

*(A 3^d + final draft sent to
Senate + House majority + minority
leadership + Chairman Cannon,
Rules Com. + Chairman Robins (Judiciary))*

2d draft
11/8/74

Dear _____:

I am writing to request your assistance and cooperation in carrying out the clear intention of the 25th Amendment to the Constitution which we in the Congress proposed in 1965 and which became effective upon ratification by the Legislatures of 47 States in 1967.

The essence of the 25th Amendment, insofar as it pertains to a vacancy in the Office of the Vice President (Section 2), is that a prolonged vacancy in the second office of the Federal Government and the normal successor to the Presidency is undesirable as a matter of public policy. While the language of this Constitutional amendment fixes no specific time limit on the process of nomination and confirmation, I view it as implicit in the adoption of this section that vacancies be as brief as the careful consideration of a nominee by the President and the Congress will permit.

I therefore considered it my Constitutional duty, immediately upon assuming the Office of the President, to place the highest priority on submitting a nomination for the vacancy in the Vice Presidency to the Congress. Within eleven days I submitted to the Senate and the House of Representatives the name of Nelson A. Rockefeller of New York.

In contrast to this Congress' careful but expeditious consideration over a period of eight weeks of my own nomination to be the Vice President, the only precedent in the use of the 25th Amendment for this purpose, neither body has yet completed



consideration of the qualifications of my nominee. There is public speculation that no final action will be taken by this 93rd Congress before it adjourns sine die.

The Committee on Rules and Administration of the Senate commenced its hearings promptly on September 23 and I understand will resume them on November 13th, prior to the return of the Congress from its current recess. However, the hearings of the Committee on the Judiciary of the House have not yet even begun.

In nominating Nelson Rockefeller for the vacancy in the Office of the Vice President on August 20, 1974, almost 12 weeks ago, after personal consultation with the leadership of the majority and minority parties in both bodies of the Congress, I reached the considered conclusion that he was the best qualified person to fill this important office and the one who could best assist me in working with the Congress to find practical solutions to the many problems facing our country at home and abroad.

In accordance with the urgency implicit in the 25th Amendment to the Constitution, I immediately authorized the Federal Bureau of Investigation and all other Executive Agencies of the Federal Government to cooperate with the respective Committees of the House and Senate in their investigation of Governor Rockefeller's qualifications and fitness to fill this office. The nominee has stated his willingness to cooperate fully with the cognizant committees in their preliminary studies, audits,



investigations and inquiries.

The public information resulting from these investigations has mainly been concerned with Governor Rockefeller's personal wealth and how he uses it. I have noted that over the past decade he has paid nearly half of his income in Federal, State and local taxes and some 30% has been donated to charitable institutions.

But I feel the primary issue is not Governor Rockefeller's personal wealth so much as his wealth of experience. He has served with ~~four~~ Presidents in Federal positions and has administered the affairs of one of our most complex State Governments with demonstrated efficiency and capacity for solving economic and social problems and with concern for the rights and well-being of all its people.

In my judgment it is essential that this Congress give the highest priority to completing the confirmation process mandated by the Constitution when it returns from recess on November 18. The national interest is not well served by a continued vacancy in the Vice Presidency and I remain firmly convinced that Governor Rockefeller is eminently qualified for this office.

Therefore, I respectfully request your assistance in expediting those procedures for which the Congress is constitutionally responsible in order to ensure a final determination by both the Senate and the House of Representatives in the remaining days of the 93rd Congress.

With warm personal regards.

Sincerely,

