

**Testimony by Mr. Guillermo Valencia**  
**Past Chairman, Greater Nogales Santa Cruz County Port Authority**

**Homeland Security and Governmental Affairs Committee**  
**Subcommittee on Government Operations and Border Management**  
**Wednesday, June 16, 2021**

Chairwoman Sinema and Ranking Member Lankford,

My name is Guillermo Valencia, and I am the past chairman of the Greater Nogales Santa Cruz County Port Authority. For my day job, I am President and Co-Owner of Valencia International, a customs brokerage services company that has been in business for over 40 years. Our current chairman, Mr. Jaime Chamberlain, was unable to join us today because of a schedule conflict with Governor Doug Ducey in Nogales. I am here to present on his behalf.

The Board of the Port Authority is comprised of the City of Nogales, Santa Cruz County, the Fresh Produce Association of the Americas, the Nogales Customs Brokers Association, INDEX Nogales, Nogales Community Development, Nogales Santa Cruz County Economic Development Corporation, and the Santa Cruz County Mining Cluster.

We have been in existence for just over 16 years and our principal focus is the improvement of our port of entry system and the quality of life of our residents.

I would like to bring to your attention the needs of our community, and what I suspect are the needs of other border communities.

The first issue is our border infrastructure, including our ports of entry and the connectivity to our federal highway system. While we have a state-of-the-art facility at the Mariposa port of entry, we also have one of the most outdated, overburdened and literally crumbling ports in the nation at the DeConcini port of entry.

In terms of our transportation infrastructure, we work extensively with the Arizona Department of Transportation, but ADOT is focused on road maintenance with the funding they have versus investing in new projects or innovative approaches to transportation. As you might know, we are about complete a \$134 million dollar modernization of SR-189 that connects our commercial port to Interstate 19. But that is only one aspect of the transportation investments we need. Modernizations are desperately needed at the Ruby Road and Rio Rico interchanges on interstate 19. Our mining, manufacturing and fresh produce sectors could greatly benefit from a multimodal facility at Rio Rico but there is simply no funding for this to happen. Multimodal alternatives are essential if we are to remain competitive as a region and a nation.

We also need additional CBP staffing at our ports. While staffing has improved in recent years, we still see a situation in which CBP is unable to open every lane during our peak hours and our peak operations and port directors are forced to play a game of opening and closing of different

aspects of the ports in order to help maximize operations. They are trying to do their best with what they got. But that is simply not a standard for our nation's security. Staffing needs to be a thoughtful and deliberative process that meets not only immediate but future needs.

But staffing is not limited to our customs specialists. Our ports need additional USDA inspectors, and I know that San Luis needs an entomologist as well. I ask you if a country like ours should not ensure that every port is fully staffed with all the needs of our nation's security but also the needs of industry that creates jobs, and in our case, feeds the nation.

I would also propose that we need to engage with Mexico in a dialogue to establish a joint binational mechanism to advance binational infrastructure projects. We have bodies like the IBWC with its Mexican counterpart, CILA. We have the North American Development Bank that looks at the certification and financing of infrastructure projects. Why can't we create a binational institution that takes ports of entry in a binational format to ensure that projects move forward? Today there is a lack of coordination on key projects, and it is left up to an intense advocacy process that is a hit or miss at best. This body would be tasked with ports of entry only and not a broader binational agenda.

I would also propose that in order to eliminate the constant battle for funding for efforts at the ports of entry versus the space between them, that the Department of Homeland Security be modified to create directorates that are highly specialized. While those of you in this committee know the difference, not every member of the Senate or the House of Representatives understands the difference between the Office of Field Operations and the Border Patrol, both commonly and at times erroneously referred to as Customs and Border Patrol. It is important that the customs functions be kept separate than those of the Border Patrol. Too often we hear that funding was provided to CBP when it was to the Border Patrol, and not to the OFO at the Ports of Entry.

Our ports are the trade and tourism lifeline of our nation. Border patrol does law enforcement between the ports of entry. Their training of the officers and the laws they enforce are very different and not easily interchangeable, thus I propose that this structure be better defined.

I would propose the following structure that would help ensure the distinction in function and in funding. Separate what is today the Office of Field Operations, or OFO, from the US Border Patrol. This would allow the OFO to focus on legitimate trade and travel, bolster antiterrorism efforts at our ports of entry, ensure a focused approach to safeguarding against illegal trade practices and allow for the centralized approach to those seeking asylum with the creation of standalone processing centers. These centers would be structured as a one-stop-shop for the processing of asylum seekers an offer an immediate resolution versus a drawn-out process that is taking on the individuals, their families, and the officers.

This structure would also benefit from the creation of a Border Security Administration, that would bring together Border Patrol, Citizenship and Immigration Services or USCIS, and Immigration and Customs Enforcement or ICE. Another essential component is the urgent need to lighten the workload of immigration judges so that case adjudication can happen in a timely manner.

This structure is more transparent, more specialized approach to our ports of entry, the border and immigration enforcement.

Far too often, border communities, which are some of the safest in the country, get lumped into a discussion of activities that occur in remote areas of the border. The same thing happens with activities at the ports of entry versus the activities that occur between the ports of entry or interior enforcement.

Finally, I implore you to work with the White House in lifting border crossing restrictions for non-essential travel. While these measures may have served an important role at critical times during the height of the pandemic, the continuation of these provisions are engendering the negative impacts on border economies. Border crossing travel is down by over 46% at Nogales and that has decimated our small business, our restaurants, our hotels, and our stores. Santa Cruz County, in partnership with the Mariposa Health Center, and other local partners have done an exceptional job and as of the latest reports, more than 82% of the eligible population in Santa Cruz County has been fully vaccinated. Our hospitalization rates have decreased dramatically and positivity rates in our county and on the Mexican side have decreased significantly. While we remain committed to pushing a message of protecting the health of our residents, we must also protect the health of our business community. And just a few days ago, the Centers for Disease Control, lowered the travel advisory for Mexico from level 4 or Very High to Level 3 of High reflecting the improving conditions on the ground combating the pandemic. The conditions have dramatically improved, and we must reopen the border to all travel.

I want to thank you for taking the time to convene this hearing and for your personal commitment to making a difference for the border. We are the frontline of our nation's security but are also the principal gateway for trade and tourism.

Thank you and I would be happy to address any questions you might have.