

## **CONTINUITY OF CONGRESS**

Editorial

*Christian Science Monitor*

May 27, 2003

No one knows for sure where that fourth plane that crashed in a Pennsylvania field Sept. 11, 2001, was headed. But many believe the terrorists were aiming at the White House or Congress.

The Constitution and law provide a line of succession if the president dies (or is killed) in office. But the Constitution is mum on what to do if the House of Representatives is unable to muster a quorum because a large number of members has been killed. And state governors can appoint replacements for senators who die in office, but not for those who are incapacitated with injuries - say, from a terrorist attack on Washington.

Special elections to fill House vacancies currently take about four months. But during an emergency, that would be too long: The House would be unable to meet and authorize military force, emergency spending, or tax increases (the last must originate in the lower chamber).

And what if both the president and vice-president are killed, and the Speaker of the House (as third in line) takes over? The House would need to quickly elect a new Speaker.

The Continuity of Government Commission, a joint project of the American Enterprise Institute and the Brookings Institution, two Washington think tanks, is pondering these questions. It includes two former Speakers - Thomas Foley (D) of Washington and

Newt Gingrich (R) of Georgia - as well as former senators, White House staff, and cabinet secretaries.

Mr. Foley told the Washington Post Friday that the commission will recommend a constitutional amendment to deal with such an emergency. The amendment would allow Congress to create a process to fill vacancies if a large number of representatives and senators were killed or incapacitated.

The commission reportedly won't outline the process Congress should create. Lawmakers could require snap elections. Or they could empower governors to swiftly appoint replacements from the same party.

But the commission is on target. Congress should quickly send the states a constitutional amendment to ensure that the legislative branch and the federal government can continue to operate in case of a major attack on the nation's leaders.

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