

Peltola	Scholten	Titus
Perez	Schrier	Tlaib
Peters	Scott (VA)	Tokuda
Pettersen	Scott, David	Tonko
Pingree	Sewell	Torres (CA)
Pocan	Sherman	Torres (NY)
Porter	Sherrill	Trahan
Pressley	Slotkin	Trone
Quigley	Smith (WA)	Underwood
Ramirez	Sorensen	Vargas
Raskin	Soto	Vasquez
Ross	Spanberger	Veasey
Ruiz	Stansbury	Velázquez
Ruppersberger	Stanton	Wasserman
Ryan	Stevens	Schultz
Salinas	Strickland	Waters
Sánchez	Swalwell	Watson Coleman
Sarbanes	Sykes	Wexton
Scanlon	Takano	Wild
Schakowsky	Thanedar	Williams (GA)
Schiff	Thompson (CA)	Wilson (FL)
Schneider	Thompson (MS)	

NOT VOTING—6

Graves (LA)	Langworthy	Phillips
Green, Al (TX)	Payne	Scalise

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1406

Ms. PORTER changed her vote from “aye” to “no.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GRAVES of Louisiana. Madam Speaker, had I been present, I would have voted “aye” on rollcall No. 35, H. Res. 996.

PERSONAL EXPLANATION

Mr. PAYNE. Madam Speaker, I was unable to cast my vote for rollcall votes 34 and 35. Had I been present, I would have voted “nay” on rollcall vote No. 34 and “no” on rollcall vote No. 35.

□ 1415

IMPEACHING ALEJANDRO NICHOLAS MAYORKAS, SECRETARY OF HOMELAND SECURITY, FOR HIGH CRIMES AND MISDEMEANORS

Mr. GREEN of Tennessee. Madam Speaker, pursuant to House Resolution 996, I call up the resolution (H. Res. 863) impeaching Alejandro Nicholas Mayorkas, Secretary of Homeland Security, for high crimes and misdemeanors, and ask for its immediate consideration in the House.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

H. RES. 863

Resolved, That Alejandro Nicholas Mayorkas, Secretary of Homeland Security of the United States of America, is impeached for high crimes and misdemeanors, and that the following articles of impeachment be exhibited to the United States Senate:

Articles of impeachment exhibited by the House of Representatives of the United States of America in the name of itself and of the people of the United States of America, against Alejandro N. Mayorkas, Secretary of Homeland Security of the United States of America, in maintenance and support of its impeachment against him for high crimes and misdemeanors.

ARTICLE I: WILLFUL AND SYSTEMIC REFUSAL TO COMPLY WITH THE LAW

The Constitution provides that the House of Representatives “shall have the sole Power of Impeachment” and that civil Officers of the United States, including the Secretary of Homeland Security, “shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors”. In his conduct while Secretary of Homeland Security, Alejandro N. Mayorkas, in violation of his oath to support and defend the Constitution of the United States against all enemies, foreign and domestic, to bear true faith and allegiance to the same, and to well and faithfully discharge the duties of his office, has willfully and systemically refused to comply with Federal immigration laws, in that:

Throughout his tenure as Secretary of Homeland Security, Alejandro N. Mayorkas has repeatedly violated laws enacted by Congress regarding immigration and border security. In large part because of his unlawful conduct, millions of aliens have illegally entered the United States on an annual basis with many unlawfully remaining in the United States. His refusal to obey the law is not only an offense against the separation of powers in the Constitution of the United States, it also threatens our national security and has had a dire impact on communities across the country. Despite clear evidence that his willful and systemic refusal to comply with the law has significantly contributed to unprecedented levels of illegal entrants, the increased control of the Southwest border by drug cartels, and the imposition of enormous costs on States and localities affected by the influx of aliens, Alejandro N. Mayorkas has continued in his refusal to comply with the law, and thereby acted to the grave detriment of the interests of the United States.

Alejandro N. Mayorkas engaged in this scheme or course of conduct through the following means:

(1) Alejandro N. Mayorkas willfully refused to comply with the detention mandate set forth in section 235(b)(2)(A) of the Immigration and Nationality Act, requiring that all applicants for admission who are “not clearly and beyond a doubt entitled to be admitted...shall be detained for a [removal] proceeding...”. Instead of complying with this requirement, Alejandro N. Mayorkas implemented a catch and release scheme, whereby such aliens are unlawfully released, even without effective mechanisms to ensure appearances before the immigration courts for removal proceedings or to ensure removal in the case of aliens ordered removed.

(2) Alejandro N. Mayorkas willfully refused to comply with the detention mandate set forth in section 235(b)(1)(B)(ii) of such Act, requiring that an alien who is placed into expedited removal proceedings and determined to have a credible fear of persecution “shall be detained for further consideration of the application for asylum”. Instead of complying with this requirement, Alejandro N. Mayorkas implemented a catch and release scheme, whereby such aliens are unlawfully released, even without effective mechanisms to ensure appearances before the immigration courts for removal proceedings or to ensure removal in the case of aliens ordered removed.

(3) Alejandro N. Mayorkas willfully refused to comply with the detention set forth in section 235(b)(1)(B)(iii)(IV) of such Act, requiring that an alien who is placed into expedited removal proceedings and determined not to have a credible fear of persecution “shall be detained...until removed”. Instead of complying with this requirement, Alejandro N. Mayorkas has implemented a catch and release scheme, whereby such aliens are unlawfully released, even without effective mechanisms to ensure appearances before the immigration courts for removal proceedings or to ensure removal in the case of aliens ordered removed.

*(4) Alejandro N. Mayorkas willfully refused to comply with the detention mandate set forth in section 236(c) of such Act, requiring that a criminal alien who is inadmissible or deportable on certain criminal and terrorism-related grounds “shall [be] take[n] into custody” when the alien is released from law enforcement custody. Instead of complying with this requirement, Alejandro N. Mayorkas issued “Guidelines for the Enforcement of Civil Immigration Laws”, which instructs Department of Homeland Security (hereinafter referred to as “DHS”) officials that the “fact an individual is a removable noncitizen...should not alone be the basis of an enforcement action against them” and that DHS “personnel should not rely on the fact of conviction...alone”, even with respect to aliens subject to mandatory arrest and detention pursuant to section 236(c) of such Act, to take them into custody. In *Texas v. United States*, 40 F.4th 205 (2022), the United States Court of Appeals for the Fifth Circuit concluded that these guidelines had “every indication of being ‘a general policy that is so extreme as to amount to an abdication of...statutory responsibilities’” and that its “replacement of Congress’s statutory mandates with concerns of equity and race is extralegal...[and] plainly outside the bounds of the power conferred by the INA”.*

(5) Alejandro N. Mayorkas willfully refused to comply with the detention mandate set forth in section 241(a)(2) of such Act, requiring that an alien ordered removed “shall [be] detain[ed]” during “the removal period”. Instead of complying with this mandate, Alejandro N. Mayorkas issued “Guidelines for the Enforcement of Civil Immigration Laws”, which instructs DHS officials that the “fact an individual is a removable noncitizen...should not alone be the basis of an enforcement action against them” and that DHS “personnel should not rely on the fact of conviction...alone”, even with respect to aliens subject to mandatory detention and removal pursuant to section 241(a) of such Act.

(6) Alejandro N. Mayorkas willfully exceeded his parole authority set forth in section 212(d)(5)(A) of such Act that permits parole to be granted “only on a case-by-case basis”, temporarily, and “for urgent humanitarian reasons or significant public benefit”, in that:

*(A) Alejandro N. Mayorkas paroled aliens en masse in order to release them from mandatory detention, despite the fact that, as the United States Court of Appeals for the Fifth Circuit concluded in *Texas v. Biden*, 20 F.4th 928 (2021), “parol[ing] every alien [DHS] cannot detain is the opposite of the ‘case-by-case basis’ determinations required by law” and “DHS’s pretended power to parole aliens while ignoring the limitations Congress imposed on the parole power [is] not nonenforcement; it’s misenforcement, suspension of the INA, or both”.*

(B) Alejandro N. Mayorkas created, reopened, or expanded a series of categorical parole programs never authorized by Congress for foreign nationals outside of the United States, including for certain Central American minors, Ukrainians, Venezuelans, Cubans, Haitians, Nicaraguans, Colombians, Salvadorans, Guatemalans, and Hondurans, which enabled hundreds of thousands of inadmissible aliens to enter the United States in violation of the laws enacted by Congress.

*(7) Alejandro N. Mayorkas willfully exceeded his release authority set forth in section 236(a) of such Act that permits, in certain circumstances, the release of aliens arrested on an administrative warrant, in that Alejandro N. Mayorkas released aliens arrested without a warrant despite their being subject to a separate applicable mandatory detention requirement set forth in section 235(b)(2) of such Act. Alejandro N. Mayorkas released such aliens by retroactively issuing administrative warrants in an attempt to circumvent section 235(b)(2) of such Act. In *Florida v. United States*, No. 3:21-cv-*

1066-TKW-ZCB (N.D. Fla. Mar. 8, 2023), the United States District Court of the Northern District of Florida noted that “[t]his sleight of hand – using an ‘arrest’ warrant as a de facto ‘release’ warrant – is administrative sophistry at its worst”. In addition, the court concluded that “what makes DHS’s application of [236(a)] in this manner unlawful...is that [235(b)(2)], not [236(a)], governs the detention of applicants for admission whom DHS places in...removal proceedings after inspection”.

