

United States Senate

October 12, 2022

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

Dear Secretary Mayorkas:

Last year, a misleading photograph circulated online of mounted Border Patrol agents using the reins of their horses to control their movements. News outlets and some Democrats falsely claimed that the photograph showed the agents “whipping” illegal aliens at the border.

An email recently made public appears to show that you received a statement from the photographer saying that he had “never seen [the agents] whip anyone.”¹ Mere hours after you received that statement, you attended a White House press conference where you called the photograph “horrificing” and stood silently as President Biden falsely claimed that illegal aliens were “being strapped,” and promised that the agents “will pay.”² If this is true, you intentionally misled the public and vilified Border Patrol agents for political gain—a gross abuse of your responsibility to the men and women in your Department and to the country.

Please answer the following questions no later than 5:00PM on Wednesday, October 19:

1. Did you receive an email dated September 24, 2021, containing the photographer’s statement that he had “never seen [the Border Patrol agents] whip anyone”?
2. Did you inform the Biden White House prior to its press conference on September 24, 2021, of the email containing the photographer’s statement?
3. Have you apologized to the Border Patrol agents for unfairly vilifying them and their work?

I look forward to your prompt response.

Sincerely,



Tom Cotton
United States Senator

¹ Bill Melugin, *Mayorkas alerted that no Haitian migrants were ‘whipped’ hours before WH press conference*, Fox News (Oct. 12, 2022), <https://www.foxnews.com/politics/mayorkas-alerted-haitian-migrants-whipped-hours-wh-press-conference>.

² Shannon Pettypiece, *Biden says officials seen chasing Haitians on horseback ‘will pay,’* NBC News (Sept. 24, 2021), <https://www.nbcnews.com/politics/white-house/biden-says-officials-seen-chasing-haitians-horseback-will-pay-n1280032>.