



NEWS



CHAIRMAN GREEN: “NO AMERICAN IS SAFE” DUE TO SECRETARY MAYORKAS’ REFUSAL TO ENFORCE THE LAW

January 18, 2024

WASHINGTON, D.C.— Today, House Homeland Security Committee Chairman Mark E. Green, MD (R-TN) delivered the following opening statement in the Committee’s second hearing of the impeachment proceedings against Department of Homeland Security (DHS) Secretary Alejandro Mayorkas. This hearing is to examine the consequences of Secretary Mayorkas’ intentional border crisis for Americans across the country, with testimony from those who have been impacted by his refusal to enforce the laws of the United States.

[Watch Chairman Green’s opening statement in a hearing entitled, “Voices for the Victims: The Heartbreaking Reality of the Mayorkas Border Crisis.”](#)

As prepared for delivery:

Last week, this Committee opened impeachment proceedings against Department of Homeland Security Secretary Alejandro Mayorkas. This is not a policy difference. The truth is that Secretary Mayorkas has disregarded court orders, laws passed by Congress, and has lied to the American people. Who wants a secretary that can just disregard the fundamental pillars of the Constitution? We cannot tolerate that, whether they are a Republican or Democrat. That’s what we got out of our hearing last week.

Today, we are here to examine the impacts of those actions on the American people – and launch into the substance and human cost of Secretary Mayorkas’ open-border policies. As a result of the reckless actions by Secretary Mayorkas, no American is safe.

There is a fentanyl epidemic sweeping this nation. Roughly 150,000 Americans died from fentanyl poisoning in 2021 & 2022. That is more than the number of U.S. combatant deaths in World War I and the Vietnam War combined. Fentanyl is ripping apart our families and destroying our communities. Over fifty percent of this poison is being smuggled from Mexico into Arizona before it’s dispersed throughout the United States. The Grand Canyon State is on the frontlines of this crisis, which is why we had testimony from people who have relayed the impacts on that state.

You’ll hear many of my colleagues on the Left claim that fentanyl is a “ports of entry” problem, but in reality, just last year, the Border Patrol intercepted enough fentanyl between the ports of entry to kill every single American. And that’s just what we caught. We have no idea how much more fentanyl was brought in by the nearly 1.8 million known gotaways, not to mention the unknown gotaways. Border officials have told this committee that only 5-10% of fentanyl coming across the border is seized. By redirecting so many Border Patrol agents from patrolling the borders to assist with the processing and release of illegal aliens, Secretary Mayorkas has made it far easier to smuggle fentanyl across the Southwest border.

Because of Secretary Mayorkas’ border crisis, American cities and neighborhoods are less safe. Secretary Mayorkas’ refusal to enforce the law, which requires him to detain and remove illegal aliens, has tragically increased crime and endangered public safety across the country. Since Fiscal Year 2021, the Border Patrol arrested more than 41,000 aliens with criminal convictions, including more than 15,000 in Fiscal Year (FY) 2023. That’s up from just a little over 4,200 in FY 2019. Total convictions for assault, battery, and domestic violence among illegal aliens apprehended in FY 2023 exceeded 1,200, compared to 299 in FY 2019.

These statistics do not reflect the illegal aliens with criminal records who have slipped through the system because agents don’t have enough time or information to vet them. Additionally, DHS has no way to determine if an alien has a criminal history in his home country unless that country reports the information to the U.S. government or the alien self-reports. Therefore, DHS is mainly only screening aliens at the border to determine if they have previously committed a crime in the United States, and because many of these aliens are coming to the United States for the first time, DHS has no idea whether they have criminal histories or not.

On top of rushing the vetting process, Secretary Mayorkas is hamstringing ICE, making it easier for illegal aliens who commit crimes in the U.S. to stay here. Despite his supposed pledge to focus on removing threats to public safety, ICE is arresting fewer criminal illegal aliens than previous administrations. In FY 2019, out of more than 143,000 administrative arrests, 86 percent were of criminal aliens. In FY 2020, during the COVID-19 pandemic, it was 90 percent. Last fiscal year? A mere 43 percent. The consequences of this influx of criminals are simply devastating. As a result, no American is safe.

