

**CAPITAL AIRSPACE SECURITY BREACH:
INQUIRY INTO THE LANDING OF A
GYROCOPTER
ON THE CAPITOL LAWN**

JOINT REPORT OF THE MAJORITY AND MINORITY STAFF

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Committee on Homeland Security and Governmental Affairs
United States Senate**

&

**Senator Thomas R. Carper, Ranking Member
Committee on Homeland Security and Governmental Affairs
United States Senate**



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I. Table of Contents

I.	Table of Contents	1
II.	Executive Summary	2
III.	Background	4
	A. The National Defense Airspace: SFRA, FRZ, and P-56.....	4
	B. Interagency Coordination Platforms: The National Capital Region Coordination Center and the Domestic Events Network	6
	C. Agency Responsibilities in National Capital Region Airspace Security	7
IV.	Gyrocopter Incident Timeline	9
V.	Findings.....	16
VI.	Recommendations	21
VII.	Conclusion	21

II. Executive Summary

On April 15, 2015, at approximately 1:23 pm, a U.S. Postal Service worker named Douglas Hughes landed his gyrocopter¹ bearing the logo of the United States Postal Service on the West Lawn of the United States Capitol with the goal of delivering letters to members of Congress. Moments after Mr. Hughes' landing, Capitol Police took Mr. Hughes into custody and inspected the gyrocopter for hazards. The following day, April 16, Mr. Hughes was charged with several felony and misdemeanor crimes in relation to the flight, including operating as an airman without the appropriate license, violating national defense airspace, and operating a vehicle falsely labeled as a postal carrier.² At an arraignment on May 21, 2015, Mr. Hughes pleaded not guilty to all charges.³

Douglas Hughes' unapproved and nearly undetected flight constituted a breach of restricted airspace that left law-enforcement officials with little time to react. Hughes' actions highlighted potential vulnerabilities in airspace security around the National Capital Region and exposed communication and coordination shortcomings between and within federal law-enforcement agencies required to protect some of the nation's most restricted airspace.

The Committee on Homeland Security and Governmental Affairs is charged by Senate Rules to investigate "the efficiency, economy, and effectiveness of all agencies and departments of the Government."⁴ Pursuant to this authority, Chairman Johnson, joined by Ranking Member Carper, initiated an inquiry into the circumstances and events that led to the airspace breach. The Committee staff gathered relevant information from the United States Secret Service, the United States Capitol Police, the Federal Aviation Administration, and the United States Park Police.⁵

This report summarizes the results of the Committee staff's fact-finding about Mr. Hughes' April 15th breach of restricted airspace. The report details the timeline of events that culminated in Mr. Hughes' arrest by United States Capitol Police officers on the Capitol Lawn. Based on information gathered by the Committee staff, the report presents the following findings:

- (1) during its 2013 investigation into Mr. Hughes, Secret Service did not conduct a follow up interview of Mr. Hughes even though he previously misled Secret Service agents about his ownership of a gyrocopter. Additionally, the Capitol

¹ A gyrocopter (also known as a gyroplane or autogyro) is an ultralight weight aircraft with a motorized propeller providing forward thrust and unpowered rotor system for lift. See Rotorcraft Flying Handbook, Federal Aviation Administration, Chapter 15 (2000) at https://www.faa.gov/regulations_policies/handbooks_manuals/aircraft/media/faa-h-8083-21.pdf.

² Mr. Hughes is charged with one felony count each, operating as an airman without an airman's certificate and violating registration requirements involving an aircraft; three misdemeanor counts of violating national defense airspace; and one misdemeanor count of operating a vehicle falsely labeled as a postal carrier. Indictment, United States of America v. Douglas Hughes, Case: 1:15-cr-00063, at 1-3 (May 20, 2015).

³ See Jessica Gresko, *Florida Man Who Landed Gyrocopter at U.S. Capitol Rejects Plea Deal*, ORLANDO SENTINEL (July 22, 2015) at <http://www.orlandosentinel.com/news/breaking-news/os-ap-douglas-hughes-gyrocopter-plea-deal-20150722-story.html>.

⁴ S. Rule XXV(k); see also S. Res. 445, 108th Cong. (2004).

⁵ All of the information presented in this report is based on unclassified material – a deliberate decision by the Committee to ensure that the American people could have access to this document in its entirety.

Police did not complete its own independent investigation into Mr. Hughes even though Capitol Police has jurisdiction over the Capitol Complex. Instead, Capitol Police relied heavily on the incomplete information collected by Secret Service and closed its investigation based on that evidence;

- (2) lack of clear responsibility for investigating potential future unauthorized breaches of the Prohibited Area-56 airspace before they occur contributed to breakdowns in communication and coordination among the Secret Service, Capitol Police, and Park Police;
- (3) unlike units within Capitol Police, units within Secret Service responded inadequately to calls from a reporter about whether Mr. Hughes had permission to enter the P-56 airspace;
- (4) technological limitations allowed Mr. Hughes' aircraft to go nearly undetected on radar; and
- (5) the Capitol Police's, Secret Service's, and Park Police's processes to notify relevant units of a security breach functioned properly the day of the incident.

Although Mr. Hughes carried out his flight with a relatively benign goal, he exposed vulnerabilities in airspace security that could be exploited in the future by someone with more dangerous intent. Based on its fact-finding, the Committee staff has developed recommendations to assist in preventing similar unauthorized breaches in the future. The Committee staff recommends:

- (1) that law enforcement agencies with protective interests in the P-56 prohibited area improve communication, coordination, and information-sharing processes between and within agencies;
- (2) that law enforcement agencies with protective interests in the P-56 prohibited area consider designating a lead entity in charge of investigating potential future incursions into the P-56 airspace, and report their justification for that designation to Congress;
- (3) that all agencies responsible for monitoring and defending the P-56 prohibited airspace continue to seek technological solutions for potential gaps in radar coverage that hindered detection of Mr. Hughes' flight; and
- (4) that Congress should consider increased criminal and/or civil penalties for intentional P-56 incursions in order to deter similar intentional violations in the future.

Douglas Hughes' flight into restricted airspace on April 15, 2015 resulted in no injuries, damage, or loss of life. Still, Hughes' actions, though inappropriate, unlawful, and dangerous,

present an opportunity for Congress to identify vulnerabilities in the security of airspace around the National Capital Region and take appropriate steps to improve our nation's security.

III. Background

Airspace security in the National Capital Region (NCR) is a multi-agency effort in which the agencies communicate with each other regarding potential threats to protected assets, and deploy the necessary assets to investigate and respond to those threats in real time. The Federal Aviation Administration (FAA), the United States Secret Service (USSS), the United States Capitol Police, the United States Park Police, the North American Aerospace Defense Command (NORAD), U.S. Northern Command (NORTHCOM), and United States Coast Guard (USCG) each have one or more roles in monitoring, securing, or defending the airspace above the nation's capital. This section describes the types of restricted airspace in the National Capital Region, discusses each agency's responsibilities as they relate to airspace security in the region, and describes the interagency networks used to coordinate agency actions.

