

**FRUSTRATED REP. BAIRD TO OFFER
DISCHARGE PETITION ON CONTINUITY
OF GOVERNMENT**

By Suzanne Nelson

Roll Call

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After prodding Congressional leaders to deal with legislative branch continuity for two years but seeing little success, Rep. Brian Baird (D-Wash.) announced Thursday that he is prepared to take the issue directly to House Members in the form of a discharge petition.

In a press conference on the anniversary of the Sept. 11, 2001, terrorist attacks, Reps. Martin Frost (D-Texas) and James Langevin (D-R.I.) lent their support to a resolution Baird plans to draft that would provide for a rule allowing the House to consider any "reasonable proposal" to ensure the continuity of Congress in the event that large numbers of Members are killed or incapacitated. Baird said if the House leadership will not bring the rule to the floor, then he will attempt to get 218 signatures on a discharge petition. Earlier this year, Baird and Langevin collected the names of 218 House Members on a letter to Speaker Dennis Hastert (R-Ill.) requesting timely consideration of the matter.

Saying he was loath to take such a route, Baird indicated he was willing to do so only because he is "haunted" by the possibility that the House could take months to reconstitute itself if most of its Members were killed, effectively preventing the legislative branch from performing its constitutional role in a time of crisis.

Unlike the Senate, to which governors appoint replacements for lawmakers who

die or resign their seats, House seats can only be filled by special elections.

Drafting a resolution providing a rule for debate will allow Members to "make an affirmative decision on whether they think this is important or not," he said, adding that it's "less important to me today that [my] resolution be brought up" than it is to have "full, fair and open debate."

Baird's proposal would amend the Constitution to allow Members to nominate a slate of potential temporary appointees should they be unable to serve.

"It's unconscionable that we don't make plans right now," Frost said. "I hate to see my committee, the Rules Committee, be discharged, but sometimes that has to happen. If we are incapable as an institution of dealing with this matter, then we should pursue this discharge petition."

Frost is the ranking member of the Rules panel and co-chaired the bipartisan working group on the continuity of Congress last year.

Hastert has said he prefers the issue be dealt with statutorily rather than by amending the Constitution. As for discussion among Members, his spokesman said the process has already begun through hearings. "We've already debated several things," John Feehery said.

Reps. David Dreier (R-Calif.), Jim Sensenbrenner (R-Wis.) and Candice Miller (R-Mich.), who oppose a constitutional amendment, have introduced a bill that would mandate

states expedite their special elections timetables to 21 days if 100 or more Members were killed.

In lending his support to the discharge petition, Langevin said he understands many Members feel passionately about the House's tradition of direct election and don't want to see it changed. "I have a great deal of respect for the institution," Langevin said, but added that to him that means working foremost to ensure its continued existence.