

ENGROSSING COPY

~~House Calendar No. 37~~

89TH CONGRESS
1ST SESSION

H. J. RES. 1

[Report No. 203]

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1965

Mr. CELLER introduced the following joint resolution; which was referred to the Committee on the Judiciary

MARCH 24, 1965

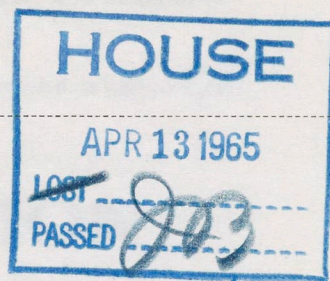
Amendment offered by Mr. *Celler, N. Y.*

Page, line

After

Strike out
Insert

all after the resolving clause of S. J. Res. 1 and the provisions of H. J. Res. 1 as passed by the House.



3 ~~thirds of each House concurring therein~~, That the following
4 article is proposed as an amendment to the Constitution of
5 the United States, which shall be valid to all intents and
6 purposes as part of the Constitution when ratified by the
7 legislatures of three-fourths of the several States within
8 ~~seven years from the date of its submission by the Congress:~~

✓
O.K.

~~“ARTICLE~~

1
2 “SECTION 1. In case of the removal of the President
3 from office or of his death or resignation, the Vice President
4 shall become President.

5 “SEC. 2. Whenever there is a vacancy in the office of
6 the Vice President, the President shall nominate a Vice
7 President who shall take office upon confirmation by a ma-
8 jority vote of both Houses of Congress.

9 “SEC. 3. If the President declares in writing that he
10 is unable to discharge the powers and duties of his office,
11 such powers and duties shall be discharged by the Vice
12 President as Acting President.

13 “SEC. 4. If the President does not so declare, and the
14 Vice President with the written concurrence of a majority
15 of the heads of the executive departments or such other body
16 as Congress may by law provide, transmits to the Congress
17 his written declaration that the President is unable to dis-
18 charge the powers and duties of his office, the Vice President
19 shall immediately assume the powers and duties of the office
20 as Acting President.

21 “SEC. 5. Whenever the President transmits to the Con-
22 gress his written declaration that no inability exists, he shall
23 resume the powers and duties of his office unless the Vice
24 President, with the written concurrence of a majority of the
25 heads of the executive departments or such other body as

1 ~~Congress may by law provide, transmits within two days~~
2 ~~to the Congress his written declaration that the President~~
3 ~~is unable to discharge the powers and duties of his office.~~
4 ~~Thereupon Congress shall immediately decide the issue. If~~
5 ~~the Congress determines by two thirds vote of both Houses~~
6 ~~that the President is unable to discharge the powers and~~
7 ~~duties of the office, the Vice President shall continue to dis-~~
8 ~~charge the same as Acting President; otherwise the Presi-~~
9 ~~dent shall resume the powers and duties of his office."~~

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

16 "ARTICLE —

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

20 "SEC. 2. *Whenever there is a vacancy in the office of*
21 *the Vice President, the President shall nominate a Vice*
22 *President who shall take office upon confirmation by a ma-*
23 *jority vote of both Houses of Congress.*

24 "SEC. 3. *Whenever the President transmits to the Presi-*
25 *dent pro tempore of the Senate and the Speaker of the House*

1 of Representatives his written declaration that he is unable
2 to discharge the powers and duties of his office, and until he
3 transmits a written declaration to the contrary, such powers
4 and duties shall be discharged by the Vice President as
5 Acting President.

6 "SEC. 4. Whenever the Vice President and a majority
7 of the principal officers of the executive departments, or such
8 other body as Congress may by law provide, transmit to the
9 President pro tempore of the Senate and the Speaker of the
10 House of Representatives their written declaration that the
11 President is unable to discharge the powers and duties of his
12 office, the Vice President shall immediately assume the powers
13 and duties of the office as Acting President.