A. The National Defense Airspace: SFRA, FRZ, and P-56

Pursuant to its authority under federal statute, the FAA has divided airspace over the Washington, D.C. metropolitan area into overlapping areas governed by increasingly strict flight rules.⁶ The FAA has classified all of the airspace within a 30-mile radius of Ronald Reagan Washington National Airport as National Defense Airspace.⁷ Within that 30-mile radius, the FAA has established two other, separate zones of airspace with varying rules and restrictions for each.

The Washington D.C. Metropolitan Special Flight Rules Area (SFRA), formerly known as the D.C. Metropolitan Air Defense Identification Zone, comprises the entire 30 nautical mile radius surrounding Reagan National Airport and encompasses the two other, smaller zones: the Flight Restricted Zone (FRZ) and Prohibited Area 56 (P-56).⁸ The SFRA also includes Dulles International Airport and Baltimore/Washington International Thurgood Marshall Airport. In order to fly within the SFRA, pilots must meet specific operating requirements, including maintaining communication with air traffic controllers.⁹

Within and concentric with the SFRA lies the Washington, D.C. FRZ. The FRZ is treated with more sensitivity than the SFRA and is defined as the area within an approximately 13-15 nautical mile radius centered on Reagan National Airport (see Figure 1). With certain

⁶ 49 U.S.C. 40103(b).

⁷ See 14 C.F.R. § 93.331 et seq. and Federal Aviation Administration, Notice to Airmen Advisory, Washington D.C. Metropolitan Special Flight Rules Area and Washington Area Speed Restrictions (Dec. 1, 2010) at http://www.faa.gov/news/media/sfra_flight_advisory.pdf.

⁸ The National Defense Airspace encompasses a total of five zones: Special Flight Rules Area, Flight Restricted Zone, Prohibited Area 56A (White House, Capitol Complex, and National Mall), Prohibited Area 56B (the Vice President's residence, the Naval Observatory), and the Leesburg Maneuvering Area. For the purposes of this report, mention of Prohibited Area 56 is only in relation to Prohibited Area 56A.

⁹ See Federal Aviation Administration, Notice to Airmen Advisory, Washington D.C. Metropolitan Special Flight Rules Area and Washington Area Speed Restrictions (Dec. 1, 2010) at http://www.faa.gov/news/media/sfra_flight_advisory.pdf.

exceptions, all aircraft operating within the FRZ must fly at an altitude that will ensure acceptable radar coverage unless operationally necessary and with prior coordination with the National Capital Region Coordination Center.¹⁰ Civilian aircraft flying within the FRZ must file a flight plan with a discrete radar identifier and stay in communication with air traffic control before entering the airspace or departing from an airport within the FRZ.¹¹

Finally, the most restricted airspace, the P-56 airspace, encompasses the area above the White House, National Mall, the Capitol Building, and the Naval Observatory (the Vice President's residence). The only aircraft permitted to fly in the P-56 zone are specially authorized flights providing direct support to the Secret Service or other government agencies that require air support within P-56, or government-sponsored events that apply for and successfully receive a P-56 waiver.¹² The FAA, with support from the Secret Service, U.S. Park Police, and U.S. Capitol Police, grants annual and one-time waivers for flights within P-56.¹³

¹⁰ See Federal Aviation Administration, Washington D.C. D.C. Metropolitan ADIZ and FRZ Advisory (Aug. 30, 2007) at http://www.faa.gov/news/updates/adiz_frz/media/DC_ADIZ-FRZ_Advisory.pdf.

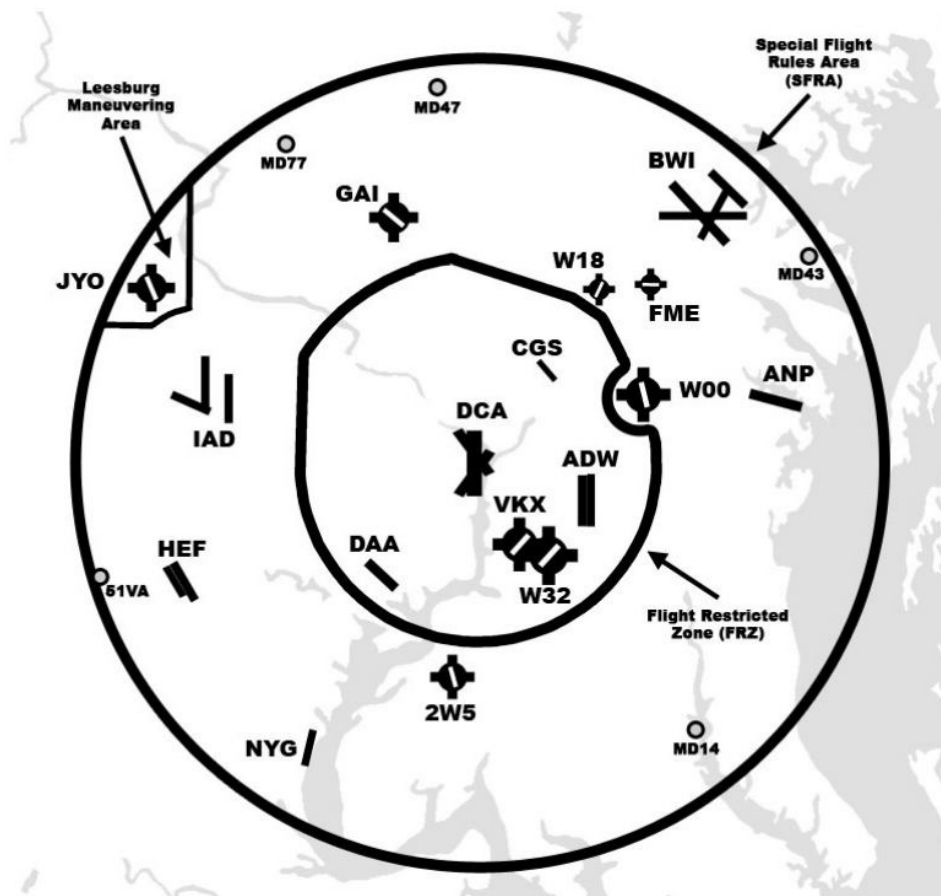
¹¹ *Id.*

¹² See Federal Aviation Administration, Fact Sheet – Security-Restricted Airspace (Dec. 13, 2005).

¹³ FAA briefing to Comm. staff (May 7, 2015).

