Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
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	)	PS Docket No. 26-189

COMMENTS OF THE EDISON ELECTRIC INSTITUTE, AMERICAN CHEMISTRY COUNCIL, AMERICAN FUEL & PETROCHEMICAL MANUFACTURERS, AMERICAN PETROLEUM INSTITUTE, AMERICAN PUBLIC POWER ASSOCIATION, LARGE PUBLIC POWER COUNCIL, AND NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION

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JOINT COMMENTS

The Edison Electric Institute, American Chemistry Council, American Fuel & Petrochemical Manufacturers, American Petroleum Institute, American Public Power Association, Large Public Power Council, and National Rural Electric Cooperative Association ("Joint Commenters")[1] appreciate the opportunity to comment on the proposal by the Federal Communications Commission's ("Commission" or "FCC") Public Safety and Homeland Security Bureau ("PSHSB") and Office of Engineering and Technology ("OET") to restrict the availability of certain previously authorized, foreign-produced "military-grade" uncrewed aircraft systems ("UAS" or "drones").[2]

Although well-intended, the proposal risks undermining the reliability, resiliency, and safety of critical infrastructure and should be harmonized with the Administration's broader effort to strengthen domestic UAS manufacturing while maintaining continuity of critical

[1] A description of each of the Joint Commenters is set forth in Appendix A.

[2] *FCC Seeks 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*, PS Docket No. 26-189, Public Notice, DA 26-758 (PSHSB/OET July 21, 2026) ("*Military-Grade UAS Public Notice*").

infrastructure operations. As discussed herein, the Joint Commenters urge PSHSB and OET not to prohibit the continued importation and marketing of covered commercial UAS used by critical infrastructure operators without first considering whether targeted safeguards and other less restrictive alternatives can address the identified national-security concerns while preserving critical-infrastructure operations.

At a minimum, PSHSB and OET should narrow the proposed definition of "military-grade" UAS, preserve lifecycle support for lawfully deployed fleets, and establish a streamlined approval process, such as industry-focused conditional approvals, for critical-infrastructure operators that demonstrate mission need and appropriate security controls.

INTRODUCTION AND SUMMARY

The Cybersecurity & Infrastructure Security Agency ("CISA") has identified "16 critical infrastructure sectors whose assets, systems, and networks, whether physical or virtual, are considered so vital to the United States that their incapacitation or destruction would have a debilitating effect on security, national economic security, national public health or safety, or any combination thereof."[3] Joint Commenters represent two of these critical infrastructure sectors – the chemical and energy sectors.

According to CISA, the chemical industry is one of these critical infrastructure sectors because it "manufactures, stores, uses, and transports potentially dangerous chemicals on which other critical infrastructure sectors rely."[4] This industry produces "more than 70,000 diverse products essential to modern life."[5]

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[3] CISA, *Critical Infrastructure Sectors*, https://www.cisa.gov/topics/critical-infrastructure-security-and-resilience/critical-infrastructure-sectors (last visited Aug. 20, 2026).

[4] CISA, *Chemical Sector*, https://www.cisa.gov/topics/critical-infrastructure-security-and-resilience/critical-infrastructure-sectors/chemical-sector (last visited Aug. 20, 2026).

[5] *Id.*

Similarly, CISA has determined that:

> [t]he U.S. energy infrastructure fuels the economy of the 21st century. Without a stable energy supply, health and welfare are threatened and the U.S. economy cannot function. Presidential Policy Directive 21 identifies the Energy Sector as uniquely critical because it provides an 'enabling function' across all critical infrastructure sectors. More than 80 percent of the country's energy infrastructure is owned by the private sector, supplying fuels to the transportation industry, electricity to households and businesses, and other sources of energy that are integral to growth and production across the nation.[6]

Consistent with the recognized critical importance of the energy sector, both the Administration and energy providers are racing to increase capacity, contain rate hikes, and ensure resilience.[7] Drones are an important piece of this multi-pronged effort.

The President recently recognized that drones are "widely used" by critical infrastructure.[8] The chemical and energy sectors,[9] in particular, rely heavily on widely available drones to conduct numerous operations designed to ensure resiliency and safety within these industries. Many of these drones have some or all of the following characteristics: (i) weigh 55 pounds or more on takeoff; (ii) can be used to deliver hazardous substances – such as pesticides;

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[6] CISA, *Energy Sector*, https://www.cisa.gov/topics/critical-infrastructure-security-and-resilience/critical-infrastructure-sectors/energy-sector (last visited Aug. 20, 2026).

[7] *See, e.g.,* Exec. Order No. 14,154, *Unleashing American Energy*, 90 Fed. Reg. 8,353 (Jan. 29, 2025); Exec. Order No. 14,262, *Strengthening the Reliability and Security of the United States Electric Grid*, 90 Fed. Reg. 15,521 (Apr. 14, 2025); The White House, *Fact Sheet*: *President Donald J. Trump Advances Energy Affordability with the Ratepayer Protection Pledge* (Mar. 4, 2026), https://www.whitehouse.gov/fact-sheets/2026/03/fact-sheet-president-donald-j-trump-advances-energy-affordability-with-the-ratepayer-protection-pledge; Press Release, Federal Energy Regulatory Commission, *FERC Launches Aggressive Targeted Action to Speed Large Load Integration* (June 18, 2026), https://www.ferc.gov/news-events/news/ferc-launches-aggressive-targeted-action-speed-large-load-integration; Press Release, Department of Energy, *United States to Release 172 Million Barrels of Oil From the Strategic Petroleum Reserve* (Mar. 11, 2026), https://www.energy.gov/articles/united-states-release-172-million-barrels-oil-strategic-petroleum-reserve.

[8] Proclamation No. 11,055, *Adjusting Imports of Unmanned Aircraft Systems and Unmanned Aircraft Systems Components into the United States*, 91 Fed. Reg. 53,699, 53,699 ¶ 2 (Aug. 19, 2026) ("*Tariff Proclamation*").

[9] CISA, *Critical Infrastructure Sectors*, https://www.cisa.gov/topics/critical-infrastructure-security-and-resilience/critical-infrastructure-sectors (last visited Aug. 20, 2026).

(iii) contain or integrate sensors capable of thermal imaging; (iv) contain sensors capable of Light Detection and Ranging ("LiDAR"); (v) utilize docking stations that enable them to land safely, take off, recharge and/or replace batteries, and transfer data and payload; and (vi) are capable of swarming operations.

