

January 31, 2024



TO: All Center Directors
Jet Propulsion Laboratory
Aeronautics Research Mission Directorate
Exploration Systems Development Mission Directorate
Science Mission Directorate
Space Operations Mission Directorate
Space Technology Mission Directorate
NASA Shared Services Center

FROM: Associate Administrator, Mission Support Directorate

SUBJECT: Unmanned Aircraft Systems (UAS) Policy Update

This letter provides an interim update to NASA's policy on Unmanned Aircraft Systems (UAS) so as to fully comply with the prohibitions and requirements set forth in the American Security Drone Act (ASDA) of 2023. This interim policy update on NASA UAS will be formally incorporated in the planned NASA Procedural Requirement (NPR) 7920.

The ASDA of 2023 was enacted in Sections 1821 to 1833 of the [FY 2024 National Defense Authorization Act \(NDAA\)](#), which became law on December 22, 2023. Except for specifically exempted entities, the ASDA prohibits executive agencies from acquiring, funding, and operating UAS manufactured or assembled by covered entities that are defined in the statute. Covered UAS includes associated elements related to the collection and transmission of sensitive information (consisting of communication links and the components that control the unmanned aircraft) that enable the operator to operate the aircraft in the National Airspace System. Although the ASDA does not provide a comprehensive definition of "associated elements," it requires the Federal Acquisition Security Council, in coordination with the Secretary of Transportation, to develop and update a list of associated elements. Previous examples of certain UAS components that could constitute "associated elements" can be found in Section 848(a)(1-2) of the 2020 NDAA and Section 6(b-c) of Executive Order 13981.

In compliance with the stipulations of the ASDA, until its sunset on December 22, 2028, the following requirements are NASA policy and apply to the Agency in its entirety, including NASA programs, projects, and activities involving covered UAS:

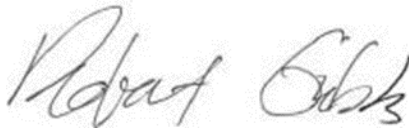
- (1) Effective Immediately, NASA shall not procure any covered UAS that is manufactured or assembled by a covered foreign entity (ASDA Sec. 1823).
- (2) NASA offices, employees, contractors, and grantees shall, by the end of FY 2025, stop operating and disposition any covered UAS (ASDA Sec. 1824).
- (3) By the end of FY 2025, NASA funds, awarded through a contract, grant, or cooperative agreement, or otherwise made available, shall not be used to procure or operate a covered UAS (ASDA Sec. 1825).
- (4) Effective immediately, Government-issued Purchase Cards shall not be used to procure any covered UAS from a covered foreign entity (ASDA Sec. 1826).

- (5) Covered UAS and their disposition shall be accounted for in NASA's personal property accounting system (ASDA Sec. 1827).

The following Agency policy guidance previously published also remain in effect:

- (1) March 3, 2015 UAS Policy Amplification by Aircraft Management Division (AMD) that delegated the acquisition of UAS below the Agency's Capital Asset Threshold to Center Directors.
- (2) October 23, 2018 UAS Policy Amplification by AMD that implemented the 2015 Presidential Memorandum regarding the domestic use of UAS, as well as recommendations from 2017 Office of Inspector General (OIG) report on NASA UAS.
- (3) March 01, 2018 Small UAS (sUAS) Cyber Security Policy issued by the Office of the Chief Information Officer to mitigate cyber security risks posed by sUAS operations, and in particular sUAS manufactured by Da-Jiang Innovations (DJI).

Questions concerning this latest policy update should be directed to the Director of the Aircraft Capability Management Office.

A handwritten signature in dark ink, appearing to read "Robert Gibbs", is positioned above the printed name.

Robert Gibbs