Alejandro N. Mayorkas’s willful and systemic refusal to comply with the law has had calamitous consequences for the Nation and the people of the United States, including:

(1) During fiscal years 2017 through 2020, an average of about 590,000 aliens each fiscal year were encountered as inadmissible aliens at ports of entry on the Southwest border or apprehended between ports of entry. Thereafter, during Alejandro N. Mayorkas’s tenure in office, that number skyrocketed to over 1,400,000 in fiscal year 2021, over 2,300,000 in fiscal year 2022, and over 2,400,000 in fiscal year 2023. Similarly, during fiscal years 2017 through 2020, an average of 130,000 persons who were not turned back or apprehended after making an illegal entry were observed along the border each fiscal year. During Alejandro N. Mayorkas’s tenure in office, that number more than trebled to 400,000 in fiscal year 2021, 600,000 in fiscal year 2022, and 750,000 in fiscal year 2023.

(2) American communities both along the Southwest border and across the United States have been devastated by the dramatic growth in illegal entries, the number of aliens unlawfully present, and substantial rise in the number of aliens unlawfully granted parole, creating a fiscal and humanitarian crisis and dramatically degrading the quality of life of the residents of those communities. For instance, since 2022, more than 150,000 migrants have gone through New York City’s shelter intake system. Indeed, the Mayor of New York City has said that “we are past our breaking point” and that “[t]his issue will destroy New York City”. In fiscal year 2023, New York City spent \$1,450,000,000 addressing Alejandro N. Mayorkas’s migrant crisis, and city officials fear it will spend another \$12,000,000,000 over the following three fiscal years, causing painful budget cuts to important city services.

(3) Alejandro N. Mayorkas’s unlawful mass release of apprehended aliens and unlawful mass grant of categorical parole to aliens have enticed an increasing number of aliens to make the dangerous journey to our Southwest border. Consequently, according to the United Nations’s International Organization for Migration, the number of migrants intending to illegally cross our border who have perished along the way, either en route to the United States or at the border, almost doubled during the tenure of Alejandro N. Mayorkas as Secretary of Homeland Security, from an average of about 700 a year during the fiscal years 2017 through 2020, to an average of about 1,300 a year during the fiscal years 2021 through 2023.

(4) Alien smuggling organizations have gained tremendous wealth during Alejandro N. Mayorkas’s tenure as Secretary of Homeland Security, with their estimated revenues rising from about \$500,000,000 in 2018 to approximately \$13,000,000,000 in 2022.

(5) During Alejandro N. Mayorkas’s tenure as Secretary of Homeland Security, the immigration court backlog has more than doubled from about 1,300,000 cases to over 3,000,000 cases. The exploding backlog is destroying the courts’ ability to administer justice and provide appropriate relief in a timeframe that does not run into years or even decades. As Alejandro N. Mayorkas acknowledged, “those who have a valid claim to asylum...often wait years for a...decision; likewise, noncitizens who will ultimately be found ineligible for asylum or other protection—which occurs in the majority of cases—often have spent many years in the

United States prior to being ordered removed”. He noted that of aliens placed in expedited removal proceedings and found to have a credible fear of persecution, and thus referred to immigration judges for removal proceedings, “significantly fewer than 20 percent...were ultimately granted asylum” and only “28 percent of cases decided on their merits are grants of relief”. Alejandro N. Mayorkas also admitted that “the fact that migrants can wait in the United States for years before being issued a final order denying relief, and that many such individuals are never actually removed, likely incentivizes migrants to make the journey north”.

(6) During Alejandro N. Mayorkas’s tenure as Secretary of Homeland Security, approximately 450,000 unaccompanied alien children have been encountered at the Southwest border, and the vast majority have been released into the United States. As a result, there has been a dramatic upsurge in migrant children being employed in dangerous and exploitative jobs in the United States.

(7) Alejandro N. Mayorkas’s failure to enforce the law, drawing millions of illegal aliens to the Southwest border, has led to the reassignment of U.S. Border Patrol agents from protecting the border from illicit drug trafficking to processing illegal aliens for release. As a result, during Alejandro N. Mayorkas’s tenure as Secretary of Homeland Security, the flow of fentanyl across the border and other dangerous drugs, both at and between ports of entry, has increased dramatically. U.S. Customs and Border Protection seized approximately 4,800 pounds of fentanyl in fiscal year 2020, approximately 11,200 pounds in fiscal year 2021, approximately 14,700 pounds in fiscal year 2022, and approximately 27,000 pounds in fiscal year 2023. Over 70,000 Americans died from fentanyl poisoning in 2022, and fentanyl is now the number one killer of Americans between the ages of 18 and 45.

(8) Alejandro N. Mayorkas has degraded public safety by leaving wide swaths of the border effectively unpatrolled as U.S. Border Patrol agents are diverted from guarding the border to processing for unlawful release the heightening waves of apprehended aliens (many who now seek out agents for the purpose of surrendering with the now reasonable expectation of being released and granted work authorization), and Federal Air Marshals are diverted from protecting the flying public to assist in such processing.

(9) During Alejandro N. Mayorkas’s tenure as Secretary of Homeland Security, the U.S. Border Patrol has encountered an increasing number of aliens on the terrorist watch list. In fiscal years 2017 through 2020 combined, 11 noncitizens on the terrorist watchlist were caught attempting to cross the Southwest border between ports of entry. That number increased to 15 in fiscal year 2021, 98 in fiscal year 2022, 169 in fiscal year 2023, and 49 so far in fiscal year 2024.

Additionally, in *United States v. Texas*, 599 U.S. 670 (2023), the United States Supreme Court heard a case involving Alejandro N. Mayorkas’s refusal to comply with certain Federal immigration laws that are at issue in this impeachment. The Supreme Court held that States have no standing to seek judicial relief to compel Alejandro N. Mayorkas to comply with certain legal requirements contained in the Immigration and Nationality Act. However, the Supreme Court held that “even though the federal courts lack Article III jurisdiction over this suit, other forums remain open for examining the Executive Branch’s enforcement policies. For example, Congress possesses an array of tools to analyze and influence those policies [and] those are political checks for the political process”. One such critical tool for Congress to influence the Executive Branch to comply with the immigration laws of the United States is impeachment. The dissenting Justice noted, “The Court holds Texas lacks standing to challenge a federal policy that inflicts substantial harm on the State and its residents by releasing illegal aliens with

criminal convictions for serious crimes. In order to reach this conclusion, the Court...holds that the only limit on the power of a President to disobey a law like the important provision at issue is Congress’ power to employ the weapons of inter-branch warfare...”. As the dissenting Justice explained, “Congress may wield what the Solicitor General described as ‘political...tools’—which presumably means such things as...impeachment and removal”. Indeed, during oral argument, the Justice who authored the majority opinion stated to the Solicitor General, “I think your position is, instead of judicial review, Congress has to resort to shutting down the government or impeachment or dramatic steps...”. Here, in light of the inability of injured parties to seek judicial relief to remedy the refusal of Alejandro N. Mayorkas to comply with Federal immigration laws, impeachment is Congress’s only viable option.

In all of this, Alejandro N. Mayorkas willfully and systemically refused to comply with the immigration laws, failed to control the border to the detriment of national security, compromised public safety, and violated the rule of law and separation of powers in the Constitution, to the manifest injury of the people of the United States.

Wherefore Alejandro N. Mayorkas, by such conduct, has demonstrated that he will remain a threat to national and border security, the safety of the United States people, and the Constitution if allowed to remain in office, and has acted in a manner grossly incompatible with his duties and the rule of law. Alejandro N. Mayorkas thus warrants impeachment and trial, removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States.

ARTICLE II: BREACH OF PUBLIC TRUST

The Constitution provides that the House of Representatives “shall have the sole Power of Impeachment” and that civil Officers of the United States, including the Secretary of Homeland Security, “shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors”. In his conduct while Secretary of Homeland Security, Alejandro N. Mayorkas, in violation of his oath to well and faithfully discharge the duties of his office, has breached the public trust, in that:

Alejandro N. Mayorkas has knowingly made false statements, and knowingly obstructed lawful oversight of the Department of Homeland Security (hereinafter referred to as “DHS”), principally to obfuscate the results of his willful and systemic refusal to comply with the law. Alejandro N. Mayorkas engaged in this scheme or course of conduct through the following means:

(1) Alejandro N. Mayorkas knowingly made false statements to Congress that the border is “secure”, that the border is “no less secure than it was previously”, that the border is “closed”, and that DHS has “operational control” of the border (as that term is defined in the Secure Fence Act of 2006).

(2) Alejandro N. Mayorkas knowingly made false statements to Congress regarding the scope and adequacy of the vetting of the thousands of Afghans who were airlifted to the United States and then granted parole following the Taliban takeover of Afghanistan after President Biden’s precipitous withdrawal of United States forces.

(3) Alejandro N. Mayorkas knowingly made false statements that apprehended aliens with no legal basis to remain in the United States were being quickly removed.

(4) Alejandro N. Mayorkas knowingly made false statements supporting the false narrative that U.S. Border Patrol agents maliciously whipped illegal aliens.

(5) Alejandro N. Mayorkas failed to comply with multiple subpoenas issued by congressional committees.

(6) Alejandro N. Mayorkas delayed or denied access of DHS Office of Inspector General (hereinafter referred to as “OIG”) to DHS records

and information, hampering OIG's ability to effectively perform its vital investigations, audits, inspections, and other reviews of agency programs and operations to satisfy the OIG's obligations under section 402(b) of title 5, United States Code, in part, to Congress.

