Federal Communications Commission

Seeking Comment on Prohibiting the Importation and Marketing of Certain Foreign-Produced Military-Grade Uncrewed Aircraft Systems (UAS) and UAS Critical Components for Non-U.S. Government, Including Those With Swarming Capabilities

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Introduction

As drones have become a key part of contemporary combat, their capabilities have adapted to complement an ever-larger mission set, raising concerns over their presence within the United States. The same capabilities that ensure that drones, or unmanned aerial systems (UAS), remain a key part of commercial-agricultural operations or first-responder missions also ensure these platforms are valuable in a military setting. These include their capacity to carry a large payload over sustained flight hours, advanced sensor arrays, and redundant communications systems — all of which are critical in delivering precision ordnance, directing long-range fires, and evading electronic-warfare measures.

Moreover, these types of UAS models are predominantly produced by foreign adversaries, raising the possibility that these advanced systems may offer an avenue for espionage and sabotage on American soil. While not every heavy-lift drone poses a threat, platforms that combine military-grade capabilities and foreign ties deserve stricter scrutiny due to their capacity to inflict significant harm on the United States.

In response, the FCC should adopt a clear, concise, capability-based definition of what constitutes a "military-grade" drone while preventing the continued importation and marketing of these capabilities. Moreover, the commission should further consider whether older versions of these platforms should maintain their current equipment authorizations.

Foreign-Produced, Military-Grade Drones Pose a Distinct National Security Threat

As drones have become a ubiquitous part of modern warfare, their features have adapted to their form, producing a class of products that can readily be identified as "military-grade" either by their marketing or innate capabilities. Rather than theoretical, these capabilities have already proven effective in combat, having been incorporated into a range of partner and adversary militaries. Combined, these distinctions should form the basis for the FCC to regulate this equipment as a specific class of products worthy of stricter scrutiny.

Commercial drones exceeding 55 pounds have a clear potential military dimension, particularly when produced by foreign adversaries. In contrast to smaller hobbyist drones, which are typically under 0.55 pounds (250 grams) to avoid regulation by the Federal Aviation Administration (FAA), these drones are intentionally designed to carry heavy payloads for sustained periods of time.[1] This capacity places these drones within a distinct recognizable category that overlaps with foreign-deployed military capabilities — for comparison, the smallest Shahed model weighs roughly 298 pounds, while the Ukrainian-produced deep strike

[1] Registration and Marking Requirements for Small Unmanned Aircraft, 14 C.F.R. pt. 48, 2026.

drone Antonov An-196 Liutyi is more than 600 pounds.[2] Moreover, although certain U.S. systems, such as the SiFly Q250, belong in this weight class, their hardware, software, and firmware remain domestic components, in contrast to foreign-produced products with systems that may retain links to American adversaries.[3]

Moreover, these drones are typically intended to carry out specific tasks that cannot easily be replicated by other commercially available systems, singling out their capabilities for additional regulatory scrutiny. This issue is recognized by other federal agencies — of the most common commercial drones used in the United States capable of delivering pesticides or other types of "economic poison," many must qualify for additional FAA licenses such as a Part 91 license due to their size and weight. This definition is primarily intended to include drones capable of dispersing aerosolized liquids, particularly within agricultural contexts such as delivering pesticides.

However, these types of systems may also maintain ties to foreign adversaries, raising concerns over their deployment within national security contexts. This includes Chinese firm DJI's Agras T100 model, which weighs 386 pounds (175 kilograms) at takeoff, can dispense up to 40 liters per minute, and requires operators to acquire an FAA Part 137 license along with other certifications.[4] While often deployed in agricultural settings, these capabilities may also have a dual-use function, as Russia has previously used its own drones to deliver chemical agents as a weapon of warfare against Ukrainian fighting positions, highlighting the recurring danger of these systems being placed under adversarial control.[5]

Drones that carry specialized sensor equipment, particularly thermal imaging and Light Detection and Ranging (LiDAR) arrays should also likely be considered "military-grade" and pose a distinct national security threat. This is particularly the case for foreign-produced drone components, as both the FBI and the Department of Homeland Security (DHS) have warned that

