

IS RAHM CONGRESSMAN A?

The Blago indictment describes a previously unreported failed extortion attempt of Congressman A. Congressman A seems to be Rahm Emanuel. If that's true, then it means Rahm will be dragged into the trial (and discovery) of this case. But it also shows that he resisted Blago's advances even before it became clear Blago was under suspicion for corruption.

Extorting Congressman A

The indictment describes this extortion attempt in 2006.

22. It was further part of the scheme that in or about 2006, after United States Congressman A inquired about the status of a \$2 million grant for the benefit of a publicly-supported school, defendant ROD BLAGOJEVICH instructed defendant HARRIS not to release the grant until further direction from ROD BLAGOJEVICH, even though ROD BLAGOJEVICH previously had agreed to support the grant and funding for the grant had been included in the state's budget.

23. It was further part of the scheme that, in response to inquiries by a high-ranking state official as to whether the grant money could be released, defendant ROD BLAGOJEVICH informed the official that ROD BLAGOJEVICH wanted it communicated to United States Congressman A that United States Congressman A's brother needed to have a fundraiser for ROD BLAGOJEVICH.

24. It was further part of the scheme that defendant ROD BLAGOJEVICH told Lobbyist A that ROD BLAGOJEVICH was giving a \$2 million grant to a school in United States Congressman A's district and instructed Lobbyist A to approach

United States Congressman A for a fundraiser.

25. It was further part of the scheme that after defendant ROD BLAGOJEVICH learned from defendant HARRIS that the school had started to incur expenses that were to be paid with the grant funds, ROD BLAGOJEVICH initially resisted the release of the grant money, and then ultimately agreed to the release of certain of the grant funds to cover incurred expenses, but only on a delayed basis, even though no fundraiser had been held.

Note, it's clear from the last paragraph that Congressman A did not hold a fundraiser for Blago, and that at least some funds were provided to the school in any case. So Congressman A definitely blew off Blago's attempt at extortion.

Jesse Jackson Jr is Senate Candidate A

Congressman A does not appear to be Jesse Jackson Jr, another of the male Congressmen who got pitched during the Senate sale this year. We know JJJ had worked with Fitzgerald to expose two earlier attempted corruption schemes from Blago—a \$25,000 scheme involving JJJ's wife, and an attempt to open a third airport in Peotone, IL. But if JJJ had been a target of this third extortion attempt, why wouldn't it have come out earlier when he revealed the earlier contacts?

Also, JJJ is mentioned elsewhere as Senate Candidate A.

It was further part of the scheme that on or about December 4, 2008, defendant ROD BLAGOJEVICH instructed defendant ROBERT BLAGOJEVICH to contact a representative of Senate Candidate A, and advise the representative that if Senate Candidate A was going to be chosen to fill the Senate seat, some of the promised fundraising had to occur

█ before the appointment.

It's unlikely they would refer to JJJ as both Senate Candidate A and Congressman A.

Congressman A matches details on Rahm in the complaint

In addition to the attempted extortion in 2006, Congressman A is also described in context of the attempt to sell the Senate seat last year, specifically in regards to a demand to set up a 401(c)4 in exchange for the appointment of a Senate candidate.

█ On or about November 13, 2008, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

█ ROD BLAGOJEVICH,

defendant herein, for the purpose of executing the above-described scheme, did knowingly cause to be transmitted by means of wire and radio communication in interstate commerce signals and sounds, namely a phone call between ROD BLAGOJEVICH in Chicago, Illinois, and Advisor B in Michigan (Session 624), in which they discussed presenting to United States Congressman A a proposal by ROD BLAGOJEVICH that a not-for-profit organization be set up and that the connection between setting up this organization and the awarding of the U.S. Senate seat would be "unsaid";

[snip]

█ On or about November 13, 2008, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

