

Congress of the United States

Washington, DC 20515

October 11, 2023

President Joseph R. Biden, Jr.
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. President:

As members of Congress who represent Texas border communities, we write to express our frustration over the delayed issuance of presidential permits for key bridge projects between the United States and Mexico. Bureaucratic barriers are preventing Texas communities from receiving the presidential permits required to construct four crucial bridges in Brownsville, Laredo, and Eagle Pass (“Texas-Mexico bridge projects”). These bridges are vital for facilitating trade, travel, and tourism, improving supply chain resiliency, and promoting economic growth throughout the United States, especially in the Texas border region that includes some of our state’s lowest-income areas. The Senate and the House of Representatives have separately advanced bipartisan legislation that would remove these unnecessary barriers for applicants. Instead of waiting for Congress to resolve differences and enact final legislation, we urge you to use your existing authority to remove these barriers now and to swiftly approve these economically-critical cross-border bridge projects.

As you may be aware, under Executive Order 13867, the State Department must provide a recommendation to you about whether granting a permit for a cross-border bridge is in the foreign policy interests of the United States. These Texas-Mexico bridge projects clearly meet that criteria because they will expand job-creating trade with Mexico, one of the United States’ most important trading partners, and foster stronger cross-cultural relations. Unfortunately, during the past two years, permits for the Texas-Mexico bridge projects have been needlessly delayed because the State Department, apparently at the direction of White House staff at the National Security Council and the Council on Environmental Quality, has told project sponsors they must first complete a lengthy and costly National Environmental Policy Act (NEPA) assessment before the State Department may make a recommendation to you.

Requiring a completed environmental assessment is unnecessary for the State Department to make its recommendation to you and contradicts sensible past precedent. First, the sole question for the State Department to consider as part of the presidential permit process is whether a bridge is in the *foreign policy* interests of our country. This question is separate from whether the *construction* of a bridge complies with NEPA, which agencies other than the State Department will review. Further, these projects are nearby or adjacent to *existing* crossings, undermining the argument in favor of first conducting a laborious environmental review. Second, you have the authority as president to issue permits *conditioned* on bridge project sponsors completing NEPA

assessments before they begin construction, which was the practice of the previous administration. That administration issued presidential permits for cross-border bridges in Pharr and Laredo, Texas, before NEPA assessments were completed. Importantly, no environmental shortcuts are taken with this conditional approach as federal agencies with relevant jurisdiction will still review NEPA documents before a bridge project can commence.

The administration's current practice of withholding a State Department recommendation to you until a lengthy environmental assessment is completed makes project planning and financing difficult for these cross-border bridge projects. Unlike land crossings that may be owned or operated by the federal government, these bridges will be financed largely privately or locally. Bureaucratic delays create significant project uncertainty, hinder economic opportunities, and forestall a higher standard of living not only for our Texas border communities but for all Americans.

We urge you to remove the unnecessary requirement that bridge project sponsors complete a NEPA assessment before the State Department will give you a recommendation. In addition, we ask that you swiftly approve these four critical Texas-Mexico bridge projects that will create jobs, improve supply chain resiliency, and promote economic growth. Following recent precedent, your approvals could be conditioned on the project sponsors completing NEPA assessments prior to construction.

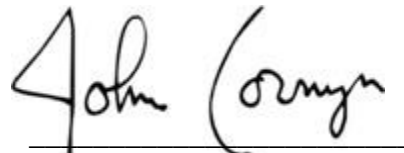
We stand ready to work with you to make these projects a reality. In fact, we have already been working on a bipartisan, bicameral basis to advance legislation that would remove unnecessary barriers to applicants for bridge projects. The Senate National Defense Authorization Act bill includes language that would remove the requirement for applicants to complete a NEPA assessment before the State Department can make a recommendation to you. The House has included language in its fiscal year 2024 State, Foreign Operations, and Related Programs bill that would also remove the requirement for an applicant to complete NEPA prior to a determination on the applicant's presidential permit. You can make these changes to the presidential permit process immediately, and we strongly encourage you to do so.

We thank you for your attention to this matter and stand ready to work with you. Our state and our country will greatly benefit from having these cross-border bridge projects move forward expeditiously.


Sincerely,



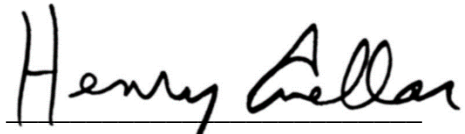
Ted Cruz
United States Senator



John Cornyn
United States Senator



Vicente Gonzalez
Member of Congress



Henry Cuellar
Member of Congress



Monica De La Cruz
Member of Congress