



Written by [Bob Adelman](#) on February 14, 2024

## Calls to Remove Biden Through 25th Amendment Continue to Mount

Pressure to remove President Joe Biden continues to mount following the release of the special prosecutor's report last week.

[The latest is from Patrick Morrissey](#), attorney general of the State of West Virginia. He wrote to Vice President Kamala Harris yesterday:

For too long, Americans have had to stand by and watch as their President has experienced a profound cognitive decline. Over the last few months alone, President Biden has mixed up world leaders and political figures, strained to address basic issues in public speeches, and wandered out of events in a disoriented state.



AP Images

After reminding Harris that Biden's dementia is increasingly on display for all America to see, amplified by the special prosecutor's report that Biden was guilty of mishandling secret documents but claiming that his deteriorating mental state would make it impossible for him to find a jury that would convict him out of sympathy, he added:

But considering recent revelations in Special Counsel Robert Hur's report, Americans should not be forced to swallow their concerns and stand by any longer. I am writing to urge you to invoke your powers under Section 4 of the Twenty-Fifth Amendment and declare that President Biden is unable to discharge the powers and duties of his office.

Under the 25th Amendment, adopted after the Kennedy assassination, the vice president has the power and the responsibility to declare, along with the majority of the Cabinet, that the president is unfit for office and unable to perform his duties.

Here's the language from Section 4 of the 25th Amendment:

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.

This, of course, will never happen. Harris and the 15 Cabinet members — the secretaries of various



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departments (i.e., State, Treasury, Defense, etc.) — are all in the pocket of the Deep State and bringing charges that their public hologram is unfit and unable to perform his duties won't happen.

But the issue of Biden's inability to function won't go away, thanks not only to responsible and honorable people such as West Virginia's AG but many others as well.

For instance, Representative Claudia Tenney (R-N.Y.), the day after the Special Prosecutor's report revealed the real state of Biden's mental acuity, or lack thereof, [sent a letter to Attorney General Merrick Garland](#):

I write to you today with grave concerns regarding the confidential report provided to you by Special Counsel Robert K. Hur. After concluding that President Biden knowingly and willfully removed, mishandled, and disclosed classified documents repeatedly over a period of decades, Mr. Hur nevertheless recommended that charges not be brought against him.

Special Counsel's reasoning was alarming. He recited numerous instances in which President Biden exhibited dramatically compromised mental faculties and concluded that a jury would be likely to perceive President Biden as a sympathetic and forgetful old man.

Accordingly, she demanded that he "begin proceedings to remove [Biden] pursuant to the 25<sup>th</sup> Amendment.... Biden needs to be charged, or he needs to be removed. There is no middle ground."

A day later, Senator Josh Hawley (R-Mo.) told Fox News that he is "calling on [AG Garland] publicly now to do what I think is required under the law in the Constitution: either charge [Biden], or go to [his] cabinet and tell them: 'I believe we have to invoke the 25<sup>th</sup> Amendment.' He's got to do one or the other."

He added, "If he doesn't, it will just confirm what everybody thinks, which is that there are two tiers of justice and that Garland himself is completely complicit in the corruption of this administration."

Representative Marjorie Taylor Green (R-Ga.) posted on X: "The Special Counsel's report exposing that Joe Biden's mental decline is so severe that he can not stand trial means he is unfit for office. We must demand either the 25<sup>th</sup> Amendment be invoked, or impeachment."

Representative Mary Miller (R-Ind.) wrote: "For the safety of our nation, Joe Biden must resign. He could not remember basic facts about his life. He is not competent to remain as Commander-in-Chief and every day that he remains [in office] he puts America at risk."

House Speaker Mike Johnson and the entire House GOP leadership issued a joint statement: "A man too incapable of being held accountable for mishandling classified information is certainly unfit for the Oval Office."

Following Biden's disastrous press conference, Senators Mike Lee (R-Utah) and Rick Scott (R-Fla.) tweeted on X: "It's time for his cabinet to invoke the 25th Amendment."

Even if Harris were to invoke the 25th Amendment (she did declare last month that she is "ready" to assume the presidency), she would need a majority of the Cabinet to agree. They would then submit a formal written declaration to Congress. Biden would then have the opportunity to rebut it, with Harris and the Cabinet majority having just four days to respond.

And then both houses of Congress would vote, and a two-thirds majority in each house would be needed



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to replace Biden.

The 25th Amendment was deliberately crafted to make it nearly impossible to remove the president, except in the most dire and obvious circumstances. This was done to prevent partisan political forces from manipulating it as an “end-run” around a failed impeachment effort.

But such public display of displeasure over last week’s release of the special report and Biden’s incompetence revealed in so many venues only serves to confirm what the public already knows. According to the latest polls, nearly three out of four registered voters have great concerns about Biden’s mental acuity going into his campaign for another four years in the White House.

Related article:

<https://thenewamerican.com/us/politics/report-biden-guilty-but-not-chargeable-due-to-age-and-poor-memory/> [Report: Biden Guilty, but Not Chargeable Due to Age and Poor Memory](#)



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