PSHSB and OET now propose to classify these commercial drones as "military-grade" and prohibit the continued importation and sale of such drones produced by foreign companies.[10] The Joint Commenters urge PSHSB and OET to develop a more complete record regarding the operational, economic, and supply-chain effects of the proposal and demonstrate a rational connection between the facts found and the restrictions imposed.[11] Additionally, PSHSB and OET should consider whether less burdensome, narrowly tailored alternatives to the proposed ban can achieve the desired objectives.

Joint Commenters do not object to targeted treatment of foreign-produced UAS specially designed to incorporate defense articles or genuinely constitute military swarming systems but rather urge the FCC to focus its efforts on UAS specially designed for military use or modified to support military functions. Any ban on foreign-produced "military-grade" UAS should not apply to drones simply because they have dual-use capabilities broadly available in commercial technologies enabling both commercial/civilian and military operations. Such a narrower focus is especially warranted because the critical infrastructure sector relies heavily on drones produced by foreign companies that would fall within the proposed ban and alternatives are not available from domestic companies at an economically feasible price point or with the dependability of foreign-produced drones. Notably, many of these drones have been specifically

[10] *See Military-Grade UAS Public Notice* at 4–7.

[11] *See generally Motor Vehicle Mfrs. Ass'n v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29 (1983).

approved by the Federal Aviation Administration ("FAA") for use by critical infrastructure providers to conduct important operations beyond visual line-of-sight ("BVLOS") and such operations may be become unsustainable over time if the drones, replacement aircraft, and components needed to support them become unavailable.

To the extent the proposed ban is intended to address national security concerns and promote domestic UAS production, the President recently imposed tariffs on foreign-produced drones and their components to achieve these very objectives.[12] In particular, the President decided "to impose a 100 percent *ad valorem* duty rate on the import of UAS with a maximum take-off weight of more than [55 pounds], UAS that integrate thermal imagers, UAS docking stations, and certain UAS components."[13]

Based on the foregoing, the Joint Commenters urge PSHSB and OET to reconsider prohibiting the importation and sale of foreign-produced "military-grade" drones. Importantly, the proposed definition of "military-grade" UAS is overinclusive because it sweeps in drones that were not specially designed for military use and have widespread commercial applications. In fact, drones that would fall under the ban are regularly used by critical infrastructure sectors to ensure reliability, resiliency, and safety.

Moreover, there is no evidence to support the economic and supply chain analysis underpinning the proposed ban. Contrary to the tentative conclusions in the Public Notice, available evidence does not demonstrate that operationally equivalent trusted alternatives will be available at scale (let alone at comparable prices) at the time the proposed ban would take effect

[12] *Tariff Proclamation* ¶¶ 9–10.

[13] *Id.* ¶ 9.

(180 days).[14] The President's recent UAS tariff proclamation specifically found that domestic production remains insufficient to meet anticipated demand and that many domestic manufacturers remain dependent upon foreign-produced components.[15]

Absent operationally equivalent, reasonably priced, domestic alternatives, critical infrastructure providers will be unable to purchase replacement drones, batteries, sensors, docking stations, software support, and replacement parts necessary to maintain existing fleets. As a result, fleet capabilities will gradually degrade through attrition even if existing drones may continue to operate in the near term.[16] If critical infrastructure providers can no longer use previously authorized foreign-produced drones for the myriads of operations designed to improve resiliency, reliability, and safety, they will have to turn to less safe and more costly alternatives and likely reduce the scope of essential programs previously conducted via drones due to these increased costs. Such alternatives will fail to advance the Commission's goals of increasing national security and domestic drone production and rather will decrease the Nation's industrial capabilities.

Joint Commenters certainly support promoting domestic drone manufacturing, but in a way that does not jeopardize critical infrastructure operations. In this regard, the Public Notice pre-dates the presidential decision to impose tariffs on the very drones that would be subject to the ban, indicating that the Administration has chosen to address concerns regarding foreign-produced drones through a broader supply-chain strategy. The core issue is not whether

[14] The Presidential Tariff Proclamation states "the domestic industry does not produce enough UAS and UAS components to safely meet national security needs." Tariff Proclamation ¶ 5. The proclamation further notes that many U.S. manufacturers remain dependent on foreign components such as motors, electronic speed controllers, lithium-ion batteries, and docking stations. *Id.* ¶ 3.

[15] *See generally id.*

[16] The ban also would prohibit critical infrastructure providers without such fleets from adopting these increasingly common practices.

national-security concerns should be addressed, but how they should be addressed without impairing the ability of critical infrastructure operators to safely inspect, maintain, secure, and restore the facilities on which the Nation depends.

Finally, Joint Commenters believe that evidence will not establish that a categorical prohibition is necessary where narrower definitions, auditable safeguards, and lifecycle-support limitations could address the identified risks. If PSHSB and OET nevertheless implement their proposal, they should (i) narrow the proposed definition of military-grade UAS and UAS critical components, (ii) preserve lifecycle support for lawfully deployed fleets, and (iii) establish an approval process, such as industry-focused conditional approvals, whereby the critical infrastructure sector could obtain permission to obtain foreign-produced drones and components that currently are necessary to support their operations.

I. THE PROPOSED BAN FAILS TO RECOGNIZE THAT CRITICAL INFRASTRUCTURE IS SUBJECT TO FEDERAL POLICIES DESIGNED TO ENSURE ITS SECURITY, RESILIENCY, AND RELIABILITY

The chemical and energy sectors currently employ extensive cybersecurity, supply-chain-risk-management, access-control, network-monitoring, and data-governance measures that already address risks from UAS operations that the proposed ban seeks to address. For example, the proposed ban is premised in part on the need to protect the nation from "unacceptable risks" from "unauthorized surveillance, sensitive data exfiltration, supply chain vulnerabilities, and other potential threats to the homeland" from UAS operations.[17] Given the current practices of the chemical and energy sectors, the Commission should consider whether targeted safeguards and risk-mitigation measures can address security concerns without restricting access to UAS technologies that support critical infrastructure operations.

[17] *Military-Grade UAS Public Notice* at 7.

