

Drone Replacement Program FAQ's

Program Overview

Q: What is the Drone Replacement Program (DRP)?

A: The DRP is a state initiative authorized under Section 14 of Senate Bill 2018 to replace state-owned drones that do not comply with new federal security and procurement requirements under the National Defense Authorization Act (NDAA) and the American Security Drone Act (ASDA).

Q: Who manages the program?

A: The program is administered by the Northern Plains UAS Test Site (NPUASTS) on behalf of the North Dakota Department of Commerce.

Q: How is the DRP funded?

A: Funding was allocated under Senate Bill 2018, with \$9 million appropriated to the ND Department of Commerce to administer the program through NPUASTS.

Q: Will ND agencies have to pay?

A: No. The DRP covers:

- The cost of the replacement drone (equal to or greater capability) and the necessary equipment to support the agency's operational use cases.
- Initial training for operators

Ongoing costs, subscriptions, maintenance, upgrades, or future replacements, are the responsibility of the agency.

Q: What are the benefits of upgrading to NDAA-compliant systems?

A:

- Protects access to federal funding; starting in December 2025, federal funds cannot be used to operate non-compliant drones
- Ensures alignment with federal (NDAA/ASDA) and state procurement rules
- Enhances mission readiness with modern, capable UAV systems
- Reduces cybersecurity and supply-chain risks
- Provides opportunities to upgrade service quality with advanced capabilities
- Opens doors to collaboration with other agencies through shared missions and best practices
- Positions North Dakota as a national leader in secure UAS integration

Compliance and Eligibility

Q: What is NDAA compliance?

A: NDAA compliance means a drone:

- Does not use parts from "covered foreign entities," and
- Is assembled in the United States or allied nations using components from trusted sources

Q: What are "covered foreign entities?"

A: Under federal law, drones and components from the following countries are restricted due to cybersecurity and national security risks:

- China
- Russia
- Iran
- North Korea
- Cuba

Q: Which drones are eligible for replacement?

A: Drones qualify if they meet all of the following:

- Do not meet NDAA compliance standards, and
- Are owned by an ND state agency or NDUS entity regardless of current condition, and
- The agency is willing to relinquish the drone as part of the program, and
- Were purchased before January 1, 2025

Participating agencies will relinquish their non-compliant system(s) (aircraft, controllers, batteries, and associated accessories) as agreed to as part of the program. By joining the program, agencies can upgrade their equipment, improve mission reliability, and support a statewide effort to modernize UAS operations. This proactive approach provides NDAA-compliant replacements that, in many cases, offer enhanced capabilities over the systems currently in use. However, it is important to note that although some non-NDAA systems remain permissible currently, they are subject to heightened review by federal and state authorities, and further limitations are anticipated across the country.

Q: Who is eligible to participate?

A: Participation is currently limited to:

- North Dakota state agencies
- North Dakota University System (NDUS) entities

*Public organizations such as counties, municipalities, or local law enforcement agencies are not eligible at this time.

Q: Is participation mandatory?

A: No. Participation in the Drone Replacement Program is entirely voluntary.

As part of the assessment phase, each agency's mission needs are reviewed to identify appropriate capability requirements and potential replacement solutions. These recommendations will be presented to each agency for review and discussion. Participating agencies will have the opportunity to formally agree to or decline the proposed solutions before the final assessment report is submitted to the Department of Commerce and the Lieutenant Governor's Office for approval.

Q: What types of UAS platforms will be considered for replacement?

A: All non-compliant drones owned by eligible North Dakota state agencies or NDUS entities, are considered for replacement, regardless of their current condition. This includes systems that are non-operational or partially functional, as long as they meet the program's eligibility criteria. (Purchased before January 1, 2025, and must be owned by the agency.)

Batteries and chargers are included in the replacement package. Since most non-compliant drones use proprietary power systems and components, new compatible batteries and charging systems will be provided along with the replacement platform to ensure full operational capability.

However, funding priority will be given to replace the UAS platforms themselves.

Q: What is the documentation required to prove eligibility?

A: Participating ND agencies must provide supporting documentation such as purchase receipts, mission logs, or internal communications showing the system was purchased or used in drone operations prior to January 1, 2025.

Program Timelines

Q: What is the timeline for applying for the program?

A: Agencies interested in participating in the Drone Replacement Program (DRP) should complete their initial engagement and needs assessment process by the end of November 9th, 2025. By that time, each participating agency should have:

- Completed the [DRP Needs Assessment Survey](#), and
- Met with the [DRP Team](#) to discuss their mission needs, operational profiles, and current drone inventory.

*Agencies that miss the deadline may still be considered on a first-come, first-served basis if funds remain after the first round of applications. If your agency is unable to apply by the deadline, please reach out to the Drone

Replacement Program Manager (santosandrea@nd.gov) as soon as possible to discuss your situation and explore available options.

Q: What is the timeline for replacing all non-compliant drones used in federally supported projects?

A: Federal rules under the NDAA and [Federal Acquisition Regulation \(FAR\)](#) prohibit the use of federal funds to purchase or operate drones from covered foreign entities such as DJI. All non-compliant drones must be phased out of federally supported projects by December 22, 2025. Agencies should begin reviewing inventories and transitioning to NDAA-compliant systems to maintain funding eligibility. After this date, using restricted drones in federal research projects will violate compliance requirements and could put funding at risk.

