

109TH CONGRESS  
1ST SESSION

# S. J. RES. 6

Proposing an amendment to the Constitution of the United States to ensure continuity of congressional operations and the avoidance of martial law in the event of mass incapacitations or death in either House of Congress.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 17, 2005

Mr. CORNYN (for himself and Mr. CHAMBLISS) introduced the following joint resolution; which was read twice and referred to the Committee on the Judiciary

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## JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States to ensure continuity of congressional operations and the avoidance of martial law in the event of mass incapacitations or death in either House of Congress.

1       *Resolved by the Senate and House of Representatives*  
2       *of the United States of America in Congress assembled (two-*  
3       *thirds of each House concurring therein),* That the fol-  
4       lowing article is proposed as an amendment to the Con-  
5       stitution of the United States, which shall be valid to all  
6       intents and purposes as part of the Constitution when  
7       ratified by the legislatures of three-fourths of the several  
8       States:

1 “ARTICLE —

2 “The Congress may by law, approved by two-thirds  
3 of both Houses, provide for the case of death or inability  
4 of Members of the House of Representatives, and the case  
5 of inability of Members of the Senate, in the event that  
6 one-fourth of either House are killed or incapacitated, de-  
7 claring who shall serve until the disability is removed, or  
8 a new Member is elected. Any procedures established pur-  
9 suant to such a law shall expire not later than 120 days  
10 after the death or inability of one-fourth of the House of  
11 Representatives or the Senate, but may be extended for  
12 additional 120-day periods if one-fourth of either the  
13 House of Representatives or the Senate remains vacant  
14 or occupied by members unable to serve.”.

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