total	2228	1,040 hours, 54 minutes	

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LAW ENFORCEMENT SENSITIVE

DOJ Reporting Requirement #2: UAS Deployments in Support of Other Agencies			
Component	Deployments	Flight Time	General Description of Deployments
ATF	0 (in support of non-DOJ federal agencies)	0	N/A
	0 (in support of State, Local, Tribal, or Territorial Agencies)	0	N/A
BOP	0 (in support of non-DOJ federal agencies)	0	N/A
	0 (in support of State, Local, Tribal, or Territorial Agencies)	0	N/A
DEA	0 (in support of non-DOJ federal agencies)	0	N/A
	0 (in support of State, Local, Tribal, or Territorial Agencies)	0	N/A
FBI	1 (in support of non-DOJ federal agencies)	1 hour, 48 minutes	Criminal investigations
	16 (in support of State, Local, Tribal, or Territorial Agencies)	43 hours, 42 minutes	Criminal investigations
USMS	0 (in support of non-DOJ federal agencies)	0	N/A
	0 (in support of State, Local, Tribal, or Territorial Agencies)	0	N/A
Total	17	45 hours, 30 minutes	

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LAW ENFORCEMENT SENSITIVE

DOJ Reporting Requirement #3: UAS Operations by Non-DOJ Agencies in Support of DOJ Components			
Component	Deployments	Flight Time	General Description of Deployments
ATF	0 (by non-DOJ federal agencies)	0	N/A
	0 (by State, Local, Tribal, or Territorial Governments)	0	N/A
BOP	0 (by non-DOJ federal agencies)	0	N/A
	0 (by State, Local, Tribal, or Territorial Governments)	0	N/A
DEA	1 (by non-DOJ federal agencies)	4 hours	Pre-warrant surveillance, photography, buy/walks, execution of search warrants
	22 (by State, local, Tribal, or territorial governments)	16 hours, 15 minutes	Pre-warrant surveillance, photography, buy/walks, execution of search warrants
FBI	0 (by non-DOJ federal agencies)	N/A	N/A
	0 (by State, Local, Tribal, or Territorial Governments)	N/A	N/A
USMS	0 (by non-DOJ federal agencies)	N/A	N/A
	1 (by State, Local, Tribal, or Territorial Governments)	30 minutes	Fugitive Apprehension
Total	24	20 hours, 45 minutes	

LAW ENFORCEMENT SENSITIVE

Tab - E

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SEPARATE RECORD FOLLOWS



U.S. Department of Justice

Office of Legal Policy

Assistant Attorney General

Washington, D.C. 20530

December 1, 2022

MEMORANDUM FOR THE DEPUTY ATTORNEY GENERAL

FROM: Hampton Y. Dellinger **HAMPTON** Digitally signed by
Assistant Attorney General **DELLINGER** HAMPTON DELLINGER
Office of Legal Policy Date: 2022.12.01
14:11:37 -05'00'

Robert A. Rodrigues **ROBERT** Digitally signed by
Army Fellow RODRIGUES ROBERT RODRIGUES
Office of Legal Policy Date: 2022.12.01
13:16:37 -05'00'

SUBJECT: Department of Justice (Department) Summary of Unmanned Aircraft Systems (UAS) Operations During Fiscal Year (FY) 2022.

PURPOSE: To obtain approval for OLP to post the attached Department Summary of UAS Operations during FY2022 in the Department's Office of Information Policy (OIP) Online Freedom of Information Act (FOIA) Library (Attachment B).

DECISION REQUESTED BY: Approval by the Deputy Attorney General is requested as soon as practicable.

EXECUTIVE SUMMARY: 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 make certain information available to the public on an annual basis regarding their use of UAS in order to promote transparency about their UAS activities. The OIP online FOIA Library hosts all proactively disclosed senior leadership office FOIA records, including those from ODAG and OLP. The attached draft summary (Attachment B) will satisfy the requirements of the 2015 Presidential Memorandum when it is posted online in the OIP online FOIA Library, after approval by the Deputy Attorney General.

DISCUSSION: 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

Pursuant to the Department’s 2019 UAS Policy,² on June 4, 2020, the Deputy Attorney General issued the Department’s Tracking and Reporting Requirements for UAS policy (Attachment A, with decision memorandum) requiring the components employing UAS to track and report certain information to ODAG and OLP no later than November 1 of each year for the prior fiscal year. One of the purposes of that policy was to assist ODAG and OLP in preparing the annual summary required by the 2015 Presidential Memorandum. At the direction of the Deputy Attorney General in the decision memorandum for that policy, only a summary of the first three items reported from components (*i.e.*, UAS deployments in support of Department operations categorized by purpose, UAS deployments in support of other agencies, and UAS deployments performed by other entities at the Department’s request) will be published in the Department’s fiscal year summary in order to protect law enforcement sensitive information such as law enforcement techniques and procedures.

