Syrian Crisis : Johnny Come Lately, Congress Is The New Kid In Town. What Took Them So Long? Objective Accomplished?

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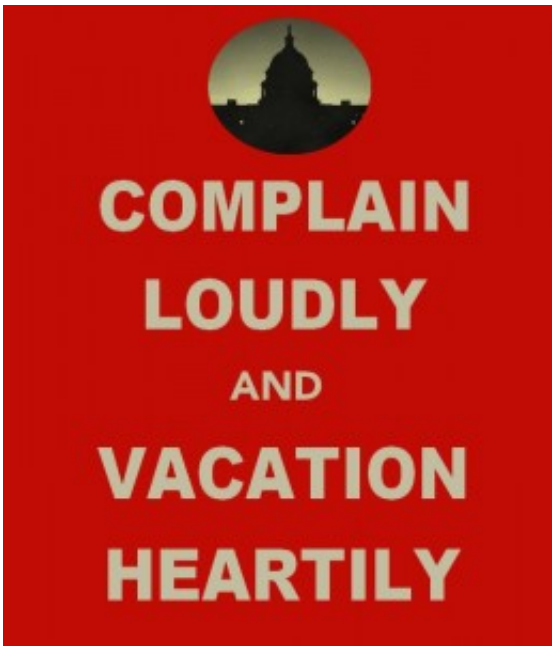
Michael Matthew Bloomer, September 8, 2013

There's talk on the street; it sounds so familiar
Great expectations everybody's watching you
People you meet they all seem to know you
Even your old friends treat you like you're something new
Johnny come lately, the new kid in town

The Eagles, New Kid in Town (1976)

From the September 6, 2013 *Congressional Record* *Daily Digest*:

Washington, DC, September 5, 2013.



> **DEAR COLLEAGUE:** Pursuant to section 2 of Senate Concurrent Resolution 22 of the 113th Congress, after consultation with the Minority Leader of the Senate and the Minority Leader of the House of Representatives, we hereby notify the Members of the Senate to reassemble at 12:00 noon on Friday, September 6, 2013, and the Members of the House of Representatives to reassemble at 12:00 noon on Friday, September 6, 2013.
>
> Sincerely, Harry Reid, *Majority Leader of the Senate.* John A. Boehner, *Speaker of the House of Representatives.*

Ten days ago I wrote Congress, Call YOURSELF Back Into Session! You Can, And You Know It! to uncover the consistently misleading reports and legislator comments that strongly implied the President alone had the power to call Congress back into session during its adjournment. That was false, not merely misleading. According to the concurrent resolution setting out the terms of the August recesses, section two reads:

> *Sec. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively,* ***to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.*** [emphasis added][full resolution]

On Friday, with their letter above, John Boehner and Harry Reid blew the recess whistle calling Congress back to Capitol Hill, late in the game, noticeably so. Why did they wait until September 6? That can't easily be explained except on starkly political grounds, especially given legislators' recess caterwauling from both the left and the right, and their oft-stated opinions that the Obama administration's Syrian stance is questionable, at best. The inimitable, irascible, and inimical freshman Texas Senator Ted Cruz, labeled the Syrian crisis, "an issue of the highest seriousness that transcends partisan politics." That's big. Presumably.

Also in the fray, Virginia Congressman Scott Rigell asserted, crisis-early on *August 26th,*

> "Congress is not a potted plant in this process, and President Obama should call us back into emergency session before authorizing the use of any military force," Rigell's press release said. "We stand ready to share the burden of decisions made regarding U.S. involvement."

