



The Secretary of Energy

Washington, DC 20585


August 17, 2020

Delegation S1-DEL-UAS-2020

MEMORANDUM FOR DEPUTY SECRETARY OF ENERGY

PAUL M. DABBAR
UNDER SECRETARY FOR SCIENCE

LISA E. GORDON-HAGERTY
UNDER SECRETARY FOR NUCLEAR SECURITY
ADMINISTRATOR, NNSA

FROM: DAN BROUILLETTE 

SUBJECT: Delegation of Authority under 50 U.S.C. 2661, *Protection of Certain Nuclear Facilities and Assets from Unmanned Aircraft*

Congress enacted legislation in section 3112 of the National Defense Authorization Act for Fiscal Year 2017, which added section 4510 to the Atomic Energy Defense Act, 50 U.S.C. 2661, *Protection of certain nuclear facilities and assets from unmanned aircraft*. The law gave me the authority to take actions necessary to mitigate the threat that an unmanned aircraft system (UAS) or unmanned aircraft poses to the safety or security of covered facilities or assets. The authorized actions include detection, identification, monitoring, tracking, disrupting control of, and the use of reasonable force to disable, damage, or destroy UAS or unmanned aircraft. I hereby delegate these authorities to you, as laid out below:

The Deputy Secretary is authorized to execute the following actions:

On a nonexclusive basis, under 50 U.S.C. 2661, *Protection of certain nuclear facilities and assets from unmanned aircraft*, take the actions described in subsection (b)(1) that are necessary for the development of a plan to mitigate the threat an unmanned aircraft system or unmanned aircraft poses to the safety or security of a covered facility or asset. This authority may not be redelegated.

The Under Secretary of Energy is authorized to execute the following actions:

On a nonexclusive basis, under 50 U.S.C. 2661, *Protection of certain nuclear facilities and assets from unmanned aircraft*, take the actions described in subsection (b)(1) that are necessary for the development of a plan to mitigate the threat an unmanned aircraft system or unmanned aircraft poses to the safety or security of a covered facility or asset. This authority may not be redelegated.

The Under Secretary for Science is authorized to execute the following actions:

On a nonexclusive basis, under 50 U.S.C. 2661, *Protection of certain nuclear facilities and assets from unmanned aircraft*, take the actions described in subsection (b)(1) that are necessary for the development of a plan to mitigate the threat an unmanned aircraft system or unmanned aircraft poses to the safety or security of a covered facility or asset. This authority may not be redelegated.

The Under Secretary for Nuclear Security is authorized to execute the following actions:

On a nonexclusive basis, under 50 U.S.C. 2661, *Protection of certain nuclear facilities and assets from unmanned aircraft*, take the actions described in subsection (b)(1) that are necessary for the development and implementation of a counter unmanned aircraft system (CUAS) program. The implementation plans to mitigate the threat a UAS or unmanned aircraft poses to the safety or security of a covered facility or asset shall consist of a programmatic concept of operations and rules of engagement tailored to each CUAS deployment location. This authority may not be redelegated.

If you require additional information, please contact Matthew Moury, Associate Under Secretary for Environment, Health, Safety and Security, at (202) 586-1285.

Attachment:

50 U.S.C. § 2661