



DonkeyHotey, Lame Duck Congress, 26 Sep 2012, flickr.

## Taking Back the Constitution - Part 11 – Lame Ducks & Electronics

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### Election Day

Election day for Congressmen and the President is the Tuesday after the first Monday in November. Representatives are elected in every even numbered year. Presidents stand for office in years divisible exactly by four (2008, 2012, 2016,...). Senators are divided into 3 classes with at present 33 Senators each in classes 1 & 2 and 34 Senators in class 3. Class 1 Senators run for

election in years divisible by six with a remainder of two. Class 2 senators run for election in years divisible by six with a remainder of four. Class 3 Senators run for election in years exactly divisible by six. The 33 senators of class 2 (20 Democrats and 13 Republicans) will be up for election in 2014.

When a new state is admitted its Senators will be assigned to a class based on a coin toss. The assignments are made to maintain the three classes as close as possible in size. The 51<sup>st</sup> state to be admitted will have a senator assigned to each of classes 1 and 2. At that point all classes will have 34 Senators.

### **A lost election is not the final word.**

The period between the election and the time the existing office holders no longer hold elective power is called the “lame duck” session. A portion of Congress, and possibly the President are retired, or have been dismissed by the voters in the November election. But they still serve until the new year.

This “lame duck” period was last shortened by the 20<sup>th</sup> amendment in 1933 when the Presidential Inauguration was moved from March 4 to noon on January 20 (or the 21<sup>st</sup> if the 20<sup>th</sup> is a Sunday), and the start of the new Congress to noon on January 3<sup>rd</sup>.

Legitimacy is conferred on the Congress by the people through their votes. During the “Lame Duck” period, some Congressmen may have been repudiated by the voters, but still serve until their replacements are installed. Actions taken during this period lack approval/disapproval by the elected, but yet to be installed, Congressmen. The President also may continue to implement policies that have been rejected by the voters.

Many Presidents, Representatives, and Senators feel constrained to avoid starting changes in policy in this period. They chose to defer decisions to the new office holders. Others, of course, feel no such constraint and try to rush things though in the short time remaining.

The amendment below further constrains this “lame duck” period to minimize the period in which our federal government has less than fully effective elected leadership.

### **Electronic attendance**

In the modern age with the combination of video cameras, the Internet, and large screen displays it is possible to convene a meeting that spans the globe without the participants leaving their local offices. Our government should use these resources to improve efficiency, safety, and reduce travel costs. Having all of our elected representatives concentrated in Washington D.C. makes that beautiful city a prime target for a rogue regime with a nuclear bomb.

It has been some years since my wife in Alaska first enjoyed full video conversations over the Internet with her friend in Bangkok. The US Congress should take advantage of these modern devices.

To that purpose the amendment below equates electronic attendance to full in-person attendance for quorums, voting, committee attendance, conference attendance, and inter-personal discussion.

It is expected that highly secure modes will be available as well as session broadcast capability across a number of video screens and/or projectors.

## **Amendment to reduce lame sessions and permit electronic attendance**

**Amendment Number** \_\_\_\_\_

**Section 1.** The terms of the President and the Vice President shall end at noon on the 3<sup>rd</sup> day of January in the year immediately following their election. If that day falls on a Sunday the terms shall end at noon on the following day. The terms of the Senators and Representatives end at noon on the first Monday following Thanksgiving Day (the 4<sup>th</sup> Thursday in November) less than one month after their election.

**Section 2.** The Senators shall first meet on the first Monday following Thanksgiving and as they designate sessions until the Monday after Thanksgiving two years hence.

**Section 3.** Attendance or voting at any session by electronic means shall be considered regular attendance.

**Section 4.** Sections 1 and 2 of Amendment XX are repealed.