

**Statement of Nayda Alvarez, Border Landowner
Before The House Judiciary Committee
Subcommittee on the Constitution, Civil Rights, and Civil Liberties
Hearing on the National Emergencies Act
February 28, 2019**

Good afternoon. Thank you, Chairman Nadler, Ranking Member Collins, and members of the Committee for inviting me here to share my story.

My name is Nayda Alvarez. I live in Starr County, Texas, in an area known as La Rosita. My backyard extends to the Rio Grande River, which forms the border between Texas and Mexico. I am here today to testify that there is no emergency where I live, and there is no good reason for the government to take my property to build a border wall in my backyard.

My family has lived on land along the Rio Grande River in Starr County for at least five generations. I have lived on this land for more than 40 years; my father lives next to me, alongside the land where my grandfather lived. We still use a wooden corral built by my great-grandfather for keeping farm animals. My grandchild and nieces and nephews play in the same places where their parents played and where I played as a child, along with my siblings and cousins.

In more than 40 years of living on the border, I can't remember ever seeing migrants from Mexico come across my family's property. To do so, they would have to cross the river, and then they would have to climb up the soft bluff that runs alongside the river at the end of my property. The river and the bluff create a natural barrier on my family's property, a natural barrier between Mexico and my land in the U.S..

Because my property and my family's property next door is not an area where migrants cross the border, we were surprised when, in September 2018, we received letters from Customs and Border Protection asking for permission to come onto our land to survey and sample in

anticipation of building a border wall across our property. We did not grant permission. In January 2019, we received another round of letters stating the United States government is going to take us to court to take our property to build a border wall across our land.

The government sent maps that show a wall and a maintenance road to be constructed feet from the back of my house. They describe a 150-foot wide “enforcement zone” between my house and the river—but the river is only 200 feet from my house, and the land closest to the river is unstable and subject to erosion. How will my house survive?

In January, using a telephone number provided in the January letter, I called a U.S. Army Corps of Engineers realty specialist to ask how they could possibly fit the border wall and enforcement zone between my house and the river. The person I spoke to told me that they were going to build the wall if they got money in 2019, even if they had to “squeeze it in.”

Even if my house is spared, it will never be the same. I will lose my entire backyard, and I will be staring at a wall right outside my back door and windows. My family’s property next door, where we enjoy family gatherings, raise animals, and enjoy nature, will be divided by the wall, with about two-thirds of the land on the south side of the wall.

Because Congress would not appropriate the funds to build a border wall, the President declared a “national emergency” to try to build a wall anyway. The President’s end run around Congress is unlawful, as my lawyers at Public Citizen have explained in a lawsuit filed against the President on the same day he issued his emergency declaration. While my lawyers will argue the legalities of the President’s action, the bottom line for me is that the federal government is threatening to take my land to fulfill a campaign promise but without any need.

I can tell you that there is no “invasion” in Starr County, no emergency, no need for a wall across our land.

I live on a peaceful stretch of property along the river in South Texas, in the United States of America. No drugs, no gangs, no terrorists come across my property. There is no need for a wall on our land. My family should not have to sacrifice our ancestral home to a campaign slogan.

Thank you again for granting me this opportunity to testify. I am ready to address any questions you may have.