

AMENDMENT XXV.¹⁶

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

§ 252. Presidential succession and inability.

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.

§ 253. Confirmation by House and Senate of nominee to fill vice presidential vacancy.

¹⁶The 25th amendment to the Constitution of the United States was proposed to the legislatures of the several States by the 89th Congress on July 7, 1965, and was declared by the Administrator of General Services, in a proclamation dated February 23, 1967, to have been ratified by the legislatures of 39 of the 50 States. The dates of these ratifications were: Nebraska, July 12, 1965; Wisconsin, July 13, 1965; Oklahoma, July 16, 1965; Massachusetts, August 9, 1965; Pennsylvania, August 18, 1965; Kentucky, September 15, 1965; Arizona, September 22, 1965; Michigan, October 5, 1965; Indiana, October 20, 1965; California, October 21, 1965; Arkansas, November 4, 1965; New Jersey, November 29, 1965; Delaware, December 7, 1965; Utah, January 17, 1966; West Virginia, January 20, 1966; Maine, January 24, 1966; Rhode Island, January 28, 1966; Colorado, February 3, 1966; New Mexico, February 3, 1966; Kansas, February 8, 1966; Vermont, February 10, 1966; Alaska, February 18, 1966; Idaho, March 2, 1966; Hawaii, March 3, 1966; Virginia, March 8, 1966; Mississippi, March 10, 1966; New York, March 14, 1966; Maryland, March 23, 1966; Missouri, March 30, 1966; New Hampshire, June 13, 1966; Louisiana, July 5, 1966; Tennessee, January 12, 1967; Wyoming, January 25, 1967; Iowa, January 26, 1967; Washington, January 26, 1967; Oregon, February 2, 1967; Minnesota, February 10, 1967; Nevada, February 10, 1967. Ratification was completed February 10, 1967. The amendment was subsequently ratified by Connecticut, February 14, 1967; Montana, February 15, 1967; South Dakota, March 6, 1967; Ohio, March 7, 1967; Alabama, March 14, 1967; North Carolina, March 22, 1967; Illinois, March 22, 1967; Texas, April 25, 1967; Florida, May 25, 1967.

SECTION 3. Whenever the President transmits
§ 254. President's
declaration of
disability.
to the President pro tempore of the
Senate and the Speaker of the
House of Representatives his writ-
ten 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 dis-
charged by the Vice President as Acting Presi-
dent.

SECTION 4. Whenever the Vice President and
§ 255. Determination
of Presidential
inability and Vice
President as Acting
President.
a majority of either the principal of-
ficers 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 Presi-
dent.

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 ei-
ther the principal officers of the executive de-
partment 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 forty-eight 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.

Congress has twice performed its responsibility under section two of the 25th amendment. On October 13, 1973, the Speaker laid before the House a message from President Nixon transmitting his nomination of Gerald R. Ford, Minority Leader in the House of Representatives, to be Vice President of the United States, Vice President Agnew having resigned on October 10, 1973. The Speaker referred the nomination to the Committee on the Judiciary, which under rule X has jurisdiction over matters relating to Presidential succession (Precedents (Wickham), ch. 3, § 6.6). The nomination of Mr. Ford to be Vice President was confirmed by the Senate on November 27, 1973 (p. 38225) and by the House on December 6, 1973 (p. 39900), and Vice President Ford was sworn in in the Chamber of the House of Representatives on December 6 (p. 39925). Subsequently, President Nixon resigned from office by delivering his written resignation to the Office of the Secretary of State, pursuant to 3 U.S.C. 20, on August 9, 1974. Pursuant to section one of the 25th amendment, Vice President Ford became President, and was sworn in in the East Room at the White House. He nominated Nelson A. Rockefeller to be Vice President, which nomination was received in the House of Representatives and referred to the Committee on the Judiciary on August 20, 1974; the nomination was confirmed by the Senate on December 10, 1974 (p. 38936) and by the House on December 19, 1974 (p. 41516), and Vice President Rockefeller was sworn in in the Senate Chamber on December 19, 1974 (p. 41181). On both instances, the House received the message from the Senate, announcing that body's

§ 256. Instances in which House and Senate have confirmed nominee as Vice President; temporary incapacity of President.

confirmation of the nominee for Vice President, following the vote on confirmation by the House.

The Chair laid before the House communications from the President pursuant to section three of this amendment as follows: First, before undergoing sedation for a medical procedure, declaring his impending inability to discharge the constitutional powers and duties of the Office of President and advising that the Vice President would discharge those responsibilities as Acting President until the President declared his ability to resume that role; and second (after recovering from the sedation and the medical procedure) declaring his ability to resume the discharge of the constitutional powers and duties of the Office of President, and advising that he was doing so immediately (July 15, 1985, p. 18955; July 8, 2002, pp. 12089, 12090; July 23, 2007, p. 20036).

AMENDMENT XXVI.¹⁷

SECTION 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

§ 257. Right to vote extended to persons 18 years of age or older.

¹⁷The 26th amendment to the Constitution was proposed by the Congress on March 23, 1971. It was declared, in a certificate of the Administrator of General Services, dated July 5, 1971, to have been ratified by the legislatures of 39 of the 50 States. The dates of ratification were: Connecticut, March 23, 1971; Delaware, March 23, 1971; Minnesota, March 23, 1971; Tennessee, March 23, 1971; Washington, March 23, 1971; Hawaii, March 24, 1971; Massachusetts, March 24, 1971; Montana, March 29, 1971; Arkansas, March 30, 1971; Idaho, March 30, 1971; Iowa, March 30, 1971; Nebraska, April 2, 1971; New Jersey, April 3, 1971; Kansas, April 7, 1971; Michigan, April 7, 1971; Alaska, April 8, 1971; Maryland, April 8, 1971; Indiana, April 8, 1971; Maine, April 9, 1971; Vermont, April 16, 1971; Louisiana, April 17, 1971; California, April 19, 1971; Colorado, April 27, 1971; Pennsylvania, April 27, 1971; Texas, April 27, 1971; South Carolina, April 28, 1971; West Virginia, April 28, 1971; New Hampshire, May 13, 1971; Arizona, May 14, 1971; Rhode Island, May 27, 1971; New York, June 2, 1971; Oregon, June 4, 1971; Missouri, June 14, 1971; Wisconsin, June 22, 1971; Illinois, June 29, 1971; Alabama, June 30, 1971; Ohio, June 30, 1971; North Carolina, July 1, 1971; Oklahoma, July 1, 1971.

Ratification was completed on July 1, 1971.

The amendment was subsequently ratified by Virginia, July 8, 1971; Wyoming, July 8, 1971; Georgia, October 4, 1971.