

Congress of the United States
Washington, DC 20515

October 30, 2015

The Honorable R. Gil Kerlikowske
Commissioner, United States Customs and Border Protection
United States Department of Homeland Security
1300 Pennsylvania Ave. NW.
Washington, DC 20229

Dear Commissioner Kerlikowski:

On August 3, 2014, United States Border Patrol Agent Javier Vega Jr. was murdered while fishing with his family in Raymondville, Texas. According to witness reports, Agent Vega was shot at point-blank range while defending his family and community during an attempted armed robbery. The two men arrested for this murder, Ismael Hernandez and Gustavo Tijerina, had been deported multiple times and are suspected of having ties to transnational organized crime. In fact, Mr. Tijerina has an extensive criminal history that includes the unlawful carrying of a weapon, domestic violence, driving while intoxicated, and possession of a controlled substance.

The brave men and women of American law enforcement are never off-duty—they stand ready to protect us from threats to our safety and security at all times. In recognition of this fact, the President and the United States Congress enacted a number of laws that encourage off-duty law enforcement agents to respond to violent crimes in progress, incapacitate criminals, and save lives. Javier Vega was a hero who stood up for these values and upheld his oath to protect and serve by making the ultimate sacrifice.

Despite Agent Vega's courageous actions, it has come to our attention that United States Customs and Border Protection has failed to classify his death as a line of duty fatality. By failing to approve this classification for more than fourteen months, your agency has prevented Agent Vega's family from obtaining much-needed benefits that he earned as a law enforcement officer who gave everything to protect his community from violent criminals. Your agency's failure to classify this death as a line of duty fatality would dishonor the sacrifices that Agent Vega made throughout his career and threaten to undermine the sacrifices of the tens of thousands of men and women who put their life on the line every single day as United States Border Patrol Agents. It has come to our attention that the National Border Patrol Council has passed a resolution calling on United States Customs and Border Protection to classify Agent Vega's death as occurring in the line of duty. We join the National Border Patrol Council's call and ask that you swiftly honor Agent Vega and his family by officially classifying his death as a line of duty fatality.

Sincerely,



JOHN CORNYN
United States Senator



FILEMON VELA
Member of Congress