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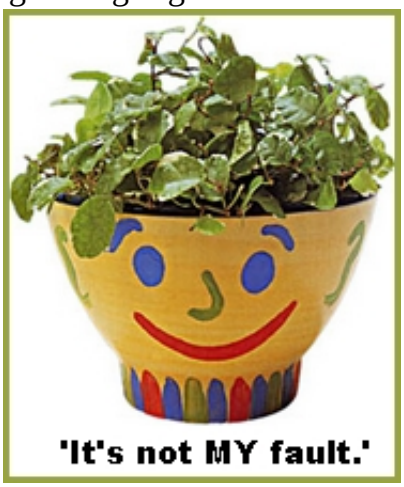

'And, moreover, I resent being compared to a national legislator!'[/caption]

Well, yes difference are many between a potted plant and Congress with all of them quite favorable to the potted plant. In this case, though, a potted plant cannot pick itself up and go to Capitol Hill as Congress might have done earlier in the Syrian crisis that many of them called a major affair notable enough for *the President* to call them back..

Continuing this line of thinking, many House and Senate members echoed the sentiments of Rigell and Cruz, all the while with the section two adjournment recall provision (see above) sitting there, potted plant-like, inanimate, unable to call attention to itself. The media, also seemingly inanimate, missed the story, a story that would have uncovered the misleading statements of Scott Rigell, Ted Cruz, and others, thereby perhaps causing constituents to send them packing to Capitol Hill, post-haste well before the 6th of September.

Let's revisit a very busy senator on what we call "recess" or "adjournment." While on recess in an August 29th and August 31st statement, "Texas Ted" Cruz roused himself from pre-presidential vote gathering, and demanded of President Obama,

> "When and if President Obama makes a decision on Syria, he must immediately call a special session of Congress and persuade the American people that what he proposes is critical to the defense of our nation. I am confident all members of Congress would willingly return to Washington to work with him on this issue." [I wrote about Ted Cruz's *cris de couer* eight days ago, here]

On September 2, another Texas Republican senator, John Cornyn, piled on, "Before any military action is taken in Syria, the President should call Congress back into session and ask for a vote on the authorization to use force."

On the same day, Connecticut's liberal Democratic Congressman Jim Hines was "pleased

> that the president will seek Congressional approval for any United States military action in Syria, as I believe is required by law. I urge the Speaker to call Congress into session immediately to consider the president's request."

He at least understood that the Speaker could indeed call the House into session *before* the end of the recess, and the entire Congress, under section two of August 1st conditional adjournment resolution if the Senate Majority Leader Harry Reid concurs.

With both huff *and* with puff, Representatives and Senators underscored the seriousness of the Syrian crisis. Consequently, at the late August outset of the crisis they said, implied, and mumbled that the President must seek "consultation" with

Congress under the War Powers Resolution, the Constitution, and generalities like moral obligation and comity. Nevertheless, with the power to reconvene at any time firmly within their own hands, they cavorted in recess.

For example, not to pick on Texas Ted (I promise), but arranging consultation with Cruz while he

was on his recess would have been difficult. He was busy:

- conducting border security and defund Obamacare tour of the lower Texas-Mexico border the first week of September, or
- when, according to Cruz's Senate website, on September 1st (in a break from combined border security and defund Obamacare tour), he flew to Orlando, Florida, where his website reported Cruz Brings Down House at Orlando TEA Party Summit.

The Washington Times, a right-wing stink tank, crowed on August 31st in *How Ted Cruz won the month of August*, that among the many groups competing for headlines during August:

> "No one, however, made more noise than Sen. Ted Cruz, R-Texas, one of the few Republicans that forgot to take the month off."

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'Bueler, Bueler . . . Anyone?'[/caption]

Well, no he didn't forget, he scurried around fanning defund Obamacare and border security rallies, and pleading for pre-2016 funds. On the other hand, he might have listened to his own howling about the vast importance of Syria, and dialed up Harry Reid to say, "Hey, this Syria thing is so important that you should call us back to D.C. Pronto."

Of course, Cruz is but an exemplar of the crowd. They're all responsible and all were, like Cruz, diving for dollars. I served on Capitol Hill from Reagan through Bush 2008, and I do understand constituent town halls and fundraising during recognized fundraising seasons are important. I also

understand the heat pump that Washington, D.C. becomes during August. Saying that, however, doesn't excuse Congress from not rec-onvening during a crisis while, at a distance, otherwise calling for consultation with the President, who many of them believed, that without them, was going to botch it. Why not come home on September 3rd, the day after Labor Day, at the least? No takers, excepting certain dogged members of the House Foreign Affairs and the Senate Foreign Relations committees.