Figure 1: Restricted Airspace in the National Capital Region¹⁴

December 1, 2010



B. Interagency Coordination Platforms: The National Capital Region Coordination Center and the Domestic Events Network

There are two primary multi-agency networks that allow agencies with interest in NCR airspace to communicate and assess aviation threats against the capital in real time. The National Capital Region Coordination Center (NCRCC) was created after the September 11, 2001 attacks to “provide real-time information sharing and tactical coordination to address potential airborne threats in and around the Washington, D.C., area.”¹⁵ Representatives from the military, FAA,

¹⁴ See Federal Aviation Administration, Notice to Airmen Advisory, Washington D.C. Metropolitan Special Flight Rules Area and Washington Area Speed Restrictions (Dec. 1, 2010) at http://www.faa.gov/news/media/sfra_flight_advisory.pdf.

¹⁵ Written statement of Director Joseph Clancy, United States Secret Service, before a hearing of the Committee on Oversight and Government Reform, U.S. House of Representatives, 114th Cong. (April 29, 2015). The Transportation Security Administration (TSA) hosts the NCRCC on behalf of the member agencies. Capitol Police briefing to Comm. staff (Aug. 3, 2015).

and federal civilian law-enforcement agencies staff the NCRCC around the clock to streamline communication and coordination in the event that an airborne threat arises.¹⁶

The FAA established the Domestic Events Network (DEN) after the September 11, 2001 attacks, to alert the Department of Defense (DOD), Transportation Security Administration (TSA), the Federal Bureau of Investigations (FBI) and other agencies of suspicious airborne activities.¹⁷ Unlike the NCRCC, which monitors only the Washington, D.C. capital region, the FAA uses the DEN to monitor potential airspace threats nationwide, as well as incoming and outgoing international flights.¹⁸ Like NCRCC, the DEN allows the FAA to coordinate and communicate with its interagency partners to assess potential airborne threats in real time. FAA's intelligence branch coordinates with members of the intelligence community to identify potential threats and further streamline DEN activities.¹⁹

C. Agency Responsibilities in National Capital Region Airspace Security

Multiple agencies share responsibility for parts of the airspace security mission in the Washington, D.C. metropolitan area based on their protective interests and the nature of the potential threat or violation. No single agency is tasked specifically with investigating potential future unauthorized breaches of restricted airspace. Instead, agencies share information and coordinate airspace monitoring and defense efforts through the DEN, the NCRCC, and other interagency relationships. The DOD is the primary agency responsible for defending the airspace. In the event of an airspace violation, no one organization leads the interagency response; instead, each agency maintains command and control of its own resources and simultaneously carries out its responsibilities in response to each phase of a violation.²⁰

1. Federal Aviation Administration

The FAA's primary mission is to ensure the safety of the civil aviation system of the United States.²¹ As part of this mission, the FAA is responsible for the safety, monitoring, and controlling of aircraft operating in the National Airspace System. The FAA maintains radar equipment in order to safely separate aircraft in much of the country's controlled airspace.²² While the FAA is not responsible for securing airspace from threats or other incursions, as part of its role at the NCRCC, the FAA provides raw radar feeds to all relevant agencies.²³ The radar

¹⁶ Secret Service briefing to Comm. staff (April 30, 2015).

¹⁷ Government Accountability Office (GAO), *Homeland Security: Agency Resources Address Violations of Restricted Airspace, but Management Improvements Are Needed*, written statement of Davi M. D'Agostino, Director, Defense Capabilities and Management (GAO-05-928T), July 2005 at 12.

¹⁸ FAA briefing to Comm. staff (May 7, 2015).

¹⁹ *Id.*

²⁰ See GAO, *Homeland Security: Agency Resources Address Violations of Restricted Airspace, but Management Improvements Are Needed*, written statement of Davi M. D'Agostino, Director, Defense Capabilities and Management (GAO-05-928T), July 2005 at 12. As mentioned below, NORAD is the lead agency responsible for defending the restricted airspace. Unless otherwise mentioned, this report focuses on the agencies with protective assets within P-56A and each agency's role in considering waiver applications, investigating potential airborne threats before they take off, and responding to an actual threat to their protected interests.

²¹ See FAA website, Mission at <https://www.faa.gov/about/mission/>.

²² FAA briefing to Comm. staff (May 7, 2015).

²³ *Id.*

used by the FAA has adjustable sensitivity. At its most sensitive, FAA radar can pick up non-aircraft anomalies such as cars, weather patterns, or even flocks of birds.²⁴ However, at this setting, air traffic controllers would be unable to safely separate aircraft.²⁵ For this reason, radar sensitivity is typically adjusted in a way that filters out most non-aircraft anomalies.²⁶

When air traffic controllers observe suspicious activity, they alert the DEN to coordinate an appropriate response. In order to enter the SFRA or FRZ, aircraft must have approval from the FAA.²⁷ Aircraft require an *additional* waiver from the FAA and must meet a number of other requirements in order to fly into the P-56 zone.²⁸ The FAA has formally delegated authority over the waiver approval process to the Secret Service, which reviews waiver requests in consultation with U.S. Capitol Police and U.S. Park Police, and then the FAA grants the yearly or one-time waivers.²⁹ In practice, pilots receive unanimous approval of each agency in order to fly into the P-56 zone.³⁰

2. United States Secret Service

The Secret Service plays a special role in airspace security of the Washington, D.C. capital region. As stated above, the FAA has officially delegated decision-making authority over who can receive a waiver to enter the P-56 prohibited airspace to the Secret Service.³¹ In a briefing with Committee staff, Secret Service officials stated that they are the “gatekeepers” for granting waivers in the P-56 airspace.³² Secret Service works with the FAA, U.S. Capitol Police, and U.S. Park Police to review and approve one-time and yearly requests for waivers to fly into the P-56 zone.³³ Additionally, Secret Service is not responsible for defending the restricted airspace over Washington, D.C. Secret Service monitors the airspace with personnel from its Airspace Security Branch at the NCRCC at all times.

3. United States Capitol Police

The mission of the U.S. Capitol Police is to “protect the Congress, its legislative processes, Members, employees, visitors, and facilities from crime, disruption, or terrorism.”³⁴ Like the Secret Service, the Capitol Police is not responsible for defending the restricted airspace

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Id.*

²⁷ For entry into the FRZ, TSA is responsible for vetting the waiver application and submitting it to the FAA. The FAA then issues a Certificate of Authorization (COA). Capitol Police briefing to Comm. Staff (Aug. 3, 2015).

²⁸ FAA briefing to Comm. staff (May 7, 2015).

²⁹ Secret Service briefing to Comm. staff (Apr. 30, 2015).

³⁰ FAA briefing to Comm. staff (May 7, 2015).

³¹ 14 C.F.R. § 73.87.

³² Secret Service briefing to Comm. staff (Apr. 30, 2015). Secret Service, Capitol Police, and Park Police collectively review and submit waivers to the FAA for flights into the P-56A zone (encompassing the White House, Capitol Complex and National Mall). Secret Service is solely responsible for vetting and submitting a P-56B waiver to the FAA for approval. For authorized flights into P-56-A or P-56B, the FAA issues a COA for the flight. Capitol Police briefing to Comm. staff (Aug. 3, 2015).

