

## CONTINUITY, NOT SECURITY, AT ISSUE ON 9/11 ANNIVERSARY

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*Roll Call*

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Despite the approach of the second anniversary of the Sept. 11, 2001, terrorist attacks, the Capitol Police will not increase security measures around the Capitol complex this week.

The decision, a departure from actions the Capitol Police took during the 2002 anniversary, comes as both chambers of Congress move forward with hearings on continuity of operations that were spurred by the 2001 incidents.

"We'll continue to act in the fashion we have been, unless there's a need otherwise," said police spokeswoman Jessica Gissubel, adding that communication between the department and federal intelligence agencies is ongoing.

"We continue to look at new training programs, we continue to focus on what could happen out there and remain alert, and for now we will continue to hold discussions with the intelligence community ... and monitor what is going on in the area," Gissubel said. The Capitol Police upped its security level in 2002 during the first anniversary of the attacks on the Pentagon and New York City, and has taken similar precautions for the anniversaries of the first World Trade Center bombing in 1993, the Oklahoma City bombing in 1994 and the 1996 bombing of the Khobar Towers in Saudi Arabia.

In conjunction with the anniversary,

both chambers will address issues of Congressional continuity in coming weeks.

The Senate Judiciary Committee is set to discuss today a variety of options to ensure continuity of operation following a catastrophic event.

The hearing will focus on "what is the best way to ensure the American people have a fail-safe government," said a spokesman for Sen. John Cornyn (R-Texas), chairman of the panel's subcommittee on the Constitution.

Among the scenarios to be addressed is one in which a large portion of Members are incapacitated or killed, and the panel will also discuss whether rules governing special election of House Members should be amended in times of emergency.

The hearing will be chaired by Cornyn, and witnesses will likely include Reps. Brian Baird (D-Wash.) and David Dreier (R-Calif.); Norman Ornstein, a resident scholar at the American Enterprise Institute and Roll Call contributing writer; Doug Lewis, director of the Election Center in Houston; Raymond DuBois, deputy undersecretary of Defense for installations and environment; and Thad Hall, of the Century Foundation.

And on Sept. 16, the panel will address presidential succession in a joint hearing with the Rules and Administration Committee.

"There are some huge gaps in succession," Rules and Administration Chairman Trent Lott (R-Miss.) said late last week. "I want to hear what the

experts have to say about where the problems are and what the solutions are."

The Senate approved legislation in July, sponsored by Sen. Mike DeWine (R-Ohio), that would move the Homeland Security secretary to eighth in the line of succession, behind the attorney general.

That legislation is still pending in the House, where Reps. Christopher Cox

(R-Calif.) and Martin Frost (D-Texas) have proposed a similar bill amending the Presidential Succession Act that would also address the line of succession if the president, vice president, Speaker and Senate Pro Tem were killed. Under such a scenario, the executive branch would be headed by the secretary of State, and the House would elect a new Speaker.

"Some people have even raised the questions about legislative people being in the line of succession," Lott said.

"For instance, if President Clinton and Vice President Gore had been killed during their eight years [then] Newt Gingrich would have been president and it wouldn't be a succession, it would have been a revolution."

The House Administration Committee will also take up continuity issues in coming weeks, although a date has not been finalized.

Among the legislation the panel could tackle is the Continuity in Representation Act, sponsored by Dreier and Reps. James Sensenbrenner (R-Wis.) and Candice Miller (R-Mich.). The bill would require states to expedite

special elections and speed reconstitution of the House in the event large numbers of Members were killed.

The panel is also in possession of a bill sponsored by Reps. James Langevin (D-R.I.) and Baird, directing the Government Accounting Office, the National Academy of Sciences and the Librarian of Congress to study the creation of an emergency communications system for Members, to be used in a situation in which Congress could not assemble in a single location. The agencies would also be asked to consider constitutional and procedural issues related to such a system.

Sept. 11 "is another reminder that we live in a different world and there are people out there dedicated to our destruction," Langevin said last week. "If a terrorist knows they can disrupt operations by attacking the Capitol then it serves their purposes to disrupt the people's business."

But Langevin said Congress needs to ensure that any systems implemented to protect continuity of operations do not become replacements for day-to-day functions.

"Face-to-face communications are most effective. ... I would not want this to be a substitute," he added.

Mark Preston contributed to this report.