

**U.S. House of Representatives**  
**Committee on Natural Resources**  
**Washington, DC 20515**

July 12, 2021

The Honorable Debra Haaland  
Secretary  
U.S. Department of the Interior  
1849 C Street NW  
Washington, DC 20240

Lieutenant General Scott Spellmon  
Chief of Engineers and Commanding  
General  
U.S. Army Corps of Engineers  
441 G Street NW  
Washington, DC 20314

The Honorable Tom Vilsack  
Secretary  
U.S. Department of Agriculture  
1400 Independence Avenue SW  
Washington, DC 20250

Acting Commissioner Daniel Avila  
International Boundary and Water  
Commission  
United States Section  
4171 North Mesa, Suite C-100  
El Paso, TX 79902

Dear Secretary Haaland, Secretary Vilsack, Lieutenant General Spellmon, and Acting Commissioner Avila:

Last month, Governor Greg Abbott of Texas announced his plan to use private donations and state taxpayer dollars to fund construction of border wall segments along the U.S.-Mexico border in Texas.<sup>1</sup> This decision represents nothing more than a political ploy to fulfill former President Trump's reckless and ineffective policy promises. As Chair of the House Committee on Natural Resources, I am writing to request your support in protecting federal public lands and resources in Texas from being used for or impacted by this decision.

Federal public lands and resources along the U.S.-Mexico border include critically important ecological, historical, and cultural sites. A list of the federal lands and resources that are located within 100 miles of the U.S.-Mexico border in Texas and are managed under agencies in your Departments is provided below:

**National Park Service:**

- Big Bend National Park
- Guadalupe Mountains National Park
- Palo Alto Battlefield National Historical Park
- Fort Davis National Historic Site
- Chamizal National Memorial

**U.S. Forest Service:**

- Lincoln National Forest
- South Guadalupe Mountains Roadless Area
- Guadalupe Cave Protection Area (Administrative)

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<sup>1</sup> Lauren Dezenski, *Greg Abbott's fight to keep Trump's border wall dream alive*, CNN (June 28, 2021), <https://www.cnn.com/2021/06/28/politics/greg-abbott-texas-border-wall-trump-crowdfunding/index.html>

- Amistad National Recreation Area
- Padre Island National Seashore
- Rio Grande Wild and Scenic River
- Guadalupe Mountains Wilderness
- Big Bend Wilderness Study Area

**U.S. Fish and Wildlife Service:**

- Laguna Atosca National Wildlife Refuge
- Lower Rio Grande National Wildlife Refuge
- Santa Ana National Wildlife Refuge

**Bureau of Indian Affairs**

- Kickapoo Traditional (Texas) Land Area Representation
- Ysleta Del Sur Land Area Representation
- Guadalupe Escarpment Wilderness Study Area

**Bureau of Land Management:**

*Areas of Critical Environmental Concern:*

- Alkali Lakes Area of Critical Environmental Concern
- Lonesome Ridge Area of Critical Environmental Concern
- Organ/Franklin Mountains Area of Critical Environmental Concern

*Grazing Allotments:*

- Alamo Mountain Grazing Allotment
- Anthony Gap Grazing Allotment
- Butterfield Trail Grazing Allotment
- Camalache Grazing Allotment
- Chaparral Grazing Allotment
- East Grazing Allotment
- Grapevine Draw Grazing Allotment
- Grapevine Spring Grazing Allotment
- Guadalupe Ranch Grazing Allotment
- Lazy UT Springs Grazing Allotment
- Plowman Ridge Grazing Allotment
- Wind Mountain Draw Grazing Allotment

*Wilderness Study Areas:*

- Brokeoff Mountains Wilderness Study Area
- Lonesome Ridge Wilderness Study Area

**U.S. Army Corps of Engineers:**

*Projects:*

- El Paso County Environmental
- Arroyo Colo, Tx AF307
- El Paso Restoration Wetlands
- Strahan Road Sec 219
- Alpine AA844
- Colonias-Lower Rio Grande Basin
- Cantu Branch
- Zacate Creek Channel Improvement
- Falfurias
- GIWW, Channel to Port Mansfield, TX
- GIWW, Channel to Harlingen, TX
- GIWW – Vicinity of Port Isabel
- Brazos Island Harbor
- Blvd Resacas – CAP Section 206
- Raymondville Drain
- Resacas Feasibility

*Levees:*

- NW El Paso Borderland Diversion Lt Levee
- NW El Paso, Highway Diversion Channel, Levee
- Central El Paso Range Dam Electric Ditch Levee
- Central El Paso Northgate Interceptor Ch Levee
- Central El Paso, Northgate Outlet Channel, Levee A and Levee B
- Central El Paso Northgate Diversion Channel, Right Levee
- Central El Paso Fort Bliss Diversion, Levee
- SE El Paso, Phelps Dodge Channel Left, Levee
- SE El Paso, Phelps Dodge Channel Right, Levee
- SE El Paso, Bluff Channel, Left Levee and Right Levee
- Presidio, TX, Cibolo Creek Left Levee and Right Levee
- Three Rivers Local Flood Protection
- San Diego Creek

In addition to these federal public lands and resources, the U.S.-Mexico border in Texas lies along the Rio Grande River which is subject to International Boundary and Water Commission treaty responsibilities.

