

January 8, 2021

The Honorable Michael R. Pence  
Vice President of the United States  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

Mr. Vice President:

On January 6, 2021, we watched in horror as the U.S. Congress was subject to a mob's raid and occupation of the Capitol, interrupting one of the most sacred traditions in our orderly transition of Constitutional power: the receipt and certification of the ballots cast by the states to the Electoral College. It was a scene framed by forcible illegal entry, assault on law enforcement officers, and senseless death. It was the direct and predictable result of a rally summoned by the President, at which he reinforced false claims of a rigged election that have been rejected or outright disproven by every public and judicial review of our November 2020 presidential election. It was a riot incited by the President's own words addressing that rally, and then excused by his words after it.

Lawyers have no special province when it comes to politics. We have our views, like all citizens, and we should act on them. But when it comes to defending our Constitution and our system of laws, we have a special duty and an exceptional perspective. In this moment, we must speak out, in devotion to these bedrock principles of our nation. As leaders of the legal community, we call for action.

The President has proven himself unfit for office, and a reckless and wanton threat to the Constitution that he pledged to preserve, protect, and defend. We implore you, individually or in combined effort with members of the Cabinet, to invoke Section 4 of the 25<sup>th</sup> Amendment to the Constitution, and to declare to the leaders of Congress that the President is unable to discharge the powers and duties of his office. We will continue to urge all members of the legal community to join in this call, and to stand up for the democratic institutions and traditions of our republic and the Constitution that gives them life and protection.

The Honorable Michael R. Pence  
January 8, 2021  
Page 2

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The Honorable Michael R. Pence  
January 8, 2021  
Page 3

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The Honorable Michael R. Pence  
January 8, 2021  
Page 7

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