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United States Senate

COMMITTEE ON APPROPRIATIONS

WASHINGTON, DC 20510-6025

<http://appropriations.senate.gov>

September 3, 2019

The Honorable Mark T. Esper
Secretary
Department of Defense
1000 Defense Pentagon
Washington, DC 20301

Dear Secretary Esper,

We write in response to your notification pursuant to 10 U.S.C §2808 authorizing the use of unobligated military construction funds for permanent barrier construction along the southern border. We are opposed to this decision and the damage it will cause to our military and the relationship between Congress and the Department of Defense.

As we have previously written, the decision to take funds from critical military construction projects is unjustified and will have lasting impacts on our military readiness. It is also contrary to the Congressional intent for section 2808 and will force actions to limit flexibility and more strictly define how this authority, and others, can be used. Our working relationship, and the inherent trust contained within, has been further degraded and will necessarily result in stricter controls on funding appropriated.

We ask that you provide the following information consistent with previous notifications under this authority and in accordance with DoD Financial Management Regulation guidance:

- DD 1391 forms providing alternatives considered and reasons for their non-selection;
- An explanation of when the requirement was identified and how it was planned or programmed for execution;
- A complete description of the source of funds to be used for the project(s), including the specific reasons as to why the funding is available and associated notifications under 10 U.S.C. 2853;
- An expected timeline and acquisition method for the border wall project(s); and
- Rationale as to why these project(s) should not be deferred to a future budget request.

We also expect a full justification of how the decision to cancel was made for each project selected and why a border wall is more important to our national security and the wellbeing of our service members and their families than these projects. We look forward to a prompt and thorough response in order to begin to restore a functional working relationship.

Sincerely,



BRIAN SCHATZ
United States Senator



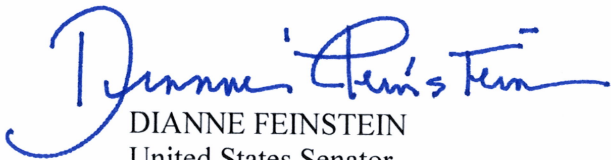
RICHARD J. DURBIN
United States Senator



PATRICK LEAHY
United States Senator



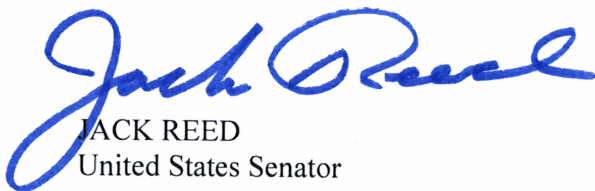
TOM UDALL
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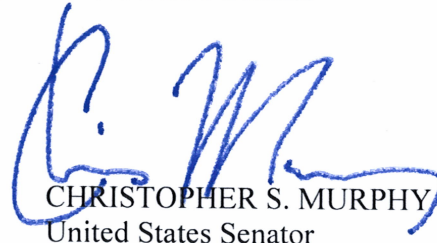
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