

Evidence Card: Arguments Against Lowering Cloture to Simple Majority

Team Policy Evidence Sheet

Tag Line

The nuclear option changes Senate math where 51 votes effectively equals 60, eroding the institution's deliberative character

Verbal Citation

Jeremy Dalrymple, governance policy expert at the R Street Institute, in his September 11, 2025 analysis "The Senate Can't Keep Nuking Its Own Rules," explains how procedural changes undermine the 60-vote threshold. He notes that "under Rule XXII, it takes support from three-fifths of senators (usually 60) to end debate on a nomination" but warns that "the result is that, while Rule XXII still requires 60 affirmative votes to invoke cloture, precedents now allow 51â€"Senate math where a simple majority effectively equals three-fifths." Dalrymple cautions that "each time the bar is lowered, the 'unthinkable' becomes routine" and emphasizes that "every time senators change precedent for expedience, they chip away at the Senate's identity. The institution that was designed to be deliberative, to protect minority rights, and to force consensus becomes a smaller House with longer terms."

What the evidence says in context

Jeremy Dalrymple, a governance policy analyst at the bipartisan R Street Institute, analyzes how the "nuclear option" procedural maneuver effectively nullifies the Senate's 60-vote cloture requirement by creating precedents that allow simple majority votes to overcome what constitutionally requires a supermajority. He demonstrates that while Rule XXII still technically requires 60 votes, procedural precedents now treat 51 votes as sufficient, fundamentally altering the Senate's character. The analysis warns that each such change makes further institutional erosion more routine and likely.

Impact

Lowering the cloture threshold to simple majority through procedural maneuvers creates a fundamental disconnect between the Senate's written rules (requiring 60 votes) and actual practice (treating 51 as sufficient). This transformation erodes the Senate's identity as a deliberative institution designed to protect minority rights and force consensus. As each procedural change makes the previously "unthinkable" become routine, the Senate increasingly functions like a smaller version of the House rather than serving its constitutional purpose as a moderating body that requires broad consensus for action.

Webpage or Book Title

R Street Institute

URL or page number

<https://www.rstreet.org/commentary/the-senate-cant-keep-nuking-its-own-rules/>

Article Title if Applicable

"The Senate Can't Keep Nuking Its Own Rules"

Author or Publisher

Jeremy Dalrymple, R Street Institute

Date first published

September 11, 2025

Date updated

N/A

Date accessed

November 7, 2025