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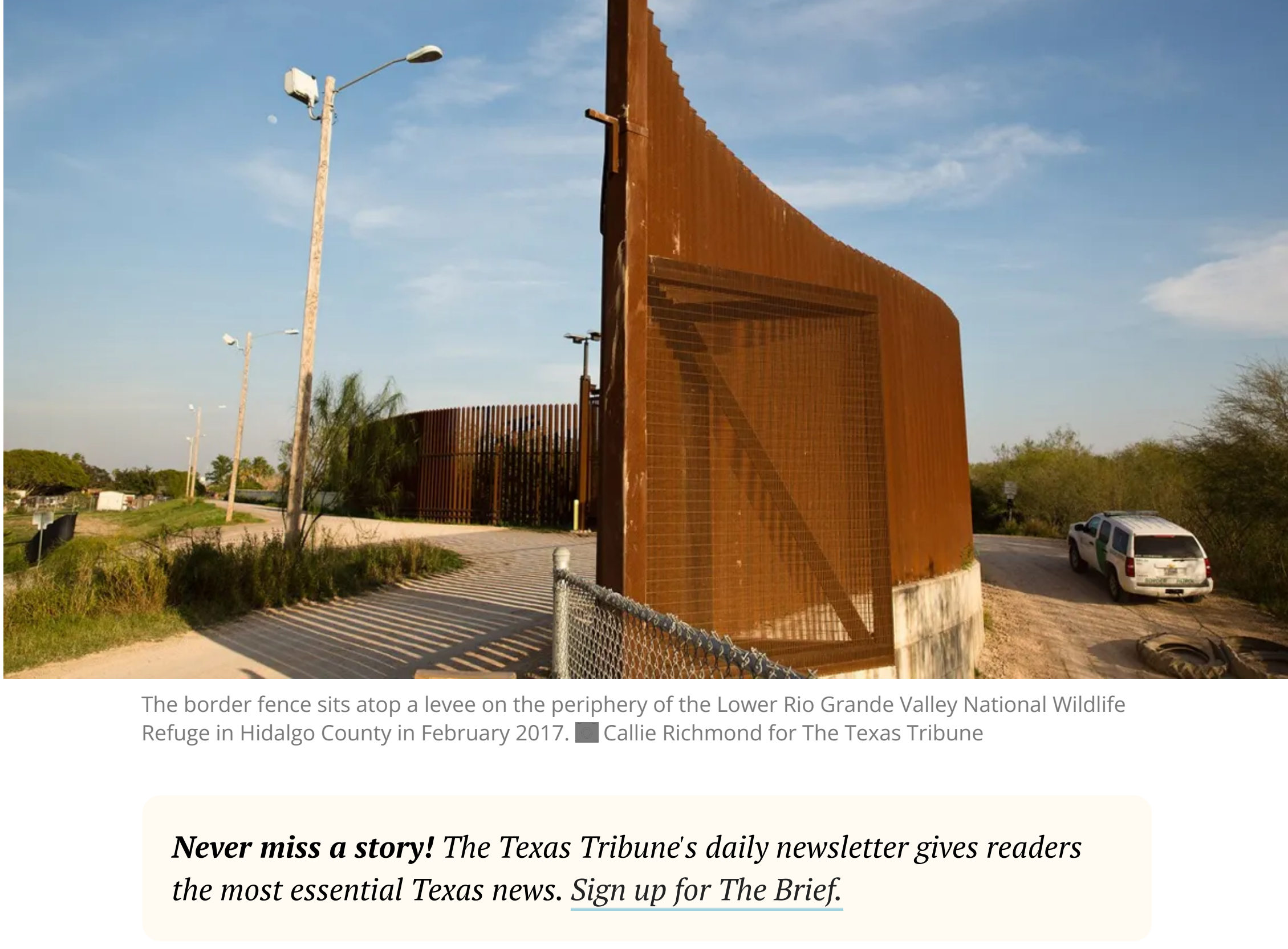
Amid immigration debate, feds moving ahead with land seizures for South Texas border wall

At a briefing in McAllen earlier this week, U.S. Customs and Border Protection told a group of South Texas officials the federal government plans to move forward with private land seizures in the Rio Grande Valley to build sections of President Trump's border wall.

BY KIAH COLLIER

JUNE 21, 2018, 3:39 P.M. CENTRAL UPDATED JUNE 21, 2018, 3:39 P.M. CENTRAL

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The border fence sits atop a levee on the periphery of the Lower Rio Grande Valley National Wildlife Refuge in Hidalgo County in February 2017. [Callie Richmond for The Texas Tribune](#)

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*Correction appended

As a national debate raged about family separations at the border, U.S. Customs and Border Protection told a group of South Texas officials earlier this week that the federal government plans to move forward with private land seizures in the Rio Grande Valley to build sections of President Donald Trump's border wall.

"They said that they got the money, they got the authority and they're going to move on trying to acquire the land," said U.S. Rep. [Henry Cuellar](#), a Laredo Democrat who attended the briefing in McAllen of a few dozen officials from cities, counties and foreign trade zones along the Texas-Mexico border.

Cuellar, who serves on the House Appropriations Subcommittee on Homeland Security, said land will be seized to build a section of wall that's already been promised funding; on Thursday, the Senate Appropriations Committee passed a spending bill that includes \$1.6 billion for about 65 miles of fencing in the Valley.

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"In the next week or so we're going to find out how much more they'll be asking for the fencing to be built," Cuellar added.

McAllen Mayor Jim Darling, who also attended the briefing, said he has heard that about 167 notices have been sent out to Hidalgo County landowners, 300 of whom are expected to be impacted by wall construction.

