

118TH CONGRESS
1ST SESSION

H. RES. 863

Impeaching Alejandro Nicholas Mayorkas, Secretary of Homeland Security,
for high crimes and misdemeanors.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 13, 2023

Ms. GREENE of Georgia submitted the following resolution

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By motion of the House, referred to the Committee on Homeland Security

RESOLUTION

Impeaching Alejandro Nicholas Mayorkas, Secretary of
Homeland Security, for high crimes and misdemeanors.

1 *Resolved*, That Alejandro Nicholas Mayorkas, Sec-
2 retary of Homeland Security, is impeached for high crimes
3 and misdemeanors, and that the following articles of im-
4 peachment be exhibited to the United States Senate:

5 Articles of impeachment exhibited by the House of
6 Representatives of the United States of America in the
7 name of itself and of the people of the United States of
8 America, against Alejandro Nicholas Mayorkas, Secretary
9 of Homeland Security, in maintenance and support of its

1 impeachment against him for high crimes and mis-
2 demeanors.

3 ARTICLE I

4
5 Rather than adhering to an oath he took to defend
6 and secure our country and uphold the Constitution when
7 he was sworn in as Secretary of Homeland Security,
8 Alejandro Nicholas Mayorkas has engaged in a pattern of
9 conduct that is incompatible with the laws of the United
10 States, as follows:

11 Article II of the Constitution requires that the Execu-
12 tive branch, which today includes the Secretary of Home-
13 land Security, ensure the laws passed by Congress and
14 signed into law by the President are faithfully executed.

15 The Secure Fence Act of 2006 (Public Law 109–367)
16 requires that the Secretary of Homeland Security “main-
17 tain operational control over the entire international land
18 and maritime borders of the United States”.

19 In his willful admittance of border crossers, terror-
20 ists, human traffickers, drugs, and other contraband,
21 Alejandro Nicholas Mayorkas has failed to maintain oper-
22 ational control of the border, thereby violating the Secure
23 Fence Act of 2006.

24 The Guarantee Clause set forth in article IV, section
25 4 of the Constitution dictates, “The United States shall
26 guarantee to every State in this Union a Republican Form

1 of Government, and shall protect each of them against In-
2 vasion; and on Application of the Legislature, or of the
3 Executive (when the Legislature cannot be convened)
4 against domestic Violence”.

5 The Guarantee Clause clearly dictates that the Fed-
6 eral Government has a constitutional duty and obligation
7 to protect each of the States from invasion. As Secretary
8 of the Department of Homeland Security, Alejandro
9 Mayorkas, has violated his oath to uphold this constitu-
10 tional duty by allowing the invasion of approximately
11 10,000,000 illegals across our borders. The ongoing inva-
12 sion at our southern border is a direct national security
13 threat against the States and against the citizens therein.
14 Secretary Mayorkas has willfully abandoned his duty to
15 secure the border and protect States against invasion,
16 thereby violating article IV, section 4 of the Constitution.

17 To wit, since Mayorkas has headed the Department
18 of Homeland Security, there have been—

19 (1) approximately 10,000,000 illegal border
20 crosser who have invaded our country at our border,
21 this is broken down between 8,000,000 encounters
22 and approximately 1,800,000 known “gotaways”
23 who have evaded United States authorities and are
24 roaming the interior of the United States;

1 (2) at least 280 people on terrorist watchlists
2 caught while attempting to cross the border between
3 ports of entry;

4 (3) approximately 400,000 unaccompanied ille-
5 gal children encountered at the southern border,
6 with at least 85,000 of these children having gone
7 missing;

8 (4) at least 1,424 deaths of illegals at the
9 southern border;

10 (5) approximately 73,000 “special interest
11 aliens” arrested at our border, which are aliens from
12 a nation that promotes terrorist activity, harbors
13 terrorists, or poses a security threat to the United
14 States, this is the number arrested at the border,
15 not counting however many of the 1,800,000 known
16 “gotaways” are special interest aliens;

17 (6) approximately 659 special interest aliens
18 from Iran;

19 (7) approximately 6,386 special interest aliens
20 from Afghanistan;

21 (8) approximately 538 special interest aliens
22 from Syria;

23 (9) approximately 3,153 special interest aliens
24 from Egypt;

1 (10) approximately 12,624 special interest
2 aliens from Uzbekistan;

3 (11) approximately 30,830 special interest
4 aliens from Turkey;

5 (12) approximately 1,613 special interest aliens
6 from Pakistan;

7 (13) approximately 164 special interest aliens
8 from Lebanon;

9 (14) approximately 185 special interest aliens
10 from Jordan;

11 (15) approximately 123 special interest aliens
12 from Iraq; and

13 (16) approximately 15,594 special interest
14 aliens from Mauritania.

15 In fiscal year 2021, Customs and Border Patrol
16 (CBP) seized approximately 11,200 pounds of fentanyl.
17 In fiscal year 2022, CBP seized approximately 14,700
18 pounds of fentanyl. In fiscal year 2023, CBP has seized
19 a record of approximately 27,000 pounds of fentanyl. Over
20 70,000 Americans died from fentanyl in fiscal year 2022.
21 Fentanyl is now the number one killer of Americans be-
22 tween the ages of 18 and 45. Fentanyl kills approximately
23 300 Americans a day. This is the amount of fentanyl that
24 has been seized at the border, yet 300 Americans are still

1 being killed by fentanyl poisoning every day. The amount
2 of unseized fentanyl has not even been taken into account.

3 The Constitution also requires the Secretary of
4 Homeland Security to observe the Immigration and Na-
5 tionality Act (8 U.S.C. 1101 et seq.). This law requires
6 Homeland Security to detain inadmissible aliens arriving
7 in the United States or illegal aliens presently in the
8 United States. Instead, the Department of Homeland Se-
9 curity, under Secretary Mayorkas, has practiced catch and
10 release policies, whereby illegals are detained, but then re-
11 leased, without any mechanism to ensure they show up
12 to court for processing.

13 By terminating contracts for border wall construc-
14 tion, ending the Migrant Protection Protocols (Remain in
15 Mexico), unlawfully granting categorical parole, and being
16 complicit in ending title 42, Mayorkas has made it easier
17 for illegal people and drugs to enter the United States,
18 endangering American citizens, and has made it harder
19 for CBP to expel such threats.

20 Alejandro Nicholas Mayorkas, in his inability to en-
21 force the law, has engaged in a pattern of conduct that
22 is incompatible with his duties as a civil officer of the
23 United States.

24 Alejandro Nicholas Mayorkas, in his failure to uphold
25 the oath he took, has, by his actions, lost the trust of citi-

1 zens of the United States to faithfully execute the laws
2 of the United States.

3 Wherefore, Alejandro Nicholas Mayorkas, thus war-
4 rants impeachment and trial, removal from office, and dis-
5 qualification to hold and enjoy any office of honor, trust,
6 or profit under the United States.

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