

United States Senate

WASHINGTON, DC 20510

April 11, 2024

Dear Leader Schumer:

We write to demand that the Senate uphold its constitutional responsibility to properly adjudicate the House of Representatives' impeachment of Department of Homeland Security Secretary Alejandro Mayorkas.

Since 2021, Secretary Mayorkas has abdicated control of America's borders to a magnitude unparalleled in our Nation's history. Our brave men and women at Customs and Border Protection have worked tirelessly to make our nation safer, yet with 7.5 million encounters since President Biden took office, our southern border is a national security disaster.

Encounters in fiscal year 2023 increased a startling 440% over fiscal year 2020. The border crisis under Secretary Mayorkas has become a nightmare for the American people. The lives of innocent young Americans are cut short through the scourge of fentanyl that flows freely across our borders. Children are run out of their schools and playgrounds while priority is given to host migrants. Police officers are assaulted in our streets. Violent gang members and criminals are ferried to our cities on the government dime, where they amass stores of weapons and commit murder and mass robberies. ISIS terrorists grow smart to the situation at the border—and send their sympathizers to our shores.

The House of Representatives has considered this evidence and impeached Secretary Mayorkas. Our constitutional duty requires the Senate to hold a trial. In every previous congressional impeachment of the past 227 years, Congress has been faithful to the process set out by the framers. The House of Representatives exercised its sole "Power of Impeachment" under Article 1, section 2 and the Senate bore its sole solemn duty to "try all Impeachments" under Article I, section 3. The Supreme Court held that, "the House is given the right to accuse and the Senate is given the right to judge." *Nixon v. United States*, 506 U.S. 224, 236 (1993). Never before has the Senate abandoned this duty, even when certain members believed the basis for impeachment was tenuous at best.

Two-hundred and twenty-seven years of Senate history mandates a trial. Alexander Hamilton described the power to try impeachments as an "important trust," bestowed to the Senate. The framers expected that the Senate would be "endowed with so eminent a portion of fortitude" for execution of "so difficult a task." This was high praise and a solemn responsibility placed on this body by those who fought to earn our independence as a nation.

Since 1797, twenty-one individuals have been impeached by the House of Representatives. Trials were held in every single instance, except once when an impeached judge *resigned from office* before trial commenced. Absent Secretary Mayorkas' immediate resignation, this impeachment should remain faithful to Senatorial precedent.

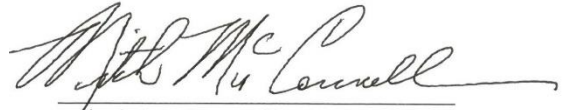
In the face of the disaster that mounts daily at our southern border, and in communities across America, the House of Representatives has formally accused Alejandro Mayorkas of demeaning his office. The American people deserve to hear the evidence through a Senate trial in the Court of Impeachment.

Therefore, we implore you to hold a trial, as has been done in every similar case in the Senate's 235 years of existence.

Sincerely,



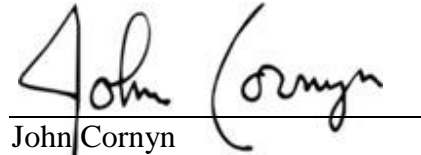
Lindsey O. Graham



Mitch McConnell



John Thune



John Cornyn



Mike Lee



Ted Cruz



John Kennedy



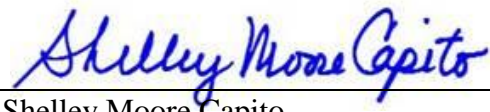
John Barrasso, M.D.



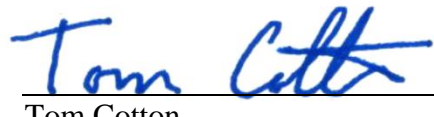
Marsha Blackburn



Ted Budd



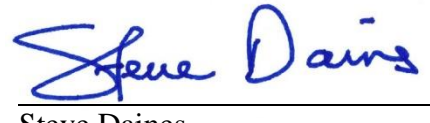
Shelley Moore Capito



Tom Cotton



Mike Crapo



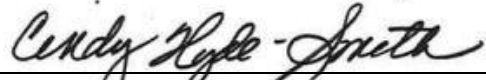
Steve Daines




Deb Fischer




John Hoeven



Cindy Hyde-Smith


Pete Ricketts


Marco Rubio



Dan Sullivan

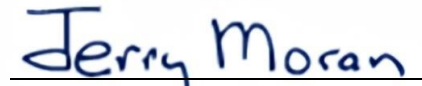

Roger Wicker


John Boozman


James Risch



Tim Scott


Ron Johnson

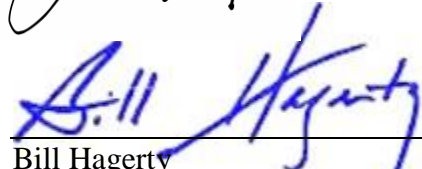

Jerry Moran



M. Michael Rounds

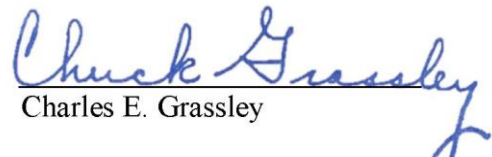

Eric Schmitt


Thom Tillis

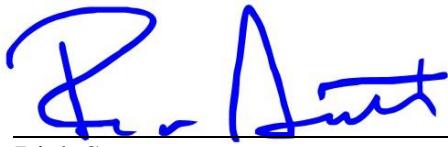

Josh Hawley


Bill Hagerty


Cynthia Lummis


Charles E. Grassley


Markwayne Mullin



Rick Scott



Todd Young



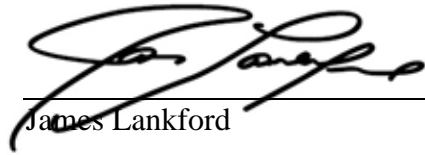
Joni Ernst



Roger Marshall, M.D.



Mike Braun



James Lankford



Katie Boyd Britt



J.D. Vance



Kevin Cramer