The draft fiscal year summary prepared by OLP (Attachment B) satisfies the requirements of the 2015 Presidential Memorandum for FY2022 because it: 1) provides notice to the public regarding where the Department’s UAS are authorized to operate in the national airspace system; 2) indicates that during FY2022, 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; and 3) provides a general summary of the Department’s UAS operations during FY2022, including a brief description of types or categories of missions flown, and the number of times the Department provided assistance to other agencies, including to State, local, tribal, or territorial governments. Additionally, the draft annual summary details the number of times Department components received assistance from other agencies. Although the fiscal year summary (Attachment B) will be published in the OIP online FOIA library, OLP recommends, just as it did for the FY2021 report, that the Department not draw further attention to the FY2022 public report with a press release. Not having a press release will limit the risk of this information compromising law enforcement sensitive information if considered in the aggregate.

For internal Department records and ease of review, and not for public disclosure, Attachment C summarizes the information compiled from the components’ reports into three tables showing: 1) UAS deployments in support of DOJ operations, categorized by purpose; 2) UAS deployments in support of other Federal and State, local, tribal, and territorial entities; and 3) UAS deployments by other entities at the Department’s request. Attachment C is not intended to be published because it contains law enforcement sensitive information from the components’ reports; the components’ reports are compiled in Attachment D.

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 System Policy, Justice Manual, Title 9: Criminal, Chapter 95.100, “Department of Justice Policy on the Use of Unmanned Aircraft Systems,” *available at* <https://www.justice.gov/jm/9-95000-unmanned-aircraft-systems-uas#9-95.100>.

In FY2022, the Department's five law enforcement components conducted 1,447 deployments in support of DOJ operations, representing a 110% increase in the number of deployments from FY2021. Components flew a total of 567 hours and 50 minutes in support of DOJ operations, representing a 63% increase in flight time from FY2021. Of particular note, ATF deployments increased by over 600% (an increase from 35 to 429); DEA deployments tripled (an increase from 118 to 384); USMS deployments approximately doubled (an increase from 84 to 164). FBI had a 16% increase (397 to 470). BOP was the only component with a decrease due to not conducting any deployments in FY2022 (decreased from 17 deployments in FY2021). The Department, and more specifically the FBI, conducted 17 deployments in support of State, local, tribal, or territorial governments, representing an increase over a single USMS deployment in FY2021. These deployments represented 17 hours and 54 minutes of flying time or 3% of the Department's total flight time. The amount of assistance received from non-DOJ Federal agencies and State, local, tribal, or territorial governments in FY2022 remained stable at 32 deployments in FY2022, compared to 30 in FY2021. All of these deployments were in support of DEA surveillance and coverage of search warrants or "buy/walk" operations, which totaled 80 hours, 36 minutes of flight time, an almost identical flight time compared to FY2021.

The Department purchased an additional 211 UAS during FY2022, bringing the total UAS owned by the Department to 915, representing a 18% increase in overall inventory.³ Of that acquisition total, the USMS purchased 103 UAS during FY2022 for an increase of 80%. ATF gained 34 UAS for an increase of 40%. The FBI increased its inventory by 64 UAS, raising its total by 11%. DEA gained 10 UAS for a gain of 7%. The BOP did not acquire any UAS during FY2022; it currently owns no UAS.

Each component certifies in its respective reports that its Senior Component Official for Privacy completed an assessment of overall use of UAS and associated sensors prior to deploying any new UAS technology, finalized or continues to draft appropriate privacy documentation, and conducted an annual privacy review, meeting a requirement of the 2015 memorandum and the 2019 UAS Policy.

CONSULTATION: The Office of Privacy and Civil Liberties (OPCL) and OIP were consulted.

OTHER STAKEHOLDERS: None.

RECOMMENDATION: I recommend you authorize OLP to post the enclosed summary of FY2022 component UAS operations (Attachment B) in the OIP FOIA Library.

³ The total number of DOJ-owned systems (915) includes 49 systems purchased in FY2022 that are currently pending delivery from the vendor to the components.

APPROVE: Cir. Munaco 1/12/23

Concurring Components:

ATF	MARVIN RICHARDSON	Digitally signed by MARVIN RICHARDSON Date: 2022.12.08 15:58:12 -05'00'
BOP	WILLIAM LOTHROP	Digitally signed by WILLIAM LOTHROP Date: 2022.12.12 16:03:41 -05'00'
DEA	GARY HILL	Digitally signed by GARY HILL Date: 2022.12.14 10:29:29 -06'00'
FBI	ABBATE.PAUL. J11J39T25	Digitally signed by ABBATE.PAUL. Date: 2022.12.16 16:22:49 -05'00'
USMS	ROBERTO ROBINSON	Digitally signed by ROBERTO ROBINSON Date: 2022.12.29 14:59:33 -05'00'

DISAPPROVE: _____

Non-concurring Components:

None

OTHER: _____

Attachments:

A – Department of Justice Tracking and Reporting Requirements for Unmanned Aircraft Systems (June 2020)

B – Department of Justice Summary of UAS Operations During FY2022 (for approval and public dissemination)

C – Department of Justice FY2022 Summary of UAS Operations Tables

D – Component UAS Operations Reports for FY2022

E – Department of Justice Summary of UAS Operations During FY2021 (published)

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SEPARATE RECORD FOLLOWS



**U.S. Department of Justice
Federal Bureau of Prisons**

Washington DC

October 31, 2023

MEMORANDUM FOR THE DEPUTY ATTORNEY GENERAL

A handwritten signature in blue ink, reading "S. Thompson", is positioned above the "FROM:" field.

