

**CONGRESSIONAL  
INTEGRITY**   
PROJECT 

**To:** Interested Parties  
**From:** Kyle Herrig, Executive Director, Congressional Integrity Project  
**Re:** Impeachment of DHS Secretary Mayorkas is a Partisan Political Stunt  
**Date:** February 5, 2024

---

*Despite a year of investigating Department of Homeland Security Secretary Alejandro Mayorkas, MAGA House Republicans have failed to present a single shred of evidence of impeachable offenses or high crimes or misdemeanors. Yet last week, in the dead of night when no one was watching, they voted to send articles of impeachment to the floor for a House vote.*

*The truth is, they never even cared about the facts all along. They planned to move forward with the proceedings even before any hearing, evidence, or testimony was given. Even some of the MAGA Republicans' own colleagues have admitted, there is absolutely not a shred of evidence warranting impeaching the Secretary. House Republicans are bringing chaos and instability to our government: kicking out their Speaker of the House, a baseless impeachment inquiry against President Biden, and now these impeachment articles are all wasting time and taxpayer money.*

*Instead of coming to the table to address the issues with our outdated and broken immigration system, House Republicans like Ohio Rep. Mike Turner continue to stand by while the MAGA House pushes baseless, extreme, and harmful impeachment charades, threatening our country's democratic norms and demonstrating their interest in playing politics rather than solving real problems. This impeachment is a pre-planned, predetermined political stunt, designed to distract from MAGA House Republicans' inability to legislate in an effort to help return Donald Trump to the White House in 2024.*

**MAGA House Republicans' bogus pursuit of impeachment of Secretary Mayorkas is nothing but a pre-planned, predetermined political stunt.**

- **MAGA House Republicans have failed to turn up a single shred of evidence of wrongdoing by Secretary Mayorkas.** MAGA Republicans have spent a year investigating Secretary Mayorkas, during which time they've neither turned up a single shred of evidence of impeachable offenses nor do they have [any grounds](#) for an impeachment that is based solely on policy disagreements.
  - The Constitution doesn't allow impeachment for [policy disagreements](#). According to the nonpartisan Congressional Research Service, documentation from the Constitutional Convention supports the view that "congressional disagreement with a President's policy goals is not sufficient grounds for impeachment."

- Interviews with eight U.S. Border Patrol Chief Patrol Agents have [contradicted](#) House Republicans’ claims about the southern border. The agents “consistently agreed that the resources provided by the Biden-Harris Administration assisted their operations in securing the border, created a safer environment for U.S. Border Patrol agents, and improved morale among agents.”
- Contrary to Republican claims, under Secretary Mayorkas DHS has maintained operational control of the border [to the exact same extent](#) as [every previous administration](#) since the passage of the Secure Fence Act. The administration has returned or expelled the [majority](#) of all southwest border migrant encounters. DHS’ rate of apprehending noncitizens attempting to cross the border is the same as during the Trump administration – 78 percent – and has [reached](#) maximum detention capacity [given current funding levels](#). DHS has also [seized](#) record amounts of fentanyl and made [significantly more](#) fentanyl-related arrests than in the previous four years.
- Contrary to Republican claims, Secretary Mayorkas has provided Congress with a [transparent account](#) of DHS operations, testifying before Congress 27 times since taking office – more than any other Cabinet member. DHS has produced more than 20,000 pages of documents to Congress, supplied over 75 witnesses for more than 50 hearings, provided nearly 20 employees for transcribed interviews, held more than 200 informational committee briefings in six months alone, and responded to over 1,400 congressional letters.
- **Even Republicans know this impeachment attempt is nothing but a political stunt.** Countless [legal experts](#), their own impeachment [witness](#), and [numerous Congressional Republicans](#) have all [concluded](#) that there is no Constitutional basis for impeaching the Secretary. As impeachment scholar Professor Frank Bowman [testified](#): “Legal disputes over the exercises of executive authority are a commonplace in every administration. And every president wins some and loses others. If the mere existence of such disputes were impeachable, every president and every cabinet officer would be impeachable many times over.”
  - As former Secretary of Homeland Security Michael Chertoff [wrote](#), “they have failed to put forth evidence that meets the bar.”
  - Perennial GOP witness Jonathan Turley [said](#) there is no “cognizable basis here for impeachment,” explaining, “I don’t think they have established any of those bases for impeachment...The fact is, impeachment is not for being a bad cabinet member or even a bad person. It is a very narrow standard.”
  - Trump’s former impeachment defense lawyer Alan Dershowitz wrote an op-ed encouraging Republicans to vote against impeaching Secretary Mayorkas, calling the complete lack of evidence a “[double standard](#),” writing: “Whatever else

Mayorkas may or may not have done, he has not committed bribery, treason, or high crimes and misdemeanors.