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[2] "Missile Threat: Shahed-131 and -136," *Center for Strategic and International Studies*, last modified June 2, 2026. (https://missilethreat.csis.org/missile/shahed-131-and-136); Yuri Zoria, "Meet 'Liutyi,' Ukraine's homegrown drone behind strikes on Russian oil refineries," *Euromaidan Press* (Ukraine), March 23, 2024. (https://euromaidanpress.com/2024/03/23/meet-liutyi-ukraines-homegrown-drone-behind-strikes-on-russian-oil-refineries)

[3] "Q250," *SiFly Aviation*, accessed July 24, 2026. (https://sifly.co/q250.html)

[4] "DJI AGRAS T100: Specs," *DJI*, accessed July 24, 2026. (https://ag.dji.com/t100/specs); "DJI Agras Import Guide: U.S. Compliance Tips," *Drone Spray Pro*, March 22, 2026. (https://dronespraypro.com/blogs/news/dji-agras-import-guide-us-compliance-tips)

[5] Katherine Spencer, "Russia accused of escalating chemical weapons attacks against Ukraine," *Atlantic Council*, July 10, 2025. (https://www.atlanticcouncil.org/blogs/ukrainealert/russia-accused-of-escalating-chemical-weapons-attacks-against-ukraine); U.S. Department of State, Office of the Spokesperson, Fact Sheet, "Imposing New Measures on Russia for its Full-Scale War and Use of Chemical Weapons Against Ukraine," May 1, 2024. (https://2021-2025.state.gov/imposing-new-measures-on-russia-for-its-full-scale-war-and-use-of-chemical-weapons-against-ukraine-2)

such products may transfer collected information to foreign adversaries, particularly China.[6] While these products are often marketed toward public safety, such as search and rescue and for the benefit of emergency first responders, their value within military settings is clear — DJI's Mavic 3 Enterprise/Thermal (3E/3T) has been used extensively by Ukrainian units in tactical reconnaissance and long-range fires coordination, with a Russian general explicitly identifying the Mavic 3 as an icon of contemporary combat.[7] LiDAR units are also an emerging feature of modern warfare platforms, with China incorporating these sensors into ground drones, robotic "wolf" units, and its updated main battle tank design to aid in navigation, enable autonomy, and enhance their intelligence, surveillance, and reconnaissance (ISR) capabilities.[8]

The commission should also include resilient communications and multi-aircraft command systems as a distinct military-grade category. Relevant characteristics include frequency-agile or jam-resistant links, long-range or beyond-line-of-sight command and data transmission, mesh networking, autonomous link failover, and one-to-many aircraft control. These capabilities enable persistent operations under interference, extend operational range, and permit coordinated employment of multiple aircraft. China's own export controls identify radio links exceeding 50 kilometers and ground stations capable of controlling more than 10 aircraft as security-sensitive UAS technologies.[9]

U.S. adversaries increasingly perceive these types of capabilities as critical war-fighting technologies. PLA sources assess unmanned systems according to operational functions such as reconnaissance-strike integration, swarming, intelligent autonomy, endurance, stealth, electronic

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[6] Jack Burnham, RADM (Ret.) Mark Montgomery, Craig Singleton, and Johanna Yang, "Petition for Reconsideration of Action in Rulemaking Proceeding Application for Review of Action in Rulemaking Proceeding," *Foundation for Defense of Democracies*, March 17, 2026. (https://www.fdd.org/analysis/2026/03/17/petition-for-reconsideration-of-action-in-rulemaking-proceeding-application-for-review-of-action-in-rulemaking-proceeding)

[7] Cabinet of Ministers of Ukraine, "Strengthening Army of Drones: 300 Mavic 3T drones delivered to the military," March 30, 2023. (https://www.kmu.gov.ua/en/news/pidsylennia-armii-droniv-viiskovym-peredaly-300-bezpilotnykiv-mavic-3t); Jiaxing Li, "Chinese drone maker DJI asserts its products' civilian use after Russian official calls them 'symbol of modern warfare,'" *South China Morning Post* (Hong Kong), August 15, 2022. (https://www.scmp.com/tech/big-tech/article/3188932/chinese-drone-maker-dji-asserts-its-products-civilian-use-after)