Additionally, in his conduct while Secretary of Homeland Security, Alejandro N. Mayorkas has breached the public trust by his willful refusal to fulfill his statutory "duty to control and guard the boundaries and borders of the United States against the illegal entry of aliens" as set forth in section 103(a)(5) of the Immigration and Nationality Act. Alejandro N. Mayorkas inherited what his first Chief of the U.S. Border Patrol called, "arguably the most effective border security in our nation's history". Alejandro N. Mayorkas, however, proceeded to abandon effective border security initiatives without engaging in adequate alternative efforts that would enable DHS to maintain control of the border and guard against illegal entry, and despite clear evidence of the devastating consequences of his actions, he failed to take action to fulfill his statutory duty to control the border. According to his first Chief of the U.S. Border Patrol, Alejandro N. Mayorkas "summarily rejected" the "multiple options to reduce the illegal entries...through proven programs and consequences" provided by civil service staff at DHS. Despite clear evidence of the devastating consequences of his actions, he failed to take action to fulfill his statutory duty to control the border, in that, among other things:

(1) Alejandro N. Mayorkas terminated the Migrant Protection Protocols (hereinafter referred to as "MPP"). In *Texas v. Biden*, 20 F.4th 928 (2021), the United States Court of Appeals for the Fifth Circuit explained that "[t]he district court...pointed to evidence that 'the termination of MPP has contributed to the current border surge'...(citing DHS's own previous determinations that MPP had curbed the rate of illegal entries)". The district court had also "pointed out that the number of 'enforcement encounters'—that is, instances where immigration officials encounter immigrants attempting to cross the southern border without documentation—had 'skyrocketed' since MPP's termination".

(2) Alejandro N. Mayorkas terminated contracts for border wall construction.

(3) Alejandro N. Mayorkas terminated asylum cooperative agreements that would have equitably shared the burden of complying with international asylum accords.

In all of this, Alejandro N. Mayorkas breached the public trust by knowingly making false statements to Congress and the American people and avoiding lawful oversight in order to obscure the devastating consequences of his willful and systemic refusal to comply with the law and carry out his statutory duties. He has also breached the public trust by willfully refusing to carry out his statutory duty to control the border and guard against illegal entry, notwithstanding the calamitous consequences of his abdication of that duty.

Wherefore Alejandro N. Mayorkas, by such conduct, has demonstrated that he will remain a threat to national and border security, the safety of the American people, and to the Constitution if allowed to remain in office, and has acted in a manner grossly incompatible with his duties and the rule of law. Alejandro N. Mayorkas thus warrants impeachment and trial, removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States.

The SPEAKER pro tempore (Ms. MALLIOTAKIS). Pursuant to House Resolution 996, the amendment in the nature of a substitute recommended by the Committee on Homeland Security is adopted.

The resolution shall be debatable for 2 hours equally divided and controlled by the chair and ranking minority member of the Committee on Homeland Security or their respective designees.

The gentleman from Tennessee (Mr. GREEN) and the gentleman from Mississippi (Mr. THOMPSON) each will control 1 hour.

The Chair recognizes the gentleman from Tennessee.

□ 1445

GENERAL LEAVE

Mr. GREEN of Tennessee. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Res. 863.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. GREEN of Tennessee. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today to present two Articles of Impeachment against Department of Homeland Security Secretary Alejandro Mayorkas.

Article I charges him with willful and systemic refusal to comply with the law, and Article II charges him with breach of public trust.

Since Secretary Mayorkas took office, we have all watched the unprecedented crisis at our borders unfold. We have seen the chaos.

Under Secretary Mayorkas' watch, CBP has reported more than 8.5 million encounters at our borders, including more than 7 million apprehensions at the southwest border. Even more terrifying is the approximate 1.8 million known got-aways that Border Patrol agents detect but are unable to apprehend.

Millions of those inadmissible aliens who are encountered are eventually released into our communities. This has never happened before in the history of the country, and it doesn't happen by accident.

For nearly a year, the House Committee on Homeland Security conducted a thorough, fair, and comprehensive investigation into the causes, costs, and consequences of the border crisis. Our Members saw firsthand numerous parts of the southwest border, spent time with law enforcement officers on the front lines, and spoke with real Americans about how the crisis is affecting them.

We also conducted a field hearing and roundtable on the border that our Democrat colleagues refused to attend, burying their heads in the sand as if there wasn't a crisis. We published seven total reports, totaling nearly 400 pages, to which Democrats never had a single substantive response.

Instead, their only response was to simply shout MAGA louder and louder,

as if that is a meaningful response to the millions of Americans suffering from this crisis.

We held many hearings at the subcommittee and full committee level, and we heard from a variety of witnesses, including former senior DHS enforcement officials, State attorneys general, and victims who have been impacted by Secretary Mayorkas' border crisis. Democrats consistently claimed these hearings were a waste of time. Tell that to the families of the 150,000 Americans who died from fentanyl poisoning in 2021 and 2022 alone.

Throughout this investigation and subsequent impeachment proceedings, we found that Secretary Mayorkas' willful and systemic refusal to comply with the law and his breach of public trust are responsible for this historic crisis. However, for almost a year, Democrats have turned a blind eye to the victims of the border crisis while berating us for spending what they believed was too much time investigating Secretary Mayorkas' lawless handling of our sovereign borders.

Keep that in mind when you hear them claim now this impeachment is somehow rushed. The truth is this process has been painstakingly thorough. Unlike House Democrats, we take the use of impeachment extremely seriously.

While I do not wish to be standing here presenting these Articles of Impeachment today, we have exhausted all other options. Our oath to the Constitution now requires us to exercise this solemn duty.

Secretary Mayorkas has explicitly refused to comply with the law. His refusal to obey the law has led to the death of our fellow citizens, and he no longer deserves to keep his job.

What is unique here in the history of impeachments is that the Supreme Court, just this summer, denied the affected States judicial review on many of these issues, but with the understanding that the result of doing so could mean the impeachment of a Secretary.

In oral argument, Justice Kavanaugh explained how he understood the position of the Biden administration if judicial review was denied, saying: "I think your position is, instead of judicial review, Congress has to resort to shutting down the government or impeachment or dramatic steps if . . . some administration comes in and says we're not going to enforce laws or at least not going to enforce the laws to the degree that Congress by law has said the laws should be enforced . . ."

In response, the Biden administration's solicitor general agreed, saying: "Well, I think that if those dramatic steps would be warranted, it would be in the face of a dramatic abdication of statutory responsibility by the executive."

Today's Articles of Impeachment outline exactly that; a dramatic abdication of statutory responsibility by Secretary Mayorkas has occurred.

Of the Articles of Impeachment's 20 pages, 6 are solely dedicated to the laws Secretary Mayorkas has violated, while 4 more document his lies to Congress and the American people and the violation of his statutory duty to control and guard our borders.

We identify numerous unambiguous provisions of the Immigration and Nationality Act he has refused to enforce, laws requiring him to detain inadmissible aliens and limit his ability to grant parole. We also highlight how programs he has created, such as various mass parole programs, are void of congressional authority.

Secretary Mayorkas is the very type of public official the Framers feared: someone who would cast aside the laws passed by a coequal branch of government and replace those with his own preferences, hurting his fellow Americans in the process.

He has directed the release of millions of inadmissible aliens into the country in violation of the INA, which requires them to be detained.

He has abused the statute limiting parole to be issued only on a case-by-case and temporary basis for very specific and limited reasons—instead overseeing more than 1.5 million paroles.

He has created new categorical parole programs in defiance of the statute to further his mass release agenda, and he has directed Immigration and Customs Enforcement personnel not to detain all manner of illegal aliens, including criminal aliens. In his September 2021 enforcement guidance, the Secretary even directed that unlawful presence in the country was no longer sufficient grounds for removal and that criminal convictions alone were not enough to warrant ICE attention.

This is not about policy differences. We certainly object to Secretary Mayorkas' policies, but this goes far deeper. According to the Democrat-led committees that investigated Iran-Contra: "Government officials must observe the law, even when they disagree with it," or when they think that, "Congress is to blame for passing laws that run counter to administration policy."

Again, we are here because our oath and our duty compel us to be here. The actions and decisions of Secretary Mayorkas have left us with no other option than to proceed with Articles of Impeachment. That is why we must remove him from office. The time for accountability is now.

Madam Speaker, I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong opposition to H. Res. 863 and the Republicans' sham impeachment of Secretary Alejandro Mayorkas.

Madam Speaker, what is happening here today is a travesty. It is an affront to the United States Constitution, it will do nothing to solve chal-

lenges at our border, and it is a baseless attack on a dedicated public servant.

Republican Members of Congress, sworn to support and defend the Constitution, are rejecting the Framers' intent and over two centuries of precedent in favor of a politically motivated sham impeachment. Republicans have failed to make a constitutionally viable case for impeachment.

Neither of the impeachment charges in H. Res. 863 are a high crime and misdemeanor under Article II of the Constitution. Impeachment over mere policy disputes was deliberately rejected by the Framers, and those disputes are best settled in our court system.

In fact, the policy disputes identified in the Articles of Impeachment have already been addressed by the courts. The courts have either decided in the Biden administration's favor, or the disputes are still working their way through the system.

Republicans are trying to relitigate court decisions through a sham impeachment, but the Constitution doesn't allow that.

Constitutional experts testified before the Committee on Homeland Security that, for a breach of public trust to rise to a high crime and misdemeanor, it would require conduct intended to serve an official's own benefit or the benefit of a foreign power.

Secretary Mayorkas has done nothing of the sort.

Republicans have misrepresented the law and Secretary Mayorkas' record to justify this sham impeachment.

Secretary Mayorkas has served our country honorably over 30 years as a prosecutor and in leadership roles at the Department of Homeland Security. He has been a tireless advocate for the more than 260,000 DHS employees working to secure the homeland every day. He has leveraged all the authorities at his disposal while using every resource provided by Congress to secure the border.

Under Secretary Mayorkas' leadership, DHS removed record levels of migrants from the U.S., detained even more people than Congress had provided funding for, and prevented record levels of fentanyl from entering our communities.

