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SOUTHWEST BORDER

Award and Management of Barrier Construction Contracts

Statement of Rebecca Gambler, Director,
Homeland Security and Justice

GAO Highlights

Highlights of [GAO-23-106893](#), a testimony before the Subcommittees on Border Security and Enforcement, and Oversight, Investigations and Accountability, Committee on Homeland Security, House of Representatives

Why GAO Did This Study

A January 2017 Executive Order directed the Secretary of Homeland Security to immediately plan, design, and construct a wall or other physical barriers along the southwest border. From fiscal years 2017 through 2021 DHS received funding to construct border barriers. A 2019 Presidential Declaration of National Emergency directed DOD to support barrier construction and USACE awarded billions of dollars in construction contracts. In January 2021, a Presidential Proclamation paused border barrier construction to the extent permitted by law.

This testimony discusses (1) USACE's contract obligations and awards in fiscal years 2018 through 2020 to support barrier construction on the southwest border, (2) the factors that drove USACE's acquisition approach, and (3) the status of barrier completion as of January 2021 and subsequent DHS planning efforts.

This statement is based on seven reports GAO issued between 2017 and 2023. For that work, GAO analyzed DHS and USACE documents and data and interviewed agency officials. GAO also conducted selected updates.

What GAO Recommends

GAO made five recommendations in prior reports related to the deployment and contracting process for border barrier construction. DHS and DOD concurred and fully addressed four. For the recommendation related to analyzing costs associated with future barrier segments, DHS noted that it conducts cost estimates as part of the acquisitions process.

View [GAO-23-106893](#). For more information, contact Rebecca Gambler at (202) 512-8777 or gamblierr@gao.gov or Timothy J. DiNapoli at (202) 512-4841 or dinapolit@gao.gov.

July 18, 2023

SOUTHWEST BORDER

Award and Management of Barrier Construction Contracts

What GAO Found

GAO's past work has highlighted the increased investment associated with construction and deployment of barriers on the southwest border. For example, in June 2021 GAO reported that the U.S. Army Corps of Engineers (USACE)—the construction agent—obligated \$10.7 billion to support the border barrier efforts from fiscal years 2018 through 2020, almost all of which was obligated on construction contracts. More than 70 percent of the funds obligated on construction contracts during this time were Department of Defense (DOD) funds made available following the President's 2019 National Emergency Declaration. During this time period, USACE awarded 39 construction contracts, primarily DOD-funded, to build more than 600 miles of border barriers. Approximately 32 percent of the miles to be built under these contracts were new barriers in areas where no barriers had previously existed, while about 68 percent of the miles were to replace existing barriers.

In June 2021, GAO also reported that USACE's acquisition approach, among other things, was driven by the need to obligate DOD funding before it expired. In response to the 2019 National Emergency Declaration and with the influx of DOD funds, USACE changed its planned acquisition approach to expedite construction. For example, USACE used noncompetitive awards to a greater extent than originally planned. In addition, USACE structured many of its DOD awards to prioritize the construction of barrier panels, rather than the full barrier system (which included panels and supporting attributes, such as technology).

Border Barrier Construction in South Texas



Source: GAO photo taken in February 2020. | GAO-23-106893

As of January 2021, when the new administration directed the Department of Homeland Security (DHS) and DOD to pause ongoing construction for the border contracts to the extent permitted by law, USACE reported that it had completed approximately 450 miles of barriers. Most of these miles represented the installation of panels, rather than the completion of the full barrier system. Less than 69 of these miles—or about 15 percent—were for completed barrier system as of January 2021. Since that time, DHS issued and updated a plan for use of border barrier funds. DHS intends to use its funding to continue addressing safety hazards, identify actions to address environmental damage from past barrier construction, and install system attributes for DHS- and DOD-funded projects, such as lighting and technology.

Chairmen Higgins and Bishop, Ranking Members Correa and Ivey, and Members of the Subcommittees:

Thank you for the opportunity to discuss our work covering federal agencies' efforts to deploy border barriers along the nearly 2,000-mile southwest border. Within the Department of Homeland Security (DHS), U.S. Customs and Border Protection (CBP) is responsible for securing the border from illicit activity while facilitating legitimate travel and trade. As part of its border security mission, as of fiscal year 2015, CBP had built more than 650 miles of barriers along the southwest border of the U.S.¹ In addition, within the Department of Defense (DOD), the U.S. Army Corps of Engineers (USACE) has a long-standing role in supporting DHS along the southwest border, including providing project and contract management support. USACE's role was expanded in 2019 when it was tasked to help expedite the construction of border barriers using billions of dollars in DOD funding made available following a 2019 Presidential National Emergency Declaration.

