

Nancy Pelosi and the 25th Amendment

House Speaker Nancy Pelosi wants to get rid of Donald Trump. She apparently does not have faith in the voters. Instead, she is [proposing legislation](#) to create a commission under the [25th Amendment](#) so Congress can remove the Trump from office. She claims that since his coronavirus treatment, Trump is in an altered state of mind and unable to perform his duties. Section 4 of the 25th Amendment reads as follows:

Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble,

determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

In essence, Vice President Pence and the cabinet officials would have to formally tell Congress that Trump is unfit for duty. Pence would assume the presidency until Trump informed Congress that he's fine. Pence and the cabinet could challenge Trump's claim of no inability, and ultimately the matter would be decided by Congress. What is the likelihood of any of this happening? Zero.

Zero is also the chance Congress can pass legislation to create another body to weigh in on Trump's competency. With the Republicans in control of the Senate, Congress will not pass legislation to form Pelosi's commission. Another minor detail: for Pelosi's bill to become law Trump would have to sign it. He won't and his veto is secure with the Senate in Republican hands.

So what is Pelosi doing? Making a fool of herself and acting on her hatred of Trump. It really makes her look looney and vindictive. We've been through Russiagate, impeachment, and all sorts of machinations to cripple the Trump presidency. This looks like a last-minute attempt to do what impeachment could not.

We are a stone's throw from an election. Pelosi should let the people speak on Trump's presidency rather than scheming with harebrained tricks to remove him outside of the electoral process.

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