



One Hundred Eighteenth Congress  
Committee on Homeland Security  
U.S. House of Representatives  
Washington, DC 20515

**COMMITTEE ACTION**

February 6, 2024

The Committee on Homeland Security met, pursuant to notice, in open markup session, a quorum being present, on Tuesday, January 30, 2024, at 10:00 a.m. EST in 310 Cannon to consider the following measure:

H. Res. 863, Impeaching Alejandro Nicholas Mayorkas, Secretary of Homeland Security, for high crimes and misdemeanors.

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The Committee took the following actions:

A motion by Mr. Green of TN to report H. Res. 863, as amended, to the House with a favorable recommendation; was AGREED TO by a roll call vote of 18 yeas and 15 nays (RC#48). A motion to reconsider was laid on the table.

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H. Res. 863, Impeaching Alejandro Nicholas Mayorkas, Secretary of Homeland Security, for high crimes and misdemeanors.

The following motions and amendments were offered:

A motion to adjourn offered by Mr. Thompson of Mississippi, was NOT AGREED TO by a roll call vote of 14 yeas and 18 nays (RC#25).

The vote was as follows:

<b>COMMITTEE ON HOMELAND SECURITY</b> 118 <sup>TH</sup> CONGRESS
<b>Date:</b> January 30, 2024
<b>Roll Call Vote No. 025</b>
<b>Motion to Adjourn</b>

<b>Yeas</b>		<b>Nays</b>
	Mr. McCaul, Texas	X
	Mr. Higgins, Louisiana	X
	Mr. Guest, Mississippi	X
	Mr. Bishop, North Carolina	X
	Mr. Gimenez, Florida	X
	Mr. Pfluger, Texas	X
	Mr. Garbarino, New York	X
	Ms. Greene, Georgia	X
	Mr. Gonzales, Texas	X
	Mr. LaLota, New York	X
	Mr. Ezell, Mississippi	X
	Mr. D'Esposito, New York	X
	Ms. Lee, Florida	X
	Mr. Luttrell, Texas	X
	Mr. Strong, Alabama	X
	Mr. Brecheen, Oklahoma	X
	Mr. Crane, Arizona	X
X	<i>Mr. Thompson, Mississippi, Ranking Member</i>	
X	<i>Ms. Jackson Lee, Texas</i>	
X	<i>Mr. Payne, New Jersey</i>	
	<i>Mr. Swalwell, California</i>	
X	<i>Mr. Correa, California</i>	
X	<i>Mr. Carter, Louisiana</i>	
X	<i>Mr. Thanedar, Michigan</i>	
X	<i>Mr. Magaziner, Rhode Island</i>	
X	<i>Mr. Ivey, Maryland</i>	
X	<i>Mr. Goldman, New York</i>	
X	<i>Mr. Garcia, California</i>	
X	<i>Mrs. Ramirez, Illinois</i>	
X	<i>Mr. Menendez, New Jersey</i>	
X	<i>Ms. Clarke, New York</i>	
X	<i>Ms. Titus, Nevada</i>	
	Mr. Green, Tennessee, Chairman	X
14	<b>TOTAL</b>	18

A motion to dispense with the first reading of H. Res. 863 offered by Mr. Guest, was AGREED TO by a recorded vote of 18 yeas and 14 nays (RC#26).

The vote was as follows:

COMMITTEE ON HOMELAND SECURITY 118 <sup>TH</sup> CONGRESS		
Date: January 30, 2024		
Roll Call Vote No. 026		
Motion to dispense with the reading of H. Res. 863		
Yeas		Nays
X	Mr. McCaul, Texas	
X	Mr. Higgins, Louisiana	
X	Mr. Guest, Mississippi	
X	Mr. Bishop, North Carolina	
X	Mr. Gimenez, Florida	
X	Mr. Pfluger, Texas	
X	Mr. Garbarino, New York	
X	Ms. Greene, Georgia	
X	Mr. Gonzales, Texas	
X	Mr. LaLota, New York	
X	Mr. Ezell, Mississippi	
X	Mr. D'Esposito, New York	
X	Ms. Lee, Florida	
X	Mr. Luttrell, Texas	
X	Mr. Strong, Alabama	
X	Mr. Brecheen, Oklahoma	
X	Mr. Crane, Arizona	
	<i>Mr. Thompson, Mississippi, Ranking Member</i>	X
	<i>Ms. Jackson Lee, Texas</i>	X
	<i>Mr. Payne, New Jersey</i>	X
	<i>Mr. Swalwell, California</i>	
	<i>Mr. Correa, California</i>	X
	<i>Mr. Carter, Louisiana</i>	X
	<i>Mr. Thanedar, Michigan</i>	X
	<i>Mr. Magaziner, Rhode Island</i>	X
	<i>Mr. Ivey, Maryland</i>	X
	<i>Mr. Goldman, New York</i>	X
	<i>Mr. Garcia, California</i>	X
	<i>Mrs. Ramirez, Illinois</i>	X
	<i>Mr. Menendez, New Jersey</i>	X
	<i>Ms. Clarke, New York</i>	X
	<i>Ms. Titus, Nevada</i>	X
X	Mr. Green, Tennessee, Chairman	
18	<b>TOTAL</b>	14

On the question of whether to consider H. Res. 863, offered by Mr. Thompson of Mississippi, was AGREED TO by a recorded vote of 18 yeas and 14 nays (RC#27).

The vote was as follows:

COMMITTEE ON HOMELAND SECURITY 118 <sup>TH</sup> CONGRESS		
Date: January 30, 2024		
Roll Call Vote No. 027		
Question of whether to consider H. Res. 863		
Yeas		Nays
X	Mr. McCaul, Texas	
X	Mr. Higgins, Louisiana	
X	Mr. Guest, Mississippi	
X	Mr. Bishop, North Carolina	
X	Mr. Gimenez, Florida	
X	Mr. Pfluger, Texas	
X	Mr. Garbarino, New York	
X	Ms. Greene, Georgia	
X	Mr. Gonzales, Texas	
X	Mr. LaLota, New York	
X	Mr. Ezell, Mississippi	
X	Mr. D'Esposito, New York	
X	Ms. Lee, Florida	
X	Mr. Luttrell, Texas	
X	Mr. Strong, Alabama	
X	Mr. Brecheen, Oklahoma	
X	Mr. Crane, Arizona	
	<i>Mr. Thompson, Mississippi, Ranking Member</i>	X
	<i>Ms. Jackson Lee, Texas</i>	X
	<i>Mr. Payne, New Jersey</i>	X
	<i>Mr. Swalwell, California</i>	
	<i>Mr. Correa, California</i>	X
	<i>Mr. Carter, Louisiana</i>	X
	<i>Mr. Thanedar, Michigan</i>	X
	<i>Mr. Magaziner, Rhode Island</i>	X
	<i>Mr. Ivey, Maryland</i>	X
	<i>Mr. Goldman, New York</i>	X
	<i>Mr. Garcia, California</i>	X
	<i>Mrs. Ramirez, Illinois</i>	X
	<i>Mr. Menendez, New Jersey</i>	X

	<i>Ms. Clarke, New York</i>	X
	<i>Ms. Titus, Nevada</i>	X
X	Mr. Green, Tennessee, Chairman	
18	<b>TOTAL</b>	14

A motion by Mr. Guest to table the motion from Mr. Thompson of Mississippi appealing the ruling of the Chairman overruling Mr. Thompson’s point of order on the Amendment in the Nature of a Substitute to H. Res. 863’s germaneness, was AGREED TO by a recorded vote of 18 yeas and 14 nays (RC#28).