President Trump has emphasized that "[o]ur Nation's critical infrastructure is foundational to every American's way of life—protecting our national security, facilitating our economic stability, and ensuring our public safety."[18] Consistent with this principle, the President signed Executive Order 14154 to restore the nation's capacity to produce the critical resources that power the economy and fortify the critical infrastructure that keeps the country safe.[19] Presidential Policy Directive 21 states that "[t]he reliance of virtually all industries on electric power and fuels means that all sectors have some dependence on the Energy Sector."[20] Similarly, the energy sector is dependent upon the chemical sector.

Domestic UAS policy should not undermine the security and resiliency of critical infrastructure. Policies affecting access to inspection, monitoring, and emergency-response technologies – such as UAS – should be evaluated not only through the lens of national security, but also through the lens of infrastructure reliability, resilience, and public safety. Such an approach is essential because the integrity and expansion of critical infrastructure "is an immediate and pressing priority for the protection of the United States' national and economic security."[21]

Critical infrastructure owners and operators can address many UAS security concerns through layered technical, operational, and governance controls without the need for a categorical prohibition. Critical-infrastructure operators employ sector-appropriate cybersecurity, supply-chain-risk-management, access-control, monitoring, and data-governance

[18] The White House, *Presidential Message on Critical Infrastructure Security and Resilience Month* (Nov. 4, 2025), https://www.whitehouse.gov/briefings-statements/2025/11/presidential-message-on-critical-infrastructure-security-and-resilience-month.

[19] *See id*.; Exec. Order No. 14,154, *supra* note 7.

[20] CISA, *Energy Sector*, *supra* note 6.

[21] Exec. Order No. 14,156, *Declaring a National Energy Emergency*, 90 Fed. Reg. 8,433, 8,433 § 1 (Jan. 29, 2025).

measures. In the electric sector, utilities subject to applicable North American Electric Reliability Corporation ("NERC") Critical Infrastructure Protection ("CIP") requirements operate within a layered and auditable regulatory framework that includes supply-chain-risk-management obligations.[22] The Natural Gas Council has conducted an analysis of cybersecurity risks for the gas and oil industry and published a guide recommending steps to address these risks.[23] The American Petroleum Institute also has published a guide identifying cyber-related risks that organizations should address prior to implementing UAS programs.[24] Similar risk-management approaches exist across other critical-infrastructure sectors. These same types of controls can be applied to enterprise UAS deployments, including operator-controlled data storage, restricted external connectivity, network segmentation, monitored data egress, controlled firmware updates, role-based access controls, audit logging, and independent security assessments.

Federal national security and law enforcement agencies have already recognized that critical infrastructure operators can address UAS-related security concerns through technical, operational, and governance controls. In 2024, CISA and the FBI issued guidance for critical infrastructure operators using Chinese-manufactured UAS that precisely recommends these types of risk-mitigation measures.[25] Rather than demonstrating universal implementation across all

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[22] For example, CIP-013, a mandatory cybersecurity supply chain risk management standard. *See* North American Electric Reliability Corporation, *CIP-013-2: Cyber Security—Supply Chain Risk Management*, https://www.nerc.com/standards/reliability-standards/cip/cip-013-2 (last visited Aug. 27, 2026).

[23] *See* Natural Gas Council, *Defense-in-Depth: Cybersecurity in the Natural Gas and Oil Industry*, https://naturalgascouncil.org/wp-content/uploads/2018/10/Defense-in-Depth-Cybersecurity-in-the-Natural-Gas-and-Oil-Industry.pdf (last visited Aug. 31, 2026).

[24] *See* American Petroleum Institute, *API Guide to Developing an Unmanned Aircraft Systems Program* (2019).

[25] CISA & FBI, *Cybersecurity Guidance: Chinese-Manufactured UAS*, at 1, 3 (Jan. 17, 2024), https://www.fbi.gov/file-repository/cyber-alerts/cybersecurity-guidance-chinese-manufactured-uas.pdf ("*Chinese-Manufactured UAS Guidance*").

operators, this guidance provides an existing federal foundation for developing enforceable UAS security conditions applicable to critical-infrastructure deployments.

Government efforts to address UAS safety and security concerns should not take place in a vacuum and must be balanced against other national policy objectives, such as ensuring the public right of transit, preserving airspace efficiency, and integrating UAS into the National Airspace System,[26] as well as enabling the safe deployment of UAS technologies that support critical infrastructure inspection, maintenance, emergency response, and infrastructure development.

The question before the Commission is not whether national-security concerns should be addressed. Rather, it is whether those concerns can be addressed through targeted safeguards and risk-management measures that preserve the ability of critical infrastructure operators to safely inspect, maintain, secure, and restore the facilities on which the nation depends. The answer is "yes."

II. THE PROPOSED DEFINITION OF "MILITARY-GRADE" UAS SWEEPS IN DRONES USED BY CRITICAL INFRASTRUCTURE PROVIDERS TO CONDUCT ESSENTIAL, CIVILIAN OPERATIONS

Joint Commenters applaud PSHSB and OET for recognizing that their proposed "military-grade" definition may be overbroad and seeking comment on whether there are UAS and UAS components meeting the proposed definition but that are not military-grade.[27] The Public Notice acknowledges that the proposed definition of "military-grade" UAS is based on

[26] Federal Aviation Administration, Designation—Restrict the Operation of Unmanned Aircraft in Close Proximity to a Fixed Site Facility, Notice of Proposed Rulemaking, 91 Fed. Reg. 24,650, 24,651 (May 6, 2026) ("Fixed-Site UAS NPRM").

[27] *Military-Grade UAS Public Notice* at 7.

characteristics that are not unique to military drones.[28] The proposed definition would sweep in numerous drones relied upon by critical infrastructure providers. Accordingly, it is overinclusive.

As observed in the National Security Determination placing foreign-produced drones on the Covered List, "UAS are inherently dual-use: they are both commercial platforms and potentially military or paramilitary sensors and weapons."[29] The Commission's challenge, therefore, is not identifying whether a capability can be used for military purposes, but whether the proposed criteria meaningfully distinguish military systems from commercial technologies routinely deployed by critical-infrastructure operators.