My statement today focuses on the contracting and procurement process for border barrier construction. Specifically, it discusses (1) USACE's contract obligations and awards in fiscal years 2018 through 2020 to support barrier construction on the southwest border, (2) the factors that drove USACE's acquisition approach, and (3) the status of barrier completion as of January 2021 and subsequent DHS planning efforts.

This statement is primarily based on seven reports we issued between February 2017 and April 2023 on the increased investment in barriers and the acquisition approach for construction and deployment of barriers on the southwest border. For these products, we analyzed DHS and USACE documents and data, conducted site visits to locations along the southwest border, and interviewed agency officials. We also conducted

¹For the purposes of this testimony, we generally use the term "barrier" to refer to a physical structure, such as a pedestrian fence, vehicle barrier, or wall, or any combination of these structures intended to impede the movement of people or vehicles.

selected updates to those reports regarding DHS and USACE efforts to address our previous recommendations.²

More detailed information on the objectives, scope, and methodology for our work can be found in the issued reports listed in Related GAO Products at the conclusion of this statement. We conducted the work upon which this statement is based in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Background

In January 2017, an Executive Order directed the Secretary of Homeland Security to immediately plan, design, and construct a contiguous wall or other impassable physical barrier at the southwest border.³ In response, CBP initiated the Border Wall System Program to replace and construct new barriers along the southwest border.⁴ CBP uses the term “wall system,” or barrier system, to describe the combination of physical barriers, technology, and other infrastructure used at the southwest border. Physical barriers and other elements of the system vary, in part, based on the terrain. For example, pedestrian barrier fencing may consist of steel bollard panels, ranging from 18 to 30 feet, constructed at ground-

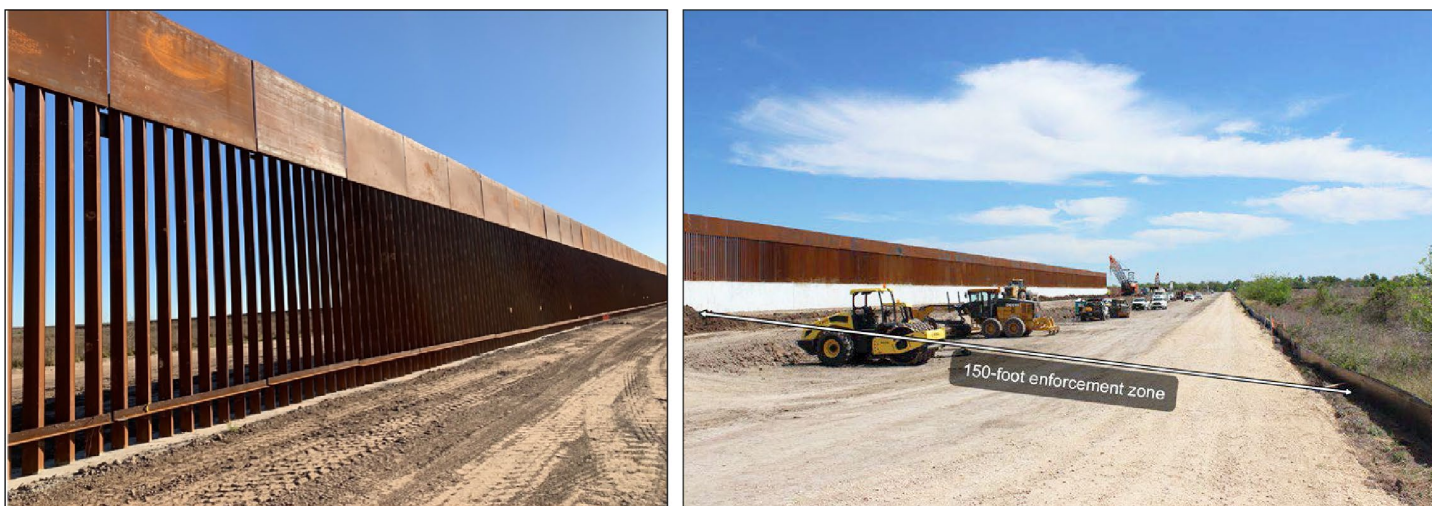
²We made a total of five recommendations to DHS and USACE related to the deployment and contracting process for border barrier construction. The agencies concurred with the recommendations and fully addressed four. For the remaining recommendation for CBP to analyze the costs associated with future barrier segments and include cost as a factor in its prioritization strategy, CBP noted that it conducts detailed cost estimates as part of the acquisitions process. For more information on this recommendation and its status, see <https://www.gao.gov/products/gao-18-614>.

