

WORKING EXTRA HOURS IS EXTRA- CONSTITUTIONAL

I guess I shouldn't be surprised that, according to the Tuesday-through-Thursday Republicans and the Most-Vacation-Ever President, working extra days is extra-constitutional. That's the implication, after all, of the Administration's little temper tantrum over the fact that the Senate stayed in session over Christmas to prevent Bush from recess appointing Steven Bradbury.

Q Tony, Reid's quote on that was – he said he called John Bolten, who, "He called me back and said it is Bradbury or nobody. I said, you're willing to now allow 84 of your people to get approved because of this guy? He said, yep, that's what the President wants."

MR. FRATTO: I think what the ask of the administration was, was for the President to give up his constitutional authority to make recess appointments. **The power to make recess appointments is granted to the President in the Constitution.** And that's what the President was being asked to forego.

Now, the Senate, then, went and took the extra constitutional act of – over the holidays, of engaging in speed sessions with the soul purpose of frustrating the President's constitutional authority to make appointments.

So it's not an offer that we make – you know, that we would find credible or appropriate. And it's also, again, not the way this system is intended to work. The system – the way it is intended to work is the President nominates, the Senate reviews the nominee, and they can give an up or down vote on these

nominees, and we can either put them in place, as the President intended, or the Senate can vote them down. That's the power that the Constitution gives them.

Apparently somewhere between Article I and Article II of the Constitution it mandates vacations. Who knew??!