FEDERAL COMMUNICATIONS COMMISSION

[PSHSB & OET: PS Docket No. 26-189; DA 26-758; FR ID 359960]

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

AGENCY: Federal Communications Commission.

ACTION: Request for comments.

SUMMARY: In this document, the Public Safety and Homeland Security Bureau (PSHSB) and the Office of Engineering and Technology (OET) seek comment on proposing to prohibit the continued importation and marketing of certain military-grade foreign-made UAS and UAS critical components that are found on the Federal Communications Commission's (FCC) Covered List. Through this Public Notice, acting pursuant to section 2.939 of the Federal Communications Commission's rules, PSHSB and OET propose to apply such prohibitions given that these devices have been found to pose an unacceptable risk to the national security of the United States and to the safety and security of United States persons pursuant to the Secure and Trusted Communications Act of 2019.

DATES: Comments are due on or before **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER]***.

ADDRESSES: Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415, 1.419, interested parties may file comments on or before the dates indicated on the first page of this document. You may submit comments, identified by PS Docket No. 26-189, by any of the following methods:

- Federal Communications Commission's Web Site: https://www.fcc.gov/ecfs. Follow the instructions for submitting comments. *Electronic Filers*: Comments may be filed electronically using the Internet by accessing the ECFS: https://www.fcc.gov/ecfs.

- *Paper Filers*: Parties who choose to file by paper must file an original and one copy of each filing.
    - Filings can be sent by hand or messenger delivery, by commercial courier, or by the U.S. Postal Service. **All filings must be addressed to the Secretary, Federal Communications Commission.**
    - Hand-delivered or messenger-delivered paper filings for the Commission's Secretary are accepted between 8:00 a.m. and 4:00 p.m. by the FCC's mailing contractor at 9050 Junction Drive, Annapolis Junction, MD 20701. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
    - Commercial courier deliveries (any deliveries not by the U.S. Postal Service) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
    - Filings sent by U.S. Postal Service First-Class Mail, Priority Mail, and Priority Mail Express must be sent to 45 L Street NE, Washington, DC 20554.
- People with Disabilities: Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by e-mail: FCC504@fcc.gov or phone: 202-418-0530.

FOR FURTHER INFORMATION CONTACT: Chris Smeenk, Attorney Advisor, Operations and Emergency Management Division, Public Safety and Homeland Security Bureau, (202) 418-1630 or Chris.Smeenk@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Public Notice released on July 21, 2026 in PS Docket No. 26-189. The full text of this document is available at: https://docs.fcc.gov/public/attachments/DA-26-758A1.docx

In November 2022, the Federal Communications Commission (FCC or Commission) adopted rules to prohibit authorization of equipment identified on the Covered List. However, the Commission did not revoke previously granted authorizations of covered equipment. In

October 2025, the Commission adopted the *EA Security Second R&O* (90 FR 53227) which, among other things, established a procedure to limit the scope of an existing authorization of covered equipment to prohibit continued importation or marketing of such equipment, without revoking the underlying authorization. The Commission noted that its goal is to mitigate potential national security risks associated with covered equipment in the nation's supply chain that was authorized prior to a Covered List addition under 47 U.S.C. 1601(b).

The Commission directed PSHSB and OET to "institute proceedings to determine whether to apply these prohibitions to some or all of the equipment currently on the Covered List," and it delegated authority to PSHSB and OET to apply such prohibitions pursuant to the framework and process outlined in the *EA Security Second R&O*. The Commission gave specific directives to PSHSB and OET regarding how to analyze and implement the new procedures.

On December 22, 2025, PSHSB added all UAS and UAS critical components produced in a foreign country to the Covered List. This action was based on a National Security Determination from an Executive Branch interagency body, including several appropriate national security agencies, determining (among other things) that UAS produced in a foreign country pose an unacceptable risk to the national security of the United States and to the safety and security of United States persons.

Today, we initiate another proceeding to prohibit the continued importation and marketing of certain previously authorized equipment: foreign-produced UAS and UAS critical components on the FCC's Covered List that qualify as "military-grade" as defined below.

The Commission has legal authority to review an existing authorization for covered equipment, and to revoke such authorization pursuant to current rules. Under section 2.939(a), the FCC may "revoke . . . any equipment authorization" for various reasons, including "conditions coming to the attention of the Commission which would warrant it in refusing to grant an original application." Likewise, under section 2.939(e), PSHSB and OET "may place limitations on an existing authorization for covered equipment authorizations to prohibit

continued importation or marketing" of such equipment.

