

Testimony of

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On behalf of the

New Mexico Cattle Growers' Association

Before the

U.S. House of Representatives Committee on Resources
Subcommittee on Oversight & Investigations

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Regarding

**The Consequences of Federal Land Management
Along the U.S. Border to Rural Communities and National Security**

Thank you Mr. Chairman and members of the Committee, for the opportunity to speak to you today. My name is Tricia Elbrock and I am here on behalf of my family, my neighbors, members of the New Mexico Cattle Growers' Association (NMCGA) and every American that is threatened by the lack of security along our international border with Mexico.

My husband Edward, my son William (Bunch) Swift and I own and operate Elbrock Water Service, Elbrock Drilling which includes a hardware store and Elbrock Ranch where we raise Beefmaster cattle and show lambs for youngsters in our region. Like most all ranches in southern New Mexico, our ranch contains federal land. In our case it is Bureau of Land Management (BLM) lands.

Our water and drilling companies based in Animas, New Mexico, serves southeast Arizona and southern New Mexico from Tucson to El Paso. The business was started in 1978 and we presently employ 20 individuals. Animas is nestled in what is called the Bootheel because of the way the area fits into New Mexico.

You may have heard recently about the kidnapping of one of our employees in December 2015 and yes, it was a kidnapping regardless of rumors to the contrary. Our man was working on one of the ranches we service that runs along the Mexican border.

Our truck that he was driving was commandeered and he was forced to drive that truck, after the cartel delivered their drugs, to Willcox, Arizona where he was dumped out. The event occurred over two days and involved an all-out man hunt before he was freed. His life and the lives of his family were threatened if he called the police.

The story sounds simple enough with an apparent happy ending. Not so. Our man was roughed up physically and is emotionally and mentally fragile. All of our tools and materials were thrown out in the pasture, much of them destroyed, and we still don't have our truck back or an insurance payment to replace it.

Clearly the border is NOT secure. Our families and employees are at risk all day every day. There is a huge emotional toll on everyone because we live in constant fear for our lives, our employees, our communities and our livestock.

The flow of illegal drugs and those running them is endless. U.S. Border Patrol statistics say the traffic across the border is down. That simply isn't the case.

It is true that we are not seeing as many of the people of Mexico crossing the border looking for work as we have in the past. What we are seeing is drug runners and illegals from all over the world coming in droves across a border that has no deterrent at all.

There are thousands of back-packs and boxes coming across daily. The assumption is that they are filled with drugs. The reality is that they could be carrying anything from explosives to nuclear weapons.

It is more costly to do any kind of business in our region. The financial burden we have endured since the kidnapping is alarming. We had to regroup and figure out how to try and keep our employees safe. There was lost revenue for two months of not being able to send employees to areas near the border. It is now our policy to send two employees at a time, doubling our cost of doing business.

The value of the lost tools and materials was approximately \$13,000. Insurance paid us half of that value. The insurance company has refused to total the truck and we are still fighting on what they will pay us on both the truck and the equipment.

Our insurance was up for renewal in March. We could find no other company that would even provide us with a quote. Living and working near the border, we are labeled as HIGH RISK. Nearly all of us in the area suffer break-ins almost routinely with vehicles stolen many times. Livestock have been taken out of pens right near the house and butchered in the pasture.

Many in our area have stopped reporting break-ins and theft to their insurance for fear of not being able to buy insurance at all. If we cannot buy insurance we will probably have to go out of business. In today's world of lawyers, with no insurance and an injury of some kind, we would lose the business anyway. Our small towns are shrinking as it is with our young people leaving us to find work. Without insurance there will be no ranches and businesses to support our towns. Soon there will be no towns.

This brings in an entirely different subject. The inability of our government to protect us brings down the value of our land. If we were to be forced out, we would have to take pennies on the dollar of the lands real worth.

There is no insurance to cover the fences or water facilities and lines that are routinely destroyed in the border region. These damages occur even to the border fence, where there is one.

Workers' compensation insurance is a whole other subject. New Mexico's workers' comp system had no idea how to handle a kidnapping claim. How long will it take for our employee to recover from this trauma? Where does he go for treatment when you live 100 miles or more from medical care?

Workers' comp is mandatory in New Mexico. It is not cheap at this point in time. If insurance companies won't cover us, we are thrown into a "pool" where rates are doubled or tripled.

Our lands, private, federal and state, are strewn with litter, trash, human waste and perhaps even drug drops that were not picked up. One neighbor had 20 head of cattle die last year from reasons that still haven't been determined. They were not shot. They hadn't been attacked by predators. There were no unusual plants that could have caused death of so many in one spot. They seemed to just fall over dead. The prime theory is that they consumed illegal drugs.

Our region from Arizona to Texas has a wide variety of federally owned lands ranging from BLM and USFS Forest Service to wildlife refuges and monuments. Many of these federal designations don't allow for appropriate surveillance. Mountains near us have been burned to the ground due to fires started by illegals. Federal land use regulations need an overhaul to address the specific and special needs of the borderlands. Law enforcement agencies and the Border Patrol need access to every inch of federal lands to be able to protect our families and communities.

We saw a 26% increase in our federal land grazing fees this year and last. Our state land grazing fees went up by 21% last year and 25% this year. These formula-driven fees do not take into account the additional costs of doing business where we are not provided the same protections that the rest of our nation's citizens enjoy.

We all have had our differences with the Border Patrol from time to time, but our problems cannot be blamed on the folks on the ground trying to maintain the border. The agents are operating with at least one hand tied behind their backs. Instead of securing the border at the border, they are directed to patrol from 20 to 60 miles north of the border. Those of us south of their arbitrary lines are literally left in no man's land. The border patrol needs access to the border, which is often denied on federal lands.

Our county governments are going broke due to the impacts of illegal traffic within their jurisdiction. Residents of my county are struggling to keep an eight-mile stretch of road that provides access to the border for the Border Patrol. There are no county funds for maintenance and there seem to be no federal funds available to address this critical area. Neighbors who will suffer additional traffic, bringing who know what on to their land, are pitted against those who will have less traffic and hazards.

On March 10, 2016 more than 600 people gathered in my small town of Animas, New Mexico to plead with elected officials from Congress all the way down to county commissions and sheriffs to demand federal help to make us safe. I invited them and I invite each of you to come and spend a few days with us to see first-hand what we deal with every day ranging from murder, kidnapping and property destruction. Come see what we put up with in our backyards. Would you allow this kind of activity on your property? What other area of our nation is sacrificed in this way?

We are in a war with drug lords and an invasion from countries from around the world, friend and foe. It is time to address this war and invasion with our troops.

It is time to focus border security on the border, not on New Mexico's Highway 9 or Interstate 10. We need more Border Patrol agents horseback in the hills and mountains. We appreciate the efforts of our elected officials since the March meeting, but it is going to take a grander approach to solve these issues.

This is the United States of America. We are American citizens. We shouldn't be forced to live this way. The Bootheel is no less America and the people are no less American than anywhere else. Is it fair for our community to be providing food for the nation while being left to fend for ourselves from smugglers and invaders?

Thank you for your time and attention. I will stand for questions.