³Border Security and Immigration Enforcement Improvements, Exec. Order No. 13767, § 4, 82 Fed. Reg. 8793, 8794 (Jan. 30, 2017) (issued Jan. 25). Executive Order 13767 defines “wall” as a “contiguous, physical wall or other similarly secure, contiguous, and impassable physical barrier.” See *id.* § 3, 82 Fed. Reg. at 8794. In February 2021, this Executive Order was revoked by the President. See *Creating a Comprehensive Regional Framework To Address the Causes of Migration, To Manage Migration Throughout North and Central America, and To Provide Safe and Orderly Processing of Asylum Seekers at the United States Border*, Exec. Order No. 14010, 86 Fed. Reg. 8267 (Feb. 5, 2021) (issued Feb. 2).

⁴We have regularly reported on DHS’s Border Wall System Program as part of our annual assessment of DHS acquisition programs. For the most recent report, see GAO, *DHS Annual Assessment: Major Acquisition Programs Are Generally Meeting Goals, but Cybersecurity Policy Needs Clarification*, [GAO-23-106701](https://www.gao.gov/products/gao-23-106701) (Washington, D.C.: Apr. 20, 2023).

level. CBP uses supporting attributes such as technology (e.g., surveillance cameras), lighting, and roads for maintenance and patrolling to establish varying enforcement zones as part of the barrier system. Figure 1 shows an example of bollard panels and barrier construction in south Texas, constructed atop levee walls, and a 150-foot wide border enforcement zone on the river side of the barrier.

Figure 1: Border Barrier Featuring Steel Bollards in Starr County, Texas (Left), and Border Barrier and Enforcement Zone under Construction in South Texas (Right)



Source: GAO photos taken in February 2020. | GAO-23-106893

From fiscal years 2017 through 2021, DHS's CBP received a total of \$5.9 billion in appropriations to construct border barriers.⁵ Beginning in 2019, the Department of Defense (DOD) also provided funding for barrier construction. In particular, in February 2019, the President issued a Declaration of National Emergency regarding the border security and humanitarian crisis at the southern border, and provided additional authority to DOD to support the federal government's response to the

⁵As we noted in November 2020, the funds provided through each year's DHS appropriations acts came with various provisos, including certain restrictions. For example, funds could not be used for the construction of barriers in the Santa Ana National Wildlife Refuge in Texas. See GAO, *Southwest Border: Information on Federal Agencies' Process for Acquiring Private Land for Barriers*, [GAO-21-114](#) (Washington, D.C.: Nov. 17, 2020). In fiscal year 2021, DHS received \$1.375 billion in appropriations for construction of barrier system along the southwest border. In April 2023, we reported that DHS had not identified the scope of work for those funds. See [GAO-23-106701](#). DHS's CBP received no new funding for border barrier construction in fiscal years 2022 or 2023.

emergency.⁶ Following the 2019 Declaration, the administration identified additional funding sources for border barrier construction, including under the following DOD statutes:

- **Drug Interdiction and Counterdrug Activities (counterdrug) funds.** Under 10 U.S.C. § 284, DOD is authorized to support the counterdrug activities of other federal agencies, if requested. DHS requested DOD's counterdrug assistance in the form of construction of fences and roads and installation of lighting to block drug smuggling corridors.⁷ DHS selected the barrier projects to support with counterdrug funds. The funding was available to DOD for obligation for 1 year, after which the funding expired and could no longer be used for new obligations.⁸
- **Military construction funds.** Under 10 U.S.C. § 2808, the Secretary of Defense is authorized to undertake military construction projects in certain circumstances, including a National Emergency Declaration.⁹ DOD selected the barrier projects that it undertook with military construction funds from a DHS-provided list.¹⁰

For most contracts, USACE served as the design and construction agent supporting border barrier activities.¹¹ Between fiscal years 2017 and

⁶Declaring a National Emergency Concerning the Southern Border of the United States, Pres. Proclamation No. 9844, 84 Fed. Reg. 4949 (Feb. 20, 2019) (issued Feb. 15). The National Emergency Declaration required the use of the armed forces and invoked various statutes to address the border security and humanitarian situation at the border.

⁷See 10 U.S.C. § 284(b)(7). While the President's National Emergency Declaration on February 15, 2019, did not expressly invoke section 284, following a February 25 request from DHS to DOD for assistance under section 284, the Acting Secretary of Defense authorized the U.S. Army Corps of Engineers to begin planning and executing support to DHS pursuant to section 284. DOD's authority under section 284 is not dependent on a National Emergency Declaration.