The vote was as follows:

<b>COMMITTEE ON HOMELAND SECURITY</b>		
<b>118<sup>TH</sup> CONGRESS</b>		
<b>Date:</b> January 30, 2024		
<b>Roll Call Vote No. 028</b>		
<b>Motion to table the motion to appeal the ruling of the Chair that H. Res. 863 is germane</b>		
<b>Yeas</b>		<b>Nays</b>
X	Mr. McCaul, Texas	
X	Mr. Higgins, Louisiana	
X	Mr. Guest, Mississippi	
X	Mr. Bishop, North Carolina	
X	Mr. Gimenez, Florida	
X	Mr. Pfluger, Texas	
X	Mr. Garbarino, New York	
X	Ms. Greene, Georgia	
X	Mr. Gonzales, Texas	
X	Mr. LaLota, New York	
X	Mr. Ezell, Mississippi	
X	Mr. D’Esposito, New York	
X	Ms. Lee, Florida	
X	Mr. Luttrell, Texas	
X	Mr. Strong, Alabama	
X	Mr. Brecheen, Oklahoma	
X	Mr. Crane, Arizona	
	<i>Mr. Thompson, Mississippi, Ranking Member</i>	X
	<i>Ms. Jackson Lee, Texas</i>	X
	<i>Mr. Payne, New Jersey</i>	X
	<i>Mr. Swalwell, California</i>	

	<i>Mr. Correa, California</i>	X
	<i>Mr. Carter, Louisiana</i>	X
	<i>Mr. Thanedar, Michigan</i>	X
	<i>Mr. Magaziner, Rhode Island</i>	X
	<i>Mr. Ivey, Maryland</i>	X
	<i>Mr. Goldman, New York</i>	X
	<i>Mr. Garcia, California</i>	X
	<i>Mrs. Ramirez, Illinois</i>	X
	<i>Mr. Menendez, New Jersey</i>	X
	<i>Ms. Clarke, New York</i>	X
	<i>Ms. Titus, Nevada</i>	X
X	Mr. Green, Tennessee, Chairman	
18	<b>TOTAL</b>	14

An Amendment in the Nature of a Substitute to H. Res. 863 was offered by Mr. Green of Tennessee.

A motion by Mr. Bishop to table the motion from Mrs. Ramirez to recess until 1:30 p.m., was AGREED TO by a recorded vote of 16 yeas and 14 nays (RC#29).

The vote was as follows:

<b>COMMITTEE ON HOMELAND SECURITY</b>		
118 <sup>TH</sup> CONGRESS		
<b>Date:</b> January 30, 2024		
<b>Roll Call Vote No. 029</b>		
<b>Motion to table the motion to recess until 1:30 p.m. on 1/30/2024 offered by Mrs. Ramirez</b>		
<b>Yeas</b>		<b>Nays</b>
X	Mr. McCaul, Texas	
X	Mr. Higgins, Louisiana	
X	Mr. Guest, Mississippi	
X	Mr. Bishop, North Carolina	
X	Mr. Gimenez, Florida	
X	Mr. Pfluger, Texas	
X	Mr. Garbarino, New York	
X	Ms. Greene, Georgia	
	Mr. Gonzales, Texas	
X	Mr. LaLota, New York	
	Mr. Ezell, Mississippi	
X	Mr. D’Esposito, New York	
X	Ms. Lee, Florida	

X	Mr. Luttrell, Texas	
X	Mr. Strong, Alabama	
X	Mr. Brecheen, Oklahoma	
X	Mr. Crane, Arizona	
	<i>Mr. Thompson, Mississippi, Ranking Member</i>	X
	<i>Ms. Jackson Lee, Texas</i>	X
	<i>Mr. Payne, New Jersey</i>	X
	<i>Mr. Swalwell, California</i>	
	<i>Mr. Correa, California</i>	X
	<i>Mr. Carter, Louisiana</i>	X
	<i>Mr. Thanedar, Michigan</i>	X
	<i>Mr. Magaziner, Rhode Island</i>	X
	<i>Mr. Ivey, Maryland</i>	X
	<i>Mr. Goldman, New York</i>	X
	<i>Mr. Garcia, California</i>	X
	<i>Mrs. Ramirez, Illinois</i>	X
	<i>Mr. Menendez, New Jersey</i>	X
	<i>Ms. Clarke, New York</i>	X
	<i>Ms. Titus, Nevada</i>	X
X	Mr. Green, Tennessee, Chairman	
16	<b>TOTAL</b>	14

A motion offered by Mr. Goldman of New York to submit documents for the record was NOT AGREED TO, by 14 yeas and 15 nays (RC#30).

The vote was as follows:

<b>COMMITTEE ON HOMELAND SECURITY</b>		
118 <sup>TH</sup> CONGRESS		
<b>Date:</b> January 30, 2024		
<b>Roll Call Vote No. 030</b>		
<b>Motion to enter documents into the record offered by Mr. Goldman</b>		
<b>Yeas</b>		<b>Nays</b>
	Mr. McCaul, Texas	X
	Mr. Higgins, Louisiana	X
	Mr. Guest, Mississippi	X
	Mr. Bishop, North Carolina	
	Mr. Gimenez, Florida	X
	Mr. Pfluger, Texas	X

	Mr. Garbarino, New York	X
	Ms. Greene, Georgia	X
	Mr. Gonzales, Texas	
	Mr. LaLota, New York	X
	Mr. Ezell, Mississippi	X
	Mr. D’Esposito, New York	X
	Ms. Lee, Florida	X
	Mr. Luttrell, Texas	X
	Mr. Strong, Alabama	X
	Mr. Brecheen, Oklahoma	
	Mr. Crane, Arizona	X
X	<i>Mr. Thompson, Mississippi, Ranking Member</i>	
X	<i>Ms. Jackson Lee, Texas</i>	
X	<i>Mr. Payne, New Jersey</i>	
	<i>Mr. Swalwell, California</i>	
X	<i>Mr. Correa, California</i>	
X	<i>Mr. Carter, Louisiana</i>	
X	<i>Mr. Thanedar, Michigan</i>	
X	<i>Mr. Magaziner, Rhode Island</i>	
X	<i>Mr. Ivey, Maryland</i>	
X	<i>Mr. Goldman, New York</i>	
X	<i>Mr. Garcia, California</i>	
X	<i>Mrs. Ramirez, Illinois</i>	
X	<i>Mr. Menendez, New Jersey</i>	
X	<i>Ms. Clarke, New York</i>	
X	<i>Ms. Titus, Nevada</i>	
	Mr. Green, Tennessee, Chairman	X
14	<b>TOTAL</b>	15

A motion by Mr. Guest to dispense with the reading of the amendment offered by Ms. Jackson Lee (117) was AGREED TO by a recorded vote of 17 yeas and 14 nays (RC#31).

The vote was as follows:

<b>COMMITTEE ON HOMELAND SECURITY</b> 118 <sup>TH</sup> CONGRESS	
<b>Date:</b> January 30, 2024	
<b>Roll Call Vote No. 031</b>	
<b>Motion to dispense with the reading of Amendment 117 offered by Ms. Jackson Lee</b>	



<b>Yeas</b>		<b>Nays</b>
X	Mr. McCaul, Texas	
X	Mr. Higgins, Louisiana	
X	Mr. Guest, Mississippi	
X	Mr. Bishop, North Carolina	
X	Mr. Gimenez, Florida	
X	Mr. Pfluger, Texas	
X	Mr. Garbarino, New York	
X	Ms. Greene, Georgia	
X	Mr. Gonzales, Texas	
X	Mr. LaLota, New York	
X	Mr. Ezell, Mississippi	
X	Mr. D'Esposito, New York	
X	Ms. Lee, Florida	
X	Mr. Luttrell, Texas	
X	Mr. Strong, Alabama	
X	Mr. Brecheen, Oklahoma	
X	Mr. Crane, Arizona	
	<i>Mr. Thompson, Mississippi, Ranking Member</i>	X
	<i>Ms. Jackson Lee, Texas</i>	X
	<i>Mr. Payne, New Jersey</i>	X
	<i>Mr. Swalwell, California</i>	
	<i>Mr. Correa, California</i>	X
	<i>Mr. Carter, Louisiana</i>	X
	<i>Mr. Thanedar, Michigan</i>	X
	<i>Mr. Magaziner, Rhode Island</i>	X
	<i>Mr. Ivey, Maryland</i>	X
	<i>Mr. Goldman, New York</i>	X
	<i>Mr. Garcia, California</i>	X
	<i>Mrs. Ramirez, Illinois</i>	X
	<i>Mr. Menendez, New Jersey</i>	X
	<i>Ms. Clarke, New York</i>	X
	<i>Ms. Titus, Nevada</i>	X
X	Mr. Green, Tennessee, Chairman	
18	<b>TOTAL</b>	14

A motion by Mr. Guest to table the motion offered by Mr. Thompson of Mississippi to enter documents into the record, was AGREED TO by a recorded vote of 18 yeas and 14 nays (RC#32).