Illegal aliens arriving in major cities like New York and Chicago are committing assault, theft, and even more heinous crimes. In one case, Daniel Hernandez Martinez, who arrived in New York in June 2023, has since committed at least 14 crimes leading to six arrests, including the day after he arrived in the city. In one instance, he quote, grabbed a stranger by the hair, dragged her across the floor and kicked her, end quote. Crimes stemming from illegal migrants are also happening in small towns across America. In May 2023, a Honduran national was charged with raping a teenage girl in a restaurant bathroom in Prattville, Alabama. He had a prior criminal record in Honduras when apprehended crossing into Texas illegally in November 2021, but was released into the interior. As we learned in last week’s hearing, as many as 85 percent of illegal aliens are currently being released on Secretary Mayorkas’ watch. The Secretary himself admitted this during a trip to Eagle Pass just last week.

And how could we forget the story of the Tambunga family – Elisa Tambunga and her father and sister who sat across from us in this very hearing room. Elisa lost her little 7-year-old Emilia and her grandmother Maria, in a car crash caused by a human smuggler. We will sadly hear similar stories today. These crimes were wholly preventable. Yet Secretary Mayorkas’ policies enabled these criminals to enter our country and destroy these families — despicable.

While many of my Democrat colleagues likely feel the same sympathy for you and your family that I do, I’d like to ask them to please turn that sympathy into action. It is hypocritical to come up here, offer your “thoughts and prayers” and then leave, continuing to double-down on the policies that allow criminals and fentanyl into our country. The people suffering from this border crisis don’t need platitudes, they need an end to these illegal policies and to see the man responsible for implementing them held to account. And that’s what Republicans are doing here today.

Migrants are also suffering as a result of Secretary Mayorkas’ actions. On Secretary Mayorkas’ watch, a record number of migrants have been found dead on U.S. soil. Since the start of FY 2022, CBP no longer even publicly reports the number, but Dr. Corrine Stern, the medical examiner in Webb County, Texas, said in August 2022, quote, I’m seeing an extreme increase in the number of border crossing deaths compared to other years. This is my busiest year in my career ever, end quote. Many of those who survive the journey have horror stories. Sadly, numerous migrants suffer sexual abuse and assault along the way. Then-San Diego Sector Chief Patrol Agent Aaron Heitke told our Committee in May, quote, It’s very common that female migrants are raped during the process. ... Most of them believe it’s just part of the payment as they go up, end quote. This hearing is about the human costs of Secretary Mayorkas’ egregious misconduct and failure to fulfill his oath of office.

The Framers of our Constitution were clear that executive branch officials were expected to follow their duty to enforce the laws of this country, and, if they willfully failed to do so, they should no longer hold their office. That is why we’re here today. I look forward to hearing from our witnesses and letting them tell their stories about how this crisis has impacted them. Unfortunately, one of our witnesses, Sheriff Dannels, was not able to make it at the last minute. We look forward to hearing from him at a future hearing or on a future border trip. With his permission, I would ask unanimous consent to submit his testimony for the record.

Lastly, I would like to point out that I have invited Secretary Mayorkas on multiple occasions to testify on the border crisis – including this hearing today. I am disappointed that he has chosen not to testify. Instead, he plays games of cat-and-mouse, telling the media he wants to cooperate with the Committee on finding a time to testify, but then refuses to work with Committee staff or offer any dates or times in which to testify. Despite this behavior, and in lieu of his in-person testimony, I have invited him to submit testimony for the record, and I sincerely hope he takes advantage of that offer. I would like to ask unanimous consent for my letters inviting Secretary Mayorkas for testimony, dated August 16, September 14, January 5, and January 17, to be entered into the record.

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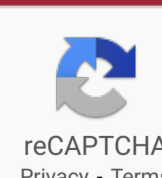
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