If House Republicans were serious about improving conditions along the border, they would provide the Department the funding necessary to do so. They have not. At every opportunity, Republicans have refused to provide resources to the Department of Homeland Security.

If House Republicans were serious about improving conditions at the border, they would support the bipartisan Senate border bill. They have not.

Republicans take their orders from Donald Trump, and he told them to reject the Senate bill. Republicans have been trying to kill the bill before they even knew what was in it.

The Republican majority is running a do-nothing Congress.

This sham impeachment effort isn't really about border security. It will do nothing to solve the border challenges we face. The truth is the extreme MAGA Republicans running the House of Representatives don't want solutions; they want a political issue.

House Republicans want to distort the Constitution and the Secretary's record to cover up their inability and unwillingness to work with Democrats to strengthen border security. It is about Republican politics and subversion of the Constitution.

Bipartisan constitutional law and impeachment experts agree the Secretary has not committed an impeachable offense. Former Secretary of Homeland Security Michael Chertoff agrees, and even some of my Republican colleagues here in the House agree.

The gentleman from California (Mr. MCCLINTOCK) said in a memorandum to House Republican colleagues:

The problem is that [the impeachment articles] fail to identify an impeachable crime.

The gentleman from California is right. I suspect some of his Republican colleagues agree, even if they won't admit it.

Secretary Mayorkas has faithfully implemented the administration's border policies consistent with the funding Congress has provided, just like every other Secretary of Homeland Security before him, Democrat or Republican.

During consideration in the Homeland Security Committee last week, Republicans improperly shut down the markup and blocked Democrats from offering amendments to the resolution.

Republicans couldn't bear to consider amendments to their poorly drafted Articles of Impeachment. They silenced Democrats who attempted to inject a dose of reality into the chaotic proceedings.

Yesterday, before the Rules Committee, Republicans again failed to make their case, relying on partisan rhetoric and obvious misinformation, because neither the law, nor the facts are on their side.

The truth is Republicans' actions show they don't have faith in their own case against the Secretary. That is why they lack the courage of their convictions to see their markup to the end.

This nonsense has to stop, and it should stop here. Republicans need to start doing the work Americans sent them here to do.

Madam Speaker, I urge my colleagues to honor their oath to the Constitution, listen to the constitutional experts, listen to your own Republican colleagues who know H. Res. 863 is baseless. Drop this sham impeachment.

Madam Speaker, I reserve the balance of my time.

Mr. GREEN of Tennessee. Madam Speaker, I yield 3 minutes to the gentlewoman from Georgia (Ms. GREENE).

Ms. GREENE of Georgia. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I rise in strong support of H. Res. 863, impeaching Secretary Alejandro Mayorkas.

Alejandro Mayorkas is guilty of aiding and abetting the complete invasion of our country by criminals, gang members, terrorists, murderers, rapists, and over 10 million people from over 160 countries into American communities all across the United States.

His willful refusal to secure the border has bankrupted communities, closed down U.S. schools that our children attend, drowned hospitals, and incapacitated law enforcement, while empowering criminal cartels and illegal aliens.

My Democrat colleagues argue that one cannot be impeached over policy differences. Well, I argue that breaking our laws is more than just policy differences. Mr. Speaker, 300 dead Americans every day from fentanyl poisoning is more than just a policy difference; it is murder.

Today, in my own office, narcotics law enforcement officers from Georgia told me that 7 out of 10 doses of Oxycontin or Percocet sold on the street are laced with fentanyl, and that comes directly across the border from Mexico.

Secretary Mayorkas has violated numerous provisions in the Immigration and Nationality Act, including unlawfully directing DHS to mass-parole illegal aliens into the U.S. when Federal law specifically prohibits this, and unlawfully implementing catch and release policies when Federal law specifically mandates the detention and removal of inadmissible aliens.

In fact, detention facilities under Mayorkas have been mostly vacant because of such unlawful policies. The largest detention facility in California, which can house almost 2,000 illegals, is currently housing only 6 illegal aliens. He has violated his oath of office and breached the public trust by willfully refusing to ensure the laws passed by Congress and signed into law by the President are faithfully executed as required by Article II of the Constitution.

He has allowed over 10 million illegal border crossers to invade our country, approximately 2 million of whom are known got-aways. These are people who have completely evaded U.S. authorities and are roaming the interior of American communities, assaulting, raping, and murdering Americans. God help us if we have a terrorist attack on our land.

□ 1500

His subversion of the law has resulted in the highest number of illegal alien encounters in a single day, the highest number of illegal alien encounters in a single month, and the highest number of illegal alien encounters in a single year, surpassing every national record on each account.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. GREEN of Tennessee. Madam Speaker, I yield an additional 15 seconds to the gentlewoman from Georgia.

Ms. GREENE of Georgia. Madam Speaker, his willful refusal to enforce the law has resulted in the most egregious national security crisis in the history of our country.

Democrats are in a quandary. Either they must own the policies of murder and crime of American citizens, or they can admit Secretary Mayorkas has broken Federal laws and vote to impeach Secretary Mayorkas.

Mr. THOMPSON of Mississippi. Madam Speaker, though she sits on the Homeland Security Committee, Representative MARJORIE TAYLOR GREENE has raised doubts about 9/11 to the false assertion that 9/11 was done by our own government. She said that is all true. She also thinks Jewish space lasers cause wildfires. She fundraises off defunding the FBI. She is a person whose advice Republicans are taking today on this impeachment.

Madam Speaker, I yield 1 minute to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. Madam Speaker, I welcome my colleagues to another week of impeachment unlimited.

Having no legislative accomplishments to show for their 14 months in power, Republicans are voting on yet another pointless resolution.

Unable to provide any evidence against President Biden, they have now decided to impeach someone else instead. We have serious challenges at the border—no one denies that—but these are not serious people.

By this standard put forward by this hapless majority, every single DHS Secretary would have been impeached. This is a policy and political dispute, not a high crime or misdemeanor.

When an administration official tries to extort a foreign leader into helping them cheat in an election or leads an insurrection against our government, then impeach them. Until then, stop wasting everyone's time.

I have known Ale Mayorkas since we were prosecutors together. He is a person of great integrity and devotion to this country.

This impeachment is baseless, it is unconstitutional, and it should be defeated.

Mr. GREEN of Tennessee. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. McCAUL).

Mr. McCAUL. Madam Speaker, Secretary Mayorkas took an oath to protect our Nation from all enemies, foreign and domestic. He has violated that oath and the public trust.

Today, I intend to personally uphold the oath of office that I swore to my country.

In my 25 years of dealing with the border as a Federal prosecutor and the former chairman of this committee, I have never seen it this broken. That is because of one man's actions: his refusal to enforce the law, his rescission of successful policies like remain in Mexico, and his breach of public trust. His dereliction of duty has led to 8 million encounters, 300 on the terror

watch list, and 2.3 million aliens released into the interior, enough to fill 13 States. Another 200,000 young Americans have died due to fentanyl poisoning.

These numbers are clear. Secretary Mayorkas is the architect of destruction, and the legal justification for his impeachment is strong.

In the Supreme Court decision *The United States v. The State of Texas*, the Court examined a statute that mandated the government shall take into custody any alien that has committed an aggravated felony. It is not discretionary. It is mandatory. By failing to uphold this law, he has released dangerous and violent criminals into our communities and has put every American life at risk.

Supreme Court Justice Story in 1833 said: "Where a lord admiral has neglected to safeguard the seas, that shall be deemed an impeachable offense." That is exactly the case we have here. Secretary Mayorkas, charged with the defense of air, land, and sea, has failed to defend our borders.

The Founders clearly believed impeachable offenses included neglect of duty, violation of public trust, and injury to society.

When asked before the Supreme Court if impeachment is a proper remedy, President Biden's own solicitor general said: In the face of a dramatic abdication of statutory responsibility by the executive branch, such steps would be warranted.

Secretary Mayorkas is guilty of those impeachable offenses. He is destroying the fabric of this Nation. Americans agree.

Today, I will proudly stand up for our Nation by voting to remove him from office.

Mr. THOMPSON of Mississippi. Madam Speaker, Secretary Mayorkas has invested significantly in stopping dangerous drugs, like fentanyl, from entering the country and launched several efforts targeting smugglers, gangs, and cartels.

Under Secretary Mayorkas' leadership, we have more personnel, technology, infrastructure, and resources on our borders than ever.

Madam Speaker, I yield 1 minute to the gentlewoman from Nevada (Ms. TITUS).

Ms. TITUS. Madam Speaker, considering this impeachment resolution is the fastest I have seen the House GOP move all session. That is because there has been no collection of evidence, only the manipulation of it. There has been no meaningful bipartisan engagement, only partisan political stunts. There has been no due process. Instead, it is a deliberate disregard for the basis of our legal system.

It has no constitutional precedent or basis, no real backing by Senate GOP counterparts who are going to hold the trial, no meaningful engagement with policy, and no support from respected legal scholars, political pundits, nor former DHS directors.

History will remember this for what it is, an appeasement of the most extreme members of the MAGA base, and put very simply, the brownnosing of a man with 91 indictments, several convictions, and two impeachments.

Mr. GREEN of Tennessee. Madam Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. BRECHEEN).

Mr. BRECHEEN. Madam Speaker, I rise in support of this impeachment resolution.

As Chairman GREEN of the Homeland Security Committee has reminded our committee often in recent weeks, James Madison, the father of our Constitution, said: "If an unworthy man be continued in office by an unworthy President, the House of Representatives can at any time impeach him, and the Senate can remove him, whether the President chooses or not."

This impeachment is not about policy difference, though we have them. It is absolutely because Secretary Mayorkas refuses to enforce the laws that are a part of our Nation's fabric. The rule of law matters. Nobody is above it, including Secretary Mayorkas.