The vote was as follows:

<b>COMMITTEE ON HOMELAND SECURITY</b>		
118 <sup>TH</sup> CONGRESS		
<b>Date:</b> January 30, 2024		
<b>Roll Call Vote No. 032</b>		
<b>Motion to table the motion to enter documents into the record offered by RM Thompson</b>		
<b>Yeas</b>		<b>Nays</b>
X	Mr. McCaul, Texas	
X	Mr. Higgins, Louisiana	
X	Mr. Guest, Mississippi	
X	Mr. Bishop, North Carolina	
X	Mr. Gimenez, Florida	
X	Mr. Pfluger, Texas	
X	Mr. Garbarino, New York	
X	Ms. Greene, Georgia	
X	Mr. Gonzales, Texas	
X	Mr. LaLota, New York	
X	Mr. Ezell, Mississippi	
X	Mr. D’Esposito, New York	
X	Ms. Lee, Florida	
X	Mr. Luttrell, Texas	
X	Mr. Strong, Alabama	
X	Mr. Brecheen, Oklahoma	
X	Mr. Crane, Arizona	
	<i>Mr. Thompson, Mississippi, Ranking Member</i>	X
	<i>Ms. Jackson Lee, Texas</i>	X
	<i>Mr. Payne, New Jersey</i>	X
	<i>Mr. Swalwell, California</i>	X
	<i>Mr. Correa, California</i>	X
	<i>Mr. Carter, Louisiana</i>	X
	<i>Mr. Thanedar, Michigan</i>	X
	<i>Mr. Magaziner, Rhode Island</i>	X
	<i>Mr. Ivey, Maryland</i>	X
	<i>Mr. Goldman, New York</i>	X
	<i>Mr. Garcia, California</i>	X
	<i>Mrs. Ramirez, Illinois</i>	
	<i>Mr. Menendez, New Jersey</i>	X
	<i>Ms. Clarke, New York</i>	X
	<i>Ms. Titus, Nevada</i>	X

X	Mr. Green, Tennessee, Chairman	
18	<b>TOTAL</b>	14

An amendment to the Amendment in the Nature of a Substitute to H. Res. 863 offered by Mr. Swalwell of California (036): Page 2, line 2, strike “In his” and all that follows through page 20, line 11, and insert the following: Partisan Republicans are seeking to impeach Secretary Mayorkas for the following reasons: (1) Later this year, United States voters will choose a President for the next four years. The presumptive Republican nominee, Donald Trump, is a narcissistic, hateful liar who was found by a court of law to have raped and defamed at least one woman. He is currently facing 91 criminal charges for a wide variety of alleged offenses, including a felony conspiracy to defraud the United States. He was twice impeached by the House of Representatives, including for inciting a violent insurrection. He is currently working to foment discord and perhaps a civil war, encouraging Republican governors to order national guardsmen to take up arms against the Federal Government. In a fair election, he will lose, because the United States people prefer decent, honest civil servants like Joe Biden. Republicans are playing dirty political games, attempting to impeach Alejandro Mayorkas to distract from their own legal and electoral problems, score cheap political points, and appease their cult leader. (2) In the same election, United States voters will choose their representatives to Congress. Republicans are widely expected to lose control of the House of Representatives, in part because court rulings have overturned several gerrymandered maps and returned voting power to disenfranchised citizens. Voters are also witnessing the extent to which Republicans have failed to govern, as Republican Members of the House of Representatives have spent far more time fighting with themselves over who should serve as speaker than on any meaningful attempts to develop bipartisan solutions to problems facing our country. The House Republican majority has accomplished approximately nothing; as Republican Congressman Chip Roy put it, “We have nothing. In my opinion, we have nothing to go out there and campaign on. It’s embarrassing.”. As Republicans stare down the increasing likelihood of losing their grip on power, they are becoming more and more desperate, grasping at any opportunity available to potentially increase their poll numbers—even if it means pursuing an unconstitutional impeachment based on flimsy pretexts and dishonest twisting of the facts. (3) As Republicans sink deeper and deeper into lawlessness, their greatest fear is being held accountable. They worry that prosecutors will indict them for conspiring to overturn elections, inciting violence, defying subpoenas, and otherwise breaking the law. Rather than listening to their better angels, Republicans are doubling down on their lawlessness, seeking to undermine norms and institutions so they can claim every attempt to hold them accountable is merely a “witch hunt”. They are pursuing impeachment of Secretary Mayorkas—along with President Biden and others—not because of actual evidence of high crimes and misdemeanors, but as a method of cheapening our country’s tools for enforcing accountability. They want people to think impeachment is a political cudgel rather than a legal instrument. (4) Republicans have no shame. They know this is a fraudulent impeachment, but they are so caught up in their disinformation bubble that they think the United States public will not see through the charade. Unfortunately for them, they are wrong. Americans will continue to demand that representatives of both parties come together to deliver comprehensive immigration reform and border security solutions until it actually happens. Democrats will continue to stand ready and willing to negotiate real solutions as long as it takes for Republicans to wake up from their Trump-inspired fever dream.; A Motion by Mr. Bishop to table the appeal of Chairman Green’s ruling that the amendment offered by Mr. Swalwell (036) is NON-GERMANE AND OUT OF ORDER; was AGREED TO by a roll call vote of 18 yeas and 15 nays (RC#33).

The vote was as follows:

<b>COMMITTEE ON HOMELAND SECURITY</b>
118 <sup>TH</sup> CONGRESS
<b>Date: January 30, 2024</b>

<b>Roll Call Vote No. 033</b>		
<b>Motion to table Mr. Swalwell Amendment 036</b>		
<b>Yeas</b>		<b>Nays</b>
X	Mr. McCaul, Texas	
X	Mr. Higgins, Louisiana	
X	Mr. Guest, Mississippi	
X	Mr. Bishop, North Carolina	
X	Mr. Gimenez, Florida	
X	Mr. Pfluger, Texas	
X	Mr. Garbarino, New York	
X	Ms. Greene, Georgia	
X	Mr. Gonzales, Texas	
X	Mr. LaLota, New York	
X	Mr. Ezell, Mississippi	
X	Mr. D'Esposito, New York	
X	Ms. Lee, Florida	
X	Mr. Luttrell, Texas	
X	Mr. Strong, Alabama	
X	Mr. Brecheen, Oklahoma	
X	Mr. Crane, Arizona	
	<i>Mr. Thompson, Mississippi, Ranking Member</i>	X
	<i>Ms. Jackson Lee, Texas</i>	X
	<i>Mr. Payne, New Jersey</i>	X
	<i>Mr. Swalwell, California</i>	X
	<i>Mr. Correa, California</i>	X
	<i>Mr. Carter, Louisiana</i>	X
	<i>Mr. Thanedar, Michigan</i>	X
	<i>Mr. Magaziner, Rhode Island</i>	X
	<i>Mr. Ivey, Maryland</i>	X
	<i>Mr. Goldman, New York</i>	X
	<i>Mr. Garcia, California</i>	X
	<i>Mrs. Ramirez, Illinois</i>	X
	<i>Mr. Menendez, New Jersey</i>	X
	<i>Ms. Clarke, New York</i>	X
	<i>Ms. Titus, Nevada</i>	X
X	Mr. Green, Tennessee, Chairman	
18	<b>TOTAL</b>	15

An amendment to the Amendment in the Nature of a Substitute to H. Res. 863 offered by Mr. Swalwell of California (037): Page 2, line 2, strike “In his” and all that follows through page 20,

line 11, and insert the following: Under President Trump, several administration officials failed to comply with subpoenas issued by the Committee on Homeland Security to appear before Congress or provide documents, including— (1) former Department of Homeland Security Official Kevin McAleenan, for failing to appear for a public hearing on terrorist threats facing the country; (2) former Department of Homeland Security Official Chad Wolf, for failing to appear for a public hearing on worldwide threats to the homeland; (3) former Acting National Counterterrorism Center Director, Russell Travers, for failing to appear for a public hearing on terrorist threats facing the country; and (4) Inspector General of the Department of Homeland Security, Joseph Cuffari, for failing to provide documents related to a review of the deaths of two children while in the custody of U.S. Customs and Border Protection. By contrast, Secretary Mayorkas has testified before Congress over two dozen times since taking office, more than any other member of President Biden’s Cabinet. Secretary Mayorkas has testified before the House of Representatives Committee on Homeland Security six times since his confirmation in February 2021, including— (1) March 17, 2021, Secretary Alejandro Mayorkas testified before the House of Representatives Committee on Homeland Security on “The Way Forward on Homeland Security”; (2) September 22, 2021, Secretary Alejandro Mayorkas testified before the House of Representatives Committee on Homeland Security on “Worldwide Threats to the Homeland: 20 Years After 9/11”; (3) April 27, 2022, Secretary Alejandro Mayorkas testified before the House of Representatives Committee on Homeland Security on “A Review of the Fiscal Year 2023 Budget Request for the Department of Homeland Security”; (4) November 15, 2022, Secretary Alejandro Mayorkas testified before the House of Representatives Committee on Homeland Security on “Worldwide Threats to the Homeland”; (5) April 19, 2023, Secretary Alejandro Mayorkas testified before the House of Representatives Committee on Homeland Security on “A Review of the Fiscal Year 2024 Budget for the Department of Homeland Security”; and (6) November 15, 2023, Secretary Alejandro Mayorkas testified before the House of Representatives Committee on Homeland Security on “Worldwide Threats to the Homeland”. The Department of Homeland Security has further provided over 20,000 pages of documents to congressional committees in the 118th Congress, 13,000 of which were provided to the House of Representatives Committee on Homeland Security alone. On January 11, 2024, Secretary Mayorkas offered to make himself available to testify before the House of Representatives Committee on Homeland Security during purported impeachment proceedings.; A motion by Mr. Guest to table the appeal of Chairman Green’s ruling that the amendment offered by Mr. Swalwell (037) is NON-GERMANE AND OUT OF ORDER; was AGREED TO by a roll call vote of 18 yeas and 15 nays (RC#34).

