

## **PLANNING FOR THE WORST**

Editorial

*The Boston Herald*

June 8, 2003

So what would have happened had Flight 93 not crashed in a Pennsylvania field, but been flown right into the Capitol by terrorists on Sept. 11, 2001?

Former Sen. Alan Simpson posed the question the other night at a dinner hosted here by the Pioneer Institute. It was a sobering and serious thought amid Simpson's otherwise irreverent musings on the state of American politics. But on Wednesday the former Republican senator from Wyoming stood beside his co-chairman, former Democratic presidential adviser Lloyd Cutler, to report on what is likely to become the 28th Amendment to the U.S. Constitution.

The Continuity of Government Commission, as diverse a group as ever was assembled in Washington, accepted from the start that some things must no longer be left to chance - not in this age of the unexpected.

As Simpson explained the other night, senators who might become the victims of a terrorist attack could, of course, be replaced immediately by the governors of their respective states. But House members are only replaced by a special election - a process that takes on average four months. In the event of an attack, that presents an untenable - and potentially destabilizing - situation.

Add to that mix the fact the speaker of the House is third in the line of presidential succession and you have the kind of scenario that prior to Sept. 11

only a science-fiction writer could have anticipated.

The commission is proposing a remarkably simple amendment aimed at getting through the exceedingly difficult constitutional amendment process (requiring a two-thirds vote of House and Senate and approval by 38 state legislatures). It says:

"Congress shall have the power to regulate by law the filling of vacancies that may occur in the House of Representatives and the Senate in the event that a substantial number of members are killed or incapacitated."

It provides a solution to a problem the Founders could never have anticipated, a horror made all too real on Sept. 11.