

Congress of the United States
Washington, DC 20515

June 16, 2022

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

Dear Secretary Mayorkas,

Reports that Border Patrol agents in Del Rio, Texas, who were falsely charged by the media, the President, and open-borders advocates will be disciplined are extremely troubling because they did nothing wrong.

Disciplining the agents would be an insult to the men and women of the U.S. Border Patrol who work each day to protect our nation in spite of the policies being implemented by the Biden administration.

On President Biden's first day in office, he began repealing the successful border security policies that were implemented under the Trump administration to signal to his radical, far-left, open borders supporters that he would do their will. Disciplining the courageous Border Patrol agents who were defending our border in Texas is nothing more than additional pandering to these supporters. President Biden sent the message that they must be punished, regardless of the fact that they did nothing wrong, when he stated that "I promise you those people will pay."¹

Last year you promised Congress that the investigation would be completed expeditiously. You testified that the investigation would be completed "in days and not weeks."² It has been nearly nine months since you made that statement. Your failure to follow through on that promise has upended the lives of the agents involved and harmed their reputations.

Instead of disciplining Border Patrol agents who were working to secure our border you should be working to faithfully enforce the law and secure our border. Congress has directed you to prevent all unlawful entries into the United States³ and to secure the borders.⁴ You are failing to meet these statutory requirements. And despite your repeated claims before the House Judiciary Committee and the House Homeland Security Committee that you are maintaining operational control of the border, the facts on the ground prove otherwise.

¹ Eliza Relman, *Biden says Border Patrol agents 'will pay' after whipping at Haitian migrants while charging them on horseback*, BUSINESS INSIDER, (Sep. 24, 2021), <https://www.businessinsider.com/biden-says-border-patrol-agents-will-pay-after-whipping-at-haitian-migrants-2021-9>.

² *Worldwide Threats to the Homeland: 20 Years After 9/11*, Hearing Before the H. Comm. on Homeland Security, 117th Cong. (2021) (statement of Sec'y. Alejandro Mayorkas), <https://www.bgov.com/next/news/QZUV9N8JMDC0>.

³ Secure Fence Act of 2006, Pub. L. No. 109-367 (2006).

⁴ 6 U.S.C. § 202(2).

Punishing Border Patrol agents for trying to secure the border sends the message to all DHS employees that they will be punished for doing their jobs. Instead of punishing the agents, you should be celebrating them.

We request that you provide us with a briefing on the investigation by June 24, 2022.

Sincerely,



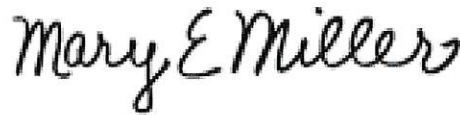
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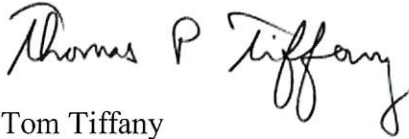
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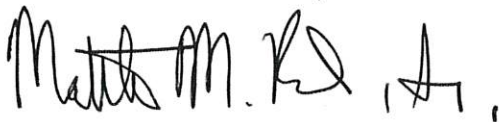
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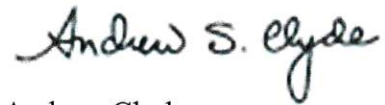
Paul Gosar, D.D.S.
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Debbie Lesko
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Rodney Davis
Member of Congress

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Andrew Clyde
Member of Congress