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COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

March 7, 2017

The Honorable John Kelly
Secretary
U.S. Department of Homeland Security
3801 Nebraska Ave. NW
Washington, DC 20016

Dear Mr. Secretary:

On February 16, 2017, I sent you a letter regarding a report released by the Government Accountability Office (GAO), which raises serious questions about the construction and deployment of fencing along the Southwest border.¹ On February 24, 2017, the Department of Homeland Security (DHS) announced that Customs and Border Protection (CBP) would issue a solicitation on March 8, 2017, for the design and build of several prototype wall structures in the vicinity of the United States border with Mexico.² I request that DHS provide a briefing for the Committee regarding DHS' acquisition process and funding for this requirement. I request that DHS provide the following information and documents at or before the briefing:

- (1) The appropriated funds and fiscal year funds that have been identified to fund this phase of the requirement within and outside of DHS;
- (2) The programs that have been identified to receive funding cuts or be completely eliminated, as a result of any potential repurposing of appropriations for CBP or DHS as a whole, and what the size of those funding cuts will be;
- (3) Whether DHS has requested permission from the appropriate appropriations committees to repurpose existing funds;
- (4) The funding vehicle that DHS has decided to use;
- (5) A copy of the Life Cycle Cost Estimate for this acquisition and the planned follow up acquisitions;
- (6) Whether any interagency agreements were used to finance this requirement, and if so what agencies were involved and the transfer authority used;

¹ Government Accountability Office, *Southwest Border Security: Additional Actions Needed to Better Assess Fencing's Contributions to Operations and Provide Guidance for Identifying Capability Gaps* (GAO-17-331) (Feb. 2017).

² FedBizOpps.Gov, *Design-Build Structure* (Feb. 24, 2017) (online at https://www.fbo.gov/index?s=opportunity&mode=form&id=b8e1b2a6876519ca0aedd748e1e491cf&tab=core&_cview=0).

- (7) A copy of the Independent Government Cost Estimate;
- (8) A copy of the market research report;
- (9) Whether there was a request for information already conducted with industry to assess the current state the art on fencing/wall technology a copy of the responses to the RFI;
- (10) If there is a sensor/technology component to the design/build proposal, the level of IT security risk that DHS has assigned to this acquisition;
- (11) A copy of the cost estimate provided to the Department of Homeland Security regarding the total cost of building a border wall referenced in a February 9, 2017, article by Reuters, and the name of the entity that conducted the estimate;³
- (12) A copy of the analysis of alternatives;
- (13) Any other report, business case, or analysis prepared by DHS in preparation for the solicitation;
- (14) If any of the above referenced reports was completed by a contractor, the name of the contractor, and a copy of the contract charged for completion of the report, for each of the referenced reports;
- (15) Whether any of these funds being used are prior funds appropriated to fund the SBINet Program or projects; and
- (16) A list of projects/deliverable elements that SBInet was going to provide that continued as a level 3 acquisition at CBP.

I request that the briefing be scheduled on or before March 13, 2017. The information requested in this letter is in addition to the information I requested on February 16th for which we are still waiting a response. Please contact Tim Brennan at (202) 224-1839 or Tim_Brennan@hsgac.senate.gov with any questions. Please send any official correspondence relating to this request to Amanda Trosen at Amanda_Trosen@hsgac.senate.gov. Thank you in advance for your attention to this matter.

Sincerely,



Claire McCaskill
Ranking Member

cc: Ron Johnson
Chairman

³ *Exclusive – Trump Border “Wall” to Cost \$21.6 billion, Take 3.5 Years to Build: Internal Report* Reuters (Feb. 9, 2017) (online at www.reuters.com/article/us-usa-trump-immigration-wall-exclusive-idUSKBN15O2ZN).