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Strengthening and Clarifying the 25th Amendment Act of 2017

United States. House of Representatives

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115TH CONGRESS
1ST SESSION

H. R. 2093

To provide for an alternative body to transmit a written declaration that the President is unable to discharge the powers and duties of his office in accordance with the provisions of the 25th Amendment of the Constitution.

IN THE HOUSE OF REPRESENTATIVES

APRIL 14, 2017

Mr. BLUMENAUER introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide for an alternative body to transmit a written declaration that the President is unable to discharge the powers and duties of his office in accordance with the provisions of the 25th Amendment of the Constitution.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE .**

4 This Act may be cited as the “Strengthening and
5 Clarifying the 25th Amendment Act of 2017”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to provide for an alter-
3 native body to transmit a written declaration that the
4 President is unable to discharge the powers and duties of
5 his office in accordance with section 4 of the 25th Amend-
6 ment of the Constitution.

7 **SEC. 3. PRESIDENTIAL INCAPACITY.**

8 (a) IN GENERAL.—Except as provided in subsections
9 (b) and (c), the following individuals shall constitute an
10 alternative body to transmit a written declaration that the
11 President is unable to discharge the powers and duties of
12 his office in accordance with section 4 of the 25th Amend-
13 ment of the Constitution:

14 (1) Each former living President.

15 (2) Each former living Vice President.

16 (b) DISQUALIFICATION FROM BODY.—The following
17 individuals shall not be part of the body established under
18 subsection (a):

19 (1) Any individual impeached by the House of
20 Representatives and convicted by the Senate.

21 (2) Any individual serving as President or Vice
22 President at the time the declaration of incapacity is
23 made.

24 (c) REMOVAL FROM BODY.—A member of the body
25 identified in subsection (a) may be removed from such
26 body by a majority vote of all members of such body.

1 (d) TERMINATION AND REESTABLISHMENT OF
2 BODY.—The body described in subsection (a) shall termi-
3 nate whenever less than 2 individuals described in para-
4 graphs (1) and (2) of such subsection and not disqualified
5 under subsection (b) are living. Such body shall be rees-
6 tablished whenever 2 or more such individuals are living.

7 (e) DEFINITION.—The term “State” means each of
8 the several States and each territory or possession of the
9 United States.

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