⁸In September 2019, GAO concluded that DOD's transfer of funds into its Drug Interdiction and Counterdrug Activities, Defense, account for border fence construction was consistent with DOD's statutorily-enacted transfer authority, and that use of these amounts for the purpose of border fence construction was permissible under various statutory provisions. GAO B-330862, Sept. 5, 2019.

⁹10 U.S.C. § 2808.

¹⁰See GAO, *Southwest Border: Schedule Considerations Drove Army Corps of Engineers' Approaches to Awarding Construction Contracts through 2020*, GAO-21-372 (Washington, D.C.: Jun. 17, 2021).

¹¹USACE has a long-standing role in supporting DHS along the southwest border, including providing project and contract management support.

2020, USACE awarded contracts to construct the border barrier system using several types of contracting vehicles and approaches. These included stand-alone contracts, which USACE can use when the exact quantities and timing of delivery are known at the time of award.¹² USACE also used multiple-award, indefinite-delivery, indefinite-quantity contracts, which it may award to one or more contractors when the exact quantities and timing of products and services are not known at the time of award.

In January 2021, after a change in administrations, a presidential proclamation terminated the emergency at the southwest border and paused border barrier construction to the extent permitted by law.¹³ The proclamation also directed the Secretaries of Defense and Homeland Security, consulting with the Director of the Office of Management and Budget and other agencies, to develop a plan within 60 days for redirecting border barrier funding, as appropriate and consistent with applicable law. After developing this plan, DHS and DOD were to take appropriate steps to resume, modify, or terminate projects and to implement the plan, as discussed later in this statement.¹⁴

¹²Stand-alone contracts, also called “definitive contracts,” are contracts other than an indefinite delivery vehicle that must be reported to the government-wide database used to report data on government procurements. Federal Acquisition Regulation 4.601.

¹³Termination of Emergency With Respect to the Southern Border of the United States and Redirection of Funds Diverted to Border Wall Construction, Pres. Proclamation No. 10142, 86 Fed. Reg. 7225 (Jan. 27, 2021) (issued Jan. 20). The presidential proclamation paused all border barrier construction pending development of a plan by the Secretaries of Defense and Homeland Security that, among other things, was to address the potential redirection of border barrier funds while ensuring funds Congress explicitly appropriated for barrier construction were expended.

¹⁴We separately reviewed the pause in border barrier construction and obligations of funds as a result of the January 20, 2021 proclamation and determined that it did not violate the Congressional Budget and Impoundment Control Act of 1974. GAO B-333110, June 15, 2021.

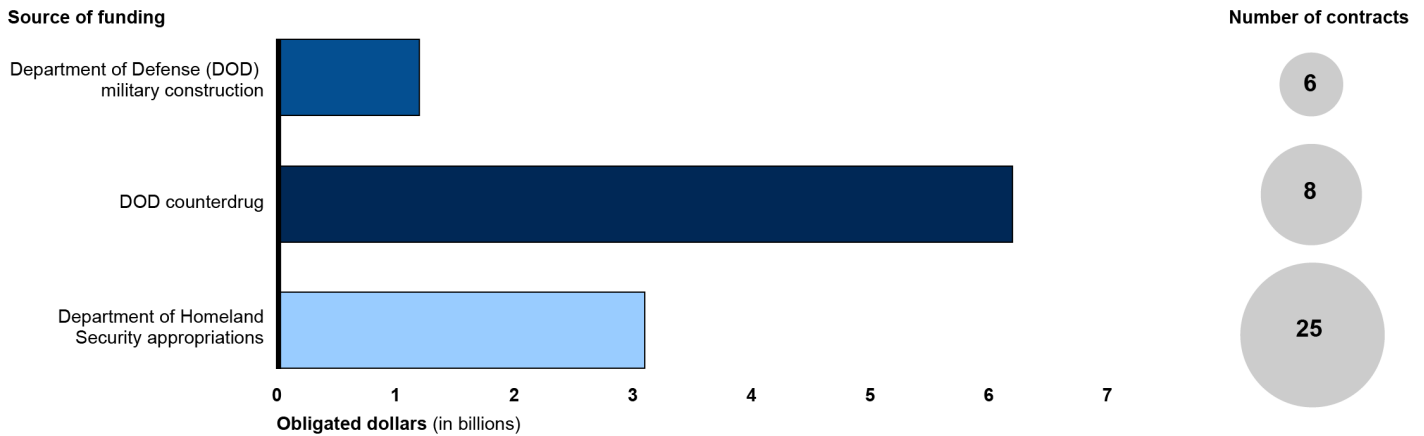
USACE Obligated More Than \$10 Billion to Support Border Barrier Construction from Fiscal Years 2018 through 2020