³³ P-56 Waiver Instructions provided by Secret Service to Comm. staff (June 15, 2015); Secret Service briefing to Comm. staff (April 30, 2015); and FAA briefing to Comm. staff (May 7, 2015).

³⁴ See U.S. Capitol Police Web site at <http://www.uscapitolpolice.gov/home.php>.

over Washington, D.C., but monitors it at all times and is in constant communication with other federal agencies through its liaisons at the NCRCC.³⁵ The Capitol Police’s communications with linked federal agencies are aimed at furthering its objectives of protecting congressional leadership and securing the Capitol Complex.³⁶ As stated above, the Capitol Police work with the FAA, Secret Service, and Park Police in reviewing and approving yearly and one-time requests for waivers to fly into the P-56 zone.

4. United States Park Police

The U.S. Park Police is “primarily responsible for safety and crime prevention in parklands administered by the National Park Service.”³⁷ All told, Park Police jurisdiction comprises approximately 22 percent of the District of Columbia, including the National Mall, East and West Potomac Parks, Rock Creek Park, and Anacostia Park.³⁸ The Park Police does not have the primary responsibility for airspace over federal parklands, the radar capabilities to monitor that airspace, or the assets to defend against threats in the airspace above parklands.³⁹ However, the Park Police does have an Aviation Unit that flies law enforcement, medevac, and search and rescue missions within the Capital Region.⁴⁰ Like the Capitol Police, Secret Service, and FAA, Park Police participates in the waiver review and approval process before a waiver is granted.

5. NORAD/NORTHCOM

The North American Aerospace Defense Command (NORAD) and U.S. Northern Command’s (NORTHCOM) role in aviation security is “to provide aerospace warning and control to defend the United States, including the National Capital Region, from all potential air threats.”⁴¹ Following the September 11, 2001 attacks, DOD implemented the Integrated Air Defense System (IADS). IADS is a vast network of radars, cameras, and other detection and warning devices. In the event of a detected airborne threat, NORAD/NORTHCOM is responsible for taking appropriate actions to prevent or repel an attack.

IV. Gyrocopter Incident Timeline

Despite the many federal agencies and interagency coordination bodies with jurisdiction over the National Capital Region airspace, Mr. Hughes’ April 15, 2015 flight went nearly undetected and left law-enforcement officials with little time to react. However, understanding

³⁵ Capitol Police briefing to Comm. staff (April 30, 2015).

³⁶ *Id.*

³⁷ Written Statement of Chief Robert MacLean, U.S. Park Police, before a hearing of the Committee on Oversight and Government Reform, U.S. House of Representatives, 114th Cong. (April 29, 2015); *see also* 16 U.S. Code § 1a–6.

³⁸ Written Statement of Chief Robert MacLean, U.S. Park Police, before a hearing of the Committee on Oversight and Government Reform, U.S. House of Representatives, 114th Cong. (April 29, 2015).

³⁹ Briefing between Comm. Staff & U.S. Park Police (May 6, 2015).

⁴⁰ *Id.*

⁴¹ Written Statement of Admiral William E. Gortney, U.S. Navy, Commander of U.S. Northern Command and North American Aerospace Defense Command, before a hearing of the Committee on Oversight and Government Reform, U.S. House of Representatives, 114th Cong. (April 29, 2015) at 1.

the events before, during, and after the April 15 incident may provide law-enforcement agencies with the opportunity to make necessary changes to improve their ability to fully investigate a potential security threat and respond more effectively to airspace security breaches. Below is a timeline of events.

<i>October 4, 2013</i>	The U.S. Secret Service learns that Mr. Hughes has stated that he intends to fly a “single seat aircraft onto the grounds of the Capitol or the White House.” ⁴² The Secret Service relays this information to the United States Capitol Police the same day. ⁴³ According to the Secret Service and the Capitol Police, neither agency received a timeframe for when Mr. Hughes’ flight would occur. ⁴⁴
<i>October 5, 2013</i>	Secret Service special agents interview Mr. Hughes in Florida. Mr. Hughes denies owning a gyrocopter and having plans to fly an aircraft to Washington D.C. ⁴⁵ Other interviews of Mr. Hughes’ family members by Secret Service special agents indicate that he had owned a gyrocopter and had “expressed a specific plan and intention to fly it to the Capitol in order to symbolically deliver letters to Members of Congress.” ⁴⁶ None of the individuals the Secret Service interviewed believed that Mr. Hughes would carry out his plans. ⁴⁷
<i>October 7, 2013</i>	Secret Service makes the information it gathered accessible to other U.S. law enforcement agencies. ⁴⁸
<i>October 8, 2013</i>	Secret Service special agents attempt to interview Mr. Hughes a second time, but he declines to speak without a lawyer present. ⁴⁹

⁴² Written statement of Director Joseph Clancy, United States Secret Service, before a hearing of the Committee on Oversight and Government Reform, U.S. House of Representatives, 114th Cong. (April 29, 2015).

⁴³ *Id.*

⁴⁴ Secret Service briefing to Comm. staff (April 30, 2015); Capitol Police briefing to Comm. staff (April 30, 2015).

⁴⁵ Secret Service briefing to Comm. staff (April 30, 2015).

⁴⁶ Written statement of Director Joseph Clancy, United States Secret Service, before a hearing of the Committee on Oversight and Government Reform, U.S. House of Representatives, 114th Cong. (April 29, 2015).

⁴⁷ *Id.*

⁴⁸ Written statement of Director Joseph Clancy, United States Secret Service, before a hearing of the Committee on Oversight and Government Reform, U.S. House of Representatives, 114th Cong. (April 29, 2015) at 4.

⁴⁹ Secret Service briefing to Comm. staff (April 30, 2015).

November 22, 2013	Based on their interviews with Mr. Hughes, his family, and his colleagues, the Secret Service determines that Mr. Hughes is not a threat to Secret Service protectees or protected sites, mainly the White House. ⁵⁰ The Secret Service closes its investigation into Mr. Hughes. ⁵¹ The Capitol Police, who were relying heavily on the information provided by the Secret Service, also closes its investigation into Mr. Hughes. ⁵²
April 13, 2015	A reporter from the <i>Tampa Bay Times</i> , calls the Secret Service’s Tampa Field office and asks whether the Secret Service “would become involved with an individual planning a form of civil disobedience.” ⁵³ The reporter is told that “generally, the Secret Service would only become involved if such actions were directed toward a Secret Service protectee or protected facility . . . otherwise, it would be a local law enforcement matter.” ⁵⁴
April 15, 2015	
Approximately 12:10 pm	According to a news report, Mr. Hughes takes off in his gyrocopter from Gettysburg Regional Airport in Pennsylvania. ⁵⁵
12:55 pm	The Secret Service Tampa Field Office receives a call from an individual who would later be identified as a former co-worker of Mr. Hughes. The caller asks to speak with a specific special agent and is informed that the agent no longer works in that particular office. When asked if the caller needs any more assistance, the caller says no and the call ends. ⁵⁶
12:59 pm	The Capitol Police Public Information Officer receives an email from a reporter from the <i>Tampa</i>

⁵⁰ Secret Service briefing to Comm. staff (April 30, 2015).

