

**Congress of the United States**  
**Washington, DC 20515**

January 31, 2022

The Honorable Alejandro Mayorkas  
Secretary  
U.S. Department of Homeland Security  
Washington, D.C. 20528

Dear Secretary Mayorkas,

It has been more than four months since senior members of the Biden Administration, including President Biden and Press Secretary, Jen Psaki participated in a widely spread falsehood and accused United States Border Patrol agents of “whipping” Haitian migrants attempting to illegally cross into the United States near Del Rio, Texas on September 19, 2021.<sup>1</sup>

As has been well documented, the “whipping” narrative was based on a photograph that first went viral on social media.<sup>2</sup> While this narrative was later debunked by the photographer of the photo himself<sup>3</sup>, the widespread narrative of whipping based on a demonstratable lie — especially by members of this administration — demands that the public record be finalized by publicly disclosing the “investigative work” conducted by Custom and Border Protections’ (CBP) Office of Professional Responsibility (OPR).<sup>4</sup>

For four months, the Biden Administration and your Department have gone without even apologizing to the agents that were smeared. To make matters worse, reports now indicate that the investigational report DHS was conducting on the incident will likely never appear. According to reports, one DHS official speaking under the condition of anonymity, said they “doubt the current administration will release this report on the horse patrol incident because it makes the administration look terrible.”<sup>5</sup> The same official went on to add that “they essentially convicted the mounted agents based upon a lie, which the investigation after 120 days would surely have revealed,” and, noting that no agent has been disciplined thus far, “My experience would be that this would have been done within a period of weeks.”

Therefore, we ask that your Department immediately publicly disclose the findings of the “investigative work” done by CBP’s OPR on the September 19<sup>th</sup>, 2021, incident in Del Rio, Texas. The American people deserve transparency from their government, and the United States Border Patrol deserves defense from their Department’s Secretary against unfounded accusations.

Sincerely,



Chip Roy  
Member of Congress



Brian Babin, D.D.S  
Member of Congress

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<sup>1</sup> <https://nypost.com/2021/09/24/biden-says-border-agents-on-horses-will-pay-for-treatment-of-haitians/>

<sup>2</sup> <https://www.nbcnews.com/politics/white-house/white-house-says-images-border-patrol-whip-obviously-horrific-n1279663>

<sup>3</sup> <https://www.axios.com/del-rio-haitian-migrants-border-patrol-harris-mayorkas-20c67b97-4650-4ffe-96a0-8ac3c19f03d4.html>

<sup>4</sup> <https://thefederalist.com/2021/09/21/democrats-spread-border-patrol-whip-lie-while-failing-to-address-growing-border-crisis/>

<sup>5</sup> <https://www.newsweek.com/photographer-who-captured-migrant-photos-says-agents-didnt-use-whips-anyone-1632590>

<sup>6</sup> <https://www.dhs.gov/news/2021/11/16/dhs-update-regarding-investigation-horse-patrol-activity-del-rio-texas-september-19>

<sup>7</sup> <https://www.washingtonexaminer.com/policy/report-on-texas-horse-patrol-incident-may-never-materialize>



Andy Biggs  
Member of Congress



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