US Army Corps of Engineers

U.S. Army Corps of Engineers
Operational Protection Division
Directorate Contingency Operations

18 September 2014

OPERATIONAL PROTECTION MESSAGE

(U) An operational protection message may contain raw, unevaluated information and does not indicate an imminent or credible threat. This message is provided as a way to disseminate information and advice concerning protection of USACE assets and personnel.

(U) Over Flights of USACE Projects by Unmanned Drone Type Aircraft

(U/FOUO) There have been 10 reported incidents in 2014 of aircraft observed flying over USACE projects. Five of these were unmanned drone type aircraft. In some of these incidents, the drone filmed their flights over the project and posted the film on social media.

(U) There has been some question if these type aircraft are covered under 36 C.F.R. Part 327. Our regulation at 36 C.F.R. § 327.4 provides in relevant part:

> (a) This section pertains to all aircraft including, but not limited to, airplanes, seaplanes, helicopters, ultra-light aircraft, motorized hang gliders, hot air balloons, any non-powered flight devices or any other such equipment.
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> (b) The operation of aircraft on project lands at locations other than those designated by the District Commander is prohibited. This provision shall not be applicable to aircraft engaged on official business of Federal, state or local governments or law enforcement agencies, aircraft used in emergency rescue in accordance with the directions of the District Commander or aircraft forced to land due to circumstances beyond the control of the operator.
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> (c) No person shall operate any aircraft while on or above project waters or project lands in a careless, negligent or reckless manner so as to endanger any person, property or environmental feature.

(U) The Operational Protection Division (OPD) office coordinated with the HQ Operations and HQ Office of Counsel who agree that unmanned drone type aircraft are covered under 36 C.F.R. § 327.4. Drone type aircraft are prohibited from flying over USACE projects, except over project lands designated by the District Commander. See 36 C.F.R. § 327.4(b).

(U//FOUO) Overflights should continue to be reported in ENGLink as a Suspicious Activity Report (SAR).

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