

HOUSE TO MULL CONTINUITY PLANS IN CASE OF ATTACK

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Members of Congress will meet Thursday to review how to prepare the House to deal with a terrorist attack that kills or incapacitates many of them.

The bipartisan meeting marks another step in responding to lawmakers' concerns that have arisen since the Sept. 11 attacks on New York and Washington. Hijacked United Air Lines Flight 93, which crashed in Pennsylvania, was headed to Washington, with the U.S. Capitol as a potential target.

"This is just the beginning," said Democratic Caucus Chairman Martin Frost (Texas), who is co-chairing the session, along with House Republican Policy Committee Chairman Christopher Cox (R-Calif.). "This is just a first session, to listen to different options and get an idea of a timeframe of when we would act," he added.

Unlike the Senate, where governors fill vacancies that occur mid-session, House members must be elected, and a constitutional amendment would be required to change this procedure.

House members who die in office or resign their positions are customarily replaced in special elections, a process that can take months to complete. If a large number of members were killed or incapacitated, there is no current blueprint on how the House would reconstitute itself.

"The last thing you need in a time of catastrophe is having people figuring out what to do," said Rep. Brian Baird (D-Wash).

Cox said the "legitimacy of the government" is

at the heart of the debate, pointing out that if Congress were attacked during a joint session of Congress, "the legitimacy of the next president very well may depend on the legitimacy of the next Speaker."

Meantime, House Speaker J. Dennis Hastert (R-Ill.) has included \$100 million in the supplemental appropriations bill for a contingency plan that would be implemented if the Capitol had to be evacuated.

"The Speaker and the House Administration Committee are doing a fair amount of contingency planning that is not visible to the general public, that includes security plans for the Congress and the Capitol, relocation of the legislative branch in some circumstances, and everything from emergency evacuation and wartime communications," Cox noted.

Frost said the meeting is expected to be the first of similar meetings in this Congress, although no future ones have been set.

"This is not something that you rush into," Frost stressed. "This is something that needs to be considered seriously, not in haste."

The meetings replace the notion of creating a bicameral, bipartisan "expert panel" to investigate the issue, Baird said. In March, Baird had written Hastert and Minority Leader Richard Gephardt (D-Mo.) requesting that such a body be set up, but so far he has not received a response.

The hour-long meeting, to which all House members are invited, will follow the same format as the Sept. 20 meeting that focused on economic concerns flowing out of the attacks. About 20 to 25 members are expected to attend, including the chairmen and ranking members of the three committees of jurisdiction: Rules, House Administration and Judiciary.

Cox, Frost and former Speaker Thomas Foley

(D-Wash.), who joined former Speaker Newt Gingrich (R-Ga.) in pressing House leaders to address the issue, will speak first. Cox said he and Frost, who have been meeting regularly to put the session together, will review the comments and then decide how to proceed.

Some bills and constitutional amendments have already been advanced on the issue. A proposed amendment authored by Baird that has attracted some attention would let governors make temporary appointments whenever 25 percent or more of House members were killed or unable to serve.

While Cox and Baird are aiming to solve work on the continuity issue this year — Cox pointed out that the final solution could be to do nothing at all — it is uncertain whether any legislation or constitutional amendment will be debated this year.

Feehery said it is “unclear” whether the House will take any action this year, but said that the issue is “not a top priority” for the Speaker.

While the potential for amending the Constitution has gotten a warm response from both sides of the aisle, some members have voiced reservations.

“We need to stay focused on what is the essence of our democracy,” said Rep. Vic Snyder (D-Ark.), in pointing out that similar amendments were proposed during the Cold War but were never approved. “To me it is that we have free and fair elections. If we do something different, I think the solution may cause more problems than it solves.”

From the 79th to the 87 congresses, more than 30 constitutional amendments were proposed. Hearings were held in both the House and Senate, which passed three proposals, none of which were voted on in the House.