14 "Thereafter, when the President transmits to the Presi-
15 dent pro tempore of the Senate and the Speaker of the House
16 of Representatives his written declaration that no inability
17 exists, he shall resume the powers and duties of his office
18 unless the Vice President and a majority of the principal
19 officers of the executive departments, or such other body as
20 Congress may by law provide, transmit within two days to
21 the President pro tempore of the Senate and the Speaker of
22 the House of Representatives their written declaration that
23 the President is unable to discharge the powers and duties
24 of his office. Thereupon Congress shall decide the issue,
25 ^{adt} immediately assembling for that purpose if not in session. If

edt.
O.K.

adt
^

1 the Congress, within ten days after the receipt of the written
2 declaration of the Vice President and a majority of the prin-
3 cipal officers of the executive departments, or such other body
4 as Congress may by law provide, determines by two-thirds
5 vote of both Houses that the President is unable to discharge the
6 powers and duties of the office, the Vice President shall con-
7 tinue to discharge the same as Acting President; otherwise,
8 the President shall resume the powers and duties of his office."

Amendment offered by Mr. POFF, Va.
to the Committee Amendment
Page 4, line 25
~~After~~
Strike out } the word "immediately";
Insert } and after the word "assembling";
insert the words
"within forty-eight hours"

O.K.
ACCEPTED
APR 13 1965
PER JOB

ENGROSSING COPY

89TH CONGRESS
1ST SESSION

S. J. RES. 1

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 22, 1965

Referred to the Committee on the Judiciary

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States relating 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.

1 *Resolved by the Senate and House of Representatives of*
2 *the United States of America in Congress assembled (two-*
3 *thirds of each House concurring therein),* ^{act.} ~~That the following~~
4 article is proposed as an amendment to the Constitution of
5 the United States, which shall be valid to all intents and
6 purposes as part of the Constitution when ratified by the
7 legislatures of three-fourths of the several States within seven
8 ~~years from the date of its submission by the Congress:~~

act.
O.K.

House Calendar No. 37

89TH CONGRESS
1ST SESSION

H. J. RES. 1

[Report No. 203]

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States relating 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.

By Mr. Celler

JANUARY 4, 1965

Referred to the Committee on the Judiciary

MARCH 24, 1965

Reported with an amendment, referred to the House Calendar, and ordered to be printed



1 "ARTICLE —
2 "SECTION 1. In case of the removal of the President
3 from office or of his death or resignation, the Vice President
4 shall become President.
5 "SEC. 2. Whenever there is a vacancy in the office of the
6 Vice President, the President shall nominate a Vice Presi-
7 dent who shall take office upon confirmation by a majority
8 vote of both Houses of Congress.
9 "SEC. 3. Whenever the President transmits to the Presi-
10 dent of the Senate and the Speaker of the House of Repre-
11 sentatives his written declaration that he is unable to dis-
12 charge the powers and duties of his office, such powers and
13 duties shall be discharged by the Vice President as Acting
14 President.
15 "SEC. 4. Whenever the Vice President, and a majority
16 of the principal officers of the executive departments or such
17 other body as Congress may by law provide, transmit to the
18 President of the Senate and the Speaker of the House of
19 Representatives their written declaration that the President
20 is unable to discharge the powers and duties of his office, the
21 Vice President shall immediately assume the powers and
22 duties of the office as Acting President.
23 "SEC. 5. Whenever the President transmits to the Presi-
24 dent of the Senate and the Speaker of the House of Repre-
25 sentatives his written declaration that no inability exists, he

1 ~~shall resume the powers and duties of his office unless the~~
2 ~~Vice President, and a majority of the principal officers of~~
3 ~~the executive departments or such other body as Congress~~
4 ~~may by law provide, transmit within seven days to the~~
5 ~~President of the Senate and the Speaker of the House of~~
6 ~~Representatives their written declaration that the President~~
7 ~~is unable to discharge the powers and duties of his office.~~
8 ~~Thereupon Congress shall immediately proceed to decide the~~
9 ~~issue. If the Congress determines by two-thirds vote of both~~
10 ~~Houses that the President is unable to discharge the powers~~
11 ~~and duties of the office, the Vice President shall continue to~~
12 ~~discharge the same as Acting President; otherwise the Presi-~~
13 ~~dent shall resume the powers and duties of his office."~~

Passed the Senate February 19, 1965.

Attest: FELTON M. JOHNSTON,
Secretary.

THE PRESIDENT
OF THE UNITED STATES
21 FEB 19 1965
U.S. SENATE
RECEIVED
FEB 19 1965

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S. J. RES. 1

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