



**DEPARTMENT OF THE ARMY**  
**UNITED STATES ARMY GARRISON BAVARIA**  
UNIT 28130  
APO AE 09114

AMIM-BAO-O (100)

MEMORANDUM FOR All Units and Organizations within the USAG Bavaria Footprint

SUBJECT: USAG Bavaria Policy Memorandum #19, Small Unmanned Aircraft Systems (SUAS)

1. References:

a. Deputy Secretary of Defense (DSD) Policy Memorandum, Subject: Unmanned Aerial Systems Cyber Security Vulnerabilities.

b. Office of the Secretary of Defense (OSD) Policy Memorandum, Subject: Delegation of Authority to Approve Exemptions for Using Commercial-Off-The-Shelf Unmanned Aerial Systems in Support of Urgent Needs.

c. Army Policy Memorandum, Army Policy for Unmanned Aircraft Systems on Army Installations.

d. ALARACT 029-2019, Consolidated DoD-Army Cots UAS Cyber Security Waiver Business Rules.

e. USAREUR OPORD 0006-19 (FY19-FY20 USAREUR SUAS Policy), 10 December 2018.

f. "Drone-Regulation" - German Regulation on the Operation of Unmanned Aerial Vehicles ("Drohnenverordnung" - Verordnung zur Regelung des Betriebs von unbemannten Fluggeräten).

g. German Air Traffic Regulation (Luftverkehrs-Ordnung – LuftVO).

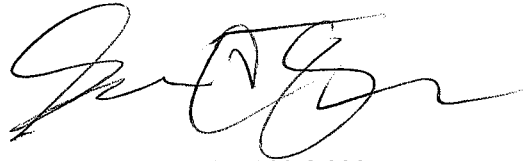
h. German Air Traffic Licensing Regulation (Luftverkehrs-Zulassungs-Ordnung LuftVZO).

2. This memorandum establishes policy on operating SUAS on USAG Bavaria controlled installations.

3. POC for this policy memorandum is the USAG Bavaria S3/5 Protection Branch - Antiterrorism Office, DSN 526-3007/3008 or CIV 09641-70-526-3007/3008.

AMIM-BAO-O

SUBJECT: USAG Bavaria Policy Memorandum #19, Small Unmanned Aircraft  
Systems (SUAS)

A handwritten signature in black ink, appearing to read 'S. C. Flanagan', written in a cursive style.

STEPHEN C. FLANAGAN

COL, SF  
Commanding

Encl

1. UAS Processes
2. SUAS COTS Event  
Approval Procedures
3. Drone Infographic

Enclosure 1 (UAS Processes)

USAG Bavaria Policy Memorandum #19, Small Unmanned Aircraft Systems (SUAS)

1. For the purposes of this policy, unless specified, SUAS refers to all systems that are operated remotely or with programmed GPS flight plans, including radio controlled (RC) aircraft, unmanned aerial vehicles, drones (all rotary and fixed winged), model airplanes, model helicopters, quadcopters, and balloons.

2. This policy does not apply to SUAS that are managed by a formal program of record under a service level program office or have the authority to operate with a cyber vulnerability assessment.

3. The operation of any recreational SUAS on any USAG Bavaria installation is strictly prohibited; there are no exceptions.

4. SUAS usage for operational reasons not belonging to a formal program of record requires a waiver request endorsed by the first General Officer or Senior Executive Service (SES) civilian in the requestor's chain of command IAW reference (e), to the Army Acquisition Executive (AAE) and Army Chief Information Officer (CIO/G-6). Both will review each request on a case-by-case basis, track waivers, and certify that all specified mitigation procedures required are agreed to by the requestor. SUAS waivers or exceptions to policy will be processed IAW enclosure 2.

5. German Law Regarding SUAS:

a. The following rules do not apply to model aircraft training areas. The only rule for such areas is that the SUAS have a tag with the name and address of its owner.

b. SUAS must only be operated in the range of vision (i.e., no camera-based flights).

c. Weight-based rules for SUAS (see enclosure 1).

(1) More than 250 grams: device must have a non-removable label with the owner's name and address.

(2) More than 2 kilograms: operator must present proof of knowledge and device must have a non-removable label with the owner's name and address. Proof of knowledge may include pilot's license or certificate from an approved air sports association.

(3) More than 5 kilograms: same requirements as 2+ kg class plus permission of the aeronautical authority to operate the SUAS.

d. Altitude-based rules for SUAS:

Enclosure 1 (UAS Processes)

USAG Bavaria Policy Memorandum #19, Small Unmanned Aircraft Systems (SUAS)

(1) More than 250 grams: device must have a non-removable label with the owner's name and address.

(2) Above 100m: generally banned (exception can be requested from the aeronautical authority) or mandatory proof of knowledge. Proof of knowledge may include pilot's license or certificate from an approved air sports association.

e. Prohibitions:

(1) Operating SUAS heavier than 250 grams over a housing area.

(2) Operating SUAS with a camera, microphone, radio wave receiver, transmitter, or similar equipment over a housing area.

