

H. J. RES. 1

As amended by Committee action at the meetings of Tuesday, March 16, and Wednesday, March 17, 1965. Stricken language is in brackets; added language is underscored.

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States relative to succession to the Presidency and Vice Presidency and to cases where the President is unable to discharge the powers and duties of his office.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein),

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE --

"SECTION 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

"SECTION 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

"SECTION 3. (If the President declares in writing)

Whenever the President transmits to the President Pro Tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

"SEC. 4. (If the President does not so declare, and the Vice President with the written concurrence of a majority of the heads of the executive departments, or such other body as Congress may by law provide, transmits to the Congress his) Whenever the Vice President and a majority of the principal officers of the executive departments, or such other body as Congress may by law provide, transmit to the President Pro Tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

"(SEC. 5.) Thereafter, when (ever) the President transmits to the (Congress) President Pro Tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability

exists, he shall resume the powers and duties of his office unless the Vice President (with the written concurrence of a majority of the heads of the executive departments or such other body as Congress may by law provide, transmits within two days to the Congress his) and a majority of the principal officers of the executive departments, or such other body as Congress may by law provide, transmit within two days to the President Pro Tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall (immediately) decide the issue, immediately assembling for that purpose if not in session. If the Congress, within ten days after the receipt of the written declaration of the Vice President and a majority of the principal officers of the executive departments or such other body as Congress may by law provide, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of the office, the Vice President shall continue to discharge the same as Acting President; otherwise the President shall resume the powers and duties of his office."