⁵¹ *Id.*

⁵² Capitol Police briefing to Comm. staff (April 30, 2015).

⁵³ Written statement of Director Joseph Clancy, United States Secret Service, before a hearing of the Committee on Oversight and Government Reform, U.S. House of Representatives, 114th Cong. (April 29, 2015).

⁵⁴ *Id.*

⁵⁵ See e.g., Ben Montgomery, *FAA Investigating Florida Mailman’s landing of Gyrocopter on U.S. Capitol Lawn*, TAMPA BAY TIMES (Apr. 15, 2015) at <http://www.tampabay.com/news/politics/elections/ruskin-mailman-tries-flying-to-capitol-in-gyrocopter-to-deliver-campaign/2225584>.

⁵⁶ Secret Service briefing to Comm. staff (April 30, 2015).

	<p><i>Bay Times</i> asking about approval for landing a gyrocopter on the Capitol lawn.⁵⁷ (see Figure 2)</p>
<p>Figure 2: 12:59 pm Email to Capitol Police about Landing</p>	
<p>From: [REDACTED] On Behalf Of Zachary Sampson Sent: Wednesday, April 15, 2015 12:59 PM To: PIO Subject: Questions -- Man flying gyrocopter toward U.S. Capitol</p> <p>Hi,</p> <p>I'm a reporter from the Tampa Bay Times. A local man, as a protest, is flying a gyrocopter and trying to land on the lawn of the Capitol. He says he has notified all relevant authorities. His name is Doug Hughes. More: http://thedemocracyclub.org/?p=28</p> <p>Do Capitol police know? Have they OK'd his flight and landing? Please call me at [REDACTED].</p> <p>Thanks, Zack Sampson</p>	
<p>1:00 pm</p>	<p>Administrative support staff in the Office of Government and Public Affairs in Secret Service headquarters receives a call from a reporter, who asks “if the Secret Service was aware of and had approved a permit for a protestor named Doug Hughes to fly and land a gyrocopter on the Capitol grounds.”⁵⁸ According to the Secret Service, because the caller only referred to a flight to the Capitol and not a specific Secret Service protected site, the Secret Service employee directs the reporter to contact Capitol Police.⁵⁹</p>
<p>1:02 pm⁶⁰</p>	<p>A reporter calls the Capitol Police Command Center and says that he has “information about a man who was going to fly a ‘drone’ onto the Mall and West Front of the Capitol.”⁶¹ He says that Doug Hughes “had received permission from the [Secret Service] and the [Capitol Police] and he was calling to confirm [whether] the permission was granted.”⁶² The reporter mentions that he had called Secret Service and was directed to contact the Capitol Police.⁶³ The officer transfers the reporter to a sergeant at the Command Center and the reporter</p>

⁵⁷ Email from Zachary Sampson, Reporter, *Tampa Bay Times*, to Public Information Officer, U.S. Capitol Police (Apr. 15, 2015) (personal contact information redacted by Comm. staff), provided by Capitol Police to Comm. staff (May 1, 2015).

⁵⁸ Written statement of Director Joseph Clancy, United States Secret Service, before a hearing of the Committee on Oversight and Government Reform, U.S. House of Representatives, 114th Cong. (April 29, 2015).

⁵⁹ Secret Service briefing to Comm. staff (April 30, 2015).

⁶⁰ Capitol Police briefing to Comm. staff (April 30, 2015).

⁶¹ Written statement of Chief Kim C. Dine, U.S. Capitol Police, before a hearing of the Committee on Oversight and Government Reform, U.S. House of Representatives, 114th Cong. (April 29, 2015).

⁶² *Id.*

⁶³ Capitol Police briefing to Comm. staff (April 30, 2015).

	<p>explains why he is calling. For the first time he refers to Mr. Hughes' aircraft as a gyrocopter.⁶⁴ The sergeant informs the reporter that no approval exists for a gyrocopter to land on the Capitol grounds.⁶⁵ The reporter provides the sergeant with Mr. Hughes' website address and tells him to watch Mr. Hughes' live feed.⁶⁶</p>
1:07 pm	<p>Capitol Police personnel in the Command Center try to view Mr. Hughes' website, but cannot access the live feed despite several officers attempting to pull up the site.⁶⁷ The Command Center notifies the Investigations Division and the Public Information Officer about the information they have received from the reporter.⁶⁸ The Command Center also contacts Capitol Police personnel at the National Capital Region Coordination Center (NCRCC) to "validate any prohibited airspace overflight information."⁶⁹ The Capitol Police liaison at the NCRCC shares this information with a Secret Service liaison, who immediately reports the information back to the Secret Service Joint Operations Center.⁷⁰</p> <p>At the same time, the Public Information Officer forwards the email from the <i>Tampa Bay Times</i> reporter (sent at 12:59pm) to the Investigations Division.⁷¹</p>
1:20 pm	<p>Three United States Park Police officers on the ground spot the gyrocopter flying over the National Mall and contact the Park Police Dispatch Center.⁷² The first officer observes the gyrocopter near the Lincoln Memorial flying east toward the U.S. Capitol.⁷³ The officer immediately reports the aircraft to the Park Police Dispatch Center and tells them to contact Capitol Police.⁷⁴ A Park Police</p>

⁶⁴ Capitol Police briefing to Comm. staff (April 30, 2015).

⁶⁵ *Id.*

⁶⁶ *Id.*

⁶⁷ *Id.*

⁶⁸ *Id.*

⁶⁹ Written Statement of Chief Kim C. Dine, U.S. Capitol Police, before a hearing of the Committee on Oversight and Government Reform, U.S. House of Representatives, 114th Cong. (April 29, 2015).

⁷⁰ Secret Service briefing to Comm. staff (April 30, 2015).

⁷¹ Written statement of Chief Kim C. Dine, U. S. Capitol Police, before a hearing of the Committee on Oversight and Government Reform, U.S. House of Representatives, 114th Cong. (April 29, 2015); Capitol Police briefing to Comm. staff (April 30, 2015).

⁷² Park Police briefing to Comm. staff (May 6, 2015).