FROM: Sonya D. Thompson, Assistant Director/CIO
Senior Component Official for Privacy

SUBJECT: Federal Bureau of Prisons Report of Unmanned Aircraft Systems
Operations during Fiscal Year 2023

I. Discussion

This memorandum is provided in accordance with the 2019 Department of Justice (DOJ) Policy on the Use of Unmanned Aircraft Systems (UAS) and the DOJ Tracking and Reporting Requirements for UAS (effective June 4, 2020), which directs each Department component that operates UAS to provide an annual report to the Office of the Deputy Attorney General (ODAG) and the Office of Legal Policy (OLP) summarizing its UAS operations during the previous fiscal year (FY). Below please find the annual report of the Federal Bureau of Prisons.

II. Annual Report—Published Information

- A. UAS Deployments in Support of DOJ Operations, Categorized by Purpose**
(e.g., communications support, criminal investigation, counter-terrorism investigation, crime scene examination or investigation, cyber investigation, counterintelligence investigation, fugitive apprehension, search and rescue, other photography, mapping)

There were no operational deployments in FY 2023 of UAS by BOP. The agency is anticipating being able to field UAS capability in late FY24.

B. UAS Deployments in Support of Other Agencies

1. Other Federal Agencies: 0
2. State, Local, Tribal, or Territorial Agencies: 0

C. UAS Deployments by Other Entities at the Department's Request

1. Other Federal Agencies: 0
2. State, Local, Tribal, or Territorial Agencies: 0

III. Annual Report—Unpublished Information

A. UAS Accidents by Department-operated UAS

1. Involving serious injury to any person or a loss of consciousness: 0
2. Involving damage to any property, other than the UAS, where the cost of repair (including materials and labor) exceeds \$500 or the fair market value of the damaged property exceeds \$500 in the event of total loss: 0

B. UAS Owned, Including UAS Acquired During FY23

1. Quadcopter
 - a. 0
 - b. 0
2. Fixed Wing
 - a. 0
 - b. 0

C. Certification of Component's Required Privacy Reviews and Assessments

1. Did the Senior Component Official for Privacy complete an assessment of the component's overall use of UAS and associated sensors prior to deploying any new UAS technology?
 - a. Yes
2. Did the Senior Component Official for Privacy ensure the component completed all appropriate privacy documentation?
 - a. Yes
3. Did the Senior Component Official for Privacy complete an annual privacy review for the UAS employed the previous fiscal year?
 - a. Yes
4. The official that completed the privacy reviews and assessments listed above:
 - a. Sonya D. Thompson, Assistant Director, Information Technology and Data Division

Memorandum for the Deputy Attorney General

Subject: *Federal Bureau of Prisons Report of Unmanned Aircraft Systems Operations During Fiscal Year 2023*

IV. Point of Contact

The point of contact, should you have any follow-up questions about this Annual Report, is below:

Kevin Gearhart
Chief, Office of Security Technology Branch
Information Technology & Data Division
BOP Phone number: 570-447-0659
Email address: kgearhart@bop.gov



U.S. Department of Justice
Drug Enforcement Administration

Office of the Administrator

Springfield, VA 22152

MEMORANDUM FOR THE DEPUTY ATTORNEY GENERAL

FROM: Anne Milgram
Administrator

SUBJECT: Drug Enforcement Administration's Report of Unmanned Aircraft Systems
Operations During Fiscal Year 2023

I. Discussion

This memorandum is provided in accordance with the 2019 Department of Justice (DOJ) Policy on the Use of Unmanned Aircraft Systems (UAS) and the DOJ Tracking and Reporting Requirements for UAS (effective June 4, 2020), which direct each Department component that operates UAS to provide an annual report to the Office of the Deputy Attorney General (ODAG) and the Office of Legal Policy (OLP) summarizing its UAS operations during the previous fiscal year (FY). Below please find the annual report of the Drug Enforcement Administration.

