



Homeland
Security

June 6, 2018

The Honorable Ron Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Chairman Johnson:

I want to take this opportunity to thank you and this Committee for leading efforts in Congress to help the Department of Homeland Security (DHS) address security threats from small Unmanned Aircraft Systems (UAS or drones). My Department is committed to working with you and others in Congress to close this identified security gap. We appreciate the opportunity today to discuss DHS's role in defending our country against such dangers and what more we need to protect Americans.

The bipartisan legislation you co-sponsored, S.2836, *Preventing Emerging Threats Act of 2018*, represents a critical step in enabling the Department to address this threat. We are grateful for your leadership, and we strongly support your bill. Once enacted, the legislation will provide DHS the necessary legal authorities to detect, track, and mitigate threats from small UAS. Additionally, the bill will provide DHS the specific authority to develop, test, and deploy within the United States the most advanced and effective counter-UAS technology to mitigate threatening or malicious drones.

The threat is real. We are witnessing a constant evolution in the danger posed by drones as the technology expands and as increasingly advanced drones become more available and affordable worldwide. Commercially available drones can be employed by terrorists and criminals to drop explosive payloads, deliver harmful substances, disrupt communications, and conduct illicit surveillance both domestically and internationally against U.S. citizens, our assets and interests, and those of our allied partners. This technology also presents a growing risk to our Department's law enforcement officers and personnel in the field as they execute our homeland security missions.

The laws on the books today were not written with weaponized drones in mind. As a result, the technology has outpaced our ability to respond to it. Our hands are tied when it comes to guarding Americans against these threats, and if we tried to, our officers and agents could be at risk of criminal liability for simply doing their jobs to protect the public. Providing statutory relief from these barriers will enable our teams to quickly test and deploy effective counter-UAS

technologies that were previously unavailable to us. With enactment of S.2836, we will be able to further execute our highest priority missions, including ensuring the safety of our coasts, the security of our borders, and the protection of large crowds at special events.

As I have previously stated, immediately obtaining this authority is necessary to ensure we have a robust security framework in place to support the Administration's goal of advancing UAS integration in the National Airspace System, including the Presidentially-directed "Drone Integration Pilot Program" that is being administered by the Federal Aviation Administration (FAA). The Department acknowledges the economic and social benefit that drones provide to this country, but we cannot ignore the homeland security concerns that have emerged from misuse, careless use, or malicious use of this technology. I applaud your introduction of S.2836, which acknowledges the need for flexibility to address this issue and will provide us the additional authority and tools needed to safely and successfully perform our mission while respecting the privacy and civil liberties of those we seek to protect and ensuring that safety is not compromised in the National Airspace System.

Thank you again for your attention to this important matter, and for your continued support of the men and women at DHS committed to protecting this Nation. Your cosigner, Ranking Member McCaskill, will receive a separate, identical response.

Best Regards,

A handwritten signature in black ink, appearing to read "Kirstjen Nielsen", written over the typed name and title.

Kirstjen M. Nielsen
Secretary