Contrary to what he and the President publicly claim, no new laws are needed to stop this crisis. They have created it. Section 212 of the Immigration and Nationality Act already grants them the authority to holler halt.

We know Secretary Mayorkas is aware of this provision. On day 5 of the Biden administration, the President suspended entry by those coming from the U.K., Ireland, Brazil, and South Africa. Secretary Mayorkas has left us with no other option other than impeachment because he refuses to enforce the law.

Mr. THOMPSON of Mississippi. Madam Speaker, Republicans say this impeachment is not about policy disagreements, but every argument they make is about policies.

Secretary Mayorkas has taken action to secure the border, but he has used different, more humane policies that are not impeachable.

Madam Speaker, I yield 3 minutes to the gentlewoman from Massachusetts (Ms. CLARK), our Democratic whip.

Ms. CLARK of Massachusetts. Madam Speaker, we all agree that something needs to be done to fix our broken immigration system, but when it comes to doing the work, finding the solutions, House Democrats have come to the table, President Biden has come to the table, and the Senate has come to the table. Then there is the House GOP.

The MAGA extremists hold up our national security priorities, our commitment to our allies, and to our own readiness, supposedly to strike a deal on immigration. The President says let's get it done and then he did.

Instead of pursuing a bipartisan compromise, instead of strengthening the security of our border, advancing hu-

mane solutions, and doing their jobs, they are now impeaching the Secretary of Homeland Security without a single allegation of any impeachable crime, not one. Impeaching a cabinet member without any evidence of high crimes or misdemeanors, that is the breach of public trust here.

The plan is to impeach the Secretary. Then what? Will the majority invest in Border Patrol? No. Their dream budget fires 2,000 Border Patrol agents. Just yesterday, Speaker JOHNSON ridiculed the men and women of Border Patrol for supporting the Senate bill saying it is probably because it would give them a fair wage. This majority's contempt for working people, even those whose mission is to carry out border security, has no bounds.

This extreme MAGA majority has repeatedly rejected funding for technology that is needed to stop the flow of fentanyl.

Here we are. The extreme MAGA majority, what are they going to do about the border? Only this sham impeachment.

They have told us what the future holds. As one Member across the aisle put it, they oppose action on immigration, because it would boost Biden against Trump. That is all they care about. That is what this sham is about, choosing extremism over country, stunts over solutions, and politics over people. That is a breach of trust we all must reject.

Mr. GREEN of Tennessee. Madam Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. LEE).

Ms. LEE of Florida. Madam Speaker, I rise today in support of the resolution to impeach Secretary Alejandro Mayorkas.

We are here today to address one of the most serious responsibilities that we can undertake as Congress, the impeachment of Secretary Alejandro Mayorkas.

The Committee on Homeland Security has worked diligently to investigate and consider the causes and the consequences of the catastrophe at our southern border, and it has concluded that it is necessary and appropriate to pursue this impeachment.

Since President Biden and Secretary Mayorkas took office, there have been over 8.3 million illegal crossings nationwide. We have seen the devastating effects of human trafficking, of fentanyl trafficking, and what happens when we cede operational control of our southern border to the Mexican drug cartels.

Secretary Mayorkas has refused to enforce the duly enacted laws passed by this Congress. By doing so, he has endangered our homeland, a direct violation of his oath of office. Even in the face of irrefutable evidence to the contrary, he has given false testimony to Congress, claiming that the border is secure. He has defied court orders ordering the Secretary to abandon the illegal programs and policies that he has implemented, which incentivize illegal immigration.

House Republicans know that border security is national security, and the crisis at our border is a critical threat to our national security and the safety of the American people.

Secretary Mayorkas has willfully and deliberately refused to uphold the laws of the United States, he has violated his oath of office, and he has breached the public trust.

Congress has a constitutional duty to secure our border and to ensure our communities are safe. We cannot allow an executive branch agency head to defy the lawful authority of Congress and the courts in pursuit of policies that are contrary to law and endangering Americans. That is why Secretary Mayorkas must be impeached.

Mr. THOMPSON of Mississippi. Madam Speaker, the border is not open. In fact, under Secretary Mayorkas' leadership, this administration has removed, returned, or expelled more migrants in 3 years than the Trump administration did in 4 years.

Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. CORREA), who is the ranking member on our Border Security and Enforcement Subcommittee.

□ 1515

Mr. CORREA. Madam Speaker, we have something in common with my colleagues on the other side of the aisle.

This country, Main Street, and every one of our districts have a challenge with fentanyl. We have all witnessed the deaths in our communities of good, young men and women from this scourge of fentanyl. Nonetheless, Secretary Mayorkas is doing his job.

Madam Speaker, I want you to look at this graph. The seizures at the border of fentanyl: 2019, 2,800 pounds; 2023, 27,000 pounds of fentanyl were seized.

Madam Speaker, I just got back again from visiting the border. I went to San Ysidro, and, again, I asked the men and women in uniform: What do you need from us to double these numbers?

It was a simple answer: We want more resources. We want more personnel, more drug-sniffing dogs, and we want more equipment.

Some of those agents were struggling. They were working double shifts. Women, moms, men, and fathers were saying: We don't have time for families. We are going to have to find another job.

Right now we have a solution. We have legislation that the Senate has worked on with Senate Republicans, Senate Democrats, and the President supporting a solution that will bring resources to the border, and the majority party here refuses to bring that legislation forward for a vote.

Who is derelict in their duty?

We must step up and make sure that we protect Main Street and we help Secretary Mayorkas do his job and double these numbers.

Mr. GREEN of Tennessee. Madam Speaker, I yield 1 minute to the gentleman from Alabama (Mr. STRONG).

Mr. STRONG. Madam Speaker, today's legislation is about delivering accountability on behalf of the local and State leaders unable to bear the weight of thousands of illegal immigrants flooding their communities, hospitals, and schools; on behalf of the thousands of families who have lost loved ones at the hands of illegal immigrants; and on behalf of hundreds of Border Patrol agents stripped of their tools to do their job.

The situation at the border cannot continue. I have seen it firsthand during my trips to the southern border. Mayorkas' refusal to enforce the laws of our Nation has encouraged millions of illegal aliens from 160 different countries to cross the border. Over 85 percent of them are being released into the United States.

This is in clear violation of Federal immigration law. Failure to act is not an option. The yearlong investigation held by the committee confirmed what every American already knew to be true.

The actions that we will take today against Secretary Mayorkas are warranted and utterly urgent. Our country is under attack, and the Secretary of Homeland Security is working against America.

Madam Speaker, I urge my colleagues to act at this critical time.

Mr. THOMPSON of Mississippi. Madam Speaker, if my Republican colleagues were serious about the border, then they would drop this baseless impeachment and bring up the Senate's bipartisan border agreement for debate.

Be that as it may, they aren't serious about reform. Speaker JOHNSON made it clear that the bill was dead on arrival before he saw the text of the bill.

Madam Speaker, I yield 1 minute to the gentlewoman from Illinois (Mrs. RAMIREZ).

Mrs. RAMIREZ. Madam Speaker, on the first Homeland Security Committee hearing, Professor Bowman, an expert in impeachments, made it clear that policy differences are not a legitimate basis for impeachment. There is no legitimate basis for impeachment, yet here we are.

Why?

It is because Republicans believe persecution is a substitute for policymaking.

I guess when you can't legislate, you punish, right?

Persecution has become the go-to strategy to score political points. We have seen that on Congresspersons OMAR, SCHIFF, TLAIB, and even their own Speaker McCarthy, government employees, immigrants, and now Secretary Mayorkas.

While great for political theater, persecution and punishment do not solve problems. Policy does. Nonetheless, Republicans are not interested in policy. They shut us down for presenting policy. They even killed a supplemental they had negotiated for months.

They are just desperately deflecting attention from their failure to govern to secure their own empty reelections.

If they were serious, then we would be debating policies to address the humanitarian crisis and the root causes of migration and fentanyl. Clearly they are not.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. THOMPSON of Mississippi. Madam Speaker, I yield an additional 15 seconds to the gentlewoman from Illinois.

Mrs. RAMIREZ. Clearly, they are not serious about solutions, just chaos.

Mr. GREEN of Tennessee. Madam Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. BISHOP).

Mr. BISHOP of North Carolina. Madam Speaker, many have said what the issue is. Many have mischaracterized it, in my judgment.

The issue presented by the Articles of Impeachment and why they should be adopted by the House is not a matter of policy, it is not a matter of maladministration, it is not a matter of incompetence, it is not a matter of neglect, and it is not even a matter of refusal to enforce the law.

It was stated succinctly and aptly in the District Court opinion that ultimately led to the United States Supreme Court last summer in the United States v. Texas.

The core of the dispute is whether the executive branch may require its officials to act in a manner that conflicts with a statutory mandate imposed by Congress.

It may not.

You see, Madam Speaker, the Secretary of Homeland Security, Alejandro Mayorkas, issued guidelines—administrative law—instructing the Department of Homeland Security not to detain criminal aliens nor those ordered finally removed. That is what he did, and that was flatly contradictory to statutes passed by the Congress in the mid-1990s.

We are a nation of laws. The Supreme Court has said it cannot referee this dispute, it is up to Congress, and the Congress has but one means in this situation to vindicate the law. It cannot help the situation by shutting down the government or by cutting off funding. There is no new Cabinet Secretary to refuse to confirm in the Senate.

There is but one means: the impeachment of the Secretary who purported to issue law defying the Congress. That must result in his impeachment if the law is to have any force and if the Congress is to remain of any significance in the jurisprudence in the law of the United States.

Mr. THOMPSON of Mississippi. Madam Speaker, the Republicans highlight the Secretary's enforcement guidelines as an example of breaking the law. They fail to mention that the conservative Sixth Circuit Court of Appeals said: "The guidance does not necessarily violate a single word of the statute."