The existing border wall has already inflicted immeasurable harm on wildlife, the environment, border communities, and Native American sacred sites and cultural resources across the U.S.-Mexico border. The Trump administration's decision to repeatedly abuse the Secretary of Homeland Security's authority to waive all laws and legal requirements in order to expedite border wall construction only worsened the impacts; border wall construction occurred without the appropriate environmental assessments, public health protections, or Tribal consultation. As a result, the Government Accountability Office (GAO) recently accepted my request to determine the extent of the border wall's damage to cultural and natural resources.<sup>2</sup> The Trump administration's destructive actions must cease and be rectified, not emulated.

In addition, the cost of the wall to taxpayers has been astronomical. A recent GAO report shows that the Trump administration's approach to awarding construction contracts for the border wall put more than \$10 billion in taxpayer dollars at high risk for waste and inefficiency.<sup>3</sup> Again, the Trump administration's actions are not a model to be followed.

Previous privately funded border wall construction efforts have also been disastrous, both environmentally and financially. In early 2020, We Build the Wall, a "non-profit" led by Brian Kolfage and Steve Bannon, built a section of wall on privately-owned land in the floodplain of the Rio Grande, violating the International Boundary and Water Commission treaty.<sup>4</sup> That section of the wall has already caused significant erosion problems and increased the tax burden of the private landowner 75-fold.<sup>5,6</sup> Kolfage and Bannon were both later indicted on wire fraud and money laundering, allegedly using hundreds of thousands of donated dollars for personal expenses.<sup>7</sup>

Border wall construction has been immensely destructive, costly, wasteful, marked by corruption, and ineffective. Allowing this ill-conceived scheme to continue serves only to

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<sup>2</sup> Rachel Frazin, *GAO to examine border wall environmental impacts*, THE HILL (June 7, 2021), <https://thehill.com/policy/energy-environment/557230-congressional-watchdog-to-study-environmental-impacts-of-border>

<sup>3</sup> Government Accountability Office, Rep. No. GAO-21-372, SCHEDULE CONSIDERATIONS DROVE ARMY CORPS OF ENGINEERS' APPROACHES TO AWARDING CONSTRUCTION CONTRACTS THROUGH 2020, (June 2021), <https://www.gao.gov/assets/gao-21-372.pdf>

<sup>4</sup> Nomaan Merchant, *Agency finds private border wall violates Rio Grande treaty*, AP NEWS (May 6, 2020), <https://apnews.com/article/5f62e012bcd0f8f87bd86232fa38fc2>

<sup>5</sup> Perla Treviso and Jeremy Schwartz, *A privately funded border wall was already at risk of collapsing if not fixed. Hurricane Hanna made it worse*, PROPUBLICA (July 29, 2020), <https://www.propublica.org/article/a-privately-funded-border-wall-was-already-at-risk-of-collapsing-if-not-fixed-hurricane-hanna-made-it-worse>

<sup>6</sup> Sandra Sanchez, *Private border wall property valued at \$20M; unprecedented tax-roll boost possible*, BORDER REPORT (Aug. 28, 2020), <https://www.borderreport.com/hot-topics/the-border-wall/exclusive-private-border-wall-property-valued-at-20m-unprecedented-tax-roll-boost-possible/>

<sup>7</sup> Southern District of New York, U.S. Attorney's Office, Department of Justice, Press Release, *Leaders of 'We Build The Wall' online fundraising campaign charged with defrauding hundreds of thousands of donors* (Aug. 20, 2020), available at <https://www.justice.gov/usao-sdny/pr/leaders-we-build-wall-online-fundraising-campaign-charged-defrauding-hundreds-thousands>

perpetuate the dangerous, racist rhetoric propagated by the Trump administration. As a representative of a border district myself, I know that border residents do not want militarization of their communities with walls, razor wire, and droves of National Guard troops, including those from faraway states like South Dakota, Idaho, and Florida.<sup>8</sup> I urge you to protect Texans and Texas' invaluable public lands and resources from further unnecessary harm, expense, and sacrifice.

Sincerely,



Raúl M. Grijalva  
Chair  
Committee on Natural Resources

cc: The Honorable Greg Abbott, Governor of Texas

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<sup>8</sup> Dan Merica and Priscilla Alvarez, *Republican governors from around the country are sending law enforcement to the border*, CNN (June 30, 2021), <https://www.cnn.com/2021/06/30/politics/republican-governors-deploy-border/index.html>