IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Michael Lemmon, *et al.*, Plaintiffs, v. Donald J. Trump, *et al.*, Defendants.	No. 1:26-cv-00544

DECLARATION OF PETE HEGSETH

I, Pete Hegseth, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I currently serve as Secretary of War. I have served in this capacity since January 25, 2025. In this role, I serve as the head of the United States Department of War (DoW) and as the principal assistant to the President in all matters relating thereto. In so doing, I exercise authority, direction, and control over the DoW under presidential direction. As the Secretary of War, I am ultimately responsible for the management of the DoW's consolidated effort to defend the Homeland, including the National Capital Region (NCR), from threats related to cutting-edge technologies. These threats include the illicit use of small, unmanned aircraft systems (sUAS), or drones. My current initiatives to counter those specific threats include the establishment of Joint Interagency Task Force (JIATF) 401 and its Domestic Shield program, as well as Project Agincourt, the pathway to a new 4-star Autonomous Warfare Command.
2. The information contained in this declaration is based on my professional experience or on information made available to me in furtherance of my official duties.

3. The NCR is a unique, high-consequence operating environment. It contains a concentration of national leadership, military facilities, federal departments and agencies, diplomatic facilities, transportation infrastructure, public gathering locations, memorial sites, and other assets whose disruption, surveillance, or damage could have significant consequences for national security, public safety, and continuity of government.
4. The NCR threat environment is multi-domain and continuously evolving. These threats include unauthorized or malicious sUAS; hostile surveillance and reconnaissance; physical intrusion; vehicle-based vulnerabilities; explosive hazards; targeted violence; cyber-enabled disruption; interference with communications or other electronic systems; and actions intended to create confusion, divert security resources, or disrupt government and public activities. These threats may flow from foreign adversaries and their proxies, violent extremists, criminal organizations, lone offenders, or persons whose intent cannot be immediately determined.
5. The proliferation of sUAS, including inexpensive, commercially available drone systems, presents a new and dynamic national security threat to the NCR. These systems are highly accessible and their potential for illicit use by bad actors is well established.
6. These sUAS present a unique vulnerability for many reasons. Their small size and potential for low-flight altitude make them difficult to detect by conventional air defense systems. The NCR's dense urban landscape, complex electromagnetic environment, variable terrain and sightlines, and concentration of structures create material detection, tracking, identification, and response challenges. Small unmanned aircraft operating at low altitude may be masked by buildings, terrain, vegetation, or other features; may blend with legitimate air activity in the NCR's crowded skies and urban background conditions;

and may provide only limited time for responsible authorities to determine intent and take appropriate action. Such a dense urban environment, including radio-frequency interference and "urban canyon" effects, can likewise materially affect counter-UAS (C-UAS) system performance. This vulnerability to a novel challenge requires urgent mitigation.

7. To mitigate this threat, DoW must implement a robust, multi-layered, and persistent defense. Mitigation requires a broad network of sensors, communications, command and control (C2), trained personnel, and protected infrastructure.

8. U.S. Northern Command (NORTHCOM), North American Aerospace Defense Command (NORAD), Joint Task Force – National Capital Region (JTF-NCR), and numerous federal law enforcement agencies are required to coordinate such defense in the NCR from air, missile, and drone threats.

9. Currently, the C-UAS posture in the NCR can be episodic, surged with enhanced capabilities during National Special Security Events (NSSEs) or other periods of heightened alert. This episodic, patchwork approach is insufficient for the continuous threat environment of the Nation's capital, particularly as adversaries rapidly gain capacity in these threats.

10. The Arch is a generational national defense opportunity to mitigate these evolving threats. It will be utilized as a dual-purpose structure: a major national monument that also incorporates military utility to support Homeland defense. The new construction of the Arch—with its strategic location overlooking major national sites and frequented by national officials—offers an opportunity to situate state-of-the-art C-UAS defense capacities in the heart of the NCR. Its height and strategic location provide enhanced

lines of sight for both sensors and personnel, which is critical to C-UAS and other security operations.