The vote was as follows:

<b>COMMITTEE ON HOMELAND SECURITY</b>		
<b>118<sup>TH</sup> CONGRESS</b>		
<b>Date: January 30, 2024</b>		
<b>Roll Call Vote No. 034</b>		
<b>Motion to table Mr. Swalwell Amendment 037</b>		
<b>Yeas</b>		<b>Nays</b>
X	Mr. McCaul, Texas	
X	Mr. Higgins, Louisiana	
X	Mr. Guest, Mississippi	
X	Mr. Bishop, North Carolina	
X	Mr. Gimenez, Florida	
X	Mr. Pfluger, Texas	
X	Mr. Garbarino, New York	
X	Ms. Greene, Georgia	
X	Mr. Gonzales, Texas	
X	Mr. LaLota, New York	

X	Mr. Ezell, Mississippi	
X	Mr. D’Esposito, New York	
X	Ms. Lee, Florida	
X	Mr. Luttrell, Texas	
X	Mr. Strong, Alabama	
X	Mr. Brecheen, Oklahoma	
X	Mr. Crane, Arizona	
	<i>Mr. Thompson, Mississippi, Ranking Member</i>	X
	<i>Ms. Jackson Lee, Texas</i>	X
	<i>Mr. Payne, New Jersey</i>	X
	<i>Mr. Swalwell, California</i>	X
	<i>Mr. Correa, California</i>	X
	<i>Mr. Carter, Louisiana</i>	X
	<i>Mr. Thanedar, Michigan</i>	X
	<i>Mr. Magaziner, Rhode Island</i>	X
	<i>Mr. Ivey, Maryland</i>	X
	<i>Mr. Goldman, New York</i>	X
	<i>Mr. Garcia, California</i>	X
	<i>Mrs. Ramirez, Illinois</i>	X
	<i>Mr. Menendez, New Jersey</i>	X
	<i>Ms. Clarke, New York</i>	X
	<i>Ms. Titus, Nevada</i>	X
X	Mr. Green, Tennessee, Chairman	
18	<b>TOTAL</b>	15

An amendment to the Amendment in the Nature of a Substitute to H. Res. 863 offered by Mr. Garcia of California (101): Page 2, line 2, strike “In his” and all that follows through page 20, line 11, and insert the following: House Republicans’ impeachment inquiry has been a political crusade to help them politically, aid in donor fundraising, and harm President Joe Biden. It has not been a serious impeachment investigation for “Treason, Bribery, or other high Crimes and Misdemeanors”—the standard for impeachment under the Constitution. Republicans have pursued impeachment—which will do nothing to solve the challenges at the border—instead of engaging in substantive, bipartisan negotiations to develop meaningful solutions. Republicans have repeatedly revealed their motivations for obstructing border policy negotiations and impeaching Secretary Mayorkas through the following: (1) On April 18, 2023, the New York Times reported that Chairman Mark Green—before launching his impeachment investigation—promised campaign donors behind closed doors he would impeach Secretary Mayorkas. Chairman Green reportedly said, “On April 19, next week, get the popcorn— Alejandro Mayorkas comes before our committee, and it’s going to be fun. That’ll really be just the beginning for him.”. (2) On May 30, 2023, speaking to reporters about her begrudging willingness to support a bipartisan debt ceiling bill, Representative Marjorie Taylor Greene reportedly said, “If you have to eat a shit sandwich, you want to have sides, okay? It makes it much better. So what I’m looking for is, I’m looking for some sides and some desserts.”. She then named the “beautiful dessert” she desired, stating, “Somebody needs to be impeached.”. (3) On November 13, 2023, Axios reported that Representative Marjorie Taylor Greene sent a fundraising email supporting her impeachment resolution, asking supporters, “If you can afford to chip

in, please do.” (4) On January 3, 2024, Representative Troy Nehls told CNN he would oppose a bipartisan border negotiation, stating, “Let me tell you, I’m not willing to do too damn much right now to help a Democrat and to help Joe Biden’s approval rating. I will not help the Democrats try to improve this man’s dismal approval ratings. I’m not going to do it.” The findings of the Republicans’ so-called impeachment investigation were predetermined. Republicans have decided to pursue impeachment to boost their campaign efforts and will let nothing stand in their way—not the facts, not the constitutional standards for impeachment, and certainly not basic common sense and decency.; A motion by Ms. Greene to table the appeal of Chairman Green’s ruling that the amendment offered by Mr. Garcia (101) is NON-GERMANE AND OUT OF ORDER; was AGREED TO by a roll call vote of 18 yeas and 15 nays (RC#35).

The vote was as follows:

<b>COMMITTEE ON HOMELAND SECURITY</b>		
118 <sup>TH</sup> CONGRESS		
<b>Date:</b> January 30, 2024		
<b>Roll Call Vote No. 035</b>		
<b>Motion to table Mr. Garcia Amendment 101</b>		
<b>Yeas</b>		<b>Nays</b>
X	Mr. McCaul, Texas	
X	Mr. Higgins, Louisiana	
X	Mr. Guest, Mississippi	
X	Mr. Bishop, North Carolina	
X	Mr. Gimenez, Florida	
X	Mr. Pfluger, Texas	
X	Mr. Garbarino, New York	
X	Ms. Greene, Georgia	
X	Mr. Gonzales, Texas	
X	Mr. LaLota, New York	
X	Mr. Ezell, Mississippi	
X	Mr. D’Esposito, New York	
X	Ms. Lee, Florida	
X	Mr. Luttrell, Texas	
X	Mr. Strong, Alabama	
X	Mr. Brecheen, Oklahoma	
X	Mr. Crane, Arizona	
	<i>Mr. Thompson, Mississippi, Ranking Member</i>	X
	<i>Ms. Jackson Lee, Texas</i>	X
	<i>Mr. Payne, New Jersey</i>	X
	<i>Mr. Swalwell, California</i>	X
	<i>Mr. Correa, California</i>	X
	<i>Mr. Carter, Louisiana</i>	X
	<i>Mr. Thanedar, Michigan</i>	X
	<i>Mr. Magaziner, Rhode Island</i>	X

	<i>Mr. Ivey, Maryland</i>	X
	<i>Mr. Goldman, New York</i>	X
	<i>Mr. Garcia, California</i>	X
	<i>Mrs. Ramirez, Illinois</i>	X
	<i>Mr. Menendez, New Jersey</i>	X
	<i>Ms. Clarke, New York</i>	X
	<i>Ms. Titus, Nevada</i>	X
X	Mr. Green, Tennessee, Chairman	
18	<b>TOTAL</b>	15

An amendment to the Amendment in the Nature of a Substitute to H. Res. 863 offered by Mr. Goldman of New York (021): Strike page 1, line 1, and all that follows through page 20, line 11, and insert the following: That immediately upon adoption of this resolution, the House shall proceed to the consideration in the House of the bill (H.R. 6404) to direct the Secretary of Homeland Security to enhance border security by disrupting the smuggling of United States-sourced firearms and related munitions across the land border with Mexico, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Homeland Security or their respective designees; and (2) one motion to recommit. SEC. 2. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 6404.; A motion by Mr. Guest to table the appeal of Chairman Green’s ruling that the amendment offered by Mr. Goldman (021) is NON-GERMANE AND OUT OF ORDER; was AGREED TO by a roll call vote of 18 yeas and 15 nays (RC#36).

