

United States Senate

WASHINGTON, DC 20510

March 13, 2026

Mr. Mitch Behm
Acting Inspector General
U.S. Department of Transportation
1200 New Jersey Ave SE, 7th Floor
Washington, DC 20590

The Honorable Platte B. Moring III
Inspector General
U.S. Department of Defense
4800 Mark Center Drive
Alexandria, VA 22350-1500

The Honorable Joseph V. Cuffari
Inspector General
U.S. Department of Homeland Security
245 Murray Lane SW
Washington, DC 20528-0305

Dear Inspectors General:

I write to request that the U.S. Departments of Transportation (DOT), Defense (DoD) and Homeland Security (DHS) Offices of Inspectors General (OIGs) conduct an investigation into potential serious and alarming problems and deficiencies with interagency coordination, policymaking and management, as it relates to the operation of high-energy laser weapons that acquire, track and defeat Unmanned Aircraft Systems (UAS) within the United States. The joint independent investigation should examine the incidents that led the Federal Aviation Administration (FAA) to issue a chaotic Temporary Flight Restriction (TFR) in El Paso, Texas on February 10, 2026, and a TFR in Fort Hancock, Texas on February 26, 2026.

I am alarmed at the severe lack of interagency communication and coordination leading up to and following the events in El Paso and Fort Hancock. Counter-UAS (C-UAS) systems are critical assets to the defense of our Nation when used to address legitimate security threats, but rushing C-UAS systems into operation domestically without appropriate interagency planning and coordination, or appreciation of aviation security concerns, adds to the complexity of the National Airspace System (NAS) and jeopardizes the ability of the FAA to carry out its mission to provide the safest, most efficient aerospace system in the world. We cannot afford to risk the safety of the traveling public.

Reports detailing communication between DoD and FAA leading up to these incidents and decisions to close the airspace in Texas show a concerning lack of coordination. Regarding the El Paso incident, the FAA said DoD did not provide the necessary data to complete a safety risk assessment to determine appropriate precautions before the deployment of the C-UAS platform, forcing FAA to issue the TFR. On February 26, during his nomination hearing before the Senate Armed Services Committee, Mr. Mark Ditlevson, the nominee to be Assistant Secretary of Defense for Homeland Defense and Americas Security Affairs, claimed that there

were 14 months of coordination leading up to the event and that FAA approval was not required, according to authorities given to the DoD in 10 U.S.C § 130i. However, that same statute requires DoD and FAA to conduct a “risk-based assessment” on the impact to the airspace prior to use of the authority. In a closed-door briefing, when asked directly about El Paso, FAA Administrator Bedford said, “it was not well coordinated.”

On February 26, it was reported that DoD’s C-UAS system was believed to have accidentally shot down a Customs and Border Protection (CBP) drone in Fort Hancock, Texas. The interagency coordination, or lack thereof, that took place is unnerving. In a statement issued by DoD, FAA and CBP, the agencies said, they “will continue to work on increased cooperation and communication to prevent such incidents in the future.”

I could not agree more that increased cooperation and communication is desperately needed. These events raise serious questions regarding interagency coordination, notification procedures, aviation safety protocol, and compliance with federal law. The lack of communication between the FAA, DoD and DHS calls for a thorough investigation into the decisions that led to recent events in Texas.

Accordingly, I request your offices conduct a joint comprehensive investigation into the apparent serious problems and deficiencies related to DoD, FAA and DHS mismanagement, lack of coordination, data-sharing and negligence regarding NAS safety. The investigation should include:

1. A review of DoD, FAA and DHS actions in the events leading up to and following the incidents in El Paso and Fort Hancock, including information on the decision-making process leading to the use of the systems and TFRs in any written communications, agreements, memorandums, policy documents, assessments or other materials related to or informing the decisions;
2. Assessments of whether agency officials complied with applicable laws, regulations and policies;
3. Evaluations of any risks posed to civilian aircraft, commercial operators, general aviation, medical evacuation flights or other critical air operations; and
4. Recommend actions, including policy reforms, any potential disciplinary actions and if additional statutory authorities or guardrails are warranted to prevent future missteps.

Since the Trump administration stated these incidents are classified, the joint investigation should also examine how agency employees and contract employees communicated within each agency and with other agencies and entities, to ensure there were no instances of overclassification, unauthorized removal and retention of classified documents or materials, or the knowing and willful disclosure of classified information using unclassified information systems. If the joint investigation does uncover potential criminal removal, retention or disclosure of classified information, your respective offices should promptly transmit referrals for potential criminal investigation.

These two incidents follow the final report from the National Transportation Safety Board (NTSB) investigation into the DCA Midair Collision. The report found that a lack of communication between the DoD and FAA was one of the causes of the tragedy where 67 people lost their lives. Flight 5342 and the Army's Black Hawk helicopter did not have the technology to communicate with one another, and the FAA and Army had failed to regularly review and evaluate helicopter routes.

Mere months after the fatal DCA crash, two Army Black Hawk helicopters experienced another near-miss incident that forced a commercial passenger aircraft to abort its landing at DCA to avoid another catastrophic collision. In the aftermath of this shocking safety incident in May 2025, it was discovered that the dedicated hotline connecting FAA controllers in the DCA tower with DoD controllers in the tower at the Pentagon helipad had been inoperable *for years*. And just last month, DoD withdrew its support from the bipartisan *ROTOR Act*, which passed the Senate with unanimous approval. The Trump administration then worked with House Republicans to kill House passage of this urgently needed bipartisan safety reform legislation that was strongly supported by the NTSB Chair and the families of Flight 5342.

The events in El Paso and Fort Hancock are another unfortunate example of the incompetence of the Trump administration. Luckily, the incidents in Texas did not take the lives of Americans. But, as we saw with the DCA Midair Collision, failures in interagency planning create an unacceptably dangerous situation where it's no longer a matter of *if* but rather *when* the next catastrophic accident occurs that will claim American lives. The stakes to get this coordination right could not be higher. I look forward to your response and to working together to ensure both national security and the safety of our airspace.

Sincerely,



Tammy Duckworth
Ranking Member
Subcommittee on Aviation,
Space and Innovation
Senate Committee on
Commerce, Science and
Transportation