

**U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS**

**Counter-Unmanned Aircraft System Certification**

I certify to the Office of Justice Programs (“OJP”), U.S. Department of Justice (“USDOJ”), that all of the following are true and correct:

1. I have the authority to make the following representations. I understand that these representations will be relied upon as material in any OJP decision to make an award or approve a purchase.
2. Any C-UAS<sup>1</sup> purchased with award funds will only be operated in compliance with applicable laws and regulations, including federal and state criminal, surveillance, and communications laws. The entity operating the C-UAS has consulted qualified legal counsel to review the proposed purchase and operation of the C-UAS
3. Any C-UAS purchased with award funds will be included on the list of technologies established by subsection (d)(2)(A)(iii) section 210G of the Homeland Security Act of 2002 (6 U.S.C. 124n(d)(2)(A)(iii)) to exercise the authority granted under subsection (a)(2) of such section.
4. The procurement, operation, maintenance, and use of any C-UAS purchased with award funds will strictly comply with all applicable federal laws and regulations relating to the acquisition, deployment, and operation of technologies for detecting and mitigating unmanned aircraft systems, including but not limited to
  - a. all federal training and certification requirements;
  - b. all federal criminal laws and statutory provisions that may apply to detection, monitoring, tracking, interception, mitigation, or disruption of UAS, including but not limited to provisions of Title 18 and Title 49 of the United States Code;
  - c. all federal aviation safety and airspace laws and regulations administered by the Federal Aviation Administration (FAA) that affect the deployment or use of C-UAS hardware or software;
  - d. all laws and regulations governing radiofrequency spectrum usage, interception, transmission, or jamming administered by the Federal Communications Commission (FCC);
  - e. any state or local laws, ordinances, and regulations applicable to C-UAS detection and mitigation technologies or their operation; and
  - f. the legal requirements, restrictions, and considerations described in the advisory guidance published by the FAA, USDOJ, FCC, and Department of Homeland Security (“Interagency Legal Advisory on the Application of Federal Laws to the Acquisition and Use of Technology to Detect and Mitigate Unmanned Aircraft Systems,” Aug. 17, 2020), currently available at <https://www.dhs.gov/publication/interagency-legal-advisory-uas-detection-and-mitigation-technologies>.
5. Any entity purchasing C-UAS with award funds will monitor changes in applicable laws and regulations concerning the operation of C-UAS and will adjust its practices, configurations, and procedures as necessary to maintain legal compliance.
6. To the extent required by applicable law or regulation, all necessary approvals, licenses, authorizations, certifications, notices, registrations, permits, and filings with federal, state, and local authorities will be obtained prior to procurement, activation, or deployment of any C-UAS purchased with award funds, and such use will be coordinated with the FAA and other appropriate agencies as required by applicable airspace, safety, spectrum, and mitigation rules.
7. No modifications or additional accessories will be introduced to the purchased C-UAS.

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<sup>1</sup> The terms “counter-unmanned aircraft system” or “C-UAS” means a system or device capable of lawfully and safely disabling, disrupting, or seizing control of an unmanned aircraft or unmanned aircraft system. See 49 U.S.C. § 44801(5). (Hereinafter, “C-UAS”).

Further, I assure that the entity operating the C-UAS has sufficient policies and procedures regarding privacy, civil liberties, and information technology cybersecurity related to the operation of the C-UAS. In addition, for each fiscal year of the award (if any) that OJP may make, the entity procuring the C-UAS will maintain and report such data, records, and information (programmatic and financial) relevant to the acquisition and operation of any C-UAS purchased with grant award funds, as OJP may reasonably require.

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Signature of Certifying Official

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Date of Certification

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Printed Name

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Title

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Agency of Certifying Official