The vote was as follows:

<b>COMMITTEE ON HOMELAND SECURITY</b>		
<b>118<sup>TH</sup> CONGRESS</b>		
<b>Date: January 31, 2024</b>		
<b>Roll Call Vote No. 036</b>		
<b>Motion to table Mr. Goldman Amendment 021</b>		
<b>Yeas</b>		<b>Nays</b>
X	Mr. McCaul, Texas	
X	Mr. Higgins, Louisiana	
X	Mr. Guest, Mississippi	
X	Mr. Bishop, North Carolina	
X	Mr. Gimenez, Florida	
X	Mr. Pfluger, Texas	
X	Mr. Garbarino, New York	
X	Ms. Greene, Georgia	
X	Mr. Gonzales, Texas	
X	Mr. LaLota, New York	



X	Mr. Ezell, Mississippi	
X	Mr. D’Esposito, New York	
X	Ms. Lee, Florida	
X	Mr. Luttrell, Texas	
X	Mr. Strong, Alabama	
X	Mr. Brecheen, Oklahoma	
X	Mr. Crane, Arizona	
	<i>Mr. Thompson, Mississippi, Ranking Member</i>	X
	<i>Ms. Jackson Lee, Texas</i>	X
	<i>Mr. Payne, New Jersey</i>	X
	<i>Mr. Swalwell, California</i>	X
	<i>Mr. Correa, California</i>	X
	<i>Mr. Carter, Louisiana</i>	X
	<i>Mr. Thanedar, Michigan</i>	X
	<i>Mr. Magaziner, Rhode Island</i>	X
	<i>Mr. Ivey, Maryland</i>	X
	<i>Mr. Goldman, New York</i>	X
	<i>Mr. Garcia, California</i>	X
	<i>Mrs. Ramirez, Illinois</i>	X
	<i>Mr. Menendez, New Jersey</i>	X
	<i>Ms. Clarke, New York</i>	X
	<i>Ms. Titus, Nevada</i>	X
X	Mr. Green, Tennessee, Chairman	
18	<b>TOTAL</b>	15

A motion for the previous question offered by Mr. Guest, was AGREED TO by a recorded vote of 18 yeas and 15 nays. No further amendments to the ANS to H. Res. 863 were considered (RC#37).

The vote was as follows:

<b>COMMITTEE ON HOMELAND SECURITY</b>		
118 <sup>TH</sup> CONGRESS		
<b>Date:</b> January 31, 2024		
<b>Roll Call Vote No. 037</b>		
<b>Motion for the previous question</b>		
<b>Yeas</b>		<b>Nays</b>
X	Mr. McCaul, Texas	
X	Mr. Higgins, Louisiana	
X	Mr. Guest, Mississippi	

X	Mr. Bishop, North Carolina	
X	Mr. Gimenez, Florida	
X	Mr. Pfluger, Texas	
X	Mr. Garbarino, New York	
X	Ms. Greene, Georgia	
X	Mr. Gonzales, Texas	
X	Mr. LaLota, New York	
X	Mr. Ezell, Mississippi	
X	Mr. D’Esposito, New York	
X	Ms. Lee, Florida	
X	Mr. Luttrell, Texas	
X	Mr. Strong, Alabama	
X	Mr. Brecheen, Oklahoma	
X	Mr. Crane, Arizona	
	<i>Mr. Thompson, Mississippi, Ranking Member</i>	X
	<i>Ms. Jackson Lee, Texas</i>	X
	<i>Mr. Payne, New Jersey</i>	X
	<i>Mr. Swalwell, California</i>	X
	<i>Mr. Correa, California</i>	X
	<i>Mr. Carter, Louisiana</i>	X
	<i>Mr. Thanedar, Michigan</i>	X
	<i>Mr. Magaziner, Rhode Island</i>	X
	<i>Mr. Ivey, Maryland</i>	X
	<i>Mr. Goldman, New York</i>	X
	<i>Mr. Garcia, California</i>	X
	<i>Mrs. Ramirez, Illinois</i>	X
	<i>Mr. Menendez, New Jersey</i>	X
	<i>Ms. Clarke, New York</i>	X
	<i>Ms. Titus, Nevada</i>	X
X	Mr. Green, Tennessee, Chairman	
18	<b>TOTAL</b>	15

An amendment to the Amendment in the Nature of a Substitute to H. Res. 863 offered by Ms. Jackson Lee of Texas (117): Page 1, line 13, strike “Article I” and all that follows through page 15, line 20; was NOT AGREED TO by a roll call vote of 15 yeas and 18 nays (RC#38).

The vote was as follows:

<b>COMMITTEE ON HOMELAND SECURITY</b>		
118 <sup>TH</sup> CONGRESS		

Date: January 31, 2024

**Roll Call Vote No. 038**

**Ms. Jackson Lee Amendment 117**

<b>Yeas</b>		<b>Nays</b>
	Mr. McCaul, Texas	X
	Mr. Higgins, Louisiana	X
	Mr. Guest, Mississippi	X
	Mr. Bishop, North Carolina	X
	Mr. Gimenez, Florida	X
	Mr. Pfluger, Texas	X
	Mr. Garbarino, New York	X
	Ms. Greene, Georgia	X
	Mr. Gonzales, Texas	X
	Mr. LaLota, New York	X
	Mr. Ezell, Mississippi	X
	Mr. D'Esposito, New York	X
	Ms. Lee, Florida	X
	Mr. Luttrell, Texas	X
	Mr. Strong, Alabama	X
	Mr. Brecheen, Oklahoma	X
	Mr. Crane, Arizona	X
X	<i>Mr. Thompson, Mississippi, Ranking Member</i>	
X	<i>Ms. Jackson Lee, Texas</i>	
X	<i>Mr. Payne, New Jersey</i>	
X	<i>Mr. Swalwell, California</i>	
X	<i>Mr. Correa, California</i>	
X	<i>Mr. Carter, Louisiana</i>	
X	<i>Mr. Thanedar, Michigan</i>	
X	<i>Mr. Magaziner, Rhode Island</i>	
X	<i>Mr. Ivey, Maryland</i>	
X	<i>Mr. Goldman, New York</i>	
X	<i>Mr. Garcia, California</i>	
X	<i>Mrs. Ramirez, Illinois</i>	
X	<i>Mr. Menendez, New Jersey</i>	
X	<i>Ms. Clarke, New York</i>	
X	<i>Ms. Titus, Nevada</i>	
	Mr. Green, Tennessee, Chairman	X
15	<b>TOTAL</b>	18

An amendment to the Amendment in the Nature of a Substitute to H. Res. 863 offered by Mr. Correa of California (059): Page 15, line 21, strike “Article II” and all that follows through page 20, line 11; was NOT AGREED TO by a roll call vote of 15 yeas and 18 nays (RC#39).

The vote was as follows:

COMMITTEE ON HOMELAND SECURITY 118 <sup>TH</sup> CONGRESS		
Date: January 31, 2024		
Roll Call Vote No. 039		
Mr. Correa Amendment 059		
Yeas		Nays
	Mr. McCaul, Texas	X
	Mr. Higgins, Louisiana	X
	Mr. Guest, Mississippi	X
	Mr. Bishop, North Carolina	X
	Mr. Gimenez, Florida	X
	Mr. Pfluger, Texas	X
	Mr. Garbarino, New York	X
	Ms. Greene, Georgia	X
	Mr. Gonzales, Texas	X
	Mr. LaLota, New York	X
	Mr. Ezell, Mississippi	X
	Mr. D’Esposito, New York	X
	Ms. Lee, Florida	X
	Mr. Luttrell, Texas	X
	Mr. Strong, Alabama	X
	Mr. Brecheen, Oklahoma	X
	Mr. Crane, Arizona	X
X	<i>Mr. Thompson, Mississippi, Ranking Member</i>	
X	<i>Ms. Jackson Lee, Texas</i>	
X	<i>Mr. Payne, New Jersey</i>	
X	<i>Mr. Swalwell, California</i>	
X	<i>Mr. Correa, California</i>	
X	<i>Mr. Carter, Louisiana</i>	
X	<i>Mr. Thanedar, Michigan</i>	
X	<i>Mr. Magaziner, Rhode Island</i>	
X	<i>Mr. Ivey, Maryland</i>	
X	<i>Mr. Goldman, New York</i>	
X	<i>Mr. Garcia, California</i>	
X	<i>Mrs. Ramirez, Illinois</i>	
X	<i>Mr. Menendez, New Jersey</i>	
X	<i>Ms. Clarke, New York</i>	

