

Fordham Law School

FLASH: The Fordham Law Archive of Scholarship and History

Executive Branch Materials

Twenty-Fifth Amendment Archive

1-12-2021

Letter from Vice President Pence to House Speaker Nancy Pelosi Regarding the 25th Amendment

Michael R. Pence

Vice President. United States.

Follow this and additional works at: https://ir.lawnet.fordham.edu/twentyfifth_amendment_executive_materials



Part of the [Law Commons](#)

Recommended Citation

Pence, Michael R., "Letter from Vice President Pence to House Speaker Nancy Pelosi Regarding the 25th Amendment" (2021). *Executive Branch Materials*. 13.

https://ir.lawnet.fordham.edu/twentyfifth_amendment_executive_materials/13

This Book is brought to you for free and open access by the Twenty-Fifth Amendment Archive at FLASH: The Fordham Law Archive of Scholarship and History. It has been accepted for inclusion in Executive Branch Materials by an authorized administrator of FLASH: The Fordham Law Archive of Scholarship and History. For more information, please contact tmelnick@law.fordham.edu.



THE VICE PRESIDENT
WASHINGTON

January 12, 2021

The Honorable Nancy Pelosi
Speaker of the House of Representatives
Washington, D.C. 20515

Dear Madam Speaker:

Every American was shocked and saddened by the attack on our Nation's Capitol last week, and I am grateful for the leadership that you and other congressional leaders provided in reconvening Congress to complete the people's business on the very same day. It was a moment that demonstrated to the American people the unity that is still possible in Congress when it is needed most.

But now, with just eight days left in the President's term, you and the Democratic Caucus are demanding that the Cabinet and I invoke the 25th Amendment. I do not believe that such a course of action is in the best interest of our Nation or consistent with our Constitution. Last week, I did not yield to pressure to exert power beyond my constitutional authority to determine the outcome of the election, and I will not now yield to efforts in the House of Representatives to play political games at a time so serious in the life of our Nation.

As you know full well, the 25th Amendment was designed to address Presidential incapacity or disability. Just a few months ago, when you introduced legislation to create a 25th Amendment Commission, you said, "[a] President's fitness for office must be determined by science and facts." You said then that we must be "[v]ery respectful of not making a judgment on the basis of a comment or behavior that we don't like, but based on a medical decision." Madam Speaker, you were right. Under our Constitution, the 25th Amendment is not a means of punishment or usurpation. Invoking the 25th Amendment in such a manner would set a terrible precedent.

After the horrific events of this last week, our Administration's energy is directed to ensuring an orderly transition. The Bible says that "for everything there is a season, and a time for every purpose under heaven...a time to heal, ... and a time to build up." That time is now. In the midst of a global pandemic, economic hardship for millions of Americans, and the tragic events of January 6th, now is the time for us to come together, now is the time to heal.

I urge you and every member of Congress to avoid actions that would further divide and inflame the passions of the moment. Work with us to lower the temperature and unite our country as we prepare to inaugurate President-elect Joe Biden as the next President of the United States. I pledge to you that I will continue to do my part to work in good faith with the incoming administration to ensure an orderly transition of power. So help me God.

Sincerely,

A handwritten signature in black ink that reads "Mike Pence".

Michael R. Pence
Vice President of the United States