

**BAIRD URGES COLLEAGUES TO PLAN FOR THE UNTHINKABLE**

By Ellyn Ferguson

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WASHINGTON -- Consider the possibility of this news flash: The nation's capital has been hit by a terrorist attack and among the thousands killed or injured are the president and most members of the House, Senate and Supreme Court.

That's the nightmare Rep. Brian Baird, several of his colleagues and members of the Continuity of Government Commission grappled with Monday at the commission's first of two scheduled public meetings. Led by former Sen. Alan Simpson, R-Wyo., and former White House counsel Lloyd Cutler, a Democrat, the commission plans to issue a report in January with recommendations to Congress on how it could keep functioning if a significant number of lawmakers were killed or incapacitated.

A separate congressional task force is looking at the same issue and is working informally with the commission, which was created by the conservative American Enterprise Institute and the liberal Brookings Institution.

"I want to have a way that every news broadcaster could go right back on and tell the American people ..., to tell adversaries and tell the rest of the world that there can be no ambiguity about who the president is," said Baird, D-Wash.

Under the proposal he presented Monday, a governor could quickly fill a

seat by appointing one of several people from a list of potential replacements a House member had already submitted.

Vacancies in the House are currently filled by winners of special elections because the Constitution prohibits appointees from serving in what is known as the "people's House." Governors can make appointments to fill the unexpired term of a senator.

"We need in some fashion to get the House up and running," said Baird.

His proposal was a modified version of a constitutional amendment he introduced shortly after the Sept. 11 attacks on the Pentagon and World Trade Center and the crash in Pennsylvania of Flight 93, which some have speculated might have been headed for the U.S. Capitol.

Baird's original proposal would have given governors the power to appoint temporary replacements if 25 percent of the 435-member House were injured or killed. He said he submitted the initial proposal to get lawmakers thinking about ways to ensure that the legislative branch would continue to function in case of a disaster.

Baird said he understood the reluctance of his colleagues to consider the idea of non-elected people serving in the House and their uneasiness about amending the Constitution to allow temporary appointments to the House.

But he said House members should be more worried about the legitimacy of legislative action conducted by a small band of survivors or the power games that a handful of survivors might play in selecting a new House speaker, who

would be third in line to the presidency.

"You'll have to be prepared for a lot arguments (from your colleagues)," Simpson said. "You'll (have to) be ready for it."

Rep. Vic Snyder, D-Ark., said he's not convinced there is a need for appointees to the House.

"Instead of the people's House, it could become the appointees' House," Snyder told commission members.

A number of House members may share his sentiments. The chamber may vote next week on a resolution calling on states to re-examine the way they fill vacancies with an eye toward speeding up the special election process.