PEER
PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY
962 Wayne Ave • Suite 610 • Silver Spring, MD 20910

The Honorable Joseph V. Cuffari
Inspector General
U.S. Department of Homeland Security
Washington, D.C.

Re: Request for Investigation into Big Bend Border Infrastructure Contracting

Dear Inspector General Cuffari:

Public Employees for Environmental Responsibility (PEER) requests that the Department of Homeland Security Office of Inspector General investigate the contracting process, potential political influence, and use of taxpayer funds associated with billions of dollars in massive border infrastructure projects in and around Big Bend National Park in Texas.

Publicly available information raises serious questions about how these contracts were awarded, whether political relationships played any role in contractor selection, whether normal contracting and oversight safeguards were circumvented, and whether the enormous expenditures are justified by an operational need.

These questions are especially urgent because DHS has waived numerous environmental, historic preservation, and other laws that would ordinarily provide independent review of federal actions affecting one of America's most treasured national parks.

This week, U.S. Customs and Border Protection temporarily paused construction inside Big Bend National Park while CBP Commissioner Rodney Scott conducts an on-site review. While that pause is welcome, it does not resolve the serious contracting and oversight questions surrounding these projects.

Billions in Spending Despite Questions About Operational Need

Big Bend National Park encompasses some of the most remote, rugged, and waterless terrain along the southern border. Local law enforcement officials, elected leaders, and former National Park Service officials from across the political spectrum have questioned the need for extensive physical barriers in this region.

The available data further raises questions about the justification for these expenditures. The Big Bend Sector accounts for only a small percentage of apprehensions along the southern border, and apprehensions in the sector have fallen sharply in recent years.

Nevertheless, DHS designated the region an "area of high illegal entry" with an "acute and immediate need" for border infrastructure, allowing the Department to waive numerous legal requirements and expedite construction.

The scale of the resulting expenditures is enormous.

Among the contracts awarded for projects in the broader Big Bend region are approximately $1.7 billion to Southwest Valley Constructors for work associated with Big Bend National Park, approximately $2.6 billion for work in the Lower Canyons region, approximately $1.2 billion to Fisher Sand & Gravel, and a multi-million-dollar contract to Parsons Government Services to manage the broader program.

These expenditures warrant scrutiny not only because of their size, but because of the contracting practices and political relationships surrounding some of the companies receiving them.

Political Connections and Previous Contracting Concerns

Public reporting has documented substantial political connections involving contractors that have received significant border construction awards.

Barnard Construction Chairman Tim Barnard and his wife donated approximately $1 million to a Trump campaign fundraising committee during the 2024 election cycle. Barnard Construction has subsequently received billions of dollars in border construction contracts, including a $1.6 billion contract for approximately 112 miles of border wall in New Mexico that was awarded without competitive bidding based on an asserted need for urgency.

Fisher Sand & Gravel has also been the subject of previous scrutiny over political influence in federal contracting. During President Trump's first term, the company received a $400 million border wall contract after President Trump personally and repeatedly urged federal officials to consider Fisher for the work. Those circumstances prompted a Department of Defense Inspector General review.

Public reporting has also connected Fisher to a consulting firm formerly associated with White House Border Czar Tom Homan. Fisher reportedly paid Homan's consulting firm as much as $186,000 while seeking border wall work. The administration has stated that Mr. Homan does not participate in the actual awarding of contracts.

These facts do not by themselves establish that contracts were improperly awarded. They do, however, create a strong public interest in an independent review of whether political relationships, communications, or influence played any role in DHS contracting decisions.

Oversight and Transparency Safeguards Have Been Removed

The circumstances surrounding these awards are particularly concerning because normal mechanisms that might identify waste, conflicts, environmental damage, or other problems have been substantially curtailed.

DHS has waived numerous federal environmental and historic preservation laws to expedite border construction in the Big Bend region, including the National Environmental Policy Act, Endangered Species Act, Clean Water Act, National Historic Preservation Act, and protections applicable to the National Park System.

There have also been questions about the competitiveness and transparency of the contracting process itself. A lawsuit brought by a competing contractor – that was subsequently withdrawn -- alleged that solicitations for broader Texas border work were not genuine competitive opportunities and that winning bidders were subsequently required to perform work outside the scope originally advertised. When discovery was sought in that litigation, DHS moved to seal materials including depositions and affidavits.

At the same time, DHS and CBP have repeatedly changed their public descriptions of what is being built in Big Bend.

CBP materials initially showed a border wall through the region. The wall later disappeared from public maps, then reappeared. In May, CBP publicly stated that there would be no wall in Big Bend. Approximately one week later, DHS awarded a $1.7 billion contract whose contracting records described work associated with a border wall in Big Bend. More recently, CBP has described construction inside the park as involving roads, technology, and limited vehicle barriers.

The lack of clear and consistent public information makes independent oversight all the more important.

PEER Requests an Independent Investigation

Taken together, these circumstances warrant an independent investigation.

PEER respectfully requests that the DHS Office of Inspector General examine:

1. Whether political relationships, communications, campaign contributions, or other political considerations played any role in the selection of contractors or award of contracts for border infrastructure in the Big Bend region;
2. Whether contracts associated with Big Bend and surrounding areas were awarded through full and open competition and, where they were not, whether DHS properly justified the use of noncompetitive or expedited procurement procedures;
3. Whether DHS adequately evaluated the operational need, cost effectiveness, and alternatives before committing billions of taxpayer dollars to border infrastructure in a region with comparatively low and declining levels of unlawful crossings;
4. Whether the scope of work ultimately assigned to contractors materially differed from the work described during the solicitation and bidding process, and whether any such changes disadvantaged competing bidders or increased costs to taxpayers;
5. Whether any current or former administration officials participated in, attempted to influence, or communicated with DHS or CBP officials concerning the selection of particular contractors;
6. Whether DHS's waiver of environmental and other statutory requirements, together with limitations on public access to contracting information, diminished safeguards against waste, fraud, abuse, or mismanagement; and
7. Whether the contracts and expenditures associated with these projects comply with applicable procurement, ethics, appropriations, and other federal requirements.

PEER is not asking the Office of Inspector General to prejudge the answers to these questions. We are asking for the independent scrutiny that billions of dollars in taxpayer spending demand.

The administration's temporary pause of work inside Big Bend National Park provides an opportunity to conduct that scrutiny before additional taxpayer dollars are spent and additional damage occurs.

Big Bend National Park is an irreplaceable public resource. Taxpayers deserve confidence that decisions affecting it — and billions of dollars in federal spending — are based on legitimate public needs rather than political influence or private advantage.

We respectfully request that your office open an investigation and make its findings public.

Sincerely,

Timothy Whitehouse
Executive Director