

Congress of the United States

Washington, DC 20515

December 17, 2024

The Honorable Joseph R. Biden
President of the United States
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear President Biden,

As members of the Congressional Border Security Caucus, we are outraged by the news that your administration is auctioning off unused border materials nearly one month before President-elect Trump will be sworn in as president. These actions are tantamount to purposeful waste of government resources and are part of a deliberate effort to preemptively curtail the next administration on an issue which loomed large in the previous election.

Since you took office, these border materials have sat idle just feet away from the border wall and the adjacent unfinished areas. Every Border Patrol agent knows that the areas with the highest number of illegal crossings are where border construction was immediately halted in January of 2021. Since then, your administration has not expressed the intention to use the border materials for their purpose or create a plan to ensure homeland security at the border. Instead, the American people have seen the number of illegal aliens entering the country skyrocket, including dramatic increases in convicted criminals and individuals on terror watchlists.

The Department of Defense (DOD), which previously listed the border materials for sale, has stated it is required to sell the materials under the National Defense Authorization Act for Fiscal Year 2024 (NDAA).¹ However, the NDAA allows the DOD to create a plan to “use, transfer, or donate” the unused border materials with prioritization for the “refurbishment and or maintenance” of the border and other projects “aimed at stopping illicit human and vehicle traffic” on the southwest border.² Though 60% of the materials have been distributed to federal and state agencies, the idea that Congress has required the DOD to sell nearly 40% of the remaining border wall materials is a ridiculous notion and serves only as a legal gimmick used by your administration is attempting to prevent President-elect Trump from securing the border.

In the interest of government efficiency and budgetary constraints, it is not unreasonable for department and agency heads to consider the clear need of their successors for certain materials which the federal government is already in possession of when making decisions on what assets

¹ Adam Klepp, *Here's why parts of the Arizona border wall are being sold at an online auction*, ABC15 ARIZONA (Dec. 14, 2024), <https://www.abc15.com/news/state/heres-why-parts-of-the-arizona-border-wall-are-being-sold-at-an-online-auction>.

² National Defense Authorization Act for Fiscal Year 2024, H.R. 2670, 118th Cong. § 2889(a) (2023).

to place for public auction. The fact that your administration has not done so after an election where the President-elect made clear his intention to erect more barriers shows a clear intention to inhibit your successor in accomplishing his stated goal of securing the border and stopping the largest flow of illegal immigration in American history.

Please answer the following questions by December 31, 2024:

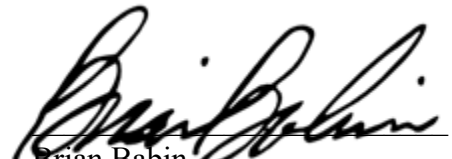
1. Did the DOD consider the likelihood that the next administration will utilize these materials?
2. Did officials in the Department of Homeland Security consider the likelihood that their successors will utilize these materials when determining what amount of these materials to request from the DOD?
3. If these materials were sold prior to January 20, 2024, how much would it cost the federal government to acquire the same quantity and quality of materials for future construction on the southwest border?
4. Did your administration ever consider finishing construction of the border wall with the materials you inherited from the prior administration?

We look forward to your timely response.

Sincerely,



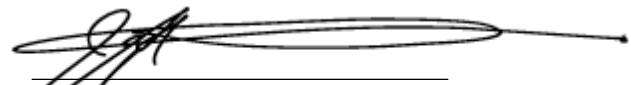
Andy Biggs
Member of Congress



Brian Babin
Member of Congress



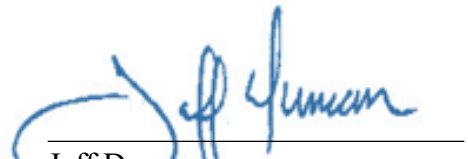
Troy Nehls
Member of Congress



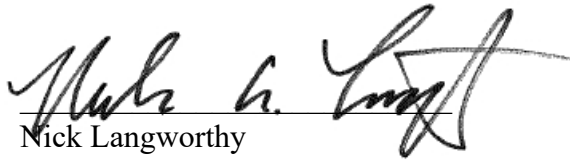
Jeff Van Drew
Member of Congress



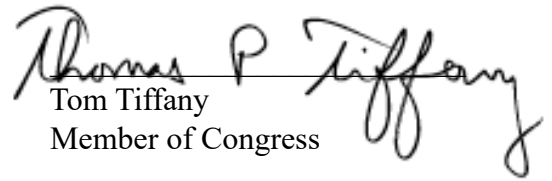
Mike Bost
Member of Congress



Jeff Duncan
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Nick Langworthy
Member of Congress



Tom Tiffany
Member of Congress



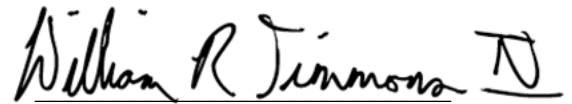
Andy Ogles
Member of Congress



Ralph Norman
Member of Congress



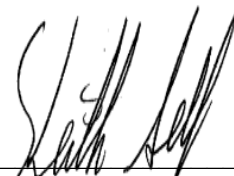
Beth Van Duyne
Member of Congress



William R. Timmons, IV
Member of Congress



Maria Salazar
Member of Congress



Keith Self
Member of Congress



Joe Wilson
Member of Congress



Dan Meuser
Member of Congress



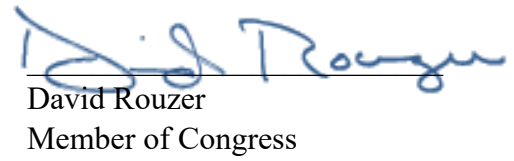
Lance Gooden
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Eli Crane
Member of Congress



Scott Perry
Member of Congress



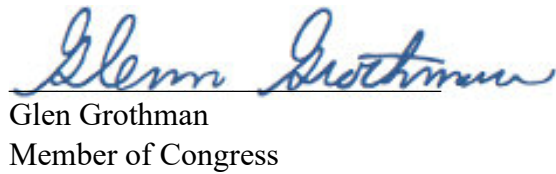
David Rouzer
Member of Congress




John H. Rutherford
Member of Congress



Kat Cammack
Member of Congress



Glen Grothman
Member of Congress



Ben Cline
Member of Congress



Doug LaMalfa
Member of Congress

cc: The Honorable Alejandro Mayorkas, Secretary, Department of Homeland Security

The Honorable Lloyd Austin, Secretary, Department of Defense