

CONGRESS: ENSURING CONTINUITY

Editorial

The Cincinnati Enquirer

September 14, 2003

Correcting this weakness is a timely gesture that would reassure Americans and put terrorists on notice that our government will prevail, no matter what.

Plan for the 'unthinkable'

The Sept. 11 terrorist attacks two years ago caused many Americans to wonder about the continuity of our government. If the U.S. Capitol, the supposed target of United Airlines Flight 93, had been hit while Congress was in session, the legislative process would have stopped for several months while states held special elections to replace representatives.

Rep. Brian Baird, D-Wash., offered a constitutional amendment allowing governors to name House members to 90-day terms if a quarter or more of the elected members were "killed, disabled or missing and presumed dead." (Governors already can appoint Senate replacements in 48 of the 50 states.) A Continuity of Government Commission unanimously endorsed such an amendment.

As with many proposals that fall, it was soon forgotten. But Sen. John Cornyn, R-Texas, is trying to revive the issue. On Tuesday, he opened hearings to examine ways to guarantee that continuity in case of a national disaster. It's a prospect nobody really wants to think about, but it should be addressed.

As Cornyn points out in a Wall Street Journal column, the Constitution does not allow Congress to act without a majority present. That prevents laws from being passed by a small, unrepresentative group of legislators. But it would allow a terrorist act to paralyze the legislative function.