
By Mr. Donahue, a petition of Maurice A. Donahue and John F. X. Davoren for the adoption of resolutions ratifying a proposed amendment to the Constitution of the United States relating to presidential disability and succession. Constitutional Law.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Five.

RESOLUTIONS RATIFYING A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES RELATING TO PRESIDENTIAL DISABILITY AND SUCCESSION.

Whereas, The Eighty-ninth Congress by both Houses passed the following proposed amendment to the Constitution of the United States:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following article is hereby 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 only if 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 the office upon confirmation by a majority vote of both Houses of Congress.

“Section 3. 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 to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

“Section 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of 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.

“Thereafter, when the President transmits to the 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 and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four 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 decide the issue, assembling within 48 hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his 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.”

Therefore be it

Resolved, That the said proposed amendment is hereby ratified

by the legislature of the Commonwealth of Massachusetts; and be it further

Resolved, That a certified copy of the foregoing preamble and resolution be forwarded by the Governor to the Administrator of General Services for such action thereon as he may be required to take under section 106b of Title I of the United States Code.