True, our legislators were not completely quiet or inactive. Unofficially, legislators spoke often to the media during their recess, and convened town hall meetings to hear out their constituents. Moreover, in a quite official capacity, on September 2, the Senate Foreign Relations Committee held important and hard-hitting hearings, and the House as well, a day later. More importantly, the Senate Foreign Relations Committee, on September 4, produced S.J,Res. 21, a joint resolution approving the use of military force against Syria, and introduced it in the Senate on September 6. So, labeling them inactive during the recess, as I have done, over steps the meaning of inactive, and you may very well say "humbug."

Nonetheless, Congress *was* guilty of not heeding the implications of its own ranting about the President's failure to recall Congress into emergency or special session. Their general inaction as a legislative body, despite their September hearings, can't overcome the fact that re-convening the *entire* Congress in late August, as a unified (though fractious) body, would have signified action that matched their own stridency earlier on in the crisis. As well, re-convening earlier would have allowed representatives and senators to express themselves *officially* on the floor, or, at the least, through extensions of remarks (House), or additional statements (Senate). Presently, the Congressional Record jumps from August 12 to September 6, 2013. Shall we can call that the "Syria gap."

Why the delay? It's really simple, is it not? A bit on the craven side, Congress - both parties - wanted to keep the entire decision-making load on and in the White House. Few legislators wanted to speak on the House or Senate floor in his or her official capacity - or, until a few days ago, to speak in committee - until the President committed himself fully and explicitly to strike Syria. This happened on August 31st, when, with Vice President Joe Biden at his side, the President said, "After careful deliberation, I have decided that the United States should take military action against Syrian regime targets."

Yet, still, after Obama's announcement they diddled, for more than a week, and, in the end, officially re-convened as a body only three days before the date *originally scheduled* in their August 1 adjournment resolution. *That's* how far away from *official* consultation, debate, and decision-sharing they wanted to be. After their howling about consultation, their failure to return to Capitol Hill *as a body* at least by last Tuesday, the day after Labor Day, borders on indefensible.

So yesterday, they slinked and slithered back to Capitol Hill - Johnny come lately, the new kid in

town - to rejoin their commander-in-chief whom they left in charge while they, essentially until September, pursued the main chance. But now they can't hide, none of them, and like the Eagles song quoted at the outset,

There's talk on the street;
it sounds so familiar
Great expectations everybody's watching you

Indeed. Welcome home to the proverbial frying pan.

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For more Syrian crisis coverage & analysis (each will open in a new tab/window):

1. Military Intervention In Syria : 8 Possible Explanations Why President Obama Met Today With John McCain, The Dean Of Blunder.

2. Syrian Crisis : 'Texas Ted' Cruz Criticism Of Obama For Not Calling An Emergency Session Of Congress Is Hypocrisy On Stilts

3. Congress, Call YOURSELF Back Into Session! You Can, And You Know It!

4. Proposed Syrian Airstrikes – Dr. Obama, Chain Saw Surgeon, Prognosis Deadly
5. Snapshot Series : Military Strike On Syria – Short, Limited, Surgical – It's Easy Peasy
6. Snapshot Series: Intervention In Syria, What Could Go Wrong?
7. View Declassified CIA Documents Revealing U.S. Acquiescence In 1988 During Iraq's Multiple Usage Of Chemical Weapons Against Iranian Forces
8. Military Intervention In Syria? View Declassified 1985 CIA Intelligence Assessment Of

Iraqi Chemical Weapons Program
9. Despite John McCain's Push For Military Intervention In Syria, What's The Rush?
10. Does Syria Really Need More Heating Up?
11. John McCain and McCain Wannabe Lindsey Graham, Like Whiskey With A Milk Chaser, Talk U.S. Intervention In Syria