Scope. Pursuant to section 2.939(e), we propose to prohibit the continued importation and marketing of any previously-authorized military-grade UAS or UAS critical component that is listed on the Covered List. We propose to limit the proposed prohibitions to military-grade UAS or UAS critical components, which we define on the basis of other agencies' regulations governing certain high-risk UAS, and following discussions with our partners in other national security agencies. Specifically, we consider military-grade UAS and UAS critical components to be any of the following:

(1) UAS that weigh 55 pounds or more on takeoff, i.e. UAS that are not "small unmanned aircraft" pursuant to Federal Aviation Administration (FAA) rules.
    - These UAS are considered "larger platforms" that offer greater payload capacity, endurance, and range, which make them suitable for military operations requiring heavy sensors, communications equipment, or specialized weapons systems (i.e., deep-strike operations, persistent wide-area surveillance, electronic warfare, and cargo resupply).
    - Their increased power and stability also allow them to operate effectively in more demanding environments, making them highly effective for various missions.
    - UAS that weigh over 55 pounds or more operating individually or in a swarm have the capability to carry out a significant attack on the United States homeland.

(2) UAS capable of dispensing "economic poison" under FAA rules.
    - These UAS can be used to deliver hazardous substances in ways that bypass traditional defense and detection systems. Their ability to fly autonomously, reach remote areas, and carry dangerous materials make them ideal for military operations.

- Aerosol dispensing platforms operating independently or in a swarm can carry out mass chemical or biological attacks against United States persons and our food supply.

(3) UAS that contain or integrate sensors capable of thermal imaging (i.e. the capability to capture and translate the difference in temperature between objects, as well as an object's heat signature and residual heat signature).

- UAS that feature these sensors are ideal for military use because their ability to operate effectively in low visibility environments enhances night operations, covert surveillance, and targeting capabilities.
- These capabilities allow forces to bypass camouflage, navigate in total darkness, and identify concealed heat signatures that are entirely invisible to standard optical sensors and the human eye.
- These capabilities also make it more difficult to protect critical infrastructure, maintain operational security, and prevent intelligence collection in sensitive areas.

(4) UAS that contain or integrate sensors capable of Light Detection and Ranging (LiDAR), a "remote sensing technology that measures distance by illuminating a target with a laser and analyzing the reflected light."

- These UAS offer military utility by providing enhanced capability to conduct detailed three-dimensional terrain mapping, penetrate dense foliage to reveal hidden structures, assist in autonomous navigation in GPS-denied environments, and conduct covert reconnaissance under a range of environmental conditions.

(5) UAS docking stations, defined as multipurpose systems that enable UAS to land safely, take off, recharge and/or replace batteries, and transfer data and payload.

- UAS docking stations are infrastructure that enable persistent, 24/7

autonomous operations allowing faster, more continuous intelligence, surveillance, reconnaissance, and other mission workflows.

- Additionally, by serving as coordinated launch, recovery, and servicing nodes, docking stations facilitate the capability for large-scale drone swarms to support military operations.

(6) UAS "specially designed to incorporate a defense article."

- These UAS are ideal for military use because they can enable combat commanders to conduct unparalleled precision strikes, kinetic effect delivery, and electronic warfare capabilities at a significantly lower cost and risk to human life than manned aircraft.
- They also extend range, persistence, or precision beyond traditional platforms.

(7) Swarming UAS, defined as:

- Ground control stations purpose-built for, or UAS integrated with flight control or vehicle management systems specially designed for, managing drone swarms, consisting of UAS that operate autonomously (without human intervention) to coordinate with each other, avoid collisions, maintain formations, and dynamically respond to changes in operational or threat environments, or if weaponized, synchronize targeting activities across multiple drones; or
- UAS purpose-built to perform flights in coordinated and synchronized formations, including applications such as multi-UAS light shows, where numerous illuminated UAS work together to create synchronized aerial displays.

- This capability enables large numbers of UAS to coordinate autonomously, making them harder to detect, track, and counter.
- Swarm-enabled UAS can overwhelm defenses, provide persistent

surveillance, and create complex operational challenges that strain traditional air defense systems, which pose significant risks to public safety and national security.