(3) Operating SUAS at or over sensitive areas like airports, locations of a police or emergency services' action, arterial roads or gatherings of people.

6. Personnel should immediately report any SUAS operated on or near a USAG Bavaria installation to the MP station at DSN 476-3398/3397, CIV 09662-83- 3398/3397 (Vilseck and Grafenwoehr), DSN 466-2812/2713, CIV 09472-83-2812/2713 (Hohenfels) or DSN 440-3801/3827, CIV 08821-750-3801/3827 (Garmisch).

Enclosure 2 (Definitions and Commercial-Off-The-Shelf (COTS) Event Approval Procedures)  
USAG Bavaria Policy Memorandum #19 Small Unmanned Aircraft Systems (SUAS)

1. This Policy Memorandum also applies to COTS UAS systems used for recreational (hobby or personal use) purposes on Army installations and contractor- owned COTS UAS operated by or in support of (ISO) government operations or testing.

2. COTS systems are defined as:

a. All UAS systems sold in substantial quantity in the marketplace and offered to the government in the same form in which it is sold to non-government consumers. UAS systems are commercially available to the public from both domestic and foreign manufactures.

b. All UAS systems that were commercially available in original form, but have been modified with different hardware, software, or payloads.

c. All UAS system ground command and control elements to include smart phone or tablet with associated software and hardware.

d. Exempt systems are defined as UAS systems that are assigned to a formal "Program of Record" and managed by an Army Program Executive Office (PEO); have an Authority to Operate (ATO), complying with DODi 8510.01, and have a completed cyber vulnerability assessment for the system.

3. Submissions for Exceptions To Policy (ETP) will be considered on a case-by-case basis for the following six activities:

a. Critical operations with no alternative solutions.

b. Counter-UAS surrogate testing/training.

c. Intelligence and Information Warfare testing, analysis and training.

d. Analysis and training.

e. Research and Development (R&D).

f. Demonstrations for COTS UAS.

4. Approval authority for all uncontrolled environments remains with USD/Acquisition & sustainment (A&) and the Army Chief Information Officer (CIO/J6).

5. Procedures for Requesting Exceptions to Policy (ETP):

Enclosure 2 (Definitions and Commercial-Off-The-Shelf (COTS) Event Approval Procedures)  
USAG Bavaria Policy Memorandum #19 Small Unmanned Aircraft Systems (SUAS)

a. Waiver requests will be endorsed in writing by the first General Officer or Senior Executive Service (SES) Civilian in the requestors' chain of command. These requests must also be endorsed by the Senior Responsible Officer (SRO).

b. The Army authorizing officials are co-defined as the Army Acquisition Executive (AAE) and Chief Information Officer / G6. Both will review each request on a case-by-case basis, track waivers, and certify that all specified mitigation procedures are agreed to by the requestor.

c. For risk assumption purposes, the Army Secretary Staff requires each request submitted to the SIPRNET SharePoint include a Senior Commander (SRO) memo or letter endorsing the waiver on all installations.

d. All Army COTS UAS ETP requests, with cover letter, will be forwarded to the Headquarters, Department of the Army (HQDA) SIPRNET SharePoint (<https://intelshare.intelink.sgov.gov/sites/cotsuasetp>), 45 days prior to the start of the scheduled event.

e. ETP requests will be specific to the requesting unit, the COTS UAS model/version, mitigation procedures, location(s), date(s), and type of event. HQDA is not allowed to approve a blanket waiver.

f. The following information is mandatory to process future ~~requests~~-ETPs in accordance with (IAW) HQDA EXORD 193-18, Army Purchase, Use and Accountability of COTS UAS, dated 20 June 2018:

(1) Army/Unit requester's name and address.

(2) Type of request (Exception or Renewal).

(3) Point of Contact (POC) name(s), contact information (include SIPR email). POC must be prepared to defend requests via Secure Video Teleconference (SVTC) or in person to the Office of the Secretary of Defense/Headquarters, Department of the Army OSD/HQDA review boards.

(4) Rationale for ETP and justification for urgency.

(5) Concept of Operations (brief description only).

(6) Date(s) / Time(s) / Event Status.

(7) Specific operating location(s). Include range maps and target area pictures with latitude and longitude coordinates to the center of the operations area.

Enclosure 2 (Definitions and Commercial-Off-The-Shelf (COTS) Event Approval Procedures)  
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(8) Categorization and short description of the intended operating environment, e.g. benign vs. controlled/uncontrolled; potential impact on sensitive facilities/activities; operational radio frequencies within the requested area; unauthorized sensors present; potentially inadvertent third-party observation to include other friendly forces. If a covered facility will be used, this aspect must be approved by the DCS/G-3/5/7 and included in the ETP as per Title 10 US Code, Section 130I.

(9) Name all COTS UAS systems' storage location(s) (home and deployed).