Q: When will procurement officially begin, and how long will it take?

A: Procurement will begin once the Lieutenant Governor's Office and the Department of Commerce have reviewed and approved the Drone Replacement Program's assessment report. This report will outline a refined budget and establish replacement priorities. The assessment phase is expected to conclude by the end of December 2025.

After approval, the Office of Management and Budget will launch the formal procurement process. The overall timeline will depend on factors such as the number of vendors involved, the complexity of proposals, and whether multiple award categories are included.

Replacement and Logistics

Q: Will every agency get a one-to-one drone replacement?

A: Not necessarily. The DRP is not structured as a one-to-one hardware exchange. Instead, it is a mission-based replacement program that focuses on ensuring each agency has the capabilities needed to fulfill its operational objectives, rather than simply replacing each drone unit for an identical number or model. In many cases, the replacement platform will offer improved performance and versatility, reducing the total number of aircraft needed while expanding mission capability.

Q: Can we retain existing drones that are still operational but non-compliant?

A: ND State agencies may continue operating non-compliant drones for the time being if the operation of the UAS is not tied to federal funding. The program will only consider platforms that agencies are willing to relinquish for replacement. However, it is important to understand that DJI and other non-compliant manufacturers may soon be added to the FCC Covered List. This would restrict their ability to market, update, or support both existing and future products in the

United States. If that occurs, parts, firmware updates, and repair services may no longer be available, increasing both operational and safety risks for any systems that agencies choose to retain.

Relevant federal laws:

- American Security Drone Act of 2023
- Section 848 of the National Defense Authorization Act (NDAA) — prohibit the purchase or operation of drones containing components from “covered foreign entities.”
- Section 1709 of the NDAA FY25 – A National Security agency shall determine if any of the following communications or video surveillance equipment or services pose an unacceptable risk to the national security of the United States
 - If the appropriate national security agency does not make a determination as required by paragraph (1) within one year after the enactment of this Act (December 23, 2024), the Commission shall add all communications equipment (i.e. DJI) and services listed in paragraph (1) to the covered list.
 - As of this date, no agency has conducted a risk assessment review, making it likely that new DJI products will be banned.
- [American Security Drone Act of 2023](#)
- [Section 1825 of NDAA FY23](#)
- [NDAA FY25](#)

Q: Are accessories included in the replacement?

A: It will vary by accessory. Non-essential accessories like cases, modular Remote ID units, off-brand controllers, fly-more kits, extra lights, and SD cards are typically not included. However, essential equipment such as sensors, filters, and RTK base stations will be replaced, so agencies do not lose capability or disrupt ongoing operations

Q: Who determines which replacement drones each agency will receive?

A: The DRP Project Team, led by the NPUASTS, will conduct agency assessments and prepare the baseline report, which analyzes each agency’s operational profile, mission requirements, and current UAS capabilities. Using this data, a prioritization model will be applied to recommend both which agencies should receive replacements first and what capability requirements best meet their operational needs. The completed assessment report and recommendations will be submitted to the Lieutenant Governor’s Office and the North Dakota Department of Commerce for review and approval. Once replacements are approved, NPUASTS will work with each agency to review and coordinate the implementation of the approved replacement solutions.

Q: Can agencies request specific vendors or models?

A: Agencies are encouraged to share their preferences or familiarity with specific vendors or models that have proven effective for their missions, however, specific makes/models are not guaranteed. The input provided by agencies helps inform the **capability matching process**, ensuring that replacements align as closely as possible with agency operational needs. The Office of Management and Budget will conduct the formal procurement process, ensuring that all platforms are acquired in a fair, competitive, and transparent manner. State contracts will be awarded to the partner/s who offer the best value to the State of North Dakota.

Q: Can I return the UAS and exchange it for another platform?

A: No. Once a replacement UAS has been procured and transferred to the agency, it cannot be returned or exchanged for a different platform under the Drone Replacement Program. However, agencies may choose to surplus the acquired asset through the State's surplus property process if the system no longer meets their operational needs or mission objectives in the future.

Q: What happens to the drones being replaced?

A: Legacy UAS will be:

- Decommissioned,
- Sold (e.g., to federal agencies such as DHS, or through the open market), or
- Disposed of in compliance with state and federal regulations

All revenue from sales will be returned to the State of North Dakota as required by SB 2018.

The collection, sale, and decommissioning of legacy systems is expected to occur during the final phase of the program, following the procurement and deployment of replacement platforms.

Training

Q: How will training be handled for new platforms?

A: In most cases, training will be provided through Original Equipment Manufacturers (OEMs) or authorized vendors as part of the procurement package. These sessions may be conducted jointly across multiple agencies to promote consistency, collaboration, and cost efficiency. The Northern Plains UAS Test Site (NPUASTS) may also provide or supplement training depending on the situation.

Additionally, where applicable, [Vantis](#) onboarding and operational integration training will be provided by the NPUASTS. This will prepare agencies to leverage

North Dakota's Beyond Visual Line of Sight (BVLOS) infrastructure, enabling advanced flight operations and improved mission capability.