Despite the inherently dual-use nature of UAS technology, PSHSB and OET now propose to classify drones as "military-grade" if they satisfy any of the following criteria: (i) weigh 55 pounds or more on takeoff; (ii) can be used to deliver hazardous substances – such as pesticides; (iii) contain or integrate sensors capable of thermal imaging; (iv) contain sensors capable of LiDAR; (v) utilize docking stations that enable them to land safely, take off, recharge and/or replace batteries, and transfer data and payload; (vi) are capable of swarming operations; or (vii) incorporate defense articles or military-specific capabilities. Most of these criteria are not unique to military drones, however, and include numerous drones used for non-military, commercial purposes. This position is not unique to the Joint Commenters. Hundreds of organizations and thousands of individuals and small business owners – including public safety

[28] *See, e.g.*, *id*. at 6 (noting that "swarming UAS" are used in "multi-UAS light shows, where numerous illuminated UAS work together to create synchronized aerial displays").

[29] *Public Safety and Homeland Security Bureau Announces Addition of Uncrewed Aircraft Systems (UAS) and UAS Critical Components Produced Abroad, and Equipment and Services Listed in Section 1709 of the FY2025 NDAA, to FCC Covered List,* Public Notice, 40 FCC Rcd 10215, 10220 app. B (PSHSB 2025) *("UAS Covered List Public Notice").*

entities – already have filed in this docket and demonstrated that these criteria are not unique to military applications.[30]

The chemical and energy sectors routinely use drones and an informal survey conducted by one of the Joint Commenters ("Utility Survey") found that every responding member entity utilized drones to support their operations. Many of the commercial drones used by critical infrastructure providers meet the proposed "military-grade" criteria and are used to ensure the security, reliability, and resiliency of their facilities, in many cases aging facilities. Drones support critical activities such as infrastructure inspections, wildfire mitigation, flare detection, emergency response and restoration, and mapping activities. Examples of how some of the proposed military-grade criteria would capture critical infrastructure operations are set forth below.

- *Drones over 55 Pounds*. Drones used to support critical infrastructure often exceed 55 pounds due to the operational parameters associated with their missions. When used for inspection purposes, drones often require lengthy battery life which requires heavier batteries that cause drones to exceed 55 pounds. Drones used for inspection purposes also often require specialized, heavy cameras that can cause drones to exceed 55 pounds. Similarly, drones utilized to string utility lines generally exceed 55 pounds as do drones equipped with spraying equipment and chemicals. The Utility Survey found that every respondent either uses or is evaluating the use of drones over 55 pounds to support their

[30] *See, e.g.*, Comments of Steve Lanaghen, Boulder Emergency Squad, PS Docket No. 26-189, at 1 (filed Aug. 10, 2026); Comments of NPS-DDP.org, PS Docket No. 26-189, at 2 (filed Aug. 12, 2026); Comments of Sergeant Daniel Tatro (Gresham Police Department), PS Docket No. 26-189, at 1 (filed Aug. 12, 2026); Comments of Summit Drone Analytics LLC, PS Docket No. 26-189, at 1–2 (filed Aug. 12, 2026); Comments of Tualatin Valley Fire & Rescue, PS Docket No. 26-189, at 1 (filed Aug. 12, 2026); Comments of Bruce McGuire, Patrick Dougherty, and Lincoln County Sheriff's Office, PS Docket No. 26-189, at 2 (filed Aug. 13, 2026); Comments of Ohio Chapter-Law Enforcement Drone Association, PS Docket No. 26-189, at 1–2 (filed Aug. 13, 2026); Comments of Drone Service Providers Alliance, PS Docket No. 26-189, at 3–4 (filed Aug. 14, 2026); Comments of City of Plymouth Public Safety, PS Docket No. 26-189, at 1 (filed Aug. 17, 2026); Opposition of Jeremy Grady (Kalispell Fire Department), PS Docket No. 26-189, at 1 (filed Aug. 17, 2026); Comments of Stratum Asset Intelligence LLC, PS Docket No. 26-189, at 2 (filed Aug. 18, 2026).

operations. FAA's Part 108 proposed rulemaking specifically establishes a framework for commercial sectors to safely and securely operate UAS over 55 pounds.[31]

- *Aerial spraying*. The energy sector relies upon drones to conduct aerial spraying using herbicides produced by the chemical sector to keep vegetation away from utility lines. Vegetation near utility lines can cause wildfires and outages, and interfere with safe line clearance requirements.

- *Thermal imaging*. Drones equipped with thermal imaging capabilities play a vital role in securing and maintaining critical infrastructure. They spot overheating power lines, failing substation components, and solar panel defects. They can also be used to check tanks, pipes, and electrical systems and to provide perimeter security around critical infrastructure. In the event of an unexpected failure incident, hurricane, or other emergency, thermal imaging is used to make determinations on whether it is safe to deploy emergency response personnel. The Utility Survey found that every respondent used drones for thermal imaging and deemed this capability very important or essential to their operations.

- *LiDAR*. LiDAR is also used to support facility planning, construction, and infrastructure expansion projects within both the energy and chemical sectors. This technology has widespread civilian and commercial applications in numerous industrial and consumer products, such as cell phones and tablets. Drones with these sensors can be used for a variety of purposes essential to maintaining the reliability and resiliency critical infrastructure. Among other things, LiDAR can be used to: (i) detect vegetation encroachment and assess the condition of power lines for preventive maintenance and safety; (ii) conduct electrical, mechanical, and structural inspections; (iii) conduct asset inventory and facilitate maintenance of critical infrastructure such as substations and transmission towers; (iv) prepare mapping and 3D modeling; (v) facilitate UAS operations in confined-space or GPS-denied operations; (vi) assess critical infrastructure condition following storms and other disasters; and (vii) conduct worker safety assessments. The Utility Survey found that every respondent used drones equipped with LiDAR and deemed this capability very important or essential to their operations.

- *Docking stations*. Critical infrastructure providers increasingly are utilizing docking stations to aid in security and to eliminate the need to constantly transport drones to areas needing frequent inspection. Docking stations used at known, fixed locations help improve safety, inspection consistency, response speed, and situational awareness. These systems should not be considered military-grade solely because they support the following capabilities regularly used by the critical infrastructure and commercial sectors: automated launch and landing; charging and power management; remote operation; data transfer; payload control; or scheduled or event-driven missions. The Utility Survey found that eighty percent of respondents either use or are planning to use docking stations to support their UAS operations.

[31] *Normalizing Unmanned Aircraft Systems Beyond Visual Line of Sight Operations,* Notice of Proposed Rulemaking, 90 Fed. Reg. 38,212 (Aug. 7, 2025) (to be codified at 14 C.F.R. pts. 36, 43, 45, 48, 89, 91, 107, 108, 119, 133, 135, 137, and 146).