(10) Brief description of COTS UAS equipment must include: 1) Make; 2) Quantity; 3) Manufacturer; 4) Command and Control (C2) application and device; 5) C2 Flight Mode; 6) C2 Firmware / Software; 7) C2 Link Encryption; 8) Camera Link Encryption; 9) Camera Link Data; 10) Camera Data Control; 11) Payload Link Encryption; 12) Sensor Payload Control; 13) Sensor Payload Mode; 14) Date of Cyber Vulnerability Assessment, (if not conducted this must be stated); 15) Type of Radios / Frequencies; 16) Ground Control System to be used; 17) Airworthiness Certification (include ATO Date if applicable); and 18) UAS system Maximum Operational Altitude.

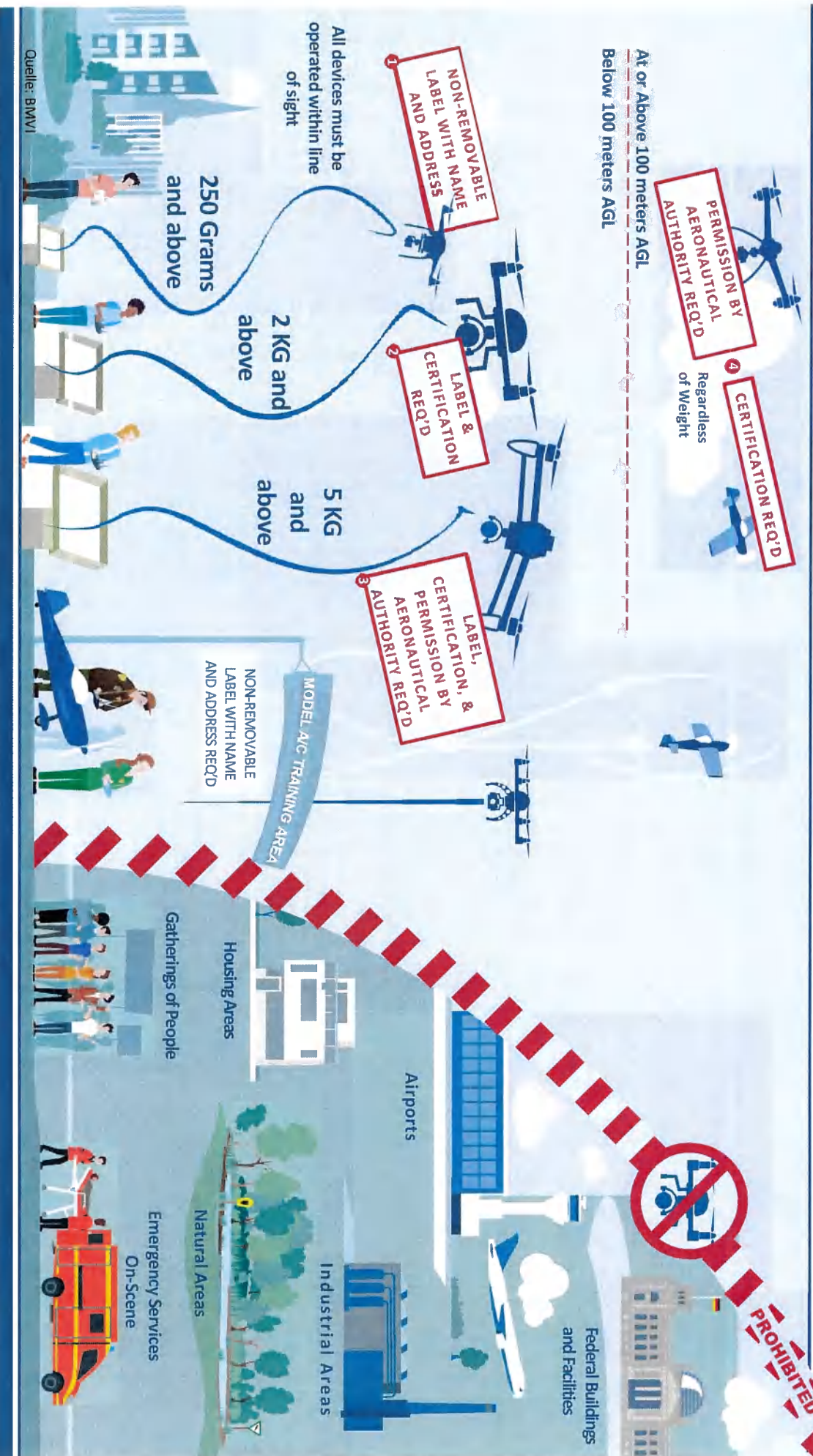
g. Short description of pre- and post-mission cyber security procedure(s). All mitigating measures included and additional information as required (labeled as Annex(es)).

h. ETP must state all COTS UAS systems in the possession of the requestor are accurately recorded on an approved Army Property System of Record.





# New Drone/RC Aircraft Regulations in Germany



1 250 Grams and above require the owner's name and address to be attached on a non-removable label.

2 2 KG and above further require the owner to be able to demonstrate special knowledge.

3 5 KG and above further require a special permit from the national air traffic authority.

From 100 meters AGL and above, regardless of weight, drones may only fly if officially authorized and RC aircraft may only fly if the operator can demonstrate special knowledge.

For further information, see: [www.bmvi.de/drohen](http://www.bmvi.de/drohen)