II. Annual Report—Published Information

A. UAS Deployments in Support of DOJ Operations, Categorized by Purpose
(e.g., communications support, criminal investigation, counter-terrorism investigation, crime scene examination or investigation, cyber investigation, counterintelligence investigation, fugitive apprehension, search and rescue, other photography, mapping)

1. Purpose #1: 612 deployments, 339.5 operational hours in support of pre-warrant surveillance, photography, buy/walks and execution of search warrants.
2. Purpose #2: 7 deployments, 3.5 hours in support of Red Ribbon and Demand Reduction events.
3. Purpose #3: 1 deployment, .33 hours in support of inspection of communication tower.

B. UAS Deployments in Support of Other Agencies

1. Other Federal Agencies: [total number and hours/minutes of deployments]
 - a. none
2. State, Local, Tribal, or Territorial Agencies: [total number and hours/minutes of deployments]
 - a. none

C. UAS Deployments by Other Entities at the Department's Request

1. Other Federal Agencies
 - a. Customs & Border Protection: one deployment for 4 hours in support of a criminal investigation.
2. State, Local, Tribal, or Territorial Agencies: 22 deployments for 16.25 hours in support of criminal investigations.
 - a. Lexington County Sheriff's Office, South Carolina: 1 deployment, 40 minutes
 - b. Jacksonville Police Department, North Carolina: 4 deployments, 2 hours 40 minutes
 - c. Gonzales Police Department, Louisiana: 1 deployment, 1 hour
 - d. Santa Clara Police Department, California: 3 deployments, 1 hour 20 minutes
 - e. Burke County Sheriff's Office, Georgia: 3 deployments, 3 hours
 - f. Spartanburg Police Department, South Carolina: 1 deployment, 2 hours
 - g. Greenfield Police Department, Wisconsin: 3 deployments, 1 hour
 - h. Fayetteville Police Department, North Carolina: 2 deployments, 1 hour 30 minutes
 - i. Perrysburg Township Police Department, Ohio: 1 deployment, 20 minutes
 - j. Lenexa Police Department, Kansas: 1 deployment, 45 minutes
 - k. Naugatuck Police Department, Connecticut: 2 deployments, 2 hours

III. Annual Report—Unpublished Information

A. UAS Accidents by Department-operated UAS

1. Involving serious injury to any person or a loss of consciousness: 0 accidents

2. Involving damage to any property, other than the UAS, where the cost of repair (including materials and labor) exceeds \$500 or the fair market value of the damaged property exceeds \$500 in the event of total loss: 0 accidents

B. UAS Owned, Including UAS Acquired During FY23

1. Quadcopter
 - a. Number owned: 166
 - b. Number acquired during FY23: 39
2. Fixed Wing
 - a. Number owned: 1
 - b. None acquired during FY23
3. Other Type of UAS #1
 - a. none

C. Certification of Component's Required Privacy Reviews and Assessments

1. Did the Senior Component Official for Privacy complete an assessment of the component's overall use of UAS and associated sensors prior to deploying any new UAS technology?
 - a. Yes. In 2020, Senior Component Official for Privacy David Mudd ensured the component completed all appropriate privacy documentation for the UAS program and completed the appropriate privacy reviews. An initial privacy assessment (IPA) was submitted, reviewed, and a Final Determination issued by the Office of Privacy and Civil Liberties (OPCL) on September 10, 2020. A Privacy Impact Assessment (PIA) was then submitted to OPCL on October 6, 2020 and approved by OPCL on October 16, 2020. The PIA was not published due to sensitivity concerns.
2. Did the Senior Component Official for Privacy ensure the component completed all appropriate privacy documentation?
 - a. Yes

3. Did the Senior Component Official for Privacy complete an annual privacy review for the UAS employed the previous fiscal year?
 - a. No
4. The official that completed the privacy reviews and assessments listed above:
 - a. David Mudd, Assistant Chief Counsel, DEA Office of Chief Counsel. Any future privacy reviews would be completed by the current DEA Senior Component Official for Privacy, James (Robert) Bryden.

IV. Point of Contact

The point of contact, should you have any follow-up questions about this Annual Report, is below:

Gary W. Hill
Special Agent in Charge
Drug Enforcement Administration
Aviation Division
Phone number: (571) 387-4357
Email address: Gary.W.Hill@dea.gov

ANNUAL UAS OPERATIONS TABLE (FY23)
DRUG ENFORCEMENT ADMINISTRATION

DOJ Reporting Requirement #1: UAS Deployments in Support of DOJ Operations			
Component	Deployments	Flight Time	General Description of Deployments
DEA	612	339 hours, 30 minutes	Pre-warrant surveillance, photography, buy/walks, execution of search warrants
	7	3 hours, 30 minutes	Demand Reduction/Red Ribbon events
	1	20 minutes	Communications tower inspection
Total	620	343 hours, 20 minutes	

DOJ Reporting Requirement #2: UAS Deployments in Support of Other Agencies			
Component	Deployments	Flight Time	General Description of Deployments
DEA	0	0	N/A
Total		hours, minutes	

