

# RAHM'S AUTHORIZATION TO USE MILITARY FORCE

This plan from Rahm has a number of people in a tizzy:

Mr. Emanuel, the chief of staff, said he hoped Congressional Democrats would take up the jobs bill next week. Then, in his view, Congress would move to the president's plan to impose a fee on banks to help offset losses to the Troubled Asset Relief Program, the fund used to bail out banks and automakers.

Lawmakers would next deal with a financial regulatory overhaul, and then pick up where they left off on health care. "All these things start and lead to one place: J-O-B-S," Mr. Emanuel said.

Jonathan Cohn, Ezra, Gregg, Chris Bowers, and Digby all make very important points about Rahm's comments. [Update: now The Shrill One piles on.] But I think they may be missing one potential aspect of Rahm's thinking.

You see, I've been waiting for this for a few months.

There are two theories about how to pass difficult legislation. The operative theory with health insurance reform, thus far, had been to do it early in Obama's term, when he had a lot of political capital. That theory has been overtaken by events.

But think about how Karl Rove preferred to pass difficult legislation. Those bills didn't have January or February signing dates. They had October signing dates. Take the Military Commissions Act, signed on October 17, 2006, just three weeks before the last mid-term election. Or the Authorization to Use Military

Force in Iraq, signed on October 16, 2002, even less than three weeks before the prior mid-term election.

And with each of these, the timing worked in Rove's favor. He could and did threaten that IF YOU DON'T PASS THIS BILL YOU WILL BE BRANDED AS A TERRORIST JUST IN TIME FOR ELECTION DAY!!!! And sure enough, people like Debbie Stabenow, who normally would think twice about supporting unconstitutional laws that give torturers a do-over, fell in line and passed the bill.

Rove used the urgency of the upcoming election to push Congress to pass legislation that they would soon regret.

Now, obviously, Rahm won't be calling Raul Grijalva a terrorist because he doesn't pass health insurance reform. But the Administration already has been saying that Congress should pass a bill, any bill. The Village punditry already accepts as true that a failure to pass health insurance reform will doom the Democratic party. So you can be sure that if health insurance reform hasn't passed by September, you're going to start hearing the Administration predicting sure doom on November 2 for Democrats if they don't pass the bill BEFORE THE ELECTION OR YOU'LL BE BRANDED A LOSER!!

And that all fits into the likely timing suggested by Rahm's comments, as laid out by Ezra:

The timetable Emanuel is laying out makes little sense. The jobs bill will take some time. Financial regulation will take much longer. Let's be conservative and give all this four months. Is Emanuel really suggesting that he expects Congress to return to health-care reform in the summer before the election? Forgetting whether there's political will at that point, there's no personnel: Everyone is home campaigning.

Moreover, there's a time limit on health-care reform. The open

reconciliation instructions the Senate could use to modify the bill expire when the next budget is (there's disagreement over the precise rule on this) considered or passed. That is to say, the open reconciliation instructions expire soon. Democrats could build new reconciliation instructions into the next budget, but that's going to be a heavy lift. The longer this takes, the less likely it is to happen. And Emanuel just said that the administration's preference is to let it take longer.

That is, the timetable makes little sense if you want to allow members of Congress time to campaign in August. But it makes perfect sense if you want to rush something through with no negotiations.

Now, frankly, I think Rahm (as is typical) misreads the strategy on this. If health insurance reform is not passed by September, I expect that the Village will have grown used to the Democrats' failure on the issue, and I expect that members of Congress will prefer to face that failure, such as it is, to passing a bill that TeaBaggers have been particularly successful at demonizing. Particularly a bill sure to piss off the key component of your GOTV team.

But I do think it's possible that this is Rahm's intent, anyway. Rather than doing the negotiations, now, to fix the Senate bill through reconciliation, by bringing the bill up just in time for some election season fear-mongering, perhaps he hopes to avoid all negotiations. At the very least it would allow him to use his favorite negotiating tactic—abuse—rather than actually engaging in a negotiation. And it's always possible that Rahm would prefer this approach because it's the only route he can see to pass the Excise Tax, now that it has been discredited as smoke and mirrors.