

## **BAIRD PUSHES LEADERS TO TAKE UP PLAN TO QUICKLY REPLENISH HOUSE IN CASE OF TRAGEDY**

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*Roll Call Daily*

October 23, 2001

Democratic Rep. Brian Baird (Wash.), took part in an American Enterprise Institute panel discussion Monday, using the forum to urge House leaders to act quickly on his proposal to replace Members killed or incapacitated by an attack.

"What is important now is for the leaders to say this is a priority and we have to move on it," Baird said. "My hope is that leaders will make this their priority."

Responding to the terrorist assaults on New York and the Pentagon, on Oct. 10 Baird proposed a constitutional amendment outlining steps to take if numerous Members are killed or otherwise unable to do their jobs. His resolution states that if 25 percent or more are unable to serve, governors would be able to appoint Representatives to 90-day terms while special elections, until special elections can be held.

Under the Constitution, House vacancies must be filled by direct election, which could take anywhere from one to six months to carry out, said Baird.

As of Tuesday, 19 Members were co-sponsoring the proposal, which has been referred to the Judiciary Committee.

Baird, participating in a panel hosted by the American Enterprise Institute on Monday, outlined some points of contention in his proposal. Two main issues are whether governors would use the proposed authority to appoint Representatives to further their respective parties, and who would determine whether a Member is no longer fit to continue

in the job.

As to the first point, Baird said he had originally included a provision dictating that governors appoint Members from the same political party as those being replaced. However, he wants to carry on the tradition of not mentioning political parties in the Constitution.

"I would trust the government not to use this situation," he said.

Ex-Rep. Bill Frenzel (R-Minn.), a panel member and Brookings Institution guest scholar, agreed that the best course of action for the amendment is to keep the language clear.

"Keep it simple," Frenzel said. "Don't tie up the government's hands."

Baird said the amendment is a starting point and the details are open to debate, but he wants his proposal to be considered as quickly as possible.

"The Senate can be replaced virtually overnight," Baird said, referring to governors' right to name interim Senators to serve until the next election date. "In the House, we're faced with governmental paralysis."

Kori Bernards, a spokeswoman for House Minority Leader Richard Gephardt (D-Mo.), said the amendment has yet to be addressed.

"Right now we are concentrating on airline safety, economic stimulus and counter-terrorism bills. While we appreciate his bill and his ideas and think it needs to be looked into, we need to focus on these three issues," Bernards said.

During the panel discussion, Norman Ornstein, an American Enterprise Institute resident scholar, said that House leaders will determine whether this issue is acted upon.

"If [Speaker Dennis] Hastert [R-Ill.] and Gephardt stand up and say something has to be done, it will be done," said Ornstein, a Roll Call Daily contributing writer. "If they don't, then it won't."