



Written by [R. Cort Kirkwood](#) on February 14, 2024

House Impeachment: Mayorkas “Willfully” Broke the Law, Lied to Congress.

It was a close call, but House Republicans impeached Homeland Security Secretary Alejandro Mayorkas on Tuesday.

The charges: He purposely opened the southwest border to an illegal-alien invasion and breached the public trust by lying about it.

The [vote was 214-213](#), with all Democrats voting against impeaching the [unindicted visa fraudster](#). The same three Republicans who ducked into the bushes and helped defeat the resolution last week did so again.

Now, the Senate will take up the matter, but the measure will almost certainly fail in the Democrat-controlled upper chamber.



AP Images
Alejandro Mayorkas

Breaking News: The House, in its second attempt, impeached Alejandro Mayorkas, the homeland security secretary, over his handling of immigration and the border. <https://t.co/DQS9QtJx4Y>

— The New York Times (@nytimes) [February 14, 2024](#)

Long Investigation

The indictment of Mayorkas for aiding and abetting the invasion, a federal felony, came after almost a year of compiling evidence that [rolled out](#) in five reports.

[Article I details](#) Mayorkas’ “willful and systemic refusal to comply with the law,” most notably by refusing to abide by and enforce the Immigration and Nationality Act.

The article detailed Mayorkas’ high crimes and misdemeanors, including creating “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.”

He did the same thing with asylum applicants, more than 90 percent of whom [tell tall tales](#) to get into the country.

He “unlawfully released” asylum applicants, the resolution says, “without effective mechanisms to ensure appearances before the immigration courts for removal proceedings or to ensure removal in the case of aliens ordered removed.”

Mayorkas also created a massive parole program that Congress did not authorize.

With his “[Guidelines for the Enforcement of Civil Immigration Laws](#),” released on September 30, 2021,



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Mayorkas unilaterally rewrote the nation's immigration laws. He stopped the deportation of illegals simply because they jumped the border, and even stopped the deportation of dangerous illegal-alien criminals on the basis of a conviction.

Article also cites a federal court to say Mayorkas broke the law with his "guidelines." In *Texas v. Biden*, the Fifth U.S. Circuit Court of Appeals ruled that Mayorkas created "a general policy that is so extreme as to amount to an abdication of ... statutory responsibilities." That policy, a "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," the court ruled.

"In all of this," the [first article of impeachment concludes](#), "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."

Article II, Breach of the Public of the Trust, says Mayorkas "knowingly made false statements, and knowingly obstructed lawful oversight of the Department of Homeland Security ... principally to obfuscate the results of his willful and systemic refusal to comply with the law."

He lied to Congress by claiming that the "border is secure," Article II says, and lied also about the vetting of Afghan refugees, the deportation of illegals, and border agents' whipping illegals at the border.

He also failed to comply with congressional subpoenas.

As well, he neglected his "duty to control and guard the boundaries and borders of the United States against the illegal entry of aliens."

Reaction

The resolution passed because House Majority Leader Steve Scalise returned from cancer treatments. The GOP's Ken Buck of Colorado, Mike Gallagher of Wisconsin, and Tom McClintock of California [skedaddled like before](#). Their defection last time helped defeat the resolution 214-216. Two Republicans and two Democrats did not vote.

My statement on the House voting to impeach Secretary Mayorkas:

pic.twitter.com/CwNdm4XQkU

— Speaker Mike Johnson (@SpeakerJohnson) [February 14, 2024](#)

"Mayorkas deserves to be impeached, and Congress has a constitutional obligation to do so, Speaker Mike Johnson said:

Next to a declaration of war, impeachment is arguing the serious authority given to the house. And we treated this matter accordingly. Since this secretary refuses to do the job that the Senate confirmed him to do, the House must act.

Democrats wept and gnashed their teeth. Senate Majority Leader Chuck Schumer, who will preside over Mayorkas' almost-guaranteed acquittal, [ragged in a short release](#):

This sham impeachment effort is another embarrassment for House Republicans. The one



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and only reason for this impeachment is for Speaker Johnson to further appease Donald Trump.

House Republicans failed to produce any evidence that Secretary Mayorkas has committed any crime.

House Republicans failed to show he has violated the Constitution.

House Republicans failed to present any evidence of anything resembling an impeachable offense.

This is a new low for House Republicans.

All of which is categorically false.

Joe Biden emerged from an ice-cream-induced fugue state and unbosomed himself of more falsehoods.

“History will not look kindly on House Republicans for their blatant act of unconstitutional partisanship that has targeted an honorable public servant in order to play petty political games,” [he said](#).

“Instead of staging political stunts like this, Republicans with genuine concerns about the border should want Congress to deliver more border resources and stronger border security. Sadly, the same Republicans pushing this baseless impeachment are rejecting bipartisan plans Secretary Mayorkas and others in my administration have worked hard on to strengthen border security at this very moment — reversing from years of their own demands to pass stronger border bills.”

That claim — that Biden cannot stop the invasion he invited, and is aiding and abetting — is also false, as Johnson observed last week.

For months, the President and his White House have claimed they need a new law to take any action on the border. That was patently false, and they knew it all along. They have clearly misled the American people.

It is now apparent the President kept the border open as a...

— Speaker Mike Johnson (@SpeakerJohnson) [February 8, 2024](#)

“As I’ve said for months, in public and private communication with the White House and the American people, the President has ample authority to take a range of actions to stem the flow of illegal immigration,” Johnson wrote on X. “He has a moral and legal responsibility to do all he can to try to reverse the catastrophe he has created.”



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