The Sixth Circuit also found that the provision of immigration law that Re-

publicans frequently cite does not "... creates a judicially enforceable mandate that the Department arrest or remove certain noncitizens."

Madam Speaker I yield 1 minute to the gentleman from Maryland (Mr. IVEY).

Mr. IVEY. Madam Speaker, I thank my colleague for yielding.

The power to impeach is one of the greatest constitutional powers granted to the House of Representatives. This awesome responsibility should be reserved for high crimes and misdemeanors.

Nonetheless, House Republicans have decided to abuse that responsibility for a cheap political stunt.

House Republicans have not alleged an impeachable offense. Policy disagreements are not impeachable. Even if you strongly believe border security should be improved, Madam Speaker, that does not provide grounds to remove a Cabinet official.

That is why former Republican Secretary Michael Chertoff said that Mayorkas hasn't committed an impeachable offense. Even law professor Jonathan Turley has said that Secretary Mayorkas' alleged actions are not impeachable and fail to amount to high crimes and misdemeanors warranting his impeachment.

Republicans offered no constitutional scholars as witnesses during their two impeachment hearings, but rather relied on Republican States attorneys general's testimony, one of which didn't even mention the word "impeachment" in his prepared statements.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. THOMPSON of Mississippi. Madam Speaker, I yield an additional 30 seconds to the gentleman from Maryland.

Mr. IVEY. This unconstitutional impeachment process has been predetermined and unjust since it began. It will lower the constitutional bar for future impeachments, and it will not make our border more secure. Therefore, I urge my colleagues to vote "no."

Mr. GREEN of Tennessee. Madam Speaker, I yield 1 minute to the gentleman from Arizona (Mr. CRANE).

Mr. CRANE. Madam Speaker, Article IV, Section 4 of the Constitution, often known as the invasion clause, says that this government will protect every State from invasion.

That is something that clearly this Secretary is in complete dereliction of duty of, and I know that he swore an oath to protect and defend the Constitution.

Now, I am not sure how many Americans have to die of fentanyl or have their kids raped and murdered by MS-13 gang members. We had one in Homeland Security just a couple weeks ago begging us to do something about this absolutely atrocious leadership from the Secretary.

Nonetheless, it is high time that this individual be held accountable for his

complete dereliction of duty at our southern border.

I urge my colleagues to support this resolution.

The last thing I want to say is that I think it tells you everything you need to know when my colleagues say that it doesn't matter if you impeach Secretary Mayorkas, we are just going to have somebody come in and do the same exact job.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GREEN of Tennessee. Madam Speaker, I yield an additional 15 seconds to the gentleman from Arizona.

Mr. CRANE. Thank you for saying the quiet part out loud.

Yes, your policies are so bad that no matter whom you put in there it will cause the same amount of damage to the American people. The people of this country are watching. Let's get this done.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

Mr. THOMPSON of Mississippi. Madam Speaker, 90 percent of fentanyl seized is interdicted at ports of entry, mostly in passenger vehicles driven by U.S. citizens and lawful residents, not migrants. If we invest in our ports of entry instead of pursuing this sham impeachment, we can scan more of these vehicles.

Madam Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Madam Speaker, smoke and mirrors have never been the foundation of the Constitution. That is all we have today to misrepresent to the American people that we are doing serious work.

It comes to mind as to whether or not Secretary Mayorkas is being charged with Articles of Impeachment because he is a Cuban immigrant who came to the United States with his family as political refugees, that they spent time fleeing the Nazis, and that he came here to do his very best for the American people. Yet we attempt to charge him with willful violation of the law.

Operational control of the border means zero persons coming across. This has not been the case as relates to any Secretary no matter what administration. Yet we have failed in this process of false smoke and mirrors to allow us to be able to articulate any charge that might constitute high crimes and misdemeanors. We failed to provide evidence to support the charges such as they are.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. THOMPSON of Mississippi. Madam Speaker, I yield an additional 30 seconds to the gentlewoman from Texas.

Ms. JACKSON LEE. We have failed to name the proper target for impeachment in a policy dispute. We have failed to process anything against Secretary Mayorkas, and we could not, in

any way, bring anything to suggest that he violated the law or that he benefited from any aspect of his work.

This Secretary has been denied due process. This is smoke and mirrors. The Constitution, which is the foundation of this land, is true. There have been no high crimes and misdemeanors or bribery. This is an impeachment that should be immediately dismissed.

Madam Speaker, I ask my colleagues to vote "no" on the Articles of Impeachment.

Madam Speaker, it is a sad day that the House has been convened to consider an impeachment bill against the current Secretary of Homeland Security—a measure that is without merit or consideration of the consequences to the agency or how this action may undermine the current challenges the nation is facing.

While this impeachment resolution bears no meaningful or serious merits, I offered an amendment for consideration by the Rules Committee that would strike Article 1 of H. Res. 863—Impeaching Alejandro Nicholas Mayorkas, Secretary of Homeland Security, because he is not accused of committing any high crimes or misdemeanors.

Article 1 of the bill accuses him of "Willful and Systematic Refusal to Comply with the Law."

Secretary Mayorkas has not committed "Treason, Bribery, or other high Crimes and Misdemeanors"—the United States Constitution's standard, for an impeachment.

Secretary Mayorkas is carrying out his duties faithfully.

House Republicans may not approve of the Biden administration's policies, but policy differences are not grounds for impeachment under the Constitution.

House Republicans are trying to distract from their inability to govern and score political points with their extreme political base by impeaching the Secretary.

Rather than abusing their power as the majority in the House of Representatives with an unjustified impeachment process, they should focus on keeping the government open and join with Democrats to provide border personnel the funding they need to do their job. I regret that of the two hearings held that they did not include any majority witnesses that were Constitutional Scholars nor a minority hearing to allow opposing views to be aired, nor the target of the impeachment Secretary Mayorkas being allowed to come before the committee in his defense.

This is the standard set by prior impeachment proceedings but ignored by the majority-controlled Homeland Security Committee.

In 1776 the Framers declared the self-evident and later the universal truth that all persons are created equal and endowed by their Creator with the inalienable rights of life, liberty, and the pursuit of happiness.

As important, the Framers declared that "to secure these rights, governments are instituted among men, deriving their just power from the consent of the governed."

This genius of self-government is the Framers' gift to us and America's gift to the world, and for nearly 250 years the world has looked upon the United States with wonder, awe, and envy not just for its awesome powers and achievements, but for being the exemplar to which most freedom-loving nations aspire.

But as President Lincoln reminded us at Gettysburg, the proposition that a people can

govern themselves is not to be taken for granted; it is a proposition that will be tested time and again and it is for us, the living, to highly resolve to commit ourselves to the great task always before us, that government of the people, by the people, and for the people not perish from the earth.

As Thomas Paine said in his time, the past fourteen years were times that tried one's soul. The nation was tested, severely so, by what can only be described as the modern-day Four Horsemen of the Apocalypse: a deadly pandemic, economic devastation unseen since the Great Depression, social justice unrest, and the very real threat of authoritarianism.

While the threat posed by these challenges are still with us to varying extent, we can all rejoice that the nation withstood the challenge, *e pluribus unum*, by standing together as "We The People."

President Lincoln reminded us that in times of testing and challenge that "the fiery trial through which we pass will mark us down in honor or dishonor until the latest generation" but that so long as the people "retain their virtue and vigilance, no administration, by any extreme of wickedness or folly, can very seriously injure the government in the short space of four years."

And Lincoln was right, for on Election Day 2020, Americans by a substantial majority, voted to withhold consent to govern from an incumbent administration and confer it upon another.

That act of self-government and sovereign expression was solemnized on January 20, 2021, at noon when Joseph R. Biden and Kamala D. Harris took the oath of office as the 46th President and 59th Vice-President of the United States.

The Philadelphia Miracle of 1789 endures but only because we Americans resolve that it does and work to make it so.

The President takes the oath of office pledging to preserve, protect, and defend the Constitution.

As does every one of my congressional colleagues, I have sacredly pledged true faith and allegiance in defending the Constitution against all enemies, foreign and domestic, and to execute the duties of the office well and faithfully I hold. I do this ever mindful that the purpose of our form of government is "to form a more perfect union, to establish justice, to ensure domestic tranquility, to provide for the common defense, to promote the general welfare, and to secure the blessings of liberty for posterity."

But we all have a responsibility to preserve and strengthen this constitutional republic and pass it on to the next generation by engaging in robust, lawful, and peaceful civic activity to hold our government to account and to peaceably assemble when necessary to petition for a redress of grievances as shown by the Rev. Dr. Martin Luther King, Jr. at the March on Washington, following the example of Mahatma Gandhi; by John Lewis and the Civil Rights foot soldiers at the Edmund Pettus Bridge in Selma, Alabama; by Elizabeth Cady Stanton and Lucretia Mott at Seneca Falls; by Cesar Chavez leading the fight for human dignity of farmworkers, and by Black Lives Matter demonstrators protesting inequalities in the criminal justice system.

For the work of democracy is never complete, our union is always in the process of being made more perfect.

The ingredients for good policy are competence, capability, and willingness to put aside partisanship and place national interest first.

At this moment in our nation's history Republicans are attempting to impeach Secretary Mayorkas not for any malfeasance or wrongdoing—but because they disagree with his actions carrying out the Biden administration's border and immigration policies.

Using policy differences as grounds for impeachment is an abusive political action that the Founders rejected as antithetical to the U.S. Constitution.

Republicans have not alleged that the Secretary has committed an impeachable offense, so their “reports” attempting to legitimize their unfounded case for impeachment effort contain blatant misinformation and politically motivated rhetoric, such as criticizing the termination of harmful but barely utilized Trump-era immigration and border policies, which were not laws—a fact they either do not understand or willfully ignore.

