



COMMITTEE ON HOMELAND SECURITY

Ranking Member Bennie G. Thompson

FOR IMMEDIATE RELEASE

Hearing Statement of Ranking Member Bennie G. Thompson (D-MS)

Sham Impeachment "Hearing" #2

January 18, 2024

Before we begin today's hearing, I want to address misinformation my Republican colleagues are spreading, falsely alleging that Secretary Mayorkas is refusing to testify before this Committee.

Let me set the record straight. Secretary Mayorkas has testified before Congress *more than any other Cabinet Secretary*. He has appeared before this Committee twice in the last year, *including just two months ago when he testified for several hours about border security*. His willingness to work with the Committee has been a welcome change from the Trump administration, whose officials *consistently refused to comply with congressional oversight*. They ignored virtually every oversight letter and even defied a subpoena for their so-called "Acting Secretary" to appear before the Committee.

Secretary Mayorkas, however, has been forthright in dealing with Congress. In response to the Chairman's request to testify at today's hearing, on January 11, 2024, *the Secretary sent a letter agreeing to make himself available to testify at a future, mutually agreed upon date*.

However, ***the Chairman refused to accept***. Instead, Republicans sent angry letters and tweets accusing the Secretary of refusing to testify, knowing full well he said he would appear. ***Republicans are acting in bad faith***. Unfortunately, that's nothing new.

Months ago, Chairman Green promised donors at a campaign event that he would bring an impeachment case against Secretary of Homeland Security Alejandro Mayorkas. He told his contributors to "get the popcorn" and promised "it's going to be fun." Before the Committee had even begun its inquiry, Republicans had predetermined the outcome. But why did Republicans invite the Secretary to testify only to refuse his offer to appear? The answer to that question appeared in The Hill newspaper last night.

According to an internal Republican memo dated January 10, 2024, ***Republicans had already scheduled a committee vote to impeach the Secretary prior to holding a single impeachment hearing***. Just as we've said *all along*, the outcome of Republicans' so-called impeachment "investigation" has been ***predetermined from the start***.

The Chairman promised to follow the facts, but Republicans never really intended to do so. They are hurrying to adhere to an artificial timeline agreed to in a backroom deal between Republican leadership, which is holding on by a thread, and its most extreme MAGA members. This isn't a real impeachment, it's a MAGA spectacle paid for by Americans' tax dollars for Republican political gain. But through it all, Secretary Mayorkas remains committed to his job, the Department of Homeland Security's mission, and the men and women who serve with him at DHS.

The Secretary is also continuing to work diligently on a bipartisan basis to secure necessary funding for border security and to prepare the Department for a possible shutdown. I wish my Republican colleagues would engage the Secretary to provide the Department the funding it needs, but they have refused.

I look forward to continuing to work with Secretary Mayorkas on critical homeland security issues facing the country and commend him for his unwavering commitment to duty even in the face of this sham impeachment.

I will also note for the record that when I asked at last week's hearing about providing the Secretary due process during the Committee's impeachment proceedings, the Chairman gave no substantive answers to my repeated inquiries. In fact, he seemed not to have even considered providing the Secretary due process and appeared unprepared to respond. That is unfortunate but not surprising.

Again, this isn't a real impeachment, it's a pre-determined, pre-planned, partisan political stunt.

Yesterday, the Chairman threatened to hold Secretary Mayorkas in contempt for failing to appear before the Committee...even though the Secretary has already agreed to appear. That's not how contempt works. I can't help but wonder if Republicans are getting a bit desperate, especially after their hearing last week was **a flop**.

It **fell flat** after their witnesses – three Republican politicians — rehashed old partisan talking points without so much as a shred of evidence to support their politically motivated claims for impeachment. The Democratic witness, respected impeachment expert and Constitutional scholar Professor Frank Bowman, testified that “policy differences, no matter how severe, no matter how heated, are simply not grounds for impeachment.”

You cannot impeach a cabinet secretary because you don't like a President's policies. That's not what impeachment is for. That's not what the Constitution says. Unfortunately, Republicans are willing to damage the Constitution they claim to hold dear because they think it will benefit them politically.

Which brings us to today's hearing. I want to begin by expressing my deepest sympathies to Ms. Nobles and Mrs. Dunn on the tragic loss of your children. I cannot fathom your pain. As a father and a grandfather, my heart truly goes out to you. Indeed, our hearts go out to all those who have lost loved ones to drugs and violence, and we are committed to helping prevent future tragedies.

Democrats want to strengthen border security. We want to keep fentanyl off our streets. We want to keep communities safe. We want to help those struggling with addiction. ***But impeachment would do none of that. The fact is impeachment is a waste of precious time that could be used to legislate on these urgent issues, if only Republicans were willing to do so.***

The Democratic witness today, Professor Deborah Pearlstein, is a constitutional law scholar. But in addition to her knowledge of impeachment, she has great expertise on the awesome power vested in Congress by the Constitution to effect change for the American people. That power is **not** through impeachment.

As Professor Pearlstein stated in her testimony “impeachment of Secretary Mayorkas...can have no impact on the Administration's exercise of immigration enforcement discretion, a power the Supreme Court has repeatedly recognized is vested by the Constitution in the Executive Branch.” Instead, Congress' power comes from its ability to legislate. As Professor Pearlstein goes on to say “no branch of government has more power under our Constitution to address matters of border security than Congress.”

In other words, it is up to Congress to provide funding to interdict fentanyl, fix our broken immigration system, and provide help for those suffering from opioid addiction. That's our role in this — to use the power provided under the Constitution to legislate on important issues, to help people who need it most. Not some baseless, senseless impeachment. I look forward to hearing from Professor Pearlstein about Congress' power to make meaningful progress on these and other issues.

Mr. Chairman, I made this plea to you last week. It fell on deaf ears, but I'll try again. Let's drop this baseless impeachment and get back to doing the real work of securing the homeland and helping people across this great country.

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