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H.C.R. No. 98

CONCURRENT RESOLUTION

1 WHEREAS, The deployment of Counter-Unmanned Aircraft Systems
2 at the United States-Mexico border presents a complex challenge
3 requiring seamless coordination among federal, state, and local
4 entities; and

5 WHEREAS, Although the security of international borders is a
6 shared responsibility, states are not permitted to engage in UAS
7 detection or mitigation activities to counter credible threats;
8 current federal statutes only allow four federal departments,
9 Homeland Security, Justice, Defense, and Energy, to conduct
10 Counter-Unmanned Aircraft Systems operations for border security
11 purposes; states are also preempted from regulating aviation safety
12 and airspace use, which are under the exclusive domain of the
13 Federal Aviation Administration; and

14 WHEREAS, While federal agencies have highly developed
15 expertise in Counter-Unmanned Aircraft Systems, state and local
16 officials possess valuable on-the-ground knowledge and resources
17 that could enhance efforts to address the threat of UAS at the
18 border; the ability to respond to UAS threats would be greatly
19 enhanced through joint training opportunities, increased
20 information sharing, and the establishment of clear protocols for
21 rapid communication and coordination in response to UAS incidents;
22 in addition, states bordering other countries would need funding
23 for acquisition, operational, and training costs involved in
24 deploying anti-drone technology; and

1 WHEREAS, Federal law enforcement officials are advocating
2 for Congress to expand C-UAS authorities to state, local, tribal,
3 and territorial partners, and the Federal Bureau of Investigation
4 has indicated support for the swift expansion of C-UAS authority to
5 these SLTT partners; moreover, the issue has given rise to proposed
6 legislation, including the Counter-UAS Authority Security, Safety,
7 and Reauthorization Act (H.R.8610), which aims to create a pilot
8 program that would provide select state and covered law enforcement
9 agencies with some drone-mitigation powers; recent reports of
10 cartels threatening to target federal agents with explosive-laden
11 UAS underline the urgency of taking action; and

12 WHEREAS, The security of our borders is crucial to the safety
13 and well-being of all citizens, and the evolving nature of the UAS
14 threat demands the utmost efficiency and effectiveness in
15 coordination among federal, state, and local entities; now,
16 therefore, be it

17 RESOLVED, That the 89th Legislature of the State of Texas
18 hereby respectfully urge the United States Congress to enhance
19 coordination among federal, state, and local authorities in the
20 deployment of C-UAS technologies for border security; and, be it
21 further

22 RESOLVED, That the Texas secretary of state forward official
23 copies of this resolution to the president of the United States, to
24 the president of the Senate and the speaker of the House of
25 Representatives of the United States Congress, to the secretaries
26 of Homeland Security and Defense, and to all the members of the
27 Texas delegation to the congress with the request that this

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1 resolution be entered in the Congressional Record as a memorial to
2 the Congress of the United States of America.