

# Presidential Succession Statute—Constitutional and Unconstitutional

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*Modified Abstract: In 1947, the Eightieth Congress modified the prior Presidential Succession Act and inserted the title of two Members of Congress into its succession list. That action raised the question of whether or not the statute itself, 3 U.S.C. §19 (i.e., the Presidential Succession Act of 1947), is constitutional. This essay examines succession applicable sections of the original Articles of the Constitution of the United States, as well as 3 U.S.C. §19, and presents a set of premises derived from the applicable sections of the Constitution to formulate a definitive proof on the constitutionality of the inclusion of the two Members of Congress—the Speaker of the House of Representatives and the President pro tempore of the Senate—in the list of presidential successors, as well as the constitutionality of remaining aspects of the Statute itself.*

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