- *Swarming Capabilities*. Any final rule should expressly distinguish autonomous military swarming systems from human-supervised, non-weaponized commercial fleet-management and inspection operations. Some critical infrastructure providers utilize a single pilot to control multiple drones conducting inspections. UAS with "swarming" capabilities, such as autonomous inter-aircraft coordination, dynamic formation maintenance, collective response to changing conditions, and synchronized targeting, are different from non-military UAS with capabilities for human-supervised multi-aircraft operations, pre-programmed routes, geofenced inspections, collision avoidance and deconfliction capabilities, automated or centralized mission scheduling, sequential automated missions (including those launched from multiple docks), and centralized fleet-management software. Any ban should provide a safe harbor for such non-weaponized, commercial operations.

Joint Commenters understand that a substantial portion of the drones utilized by critical infrastructure providers possess one or more of these capabilities. The presidential proclamation separately recognizes substantial dependence on foreign UAS and components, insufficient domestic production capacity, and the need for a managed onshoring transition. Many of the drones and capabilities discussed above precisely illustrate those market conditions.

If a ban is adopted using the proposed military-grade definition, critical infrastructure providers may be unable to procure operationally equivalent drones needed to continue conducting critical inspections, monitoring, maintenance, and emergency response activities. Absent the availability of these drones, critical infrastructure providers will have to utilize other methods that are more costly and less safe for industry workers. For example, drones enable automated mission planning, obstacle avoidance, remote operations, docking station use to reduce travel time, and repeatable autonomous inspection workflows, which in turn reduce pilot workload, improve mission consistency, and minimize operational risk.

Alternatives such as in-person inspections or helicopter inspections are more costly and time-consuming. As a result, the scope of inspections that can be conducted under existing budgets will decrease and costs may ultimately be borne by utility customers, consumers, or

critical infrastructure operators, depending on the sector. If increased costs reduce the scope of inspections, the reliability of critical infrastructure systems may be adversely impacted.

Alternatives to drones also increase safety concerns and potentially increase restoration timelines. Because UAS operations are by definition uncrewed, they generally are safer than operations requiring an actual pilot or person to visit a site. Drones with thermal imaging, LiDAR, autonomous inspection capabilities, and docking systems produce measurable worker-safety benefits by reducing employee exposure to elevated, confined-space, energized, remote, storm or fire damaged, and otherwise hazardous work environments. It certainly is more dangerous to send someone to inspect facilities in a hazardous area than it is to have a drone conduct the same inspection.

Finally, the proposed ban is premised on the idea that it would allow existing fleets to continue operating.[32] This assumption overlooks the practical reality that fleets require ongoing replacement aircraft, batteries, sensors, software support, and replacement components to remain operational over time. As fleets age without access to replacement parts (such as batteries, sensors, docking stations) and replacement aircraft, operational capacity will diminish over time even if existing aircraft remain lawful to operate. Reduced fleet availability can delay inspections, slow emergency response, increase restoration times, and impair efforts to identify and remediate emerging reliability, safety, and security concerns before they become larger incidents. For example, one of the benefits of deploying drones in docking stations is to have equipment in the field to enable rapid responses in the event of a wildfire, hurricane, or other natural disaster. Software support is equally essential, such as software licenses, cloud services, Application Program Interfaces ("APIs"), software development kits ("SDKs"), firmware,

[32] *Military-Grade UAS Public Notice* at 10 (noting that the ban would have no impact on the continued use of drones already in use).

communications, fleet-management systems, third-party payloads, and other digital services needed to keep autonomous operations working.

For each of the foregoing reasons, PSHSB and OET should conclude that the proposed definition of "military-grade" UAS is overinclusive and that narrower, risk-based alternatives are available to address legitimate national-security concerns without impairing critical-infrastructure operations.

III. ANY BAN SHOULD BE TIED TO THE AVAILABILITY OF EQUIVALENT DOMESTIC UAS ECOSYSTEMS

PSHSB and OET tentatively conclude that the prohibition on the importation and sale of foreign-manufactured drones and drone components will not have substantial economic and supply chain impacts because domestic alternatives are available.[33] That tentative conclusion is not supported by available evidence. To the contrary, the available evidence reflects continuing domestic capacity limitations, heavy dependence on foreign-produced UAS and UAS components, and uncertainty regarding the availability of operationally equivalent domestic alternatives at sufficient scale.

The proposed ban would prohibit the sale and importation of many drones essential to critical infrastructure operations a mere 180 days after publication of the prohibition in the Federal Register.[34] This does not provide sufficient time for domestic sources to become available economically. Further, an 180-day period may not encompass utilities' budgeting, procurement, testing, cybersecurity review, training, integration, and regulatory-approval processes.

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[33] *Id.* at 8 ("We tentatively conclude that our proposed action would not have substantial economic and supply chain impacts. … 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.").

[34] *Id.* at 10.

The Secretary of Commerce has determined that the domestic industry does not produce enough UAS and UAS components to safely satisfy demand and that foreign-produced drones dominate the market for the drones that would be subject to the ban.[35] Moreover, the Secretary determined that even domestically produced drones "are highly dependent on foreign sources for critical UAS components, such as motors, electronic speed controllers, lithium-ion batteries, and docking stations."[36] These determinations are at odds with the economic and supply chain analysis underpinning the proposed ban and 180-day implementation period.

Further, even if domestic sources were readily available and economically feasible (which the Tariff Proclamation finds they are not), the economic and supply chain analysis set forth in the Public Notice would still be flawed. First, from an economic perspective, the cost of a drone is only one piece of the overall financial impact associated with switching suppliers. Any regulatory mandate to transition to different drone platforms would trigger significant expenses beyond the drone itself, such as software licensing, system integration, pilot training, procedure revisions, cybersecurity reviews, building spare parts inventories, and overall program administration. In many cases, these costs could exceed the purchase price of the drones.

From a supply chain perspective, 180 days is insufficient for critical infrastructure providers to transition to new drones. For example, many critical infrastructure providers rely on BVLOS drone operations to conduct a wide range of tasks, such as inspections. These BVLOS operations are permitted only after FAA approval and the FAA only grants such approvals based on *platform-specific* safety cases, which rest on demonstrated reliability data for *particular* aircraft in particular operating environments. In fact, the FAA published a 180-day framework

[35] *See Tariff Proclamation* ¶¶ 3, 5.