⁷³ *Id.*

⁷⁴ *Id.*

	<p>supervisor confirms the report and requests that the Park Police Dispatch Center notify the Park Police Aviation Unit. The Park Police Aviation Unit contacts the NCRCC to report the aircraft flying in restricted airspace.⁷⁵ Concurrently, a fourth Park Police officer in a patrol vehicle observes the gyrocopter flying near the Mall and follows the aircraft toward the Capitol.⁷⁶</p> <p>Within this time period, Secret Service personnel in the area of the White House Complex sight a potential violation of the P-56 area, and relay that information through their chain of command.⁷⁷</p>
1:21 pm	<p>An unnamed reporter asks a Capitol Police officer posted near the West Front of the Capitol building whether he has recently seen a helicopter in the area.⁷⁸ The officer says that he has not seen a helicopter and consults with another officer on duty to see if there are any prohibited airspace overflights.⁷⁹ As the officers discuss, they each observe a gyrocopter flying over the Grant Memorial and rapidly descending in front of the U.S. Capitol near the West Front.⁸⁰</p>
1:23 pm	<p>Mr. Hughes lands his gyrocopter on the West lawn of the Capitol grounds. The Capitol Police officers posted near the West Front immediately notify Communications about the landing.⁸¹ As soon as the gyrocopter rotors stop, Capitol Police officers arrest Mr. Hughes. The Park Police officer who was pursuing the gyrocopter from his patrol vehicle witnesses Mr. Hughes' arrest and the Park Police officially becomes an assisting agency to the Capitol Police "on the scene and at the U.S. Capitol Police command post."⁸²</p>
1:24 pm	<p>The NCRCC calls the FAA to alert them to the situation based on information from the Capitol Police.⁸³ The FAA immediately notifies its</p>

⁷⁵ *Id.*

⁷⁶ *Id.*

⁷⁷ Written statement of Director Joseph Clancy, United States Secret Service, before a hearing of the Committee on Oversight and Government Reform, U.S. House of Representatives, 114th Cong. (April 29, 2015) at 4.

⁷⁸ Capitol Police briefing to Comm. staff (April 30, 2015).

⁷⁹ *Id.*

⁸⁰ *Id.*

⁸¹ *Id.*

⁸² Statement of Chief Robert MacLean, U.S. Park Police, before a hearing of the Committee on Oversight and Government Reform, U.S. House of Representatives, 114th Cong. (April 29, 2015).

⁸³ FAA briefing to Comm. staff (May 7, 2015).

	interagency partners on the Domestic Events Network (DEN). ⁸⁴
1:26 pm	The Capitol Police establish Incident Command and close off public access to areas and roads near the West Front, including a brief lockdown of the Capitol and Capitol Visitor Center. At the same time, the Investigations Division informs the Command Center about Mr. Hughes' "ownership of the gyrocopter, his intentions to deliver a box of letters to Congress in reference to campaign finance reform, and his investigative history with both the [Capitol Police] and the [Secret Service]." ⁸⁵ The Command Center alerts the NCRCC to this information. ⁸⁶ In front of the Capitol, a K-9 unit examines the gyrocopter and shows interest in the engine and fuel compartment (as expected). ⁸⁷
1:36 pm	The United States Capitol Police Hazardous Devices Section deploys a bomb disposal robot to investigate the gyrocopter. ⁸⁸
2:21 pm	The United States Capitol Police Hazardous Devices Section personnel take x-rays of two boxes on the gyrocopter that the robot could not access. ⁸⁹
2:57 pm	The gyrocopter is cleared of any hazards. ⁹⁰
Approximately 3:15 pm	The gyrocopter is removed from the West Front. ⁹¹
Approximately 4:00 pm	All closed roads near the area reopen to the public. ⁹²
<i>April 16, 2015</i>	Mr. Hughes is charged with operating an unregistered aircraft, a felony that carries a fine and a maximum sentence of three years in prison. He is also charged with a misdemeanor for violating

⁸⁴ *Id.*

⁸⁵ Statement of Chief Kim C. Dine, U.S. Capitol Police, before a hearing of the Committee on Oversight and Government Reform, U.S. House of Representatives, 114th Cong. (April 29, 2015).

⁸⁶ *Id.*

⁸⁷ Capitol Police briefing to Comm. staff (April 30, 2015).

⁸⁸ *Id.*

⁸⁹ *Id.*

⁹⁰ *Id.*

⁹¹ Email to the Comm. from U.S. Capitol Police (July 30, 2015).

⁹² *Id.*

	restricted airspace which carries up to a one year prison sentence. ⁹³ He is released on bond and placed under house arrest.
<i>May 20, 2015</i>	Mr. Hughes is indicted by a Grand Jury on six charges. ⁹⁴ Of the six charges, there are two felony charges, operating as an airman without an airman's certificate and owning an aircraft that is knowingly operated when the aircraft is not registered. The remaining four charges are three misdemeanor charges related to violating national defense airspace, and one misdemeanor charge relating to using the U.S. Postal Service's symbol on his gyrocopter. If convicted, he could face up to nine and a half years in prison. ⁹⁵
<i>May 21, 2015</i>	According to news reports, Mr. Hughes pleads not guilty to all six charges. ⁹⁶
<i>August 5, 2015</i>	Mr. Hughes' next scheduled court appearance. ⁹⁷

V. Findings

FINDING: During its 2013 investigation into Mr. Hughes, Secret Service did not conduct a follow up interview of Mr. Hughes even though he previously misled Secret Service agents about his ownership of a gyrocopter. Additionally, the Capitol Police did not complete its own independent investigation into Mr. Hughes even though Capitol Police has jurisdiction over the Capitol Complex. Instead, Capitol Police relied heavily on the incomplete information collected by Secret Service and closed its investigation based on that evidence.

Based on interviews with acquaintances of Mr. Hughes conducted by the Secret Service, the Secret Service became aware of inconsistencies between Mr. Hughes statements to the Secret Service and the statements of his acquaintances.⁹⁸ Specifically, Mr. Hughes denied ownership of

⁹³ See Compl., United States of America v. Douglas Hughes, No. 1:15-cr-00063. All of the agencies that briefed the Committee agreed that increasing the penalties for intentionally violating restricted airspace should be a felony, include a greater fine, and result in a longer prison sentence.

⁹⁴ United States of America v. Douglas Hughes, No. 1:15-cr-00063 (U.S. Dist. District of Columbia May 20, 2015).

⁹⁵ *Id.*

⁹⁶ See e.g., Spencer S. Hsu, *Gyrocopter Pilot: I will take campaign finance reform fight to jury if needed*, WASHINGTON POST (May 21, 2015) at http://www.washingtonpost.com/local/crime/gyrocopter-pilot-i-will-take-campaign-finance-reform-fight-to-jury-if-needed/2015/05/21/d221044a-ffeb-11e4-8b6c-0dce21e223d_story.html.

⁹⁷ Jessica Gresko, *Florida Man Who Landed Gyrocopter at U.S. Capitol Rejects Plea Deal*, ORLANDO SENTINEL (July 22, 2015) <http://www.orlandosentinel.com/news/breaking-news/os-ap-douglas-hughes-gyrocopter-plea-deal-20150722-story.html>.