This prohibition on importation and marketing would not apply to any non-military-grade UAS or UAS critical components, nor would it apply to any domestically produced UAS or UAS critical components or to any other already-authorized covered equipment. It would also only apply to *covered* UAS and UAS critical components and would therefore not apply to any UAS or UAS critical components that are exempt from the Covered List—including UAS and UAS critical components identified on the Defense Contract Management Agency's (DCMA's) Blue UAS Cleared List; UAS and UAS critical components that qualify as "domestic end products" under the Buy American Standard, 48 CFR 25.101(a); and UAS and UAS critical components granted a Conditional Approval by the Department of War or the Department of Homeland Security. Any UAS or UAS critical component subsequently removed from the Covered List, such as through Conditional Approval, would also be exempt from this prohibition. Furthermore, this prohibition would not apply to importation or marketing for the purpose of use by the federal government, nor for the purpose of commercial testing and product development. Finally, while importation and marketing would be prohibited, this prohibition would not affect the continued use or operation of already-purchased UAS or UAS critical components.

We seek comment on this list of prohibitions. Does this list adequately capture military-grade UAS and UAS critical components? Are there UAS and UAS critical components that are listed above, but are not military-grade? Are there UAS and UAS critical components that are not listed above that are military-grade?

Below, we provide a brief analysis of the relevant factors that would justify limitation on the authorization of previously authorized covered equipment and tentatively conclude that prohibiting the continued importation and marketing of this previously authorized covered equipment serves the public interest.

National security impacts. We start with national security concerns, because, as the Commission noted in the *EA Security Second R&O*, "[i]t is obvious and unarguable that no governmental interest is more compelling than the security of the Nation." In the *EA Security Second R&O*, the Commission stated that older models of covered equipment, which are still widely sold in the United States, pose an unacceptable risk to national security when imported or marketed in the United States, "not only when such equipment is new to the market." The Commission agreed with commenters who pointed out that certain previously authorized devices that are now considered covered equipment "likely remain[] marketable in the United States" and "may present continuing national security threats." The Commission also directed PSHSB and OET to "give particular weight to the fact that the relevant equipment was determined to pose 'an unacceptable risk to the national security of the United States or the safety and security of United States persons.'"

Subject to exceptions, an Executive Branch interagency body with appropriate national security expertise, including appropriate national security agencies, one of whom was the Department of War, specifically determined that UAS and UAS critical components produced in foreign countries "pose unacceptable risks to the national security of the United States or the safety and security of United States persons." This determination of "unacceptable risks" was based on an assessment of "threats from unauthorized surveillance, sensitive data exfiltration, supply chain vulnerabilities, and other potential threats to the homeland." We tentatively accept this determination and "give [it] particular weight," as the Commission directed. This determination, which covered foreign-produced UAS and UAS critical components generally, necessarily includes already-authorized foreign-produced military-grade UAS and UAS critical components.

Therefore, based on the *EA Security Second R&O* and the UAS and UAS critical component National Security Determination, we tentatively conclude that prohibiting the continued importation and marketing of previously authorized covered military-grade UAS and

UAS critical components as described above is necessary to protect national security by mitigating risks to the U.S. communications sector.

We also believe that military-grade foreign-produced UAS and UAS critical components might pose even particularly acute national security or related risks, given their military-grade capabilities. We invite comment on whether military-grade UAS and UAS critical components, as described above, pose particularly acute national security risks of the sort described in the National Security Determination.

Economic and supply chain impacts. We seek comment on the potential economic and supply chain impacts of prohibiting the continued importation and marketing of already-authorized covered military-grade UAS and UAS critical components. How would this proposed action affect the financial interests of consumers, providers, and manufacturers in the communications sector? As the Commission noted in the *EA Security Second R&O*, it may consider "countervailing economic concerns when implementing the prohibitions for already-authorized devices." What are the economic or supply chain considerations that weigh either in favor or against taking this proposed action? We invite commenters to provide data that we should consider in our analysis.

We tentatively conclude that our proposed action would not have substantial economic and supply chain impacts. Outside of importation, marketing, and sales to the U.S. government, which are excluded from the scope of this proposed action, military-grade UAS and UAS critical components represent a minority of the remaining UAS and UAS critical component market. Recreational consumers comprise the majority of individual drone operators and are unlikely to fly military-grade UAS. While foreign-produced UAS and UAS critical components dominate the recreational market, domestic production of UAS and UAS critical components in the higher-end, military-grade subsectors is more prevalent. Moreover, several of the categories of UAS and UAS critical components are subject to U.S. export controls or other regulatory restrictions and likely comprise a small market within the United States.