DOJ Reporting Requirement #3: UAS Operations by Non-DOJ Agencies in Support of DOJ Components			
Component	Deployments	Flight Time	General Description of Deployments
Lexington County Sheriff's Office, South Carolina	1	40 minutes	Pre-warrant surveillance, photography, buy/walk, execution of search warrants
Jacksonville Police Department, North Carolina	4	2 hours, 40 minutes	
Gonzales Police Department, Louisiana	1	1 hour	
Santa Clara Police Department, California	3	1 hour, 20 minutes	
Burke County Sheriff's Office, Georgia	3	3 hours	
Spartanburg Police Department, South Carolina	1	2 hours	
Greenfield Police Department, Wisconsin	3	1 hour	
Fayetteville Police Department, North Carolina	2	1 hour, 30 minutes	
Perrysburg Township Police Department, Ohio	1	20 minutes	
Lenexa Police Department, Kansas	1	45 minutes	
Naugatuck Police Department, Connecticut	2	2 hours	
Customs & Border Protection	1	4 hours	
Total	23	20 hours, 15 minutes	

LAW ENFORCEMENT SENSITIVE



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20530

October 24, 2023

MEMORANDUM FOR THE DEPUTY ATTORNEY GENERAL

FROM: Paul H. Haertel, Assistant Director, Critical Incident Response Group *P 10/26/23*
Erin M. Prest, Deputy General Counsel, Office of the General Counsel *ewp 10/24/23*

SUBJECT: Federal Bureau of Investigation Report of Unmanned Aircraft Systems Operations During Fiscal Year 2023

I. Discussion

This memorandum is provided in accordance with the 2019 Department of Justice (DOJ) Policy on the Use of Unmanned Aircraft Systems (UAS) and the DOJ Tracking and Reporting Requirements for UAS (effective June 4, 2020), which direct each Department component that operates UAS to provide an annual report to the Office of the Deputy Attorney General (ODAG) and the Office of Legal Policy (OLP) summarizing its UAS operations during the previous fiscal year (FY). Below please find the annual report of the Federal Bureau of Investigation (FBI).

II. Annual Report—Published Information

A. UAS Deployments in Support of DOJ Operations, Categorized by Purpose

In FY23, the FBI had 735 deployments involving 1,611 flights totaling 543 hours and 45 minutes of flight.

1. Criminal Investigations: 668 deployments, 1,464 flights, 491 hours and 15 minutes of flight time.
2. Counterterrorism: 44 deployments, 91 flights, 30 hours and 6 minutes of flight time.
3. Counterintelligence: 6 deployments, 16 flights, 9 hours and 30 minutes of flight time.
4. Cyber: 12 deployments, 26 flights, 7 hours and 42 minutes of flight time.
5. Weapons of Mass Destruction: 5 deployments, 14 flights, 5 hours and 12 minutes of flight time.

UNCLASSIFIED // LAW ENFORCEMENT SENSITIVE

Memorandum for the Deputy Attorney General

Subject: *FBI Report of Unmanned Aircraft Systems Operations During Fiscal Year 2023*

B. UAS Deployments in Support of Other Agencies

1. Other Federal Agencies: 1 deployment, 5 flights, 1 hour and 48 minutes of flight time.
 - a. United States Capital Police: 1 deployment, 5 flights, 1 hour and 48 minutes of flight time.
2. State, Local, Tribal, or Territorial Agencies: 16 deployments, 73 flights, 43 hours and 42 minutes of flight time.
 - a. Kansas City Police Department: 1 deployment, 3 flights, 18 minutes of flight time in support of criminal investigations.
 - b. Silver City Police Department: 1 deployment, 3 flights, 1 hour of flight time in support of criminal investigations.
 - c. Baltimore Police Department: 2 deployments, 2 flights, 18 minutes of flight time in support of criminal investigations.
 - d. Detroit Police Department: 2 deployments, 13 flights, 5 hours of flight time in support of criminal investigations.
 - e. Maui County Police Department: 2 deployments, 21 flights, 20 hours, 12 minutes of flight time in support of criminal investigations.
 - f. Los Angeles Police Department: 1 deployment, 1 flight, 30 minutes of flight time in support of criminal investigations.
 - g. Prince George County Police Department: 1 deployment, 2 flights, 30 minutes of flight time in support of criminal investigations.
 - h. Metropolitan Police Department: 1 deployment, 3 flights, 30 minutes of flight time in support of criminal investigations.
 - i. Gering Police Department: 1 deployment, 4 flights, 10 hours and 30 minutes of flight time in support of criminal investigations.
 - j. Anthony Police Department: 1 deployment, 3 flights, 42 minutes of flight time in support of criminal investigations.
 - k. Flathead County Sheriff's Office: 1 deployment, 5 flights, 2 hours and 30 minutes of flight time in support of criminal investigations.
 - l. Stearns County Sheriff's Office: 1 deployment, 3 flights, 42 minutes of flight time in support of criminal investigations.
 - m. Dayton Police Department: 1 deployment, 10 flights, 1 hour of flight time in support of criminal investigations.

