

## DECLARATION OF LOREN FLOSSMAN

I, Loren Flossman, declare as follows:

1. I am the Acquisition Program Manager for the Wall Program Management Office (Wall PMO), U.S. Border Patrol Program Management Directorate, U.S. Customs and Border Protection (CBP), an agency of the Department of Homeland Security. Wall PMO is responsible for border barrier projects.
2. The statements in this declaration are based on my personal knowledge and information that I have received in my official capacity.
3. I previously executed declarations dated April 1, 2019 and May 14, 2019 that explained CBP's use of Treasury Forfeiture Fund (TFF) funds for barrier construction along the southern border. This declaration provides updated information about CBP's use of TFF funds.
4. TFF funds are being made available to CBP in two tranches. The first tranche of \$242 million was made available to CBP for obligation on March 14, 2019. CBP made \$222 million available to the U.S. Army Corps of Engineers for obligation on June 20, 2019. CBP retained \$20 million for program support on the TFF funded projects. CBP is still awaiting the second tranche (\$359 million) from the Department of the Treasury.
5. As mentioned in my previous declarations, CBP had initially planned to use TFF funds exclusively for projects in the Rio Grande Valley Sector (RGV). However, based on considerations of the Fiscal Year 2020 budget, the decision was made to maintain additional flexibility with respect to TFF funds. Now, CBP plans to utilize the TFF for planning and construction exclusively within Texas, in the RGV and/or Laredo Sectors. CBP will not use TFF for any planning, which includes design, real estate surveys and

appraisals, landowner identification and title work, environmental work, payments of just compensation for lands acquired, and community and landowner outreach in other Sectors outside of the RGV and/or Laredo Sectors in Texas.

6. No final decision has been made as to the final barrier location for any project funded by the TFF in the RGV and/or Laredo Sectors, and thus CBP cannot confirm which specific border barrier projects will be funded by the TFF. Prior to a final decision, CBP will need to complete planning work including design, hydrology studies, real estate surveys and appraisals, landowner identification and title work, and environmental work. This planning work, which is ongoing, often takes several months to complete. As in other locations, CBP will be in communication with landowners who are in a proposed barrier location and will continue to be in communication with landowners in a final barrier location throughout the planning process.

This declaration is made pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing is true and correct to the best of my current knowledge.

Executed on this \_\_\_ day of July, 2019.

**Loren Flossman**  
Digitally signed by Loren Flossman  
Date: 2019.07.11 15:00:04 -04'00'

---

Loren Flossman  
Acquisition Program Manager  
U.S. Customs and Border Protection