

# Texas Produce Association

901 Business Park Drive, Suite 500 ★ Mission, Texas 78572 ★ Phone: (956) 581-8632 ★ (956) 581-3912



## **Impact of a Border Wall on the Texas Produce Industry**

**Testimony of John McClung before the**

**Subcommittee on National Parks, Forests and Public Lands  
and the**

**Subcommittee on Fisheries, Wildlife and Oceans**

**Committee on Natural Resources**

**U.S. House of Representatives**

**Brownsville, Texas**

**April 28, 2008**

Mr. Chairman. Members of the committee. My name is John McClung. I am President of the Texas Produce Association, headquartered in Mission, some 60 miles west of here. The association represents the interests of growers, shippers, importers, processors and marketers of fresh produce from Texas.

I want to thank you for giving me an opportunity to testify today on a matter that is of real and immediate concern to the fruit and vegetable industry of Texas. It may be most useful to begin where there appears to be agreement among all parties that have taken an interest in the construction of a wall along the southern levy in the three southmost counties of the Rio Grande Valley. Nobody I have talked to opposes reestablishment of the rule of law at our southern—and northern—borders. Thoughtful observers all recognize the need to secure the borders, prevent the entry of undocumented aliens, and ensure that those who enter mean us no harm and are here for legitimate purposes, including labor in our farm fields.

However, most of the individuals I have talked to want this goal achieved in as intelligent and cost effective a fashion as possible. And with few exceptions, they oppose the wall as an inefficient tool in curtailing or even significantly slowing illegal immigration.

The farmers, packers, processors, importers and marketers of fruits and vegetables take particular exception with their virtual exclusion from the Department of Homeland Security's planning process, and vigorously deny claims by that agency that they, as impacted landowners, have been consulted in any meaningful way. I want to emphasize that some of them have talked with Border Patrol agents about the construction of a fence or wall, but in most of those instances, the field level agents they conversed with knew little more, if as much, as they did.

Farmers in the Valley have several practical concerns about the wall, even in areas where no construction is contemplated.

--First, we must have access without artificial impediments to our fields. Every day, farmers and their employees work the land, including the thousands of acres of highly productive delta south of the levy. In places, the levy is a few yards north of the River, but in others it is a mile or two. Under the federal government's plan, as we understand it, that land could be accessed only through gates or other points of entry widely spaced along the wall. Such a scheme is wholly inadequate.

--Second, we must have access to the river for irrigation water. In the three lower counties of the Valley, we irrigate virtually exclusively from the River, using pumps along the edge of the river. Those pumps are subject to breakdown frequently, and to clogging from river vegetation. We must be able to approach and repair them day or night.

--Third, should DHS's ill-conceived wall plan come to pass, farmland south of the levy would become what many refer to as a "no man's land." Obviously, this land would not be officially ceded to Mexico, but land values below the wall would certainly plummet, even in those long stretches where there would be no physical barrier along the levy. Farm families that have owned and worked that land for generations would see its worth implode. This is a point that

seemingly has escaped many analysts, and I want to make certain I cover it thoroughly here. Many farmers in Cameron, Hidalgo and Starr Counties have never been approached by DHS at any time, while others have been told DHS has no interest in meeting with them because there are no plans in the agency to survey for or build a wall on their property. But if the levy becomes the second southern border, their land will likely not retain its value, and the hard work and pride of generations will be squandered.

--Finally, farmers are practical people of necessity, depending on a good deal of seat-of-the-pants engineering to do their jobs successfully. They look at the tentative wall plans--all tentative wall plans--and conclude the obvious: It won't work. In terms of prohibiting illegal immigration, it isn't even a good joke. What it will do--all it will do--is allow a small number of misguided ideologues in the U.S. Congress to tell their extremists supporters that they "did something." And that is an absurd reason to spend give-or-take \$5 million a mile in South Texas.

Of late, there has been a good deal of discussion about a "two-for-one" deal in which a wall would be constructed in Hidalgo and possibly Cameron Counties with the paired objectives of preventing illegal immigration and rehabilitating our ailing levies. I want to make the point here that the levy problem is very real, and must be addressed. Further, the levy is owned and operated by the federal government, and should be maintained with federal dollars. But to try to pay for levy rehabilitation with border security dollars is, in my opinion, a deeply troubling way to try to solve unrelated problems. Ironically, this hybrid approach might meet the levy repair requirement, albeit at a ghastly price, but it would no more solve the security problem than any other wall or fence scheme. I asked one of the key engineers working on the design for the combined levy/wall plan how access to land and water would be afforded to farmers, and his response was that they were most likely to build in gates where there are dirt roads crossing the levy. These would have to be extremely large and heavy gates—and therefore very expensive—to accommodate large farm equipment. The farmers would be issued electronic remote controls to open and close the gates.

