

**U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT  
ENFORCEMENT AND REMOVAL OPERATIONS**

**ERO Directive 24003: Small Unmanned Aircraft Systems**

**Issue Date:** December 18, 2024

**Superseded:** None

**1. PURPOSE/BACKGROUND**

This Directive establishes Enforcement and Removal Operations (ERO) policy and procedures governing the use and operation of small Unmanned Aircraft Systems (sUAS) by ERO personnel. sUAS are invaluable law enforcement tools that offer efficient ways to serve the public while promoting officer safety

**2. POLICY**

ERO may utilize sUAS in a variety of its missions as designated by the ERO Executive Associate Director (EAD) which may include but not limited to:

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Operation of sUAS shall be solely for official purposes in compliance with this Directive and shall not be used in a manner that would violate an individual's Constitutional rights.

**3. DEFINITIONS**

The following definitions apply for purposes of this Directive only:

**3.1 Certificate of Authorization (COA).** Permission to fly within specific boundaries and perimeters identified by the Federal Aviation Administration (FAA). (See FAA Form 7711-2, Certificate of Waiver or Authorization, dated October 5, 2017, or as updated).

**3.2 FAA Remote Pilot Certificate (Part 107).** As detailed in Title 14, Code of Federal Regulations (C.F.R.), Part 107, the official certification allowing for the operation of sUAS.

**3.3 Federal Aviation Administration (FAA).** The component of the U.S. Department of Transportation responsible for overseeing access to the national airspace.

**3.4 FAA Temporary Flight Restrictions (TFRs).** The area restricted to air travel due to a hazardous condition, a special event, or a general warning for the entire FAA airspace.

**3.5 National Air Space (NAS).** The area of the atmosphere above a country's territory that is under the country's control, including its international waters and territorial sea.

**3.6 National FAA Notice to Airman (NOTMA).** A notice from the FAA that provides real-time information to flight crew about the status of the NAS.

**3.7 National Oceanic and Atmospheric Administration (NOAA) Meteorological Aerodrome Reports (METARs).** A standardized format used globally for reporting current weather conditions at airports or permanent weather observation stations. It is a critical tool in aviation for flight planning and safety.

**3.8 Office of Firearms and Tactical Programs (OFTP).** The ICE program office responsible for providing programmatic oversight of ERO tactical programs as well as EROs sUAS program. OFTP also retains their traditional authority of providing use of force instructor and specialized training certification training, the acquisition of specialized firearms and the testing, evaluation, procurement and issuance of ballistic materials and other related law enforcement equipment. OFTP also directs the development and implementation of ICE tactical doctrine and directs the development and presentation of training for tactical programs and is responsible for the certification and training for all tactical teams, programs and its sub-competencies.

**3.9 Remote Pilot.** An ERO law enforcement officer who is: 1) issued a current FAA Part 107 license; 2) qualified by a Senior Pilot as ready for safe flight; 3) in compliance with the requirements of this Directive and FAA Part 107; and 4) designated by the sUAS/Drone Program Manager as an authorized operator of agency sUAS.

**3.10 Remote Pilot in Command (RPIC).** As regulated by the FAA the Remote Pilot, who has final authority and responsibility for the operation and safety of the flight, has been designated or self-designated as the RPIC before or during the flight, and holds the appropriate category, class and type of rating, if applicable, for the conduct of the flight. The RPIC's authority includes the decision not to fly or to terminate a mission.

**3.11 Senior Pilot.** A Pilot designated by the sUAS/Drone Program Manager who possesses sufficient pilot experience to fulfill the responsibilities assigned in this Directive.

**3.12 Small Unmanned Aircraft.** An unmanned aircraft weighing less than 55 pounds on takeoff, including everything on board or otherwise attached to the aircraft.

**3.13 Small Unmanned Aircraft System (sUAS).** A small, unmanned aircraft and its associated elements (including communication links and the components that control the small, unmanned aircraft) that are required for the safe and efficient operation of the small, unmanned aircraft in the national airspace system.