X	<i>Ms. Titus, Nevada</i>	
	Mr. Green, Tennessee, Chairman	X
15	<b>TOTAL</b>	18

An amendment to the Amendment in the Nature of a Substitute to H. Res. 863 offered by Mr. Thompson of Mississippi (016): Page 2, line 2, strike “In his” and all that follows through page 20, line 11, and insert the following: In 1788, Alexander Hamilton wrote: “In many cases [impeachment] will connect itself with the pre-existing factions, and will enlist all their animosities, partialities, influence, and interest on one side or on the other; and in such cases there will always be the greatest danger that the decision will be regulated more by the comparative strength of parties, than by the real demonstrations of innocence or guilt.”. And in that comment in the Federalist No. 65, Hamilton underscored the need for due process for impeachment proceedings to be viewed as something other than a baseless, political stunt. In conducting its purported impeachment proceedings, however, the Committee on Homeland Security did not afford Secretary Mayorkas standard due process rights commonly granted to the accused. For example, the Committee did not permit Secretary Mayorkas to present witnesses or cross-examine witnesses, such as was the procedure for the impeachment of Secretary William W. 1 Belknap in 1876—the first and only precedent for the impeachment of a Cabinet secretary. Further, due to the lack of a resolution authorizing the inquiry adopted by the full House of Representatives, there was no role for Secretary Mayorkas’s counsel to represent him before the Committee, which was a right afforded former President Donald J. Trump in his first impeachment. Indeed, in an exchange of letters with the ranking minority member of the Committee on January 26, 2024, Chairman Mark E. Green appeared to mistake the motion to refer this resolution to the Committee on Homeland Security with an authorizing resolution that would have afforded Secretary Mayorkas with the standard due process rights afforded the accused in other impeachment proceedings. Notwithstanding the lack of procedural or substantive due process rights afforded other subjects of impeachment inquiries, Secretary Mayorkas did agree to testify before the Committee on Homeland Security in a January 11, 2024, letter to Chairman Green. Through inaction to schedule an amenable time for such testimony, the Committee on Homeland Security denied Secretary Mayorkas the opportunity to testify. The lack of adherence to precedent and the denial of due process imply that the Committee on Homeland Security has, in the case of Secretary Mayorkas, engaged in precisely the same kind of political stunt Hamilton warned would offer no “real demonstrations of innocence or guilt”.; was NOT AGREED TO by a roll call vote of 15 yeas and 18 nays (RC#40).

The vote was as follows:

<b>COMMITTEE ON HOMELAND SECURITY</b>		
<b>118<sup>TH</sup> CONGRESS</b>		
<b>Date: January 31, 2024</b>		
<b>Roll Call Vote No. 040</b>		
<b>Mr. Thompson Amendment 016</b>		
<b>Yeas</b>		<b>Nays</b>
	Mr. McCaul, Texas	X
	Mr. Higgins, Louisiana	X
	Mr. Guest, Mississippi	X
	Mr. Bishop, North Carolina	X
	Mr. Gimenez, Florida	X
	Mr. Pfluger, Texas	X

	Mr. Garbarino, New York	X
	Ms. Greene, Georgia	X
	Mr. Gonzales, Texas	X
	Mr. LaLota, New York	X
	Mr. Ezell, Mississippi	X
	Mr. D’Esposito, New York	X
	Ms. Lee, Florida	X
	Mr. Luttrell, Texas	X
	Mr. Strong, Alabama	X
	Mr. Brecheen, Oklahoma	X
	Mr. Crane, Arizona	X
X	<i>Mr. Thompson, Mississippi, Ranking Member</i>	
X	<i>Ms. Jackson Lee, Texas</i>	
X	<i>Mr. Payne, New Jersey</i>	
X	<i>Mr. Swalwell, California</i>	
X	<i>Mr. Correa, California</i>	
X	<i>Mr. Carter, Louisiana</i>	
X	<i>Mr. Thanedar, Michigan</i>	
X	<i>Mr. Magaziner, Rhode Island</i>	
X	<i>Mr. Ivey, Maryland</i>	
X	<i>Mr. Goldman, New York</i>	
X	<i>Mr. Garcia, California</i>	
X	<i>Mrs. Ramirez, Illinois</i>	
X	<i>Mr. Menendez, New Jersey</i>	
X	<i>Ms. Clarke, New York</i>	
X	<i>Ms. Titus, Nevada</i>	
	Mr. Green, Tennessee, Chairman	X
15	<b>TOTAL</b>	18

An amendment to the Amendment in the Nature of a Substitute to H. Res. 863 offered by Mr. Ivey of Maryland (020): Page 2, line 2, strike “In his” and all that follows through page 20, line 11, and insert the following: There is no evidence that constitutes grounds for the impeachment of Secretary Alejandro N. Mayorkas based on the constitutional standard for impeachment. At the first impeachment hearing before this Committee on January 10, 2024, constitutional law professor Frank O. Bowman, III, of the University of Missouri School of Law, testified that “the conclusion is universal among those who have studied this question—[and] has been so since the time of the founding—that policy differences, no matter how severe, no matter how heated, are simply not grounds for impeachment. [ . . . ] [A] Cabinet secretary—like the President—is not impeachable unless he’s proven to have committed treason, bribery, or other high crimes and misdemeanors. There’s no suggestion that I’m aware of that Secretary Mayorkas has committed either treason or bribery”. Professor Bowman further elaborated that he had “seen lots of reports about arguments about policy . . . nothing that rises [to] the level of an impeachable offense”. Professor Bowman further explained to the Committee that “it’s critical to note that if we could impeach Cabinet officers, or Presidents for that matter, anytime there are legal disputes about the application of the law or their exercise

of discretion, then every President and every Cabinet officer would be impeachable”. At the second and final impeachment hearing before this Committee on January 18, 2024, constitutional law expert and Princeton University law professor Deborah Pearlstein testified that “[p]olicy differences—and I agree with my colleague at the last hearing—no matter how profound are exactly not what impeachment was meant to be for. They are policies that the Secretary has pursued under the current President of the United States, who appointed the Secretary and was elected to pursue those policies.”. The solution, Professor Pearlstein testified, lies in Congress’s legislative power, not its impeachment power: “[T]he last significant piece of comprehensive immigration legislation to pass Congress with bipartisan support was in 1986. The action under consideration here, impeachment, isn’t a tool of policy change—particularly the impeachment of a single cabinet official who can be replaced by another official given precisely the same role, [which] will have no effect on the heartbreaking problems we have heard described.”. Professor Pearlstein further testified that her “knowledge—just based on Supreme Court cases . . . that have arisen surrounding executive actions over border policies and reading the history there—suggests that these problems have existed through five administrations over decades, largely because Congress has enacted contradictory laws that are impossible to comply with, and multiple administrations have struggled to resolve that contradiction”.; was NOT AGREED TO by a roll call vote of 15 yeas and 18 nays (RC#41).

The vote was as follows:

COMMITTEE ON HOMELAND SECURITY 118 <sup>TH</sup> CONGRESS		
Date: January 31, 2024		
Roll Call Vote No. 041		
Mr. Ivey Amendment 020		
Yeas		Nays
	Mr. McCaul, Texas	X
	Mr. Higgins, Louisiana	X
	Mr. Guest, Mississippi	X
	Mr. Bishop, North Carolina	X
	Mr. Gimenez, Florida	X
	Mr. Pfluger, Texas	X
	Mr. Garbarino, New York	X
	Ms. Greene, Georgia	X
	Mr. Gonzales, Texas	X
	Mr. LaLota, New York	X
	Mr. Ezell, Mississippi	X
	Mr. D’Esposito, New York	X
	Ms. Lee, Florida	X
	Mr. Luttrell, Texas	X
	Mr. Strong, Alabama	X
	Mr. Brecheen, Oklahoma	X
	Mr. Crane, Arizona	X
X	<i>Mr. Thompson, Mississippi, Ranking Member</i>	
X	<i>Ms. Jackson Lee, Texas</i>	
X	<i>Mr. Payne, New Jersey</i>	

X	<i>Mr. Swalwell, California</i>	
X	<i>Mr. Correa, California</i>	
X	<i>Mr. Carter, Louisiana</i>	
X	<i>Mr. Thanedar, Michigan</i>	
X	<i>Mr. Magaziner, Rhode Island</i>	
X	<i>Mr. Ivey, Maryland</i>	
X	<i>Mr. Goldman, New York</i>	
X	<i>Mr. Garcia, California</i>	
X	<i>Mrs. Ramirez, Illinois</i>	
X	<i>Mr. Menendez, New Jersey</i>	
X	<i>Ms. Clarke, New York</i>	
X	<i>Ms. Titus, Nevada</i>	
	Mr. Green, Tennessee, Chairman	X
15	<b>TOTAL</b>	18