Such a political theater has no basis in the history of American constitutional law, as Article II of the U.S. Constitution sets the standard for impeachment of “civil officers” as “Treason, Bribery, or other high Crimes and Misdemeanors.”

The Biden administration's departure from the failed, cruel, and sometimes unlawful border and immigration policies of the previous administration is certainly not an impeachable offense.

Impeachment under these circumstances is not a constitutional remedy for political and policy differences.

Impeachment is an extraordinary remedy reserved for the most egregious political offenses, not policy differences. Indeed, Madison objected to the term “maladministration” being added to the list of impeachable offenses during the Constitutional Convention because it would upset the separation of powers.

The first and only impeachment of a Cabinet official occurred in 1876 following extensive evidence of corruption.

Republican Congressman TOM MCCLINTOCK, the Chairman of the Committee on the Judiciary's Subcommittee on Immigration Integrity, Security, and Enforcement, described Rep. GREENE's attempt to impeach Secretary Mayorkas over policy disagreements as a “perilous path” for future governance.

Chairman MCCLINTOCK went on to argue that the redefinition of impeachment found in H. Res. 863 “would utterly destroy the separation of powers at the heart of our Constitution.

While these are the basis for this Committee not moving forward in the process, there are compelling reasons why the Committee should be actively engaged in Immigration Reform.

Impeachment is not a punishment, sought to be inflicted when one branch of government merely disagrees with or dislikes what a coordinate branch has done.

It is a serious remedy designed to prevent abuses of power and is designed to ensure that ours remains a government of, by, and for the people.

This is about the duty of the President of the United States—you do not impeach people because you disagree with their approach to their service to the country or to the provisions on their policy. We do not impeach people on that basis.

No, this resolution does not provide any meaningful or sincere effort to protect the American people.

Rather, this resolution sets forth nothing more than a partisan fishing expedition and should be rebuked as such.

Impeachment is serious, yet here we are engaged in a baseless political stunt to impeach our current President.

The U.S. Constitution governs the order of our Nation, and it dictates the work of the Congress.

Article I detail the powers of the House and the exercising of these powers as they relate to the coordinate, coequal branches of government, codified in Article II, and Article III: three equal branches of government coexisting and cohesively working to provide oversight to the respective actions of the Congress, the Executive and Judiciary.

Specifically, Article I, Section 2, Clause 5 indicates that the “House of Representatives . . . shall have the sole power of impeachment.” Article II states that the “The President . . . shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors”; Article II also requires that the “President take care that the laws are faithfully executed.”

That language is stark and clear—and throughout our history it has been used in varying periods where the assessment was that the law has been breached.

Sometimes Congresses are concerned that the weight and view of the American people should be considered. Sometimes they are moved by the urgency of the matter.

This has worked, with challenges of course, since 1789, yet the outright abuse of our constitution to use impeachment as a political tool is an abomination of our congressional duties.

As constitutional scholars have long laid out the historical guardrails and mandates upon which must heed, I would like to point to a few salient remarks from the September 28, 2023, Committee on Oversight and Accountability hearing entitled “The Basis for the Impeachment Inquiry of President Joseph R. Biden” as reminders for us all here today.

In the testimony of Michael J. Gerhardt, Burton Craige Distinguished Professor of Jurisprudence, University of North Carolina at Chapel Hill, he highlighted the clear warning from Alexander Hamilton in the Federalist Papers, and what he foresaw in the dangers of trivializing impeachment through petty partisanship.

As quoted in Alexander Hamilton, No. 65, the Federalist Papers (1961), he states that impeachment may “agitate the passions of the whole community, and to divide it into parties more or less friendly or inimical to the accused. In many cases it will connect itself with preexisting factions, and will enlist all their animosities, partialities, influence, and interest on one side or on the other; and in such cases there will always be the greatest danger that the decision will be regulated more by the relative strength of the parties, than by the demonstrations of innocence or guilt.”

As Professor Gerhardt noted, “in other words, an impeachment proceeding, including the initiation of an impeachment inquiry, must rise above petty partisanship in order to ensure its legitimacy.”

And as aptly stated in the testimony of Johnathon Turley, Shapiro Professor of Public

Interest Law at George Washington University School of Law, in highlighting the carefully crafted powers vested in the House of Representatives pursuant to Art. I, §2, Cl. 5 is that:

“The Framers debated and crafted this standard and process to avoid an “anything goes” mentality. That was the reason our Framers opposed the “maladministration” standards as too malleable and indeterminate. While we continue to have passionate and good-faith debates over the meaning of the high crimes and misdemeanors standard, it is not intended to give the House carte blanche for any impulsive impeachment theory.”

Nearly fifty years ago, my predecessor, Barbara Jordan, of Texas' 18th Congressional District, declared, in the first presidential impeachment inquiry in more than a century, that:

My faith in the Constitution is whole; it is complete, it is total. I am not going to sit here and be an idle spectator to the diminution, the subversion, the destruction of the Constitution.” She noted “those are impeachable ‘who behave amiss or betray their public trust’” (quoting from the North Carolina ratification convention).

In this vein, we should not be here today in efforts to betray and diminish our Constitution and rule of law.

The unsubstantiated accusations, that the President of the United States has abused his powers and that his conduct is in dereliction of his duties as President is flatly outrageous.

When the Framers of our Constitution designed our government, they bifurcated power between the federal and state governments, and divided among the branches.

They vested in Congress the capacity to make the laws, and in the Executive the power to faithfully execute those laws.

Because the House enjoyed a natural superiority, as most representatives of the passions of the populace, the Framers vested in the House of Representatives the sole power of impeachment and made the Senate the judges.

Yet, entirely unlike the incredulous and now confirmed illegality of President Trump's behavior while in office, President Biden has certainly not earned the same stain of impeachment from the House of Representatives and his conduct absolutely does not merit conviction and removal from office by the Senate.

When the Founders inserted the Impeachment Clause in Article I, Section 2, Clause 5, they did so to preserve our democracy, protect the American people, and to prevent the abuses and excesses of the Chief Executive.

The Constitution has served our nation well for over two hundred years.

Yes, in order to keep faith with the Framers and with our future, we must preserve, protect and defend that Constitution and its provisions.

This impeachment resolution, however, is not one that is within the national interest but a disgrace to our government and its entrusted duties.

The reason given for the Impeachment is the border crisis, one that this body has not taken any steps to address, but the Senate has sent over a border bill to address the border policy issues raised during the two impeachment hearings.

The response from the House is to stay the Senate Border bill is dead on arrival-sight unseen and no counteroffer made.

As a result of lack of Congressional action, the Biden Administration is using the tools it has available to secure the border and build a safe, orderly, and humane immigration system.

Secretary Mayorkas as head of DHS began a whole-of-government approach in Fall 2021 to prepare for the end of Title 42.

In May 2022, Secretary Mayorkas issued the six-pillar plan that outlined preparations to prepare for surges in migration and the lifting of Title 42.

The plan showed measurable success.

The power of immigration reform to reduce unlawful entry is proven through the Biden Administration method of promoting the largest expansion of legal pathways for safe, orderly, and humane migration in decades, and put in new rules to encourage people to use those lawful pathways instead of making the dangerous journey to try to enter unlawfully.

The success of the lifting of Title 42 was not sustainable without resources and changes being made to immigration laws.

Instead, Republican governors have become the poster children for increased irregular migration because of their work to send people from the Southern Border to New York, Chicago, San Francisco, and Los Angeles, which sent a message that unlawful border crossings were welcomed.

The final ingredient is legislative action by Congress to address increasing the capacity of immigration courts to prioritize the orderly and fair processing of asylum claims of certain recent arrivals, while ensuring those not seeking protection or who don't qualify are promptly returned to their country of origin.

The Administration is continuing to aggressively increase legal pathways, enforce our immigration laws, target smugglers who prey and profit on vulnerable migrants and seek to traffic drugs into our country, and work collaboratively with cities and states that are impacted.

Republicans who have used immigration as a wedge issue attempted to derail the President's efforts.

It is time to focus on the places and communities receiving new residents and families to make sure the transition a win-win for new immigrants and communities.

Providing Resources to Larger Urban Areas and Rural Areas.

Democrats have proposed legislation, such as the Dream Act and the American Dream and Promise Act, that would provide a pathway to citizenship for young undocumented immigrants brought to the U.S. as children, also known as Dreamers.

Democrats are focused on providing resources to communities receiving migrants, implementing policies to ensure an orderly, humane border, and keeping the government funded.

Democrats also recognize that while there are near-term costs to receiving migrants, immigrants contribute significantly to the U.S. economy, fuel our growth, and provide a net benefit to our country's finances by paying billions in taxes annually.

Democrats also support comprehensive immigration reform that would create a pathway to citizenship for undocumented immigrants and improve border security measures while respecting the rights and dignity of all individuals.

In July 2021, the House passed a bill that would create a pathway to citizenship for un-

documented farmworkers and their families, called the Farm Workforce Modernization Act.

This would protect workers from exploitation and abuse and would provide stability for the agricultural industry.

Democrats have advocated for a comprehensive immigration reform package that would address the root causes of migration, improve border security, and create legal pathways for people to enter the U.S. lawfully.

The Biden-Harris Administration, under the direction of Secretary Mayorkas, are showing Congress, the nation and the world what is indeed possible when immigration is not treated like an offense to the nation instead of the fuel that drives our economy and injects vitality into our communities.

Because of joint Congressional and White House support since early 2021, DHS and CBP increased their border holding capacity by over a third through the construction of new facilities.

CBP has increased the efficiency of migrant processing and reduced the time noncitizens spend in temporary holding by 30 percent.

