



CHAIR JODEY ARRINGTON

HOUSE BUDGET COMMITTEE

GAO Confirms Biden Administration Spends Border Security Funds on Environmental Agenda

Washington, D.C. - In November of 2023, House Budget Committee Chairman Arrington (R-TX) and Oversight Task Force Chair Congressman Bergman (R-MI) [sent a letter](#) to the Government Accountability Office (*GAO*) seeking clarity on whether the Biden Administration violated the [Impoundment Control Act of 1974](#) by **blocking the use of funds intended to continue construction and secure the border wall**. On April 22, 2024, GAO issued its response.

BACKGROUND - FROM THE REPORT

- Congress appropriated funds to the Department of Homeland Security for a barrier system or fencing **for fiscal years 2018 through 2021**.
- **On January 20, 2021**, the President issued a “*proclamation*” effectively **pausing border barrier construction** and obligations to the extent permitted by law.
- The proclamation **ended the prior Administration’s emergency declaration**, stating the new policy that “*no more American taxpayer dollars be diverted to construct a border wall.*”
- Among other things, the Proclamation further directed the Secretaries of Homeland Security and Defense to work with other officials and develop a plan for **redirecting** border wall funds.



Thus, GAO, in coordination with the Department of Homeland Security (DHS), authored a report entitled “Border Barrier Construction and Obligations” for DHS to seek factual information and its legal views on this matter.

In light of this, Chairman Arrington and Representative Bergman’s [letter](#) to GAO asked if the Biden Administration violated the [law](#) by blocking the use of funds intended to continue the construction of border barriers.

KEY TAKEAWAYS FROM GAO’S RESPONSE:

- [GAO determined](#) that DHS has **not** intentionally blocked funding for the border wall. Therefore, they did not technically break the law.
- GAO’s decision did, however, note that **DHS has yet to obligate over \$660 million** and has spent the majority of the funding on **environmental planning and other non-barrier construction**. DHS continues to play political games that stall contractors and prevent barriers from being built, effectively finding a way to dodge the law.
- Congress appropriated nearly **\$1.4 billion** in Fiscal Year 2020 specifically “**for the construction of [a] barrier system along the southwest border,**” but according to Texas’ Southern District, the “bulk” or “vast majority of the Government’s FY 2020 and 2021 obligations are not allocated to new wall construction.”
- **The Biden Administration has violated the purpose of the law** by diverting that funding away from directly constructing border barriers to focus on environmental policies.
- The General Land Office of the [State of Texas](#) and the Attorney General of the [State of Missouri](#) have both filed lawsuits against the Biden Administration, alleging that **DHS is not properly following the intent of the law** by spending taxpayer dollars on activities other than border wall construction.



THE PURPOSE OF PHYSICAL BARRIERS

The **\$1.4 billion** appropriated by Congress was intended for the construction of a barrier system. It is well known that physical barriers are an effective deterrence that stop or dramatically reduce illegal crossings at our southwest border. In 2020, when barriers were being built, [DHS reported](#) that:

- In the *Yuma* Sector, “Illegal entries in areas with **new border wall system plummeted over 87% in FY 20 compared to FY 19.**”
- In the *Rio Grande Valley* Sector, “**CBP has seen 79% decrease in apprehensions in this area (Zone 1) since the completion of the border wall system.**”
- In the *El Paso* Sector, “**apprehensions have decreased by 60% and 81% respectively when comparing the last half of fiscal year FY 20 to the first half of FY 20.**”

As per DHS, these massive reductions in illegal immigration are due **solely to the construction of physical barriers**. The barriers force migrants to go to ports of entry where they can be processed by Customs and Border Protection agents, avoid dangerous cartels, and have the potential to enter the U.S. legally.

THE BOTTOM LINE

While the GAO report may show that the Biden Administration has not *explicitly* broken the law, it does show that DHS and the White House are circumventing the law to shirk executive responsibility and accountability.

The lack of enforcement and operation control at our southwest border under the Biden Administration is simply a dereliction of duty. The fact of the matter is that **American taxpayer dollars to secure the border are going unspent or wasted on frivolous environmental planning and remediation.**



MORE FROM THE HOUSE BUDGET COMMITTEE ON THE BORDER

Click [HERE](#) for our “Biden’s Border Blunder: The Cost of Catch and Release”

Click [HERE](#) for our “Cost of.. Biden’s Weak National Security Policies”

Click [HERE](#) for our “Cost of... Biden’s Border Crisis.”

Click [HERE](#) to read “The Costly Border Crisis.”

Click [HERE](#) to read “Biden’s Border Crisis Enters Third Year”

Click [HERE](#) to read “Newsom Extends Free Healthcare to 700,000 Illegal Immigrants Despite Record Budget Deficit

The Committee has unrelentingly pursued answers from the Department of Homeland Security:

Click [HERE](#) for our *first* letter to Department of Homeland Security Secretary Alejandro Mayorkas.

Click [HERE](#) for our *second* letter to Department of Homeland Security Secretary Alejandro Mayorkas.

Click [HERE](#) to read an overview of what Chairman Arrington requests in these letters.

House Republicans are tirelessly working to "**Reverse the Curse**" of the Democrat agenda, from open border policies to their ambivalence toward the debt crisis. The Budget Committee is fighting for brighter days ahead for all Americans.

Click [HERE](#) for our FY24-33 Budget Resolution.