Memorandum for the Deputy Attorney General

Subject: *FBI Report of Unmanned Aircraft Systems Operations During Fiscal Year 2023*

C. UAS Deployments by Other Entities at the Department's Request

1. Other Federal Agencies: 0
2. State, Local, Tribal, or Territorial Agencies: 0

III. Annual Report—Unpublished Information

A. UAS Accidents by Department-operated UAS

1. Involving serious injury to any person or a loss of consciousness: 0
2. Involving damage to any property, other than the UAS, where the cost of repair (including materials and labor) exceeds \$500 or the fair market value of the damaged property exceeds \$500 in the event of total loss: 0

B. UAS Owned, Including UAS Acquired During FY23

1. Quadcopter
 - a. 609 owned
 - b. 65 acquired during FY23
2. Fixed Wing
 - a. 25 owned
 - b. 0 acquired during FY23
3. Hybrid (Rotary and Fixed Wing)
 - a. 10 owned
 - b. 9 acquired during FY23

C. Certification of Component's Required Privacy Reviews and Assessments

1. Did the Senior Component Official for Privacy complete an assessment of the component's overall use of UAS and associated sensors prior to deploying any new UAS technology?
 - a. No new UAS technology was deployed during this reporting period.
2. Did the Senior Component Official for Privacy ensure the component completed all appropriate privacy documentation?
 - a. Yes

UNCLASSIFIED // LAW ENFORCEMENT SENSITIVE

Memorandum for the Deputy Attorney General

Subject: *FBI Report of Unmanned Aircraft Systems Operations During Fiscal Year 2023*

3. Did the Senior Component Official for Privacy complete an annual privacy review for the UAS employed the previous fiscal year?
 - a. Yes
4. The official that completed the privacy reviews and assessments listed above:
 - a. Erin M. Prest, Deputy General Counsel and Senior Component Official for Privacy, Office of the General Counsel

IV. Point of Contact

The point of contact, should you have any follow-up questions about this Annual Report, is below:

Ronald Peterman
Supervisory Special Agent, Critical Incident Response Group, Surveillance and Aviation
Section, Surveillance and Emerging Technologies Unit
Federal Bureau of Investigation
Phone number: (202) 409-1466
Email address: rrpeterman@fbi.gov

Casey Brown
Supervisory Special Agent, Critical Incident Response Group, Surveillance and Aviation
Section, Surveillance and Emerging Technologies Unit
Federal Bureau of Investigation
Phone number: (954) 263-4089
Email address: crbrown2@fbi.gov

ANNUAL UAS OPERATIONS TABLE (FY23)**FBI**

DOJ Reporting Requirement #1: UAS Deployments in Support of DOJ Operations			
Component	Deployments	Flight Time	General Description of Deployments
FBI	668	491 hours, 15 minutes	Criminal Investigations
	44	30 hours, 6 minutes	Counterterrorism
	6	9 hours, 30 minutes	Counterintelligence
	12	7 hours, 42 minutes	Cyber
	5	5 hours, 12 minutes	Weapons of Mass Destruction
Total	735	543 hours, 45 minutes	

DOJ Reporting Requirement #2: UAS Deployments in Support of Other Agencies			
Component	Deployments	Flight Time	General Description of Deployments
FBI	1 (in support of non-DOJ federal agencies)	1 hour, 48 minutes	Criminal Investigations
	16 (in support of state, local, tribal, or territorial agencies)	43 hours, 42 minutes	Criminal Investigations
Total	17	45 hours, 30 minutes	

DOJ Reporting Requirement #3: UAS Operations by Non-DOJ Agencies in Support of DOJ Components			
Component	Deployments	Flight Time	General Description of Deployments
FBI	0 (by non-DOJ federal agencies)	N/A	N/A
	0 (by state, local, tribal, or territorial governments)	N/A	N/A
Total	0	0 hours, 0 minutes	



U.S. Department of Justice

United States Marshals Service

Investigative Operations Division

Washington, DC 20530-0001

November 3, 2023

MEMORANDUM TO: Susan M. Davies
Acting Assistant Attorney General
Office of Legal Policy
United States Department of Justice

FROM: Peter D. Marketos
Assistant Director

PETER MARKETOS

Digitally signed by PETER
MARKETOS
Date: 2023.11.03
15:46:28 -04'00'

SUBJECT: United States Marshals Service Report of Unmanned Aircraft
Systems Operations During Fiscal Year 2023

I. Discussion

This memorandum is provided in accordance with the 2019 Department of Justice (DOJ) Policy on the Use of Unmanned Aircraft Systems (UAS) and the DOJ Tracking and Reporting Requirements for UAS (effective June 4, 2020), which direct each Department component that operates UAS to provide an annual report to the Office of the Deputy Attorney General (ODAG) and the Office of Legal Policy (OLP) summarizing its UAS operations during the previous fiscal year (FY). Below please find the annual report of the United States Marshals Service.