An amendment to the Amendment in the Nature of a Substitute to H. Res. 863 offered by Mr. Ivey of Maryland (023): Page 2, line 2, strike “In his” and all that follows through page 20, line 11, and insert the following: There is no evidence that constitutes grounds for the impeachment of Secretary Alejandro N. Mayorkas based on the constitutional standard for impeachment. The Committee’s failure to satisfy the constitutional standard, and the complete absence of evidence that could justify impeachment, is underscored by pre-eminent constitutional law scholar, Harvard Professor Lawrence Tribe and 24 other constitutional law scholars who wrote in a January 10, 2024, letter: “Although House Republicans have offered various justifications for an impeachment, the underlying basis appears to be their view that Secretary Mayorkas’s policy decisions have degraded border security and involved objectionable uses of enforcement discretion. House Republicans have also publicly asserted that Secretary Mayorkas testified falsely in stating that he is enforcing existing federal law and that the southern border is closed and secure. When the Framers designed the Constitution’s impeachment provisions, they made a conscious choice not to allow impeachment for mere ‘maladministration’—in other words, for incompetence, poor judgment, or bad policy. Instead, they provided that impeachment could be justified only by truly extraordinary misconduct: ‘Treason, Bribery, or other high Crimes and Misdemeanors.’ U.S. Const., art. II, § 4. Thus, as Charles L. Black, Jr. noted in his influential handbook, impeachment is not permitted for ‘mere inefficient administration, or administration that [does] not accord with Congress’s view of good policy.’ Simply put, the Constitution forbids impeachment based on policy disagreements between the House and the Executive Branch, no matter how intense or high stakes those differences of opinion. Yet that is exactly what House Republicans appear poised to undertake. The charges they have publicly described come nowhere close to meeting the constitutional threshold for impeachment.”.; was NOT AGREED TO by a roll call vote of 15 Yeas and 18 Nays (RC#42).

The vote was as follows:

<b>COMMITTEE ON HOMELAND SECURITY</b>		
118 <sup>TH</sup> CONGRESS		
<b>Date:</b> January 31, 2024		
<b>Roll Call Vote No. 042</b>		
<b>Mr. Ivey Amendment 023</b>		
<b>Yeas</b>		<b>Nays</b>



	Mr. McCaul, Texas	X
	Mr. Higgins, Louisiana	X
	Mr. Guest, Mississippi	X
	Mr. Bishop, North Carolina	X
	Mr. Gimenez, Florida	X
	Mr. Pfluger, Texas	X
	Mr. Garbarino, New York	X
	Ms. Greene, Georgia	X
	Mr. Gonzales, Texas	X
	Mr. LaLota, New York	X
	Mr. Ezell, Mississippi	X
	Mr. D'Esposito, New York	X
	Ms. Lee, Florida	X
	Mr. Luttrell, Texas	X
	Mr. Strong, Alabama	X
	Mr. Brecheen, Oklahoma	X
	Mr. Crane, Arizona	X
X	<i>Mr. Thompson, Mississippi, Ranking Member</i>	
X	<i>Ms. Jackson Lee, Texas</i>	
X	<i>Mr. Payne, New Jersey</i>	
X	<i>Mr. Swalwell, California</i>	
X	<i>Mr. Correa, California</i>	
X	<i>Mr. Carter, Louisiana</i>	
X	<i>Mr. Thanedar, Michigan</i>	
X	<i>Mr. Magaziner, Rhode Island</i>	
X	<i>Mr. Ivey, Maryland</i>	
X	<i>Mr. Goldman, New York</i>	
X	<i>Mr. Garcia, California</i>	
X	<i>Mrs. Ramirez, Illinois</i>	
X	<i>Mr. Menendez, New Jersey</i>	
X	<i>Ms. Clarke, New York</i>	
X	<i>Ms. Titus, Nevada</i>	
	Mr. Green, Tennessee, Chairman	X
15	<b>TOTAL</b>	18

A motion by Mr. Guest to table the motion offered by Mr. Thompson of Mississippi to enter documents offered by Mr. Magaziner into the record, was AGREED TO by 18 yeas and 15 nays (RC#43).

The vote was as follows:

**COMMITTEE ON HOMELAND SECURITY**  
118<sup>TH</sup> CONGRESS

**Date:** January 31, 2024

**Roll Call Vote No. 043**

**Motion to table the motion to enter documents  
offered by Mr. Magaziner into the record**

<b>Yeas</b>		<b>Nays</b>
X	Mr. McCaul, Texas	
X	Mr. Higgins, Louisiana	
X	Mr. Guest, Mississippi	
X	Mr. Bishop, North Carolina	
X	Mr. Gimenez, Florida	
X	Mr. Pfluger, Texas	
X	Mr. Garbarino, New York	
X	Ms. Greene, Georgia	
X	Mr. Gonzales, Texas	
X	Mr. LaLota, New York	
X	Mr. Ezell, Mississippi	
X	Mr. D’Esposito, New York	
X	Ms. Lee, Florida	
X	Mr. Luttrell, Texas	
X	Mr. Strong, Alabama	
X	Mr. Brecheen, Oklahoma	
X	Mr. Crane, Arizona	
	<i>Mr. Thompson, Mississippi, Ranking Member</i>	X
	<i>Ms. Jackson Lee, Texas</i>	X
	<i>Mr. Payne, New Jersey</i>	X
	<i>Mr. Swalwell, California</i>	X
	<i>Mr. Correa, California</i>	X
	<i>Mr. Carter, Louisiana</i>	X
	<i>Mr. Thanedar, Michigan</i>	X
	<i>Mr. Magaziner, Rhode Island</i>	X
	<i>Mr. Ivey, Maryland</i>	X
	<i>Mr. Goldman, New York</i>	X
	<i>Mr. Garcia, California</i>	X
	<i>Mrs. Ramirez, Illinois</i>	X
	<i>Mr. Menendez, New Jersey</i>	X
	<i>Ms. Clarke, New York</i>	X
	<i>Ms. Titus, Nevada</i>	X
X	Mr. Green, Tennessee, Chairman	X

18	<b>TOTAL</b>	15
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A motion by Mr. Bishop to table the motion offered by Mr. Thompson of Mississippi to enter documents offered by Mr. Menendez into the record, was AGREED TO by 18 yeas and 15 nays (RC#44).

The vote was as follows:

<b>COMMITTEE ON HOMELAND SECURITY</b>		
118 <sup>TH</sup> CONGRESS		
<b>Date:</b> January 31, 2024		
<b>Roll Call Vote No. 044</b>		
<b>Motion to table the motion to enter documents offered by Mr. Menendez into the record</b>		
<b>Yeas</b>		<b>Nays</b>
X	Mr. McCaul, Texas	
X	Mr. Higgins, Louisiana	
X	Mr. Guest, Mississippi	
X	Mr. Bishop, North Carolina	
X	Mr. Gimenez, Florida	
X	Mr. Pfluger, Texas	
X	Mr. Garbarino, New York	
X	Ms. Greene, Georgia	
X	Mr. Gonzales, Texas	
X	Mr. LaLota, New York	
X	Mr. Ezell, Mississippi	
X	Mr. D’Esposito, New York	
X	Ms. Lee, Florida	
X	Mr. Luttrell, Texas	
X	Mr. Strong, Alabama	
X	Mr. Brecheen, Oklahoma	
X	Mr. Crane, Arizona	
	<i>Mr. Thompson, Mississippi, Ranking Member</i>	X
	<i>Ms. Jackson Lee, Texas</i>	X
	<i>Mr. Payne, New Jersey</i>	X
	<i>Mr. Swalwell, California</i>	X
	<i>Mr. Correa, California</i>	X
	<i>Mr. Carter, Louisiana</i>	X
	<i>Mr. Thanedar, Michigan</i>	X
	<i>Mr. Magaziner, Rhode Island</i>	X
	<i>Mr. Ivey, Maryland</i>	X
	<i>Mr. Goldman, New York</i>	X

	<i>Mr. Garcia, California</i>	X
	<i>Mrs. Ramirez, Illinois</i>	X
	<i>Mr. Menendez, New Jersey</i>	X
	<i>Ms. Clarke, New York</i>	X
	<i>Ms. Titus, Nevada</i>	X
X	Mr. Green, Tennessee, Chairman	X
18	<b>TOTAL</b>	15

A motion by Mr. Guest to table the motion offered by Mr. Thompson of Mississippi to enter documents offered by Mr. Menendez into the record, was AGREED TO by 18 yeas and 15 nays (RC#45).

