



# Biden admin admits migrant drownings occurred before Border Patrol alerted Texas officials

By Adam Shaw

Published January 16, 2024

Fox News

The Biden administration, in a new filing to the Supreme Court, has admitted that three migrants who drowned last week died long before Border Patrol agents sought access to the Shelby Park area from Texas officials – after the administration had blasted the Lone Star state over the incident.

The Department of Homeland Security and the White House both took aim at Texas after the deaths of three migrants, including two children, in the Shelby Park area last week. Texas had seized the area and the administration said it was refusing to grant Border Patrol access.

"Tragically, a woman and two children drowned last night in the Shelby Park area of Eagle Pass, which was commandeered by the State of Texas earlier this week," DHS said in a statement Saturday evening. "In responding to a distress call from the Mexican government, Border Patrol agents were physically barred by Texas officials from entering the area."

That statement went on to call Texas Gov. Greg Abbott's policies "cruel, dangerous, and inhumane, and Texas's blatant disregard for federal authority over immigration poses grave risks."

## **DHS CLAIMS BORDER PATROL BLOCKED BY TEXAS FROM ENTERING AREA TO RESCUE MIGRANTS WHO LATER DROWNED**



A National Guard soldier stands guard on the banks of the Rio Grande at Shelby Park in Eagle Pass, Texas, on Jan. 12, 2024. (Brandon Bell/Getty Images)

The White House had been similarly scathing over the deaths on Saturday evening.

"On Friday night, a woman and two children drowned near Eagle Pass, and Texas officials blocked U.S. Border Patrol from attempting to provide emergency assistance. While we continue to gather facts about the circumstances of these tragic deaths, one thing is clear: Governor Abbott's political stunts are cruel, inhumane, and dangerous. U.S. Border Patrol must have access to the border to enforce our laws."

However, in a court filing as part of ongoing litigation, the DOJ said Mexican officials advised Border Patrol at 9 p.m. local time that the migrants had drowned at 8 p.m. but that there were an additional two migrants "in distress" on the U.S. side of the border. The filing repeats the claim that Border Patrol was not allowed to enter the area "even in emergency situations." The two additional migrants, who were suffering from hypothermia, were later rescued by Mexican officials.

However, the DOJ suggested that it may have been able to spot the migrants if they had access to the area.

## **DOJ RENEWS SCOTUS PUSH TO ACT AFTER TEXAS SEIZES BORDER AREAS, BLOCKS BORDER PATROL FROM ENTERING**

"It is impossible to say what might have happened if Border Patrol had had its former access to the area – including through its surveillance trucks that assisted in monitoring the area," they said. "At the very least, however, Border Patrol would have had the opportunity to take any available steps to fulfill its responsibilities and assist its counterparts in the Mexican government with

undertaking the rescue mission. Texas made that impossible."

Texas had initially pushed back on the narrative, saying that claims of requesting access to save distressed migrants "are inaccurate."

"Claims that [Texas Military Dept] prevented Border Patrol from saving the lives of drowning migrants are wholly inaccurate. At the time that Border Patrol requested access, the drownings had occurred, Mexican authorities were recovering the bodies, and Border Patrol expressed these facts to the TMD personnel on site," the Texas Military Department said in a statement.

Abbott blamed lawmakers and some media outlets for being "so eager to point [the] finger at Texas for [the] drowning of migrants, they forgot to get the facts."

### **WHITE HOUSE ACCUSES ABBOTT OF TRYING TO 'POLITICIZE THE BORDER' AFTER TEXAS SEIZES PARK ALONG RIO GRANDE**

"When BP requested access to [the] river, the drownings had already occurred & found in MX," he wrote. "The fact is the deaths are b/c of Biden's Open Border magnet."

The dispute over Shelby Park is heightening existing tensions between the federal government and the state. The federal government sent a cease-and-desist order to Texas Attorney General Ken Paxton this week, threatening legal action if it did not back down.

### **CLICK HERE TO GET THE FOX NEWS APP**

That's in addition to ongoing lawsuits related to the construction of razor wire by Texas and its destruction by the federal government, the setting up of buoys in the Rio Grande and a new anti-illegal immigration law signed by Abbott that allows state and local law enforcement to arrest illegal immigrants.

Adam Shaw is a politics reporter for Fox News Digital, primarily covering immigration and border security.

He can be reached at [adam.shaw2@fox.com](mailto:adam.shaw2@fox.com) or on Twitter.

 Print  Close

---

#### **URL**

<https://www.foxnews.com/politics/biden-admin-admits-migrants-drownings-occurred-before-border-patrol-alerted-texas-officials>

---

[Home](#) | [Video](#) | [Politics](#) | [U.S.](#) | [Opinion](#) | [Entertainment](#) | [Tech](#) | [Science](#) | [Health](#) | [Travel](#) | [Lifestyle](#) | [World](#) | [Sports](#) | [Weather](#)

[Privacy](#) | [Terms](#)

This material may not be published, broadcast, rewritten, or redistributed. © FOX News Network, LLC. All rights reserved. Quotes displayed in real-time or delayed by at least 15 minutes. Market data provided by Factset. Powered and implemented by FactSet Digital Solutions. Legal Statement. Mutual Fund and ETF data provided by Refinitiv Lipper. Do Not Sell my Personal Information - New Terms of Use - FAQ