II. Annual Report – Published Information

A. UAS Deployments in Support of DOJ Operations, Categorized by Purpose:
(e.g., communications support, criminal investigation, counter-terrorism investigation, crime scene examination or investigation, cyber investigation, counterintelligence investigation, fugitive apprehension, search and rescue, other photography, mapping)

1. Fugitive Apprehension: 282 deployments, 83 hours, 41 minutes
2. Communications Support: 3 deployments, 58 minutes
3. Judicial Security: 5 deployments, 1 hour, 46 minutes
4. Site Survey: 2 deployments, 2 hours, 18 minutes

B. UAS Deployments in Support of Other Agencies:

1. Other Federal Agencies: None
2. State, Local, Tribal, or Territorial Agencies: None

C. UAS Deployments by Other Entities at the Department's Request

1. Other Federal Agencies: None
2. State, Local, Tribal, or Territorial Agencies: 1 deployment
 - a. Statesville Police Department (SPD): 1 deployment, 30 minutes, fugitive apprehension

III. Annual Report – Unpublished Information

A. UAS Accidents by Department-operated UAS

1. Involving serious injury to any person or a loss of consciousness: None
2. Involving damage to any property, other than the UAS, where the cost of repair (including materials and labor) exceeds \$500 or the fair market value of the damaged property exceeds \$500 in the event of total loss: None

B. UAS Owned, Including UAS Acquired During FY23

1. Quadcopter
 - a. Owned: 308
 - b. Acquired in FY23: 115
2. Fixed Wing
 - a. Owned: 0
 - b. Acquired: 0
3. Hexcopter
 - a. Owned: 1
 - b. Acquired in FY23: 0
4. Tethered
 - a. Owned: 1
 - b. Acquired in FY23: 0

C. Certification of Component's Required Privacy Reviews and Assessments

1. Did the Senior Component Official for Privacy (SCOP) complete an assessment of the component's overall use of UAS and associated sensors prior to deploying any new UAS technology?

- a. Yes, the SCOP was verbally briefed regarding the component's overall use of UAS various times throughout the FY, engaged in substantive review of the USMS UAS policy, and briefed prior to deploying any new technology.
2. Did the Senior Component Official for Privacy ensure the component completed all appropriate privacy documentation?
 - a. Yes, the SCOP ensured the component had a completed IPA and PIA for UAS technology. Note that the privacy compliance documentation for USMS does require an update to accurately reflect the new technologies utilized and the SCOP is in discussions with the UAS Program in regards to such.
3. Did the Senior Component Official for Privacy complete an annual privacy review for the UAS employed the previous fiscal year?
 - a. Yes, the SCOP is actively engaged with the UAS program and reviews new technologies for privacy considerations and information sharing queries as they arise during the fiscal year.
4. The official that completed the privacy reviews and assessments listed above:
 - a. Charlotte Luckstone, Senior Associate General Counsel, United States Marshals Service, Office of General Counsel

IV. Point of Contact

Should you have any follow-up questions about this Annual Report, the Point of Contact is:

Chief Inspector Bryan Gillespy
Office of Operational Technologies
Investigative Operations Division
United States Marshals Service
Phone number: 703-740-0447
Email address: Bryan.Gillespy@usdoj.gov

ANNUAL UAS OPERATIONS TABLE (FY23)

United States Marshals Service

DOJ Reporting Requirement #1: UAS Deployments in Support of DOJ Operations			
Component	Deployments	Flight Time	General Description of Deployments
USMS	282	83 hours, 41 minutes	Fugitive Apprehension
	3	58 minutes	Communications Support
	5	1 hour, 46 minutes	Judicial Security
	2	2 hours, 18 minutes	Site Survey
Total	292	88 hours, 43 minutes	

DOJ Reporting Requirement #2: UAS Deployments in Support of Other Agencies			
Component	Deployments	Flight Time	General Description of Deployments
USMS	None (in support of non-DOJ federal agencies)		
	None (in support of state, local, tribal, or territorial agencies)		
Total	0	0 hours, 0 minutes	

DOJ Reporting Requirement #3: UAS Operations by Non-DOJ Agencies in Support of DOJ Components			
Component	Deployments	Flight Time	General Description of Deployments
USMS	None (by non-DOJ federal agencies)		
	1 (by state, local, tribal, or territorial governments)	30 minutes	Fugitive Apprehension
Total	1	0 hours, 30 minutes	



October 24, 2023

MEMORANDUM FOR THE DEPUTY ATTORNEY GENERAL

FROM: Michael P. Zeppieri
Chief, Special Operations Division

**MICHAEL
ZEPPIERI** Digitally signed by
MICHAEL ZEPPIERI
Date: 2023.12.13
10:23:31 -05'00'

SUBJECT: Bureau of Alcohol, Tobacco, Firearms and Explosives Report of
Unmanned Aircraft Systems Operations During Fiscal Year 2023