Over the years, I worked with my fellow Democrats and Republican Members of this Committee to make sure that these unaccompanied children stay safe and have a legal documentation in the United States, while the Republican Party sadly has steadfastly opposed all the legislations that benefits these children.

I ask the Rules Committee to reject this impeachment and begin plans to consider the bill sent from the Senate for a resolution to the Border crisis.

Mr. GREEN of Tennessee. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. PFLUGER).

Mr. PFLUGER. Madam Speaker, this is a sad day. It is a sad day that we have to be here, but the Framers of our Constitution forecasted that this could occur.

While we are going to hear that this is a policy difference, that this is maladministration. This is the systemic refusal to follow the law and to enforce the law. It is an egregious breach of public trust.

Moreover, there are no other avenues here. There must be a consequence, and there must be accountability. That is why we are moving to impeach Alejandro Mayorkas for endangering our country.

Anyone with common sense can see that what is being allowed to happen at our border is not only a catastrophe, but it is a national security crisis.

□ 1530

Madam Speaker, 9 million illegal aliens have entered our country since President Biden has been in office, including 300 people that have matched the terror watch list.

It took less than 20 people to orchestrate the attacks on 9/11, which sent me into 20 years of service to this country to protect us overseas. Yet, we are letting the Trojan horse into our country that threatens us. We have a Secretary who refuses to enforce the laws on the books.

It is Congress' duty to ensure that the Department of Homeland Security

is led by individuals committed to upholding the rule of law and protecting our borders, and the failure to secure the border has been so severe that we have to provide accountability.

Not only is this a systemic refusal to follow the law, but it is also the systemic deconstruction of the rule of law that eventually will eat away at this country.

I am so concerned, and our country should be concerned.

Madam Speaker, I urge everyone in this House to do something that actually gets accountability, to impeach Alejandro Mayorkas, and to get our country secure again.

Mr. GREEN of Tennessee. Madam Speaker, may I inquire how much time is remaining on each side.

The SPEAKER pro tempore. The gentleman from Tennessee has 37¼ minutes. The gentleman from Mississippi has 39¾ minutes.

Mr. THOMPSON of Mississippi. Madam Speaker, daily removals are nearly double what they were compared to pre-pandemic averages. The vast majority of individuals encountered at the southwest border throughout this administration have been removed, returned, or expelled.

Secretary Mayorkas is enforcing the law.

Madam Speaker, I yield 1 minute to the gentleman from California (Mr. RUIZ).

Mr. RUIZ. Madam Speaker, I rise to call out the hypocrisy and extreme political stunts Republicans are displaying with this baseless and unconstitutional impeachment against the Secretary of Homeland Security, Alejandro Mayorkas.

Instead of seeking bipartisan solutions, they voted to cut border security funding. Let me repeat that: cut border security funding. They are now bringing an impeachment that lacks basis in law just to pull another one of their political stunts.

Secretary Mayorkas has dedicated his career to public service and our country. During his time in the Department, he led the development and implementation of DACA and led the Department's successful response to Ebola and Zika outbreaks.

He has worked tirelessly on combating human trafficking and developed an emergency relief program for orphaned youth following the tragic January 10 earthquake in Haiti.

Secretary Mayorkas has done the work he was tasked to do by the President and more.

Stop wasting time on yet another extreme political farce. Start working with Democrats for a bipartisan, real solution.

Mr. GREEN of Tennessee. Madam Speaker, I yield 1 minute to the gentleman from Virginia (Mr. WITTMAN).

Mr. WITTMAN. Madam Speaker, I rise today to urge support of H. Res. 863, the Articles of Impeachment against Homeland Security Secretary Alejandro Mayorkas.

It is clear that Secretary Mayorkas has willfully and systematically refused to comply with U.S. immigration law. An average of 5,000 illegal immigrants are being released into the United States each day, which is a flagrant abuse of immigration laws passed by Congress governing the parole, detention, and removal of illegal immigrants.

For 3 years, Secretary Mayorkas has refused to enforce the laws passed by Congress. He has abused his authority as a Cabinet Secretary. He has misled Congress and the American people about the crisis and the role his actions and decisions have played in sparking and facilitating it.

As a result, we see record amounts of daily fentanyl flowing into our communities, rising crime across our country, and a massive strain on our localities, schools, and community services.

Since Secretary Mayorkas' tenure, over 300 individuals on the terrorist watch list trying to illegally enter the United States at the southern border between ports of entry have been apprehended by Border Patrol agents.

The SPEAKER pro tempore (Mrs. MILLER-MEEKS). The time of the gentleman has expired.

Mr. GREEN of Tennessee. Madam Speaker, I yield an additional 15 seconds to the gentleman from Virginia.

Mr. WITTMAN. Madam Speaker, cartels in Mexico are empowered to expand lucrative trafficking and smuggling operations across our porous southwest border.

The actions of Secretary Mayorkas have led to a complete humanitarian and national security catastrophe.

Congress must hold the executive branch accountable when they fail to uphold the oath of office.

Madam Speaker, I urge my colleagues to join me in voting in favor of H. Res. 863.

Mr. THOMPSON of Mississippi. Madam Speaker, Republicans ignore the fact that no administration has ever had the resources to detain all border crossers. President Trump released over 500,000 people without ever detaining any of them.

Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. NADLER), the ranking member on the Judiciary Committee.

Mr. NADLER. Madam Speaker, I rise in strong opposition to the sham impeachment of Secretary Mayorkas.

This resolution is filled with false and misleading statements that amount to nothing more than policy disagreements. Even if it were based in truth, however, policy disagreements are not a legitimate basis for impeachment.

Impeaching a Cabinet Secretary is serious. Unfortunately, House Republicans are not. This sham impeachment ran roughshod over due process and completely bypassed the Judiciary Committee, the committee of jurisdiction for impeachment.

This is not a serious effort, nor is it a serious resolution.

Republicans allege that Secretary Mayorkas should be impeached simply because he failed to meet the impossible standards set out in our laws, standards that no administration, not even President Trump's, has ever come close to meeting.

For example, they allege that Secretary Mayorkas failed to detain everyone that the law requires to be held in mandatory detention. To do so would require Congress to appropriate over \$35 billion a year, a number 10 times higher than President Trump ever requested for detention. That is why the Trump administration released over 500,000 people at the U.S.-Mexico border and released 1.1 million people from immigration detention into the United States.

Did we hear calls from the Republicans to impeach Secretaries Kelly, Duke, or Nielsen? Of course not.

The resolution also takes aim at the Secretary's use of his parole authority, but Republicans never complained when President Trump used his parole authority for tens of thousands of Cubans and military families.

So, what is different now? Could it be that it is an election year and Republicans have no record of accomplishments to run on?

With no ideas, no agenda, and no ability to govern, they are cheapening the serious and awesome power of impeachment to score a few cheap political points. That is shameful.

Our immigration system has been broken for decades. Impeaching a Cabinet Secretary because you do not like their policies will not repair it. Only bipartisan reform can do that.

Madam Speaker, I encourage my colleagues to vote "no" on this resolution.

Mr. GREEN of Tennessee. Madam Speaker, I yield 1 minute to the gentleman from Texas (Ms. VAN DUYNE).

Ms. VAN DUYNE. Madam Speaker, I rise to support the impeachment of Secretary Mayorkas. His actions support lawbreaking and lawlessness and have inflicted a horrific toll on our country. The kind of damage he has done to our cities and families is something you would expect from a hostile foreign adversary looking to destabilize and destroy America.

Our cities are overrun, forcing vital services to be cut off or reduced, shutting down our schools to house illegal migrants, and turning community centers into refugee camps, all while ignoring the needs of our own citizens.

There are more than 110,000 dead Americans from fentanyl that is being smuggled by Mexican cartels. We see criminal illegal immigrants committing murder, rape, and beating our police in broad daylight.

This is far more than a policy difference. This is the death and destruction of our country and our people. I will not stand by and just politely ask the Biden administration to please stop the chaos and devastation.

In a functioning government, people need to be held accountable when they

have deliberately inflicted harm on our Nation, and that is exactly what we are doing today.

Mr. THOMPSON of Mississippi. Madam Speaker, if my Republican colleagues were worried about the impacts of migration on our local communities, they should support DHS' Shelter and Services Program. This is the only Federal program that can provide direct assistance to cities and organizations responding to arriving migrants. Instead, they are trying to gut this program and impeach Secretary Mayorkas, which would accomplish nothing.

Madam Speaker, I yield 1 minute to the gentleman from California (Mr. SWALWELL).

Mr. SWALWELL. Madam Speaker, this is not about Secretary Mayorkas. This is straight-up sabotage.

MAGA Republicans have never accepted President Biden as the President, from the day they led an insurrection into this Chamber to this day, where they are trying to sabotage solutions at the border.

Any shortcomings with Mayorkas are the Republicans' fault. The Republicans won't give him the authority that he needs to carry out more security at the border.

All we have heard for years is noun, verb, border. You get your border deal, led by the second most conservative in the Senate, and you are walking away from it. You are walking away from it because Trump says you can't have it.

This place with you all in charge is looking less and less like the House Chamber and more and more like Trump's echo chamber.

What we need right now are solutions, not chaos. With you all in charge, you are a party of followers. With President Biden's leadership, Democrats continue to show that we are a party of leaders.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

Mr. GREEN of Tennessee. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. FALLON).

Mr. FALLON. Madam Speaker, how many Democrats or open border caucus members—I apologize for my redundancy there—are willing to house migrants in their own homes, Madam Speaker? None. Zero. Nada. They seem to all be for providing sanctuary, provided they don't have to provide it.

Alejandro Mayorkas, under oath, testified before Congress and claimed the border is no less secure than it was previously. Does anyone in this Chamber