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Documents from Carter's Contemplated Use of Section 3 (1978)

Robert J. Lipshutz

Office of White House Counsel

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THE WHITE HOUSE
WASHINGTON

December 22, 1978

MEMORANDUM FOR: SUSAN CLOUGH
PHIL WISE

FROM: BOB LIPSHUTZ 

Pursuant to my discussion with the President earlier this morning, I am attaching forms which could be utilized if the circumstances arise. Obviously, the forms would have to be tailored to the specific circumstances, dates, etc.

Attachment

THE WHITE HOUSE

WASHINGTON

TO: The President Pro Tempore of the Senate and
the Speaker of the House of Representatives.

Pursuant to medical advice, I, Jimmy Carter, President of the United States, on this date will undergo surgery in the nature of a hemorrhoidectomy. I am advised that I will be administered an anesthetic which will incapacitate me for a period of approximately _____ hours.

Therefore, in accordance with the provisions of Amendment XXV of the Constitution, section 3, I hereby declare that, commencing at _____ (time) today I will be unable to discharge the powers and duties of my office, and therefore, the Vice President shall discharge such powers and duties as Acting President commencing at such time.

Upon recovering my ability to discharge the powers and duties of this office, I will sign the appropriate declaration, transmit it to you, and thereby reassume the powers and duties of the office. My medical advice is that this will be approximately _____ (time) today.

(DATE)

(Signature)

THE WHITE HOUSE

WASHINGTON

TO: The President Pro Tempore of the Senate and
The Speaker of the House of Representatives

Pursuant to Amendment XXV of the Constitution, Section 3,
I hereby declare that I, Jimmy Carter, am now able to
discharge the powers and duties of my office as President
of the United States. Therefore, I am transmitting this
declaration to you and reassuming the powers and duties
of the Office of President of the United States.

(DATE)

(TIME)

(Signature)

THE WHITE HOUSE
WASHINGTON

TO: The President Pro Tempore of the Senate and
the Speaker of the House of Representatives.

Pursuant to medical advice, I, Jimmy Carter,
President of the United States, on this date will
undergo surgery in the nature of a hemorrhoidectomy.
I am advised that I will be administered an anesthetic
which will incapacitate me for a period of approximately
_____ hour.

Therefore, in accordance with the provisions of
Amendment XXV of the Constitution, section 3, I hereby
declare that, commencing at _____:00 _____M. today I am unable
to discharge the powers and duties of my office, and there-
fore the Vice President shall discharge such powers and
duties as Acting President commencing at such time.

Upon recovering my ability to discharge the powers
and duties of this office I will sign the appropriate
declaration, transmit it to you, and thereby reassume
the powers and duties of the office. My medical advice is
that this will be approximately _____ hour after _____:00 _____M.
today.

This ~~22nd~~ day of ~~December~~, 1978.



THE WHITE HOUSE
WASHINGTON

To: The President Pro Tempore of the Senate and
The Speaker of the House of Representatives

Pursuant to Amendment XXV of the Constitution,
Section 3, I hereby declare that I, Jimmy Carter,
am now able to discharge the powers and duties of my
office as President of the United States. Therefore
I am transmitting this declaration to you and
reassuming the powers and duties of the Office of
the President.

This _____ day of ~~December, 1978~~ at _____ M.

~~Jimmy Carter~~

TRUST

Jody Powell

? Hospital --- surgery ---

Friday ? 9:00 A.M. decision.

~~Right to make any decisions~~

Nike Berman

necessary to transmit to Pres. Boston Eastman & Specker

~~Section 3~~

~~of 25th Amendment~~

~~Voluntary & involuntary Sec. 4 V.P. + majority of the officers of the Exec. Dept. (Clerk Secretaries)~~

SEE:

Ben Civiletti

Chuck Ruff

" shall not go into ~~effect~~
~~period of time~~ effect ^{for a period of time} unless there is
a national
emergency affecting the
national security, in which case it shall
go into effect immediately.

Pursuant to the provision of the
25th Amendment to the
Constitution of the United States,
I, ^{President} Jimmy Carter, do hereby

Specker at
Cape Cod
W. H. operator

Pitto
Eastland

W. H. operator

★ Signal Board ★

Chuck Ruff

No pre-set papers at Justice's
papers as drafted.

Transmittal:

- Talk personally to each.
- Have rep. to take possession in their office on the Hill or even at the White House.

"Contingent" delivery questionable.

No informal transition would be effective.

⊕ ⊕ NOTIFY Harold Brown (and David C. Jones) of this procedure ^{to advise} 608 CINCPAC