



U.S. House of Representatives
COMMITTEE ON THE BUDGET
Washington, DC 20515-6065

November 2, 2023

The Honorable Alejandro Mayorkas
Secretary
United States Department of Homeland Security
Washington, D.C. 20528

Dear Secretary Mayorkas:

On September 12, 2023, the House Committee on the Budget requested answers by September 30 to a series of questions regarding the fiscal impact of the Biden Administration's border policies. To date, the Committee has not received a response to any of its questions. Given the recent announcement by the Department of Homeland Security to start rebuilding the border wall¹ and the fact that you have failed to provide any response to the September 12 letter, the Committee now writes to request documents and other materials regarding the cost of the Biden Administration's border policies.

Pursuant to House Rule X, the Committee has jurisdiction over the budget process, including the Congressional Budget and Impoundment Control Act of 1974 and the Balanced Budget and Emergency Deficit Control Act of 1985. Therefore, the Committee has a responsibility to "assess OMB's legal authorities to manage federal spending."² The documents and materials requested by the Committee will inform its review of the fiscal impact of the Biden Administration's border policies and assist the Committee in making the legislative judgments required as part of the federal budget process.

Please provide the following documents and information no later than November 30, 2023:

1. Documents sufficient to show the amount of congressionally appropriated funds for the border wall that remain withheld due to a programmatic delay.
2. All documents and communications regarding the timeframe for the expenditure of any funds that remain withheld and the purposes and activities for which such funds will be spent.
3. All documents and communications regarding the amount of funding expended by the Department of Homeland Security to address the influx of migrants at the southern border.

¹ Last month, a notice was published in the Federal Register that 26 laws, including the National Environmental Policy Act and the Endangered Species Act, would be waived ["to ensure expeditious construction of barriers and roads in the vicinity of the international land border in Starr County, Texas."](#) This notice also stated "[t]here is presently an acute and immediate need to construct physical barriers and roads in the vicinity of the border of the United States in order to prevent unlawful entries into the United States in the project areas." Moreover, President Biden even stated that ["\[t\]he money was appropriated for the border wall" and "there's nothing under the law other than they have to use the money for what it was appropriated for."](#)

² Authorization and Oversight Plan of the Committee on the Budget 118th Congress, House of Representatives, Committee Jurisdiction and Oversight, <https://docs.house.gov/meetings/BU/BU00/20230209/115342/HMTG-118-BU00-20230209-SD002.pdf>

4. All documents and communications regarding the amount of funding the Department of Homeland Security projects to spend on the border crisis in fiscal year 2024.
5. Documents sufficient to show the total cost of transporting, housing, relocating, and releasing illegal aliens in Department of Homeland Security custody.
6. All documents and communications regarding the amount of funding the Department of Homeland Security has disbursed to nonprofit organizations to house, feed, and transport illegal aliens.
7. Documents sufficient to show the amount of funding the Department of Homeland Security has allocated to construction of new border barriers, including the costs associated with unused materials due to the pause in construction of the border wall system.
8. All documents and communications detailing how the Department of Homeland Security plans to use any supplemental funding for fiscal year 2024, including how such funding would be used to enforce security at the southern border.

Failure to provide the documents and information requested may necessitate additional action, including the use of the compulsory process to obtain the requested materials. We look forward to hearing from you on this important issue. If you have any questions regarding this request, please contact Eric Davis or Mary Popadiuk of the Committee Staff at 202-226-7270.

Sincerely,

A handwritten signature in blue ink, appearing to read "J.C. Arrington". The signature is stylized and cursive.

Jodey C. Arrington
Chairman
Committee on the Budget