⁹⁸ Secret Service briefing to Comm. staff (April 30, 2015); Written statement of Director Joseph Clancy, United States Secret Service, before a hearing of the Committee on Oversight and Government Reform, U.S. House of Representatives, 114th Cong. (April 29, 2015) at 3.

a gyrocopter and any intent to fly to Washington, D.C.⁹⁹ His acquaintances, however, believed Mr. Hughes owned a gyrocopter and confirmed that he had stated he had potential plans to fly his gyrocopter to Washington, D.C., though none indicated that they believed he would follow through with the plan.¹⁰⁰ After hearing these inconsistencies, Secret Service attempted to interview Mr. Hughes a second time, but he declined to speak without his attorney present.¹⁰¹ Despite these clear inconsistencies, the Secret Service never attempted to interview Mr. Hughes with his attorney present. The Secret Service concluded that Mr. Hughes did not pose a threat to Secret Service protectees or protected sites, mainly the White House, and closed the investigation.¹⁰²

The Secret Service's inability to fully investigate the validity of Mr. Hughes' statements compared to the statements of his acquaintances left a number of questions unanswered. The Secret Service's premature closure of its investigation allowed Mr. Hughes to avoid further questioning. In addition, the Capitol Police, relying heavily on the Secret Service's investigation, did not conduct independent interviews with Mr. Hughes or his acquaintances who had knowledge of his statements about the flight.

FINDING: Lack of clear responsibility for investigating potential future unauthorized breaches of the P-56 airspace before they occur contributed to breakdowns in communication and coordination among the Secret Service, Capitol Police, and Park Police.

The FAA, the Secret Service, the U.S. Capitol Police, and the U.S. Park Police share the work of evaluating requests for waivers granting entry into the P-56 airspace in Washington, D.C. The multi-agency process for approving a waiver request to enter the P-56 airspace appears generally successful. However, as illustrated in the gyrocopter incident, vulnerabilities in protection of airspace in the national capital region do exist. Namely, no single entity is charged with investigating potential future unauthorized breaches of the P-56 airspace. Under the current system, differing law enforcement priorities based on protective assets on the ground may lead to a gap in coverage, preventing comprehensive analysis of a potential security threat.

In this case, acquaintances of Mr. Hughes interviewed by the Secret Service had stated that Mr. Hughes' alleged intent was to fly his gyrocopter to the U.S. Capitol building or the White House.¹⁰³ Such a flight would necessarily pass through the P-56 airspace, and would likely also pass over areas within the terrestrial jurisdiction of the U.S. Park Police, Capitol Police, and potentially the U.S. Secret Service. In 2013, the Secret Service closed its investigation into Mr. Hughes after determining that Mr. Hughes was not a threat to Secret Service protectees or protected sites (for example, the White House).

The Secret Service shared relevant information with the U.S. Capitol Police immediately at the time of the investigation, and made the information it gathered accessible to other U.S. law

⁹⁹ *Id.*

¹⁰⁰ *Id.*

¹⁰¹ *Id.*

¹⁰² Secret Service briefing to Comm. staff (April 30, 2015).

¹⁰³ Written statement of Director Joseph Clancy, United States Secret Service, before a hearing of the Committee on Oversight and Government Reform, U.S. House of Representatives, 114th Cong. (April 29, 2015) at 3.

enforcement agencies.¹⁰⁴ However, when the Secret Service closed its investigation into Mr. Hughes, the Capitol Police likewise closed its investigation, despite the fact that the Secret Service's investigation did not evaluate threats to the Capitol Complex or congressional leadership, over which the Secret Service lacks jurisdiction. Because the Secret Service and Capitol Police have different law-enforcement priorities, the Capitol Police's decision regarding whether to close its investigation should not have been influenced solely by the Secret Service's decision to close its investigation.

In addition, the Secret Service and Capitol Police should have shared the information gathered during the 2013 investigation into Mr. Hughes with the Park Police. Even though Mr. Hughes was alleged by acquaintances to have stated an intent to fly to the White House or U.S. Capitol,¹⁰⁵ it was highly possible that such a flight could have ended up somewhere on the National Mall within Park Police's terrestrial jurisdiction.

The gyrocopter incident of April 15, 2015 exposed these investigatory breakdowns between the federal agencies with shared but incomplete responsibility for airspace security in P-56, and clear protective responsibility for various terrestrial areas of the National Capital Region.

FINDING: Unlike units within Capitol Police, units within Secret Service responded inadequately to calls from a reporter about whether Mr. Hughes had permission to enter the P-56 airspace.

The agencies that make up the NCRCC monitor all areas of restricted airspace above the National Capital Region, including the SFRA, the FRZ, and the P-56. There are varying degrees of restrictions imposed on flights within each restricted area. However, all flights are prohibited from entering the P-56 airspace unless a waiver is granted. When a government agency or private entity wishes to gain lawful permission to enter the P-56 prohibited airspace, the Secret Service, Capitol Police, and Park Police review the request in order to determine whether to approve or deny the waiver. If the Secret Service, Capitol Police, and Park Police agree that the waiver should be granted, the FAA ultimately grants the waiver to enter the P-56 prohibited airspace. Occasionally, agencies with responsibility over the waiver approval process will receive a call or other inquiry regarding authorization to fly into the P-56 airspace.

On the day of the incident, administrative support staff in the Secret Service Office of Government and Public Affairs answered a phone call from a reporter with the *Tampa Bay Times* who asked whether the agency was aware of and had approved a permit for a protestor named Doug Hughes to fly and land his gyrocopter on the U.S. Capitol grounds.¹⁰⁶ The administrative staff member who answered the phone, unaware of the existence of any permit, and given the reference to the Capitol, directed the reporter to contact the Capitol Police. In testimony and briefings regarding the event, the Secret Service briefers stated that the employee did not contact the Airspace Security Branch, or any other internal department, to determine if a permit had been

¹⁰⁴ *Id.* at 4.

¹⁰⁵ Secret Service briefing to Comm. staff (April 30, 2015).

¹⁰⁶ Written statement of Director Joseph Clancy, United States Secret Service, before a hearing of the Committee on Oversight and Government Reform, U.S. House of Representatives, 114th Cong. (April 29, 2015) at 3.

approved.¹⁰⁷ According to the Secret Service’s testimony, only the first part of the reporter’s inquiry was addressed before he was directed to call the Capitol Police.¹⁰⁸

No more than two minutes after the call to the Secret Service, the reporter contacted the U.S. Capitol Police command center and appeared to make a related but somewhat different statement.¹⁰⁹ He said that he had information about a man named Douglas Hughes who was going to fly a “drone” onto the mall and West Front of the Capitol.¹¹⁰ The reporter also stated that Mr. Hughes had received permission from the Secret Service and the U.S. Capitol Police, and that he was calling to confirm that the permission was granted.¹¹¹ After stating that she was unaware of any approvals to land a drone, the public information officer who received the call at the U.S. Capitol Police command center transferred the call internally within the agency to a sergeant.¹¹² During the course of their conversation, the sergeant obtained more information from the reporter regarding Mr. Hughes’ flight, including his web site address and the fact that the craft was a gyrocopter.¹¹³ At no point during either phone conversation did the reporter give specific information regarding the timing of Mr. Hughes’ flight, or directly state that it was currently in progress.