I. Discussion

This memorandum is provided in accordance with the 2019 Department of Justice (DOJ) Policy on the Use of Unmanned Aircraft Systems (UAS) and the DOJ Tracking and Reporting Requirements for UAS (effective June 4, 2020), which direct each Department component that operates UAS to provide an annual report to the Office of the Deputy Attorney General (ODAG) and the Office of Legal Policy (OLP) summarizing its UAS operations during the previous fiscal year (FY). Below please find the annual report of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

II. Annual Report—Published Information

- A. UAS Deployments in Support of DOJ Operations, Categorized by Purpose**
(e.g., communications support, criminal investigation, counter-terrorism investigation, crime scene examination or investigation, cyber investigation, counterintelligence investigation, fugitive apprehension, search and rescue, other photography, mapping)

1. Special Response Team (SRT) Officer Safety: 463 flights, 36 hours & 23 minutes.
2. National Response Team (NRT) Fire & Explosive Scene Support: 84 flights, 15 hours & 59 minutes.
3. Field Division Criminal Investigation Support: 34 flights, 12 hours & 44 minutes.

B. UAS Deployments in Support of Other Agencies

1. Other Federal Agencies: (0)
2. State, Local, Tribal, or Territorial Agencies: (0)

C. UAS Deployments by Other Entities at the Department's Request

1. Other Federal Agencies (0)
2. State, Local, Tribal, or Territorial Agencies: (0)

III. Annual Report—Unpublished Information

A. UAS Accidents by Department-operated UAS

1. Involving serious injury to any person or a loss of consciousness: (0) accidents
2. Involving damage to any property, other than the UAS, where the cost of repair (including materials and labor) exceeds \$500 or the fair market value of the damaged property exceeds \$500 in the event of total loss: (0) accidents

B. UAS Owned, Including UAS Acquired During FY23

1. Quadcopter: (69) total systems
 - a. (0) systems purchased in FY23
2. Fixed Wing: (0)

C. Certification of Component's Required Privacy Reviews and Assessments

1. Did the Senior Component Official for Privacy complete an assessment of the component's overall use of UAS and associated sensors prior to deploying any new UAS technology?
 - a. Yes
2. Did the Senior Component Official for Privacy ensure the component completed all appropriate privacy documentation?
 - a. Yes
3. Did the Senior Component Official for Privacy complete an annual privacy review for the UAS employed the previous fiscal year?
 - a. Yes
4. The official that completed the privacy reviews and assessments listed above:
 - a. Varun Bisht, (Acting) Senior Component Official for Privacy

IV. Point of Contact

The point of contact, should you have any follow-up questions about this Annual Report, is below:

Shawn M. Rodgers

UAS Program Manager, Special Operations Division, ATF

Phone number: (703) 298-6668

Email address: shawn.rodgers@atf.gov

LAW ENFORCEMENT SENSITIVE

ANNUAL UAS OPERATIONS TABLE
ATF

DOJ Reporting Requirement #1: UAS Deployments in Support of DOJ Operations			
Component	Deployments	Flight Time	General Description of Deployments
ATF	463	36 hrs. & 23 min.	SRT Officer Safety
	84	15 hrs. & 59 min.	NRT Fire & Explosive Scene Investigation
	34	12 hrs. & 44 min.	Field Division Criminal Investigation
Total	581	65 hrs. 6 min.	

DOJ Reporting Requirement #2: UAS Deployments in Support of Other Agencies			
Component	Deployments	Flight Time	General Description of Deployments
ATF	(0) (in support of non-DOJ federal agencies)	N/A	N/A
	(0) (in support of state, local, tribal, or territorial agencies)	N/A	N/A
Total	(0)	(0)	

DOJ Reporting Requirement #3: UAS Operations by Non-DOJ Agencies in Support of DOJ Components			
Component	Deployments	Flight Time	General Description of Deployments
ATF	(0) (by non-DOJ federal agencies)	N/A	N/A
	(0) (by state, local, tribal, or territorial governments)	N/A	N/A
Total	(0)	(0)	

LAW ENFORCEMENT SENSITIVE

From: [Nieman, Amy \(OLP\)](#)
To: [Bodger, Priscilla \(OES\)](#)
Cc: [Jinks, Kevin \(OLP\)](#); [Davis, Valorie A \(OLP\)](#)
Subject: Component Concurrences with ECATS-2023-247406 - FY2023 Annual Summary UAS Operations
Date: Tuesday, February 6, 2024 5:50:33 PM

Priscilla,

With reference to the ECATS action above, currently in staffing: after USMS identified errors with the percentages on page 3, the corrected numbers were restaffed to:

ATF
BOP
DEA
USMS
FBI

All of the components concurred with the new page 3.

OLP A/AAG and NSD also re-concurred.

Many thanks for your patience with this action.

Amy Nieman

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