

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), 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:*

"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.

"SEC. 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.

"SEC. 3. Whenever the President transmits to the President 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, such powers and duties shall be discharged by the Vice President as Acting President.

"SEC. 4. 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 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. Whenever the President transmits to the President of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he

[and until he transmits a written declaration to the contrary]

shall resume the powers and duties of his office unless 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 within seven days to the President 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 proceed to decide the issue. If the Congress 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."

Passed the Senate February 19, 1965.

Attest: FELTON M. JOHNSTON, Secretary.

[3] assembling within forty-eight hours for that purpose if not in session. [3] within ten days

RESOLUTION