█ ROD BLAGOJEVICH,

defendant herein, for the purpose of

executing the above-described scheme, did knowingly cause to be transmitted by means of wire and radio communication in interstate commerce signals and sounds, namely a phone call between ROD BLAGOJEVICH in Chicago, Illinois, and Advisor B in Michigan (Session 627), in which ROD BLAGOJEVICH asked Advisor B to call Lobbyist A and ask Lobbyist A to present to United States Congressman A ROD BLAGOJEVICH's proposal that a not-for-profit organization be set up and that, while it would be unsaid, this would be a "play" to obtain a benefit for ROD BLAGOJEVICH in return for the awarding of the United States Senate seat; [my emphasis]

Note, neither of these passages say the Senate appointment would go to Congressman A (which would make it more likely it was one of the other Congressmen, like Danny Davis, who were in the running for the seat).

While the described events are slightly different, the complaint describes the following discussions about pitching a non-profit in the context of Blago's larger pitch to Obama, and then a specific conversation (indirectly, through John Wyma) to Rahm.

ROD BLAGOJEVICH raised the issue of the 501(c)(4) organization and that contributors and others can put "10 to 15 million in it so I can advocate health care and other issues I care about and help them, while I stay as Governor, she's (believed to be Senate Candidate 1) a Senator." ROD BLAGOJEVICH noted that the President-elect can ask Warren Buffett, Bill Gates, and others for money for the organization. ROD BLAGOJEVICH states he will ask "[Senate Candidate 6]" to help fund it as well. HARRIS said that funding the 501(c)(4) would be a lot easier for the President-elect than appointing ROD BLAGOJEVICH to

a position. ROD BLAGOJEVICH said, "They could say 'hey, we get [Senate Candidate 1]. Let's help this guy have a 501(c)(4) issue advocacy organization. Let's fund it to the level that he's asked for and then we'll get [Senate Candidate 1].'" ROD BLAGOJEVICH said that he will control the 501(c)(4) organization through a board of directors while he is Governor, and then a position in the 501(c)(4) would be waiting for him when he was no longer Governor.

[snip]

On November 12, 2008, ROD BLAGOJEVICH talked with one of his Washington D.C.-based advisors. ROD BLAGOJEVICH explained the 501(c)(4) organization idea to the advisor, and that "[the President-elect] gets these Warren Buffett types to [fund it]." The advisor asked ROD BLAGOJEVICH if the 501(c)(4) is a real effort or just a vehicle to help ROD BLAGOJEVICH. ROD BLAGOJEVICH stated that it is a real effort but also a place for ROD BLAGOJEVICH to go when he is no longer Governor.

[snip]

Later on November 13, 2008, ROD BLAGOJEVICH spoke with Advisor A. ROD BLAGOJEVICH asked Advisor A to call Individual A and have Individual A pitch the idea of the 501(c)(4) to "[President-elect Advisor]." Advisor A said that, "while it's not said this is a play to put in play other things." ROD BLAGOJEVICH responded, "correct." Advisor A asked if this is "because we think there's still some life in [Senate Candidate 1] potentially?" ROD BLAGOJEVICH said, "not so much her, but possibly her. But others." [my emphasis]

The conversation on November 13 appears to be the same conversation, though Advisor A from the complaint is named Advisor B in the indictment, and Individual A named Lobbyist A. Nevertheless, the key details—a November 13 call to an advisor to have a lobbyist pitch the non-profit to an Obama associate—are the same. The role of Lobbyist A in the Children's Hospital scheme in the indictment—to which Wyma, Individual A in the complaint, was central—supports this argument.

Rahm refused Blago's extortion

So why should we care? After all, if Rahm is, in fact, Congressman A, then it would mean he had totally refused Blago's extortion attempt in 2006.

First, it would mean that Rahm would be dragged into the trial and—more importantly—discovery process of this trial. Blago at least tried to have conversations with Rahm about his House seat, he has already tried to blame Rahm for one of the charges in his impeachment, so Blago would be sure to try to embarrass Rahm going forward.

But it would also demonstrate that Rahm—at a time when it was much less clear that Blago was under investigation (and probably before John Wyma was cooperating)—blew off Blago's attempt at extortion.