[36] *See id.* ¶ 3.

enabling these exact operations to expand BVLOS operations for commercial operations. Critical infrastructure providers have also been evaluating drones for compliance with the new BVLOS regime proposed by the FAA. Thus, transitioning to alternative platforms is not simply a procurement decision. In many cases, critical infrastructure providers would need to validate new aircraft, develop operational procedures, retrain personnel, establish new safety cases, and obtain new FAA approvals before equivalent operations could resume. Establishing equivalent platform-specific safety cases and obtaining any necessary FAA approvals can extend well beyond a procurement cycle and, in some cases, may require substantial operational testing, validation, and coordination. Consequently, a federal ban could severely disrupt FAA-approved operations by eliminating access to aircraft or components on which those approvals depend, forcing operators to revalidate systems and jeopardizing established operational capabilities.

Further, given the importance of their industries to the nation and their lengthy procurement cycles, critical infrastructure providers require drones with operational maturity: reliable aircraft; proven sensors; integrated software platforms; substantial repair networks; replacement part availability, including batteries; quickly available technical support; and stable long-term product roadmaps. Nascent products that are new to the sector simply cannot meet these criteria – whether made domestically or abroad.

Critical infrastructure providers have been attempting to identify domestic sources but – cost aside – initial testing demonstrates that available options are not currently comparable replacements. Member evaluations have identified material differences in performance, reliability, software integration, sensor capability, setup requirement, and lifecycle support available from leading foreign-produced systems. The few domestically produced UAS available generally require more setup time, are less intuitive, offer different software architectures and workflows, and do not fully replicate the capabilities of incumbent platforms.

Although domestic manufacturers may claim certain specifications and uses for their UAS and related components, internal studies conducted by critical infrastructure providers in an industrial setting effectively show a significant delta in actual performance. These differences can increase inspection durations, labor requirements, training needs, and administrative burdens. This can lead to longer inspection durations, increased labor requirements, and reduced efficiency. Simply put, domestically sourced UAS generally face challenges achieving the same level of performance, reliability, and functionality provided by existing, foreign-produced, UAS systems.

To prevent supply-chain issues that may impact efforts to modernize critical infrastructure and ensure its continued reliability and resiliency, the transition period associated with any ban on foreign-produced UAS should be based on concrete evidence demonstrating that domestically-produced UAS and UAS components are commercially available at sufficient scale and provide operationally equivalent capabilities, support services, software functionality, repair capacity, and lifecycle support.[37] The appropriate benchmark is not whether a domestic UAS can be purchased but rather whether a domestic UAS ecosystem exists that can safely and reliably perform the same critical infrastructure missions at scale, supported by equivalent software, sensors, repair capacity, replacement parts, technical support, and operational maturity. Price also should be evaluated as part of the overall lifecycle costs of operating replacement systems, including training integration, software licensing, maintenance, repair, and operational impacts. Such an approach would better balance national security with economic and environmental realities.

[37] For example, prior to establishing an implementation deadline, the FCC could conduct a formal market-readiness and capability-gap assessment that includes an evaluation of UAS sensor availability, software integration issues, autonomous workflows, endurance requirements, repair networks, replacement-part availability, and production capacity. Then, once implementation deadlines are established, the FCC should conduct a follow-up study to confirm the availability of domestic UAS and related components and to alter the deadline if marketplace gaps remain.

For example, operational equivalency could be best determined by allowing industry operators, who would be directly impacted by a prohibition, to test and validate UAS that the Commission deems acceptable as a replacement. That testing would examine the complete system, not just whether the aircraft can fly the same mission. More specifically, critical infrastructure providers would analyze reliability, safety, autonomous operations, docks, payload and sensor integration, software, remote operations, fleet management, communications, parts and repair support, and the ability of the UAS to support the same FAA-approved operations.

At a minimum, any prohibition should include a transition period of no less than 24 months after the testing referenced above demonstrates that suitable domestically manufactured replacement UAS and components are readily available. The Commission also should retain authority to extend that period if it cannot be determined, based on an updated record, whether trusted alternatives and associated components, repair capacity, software support, training resources, and operational support infrastructure are commercially available at sufficient scale to support critical infrastructure operations.

In sum, if PSHSB and OET move forward with the proposed prohibition, critical infrastructure providers may face significant constraints in obtaining operationally equivalent UAS, components, repair services, and software support. These constraints could impair inspection programs, slow emergency response and restoration activities, increase operational costs, and create supply-chain challenges that affect the reliability, resiliency, and safety of critical infrastructure.

IV. THE COMMISSION SHOULD RECONCILE ITS PROPOSAL WITH THE PRESIDENT'S RECENT FINDINGS ON DOMESTIC UAS SUPPLY-CHAIN CAPACITY

Last month, President Trump announced tariffs on many foreign-produced drones and drone components to help spur development of a domestic manufacturing capacity.[38] In adopting the new UAS tariffs, which apply to the very drones at issue in the instant proceeding, the President recognized both the critical role UAS play in the economy and the nation's current reliance on foreign-produced UAS and UAS components.[39] The President also acknowledged concerns regarding the ability of domestic manufacturers to produce UAS and UAS components at the speed and scale necessary to satisfy commercial and military demand.[40] The Joint Commenters share the concerns about domestic capacity.

The President determined that the tariffs, differentiated country treatment, delayed component duties, and onshoring incentives would encourage domestic production of UAS and UAS components and "reduce[] reliance on foreign sourced and foreign supply chains."[41] The tariffs were designed specifically to encourage domestic production while the domestic industrial base scales to meet future demand.

The proposed ban risks undermining the transition framework of financially disincentivizing foreign-manufactured UAS established by the new tariff framework. While the Tariff Proclamation seeks to reduce reliance on foreign-produced UAS through tariffs, differentiated treatment, delayed implementation for certain products, and domestic-manufacturing incentives, the proposed ban could eliminate access to certain platforms before

[38] *See Tariff Proclamation* ¶¶ 9–12.

[39] *See id.* ¶¶ 2–3.

[40] *Id.* ¶ 5.

[41] *Id.* ¶ 13.

operationally equivalent domestic alternatives are available at sufficient scale. PSHSB and OET should reevaluate their proposal considering the subsequently issued proclamation and the Administration's broader UAS supply-chain strategy.