[8] Craig Singleton, Jack Burnham, Duncan Lazarow, and Anika Iyer, "China's War Wolves: From Commercial Tech to Combat Power," *Foundation for Defense of Democracies*, May 3, 2026. (https://www.fdd.org/analysis/2026/05/03/chinas-war-wolves-from-commercial-tech-to-combat-power); Craig Singleton and Jack Burnham, "From Parade to Battlefield: LiDAR at the Core of China's Military Modernization," *Foundation for Defense of Democracies*, September 22, 2025. (https://www.fdd.org/analysis/2025/09/22/from-parade-to-battlefield-lidar-at-the-core-of-chinas-military-modernization)

[9] China Ministry of Commerce, General Administration of Customs, and Central Military Commission Equipment Development Department, "商务部 海关总署 中央军委装备发展部公告2024年第31号 关于优化调整无人机出口管制措施的公告 (Ministry of Commerce, General Administration of Customs, and Central Military Commission Equipment Development Department Announcement No. 31 of 2024 on Optimizing and Adjusting Drone Export Control Measures)," July 31, 2024. (https://archive.ph/6dO94)

warfare, and networked command and control.[10] Chinese military reporting has highlighted systems in which a single command vehicle controls scores of drones configured for reconnaissance, jamming, and strike missions.[11] The relevant distinction is therefore operational capability and system architecture, rather than whether a manufacturer markets a platform as civilian or military

Several of these capabilities have already appeared both in commercially available platforms and on the battlefield. While some of these systems are intentionally designed to assist search-and-rescue operations in rural settings or ease operational constraints within commercial environments, some products, such as DJI's O4 Ground Station, offer the capability for drones to potentially evade electronic warfare measures by automatically hopping between frequencies based on interference.[12] This capability is critical to conducting military operations — both Russia and Ukrainian drones have engaged in frequency hopping, along with using fiber-optic cables, to conduct precision strikes at distance.[13]

Likewise, although fully autonomous "swarming" systems have yet to be deployed in combat, such systems have clear military utility — both the United States and its allies and partners and foreign adversaries are actively seeking to procure this technology for a range of mission types. Both jam-resistant data links and coordinated command systems are essential to producing a resilient command layer over U.S. airspace, posing a potent potential national security risk in the event of being compromised.

The FCC Should Secure U.S. Drone Supply Chains

The FCC has strong legal and procedural justification for prohibiting the continued importation and marketing of products on Covered List sectors such as foreign-produced UAS that pose a clear threat to U.S. national security. Similarly, the FCC, alongside the Department of Defense (DOD) and DHS, have also paired these actions with a robust waiver process — foreign-produced UAS that do not pose a demonstrable security risk are still cleared to enter the

[10] Zhou Lixing, Guo Zhi, and Li Bo, "无人机作战技术加速演进 (Drone Combat Technology Accelerates Its Evolution)," *China Military Online* (China), July 8, 2026. (https://archive.ph/BWSmR)
[11] Cheng Sihao, "Atlas Drone Swarm Operations System is Ready," *China Military Online* (China), March 26, 2026. (https://archive.ph/CPh6P)
[12] DJI, Press Release, "DJI O4 Ground Station Launches to Expand Wide-Area Transmission for DJI Enterprise Drones," June 16, 2026. (https://www.dji.com/media-center/announcements/dji-release-o4-ground-station)
[13] Vlad Sutea, "Fiber-optic drones have emerged as critical kit for both Russia and Ukraine," *Atlantic Council*, February 24, 2026. (https://www.atlanticcouncil.org/blogs/ukrainealert/fiber-optics-drones-have-emerged-as-critical-kit-for-both-russia-and-ukraine); Charlie Metcalfe, "Meet the radio-obsessed civilian shaping Ukraine's drone defense," *MIT Technology Review*, September 12, 2024. (https://www.technologyreview.com/2024/09/12/1103833/ukraine-russia-drone-war-flash-radio-serhii-beskrestnov-social-media)

American market, allowing key customers such as law enforcement and critical infrastructure owner-operators to access essential platforms.

