



Written by [R. Cort Kirkwood](#) on April 10, 2019

FBI Lawyer: 25th Suggested to Remove Trump, and No One Was Kidding

The former general counsel of the FBI told a congressional committee in October that Deputy Attorney General Rod Rosenstein (shown) did indeed discuss removing President Trump with the [25th Amendment](#) to the Constitution.



James Baker's newly released testimony, in an executive session before a joint meeting of the House Judiciary and Government Reform and Oversight Committees, confirms the revelation from former FBI Deputy Director Andrew McCabe, [who said likewise](#) in an interview with *60 Minutes* two months ago.

Baker told committee members that discussions about using the 25th to oust Trump were dead serious. They were not, as the Justice Department tried to claim, sarcastic musings. The 25th outlines the procedure for removing the president when he is unable to do his job.

[First reported two months ago](#) but confirmed in the [transcript released this week](#), Baker's testimony suggests that Trump was indeed the target of a sub-rosa Deep-State conspiracy.

"Completely Serious"

Baker divulged the truth in questions from GOP Representative Jim Jordan and a committee staff member. Baker told Jordan that FBI and Justice officials discussed the 25th amendment and Rosenstein's wearing a wire to record the president and gather evidence to use in taking him down.

Rosenstein denied the report when [it appeared in the New York Times](#). The suggestions of secretly recording the president and gathering evidence to remove him from office, the Justice Department said, were made "sarcastically."

Not so, [Baker testified](#):

Jordan: And you took their conversation as completely serious that Mr. Rosenstein was serious about wearing a wire and recording the President for both of those reasons?

Baker: No, no. I didn't connect the 25th Amendment thing to the wire. Maybe it was my mistake mentally. I connected that more to the obstruction matter. The 25th Amendment conversation, my understanding was that there was a conversation in which it was said I believe by the [deputy attorney general] that there were — that there were two members of the cabinet who were willing to go down this road already.

Elaborating later, Baker said McCabe divulged the plan to remove Trump: "Andy McCabe told me that [Rosenstein] had talked about the 25th Amendment.... [H]e told me that [Rosenstein] said that he had at least two members of the cabinet who were ready to invoke the 25th Amendment."



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[Then Baker explained](#) that no one was joking:

Q: Did people tell you that the [Rosenstein] was upset?

A: Yes.

Q: Did they tell you that he was making jokes?

A: No.

Q: Did they tell you that —

A: This was not a joking sort of time. This was pretty dark.

Coup Attempt

[McCabe divulged](#) plans for the Deep State coup to Scott Pelley of *60 Minutes*.

After Trump fired FBI Director James Comey, McCabe and Rosenstein huddled for what Pelley called a “week of crisis meetings” during which Rosenstein suggested wearing a hidden device to record Trump. Rosenstein, McCabe claimed, said he could sneak the wire past security because White House guards didn’t search him. “He was not joking,” McCabe said. “He was absolutely serious.”

But [McCabe also alleged](#) that Rosenstein suggested taking down the president with an unconstitutional application of the 25th Amendment, which governs the line of succession should the president be physically or mentally ill, and unable to do his job.

McCabe said Rosenstein was “very concerned about the president, about his capacity, and about his intent at that point in time.”

Rosenstein “was discussing other cabinet members whether people would support such an idea, whether or not other cabinet members shared his belief that the president was — was really concerning, was concerning Rod at that time.”

Asked Pelley, “Rosenstein was actually openly talking about whether there was a majority of the cabinet who would vote to remove the president?”

“That’s correct,” McCabe replied. “Counting votes or possible votes.”

[The Justice Department said](#) “the deputy attorney general never authorized any recording” and was not “in a position to consider invoking the 25th Amendment.”

Left-wing legal guru [Alan Dershowitz said](#) the move was “clearly an attempted coup d’état” because the the amendment governs the line of succession after a president is incapacitated physically or mentally. “The 25th Amendment is about Woodrow Wilson having a stroke,” he said. “It’s about a president being shot and not being able to perform his office. It’s not about the most fundamental disagreements. It’s not about impeachable offenses.”

Dershowitz said that “trying to use the 25th amendment to circumvent the impeachment provisions or to circumvent an election is a despicable act of unconstitutional power-grabbing.... It’s an attack on our Constitution.”

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