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Extract from Mike McNerney, The Limits of Presidential Recess Appointment Power, Legislation & Policy Brief (2009), citing Tillman's Senate Termination of Presidential Recess Appointments

Seth Barrett Tillman, None

Available at: https://works.bepress.com/seth_barrett_tillman/245/
Introduction
convene every three days for a pro forma session during which time just a few senators will
all nominations until the president acquires 30 voting senators. The Senate may also
sessions of the Senate as punishment. A more practical alternative may be to place a hold on
sessions, making more recess appointments at every session of the Senate. The president
be difficult to get the Senate and House to agree that it ends, and it would
constitutional propriety. Also, the Constitution provides and envisions a brief recess
reconvene when adjournment was not made, the Senate could end its session, then instantly
unwarranted recess appointments. In essence, there is
parliamentary option to the House of Representatives as a parliamentary procedure. Of course, it does little to address the root of the problem and leaves open the possibility

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of future recess appointments showdowns.