**U.S. Forest Service/Bureau of Land Management**

**Fire and Aviation Management**

### Briefing Paper

### Date: June 5, 2017

**Topic: FY 2017 UAS Incursion Notification**

**Status of UAS Incursion Notification Protocol**

* As recently observed, when UAS incursions were detected in the Pinal Fire Temporary Flight Restriction (TFR) on the Tonto National Forest, the timely notification by incident personnel to Dispatch and to local agency Law Enforcement Investigators led to the timely identification of the unauthorized UAS operator which resulted in a subsequent citation.
* It is not stated in the May 20, 2017 Pinal Fire - Drone Intrusion Rapid Lesson Sharing (RLS) document what follow up action was or was not taken by Dispatch regarding FAA notification.
* An NWCG Memo #16-006 was issued last summer that contained a graphic notification flow chart that is mostly accurate and complete, minus the requested timely notification to an FAA Air Route Traffic Control Center (ARTCC) discussed below.

**FAA Notification Requirement**

* The FAA has asked that all UAS TFR intrusions (or careless and reckless flying) be reported immediately to the appropriate ARTCC by our agency Dispatch Centers so they can initiate their own internal Mandatory Occurrence Reporting (MOR) protocol with the “Domestic Events Network” (DEN). Timely reporting is crucial for subsequent FAA enforcement action to occur.
* There are several internal FAA policy Orders that each ARTCC is **required** to follow when notified of a UAS intrusion in a TFR, or if reckless or careless operation of a UAS is observed in the vicinity of manned aircraft (even if there is no TFR in place, or on a prescribed fire that is utilizing aircraft.)
* Dispatchers should refer to the FAA Order **FAAO 7610.4** when reporting TFR intrusions since the controller who answers the phone at an ARTCC may not be familiar with this Order which is summarized below.

**Synopsis of relevant internal FAA Orders and directives:**

* The FAA must adhere to the following per **FAAO 7610.4**:  *Reporting Unauthorized or Suspicious UAS Activity.****ATC must notify the Domestic Events Network (DEN) Air Traffic Security Coordinator (ATSC) of any reported or observed unauthorized UAS activity (in accordance with FAAO 7610.4, Special Operations) and document the incident….****Additionally, if UAS activity is creating a hazard to air traffic, facilities may contact their local law enforcement.* Note: The “DEN” is described on page 19 of the May/June 2011 issue of ***FAA Safety Briefing*** found at <https://www.faa.gov/news/safety_briefing/2011/media/MayJun2011.pdf>
* FAA direction regarding UAS reportingis also found in **FAA Joint Order 7200.23**

***“****All (FAA) employees must ensure that all known unauthorized UAS activities through either direct involvement or observation, are documented. These occurrences or conditions must be reported using the processes contained within JO 7210.632 and this order, Air Traffic Organization Occurrence Reporting or JO 7200.20, Voluntary Safety Reporting Program (VSRP). Submission of a VSRP report satisfies non-management employees' requirement to report according to these directives* ***except when the employee providing air traffic services determines that pilot actions affected national security or the safety of operations.*** *When such a determination is made, UAS activities must also be reported in the Comprehensive Electronic Data Analysis and Reporting (CEDAR) as a Mandatory Occurrence Reporting (MOR) in accordance with* ***FAA JO 7210.632*** *and this Notice.*

**FAA Guidance for LE agencies:** Refer to <https://www.faa.gov/uas/resources/law_enforcement/>

* *There is evidence of a considerable increase in the unauthorized use of small, inexpensive Unmanned Aircraft Systems (UAS) by individuals and organizations, including companies. While the FAA retains the responsibility for enforcing Federal Aviation Regulations, including those applicable to the use of UAS, the agency also recognizes that state and local Law Enforcement Agencies (LEAs) are often in the best position to deter, detect, immediately investigate, and, as appropriate, pursue enforcement actions to stop unauthorized or unsafe UAS operations. The Agency’s* [*Law Enforcement Guidance for Suspected Unauthorized UAS Operations*](https://www.faa.gov/uas/resources/law_enforcement/media/FAA_UAS-PO_LEA_Guidance.pdf) *(PDF) is intended to support the partnership between the FAA and LEAs in addressing these activities.*

**Summary:**

* **Incident personnel should be encouraged to continue immediate engagement of local and agency law enforcement in response to unauthorized UAS incursions that hamper air operations or pose a threat to aviation safety.**
* **Internal Agency/Interagency UAS Intrusion reporting protocols should include immediate reporting by Dispatch to the FAA ARTCC so that the required internal FAA follow-up actions may be taken concurrently in a timely manner.**
* **The most effective enforcement follow-up actions have been accomplished when Agency LEOs or State/County Law Enforcement agencies collaborate with the FAA Flight Standards District Office and follow the recommendations suggested in the FAA LE Guidance referenced above.**

**Recommendations**:

* **Adjust Dispatch Center SOPs if needed to ensure ARTCC and agency LE notifications are made. Document notifications in call logs to capture the date/time and who spoke with whom.**
* **Brief dispatch staff on notification requirements and incorporate UAS intrusions in training, proficiency exercises, and simulations.**
* **When completing a SAFECOM, ensure that confirmation of appropriate notifications to ARTCC and LE is mentioned in either the narrative or corrective action section of the SAFECOM. Safety Managers who are reviewing SAFECOMs may make additional notes in the remarks section that is not seen by the public to provide further information.**

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