**3.14 sUAS/Drone Program Manager (DPM).** A Senior Pilot, acting as the Chief Pilot, who is designated by the Office of Firearms and Tactical Programs (OFTP), who possesses sufficient pilot experience, ERO tactical leadership experience to fulfill the responsibilities assigned in this Directive and other duties that may be delegated by OFTP, to ensure the safe deployment and use of sUAS.

#### **4. RESPONSIBILITIES**

##### **4.1 The Executive Associate Director (EAD) or ERO designated official is responsible for:**

- 1) Oversight of the provisions of this Directive.
- 2) Ensuring the availability of required funding resources for procurement of sUAS systems for ERO; and
- 3) Providing written guidelines regarding the operational use of sUAS.

##### **4.2 The Assistant Director for Field Operations is responsible for:**

- 1) Ensuring the implementation of the Directive in coordination with other ERO Divisions.
- 2) Coordinating with OFTP regarding the acquisition of sUAS for ERO.

##### **4.3 Responsible Officials (ROs) are responsible for:**

- 1) Implementing the provisions of this Directive within their area of responsibility (AOR) and
- 2) Approving the use of sUAS during enforcement operations.<sup>1</sup>

##### **4.4 The sUAS/Drone Program Manager (DPM) is responsible for:**

- 1) Acting as the Chief Pilot for ERO;
- 2) Serving as the point of contact for coordinating and documenting, acquisitions, maintenance and training requirements for all sUAS;
- 3) Designating Remote Pilots and Senior Pilots;
- 4) Designating a Senior Pilot as the acting DPM in the DPM's absence and communicating the designation to all Remote Pilots and the Unit Chief by email communication;
- 5) Maintaining the records and certifications of currently designated Remote Pilots, Senior Pilots and types they are authorized to operate;
- 6) Ensuring availability for unscheduled operational guidance, accident reporting, check flight verification and all other policy compliance requirements or other needs as the field dictates;

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- 7) Subscribing to all relevant FAA updates affecting ERO Remote Pilots regarding FAA regulations and requirements, including national FAA Notices to Airmen (NOTAMs), FAA Temporary Flight Restrictions (TFRs);
- 8) Chief Pilots are personally responsible for checking NOTAMs, METARs, and TFRs prior to initiating a flight;
- 9) Fulfilling any additional duties delegated by the Unit Chief, Tactical Operation Unit, as assigned.

**4.5 Senior Pilots are responsible for:**

- 1) Qualifying a potential Remote Pilot's proficiency to fly in a safe manner that follows this Directive and FAA regulations;
- 2) Verifying the proficiency of Remote Pilots and other Senior Pilots to safely operate a particular aircraft type, including a check flight for any aircraft owned by another agency if that aircraft is approved for use by the RO;
- 3) Providing OFTP-designated training to Remote Pilots;
- 4) Reporting qualified Remote Pilots and the aircraft they are authorized to operate to the DPM;
- 5) Validating aircraft airworthiness;
- 6) Subscribing to all relevant FAA updates affecting ERO Remote Pilots regarding FAA regulations and requirements, including national FAA NOTAMs, FAA TFRs;
- 7) Senior Pilots are personally responsible for checking NOTAMs, METARs, and TFRs prior to initiating a flight;
- 8) Fulfilling any additional duties delegated by the DPM, as assigned.

**4.6 Remote Pilots, including the DPM and all Senior Pilots, are responsible for:**

- 1) Conducting sUAS missions in compliance with this Directive and FAA regulations;
- 2) Fulfilling all the duties of the RPIC during operations when designated as the RPIC;

- 3) Personally responsible for checking NOTAMs, METARs, and TFRs prior to initiating a flight. Remote Pilots can access such information from FAA approved applications/sites.

**4.7 The Remote Pilot in Command (RPIC)** is responsible for having final authority for the operation and safety of the flight, including the decision not to fly or to terminate a mission. The RPIC position may rotate, as necessary, with equally qualified Remote Pilots and may change during flight, with due care for safety.