11. The Arch's location at Memorial Circle is ideal for supporting coordinated protective operations in the NCR. Situated at a principal gateway between Arlington, Virginia, and the District of Columbia, the location links Memorial Avenue, Arlington Memorial Bridge, Arlington National Cemetery, Joint Base Myer–Henderson Hall, the Pentagon, and the broader Washington, D.C., monumental core. It supports timely information-sharing and logistical coordination among the federal, military, public-safety, transportation, and other stakeholders responsible for nearby critical assets and public spaces. Its central location can facilitate the integration of communications, sensor information, C2 functions, and trained personnel into a common operating picture (COP), improving the ability to identify and assess potential threats, coordinate across jurisdictional boundaries, and support a timely response.

12. The Arch's proposed height (approximately 250 feet) will also create a significant elevation advantage. By placing sensors and communications equipment above much of the surrounding urban landscape, the structure will improve line-of-sight connectivity; reduce the masking effects of buildings, terrain, vegetation, and other obstructions; and expand the area in which potential threats and relevant activity can be detected and assessed. The elevated position can also support authorized protective-overwatch and counter-sniper personnel by improving observation, situational awareness, and coordination with other security elements. It would also improve the reliability and resilience of communications among distributed personnel and systems, supporting a more complete COP and more timely coordination among responsible authorities.

13. The structure will incorporate protected, resilient, and secure spaces and infrastructure to support a range of critical military and force-protection functions. Integrating these functions within a single purpose-built structure will improve interoperability, reduce delays in sharing time-sensitive information, protect essential equipment and personnel from environmental and physical hazards, and support sustained operations during routine conditions, major events, emergencies, or disruptions to surrounding infrastructure. The structure will support:

    a. Military C2 and air-domain awareness. Dedicated space for C2 functions will enable responsible personnel to receive, assess, and disseminate relevant information; maintain situational awareness; coordinate with appropriate partners; and support informed, timely decision-making. Integrating air-domain awareness with C2 functions is particularly important in the NCR, where aviation activity, restricted airspace, and potential low-altitude threats require rapid assessment and coordinated action.

    b. Resilient communications, data connectivity, and sensor integration. The Arch will support protected communications pathways and data connectivity necessary to integrate information from sensors and other sources into a COP. Reliable connectivity is essential to ensuring that personnel responsible for force protection can share information quickly, coordinate across organizational and jurisdictional boundaries, and maintain operational continuity if other communications systems are degraded or disrupted.

    c. C-UAS equipment and supporting systems. The Arch will provide infrastructure to support authorized C-UAS capabilities, including the equipment,

communications, and supporting systems necessary to detect, track, identify, assess, and coordinate responses to potential sUAS activity or other threats. Co-locating these functions with C2 and communications capabilities will help reduce decision timelines and support a coordinated response.

d. Protected power, secure storage, and logistics support. Resilient power and protected equipment spaces are necessary to sustain critical operations during outages, emergencies, severe weather, or other disruptions. Secure storage and logistical support areas will help ensure that essential equipment, ammunition, C-UAS drones, maintenance items, and mission-support materials are available, protected, and readily accessible when needed.

e. Observation and overwatch capabilities to support force protection during major events. The structure's elevation and protected observation capability will support broad situational awareness of the surrounding environment during periods of heightened activity. These capabilities will assist personnel in identifying unusual conditions; monitoring safety and security concerns; coordinating protective measures; and supporting the orderly conduct of ceremonies, public events, and other activities in the vicinity.

14. Integrating these capacities into the design and construction of the Arch is superior to attempting to retrofit existing historic facilities. Purpose-built capabilities will be incorporated into the structure's load-bearing, power, communications, data, access-control, maintenance, and environmental systems from the outset. Visible, costly, and potentially less-reliable modifications to existing structures offer an inferior method of threat mitigation. The Arch's construction will enable the deliberate placement of

sensors, communications equipment, protected workspaces, and supporting infrastructure at the locations most suited to persistent surveillance and response, while preserving clear lines of sight and reducing interference from surrounding structures and systems. Purpose-built defense capabilities outperform improvised ones.

15. The implementation of the capabilities discussed in this declaration would not require any structural modifications or alterations to the existing plans for the Arch. The security features will be fully integrated into the existing design.

16. The Arch will entail enduring military and Homeland defense value. It will provide permanent infrastructure to see, communicate, coordinate, and respond within the Nation's capital, making it a physical node within the NCR's broader, layered air-defense and counter-drone network. The Arch will offer vital support to the security of the NCR against novel threats and harden the numerous federal and state agencies with continuous security responsibilities in the greater Washington, D.C. area.

Executed this 2_ day of October 2026.

Pete Hegseth
Secretary of War