- **This impeachment attempt has been a pre-planned and predetermined partisan game since day one.** From the start, this impeachment stunt has been nothing but another partisan game. MAGA House Republicans like [Chairman Mark Green](#) and [Marjorie Taylor Greene](#) have long called for the impeachment of the Secretary, and have even fundraised on the topic. Mayorkas has always been the [number one target](#) of the House GOP, with 31 MAGA Republicans signing articles of impeachment before the midterm elections. Republicans have hypocritically [neglected](#) due process and fairness after [complaining about it](#) during prior impeachments. **Even after Secretary Mayorkas [said](#) he would testify, MAGA House Republicans [refused](#) to work with DHS to find a date for his testimony,** displaying their true motives for an impeachment that would benefit them politically despite being unsupported by evidence. They [set a date](#) for marking up impeachment articles, and even [announced](#) all committee republicans would support impeachment before allowing the Secretary to respond. The House GOP is only using these so-called investigations to disrupt the Department of Homeland Security's national security work and hinder the Biden administration.
- **House Republicans have no credibility to claim they care about real solutions to fix our broken and outdated immigration system or the border.** Instead of engaging and negotiating, Republicans are only using border policy as an [endless crisis issue](#) to campaign on. Republicans have refused to work with the Biden administration or even the Senate on immigration reform or border policy. They spent millions [campaigning](#) on border issues and putting on [elaborate political stunts](#) like sending migrants to Martha's Vineyard to critique policies imposed or exacerbated by the Trump administration. Now, the House GOP has [all but refused to consider](#) a bipartisan compromise on immigration between the Biden administration and the Senate.

Even MAGA Speaker Mike Johnson has reportedly [refused to seriously consider](#) immigration reform and border security legislation "until Donald Trump or another Republican is in the White House, calling it a "[nonstarter](#)" and "[dead on arrival](#)."

- Republicans like Rep. Troy Nehls have said the quiet part out loud, [admitting](#) Republicans [won't do anything](#) to help Biden's approval ratings by passing bipartisan border security legislation, telling reporters, "Why would we do anything right now to help him?"
- **MAGA House Republicans have the wrong priorities.** Impeachment is an ongoing campaign strategy for MAGA Republicans. From the evidence-free impeachment pursuit of President Biden to now Secretary Mayorkas, MAGA House Republicans have been focusing on playing partisan political stunts, rather than focusing

on the real issues keeping Americans up at night. Their only goal is to harm President Biden and his administration and [help their disgraced former President](#), Donald Trump return to the White House in 2024 while distracting from his 91 criminal indictments and the House GOP's year of legislative failures. They are only capable of playing politics.

- **After years of failing to take action on immigration, Ohio Rep. Mike Turner (OH-10) should [break his silence](#) and commit to working for Americans by not going forward with this impeachment.** Turner has a long record of failing to take action on immigration, instead preferring to [push partisan games](#). Instead of continuing to play politics, Turner should commit to working for Americans and not going through with this stunt.
  - In 2013, House Republicans [refused to act](#) on a [painstakingly negotiated, comprehensive](#) immigration bill that passed the Senate by a wide, bipartisan margin.
  - In 2019, Turner [voted against](#) two bipartisan immigration reform bills that would have [provided](#) a pathway for certain undocumented farmworkers to earn legal status and [provided](#) a pathway to citizenship for DACA recipients.
  - In March 2021, Turner again [voted against](#) two bipartisan immigration reform bills that passed the House with both Democratic and Republican votes.
  - In December 2022, Turner voted against billions of dollars in border security funding as part of the [FY 2023](#) spending package, which [included](#) a nearly \$4.9 billion supplemental request for the border and [provided](#) the Border Patrol with \$7.153 billion — a 17 percent increase from the year before.