Following the President's February 2019 National Emergency Declaration, the White House announced that military construction and counterdrug activities funds would be used for border construction. In June 2021, we found that USACE obligated \$10.7 billion to support the border barrier efforts from fiscal years 2018 through 2020, almost all of which—\$10.6 billion—was obligated on construction contracts.¹⁵ More than 70 percent of the funds obligated on construction contracts during this time—\$7.5 billion of the \$10.6 billion—were DOD counterdrug and military construction funds. In total, USACE awarded 119 construction contracts and orders during this time frame, and obligated funds for specific construction projects under 39 of these awards.¹⁶ Figure 2 shows the number of USACE contracts and obligated amounts in fiscal years 2018 through 2020 for barrier construction broken down by DOD military construction, DOD counterdrug, and DHS (CBP barrier construction) funding.

¹⁵USACE obligated the remaining \$102 million to provide services related to border barrier efforts—primarily architecture and engineering services. See [GAO-21-372](#). For that report we selected fiscal year 2018 to start our data collection so as to capture changes in contract data associated with the 2019 emergency declaration, and ended our data collection at fiscal year 2020 as it was the most recent year for which we could obtain a full year of data at the time of our review.

¹⁶The other 80 were a combination of base indefinite-delivery, indefinite-quantity contracts and orders. The orders reported in the government-wide database used to report data on government procurements were for \$2,500 or less and were not for specific construction projects, so we did not focus on these in our June 2021 report. For purposes of our report, we focused on the 39 construction contracts and orders awarded for specific border barrier construction projects, unless otherwise noted. All 39 were firm-fixed price awards, meaning a contractor has full responsibility for the costs of performance and the resulting profit or loss.

Figure 2: U.S. Army Corps of Engineers Contract Obligations for Border Barrier Construction by Funding Source, Fiscal Years 2018 through 2020



Source: GAO analysis of U.S. Army Corps of Engineers information and Federal Procurement Data System – Next Generation data. | GAO-23-106893

Expediency Drove USACE’s Approach to Border Construction Contracts After the 2019 National Emergency Declaration

In June 2021, we found that USACE’s ultimate acquisition approach was driven by senior DOD leadership direction, the time frame for obligating funds before they expired, and the prior administration’s goal to complete at least 450 miles of border barriers by the end of 2020.¹⁷ In response to the 2019 National Emergency Declaration and with the influx of DOD funds, we found that USACE changed its planned acquisition approach to expedite construction. In particular, USACE had initially planned for a three-phase acquisition approach for border barrier construction to support CBP’s 5-year border security investment plan. In the first phase, USACE planned to use existing or planned indefinite-delivery, indefinite-quantity contracts to award certain projects. In the second phase, USACE intended on using a prequalified source list to make additional awards, and in the third phase, planned on establishing new indefinite-delivery, indefinite-quantity contracts.¹⁸

Following the declaration, USACE changed this acquisition approach to move more expeditiously. For example, USACE used noncompetitive awards to a greater extent than originally planned. Federal law and acquisition regulations generally require that contracts be awarded on the

¹⁷GAO-21-372.

¹⁸For use of a prequalified source list, defense and USACE acquisition regulations allow potential vendors, with proven competence, to prequalify for work on specific construction contracts when necessary to ensure timely and efficient performance.

basis of full and open competition. However, contracts may be awarded without full and open competition under certain circumstances, such as an unusual and compelling urgency where a delay in contract award would seriously injure the government.¹⁹ USACE also used various contracting authorities to start construction quickly. In particular, we found that USACE authorized or expanded work without full and open competition and authorized contractors to begin work before defining key requirements. Using these flexibilities, USACE awarded four counterdrug-funded contracts valued at more than \$4 billion without full and open competition.

USACE also used another flexibility—DHS’s February 2020 waiver of procurement competition requirements—to help expedite construction efforts.²⁰ Specifically, USACE obligated an additional \$1.6 billion for new projects, totaling about 60 more miles of construction using fiscal year 2020 counterdrug funds. Generally, modifying an existing contract could be considered out of scope and, if so, the new requirement would need to be competed. However, the USACE determination to use the waiver stated that the new projects were located relatively close to where the contractors were already working, and were in line with the Secretary of Defense’s directive to begin construction on these projects as quickly as possible.

We also found that USACE structured many of its DOD-funded awards to prioritize the construction of barrier panels, rather than the full barrier system. All 13 DOD-funded contracts were required to complete some or

¹⁹Office of Federal Procurement Policy guidance has stated that competition is the cornerstone of the government’s acquisition system and can obtain the best return on the government’s investment. Office of Federal Procurement Policy, *Memorandum for Chief Acquisition Officers and Senior Procurement Executives: Enhancing Competition in Federal Acquisition* (Washington, D.C.: May 31, 2007).

