

Congress of the United States
Washington, DC 20515

August 31, 2023

Merrick Garland
Attorney General
U.S. Department of Justice

Dear Attorney General Garland:

We write to urge the Department of Justice to conduct a comprehensive investigation into the shooting of a Mexican national by a Texas National Guard Servicemember along the border of El Paso and Ciudad Juarez, ensure accountability for the parties responsible, and maintain the trust between our nations.

On August 26, a Texas National Guard Servicemember assigned to Operation Lone Star (OLS) reportedly shot and injured a Mexican national along the banks of the Rio Grande River in Juarez. While details of this incident are still emerging, reports indicate that the Servicemember acted in response to the Mexican national threatening migrants along the bank. The Texas Department of Public Safety (DPS) has already directed the Texas Rangers to investigate the shooting. However, as Operation Lone Star is a joint operation between DPS and the Texas Military Department, the Texas Rangers are not an impartial entity in this investigation. Additionally, given that a Mexican national was involved in this incident, we urge the Department of Justice to open its own investigation into the shooting and to collaborate closely with our Mexican counterparts.

Given Texas Governor Greg Abbott's continued undermining of federal immigration responsibilities through OLS and tactics such as the buoy barrier system, an incident like the shooting on August 26 was inevitable. While we are relieved that the incident did not end in any fatalities, we remain highly concerned that unless it is taken seriously and those responsible are held accountable, it is only a matter of time until the next such incident, or something far deadlier, occurs.

National Guard Servicemembers do not have the authority or training to engage with asylum seekers or conduct any immigration-related duties, yet they have been explicitly ordered by Governor Abbott to prevent migrants from entering the United States, even if it means physically pushing migrants back into the Rio Grande to drown. Given these clear directives, upon which many OLS agents have already acted, we are concerned that reports indicating the Servicemember was acting to defend migrants from violence may not be comprehensive. As such, we also request this investigation examine what, if any, training, protocols, and policies have been put in place by Operation Lone Star to ensure U.S. law enforcement officers, both federal and state, and servicemembers are able to handle situations such as this involving individuals of different nationalities, including migrants and foreign law enforcement officers.

Since launching in March 2021, OLS has cost Texas taxpayers over \$4.5 billion and endangered asylum seekers, children and families, United States National Guard Servicemembers, and federal law enforcement personnel. Operation Lone Star has been a disaster for Texas, our border, and for vulnerable migrants seeking a better life in the United States. Now, its uncoordinated and politically motivated actions on our southern border are endangering the U.S.' international partnerships.

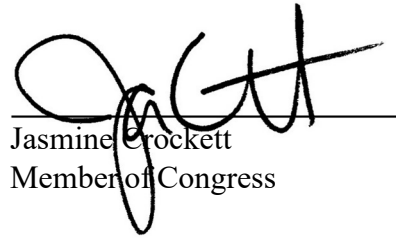
For these reasons, we urge the Department of Justice to act swiftly through joint efforts, sharing of information, and coordination with our Mexican counterparts to provide a comprehensive investigation that is fair and respectful of both nations' interests.

Thank you for your consideration, and we look forward to your response.

Sincerely,



Veronica Escobar
Member of Congress



Jasmine Crockett
Member of Congress



Colin Z. Allred
Member of Congress



Sylvia R. Garcia
Member of Congress



Al Green
Member of Congress



Marc Veasey
Member of Congress



Greg Casar
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Joaquin Castro
Member of Congress



Lloyd Doggett
Member of Congress



Sheila Jackson Lee
Member of Congress



Vicente Gonzalez
Member of Congress

CC:

Alejandro Mayorkas, Secretary, U.S. Department of Homeland Security
Antony J. Blinken, Secretary, U.S. Department of State
Lloyd Austin, Secretary, U.S. Department of Defense