

FORUM LOOKS AT AFTERMATH OF TERRORISM

By Ken McLaughlin

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Former White House Chief of Staff Leon Panetta on Monday asked central coast residents to think about the unthinkable: What if United Flight 93, the hijacked jetliner that crashed in a Pennsylvania field on Sept. 11, had instead struck the U.S. Capitol and killed or disabled most members of Congress.

"How would our democracy have continued to function?" Panetta asked. Cokie Roberts, chief congressional analyst for ABC News, and Norman Ornstein, a prominent scholar at the American Enterprise Institute, agreed that the unfortunate answer is, not very well.

Roberts and Ornstein appeared at a series of forums Monday with students and the public sponsored by the Leon & Sylvia Panetta Institute at California State University-Monterey Bay.

The lecture series on terrorism and its impact on American life, called "Crisis in the 21st Century," will conclude July 1 with an appearance by former New York Mayor Rudolph Giuliani.

Roberts, Ornstein and Panetta said the Bush administration has set up a "shadow government" in which senior civil servants would take over crucial functions of the executive branch should terrorists strike the heart of Washington. But Congress, they said, seems to feel more immortal, despite the continued threat of briefcase nuclear bombs, anthrax attacks and germ warfare.

Even after the second plane hit the World Trade Center on Sept. 11, "nobody gave a signal to evacuate the Capitol," Ornstein said. "Nobody said, 'Get out of there!'"

Most members of Congress believe that if Flight 93 had not left 41 minutes late that morning, the passengers wouldn't have had time to learn from relatives about the planes hitting the Twin Towers or thwart such an attack.

Symbols of democracy

"No one knows for sure, but it's not a bad guess that the U.S. Capitol would have been the target because the hijackers" were going after symbols of U.S. democracy and capitalism, Panetta said.

"The Capitol dome is an awfully inviting target," Roberts said. "The spiritual effect of an attack on the Capitol would have been incredibly devastating."

Roberts and Ornstein both noted that the House of Representatives is the only body in which members can't be appointed. Under the U.S. Constitution, their replacements must be elected in special elections. U.S. senators, on the other hand, can be appointed temporarily by governors.

Part of the reason the House has been reluctant to address the potential problem, Ornstein and Roberts said, is that no one likes to think about their own demise.

"These are people who can't even contemplate being defeated in the next election," quipped Roberts, whose father, former House Democratic Majority Leader Hale Boggs of Louisiana, was killed in a plane crash in Alaska in 1972. He was succeeded by Roberts' mother, Lindy Boggs, who won a special election for his seat.

Amendment proposed

The most publicized attempt to fix the potential problem has been a proposed constitutional amendment by Rep. Brian Baird, D-Wash. It would allow governors to appoint House members for 90 days if 25 percent or more of

House members were killed or incapacitated in a catastrophic incident.

The amendment was one of a number of congressional doomsday scenarios that got a hearing last month by the House Judiciary subcommittee on the Constitution. But little consensus emerged.

Subcommittee Chairman Steve Chabot, R-Ohio, said Congress "must tread carefully" before tinkering with the Constitution. The subcommittee's ranking member, Rep. Jerrold Nadler, D-N.Y., expressed concern that Baird's proposal does not include a provision stipulating that governors appoint members who belong to the same party as those they would replace.

Ornstein testified strongly in favor of Baird's amendment. But he said Monday that the amendment doesn't go far enough, so he has convened a "working group" of scholars and experts who have come up with a smorgasbord of ways to address the situation, ranging from the Baird amendment to allowing House members to appoint their successors in advance.

Roberts noted that constitutional amendments in the past have generally been used to broaden freedoms -- such as giving women the right to vote.

"Messing with the Constitution is never something that comes easily," Roberts said.

"None of us like constitutional amendments because nobody wants to open up any new loopholes," Ornstein agreed.