

Congress of the United States
Washington, DC 20515

The Honorable Joseph R. Biden, Jr.
President
The White House
1600 Pennsylvania Avenue
Washington, DC 20006

The Honorable Alejandro Mayorkas
Secretary
United States Department of Homeland Security
Washington, DC 20528

March 3, 2021

Dear President Biden and Secretary Mayorkas,

As Members of Congress who represent districts along our country's southern border, we have witnessed firsthand the devastating impacts of border wall construction on the environment and wildlife, border communities, and Native American sacred sites. We applaud your decision to take swift action to halt all border wall construction and direct the Department of Homeland Security and Department of Defense to spearhead the development of the "Plan for Redirecting Funding and Repurposing Contracts" within 60 days. As you develop a plan to redirect funding, repurpose contracts, and restore the land damaged by the border wall construction, we urge you to meaningfully consult with border communities that have been impacted by the construction, including tribal members, and stakeholders. We ask that the Department of Homeland Security:

- Develop a meaningful environmental mitigation plan for the borderlands with local stakeholders.
- Immediately cancel all border wall contracts and commit to not initiate new contracts or resume any construction activities.
- Divert remaining funds to other purposes, including mitigating harms from the wall and removing border wall in places with particularly destructive environmental damage and destruction of sacred sites.

Additionally, we are concerned with reports of current border wall construction in the Pajarito Mountains in Arizona. We respectfully request details and reports on existing border wall construction and the status of these contracts. Border wall construction has inflicted incalculable and irreparable environmental, economic, and social consequences on our borderlands. To expedite border wall construction, President Trump's Secretary of Homeland Security blatantly abused its sweeping authority under the Real ID Act of 2005 to waive all laws and legal requirements standing in the way of border wall construction. The Trump administration used it 29 times to waive 84 federal laws and countless state and local laws. These laws included critical environmental protections, like the National Environmental Policy Act, public health and safety rights, and the Native American Graves Protection and Repatriation Act. The full extent of the damage is therefore unknown. We urge you to rescind this harmful waiver entirely to prevent future abuse of power at the expense of our communities. The use of the Section 102 waiver to build the wall defies all our democratic values and immediate action should be taken to restore public participation in policy decisions along the border.

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Local and tribal communities were left out of the conversation entirely when the decision to build a wall along the southern border was made in the first place. The same communities were excluded when President Trump and his predecessors hastily built the poorly designed structure that exists today. Despite our opposition to the construction, we repeatedly requested DHS engage with us to introduce local experts and stakeholders to help inform them of susceptible areas. Unsurprisingly, the Trump Administration ignored these requests.

Urgent action is necessary to address the damage to border communities, public lands, lands sacred to the O'odham, Carrizo-Comecrudo and Kumeyaay people, and the environment along the border. We look forward to working with your administration on developing long-term environmental mitigation and restoration strategies to help renew our borderlands.

Sincerely,



Ann Kirkpatrick
Member of Congress



Raúl M. Grijalva
Member of Congress



Juan Vargas
Member of Congress



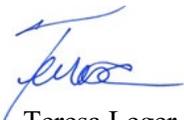
Mike Levin
Member of Congress



Filemon Vela
Member of Congress



Scott Peters
Member of Congress



Teresa Leger Fernández
Member of Congress



Veronica Escobar
Member of Congress