



## U.S. Department of Justice

Office of the Deputy Attorney General

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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.”<sup>1</sup>

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,<sup>2</sup> and the Department complies with all controlling legal requirements of the jurisdiction when operating UAS, including

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<sup>1</sup> 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>.

<sup>2</sup> 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 deployments<sup>3</sup> 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 non-DOJ Federal agencies and from SLTT during FY2023 a total of 24 UAS deployments, representing a 25% decrease from FY2022 in the number of deployments from external sources.

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<sup>3</sup> 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.