

Evidence Card: Arguments Against Lowering Cloture to Simple Majority

Team Policy Evidence Sheet

Tag Line

Eliminating the 60-vote threshold would allow partisan bills that lack broad support, damaging consensus-based policymaking

Verbal Citation

Senator Mike Lee (R-UT), in his January 27, 2021 National Review op-ed "Nuking the Filibuster: Bad for the Senate, Worse for America," argues that the Senate's cloture rule requiring 60 votes to end floor debates serves essential functions. He explains that "the Senate's cloture rule, which requires a supermajority of 60 votes to end floor debates and pass most legislation" exists because "federal law should reflect national consensus and that a divided Senate simply signals the absence of such consensus." Lee warns that "the true purpose of nuking the filibuster, then, is not to 'finally get things done' or to 'break through the gridlock'... Rather, it is to allow a Senate majority to pass partisan bills that aren't politically compelling enough to attract bipartisan support."

What the evidence says in context

Senator Mike Lee, a sitting U.S. Senator and member of the Senate Judiciary Committee, argues that the 60-vote cloture threshold ensures that federal legislation reflects national consensus rather than narrow partisan majorities. He explains that Senate inaction typically results from legislation's unpopularity rather than procedural obstacles, and that lowering the threshold would enable passage of partisan bills lacking broad support. Lee contends that the cloture rule forces compromise across partisan, ideological, and regional divides, serving the Senate's constitutional purpose as a deliberative body.

Impact

Lowering the cloture threshold from 60 votes to a simple majority would eliminate the Senate's role as a consensus-building institution and allow passage of partisan legislation that lacks broad national support. The 60-vote supermajority requirement ensures that federal laws reflect compromise across diverse political, geographic, and socioeconomic interests rather than narrow partisan majorities. Removing this protection would transform the Senate into a majoritarian body similar to the House, undermining the constitutional design that promotes deliberation and consensus-based policymaking.

Webpage or Book Title

National Review

URL or page number

<https://www.lee.senate.gov/2021/1/nuking-the-filibuster-bad-for-the-senate-worse-for-america>

Article Title if Applicable

"Nuking the Filibuster: Bad for the Senate, Worse for America"

Author or Publisher

Senator Mike Lee (R-UT), U.S. Senator

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