

Subject line: New Federal Prohibition on UAS/drones manufactured or assembled outside the USA

Dear colleagues: I write to alert you to a recent Federal Acquisition Regulation (FAR) prohibiting procurement or operation of certain unmanned aircraft systems (UAS) or drones for federally sponsored research. As the principal investigator on a federally funded contract or award that is or may soon be subject to this rule, you will have primary responsibility for ensuring compliance with the requirements of the rule.

You can view the prohibition language at <https://www.federalregister.gov/d/2024-26061/p-23>, and the contract clause is at: [FAR Clause 52.240-1](#).

Below are common questions with answers to help with understanding this new rule. There are also some recommended actions at the bottom.

Q1: What UAS/drones will be prohibited?

A1: The rule prohibits the use of federal funds on Federal Acquisition Security Council (FASC) -prohibited UAS (“UAS/Drone(s)”). The UAS/drones that are prohibited are those that are manufactured or assembled by an American Security Drone Act-covered foreign entity (“Covered Foreign Entity”).

Q2: What are the Covered Foreign Entities under this rule?

A2: A list will be developed and maintained at [SAM.gov](https://sam.gov) and provide for more specificity, including other prohibitions that may be involved in a particular acquisition. The list is anticipated in the coming months.

Q3: Is DJI a covered foreign entity under this rule?

A3: Yes, DJI is likely to be on the FASC list of prohibited entities when it is published. In addition, please take note of the following:

- DJI is currently on a list called the “Entity List”, which already imposes restrictions on many transactions with DJI.
- Once published, the Covered Foreign Entity list will prevail for those contracts/awards which include the clause, and DJI drones may be prohibited completely for all federally funded contracts and awards.

Q4: When does the rule take effect?

A4: Contractors are prohibited from:

- Operating a prohibited UAS/drone in the performance of a Federally funded contract or award **on or after December 22, 2025**;
- Using federal funds to procure or operate a prohibited UAS/drone **on or after December 22, 2025**.

Q5: Will this apply to my current federal awards?

A5: It depends, the rule is being implemented using a phased approach as follows:

- For contracts/awards dated **before November 12, 2024**, the contracting officer may elect to add the FAR clause via an alternate mechanism, such as extending

period of performance or any other modification, regardless of the original date of contract/award;

- Contracts/awards dated **November 12, 2024** forward may include the [FAR Clause](#);
- Starting **December 22, 2025**, the rule will apply to current contracts/awards if a FASC prohibited UAS/drone is used or procured for a federally-funded contract/award.

Q6: Is there a recommended list of UAS/drones:

A6: Yes, please find the Defense Innovation Unit's published list [here](#).

Recommended Actions

- Pending further guidance, review your federally-funded contracts and awards, regardless of agency, and understand if any are subject to the prohibited UAS rule.
- Where applicable, inform your lab personnel, including students, who are working on any affected these contracts and awards of the new restrictions.
- Plan for this rule's full implementation, effective December 22, 2025.

When the final rule is published, we will provide any updated policy information and guidance. If you have more questions, please contact the Research Security and Export Control team at rsec@research.wisc.edu.

Thank you,

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