²⁰In February 2020, the acting Secretary of Homeland Security issued a waiver determination pursuant to a 2005 law that allows the Secretary to waive legal requirements to ensure the expeditious construction of barriers and roads along the southwest border. See 85 Fed. Reg. 9794, 9796 (Feb. 20, 2020). The REAL ID Act of 2005 amended the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 by expanding the authority of the Secretary of Homeland Security to waive all legal requirements, as determined to be necessary, in the Secretary’s sole discretion, to ensure expeditious construction of barriers and roads along the border. Pub. L. No. 104-208, div. C, tit. I, subtit. A, § 102(c), 110 Stat. 3009, 3009-555, as amended by Pub. L. No. 109-13, div. B, tit. I, § 102, 119 Stat. 231, 306 (classified, as amended, at 8 U.S.C. § 1103 note).

all of the barrier panel construction by the end of 2020.²¹ For example, in some cases, these contracts were awarded or modified to extend deadlines so that contractors could prioritize barrier panel construction, resulting in longer time frames to produce a complete barrier system.

We also found that the projects' location on federal lands facilitated USACE's approach for DOD construction, allowing construction to begin quickly. Contracts awarded using DOD counterdrug and military construction funds were used for border barrier construction projects on federal lands. This allowed USACE to proceed without acquiring real estate from private landowners—a process that CBP said could take years, as we reported in November 2020.²² However, because CBP and DOD focused on building on federal lands to facilitate beginning construction quickly during the national emergency, DOD border barrier construction projects did not consistently align with the projects CBP had originally prioritized for construction.

In our June 2021 report, we recommended that USACE conduct an assessment of the approaches used to build the border barriers and, as appropriate, reassess its acquisition strategy going forward.²³ We noted that such an assessment would provide, among other things, an opportunity for USACE to determine how best to reduce the use of contracting approaches that limit competition. Without doing so, USACE would miss opportunities to strengthen its future acquisition approaches in furtherance of its long-standing support for CBP on the southwest border.

USACE concurred with our recommendation and stated that it would conduct after-action reviews to identify lessons learned from its approaches to respond to the national emergency. USACE noted it would also consider additional tools it could create to respond to similar, less-predictable emergencies in the future. In December 2021, USACE officials conducted an after-action review of the contracting response. As part of this review, USACE considered actions required to improve contracting methods for future national emergency declarations, such as having comprehensive contracting tools in place prior to emergencies. In

²¹USACE terminated one of the DOD-funded contracts at the government's convenience shortly after award. Officials said it was terminated due to an administrative error and that they later awarded a new contract for the same work.

²²[GAO-21-114](#).

²³[GAO-21-372](#).

doing so, USACE should be better positioned to support future national emergencies.