The commission has previously highlighted the severe national security risks posed by both foreign-produced UAS and the specific video and surveillance equipment and services listed by Section 1709 of the FY2025 National Defense Authorization Act (NDAA).[14] These determinations rest on nearly a decade of findings released by a series of national security agencies, including DHS, the Department of Justice, the FBI, and the Department of the Army, illustrating the dangers posed by Chinese-produced UAS and their related products and services.[15]

The commission has also expanded its efforts to ban the importation and sale of previously authorized equipment as a key aspect of its national security efforts. Since 2022, the FCC has periodically revoked equipment authorizations for Covered List entities due to its concern over older equipment being "functionally identical" to newer, prohibited models — an action well within the commission's statutory authorities and the 2019 Secure Networks Act.[16]

Notably however, the commission has paired these findings with a recognition of the importance of secure and stable supply chains, having cleared several foreign-produced UAS over the past year to enter the United States. Rather than seeking a blanket ban on all UAS products that share certain characteristics, the FCC has a strong record of specifically targeting platforms that combine two distinct risk vectors — foreign production and the capability of being weaponized — for removal from the domestic market.

To build on this foundation, the FCC should pursue the following actions:

- **Prohibit the continued importation and marketing of certain previously authorized foreign-produced UAS and UAS-critical components that qualify as "military-grade."** In light of the risk posed by certain foreign-produced UAS that share capabilities with current military platforms, the commission has a strong national security justification for prohibiting their continued entry into the United States.

[14] Servicemember Quality of Life Improvement and National Defense Authorization Act for Fiscal Year 2025, Pub. L. No. 118-159, §1709, 138 Stat. 1773, 2209-10, 2024.
[15] Jack Burnham, RADM (Ret.) Mark Montgomery, Craig Singleton, and Johanna Yang, "Petition for Reconsideration of Action in Rulemaking Proceeding Application for Review of Action in Rulemaking Proceeding," *Foundation for Defense of Democracies*, March 17, 2026. (https://www.fdd.org/analysis/2026/03/17/petition-for-reconsideration-of-action-in-rulemaking-proceeding-application-for-review-of-action-in-rulemaking-proceeding)
[16] Secure and Trusted Communications Networks Act of 2019, Pub. L. No. 116-124, 134 Stat. 158, 2020 (codified as amended at 47 U.S.C. §§1601-1609); U.S. Federal Communications Commission, "Public Safety and Homeland Security Bureau and Office of Engineering and Technology Prohibit the Importation and Marketing of Previously Authorized Covered Communications Equipment Added to the Covered List in 2024 or Earlier," June 26, 2026. (https://docs.fcc.gov/public/attachments/DA-26-635A1.pdf)

- **Offer a clear, targeted definition of "military-grade" for regulatory purposes.** The commission should judge a platform against a range of factors — such as weight limit, capability to dispense "economic poison," sensor packages, docking stations, and autonomous command capabilities — to produce a reliably enforceable definition. Any product that meets one or more of these criteria should be barred from receiving equipment authorization.

- **Preserve the existing exceptions for systems included on the Blue UAS Cleared List, qualifying domestic-end products, and equipment receiving specific DOD or DHS Conditional Approval.** These mechanisms protect access to separately vetted platforms without creating a broad geographic exemption that could be exploited through foreign incorporation or supply-chain restructuring. As such, the commission should ensure that any regulatory action — whether importation bans or revocation of previously issued equipment authorizations — does not remove these military-grade products from the U.S. market.

Conclusion

The FCC should focus on prohibiting continued importation and marketing of these platforms while considering whether to revoke previously issued equipment authorizations of UAS produced by foreign adversaries. This effort will strengthen U.S. national security while ensuring that American customers, particularly critical infrastructure owner-operators, can access secure platforms.

Thank you for considering our comments. We look forward to seeing how our input is incorporated into the commission's ongoing policy work.