Existing Covered List restrictions, tariffs, differentiated country treatment, and onshoring incentives are material parts of the broader federal response.[42] Before adding a prohibition applicable to previously authorized equipment, PSHSB and OET should explain why those measures, together with targeted security protections and conditional approvals, are insufficient to address the identified risks.

V. NATIONAL SECURITY CAN BE PROTECTED WITHOUT UNDERMINING THE RESILIENCY, RELIABILITY, AND SAFETY OF CRITICAL INFRASTRUCTURE

Government efforts to address national security concerns related to UAS operations should not take place in a vacuum and must be balanced against other national policy objectives, including preserving airspace efficiency, integrating UAS into the National Airspace System,[43] and enabling the safe deployment of UAS technologies that support critical infrastructure inspection, maintenance, emergency response, and infrastructure development. More narrowly tailored approaches are available to address national security concerns without unduly impairing the safety, resiliency, and reliability of critical infrastructure.

A. PSHSB and OET Should Narrow the Proposed Definition of Military-Grade UAS and UAS Critical Components

If PSHSB and OET move forward with their proposal, they should first narrow the definition of "military-grade" UAS to drones "specially designed," modified, or configured for

[42] *See UAS Covered List Public Notice,* 40 FCC Rcd at 10217.

[43] *See* Fixed-Site UAS NPRM, 91 Fed. Reg. at 24,651.

military purposes.[44] This approach would be consistent with design-based distinctions used in existing export control frameworks and would avoid treating dual-use capabilities as inherently military-grade. This approach also would preserve the ability of critical infrastructure providers to purchase and maintain the dwindling number of foreign-produced drones that are not prohibited by the existing Covered List and have dual-use capabilities but are not specially designed for military use.

Further, any ban should exclude UAS and UAS components that are merely capable of containing or integrating the capabilities the Public Notice identifies as "military-grade." For example, a modular airframe that can accept, but is not sold with, a thermal or LiDAR payload should not be banned. Any ban should expressly address whether the payload alone is covered; and how bundled configurations are treated.

B. The FCC Should Preserve Lifecycle Support for Lawfully Deployed Fleets

To avoid undermining the safety and integrity of critical infrastructure, FCC policies should ensure that sufficient UAS replacement parts for repair and maintenance of foreign-produced drones remain available so that current fleets do not degrade before mature, domestic platforms are available. In implementing the Covered List, the FCC has already recognized the need for software and firmware updates to continue safe operations of UAS.[45]

Along the same lines, PSHSB and OET should ensure that any ban permits owners and operators of critical infrastructure to maintain lifecycle support for their drone fleets, including

[44] Alternatively, if PSHSB and OET decline to adopt a design-based definition, the Commission should require satisfaction of multiple criteria before a UAS can be deemed "military-grade." Such an approach is appropriate given that the criteria (except for the specially designed military application criterion) capture numerous drones already widely deployed by critical infrastructure providers to ensure the safety, reliability, and resiliency of their facilities.

[45] *See Office of Engineering and Technology Announces Waiver of Prohibitions on Certain Class I Permissive Changes to Covered UAS and UAS Critical Components,* Public Notice, 41 FCC Rcd 305, 305–06 (OET 2026), extended and expanded by DA 26-454 (OET May 8, 2026).

the ability to obtain: (i) replacement aircraft needed to maintain fleet capacity; (ii) batteries and charging equipment; (iii) controllers; (iv) radios and other communication components; (v) sensors; (vi) docking stations and component parts; (vii) firmware and cybersecurity updates; (viii) safety equipment; and (ix) equipment needed to complete warranty and repair services.[46] Any proposed ban also should exempt foreign-produced UAS subject to existing leases, intra-company transfers, previously executed contracts and purchase orders, equipment in transit, and used-equipment transactions. Nominally allowing the continued operation of existing foreign-produced UAS does not protect critical infrastructure if their fleets steadily degrade through attrition. In practice, the loss of replacement aircraft, batteries, sensors, docking equipment, firmware support, and repair services can have the same practical effect as restricting access to the aircraft themselves.

C. Critical Infrastructure Providers Require a Streamlined Process to Purchase Foreign-Produced UAS and Components

If PSHSB and OET adopt a ban on foreign-produced "military-grade" UAS and components, PSHSB and OET should include a safety valve mechanism in the form of an expedited approval process to allow critical infrastructure providers to import and purchase drones deemed "military-grade" under the ban. Pursuant to this approach ("UAS Approval for Critical Infrastructure"), relief from the ban should be available where the proposed deployment supports a defined critical-infrastructure mission, the applicant will implement enforceable security and data-governance, software, access-control, monitoring, and reporting requirements, and the applicant can demonstrate:

[46] PSHSB and OET should clarify that permitted lifecycle support includes importation, marketing, sale, distribution, transfer, export and reimport for repair, and return of repaired equipment.

- No trusted alternative is reasonably available in the required quantity and timeframe at an economically feasible cost;[47] or
- Available alternatives lack materially equivalent operational performance, functionality, integration, or lifecycle support; or
- Substitution or delay would create identifiable safety, reliability, environmental, emergency-response, workforce, or security consequences.

This UAS Approval for Critical Infrastructure process should complement existing federal trusted-UAS and security-review mechanisms, and where appropriate allow PSHSB and OET to consider approvals or determinations issued by other federal agencies. The UAS Approval for Critical Infrastructure process also should be subject to timelines for acting on complete applications, including requests for: (i) interim authority to obtain lifecycle-support items while an application is pending; (ii) class-based or categorical approvals for commonly used critical-infrastructure configurations; and (iii) protection for sensitive cybersecurity, facility, procurement, and operational information.

A UAS Approval for Critical Infrastructure process would not disregard national-security concerns. Instead, it would allow the Commission to address those concerns by limiting UAS Approval for Critical Infrastructure authorizations to use foreign-produced drones to vetted operators utilizing UAS for specifically defined missions, utilizing enforceable technical and operational controls, and following established compliance obligations. For example, critical infrastructure providers can address cybersecurity concerns by implementing operator-controlled data storage, restricted external connectivity, network segmentation, monitored data egress, controlled firmware updates, role-based access, audit logging, and independent security

[47] In determining whether domestic alternatives are available at economically feasible costs, costs should be evaluated based on lifecycle and mission feasibility, including staffing, training, software licensing and systems integration, testing and operational validation, repair and parts availability, inspection duration and labor requirements, operational downtime, and the costs and safety implications of alternative inspection methods rather than the price of the UAS alone.

assessments. Federal guidance issued by CISA and the FBI for critical-infrastructure operators using Chinese-manufactured UAS provides an existing foundation for such measures.[48]

In short, a UAS Approval for Critical Infrastructure process would allow the Commission to address legitimate national-security concerns through mission-specific approvals, enforceable security controls, and ongoing oversight rather than through a categorical prohibition that may impair the safety, resiliency, and reliability of critical infrastructure operations.