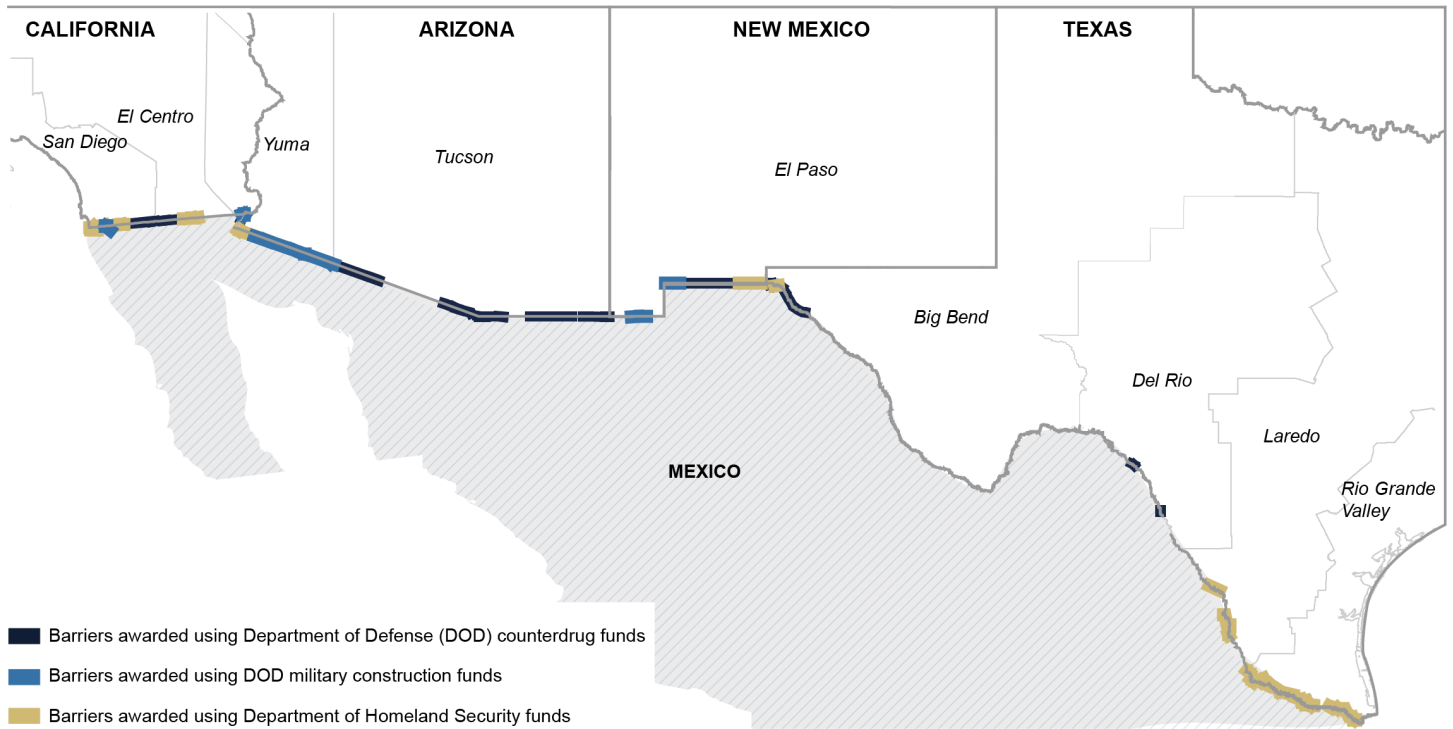
USACE Completed Barrier Panels and DHS Developed Plans for the Use of Funds

In June 2021, we found that USACE met the goal of completing approximately 450 miles of border barriers, and, in March 2022 and April 2023, we reported that DHS developed plans for the use of border barrier funds.²⁴ From October 1, 2017, through September 30, 2020, USACE contracted for more than 600 miles of primary and secondary border barriers—primarily through DOD-funded contracts (see fig. 3).²⁵ Approximately 32 percent of the miles to be built under these contracts were new barriers in areas where no barriers had previously existed, while about 68 percent of the miles were to replace existing barriers.

²⁴See GAO, *DHS Annual Assessment: Most Acquisition Programs Are Meeting Goals Even with Some Management Issues and COVID-19 Delays*, [GAO-22-104684](#) (Washington, D.C.: Mar. 8, 2022); and [GAO-23-106701](#). Department of Homeland Security, *Border Wall Plan Pursuant to Presidential Proclamation 10142* (June 9, 2021); and *Amendment to DHS Border Wall Plan Pursuant to Presidential Proclamation 10142* (July 11, 2022).

²⁵The primary barrier is the first barrier encountered when moving into the United States from the border and the secondary barrier is located behind the primary barrier on the U.S. side of the border.

Figure 3: Map of U.S. Army Corps of Engineers Border Barrier Awards, by Funding Source, Fiscal Years 2018 through 2020



Source: GAO analysis of U.S. Army Corps of Engineers information. | GAO-23-106893

Note: Italicized labels identify border segments designated by U.S. Customs and Border Protection.

As of January 2021, when the new administration issued a proclamation pausing ongoing construction for the border contracts, to the extent permitted by law, USACE reported that it had built approximately 450 miles of barriers. Most of the 450 miles constructed represented the installation of barrier panels, rather than the completion of the full barrier system. In addition, slightly less than 69 of these miles—or about 15 percent—were for completed barrier systems, as shown in table 1.

Table 1: Completion Status for Selected U.S. Army Corps of Engineers Construction Contracts, as of January 2021

Funding source	Contracts awarded ^a	Miles under contract	Barrier panels complete	Barrier system complete (contract complete)	Funds obligated	Funds disbursed
Department of Defense (DOD) counterdrug	7	295 miles	258 miles	0 miles	\$6.3 billion	\$4.0 billion
DOD military construction	6	96 miles	87 miles	0 miles	\$1.2 billion	\$0.9 billion
Department of Homeland Security	18	240 miles	112 miles	69 miles	\$3.0 billion	\$1.8 billion
Total	31	631 miles	458 miles	69 miles	\$10.5 billion	\$6.6 billion

Source: GAO analysis of U.S. Army Corps of Engineers (USACE) documentation and data from the Federal Procurement Data System – Next Generation. | GAO-23-106893

Note: Numbers may not sum due to rounding.

