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February 27, 2024
General Law Committee
Connecticut General Assembly

RE: Senate Bill 3- ACC Consumer Protection

I request the privilege to testify in opposition to Senate Bill 3 of the 2024 Connecticut Legislative Session. Specifically, Section 4 of the Bill that includes a ban on the purchase of Chinese and other foreign-made drones after October 1, 2024, and the use of Chinese and other foreign-made drones after October 1, 2025.

I am the Fire Chief of the Dayville Fire Company in Killingly, CT, and as part of my duties, I oversee the regional drone program which operates out of our organization. It is one of three fire department operated drone programs in the Quinebaug Valley (QV) dispatch area (dispatched by Quinebaug Valley Emergency Communications), which covers most of Windham County and parts of New London County. The other fire department drone programs are operated by the Colchester Volunteer Fire Department (UAV-128) and the Voluntown Fire Department (UAV-153). The Connecticut State Police also operate their own drone program. Our drones are used for public safety purposes including (but not limited to): structural fires, wildland/forest fires, and search and rescue operations. The drone currently designated as "UAV-163" is a DJI drone, and would therefore fall under the prohibitions proposed in SB-3, which would necessitate sunseting of its operations and the effective prohibition of the purchase of a successor from the same company. UAV-163 has been instrumental in completing mission goals for several high profile structure fires and wildland fires, and losing that operational capability would be detrimental to our ability to protect life and provide for incident stabilization and property conservation.

I have a few concerns about the proposed language in the bill; the current Cybersecurity Guidance from CISA (as of January 17, 2024) indicates three basic vulnerability categories, which are "Data Collection and Transfer", "Patching and Firmware Updates", and "A Broader Surface for Data Collection". Before continuing further, I would like to remind the committee that the vast majority of missions flown by fire department UASs are for tactical support in emergency operations, and provide a minimal threat profile for exposing infrastructure information. They provide imagery that, although higher resolution and more real-time, would be available to foreign entities through satellite imagery (for example, Google Maps satellite imagery). The real-time thermal imagery employed by these UASs are of import to emergency operations, but are time specific and most likely do not expose information which would not be able to be obtained from the aforementioned satellite imagery.

UAS data egress and storage is a vulnerability vector if the information collected by the drone is being transmitted for storage or processing elsewhere. The mitigation in the security guidance offers a series of recommendations to protect the collected information from being transmitted without the users' knowledge. To its credit, SB-3 does establish a mechanism in section 4(b)(2) and 4(b)(3) for applying for waivers for the UAS operation restrictions. However, SB-3's Committee Draft section 4(d) appears to indicate that starting on October 1, 2025 :

“no public entity shall operate a small unmanned aircraft system assembled or manufactured by a covered foreign entity.”

Section 4(d) appears to entirely do away with the waiver provisions established in section 4(b), indicating that all operations would have to be sunsetted by October 1, 2025. Although it is possible to purchase a replacement UAS from an American manufacturer, the feature set is not as complete and the cost point is significantly higher. There appears to be no cost offsetting mechanism in the bill language apart from a loosely coupled secondary bill; if there is a plan to sunset our capabilities unless we purchase a more expensive unit, can we expect the state to commit to share in the cost of the difference between a DJI system and a significantly more expensive American-made system?

Due to the nature of our missions and the limited threat profile to exclusive access to critical infrastructure that it provides, I would like to recommend that one of the following actions be taken to remediate the language in SB-3:

- 1) Strike the language in section 4 regarding the UAS devices entirely or allow for a blanket exception for emergency services use; or
- 2) Allow for waivers in perpetuity for UAS operators for emergency services use past the October 1, 2025 deadline, to be administered by town governance or emergency management director; or
- 3) Allow waivers for UAS operators for emergency services use, as long as compliance with the most recent CISA recommendations is maintained, with an adequate compliance and documentation window.

Any of the aforementioned adjustments would allow the Connecticut UAS teams to continue providing valuable emergency response functions.

Thank you for your time and consideration,

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