Do commenters agree that economic and supply chain impacts are relatively minor and contained? Are there domestically-produced alternatives for military-grade UAS and UAS critical components? Would this proposal be cost-effective for the public in terms of obtaining trusted equipment? Would providers' compliance costs decrease as they replace covered equipment with trusted equipment? We strongly encourage commenters to supply data and other specific evidence of economic costs to this prohibition.

On the other hand, we seek comment on any economic benefits that might arise as a result of these prohibitions. We note that after the initial update to the Covered List, billions of dollars have already been raised by domestic UAS producers, creating thousands of U.S. manufacturing jobs. Additionally, billions more have been committed for domestic production of UAS and UAS critical components, which are expected to generate additional jobs. These investments include capital from domestic investors as well as foreign investors supporting U.S. manufacturing. We tentatively conclude that the proposed prohibitions of military-grade UAS and UAS critical components would similarly generate substantial investment in domestic production, given the loss of foreign-produced supply. Do commenters agree? We seek comment on the economic effects of the likely investment in United States production that this proposed prohibition would yield.

Public interest analysis. We tentatively conclude that prohibiting the importation and marketing of previously authorized covered military-grade foreign-produced UAS and UAS critical components is consistent with the public interest, because it protects American communications networks from devices specifically determined by an Executive Branch interagency body to "pose an unacceptable risk to the national security of the United States or the security and safety of United States persons."

We also tentatively conclude that there are no public interest factors that outweigh our tentative conclusion regarding the proposed ban on import and marketing of this previously authorized equipment. After all, as the Commission noted in the *EA Security Second R&O*, "[i]t

is obvious and unarguable that no governmental interest is more compelling than the security of the Nation." We seek comment on this public interest analysis. Do commenters agree that the national security benefits outweigh any negative economic or supply chain factors? Are there any other public interest considerations that weigh in favor or against taking this proposed action?

We invite commenters to provide any information that would assist the Commission in its balancing of the need to address the national security risks posed by the continued importation and marketing of previously-authorized covered equipment that are military-grade UAS and UAS critical components in communications networks with the impact of the proposed prohibitions on government partners, consumers, industry, and the public at large.

Existing authorizations. We clarify that, if this prohibition is adopted, the continued use or operation of previously-authorized military-grade UAS and UAS critical components that are already in the hands of users would remain authorized. This is consistent with the approach that the Commission adopted in the *EA Security Second R&O*. The limitation on existing authorizations would not result in the revocation of an existing authorization of covered equipment and, therefore, would not affect the continued use or operation of devices that consumers already possess.

Implementation timeline. We propose that all parties must cease all importation and marketing activities regarding such previously-authorized military-grade UAS and UAS critical components 180 days after publication in the **Federal Register**. We believe that this timeline is reasonable and strikes the appropriate balance between addressing the national security concerns and minimizing any potential adverse economic or supply chain impacts. Although the Commission's prohibition with respect to covered equipment added to the Covered List in 2024 or earlier took effect within 10 days of publication in the **Federal Register**, given the expected large scope of equipment at issue in this proposed prohibition, as well as the shorter time that such foreign produced military-grade UAS and UAS critical components have been listed on the

Covered List, we believe that a more extended time period to permit an orderly transition is appropriate.

We seek comment on the proposed timeline and invite input from responsible parties and relevant manufacturers, importers, distributors, retailers, and other interested entities. Specifically, we request that commenters address implementation considerations including the quantity of devices that have already been imported into the United States and are available for or being held for marketing or sale, new or recently updated device models that are en route to the United States or pending shipment, and devices that are subject to executed distribution, marketing, or sales agreements, but have not yet entered the supply chain.

Permit-but-disclose proceeding. The proceeding this Public Notice initiates shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must: (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation.

If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum.

Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations,

and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

Authority: 47 U.S.C. §§ 151, 154, 229, 301, 302a(b), 303, 1004, 1601-1609; Pub. L. No. 117-55, 135 Stat. 423-24.

FEDERAL COMMUNICATIONS COMMISSION.

Zenji Nakazawa,
Chief, Public Safety and Homeland Security Bureau.
[FR Doc. 2026-15659 Filed: 7/31/2026 8:45 am; Publication Date: 8/3/2026]