^aThis includes 31 of the 39 contracts we reviewed. Six of the remaining contracts were exclusively for roads or gates, and therefore do not count toward the total miles of border barrier constructed. The two remaining contracts were terminated shortly after award.

As noted above, the January 2021 Presidential Proclamation required development of a plan for redirecting border barrier funding, as appropriate and consistent with applicable law. In June 2021, DHS announced its plan for the use of border barrier funds in response to the presidential proclamation.²⁶ As we reported in March 2022, this plan outlined how DHS intended to use funds the previous administration was planning to use for border barrier construction.²⁷ DHS suspended performance on border barrier contracts and construction activities, with the exception of activities related to ensuring project sites are safe and secure.

The January 2021 Presidential Proclamation also states that the Secretaries of Defense and Homeland Security may make an exception to the border barrier construction pause for urgent measures needed to avert immediate physical dangers, or where an exception is required by congressional appropriation. In June 2021, DHS reinitiated activity on two projects under the exception for urgent measures, as we reported in March 2022.²⁸ One project was to construct or remediate approximately

²⁶Department of Homeland Security, *Border Wall Plan Pursuant to Presidential Proclamation 10142* (June 9, 2021).

²⁷[GAO-22-104684](#).

²⁸[GAO-22-104684](#).

13 miles of compromised levee in south Texas, and the other was to address erosion control in the San Diego segment.

In July 2022, DHS issued an amendment to its June 2021 plan, stating its intention to prioritize expenditure of appropriations received for the barrier system, as we reported in April 2023.²⁹ Specifically, DHS intends to use fiscal year 2018 and 2019 appropriations to continue addressing safety hazards, identify actions to address environmental damage from past barrier construction, and install system attributes. According to the amended plan, DHS plans to use fiscal year 2020 and 2021 appropriations to close out the projects funded by DOD by, for example, completing construction of roads; installing system attributes; and addressing environmental damage caused by past barrier construction. We have ongoing work reviewing the effects of border barrier construction on natural and cultural resources, and we plan to report on the results of that work later this year.

Chairmen Higgins and Bishop, Ranking Members Correa and Ivey, and Members of the Subcommittees, this concludes my prepared statement. I would be pleased to respond to any questions that you may have at this time.

GAO Contacts and Staff Acknowledgments

For further information about this testimony, please contact Rebecca Gambler at (202) 512-8777 or gablerr@gao.gov or Timothy J. DiNapoli at (202) 512-4841 or dinapolit@gao.gov. In addition, contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this statement. Individuals making key contributions to this statement included Jeanette Henriquez (Assistant Director), Janet McKelvey (Assistant Director), Michelle Bird, Jennifer Dougherty, Kristine Hassinger, Miriam Hill, Min- Hei (Michelle) Kim, TyAnn Lee, John Mingus, Sasan J. “Jon” Najmi, and Miranda Riemer.

²⁹See [GAO-23-106701](#) and Department of Homeland Security, *Amendment to DHS Border Wall Plan Pursuant to Presidential Proclamation 10142* (July 11, 2022).

Related GAO Products

DHS Annual Assessment: Major Acquisition Programs Are Generally Meeting Goals, but Cybersecurity Policy Needs Clarification. [GAO-23-106701](#). Washington, D.C.: April 20, 2023.

DHS Annual Assessment: Most Acquisition Programs Are Meeting Goals Even with Some Management Issues and COVID-19 Delays. [GAO-22-104684](#). Washington, D.C.: March 8, 2022.

Southwest Border: Schedule Considerations Drove Army Corps of Engineers' Approaches to Awarding Construction Contracts through 2020. [GAO-21-372](#). Washington, D.C.: June 17, 2021.

DHS Annual Assessment: Most Acquisition Programs Are Meeting Goals but Data Provided to Congress Lacks Context Needed For Effective Oversight. [GAO-21-175](#). Washington, D.C.: January 19, 2021.

Southwest Border: Information on Federal Agencies' Process for Acquiring Private Land for Barriers. [GAO-21-114](#). Washington, D.C.: November 17, 2020.

Southwest Border Security: CBP Is Evaluating Designs and Locations for Border Barriers but Is Proceeding Without Key Information. [GAO-18-614](#). Washington, D.C.: July 30, 2018.

Southwest Border Security: Additional Actions Needed to Better Assess Fencing's Contributions to Operations and Provide Guidance for Identifying Capability Gaps. [GAO-17-331](#). Washington, D.C.: February 16, 2017.

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