What a hopeless mess that would be. In the first place, each farmer would require multiple “clickers” to enable his crews to get through the gates. How long does anyone think it would be before a few of them disappeared? Or before the coyotes figured out the frequencies? While it is not my intention to discuss implications for wildlife, I want to add that this same engineer told me the likely plan would include “ports” to allow small animals to pass through. Swell idea. Doggie doors in the security gates. Interesting to see how many skinny illegal immigrants we would catch in the first year.

In my opinion, these are the kinds of unworkable solutions tortured engineers dream up when they have their backs against the wall, literally in this case, and there are no good solutions.

The real fix, as Commerce Secretary Carlos Gutierrez said most recently, and many others have pointed out in the past two years, is comprehensive immigration reform. It is in my belief shameful that the U.S. Congress, when presented with legislation last year that would have intelligently and effectively dealt with the key needs of genuine reform, was incapable of acting and so fell back on the most foolish, least efficacious arrow in the quiver—a border fence. It is beyond shameful that the Department of Homeland Security and its boss, Secretary Michael Chertoff, have mindlessly waived the environmental and related laws of the land and pushed ahead with a wall when the Hutchison-Rodriguez amendment to the omnibus funding bill for FY 08 gave them every opportunity to act constructively by setting aside the prescriptive language of the Secure Fence Act of 2006.

At this point in time, the battle lines are dug so deep, perhaps the best we can hope for is that no substantive construction take place in Texas until we have a new Administration and a new Congress, hopefully with new courage to confront the immigration issue. The farmers and other agricultural interests I represent are a conservative, profoundly patriotic lot by-and-large. They want what is best for this country. Most of them believe a border wall isn't it.

Thank you very much for permitting me to testify here today.

**John M. McClung**  
President and CEO  
Texas Produce Association  
Mission, Texas

John joined the Texas Produce Association in July, 1999, as President and CEO. He also oversees the Texas Produce Marketing Cooperative and the Texas Produce Export Association, and manages the Texas federal marketing orders for citrus, onions and melons.

For the previous 13 years, he served as Vice President for Industry Relations/Government Relations for the United Fresh Fruit and Vegetable Association, Alexandria, Va.

Before joining UFFVA in 1987, he spent seven years as an appointee at USDA during the Reagan Administration, first as director of information and legislative affairs for the Food Safety and Inspection Service and then as director of information for the department.

From 1977 until he joined USDA he was Washington Bureau Chief for Miller Publishing Company, a division of American Broadcasting Company. He previously had worked as a reporter for United Press International in San Francisco and Fresno, California.

He is a graduate of the University of Arizona in Tucson, his hometown, with a B.A. in journalism, and did his graduate work at the University of Minnesota in mass communications.

He is married to the former Judy Fritz. They have two adult children, Janna who lives in Washington, DC, and John, who lives in Ft. Lauderdale, Florida.

**DISCLOSURE REQUIREMENT**  
**Required by House Rule XI, clause 2(g)**  
**and Rules of the Committee on Resources**

1. Name: **John McClung**
2. Business Address: **901 Business Park Drive, Ste#500, Mission, TX 78572**
3. Business Phone Number: **956-581-8632 or 956-330-9720 (Cell phone)**
4. Organization you are representing: **Texas Produce Association**
5. Any training or educational certificates, diplomas or degrees or other educational experiences which add to your qualifications to testify on or knowledge of the subject matter of the hearing: **See Bio**
6. Any professional licenses, certifications, or affiliations held which are relevant to your qualifications to testify on or knowledge of the subject matter of the hearing: **See Bio**
7. Any employment, occupation, ownership in a firm or business, or work-related experiences which relate to your qualifications to testify on or knowledge of the subject matter of the hearing: **See Bio**
8. Any offices, elected positions, or representational capacity held in the organization on whose behalf you are testifying: **See Bio**
9. Any federal grants or contracts (including subgrants or subcontracts)the Department of the Interior or the Department of Commerce (and/or other agencies invited) which you have received in the last three years, including the source and the amount of each grant or contract: **NONE**
10. Any federal grants or contracts (including subgrants or subcontracts)the Department of the Interior or the Department of Commerce (and/or other agencies invited) which were received in the last years by the **organization(s) which you represent** at this hearing, including the source and amount of each grant or contract: **NONE**
11. Any other information you wish to convey which might aid the members of the Committee to better understand the context of your testimony: