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Biden orders a ‘pause’ on border wall construction, bringing crews to halt

By [Nick Miroff](#) and [Arelis R. Hernández](#); Jan. 20, 2021 at 5:53 p.m. MST

Construction crews building the steel wall along the U.S.-Mexico border were ordered to a sudden halt Wednesday after President Biden delivered on a campaign promise and hit “pause” on the Trump administration’s signature infrastructure project.

Biden’s order rescinded the national emergency declaration used by President Donald Trump to divert about \$10 billion from Defense Department accounts toward the barrier, one of the costliest federal infrastructure projects in U.S. history. But it remains unclear whether Biden has the authority to cancel the completion of wall segments paid for with the \$6.5 billion Congress has appropriated for the project.

“The proclamation directs an immediate pause in wall construction projects to allow a close review of the legality of the funding and contracting methods used, and to determine the best way to redirect funds that were diverted by the prior Administration to fund wall construction,” Biden’s order states, without indicating how long the pause will last, according to a fact sheet released Wednesday by the incoming administration.

The Trump administration completed 455 miles of new barriers along the Mexico boundary, an undertaking whose main achievement was the replacement of smaller, more permeable anti-vehicle barriers with imposing 30-foot-tall steel bars.

Many of the segments that remain unfinished are in South Texas, where much of the land on which the government seeks to build is privately held along the Rio Grande’s winding course.

The funding appropriated by Congress since 2018 is enough to pay for 298 miles of barrier, about 71 miles of which have been completed, according to the latest U.S. Customs and Border Protection figures.

That would potentially oblige the Biden administration to complete up to 227 additional miles of border wall, unless the contract review determines a way to block or cancel those segments, according to officials involved with the project who spoke on the condition of anonymity because they were not authorized to talk to reporters.

Biden also could opt to allow contractors to finish installing roadways, gates, sensors and other elements of the project, while upholding his campaign pledge to not build “another foot” of barrier.

A spokesperson for the Biden transition team declined to provide additional details about the contract review and the pause. CBP officials referred inquiries to the White House.

The cost of keeping work crews idle was not immediately clear.

The stop-work order was celebrated by opponents of the project, including environmental activists, landowners and officials in border communities.

“The president’s quick action on this executive order is an important step toward repairing the senseless destruction and xenophobia that have shattered the borderlands for four years,” said Laiken Jordahl, an environmental activist with Arizona’s Center for Biological Diversity who has led opposition to the project.

“Contracts must be canceled, and not another foot of wall should be built through these beautiful wild places,” Jordahl said.

“It’s a great beginning,” said Elsa Hull, a landowner and activist in Zapata County, Tex. “But it’s not canceling the contracts or dismantling the wall where it’s been destructive.”

In recent weeks, local newspapers have published court notices signaling that the federal government was moving forward with seizing people’s property in neighboring Starr and Webb counties. Hull’s property evaded the Trump administration’s late construction push, but her neighbors downstream near Falcon Reservoir are now staring at steel.

Hull said the Biden administration should take steps to stop the litigation against landowners and repeal or amend the Real ID Act, which allowed the administration to bypass environmental rules.

“We have hope this will stop, but we can’t let up,” Hull said. “But we need to make sure they halt it permanently.”

Alberto P. Cardenas Jr., an attorney for the Sisters of the Sacred Heart of Jesus and the Poor, whose order runs an orphanage on 70 acres of riverfront property in Laredo, Tex., also welcomed Biden’s directive.

The religious order joined dozens of other Laredo landowners poised to fight construction in court. The federal government sent requests to survey lands along the Rio Grande but had not yet begun the process of taking the land and offering compensation to property owners.

City officials there also had resisted and attempted to negotiate with the federal government to prevent installation of the steel bollards along its riverfront. The council passed resolutions in recent months refusing to let the Trump administration survey the lands.

Activists with the “No Border Wall” coalition in Laredo had long held that Trump’s national emergency declaration was illegal and sued to have it overturned. They were particularly concerned about the way the administration waived environmental rules to hasten construction, and many of their questions remained unanswered.

“What is to be done with sections of the wall that are half or fully built?” said Laredo community organizer Gan Golan. “We want to make sure border communities have a say in the decisions that affect their lives.”

Hundreds of miles east in Brownsville, Tex., Yvette Arroyo and her husband Salvador Castillo have watched since Election Day as workers ramped up construction to finish as much of the wall as they could before the new administration took control. The couple had vowed to fight in court long enough for Biden’s inauguration, but the federal government went around them, winning rights to ranchland just beyond their property line.

Arroyo has watched the border wall slowly close in on her backyard from the east and the west, sealing off her family’s view of and access to the river and ranchlands.

“It feels too late for us,” Arroyo said in an interview. “The sun will be behind the steel bollards, and it’s not beautiful.”