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<sup>2</sup> 14 C.F.R. Part 107

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**7. AUTHORITIES/REFERENCES**

- 7.1** Public Law 107-296, Homeland Security Act of 2002.
- 7.2** Public Law 112-95, Title III, Subtitle B – Unmanned Aircraft Systems (FAA Modernization and Reform Act of 2012).
- 7.3** Public Law 114-90, Title II, Subtitle B – UAS Safety (FAA Extension, Safety and Security Act of 2016).
- 7.4** Presidential Memorandum: Promoting Economic Competitiveness While Safeguarding Privacy, Civil Rights and Civil Liberties in Domestic Use of Unmanned Aircraft Systems, dated February 15, 2015.
- 7.5** Title 41, Code of Federal Regulations, (C.F.R.) 102-33, Management of Government Aircraft.
- 7.6** 14 C.F.R. Part 107, Small Unmanned Aircraft Systems.
- 7.7** DHS Policy Memorandum 119-08, Addressing Cybersecurity Vulnerabilities of Small Unmanned Aircraft Systems, dated March 2, 2020.
- 7.8** DHS Policy Directive 0020.1, Aviation Management and Safety, dated February 22, 2005.
- 7.9** DHS Policy Directive 0021, Aviation Concept of Operations, dated April 18, 2005.
- 7.10** DHS Cybersecurity Guidance, Small Unmanned Aircraft Systems (sUAS), Version 3.0, dated September 16, 2021

- 7.11 DHS Chief Information Officer's (CIO) memo to Component CIO titled Policy Memorandum Update: Securing DHS Small Unmanned Aircraft Systems (sUAS), dated May 24, 2021.
- 7.12 DHS Acquisition Alert 20-09, Prohibition on Unauthorized Procurement of Small Unmanned Aircraft Systems, dated March 13, 2020.
- 7.13 DHS Financial Management Policy Manual, Chapter 3: Financial Management and Accounting, Part 3.2.2: Purchase Card Manual, dated February 15, 2021.
- 7.14 FAA Form 7711-1, Certificate of Waiver or Authorization, dated October 5, 2017, or as updated.
- 7.15 Current FAA policy provided in 14 C.F.R. Parts 91 and 107 and/or FAA Order 8900.1, Volume 16, Unmanned Aircraft Systems (UAS).
- 7.16 Department of Homeland Security Best Practices for Protecting Privacy, Civil Rights and Civil Liberties in Unmanned Aircraft Systems Programs, dated December 18, 2015.
- 7.17 DHS Policy Directive 4300A, Sensitive Systems Policy Handbook, Version 13.1, dated July 27, 2017.
- 7.18 ICE Personal Property Operations Handbook, Version 16, dated February 14, 2019, or as updated.
- 7.19 ICE Directive 1022.1 (former number: 1-15.0), Table of Offenses and Penalties (TOP), and its attached "Guidelines and Instructions on Use of the Table of Offenses and Penalties," dated December 8, 2006, or as updated.
- 7.20 Title 8, United States Code (U.S.C.), Section 1357, Powers of immigration officers and employees.
- 7.21 19 U.S.C. § 1589a, Enforcement authority of customs officers.
- 7.22 United States Constitution, amendment(s) I, IV, & XIV, § 1.
- 7.23 Privacy Act of 1974, 5 U.S.C. § 552a.
- 7.24 National Archives and Records Administration, General Records Schedule 5.4, Items 100, 110, 120 and 130.
- 7.25 DHS Memorandum, Guidelines for Enforcement Actions in or Near Protected Areas (October 27, 2021).
- 7.26 ICE Directive 19010.2 Body Worn Camera (BWC) effective January 12, 2024.

**8. NO PRIVATE RIGHT**

This document provides only internal ERO policy guidance, which may not be modified, rescinded or superseded at any time without notice. It is not intended to, does not and may not be relied upon to create any right or benefit, substantive or procedural, enforceable by law by any party in any administrative, civil or criminal matter. Likewise, no limitations are placed by this guidance on the otherwise lawful enforcement or litigative prerogatives of ICE.



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