The vote was as follows:

<b>COMMITTEE ON HOMELAND SECURITY</b>		
118 <sup>TH</sup> CONGRESS		
<b>Date:</b> January 31, 2024		
<b>Roll Call Vote No. 045</b>		
<b>Motion to table the motion to enter documents offered by Mr. Menendez into the record</b>		
<b>Yeas</b>		<b>Nays</b>
X	Mr. McCaul, Texas	
X	Mr. Higgins, Louisiana	
X	Mr. Guest, Mississippi	
X	Mr. Bishop, North Carolina	
X	Mr. Gimenez, Florida	
X	Mr. Pfluger, Texas	
X	Mr. Garbarino, New York	
X	Ms. Greene, Georgia	
X	Mr. Gonzales, Texas	
X	Mr. LaLota, New York	
X	Mr. Ezell, Mississippi	
X	Mr. D'Esposito, New York	
X	Ms. Lee, Florida	
X	Mr. Luttrell, Texas	
X	Mr. Strong, Alabama	
X	Mr. Brecheen, Oklahoma	
X	Mr. Crane, Arizona	
	<i>Mr. Thompson, Mississippi, Ranking Member</i>	X
	<i>Ms. Jackson Lee, Texas</i>	X
	<i>Mr. Payne, New Jersey</i>	X

	<i>Mr. Swalwell, California</i>	X
	<i>Mr. Correa, California</i>	X
	<i>Mr. Carter, Louisiana</i>	X
	<i>Mr. Thanedar, Michigan</i>	X
	<i>Mr. Magaziner, Rhode Island</i>	X
	<i>Mr. Ivey, Maryland</i>	X
	<i>Mr. Goldman, New York</i>	X
	<i>Mr. Garcia, California</i>	X
	<i>Mrs. Ramirez, Illinois</i>	X
	<i>Mr. Menendez, New Jersey</i>	X
	<i>Ms. Clarke, New York</i>	X
	<i>Ms. Titus, Nevada</i>	X
X	Mr. Green, Tennessee, Chairman	X
18	<b>TOTAL</b>	15

A motion by Mr. Guest to table the motion offered by Mr. Thompson of Mississippi to enter documents offered by Ms. Titus into the record, was AGREED TO by 17 yeas and 15 nays (RC#46).

The vote was as follows:

<b>COMMITTEE ON HOMELAND SECURITY</b>		
<b>118<sup>TH</sup> CONGRESS</b>		
<b>Date: January 31, 2024</b>		
<b>Roll Call Vote No. 046</b>		
<b>Motion to table the motion to enter documents offered by Ms. Titus into the record</b>		
<b>Yeas</b>		<b>Nays</b>
X	Mr. McCaul, Texas	
X	Mr. Higgins, Louisiana	
Present	Mr. Guest, Mississippi	
X	Mr. Bishop, North Carolina	
X	Mr. Gimenez, Florida	
X	Mr. Pfluger, Texas	
X	Mr. Garbarino, New York	
X	Ms. Greene, Georgia	
X	Mr. Gonzales, Texas	
X	Mr. LaLota, New York	
X	Mr. Ezell, Mississippi	
X	Mr. D’Esposito, New York	
X	Ms. Lee, Florida	
X	Mr. Luttrell, Texas	
X	Mr. Strong, Alabama	

X	Mr. Brecheen, Oklahoma	
X	Mr. Crane, Arizona	
	<i>Mr. Thompson, Mississippi, Ranking Member</i>	X
	<i>Ms. Jackson Lee, Texas</i>	X
	<i>Mr. Payne, New Jersey</i>	X
	<i>Mr. Swalwell, California</i>	X
	<i>Mr. Correa, California</i>	X
	<i>Mr. Carter, Louisiana</i>	X
	<i>Mr. Thanedar, Michigan</i>	X
	<i>Mr. Magaziner, Rhode Island</i>	X
	<i>Mr. Ivey, Maryland</i>	X
	<i>Mr. Goldman, New York</i>	X
	<i>Mr. Garcia, California</i>	X
	<i>Mrs. Ramirez, Illinois</i>	X
	<i>Mr. Menendez, New Jersey</i>	X
	<i>Ms. Clarke, New York</i>	X
	<i>Ms. Titus, Nevada</i>	X
X	Mr. Green, Tennessee, Chairman	X
17	<b>TOTAL</b>	15

An Amendment in the Nature of a Substitute to H. Res. 863 offered by Mr. Green of TN was agreed to by a roll call vote of 18 yeas and 15 nays (RC#47).

The vote was as follows:

<b>COMMITTEE ON HOMELAND SECURITY</b>		
118 <sup>TH</sup> CONGRESS		
<b>Date:</b> January 31, 2024		
<b>Roll Call Vote No. 047</b>		
<b>ANS to H. Res. 863</b>		
<b>Yeas</b>		<b>Nays</b>
X	Mr. McCaul, Texas	
X	Mr. Higgins, Louisiana	
X	Mr. Guest, Mississippi	
X	Mr. Bishop, North Carolina	
X	Mr. Gimenez, Florida	
X	Mr. Pfluger, Texas	
X	Mr. Garbarino, New York	
X	Ms. Greene, Georgia	
X	Mr. Gonzales, Texas	

X	Mr. LaLota, New York	
X	Mr. Ezell, Mississippi	
X	Mr. D’Esposito, New York	
X	Ms. Lee, Florida	
X	Mr. Luttrell, Texas	
X	Mr. Strong, Alabama	
X	Mr. Brecheen, Oklahoma	
X	Mr. Crane, Arizona	
	<i>Mr. Thompson, Mississippi, Ranking Member</i>	X
	<i>Ms. Jackson Lee, Texas</i>	X
	<i>Mr. Payne, New Jersey</i>	X
	<i>Mr. Swalwell, California</i>	X
	<i>Mr. Correa, California</i>	X
	<i>Mr. Carter, Louisiana</i>	X
	<i>Mr. Thanedar, Michigan</i>	X
	<i>Mr. Magaziner, Rhode Island</i>	X
	<i>Mr. Ivey, Maryland</i>	X
	<i>Mr. Goldman, New York</i>	X
	<i>Mr. Garcia, California</i>	X
	<i>Mrs. Ramirez, Illinois</i>	X
	<i>Mr. Menendez, New Jersey</i>	X
	<i>Ms. Clarke, New York</i>	X
	<i>Ms. Titus, Nevada</i>	X
X	Mr. Green, Tennessee, Chairman	
18	<b>TOTAL</b>	15

A motion by Mr. Green to report H. Res. 863 to be favorably reported to the House, as amended, was AGREED TO by a roll call vote of 18 yeas and 15 nays (RC#48).

The vote was as follows:

<b>COMMITTEE ON HOMELAND SECURITY</b>		
118 <sup>TH</sup> CONGRESS		
<b>Date:</b> January 31, 2024		
<b>Roll Call Vote No. 048</b>		
<b>H. Res. 863, Motion to favorably report, as amended</b>		
<b>Yeas</b>		<b>Nays</b>
X	Mr. McCaul, Texas	
X	Mr. Higgins, Louisiana	
X	Mr. Guest, Mississippi	

X	Mr. Bishop, North Carolina	
X	Mr. Gimenez, Florida	
X	Mr. Pfluger, Texas	
X	Mr. Garbarino, New York	
X	Ms. Greene, Georgia	
X	Mr. Gonzales, Texas	
X	Mr. LaLota, New York	
X	Mr. Ezell, Mississippi	
X	Mr. D’Esposito, New York	
X	Ms. Lee, Florida	
X	Mr. Luttrell, Texas	
X	Mr. Strong, Alabama	
X	Mr. Brecheen, Oklahoma	
X	Mr. Crane, Arizona	
	<i>Mr. Thompson, Mississippi, Ranking Member</i>	X
	<i>Ms. Jackson Lee, Texas</i>	X
	<i>Mr. Payne, New Jersey</i>	X
	<i>Mr. Swalwell, California</i>	X
	<i>Mr. Correa, California</i>	X
	<i>Mr. Carter, Louisiana</i>	X
	<i>Mr. Thanedar, Michigan</i>	X
	<i>Mr. Magaziner, Rhode Island</i>	X
	<i>Mr. Ivey, Maryland</i>	X
	<i>Mr. Goldman, New York</i>	X
	<i>Mr. Garcia, California</i>	X
	<i>Mrs. Ramirez, Illinois</i>	X
	<i>Mr. Menendez, New Jersey</i>	X
	<i>Ms. Clarke, New York</i>	X
	<i>Ms. Titus, Nevada</i>	X
X	Mr. Green, Tennessee, Chairman	
18	<b>TOTAL</b>	15

Without objection, the motion to reconsider was laid on the table; was NOT OBJECTED TO. Without objection, staff is authorized to make technical and conforming changes to all measures to reflect the actions of the Committee; was NOT OBJECTED TO.

Mr. Thompson gave notice that, pursuant to Rule XI, clause 2(l), Members may have two days in which to file any supplemental, minority, or additional views on the measures ordered reported by the Committee.



