August 10, 2023

The Honorable Kevin McCarthy The Honorable Charles Schumer

Speaker Majority Leader

U.S. House of Representatives United States Senate

Washington, DC 20515 Washington, DC 20515

The Honorable Hakeem Jeffries The Honorable Mitch McConnell

Democratic Leader Republican Leader

U.S. House of Representatives United States Senate

Washington, DC 20515 Washington, DC 20515

Dear Speaker McCarthy, Majority Leader Schumer, Democratic Leader Jeffries, and Republican Leader McConnell:

The International Association of Chiefs of Police strongly supports ensuring a robust legislative framework to counter threats posed by the illicit and careless use of unmanned aircraft systems (UAS). While we appreciate the short-term extension of existing counter-UAS authorities, we urge Congress to pursue a bipartisan and bicameral process to enact legislation that responsibly expands detection and mitigation authorities balanced by appropriate safeguards.

Unmanned Aircraft Systems (UAS) provide significant economic and social benefits to the United States, and it is imperative for America to lead globally in this innovative technology. The vast majority of UAS operations do not pose any threat. However, the misuse of UAS presents substantial economic, public safety, and national security risks. This includes disrupting commercial activity, industrial espionage, interfering with law enforcement and public safety operations, endangering others operating in the national airspace system and on the ground, terrorism and criminal activity, and other nefarious conduct.

Currently, only four federal departments or agencies, the Department of Defense (DOD), Department of Justice (DOJ), Department of Energy (DOE), and the Department of Homeland Security (DHS) have the authority to undertake counter-UAS detection and mitigation actions for specifically tailored missions under specified conditions. While these authorities are crucial to protect the safety and security of critical facilities and assets, a more comprehensive approach is required to provide a layered defense and air domain awareness of sensitive public safety and private sector operations, events, and sites. Some of these include critical infrastructure facilities, prisons, mass gatherings such as sporting and entertainment events, emergency incident operations, and aviation operations. Without expanded authority, these types of events and venues face significant risk from malicious, reckless, and unauthorized UAS operations. We urge Congress to pass legislation to support a comprehensive approach to address the proliferation of UAS systems and counteraction of UAS systems which would, at a minimum, include the following:

• Expand DOJ and DHS existing authorities to protect critical infrastructure, crucial national assets, and commercial facilities such as transportation hubs, military installations, airports, and associated navigational aids facilities;

• Enable and authorize state, local, tribal, and territorial (SLTT) law enforcement and critical infrastructure operators (including airports) to detect, identify, monitor, and track UAS in their jurisdictions and around their facilities, respectively;

• Authorize and appropriate funding for pilot programs for state, local, tribal, and territorial (SLTT) law enforcement (including airports) to deploy and evaluate C-UAS systems with appropriate controls in place, including federal training, certification, and oversight; and privacy, civil rights, and civil liberties controls commensurate with federal standards;

• Enable federal departments or agencies to effectively conduct research, testing, training, and evaluation of C-UAS identification, detection, mitigation, and engagement technology and equipment;

• Mandate inter-governmental coordination between federal departments or agencies, including DHS (including the Transportation Security Administration), DOJ (including the Federal Bureau of Investigation), the Department of Transportation (including the Federal Aviation Administration), the Federal Communications Commission, the National Telecommunications and Information Administration, and other appropriate federal, state, and local agencies;

• Establish a balance between expanded C-UAS authority while protecting privacy, ensuring aviation safety, enabling continued federal regulation and oversight of the national airspace, and allowing authorized commercial activity.

• Expand the current Temporary Flight Restriction (TFR) process to include an avenue for state, local, tribal, and territorial (SLTT) law enforcement to coordinate directly with the Federal Aviation Administration (FAA) to restrict UAS activity at special events without the need to make application through the federal departments or agencies.

Ensuring the safety and security of the national airspace and the associated ground risk is a crucial priority for our public safety organizations and the ability to counteract malicious, reckless, and unauthorized UAS operations plays a significant role in achieving that objective.

Sincerely,



John Letteney

President

Cc: The Honorable Maria Cantwell, Chair, Senate Committee on Commerce, Science and Transportation

The Honorable Ted Cruz, Ranking Member, Senate Committee on Commerce, Science and Transportation

The Honorable Sam Graves, Chair, House Committee on Transportation and Infrastructure

The Honorable Rick Larsen, Ranking Member, House Committee on Transportation, and Infrastructure

The Honorable Gary Peters, Chair, Senate Committee on Homeland Security and Governmental Affairs

The Honorable Rand Paul, Ranking Member, Senate Committee on Homeland Security and Governmental Affairs

The Honorable Mark Green, Chair, House Committee on Homeland Security

The Honorable Bennie Thompson, Ranking Member, House Committee on Homeland Security

The Honorable Dick Durbin, Chair, Senate Committee on the Judiciary

The Honorable Lindsey Graham, Ranking Member, Senate Committee on the Judiciary

The Honorable Jim Jordan, Chair, House Committee on the Judiciary

The Honorable Jerrold Nadler, Ranking Member, House Committee on the Judiciary