"They didn't discuss the funding too much because the Border Patrol guys wouldn't be involved in that," Darling said. "They discussed plans not for the total wall but the [sections] they had prioritized for funding."

Asked about the agency's plans, CBP spokesperson Daniel Hetlage said via email that, "We don't comment on leaked information to neither confirm nor deny."

Cuellar emphasized that the land seizures "could take years," noting that scores of eminent domain lawsuits still are pending from the last time the federal government seized land a decade ago under the George W. Bush administration to build the first sections of border fencing in the Valley.

However, an [investigation](#) last year by ProPublica and The Texas Tribune found that the federal government invoked a little-known Great Depression-era law that allowed it to swiftly seize land to build the barrier and compensate landowners later. Dozens of landowners whose property was taken for the barrier still haven't received compensation as lawsuits over the fair value of the seized land linger in court.

The investigation also found that during the process the U.S. Department of Homeland Security cut unfair real estate deals, secretly waived legal safeguards for property owners and ultimately abused the government's extraordinary power to take land from private citizens.

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Most of the land the federal government seized back then ran along the Rio Grande. All told, the agency paid \$18.2 million to accumulate a ribbon of land occupying almost half the length of the 120 miles of the Valley.

Darling, the McAllen mayor, said the federal government should be held to the same standard it holds cities and counties to when they use federal funds to buy land.

"Under federal law when we take property, we always have to pay relocation, damages for the remainder," he said. "It's really weird: When we use federal money, it can delay projects for about a year for environmental impact (studies) and the federal government says, 'Oh, we don't have to do that.'"

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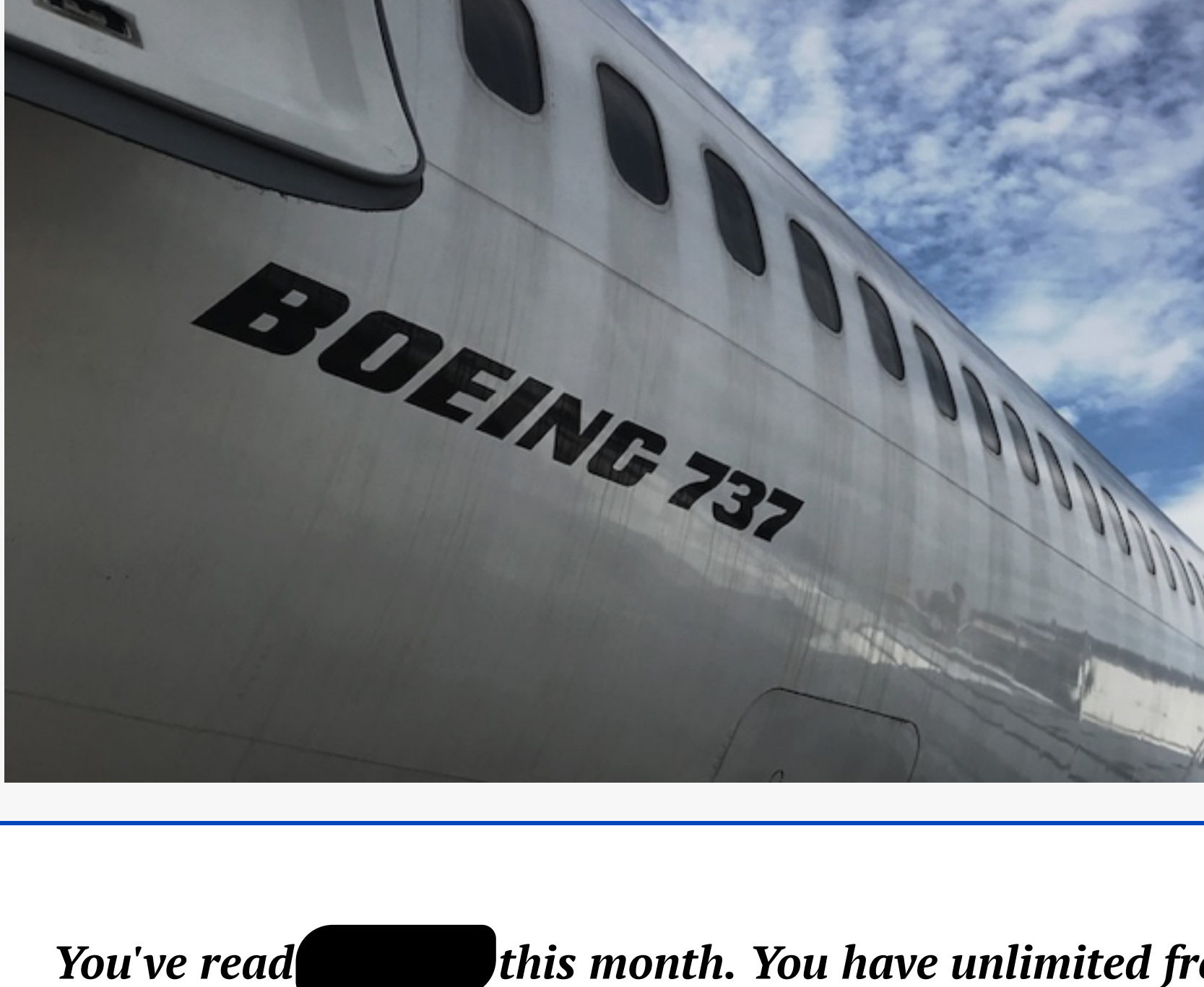
Correction: This story was updated to correct U.S. Rep Henry Cuellar's committee membership. He is a member of the House Appropriations Subcommittee on Homeland Security.

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