

Presidential

March 5, 1964

Mr. Charles D. Powell
5911 Madison Avenue, S. E.
Grand Rapids, Michigan 49508

Dear Mr. Powell,

Thank you for your thoughtful and helpful letter of March 2nd concerning the important problem of Presidential succession.

I appreciated very much receiving your comments and recommendations. If this matter does come to the floor of the House I will have your views and recommendations in mind. Furthermore, I will pass on to some of my friends on the Committee on the Judiciary your suggestions which you made.

You will be interested to know the Senate is considering this problem. The Subcommittee on Constitutional Revision of the Senate Committee on the Judiciary has been handling this matter. It recently held two sets of hearings and hopes to close out this aspect of its work today.

Following the completion of the hearings the subcommittee will attempt to draft specific language of a resolution to be submitted to the Senate. Whether any further action will be taken this session we cannot predict, but the subcommittee is working on the problem.

Warmest personal regards.

Sincerely,

Gerald R. Ford, M.C.

GRF:mr



Charles D. Powell
5311 Madison Avenue, S.E.
Grand Rapids, Michigan
49508
March 2, 1964

The Honorable Gerald R. Ford, Jr.
House of Representatives
Washington 25, D.C.

Sir:

I would like to express my opinion on the problem of presidential succession. I think we ought to return to the idea of succession within the executive branch of government. My idea is this: upon the succession of the Vice-president to the Presidency, either the Secretary of State or the Attorney General would move up to the Vice-presidency. The new President would then appoint a new Secretary of State or Attorney General, whoever was necessary, who would then be third in line for the Presidency, so that the whole cabinet would not be involved in a line of succession. This plan may not be original, or may in some respects be naïve, but I believe it has some advantages to recommend it.

First of all, we would always have a Vice-president. Although it is improbable that both the President and the Vice-president would die, or be otherwise removed from office, within a few hours from one another, the possibility of such a thing was impressed upon us when it was rumored that then Vice-president Lyndon Johnson had had a heart attack following the assassination of the late President John F. Kennedy. If it were feared that all three men involved might be killed at once in some catastrophe, it might be provided that in such a situation, and only then, the Secretary of State or the Attorney General (whoever would not have become Vice-president) would become president.

Secondly, this plan involves directly three or four men, and only those three or four. For security reasons, there would be enough of them that they could easily avoid being in the same place at the same time. On the other hand, the limitation to four men at most, makes it possible for other officials, whether elected or appointed, to be chosen on the basis of their qualifications for their prospective assignments, with no consideration necessary as to whether or not they would make good presidents.

Thirdly, the man chosen for Secretary of State or Attorney General would very probably be one who is committed, at least to a large extent, to political ideals and programs of the president. I can appreciate the rationale behind the present system, i.e. that the president ought to be a man elected by the people and not one who came into his office by appointment. A legislator, however, has not been elected by the people of the whole United States; he has been elected by the voters of one congressional district or of one state, as a legislator and not as an executive. Besides, we do not vote for a man only; we vote for a set of standards, ideals, and programs. These can best be perpetuated through a picked successor.

Fourthly, both the Secretary of State and the Attorney General are men who work close to the President in the executive branch.

Finally, this plan overcomes some serious disadvantages of the present system and certain other proposed systems. Most systems would leave the country with no Vice-president, at least for a time. Some of them are unnecessarily expensive or time consuming, such as those which call for special elections or for more than one Vice-president. One of the most serious shortcomings of our present system is that it often would cross party lines. This is disadvantageous, not only in that the presidency may come into the hands of a political party against the expressed wish of the populace, but also in that a fanatic could conceivably gain power for his party by assassinating the President and the Vice-president.

I hope this letter may be of some help to you in your consideration of any legislation which may be proposed relating to this matter.

Yours truly,



Charles D. Powell