Critical infrastructure in the U.S. gains a strong competitive advantage from the advanced use of UAS in our facilities. Other regions in the world will continue to advance their drone and robotics program while the U.S. stagnates using less capable or mature systems before equal American-manufactured replacements exist. UAS approvals will revert this backwards direction, and lessen the impact on safety, productivity, automation, and ultimately the competitiveness of all U.S. manufacturing.

CONCLUSION

For the foregoing reasons, the Joint Commenters urge PSHSB and OET not to adopt the proposed prohibition as drafted. The Commission should instead define "military-grade" UAS by reference to military-specific design, modification, or functionality and should not treat common dual-use capabilities, including thermal imaging, LiDAR, and docking stations, as independently sufficient to trigger a prohibition. Regulators should not eliminate existing UAS capabilities before domestic manufacturing has been able to replace those capabilities. That approach could hurt everyone from the pilot and worker in the field to the facility, the company, and ultimately the country's ability to compete.

[48] *See Chinese-Manufactured UAS Guidance* at 3.

If PSHSB and OET nevertheless restrict the continued importation and marketing of covered UAS and UAS critical components, they should preserve lifecycle support for lawfully deployed fleets; grandfather executed contracts, leases, purchase orders, and equipment in transit; establish an expedited conditional approval process for defined critical-infrastructure missions subject to enforceable security controls; and provide a transition period of no less than 24 months, with authority to extend that period if trusted, operationally equivalent alternatives and associated support ecosystems are not commercially available at sufficient scale.

Replacement parts, batteries, and docks are important, but so are software licenses, cloud services, APIs/SDKs, firmware, communications, fleet-management systems, third-party payloads and other digital services needed to keep autonomous operations working. An aircraft can still technically be legal to operate but become unusable for the mission if the software or services supporting it are no longer available. Therefore, the entire ecosystem of the UAS and programs need to be considered when determining what specifically gets grandfathered.

Any final action should be tied to the demonstrated availability of domestically sourced UAS and UAS components that provide operationally equivalent capabilities, lifecycle support, and performance at commercially reasonable lifecycle costs. The Commission should also ensure that implementation of any restriction is consistent with the President's findings about UAS supply chain and domestic manufacturing capabilities. National security objectives can be achieved in a manner consistent with these policies.

National security and critical-infrastructure reliability are complementary objectives. A narrowly tailored, risk-based approach can advance both by strengthening supply-chain security while preserving the ability of critical-infrastructure operators to safely inspect, maintain, secure, and restore the facilities on which the Nation depends.

Respectfully submitted,

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APPENDIX A

BACKGROUND ON JOINT COMMENTERS

- ***Edison Electric Institute ("EEI").*** EEI's member companies are the nation's investor-owned electric utilities. Together, they provide electricity to nearly 250 million Americans, operate in all 50 states and the District of Columbia, and support over seven million jobs in communities across the country. EEI member companies work every day to provide reliable energy to their customers at the lowest cost possible. EEI member companies also form the backbone of our nation's electric power industry, which is essential to advancing our economic and national security priorities. Over the next five years, investor-owned electric companies will invest more than $1.3 trillion to enhance the electric grid, building critically needed new generation, transmission, and distribution infrastructure required to power economic prosperity.

- ***American Chemistry Council ("ACC").*** ACC represents more than 190 companies engaged in the business of chemistry—an innovative, economic growth engine that is helping to solve the biggest challenges facing our country and the world. ACC's members are the leading companies engaged in all aspects of the business of chemistry, from the largest corporations to the smallest, and everything in between.

- ***American Fuel & Petrochemical Manufacturers ("AFPM").*** AFPM represents the makers of the fuels that keep the nation moving, the petrochemicals that are the essential building blocks for modern life, and the midstream companies that get our feedstocks and products where they need to go.

- ***American Petroleum Institute ("API").*** API represents all segments of America's natural gas and oil industry, which supports nearly 11 million U.S. jobs and is backed by a growing grassroots movement of millions of Americans. Its approximately 600 members produce, process, and distribute the majority of the nation's energy. API was formed in 1919 as a standards-setting organization and has developed more than 800 standards to enhance operational and environmental safety, efficiency and sustainability.

- ***American Public Power Association ("APPA").*** APPA is the voice of not-for-profit, community-owned utilities that power 2,000 towns and cities nationwide. Public power utilities are in every state except Hawaii; they collectively serve over 55 million people in 49 states and five U.S. territories, and account for 15 percent of all sales of electric energy (kilowatt-hours) to end-use consumers. APPA members seek to provide the communities they serve with safe, reliable electric service at the lowest reasonable cost, consistent with good environmental stewardship. This mission aligns the interests of the utilities with the long-term interests of the residents and businesses in their communities.

- ***Large Public Power Council ("LPPC").*** The LPPC represents 29 of the nation's largest state and locally owned, not-for-profit public power systems, serving 30.5 million Americans across 23 states and territories. LPPC's members include the larger, asset-owning members of the public power community and account for approximately 90

percent of the transmission assets owned by public power. LPPC members are also members of APPA.

- ***National Rural Electric Cooperative Association ("NRECA").*** NRECA represents nearly 900 local electric cooperatives, including 63 generation and transmission cooperatives that generate and transmit power and 832 distribution cooperatives that provide electricity to the end of line co-op consumer members. Local electric cooperatives power 56% of the nation's landmass, serving 42 million Americans, and covering more public lands and forests than any other type of utility. America's electric cooperatives operate at cost and without profit incentive. They are owned by the people that they serve and comprise a unique sector of the electric industry. Due to their unique, not-for-profit business model, cooperatives often operate on thin financial margins, and any increases in regulatory compliance costs and liabilities are passed on to the end of the line consumer.