The different actions taken by two agencies with protective interest in the airspace above the National Capital Region in response to a reporter’s calls raise questions about the policies and procedures the Secret Service, as well as other NCRCC agencies, have in place to instruct front-line staff on how to properly address inquiries regarding the waiver process. As evidenced by Capitol Police’s handling of a related but somewhat different call, further information could have been discovered by Secret Service. Occasionally, public information officers and others will receive inquiries that are vague or lack specific information. It is important that agencies have proper protocols and training in place in order to direct calls consistently and appropriately, and to make reasonable attempts to seek additional information when necessary.

In particular, given that the Secret Service has its own Airspace Security Branch which acts as gatekeeper for the P-56 waiver request process, it is necessary to examine how inquiries regarding flight permits, permission to fly through the Capitol airspace, or waivers to enter the P-56 area should be brought to the attention of the Airspace Security Branch and other appropriate personnel within the Secret Service as a matter of protocol. In order to ensure that P-56 inquiries are being directed to the appropriate personnel within and outside agencies, members of the NCRCC should develop and to the extent practicable harmonize, as well as consistently adhere to protocols to direct such inquiries to appropriate departments.

¹⁰⁷ Secret Service briefing to Comm. staff (April 30, 2015).

¹⁰⁸ Written statement of Director Joseph Clancy, United States Secret Service, before a hearing of the Committee on Oversight and Government Reform, U.S. House of Representatives, 114th Cong. (April 29, 2015).

¹⁰⁹ Capitol Police briefing to Comm. staff (April 30, 2015).

¹¹⁰ *Id.*

¹¹¹ *Id.*

¹¹² *Id.*

¹¹³ *Id.*

FINDING: Technological limitations allowed Mr. Hughes' aircraft to go nearly undetected on radar.

U.S. intelligence, defense, and law-enforcement agencies use a number of radar and other technological capabilities to detect potential threats in and around the nation's capital. A low-flying, slow speed aerial vehicle such as a manned gyrocopter "presents a technical challenge" for detection on IADS radar and other surveillance equipment.¹¹⁴ In this incident, Mr. Hughes was able to avoid detection by the current systems due to the speed, size, and altitude of his gyrocopter. According to the FAA and other agencies involved in monitoring airspace, to even a trained radar tracker, Mr. Hughes' gyrocopter was indistinguishable from a flock of birds or a weather pattern.¹¹⁵ According to FAA Administrator Michael Huerta, Mr. Hughes' aircraft went in and out of radar detection due to his altitude fluctuations and appeared on the radar similar to a weather event, bird, or balloon.¹¹⁶

FINDING: The Capitol Police's, Secret Service's, and Park Police's processes to notify relevant units of a security breach functioned properly the day of the incident.

While Mr. Hughes' flight exposed security vulnerabilities, it also highlighted successes in real-time response by Capitol area law enforcement agencies. The Park Police officers who first noticed the gyrocopter properly notified superiors who acted on the information. Within only a few minutes, communications between Park Police officers at the National Mall who observed Mr. Hughes were quickly relayed to Park Police Dispatch, which then alerted the Park Police Aviation Unit and ultimately the NCRCC. Likewise, the Secret Service officers on the ground at the White House who noticed the gyrocopter in flight immediately reported the incident to their supervisors. As Mr. Hughes approached the Capitol building, Capitol Police officers reported the flight, arrested Mr. Hughes after he landed on the Capitol Lawn, and then secured the gyrocopter.¹¹⁷

Additionally, the Capitol Police properly engaged its investigations team through two separate departments to begin researching a reporter's specific claim that Mr. Hughes was attempting to fly to the U.S. Capitol in his gyrocopter. By the time Mr. Hughes landed, about 20 minutes after Capitol Police received the email containing Mr. Hughes' web site address from the reporter, Capitol Police had accessed the information available on his website and retrieved the 2013 investigative history on Mr. Hughes. Capitol Police followed its standard protocol during the inspection of the gyrocopter for dangerous materials and processing Mr. Hughes after his arrest.

¹¹⁴ Written statement of Admiral William E. Gortney, U.S. Navy, Commander of U.S. Northern Command and North American Aerospace Defense Command, before a hearing of the Committee on Oversight and Government Reform, U.S. House of Representatives, 114th Cong. (April 29, 2015).

¹¹⁵ FAA briefing to Comm. Staff (May 7, 2015).

¹¹⁶ Written statement of Administrator Michael P. Huerta, Federal Aviation Administration, before a hearing of the Committee on Oversight and Government Reform, U.S. House of Representatives, 114th Cong. (Apr. 29, 2015) at 1.

¹¹⁷ Capitol Police briefing to Comm. staff (April 30, 2015).

VI. Recommendations

Based on the Committee's inquiry, the Committee staff has developed a set of recommended steps to improve airspace security in and around the National Capital Region. The majority of these steps can be taken by the agencies themselves to ensure future breaches do not occur. The Committee staff makes the following recommendations:

1. *Improve Communication and Coordination:* The U.S. Secret Service, U.S. Capitol Police, and other intelligence and law enforcement agencies must continue to improve inter- and intra-agency communication and coordination regarding potential threats to restricted airspace in and around the National Capital Region.
2. *Designate a lead entity in charge of investigating potential future incursions into the P-56 airspace:* Agencies must understand and mitigate the risk that differing law-enforcement priorities may lead to a gap in coverage, preventing comprehensive analysis of a potential security threat. Investigative material relating to potential or attempted airspace violations must be shared widely with all law enforcement partners with protective interest in the P-56 prohibited area to allow each agency to evaluate the potential threat relative to its own protected assets. Additionally, law enforcement agencies with protective interest in the National Capital Region, including members of the NCRCC, should designate a single entity in charge of investigating potential future incursions into the P-56 airspace itself, and report the designation to Congress.
3. *Seek technological solutions for potential gaps in radar coverage that hindered detection of Mr. Hughes' flight:* Agencies must continue to take steps to improve detection capabilities in order to address the potential security gap that his flight exposed.
4. *Congress should consider Increasing Criminal and/or Civil Penalties for Intentional P-56 Incursions:* In order to deter future unauthorized breaches of the P-56 airspace, Congress should consider whether federal penalties for intentionally violating the airspace should be increased. While this may not prevent all individuals from violating the restricted airspace, increased penalties will likely act as a strong deterrent.

VII. Conclusion

The April 15, 2015 gyrocopter incident was a reminder of the security vulnerabilities that we continue to face. Despite the technological limitations that allowed Mr. Hughes to fly somewhat undetected, law enforcement officials should have conducted a more thorough investigation into Mr. Hughes when they first learned about his unlawful intentions. Responsibility to secure the airspace within the National Capital Region should be better defined, and law enforcement agencies must have clear policies in place to address inquiries about incursions into the airspace. Any threats to this country's secure airspace must be fully investigated and prevented in order to ensure public safety.