



## **Brian P. Bilbray**

Member of Congress  
50<sup>th</sup> District, California

July 10, 2008

President George W. Bush  
The White House  
1600 Pennsylvania Ave NW  
Washington, DC 20500

Attorney General Michael B. Mukasey  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear President Bush and Attorney General Michael B. Mukasey:

We are writing to express our concern regarding the recent release of Jesus Navarro Montes, the suspected murderer of Border Patrol Agent Luis Aguilar. Mr. Navarro was released by Mexicali Federal Judge Laura Serrano Alderete in the border city of Mexicali, Mexico on June 18, 2008 after clearing him of an unrelated migrant smuggling charge. On January 19, 2008, Border Patrol Agent Luis Aguilar was killed while attempting to stop two vehicles that had illegally entered the United States and were absconding into Mexico. Navarro, a suspected drug and illegal alien smuggler, ran over Agent Aguilar in a Hummer as he was placing spike strips on the road. Navarro was arrested days later by Mexican authorities.

According to numerous news accounts, the suspect in Agent Aguilar's death was released by the Mexican judge because there were no charges or extradition proceedings against him in the U.S. A spokesman for the U.S. Mexican Embassy in Washington, DC stated publicly that the U.S. government has not issued an arrest warrant, provided evidence or contacted Mexican authorities regarding extradition either formally or informally. Mexican officials publicly claim that the mistake was made on the U.S. side of the border.

Congressman Brian Bilbray, Chairman of the House Immigration Reform Caucus, has contacted the White House directly regarding this issue. In addition, Emily Sanders, Executive Director of the House Immigration Reform Caucus, has made numerous requests to the Department of Justice and the White House legislative affairs offices via the telephone and email beginning on Friday, June 27, 2008 on behalf of the 112

members of the bipartisan House Immigration Reform Caucus. To date, we have received absolutely no information from the Department of Justice or the White House. While we are waiting to hear back, the suspected murderer of a Border Patrol agent remains free.

We understand there is an ongoing investigation; however the information we are seeking should be publicly available as we are looking into the process of investigation and communication with the Mexican authorities. The American people have a right to that information. It is our understanding that as far back as February, Mexican officials asked U.S. authorities to seek Navarro's extradition or for more information so that Navarro could be held in Mexico. According to news reports, an on-line federal court database does not list any charges filed by prosecutors against Navarro in Southern California. As a result, we request a full report of all activities and correspondence the U.S. government has had with the Mexican government regarding this case.

Understanding that this is a very serious issue and that we must do all that we can to ensure it never happens again, please provide us with the following information: Has the U.S. government issued an arrest warrant? Has the U.S. government contacted Mexican authorities regarding extradition either formally or informally? If the U.S. Department of Justice failed to contact Mexican authorities, who was responsible for that failure? We ask that the Department of Justice and the White House respond to our questions promptly and fully.

Sincerely,

Brian P. Bilbray  
Member of Congress