



Written by [Luis Miguel](#) on February 2, 2023

DHS Secretary Mayorkas Slapped With New Impeachment Articles

As the border crisis spirals into total free fall and American citizens are more impacted by it than ever before, some voices in Congress are at long last demanding accountability of those responsible.

With Republicans now in control of the House of Representatives, articles of impeachment have once more been introduced against Joe Biden's Department of Homeland Security Secretary, Alejandro Mayorkas, on the grounds of having violated his very oath of office and for failure to uphold federal immigration laws.

As [Fox News](#) reported, the articles were introduced Wednesday by Representative Andy Biggs (R-Ariz.), who likewise introduced articles to impeach Mayorkas in 2021 when the House was still dominated by Democrats.

The new impeachment effort comes as immigration authorities have had a record 2.3 million encounters with illegal aliens in fiscal year 2022. Over 251,000 of those were in December alone.

The impeachment articles accuse Mayorkas of having "engaged in a pattern of conduct that is incompatible with his duties as an Officer of the United States," contending,

Secretary Mayorkas has failed to faithfully uphold his oath and has instead presided over a reckless abandonment of border security and immigration enforcement, at the expense of the Constitution and the security of the United States. Secretary Mayorkas has violated, and continues to violate, this oath by failing to maintain operational control of the border and releasing hundreds of thousands of illegal aliens into the interior of the United States.

The impeachment articles also maintain that the Homeland Security secretary did not implement the 2006 Secure Fence Act, which stipulates that DHS must "achieve and maintain operational control" over the border.

Yet another charge is that Mayorkas, in allowing illegal aliens to be released into the country, has violated the Immigration and Nationality Act (INA) and its provision that illegal aliens must be detained.

Furthermore, the articles point to Mayorkas' decision to end the Trump-era Migrant Protection Protocols (MPP), which required that illegal migrants be kept in Mexico until the completion of their hearings. "The Secretary of Homeland Security does not have the option of simply releasing those aliens into the interior of the United States," the articles argue.



AP Images
Alejandro Mayorkas



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They go on to add, “The actions of Secretary Mayorkas have made the border less secure and encouraged aliens to enter the United States illegally, instead of taking actions to maintain operational control of the border. His actions have subverted the will of Congress and the core tenants [sic] of the Constitution.”

Representative Pat Fallon (R-Texas) had introduced his own articles last month, which alleged that Mayorkas “publicly and falsely slandered” Border Patrol agents over the 2021 accusations of whipping Haitian migrants, which were proven to be false.

Of course, the real question is not whether stray Republican representatives will introduce impeachment articles, but whether those articles can be made viable with support from House leadership.

In this case, House Speaker Kevin McCarthy (R-Calif.) has previously signaled that he would be willing to get behind an impeachment effort aimed at Mayorkas.

“He cannot and must not remain in that position,” McCarthy said back in November. “If Secretary Mayorkas does not resign, House Republicans will investigate every order, every action and every failure to determine whether we can begin an impeachment inquiry.”

Representative Carlos Giménez (R-Fla.), who was present during a Sunday meeting with the DHS chief in Miami, [addressed a letter](#) to Mayorkas on Tuesday in which he pressed the Biden official for answers on a number of major immigration questions — questions that Mayorkas reportedly was unable to answer at the meeting.

As Fox News notes,

In his letter, Giménez asks Mayorkas how many of the 4.5 million migrant encounters at the Southwest border since Biden took office, are currently residing in the U.S. He also seeks answers on the DHS’ process for choosing a location to release these individuals and the information that’s given to those localities.

Giménez questions how many of these migrants have work permits and, among those that do, how many are receiving federal government assistance. Additionally, he asks, how many of those that do not have authorized work permits have received federal government assistance.

He cites U.S. Customs and Border Protection’s (CBP) 1.2 million figure for “gotaways” who have evaded border authorities. Of these, Giménez wants to know how many have been located by CBP. He also asks Mayorkas how many migrants who were unknown to DHS have been detained and deported over the past two years.

Homeland Security, meanwhile, has pushed back at Republicans’ targeting of Mayorkas, placing the blame on Congress for allegedly failing to pass legislation that would solve the migrant crisis. The department articulated this view in a Wednesday statement from a DHS spokesperson:

Secretary Mayorkas is proud to advance the noble mission of this Department, support its extraordinary workforce, and serve the American people. The Department will continue our work to enforce our laws and secure our border, while building a safe, orderly, and humane immigration system. Instead of trying to point fingers and score political points, the



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Members of Congress recklessly and baselessly pursuing impeachment should work on legislative solutions for our broken system, which has not been updated in over 40 years.

But Republicans have balked at the idea of passing a Democrat-approved immigration bill when Biden's party won't come to the table unless any such legislation includes a pathway to citizenship for millions of illegal aliens — something the Republican base won't accept.



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