

Congress of the United States
Washington, DC 20515

September 23, 2021

Steve Dickson, Administrator
Federal Aviation Administration
800 Independence Avenue, SW
2164 Rayburn House Office Building
Washington, DC 20515

Dear Administrator Dickson:

On September 16, 2021, the American People were exposed to the human atrocity under the Del Rio Bridge in Texas, where thousands of illegal aliens are waiting for processing by US authorities.

Also that day, at 2218 UTC, your agency issued a Notice to Airmen (NOTAM) FDC 1/9857, which prevented the operation of commercial Unmanned Aerial Systems (UAS) in the area around the Del Rio Bridge without a specific waiver from the FAA. This includes the operation of commercial drones run by press entities like Fox News, who were exposing the conditions at the Del Rio Bridge. Your agency later commented:

“The Border Patrol requested the temporary flight restriction due to drones interfering with law enforcement flights on the border. As with any temporary restriction, media is able to call the FAA to make requests to operate in the area.”

Your actions on September 16, 2021, prompt the following questions as we execute our constitutional duties to oversee the Executive Branch and protect freedom of the press:

1. What time on September 16, 2021 did CBP request the temporary flight restriction? How long did FAA review the request before issuing the NOTAM?
2. What is the name and title of the CBP official who submitted the request?
3. Did CBP identify the specific flights and the locations at which they encountered said interference?
 - a. If so, did the flight interference in question occur in Del Rio, Texas?
 - b. If not, how was the area subject to the temporary flight restriction determined, and what evidence was provided to support the claim of interference?
 - c. If not, is it standard operating procedure for the FAA to grant Border Patrol requests for temporary flight requests without any specific violation or incident, or identifying the flight experiencing the interference?
4. Did CBP identify a specific UAS operator interfering with its operations? If so, why was a blanket restriction applied rather than a specific sanction for that operator?

5. Did CBP's request ask for the full two-week temporary flight restriction provided by the FAA?
 - a. If so, did they provide justification for shutting down the airspace for two weeks?
 - b. If not, how was this determination made and by whom?
6. Did the FAA or CBP communicate with any other government agency, including the White House, about this NOTAM or the events surrounding it? If so, who and at what time?
7. Since February, how many times has the FAA granted CBP's requests for temporary flight restrictions?
 - a. What were the justifications for those approvals?
 - b. Did they identify specific flights, UAS operators, and locations where the interference occurred?
 - c. How long were these TFRs in place?
8. It is our understanding that Fox News has been granted a waiver to fly its drone within the TFR area. Did the FAA communicate with any other government agency, including the White House, in its determination of this waiver?
9. Has the FAA received any other requests from the media to operate in this area and what is the status of the FAA's response?

In addition to answering these questions, please provide all supporting information, materials, and communications related to CBP's request for the TFR, the drafting, approval, and issuance of NOTAM FDC 1/9857, related requests for press waivers, and any communications with the White House regarding these events or media coverage surrounding them.

In mutual service of the rights of the American People to a free press, we request your responses no later than September 30, 2021. Thank you for your attention and prompt action.

Very Respectfully,



Scott Perry
Member of Congress



David Schweikert
Member of Congress



Debbie Lesko
Member of Congress



Clay Higgins
Member of Congress



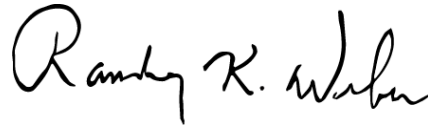
Mo Brooks
Member of Congress



Dan Bishop
Member of Congress



Andy Harris, M.D.
Member of Congress



Randy Weber
Member of Congress



Ralph Norman
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Bill Posey
Member of Congress



Doug LaMalfa
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Brian Mast
Member of Congress



Thomas Massie
Member of Congress

CC:

President Joseph Biden

Ron Klain, White House Chief of Staff

Secretary Alejandro Mayorkas, Department of Homeland Security

Secretary Pete Buttigieg, Department of Transportation

Acting Commissioner Troy Miller, Customs and Border Protection