

Presidential Succession – Entitled Successors

10 April 2012

By Timothy D. Nestved

Modified Abstract: The Succession Clause within Article II of the Constitution of the United States grants Congress the authority to create a presidential succession statute by declaring which "Officer" shall act as president when vacancies exist in both the Office of the President of the United States and the Office of the Vice President of the United States. The word "Officer" is also used in other Articles of the Constitution, namely Article I, and the constitutional issue is exactly who is an "Officer" relative to the Succession Clause. This essay analyzes the original Articles of the Constitution (via SSIRR morphology) to definitively establish the exact scope of the word "Officer" as it relates to the Succession Clause, thus conclusively proving exactly which Officers are entitled presidential successors and which are not entitled presidential successors. The analysis also reveals additional constitutional issues with various statutes associated with presidential powers established via Article II of the Constitution.

[remaining content has been temporarily removed]