



Committee on  
**HOMELAND SECURITY**  
Chairman Peter T. King

**Opening Statement**

July 19, 2012

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**Statement of Chairman Michael McCaul (R-TX)  
Subcommittee on Oversight, Investigations, and Management**

**“Using Unmanned Aerial Systems Within the Homeland: Security  
Game Changer?”**

**July 19, 2012  
Remarks as Prepared**

Unmanned aerial systems, commonly known as “drones”, have been a game changer for our men and women serving in Iraq and Afghanistan. These systems have provided our troops with much needed “eyes in the sky” and have taken the fight to the enemy, eliminating some of the most dangerous Al-Qaeda terrorists. Drones have also increased our capabilities to secure our borders and aid first responders.

US Customs and Border Protection began first looking at using drones back in 2004. Now, CBP owns ten UAS aircraft. These systems have been used to surveil drug smuggling tunnels; video dams, bridges, levees, and riverbeds at risk of flooding; and assist with the deployment of National Guard resources responding to local flooding. CBP has flown missions in support of the Border Patrol, Texas Rangers, US Forest Service, FBI, and others. These systems have become a force multiplier for military operations and border security.

However, we are now on the edge of a new horizon: using unmanned aerial systems within the homeland. Currently, there are about 200 active Certificates of Authorization issued by the Federal Aviation Administration to over 100 different entities, such as law enforcement departments and academic institutions, to fly drones domestically. This map shows the location of COA recipients as of April 2012. The number of recipients since that time has increased.

The FAA plans to select six test sites around the country for the use of non-government drones this year and plans to allow the deployment of non-government drones nationwide by 2015.

While the FAA is responsible for ensuring these systems fly safely in US airspace, with only two and a half short years until drones begin to dominate the skies in the US homeland, no federal agency is taking the lead to deal with the full implications of using unmanned aerial systems and developing the relevant policies and guidelines for their use. This is despite the fact that four years ago the Government Accountability Office recommended the Secretary of Homeland Security direct the TSA Administrator to examine the security implications of future, non-military UAS operations in the national airspace system and take any actions deemed appropriate.

GAO's recommendation was well founded because in 2004 TSA issued an advisory that described possible terrorist interest in using UASs as weapons. The advisory noted the potential for UASs to carry explosives or disperse chemical or biological weapons. It discussed how the Revolutionary Armed Forces of Columbia, or FARC, and Hezbollah were interested in acquiring UASs. While the advisory acknowledged there was no credible evidence to suggest that terrorist organizations planned to use these systems in the United States, it did state that the US government was concerned that these aerial vehicles could be modified and used to attack key assets and critical infrastructure in the United States.

These concerns were validated just last week when a Massachusetts man agreed to plead guilty to attempting to damage and destroy federal buildings. The individual was arrested in September 2011 after an undercover FBI investigation revealed his plot to use multiple remote

controlled aircraft laden with explosives to collapse the dome of the US Capitol and attack the Pentagon.

As if this plot wasn't frightening enough, cutting edge research out of the University of Texas at Austin has revealed yet more security vulnerabilities. Specifically, researchers from the Cockrell School of Engineering led by Dr. Todd Humphreys proved that civilian unmanned aerial systems can be hacked into and hijacked with a relatively small investment of money and time. These findings are alarming and have revealed a gaping hole in the security of using unmanned aerial systems domestically. Now is the time to ensure these vulnerabilities are mitigated to protect our aviation system as the use of unmanned aerial systems continues to grow.

The Department of Homeland Security mission is to protect the homeland. Unfortunately, DHS seems either disinterested or unprepared to step up to the plate to address the proliferation of Unmanned Aerial Systems in US air space, the potential threats they pose to our national security, and the concerns of our citizens of how drones flying over our cities will be used including protecting civil liberties of individuals under the Constitution. For example, in discussions with my Subcommittee staff prior to this hearing, Department officials repeatedly stated the Department does not see this function (domestic use of drones) as part of their mission and has no role in domestic unmanned aerial systems. I strongly disagree.

DHS's lack of attention about this issue is incomprehensible. It should not take a 9/11 style attack by a terrorist organization such as Hezbollah or a lone wolf inspired event to cause DHS to develop guidance addressing the security implications of domestic drones. It should not take a hearing to force DHS to develop policy when it comes to the security of our homeland. What it should take is responsible leadership willing to recognize a potential threat and take the initiative. DHS lacks that initiative. I am concerned DHS is reverting back to a pre-9/11 mindset, which the 9/11 Commission described as a lack of imagination in identifying threats and protecting the homeland.

We are disappointed DHS declined to testify today. This is simply another example of how DHS leadership is failing to get ahead of the curve on an issue which directly impacts the security of the United States. I hope that

our witnesses' testimony will be a call to action for the Department. During today's testimony, we look forward to learning more about the security issues related to the domestic use of drones and what DHS needs to do to prepare for their widespread use.

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