



Written by [Raven Clabough](#) on October 7, 2011

Reid Changes Senate Rules in Stunning Maneuver

Senate Majority Leader Harry Reid (left) has used a legislative political maneuver to change the rules of the Senate so as to benefit the majority party, to the chagrin of Republican lawmakers. The ploy will make it harder for Republicans to force procedural votes on controversial amendments after the Senate votes to move to final passage of a bill.

The Blaze reports, Reids initiative passed by a vote of 51-48 and left key Republicans irate.



Reid was motivated to employ the strategem when Senate Minority Leader Mitch McConnell attempted to force a vote on President Obamas jobs bill by offering the bill as an amendment to the China currency bill, which seeks to punish China for undervaluing its currency.

Reids move came just hours after President Obama called out the Senates top Republican for trying to derail his jobs plan. Earlier that day, Obama called a press conference to make the best arguments and mobilize the American people to support his jobs package. During that conference, Obama targeted House Speaker John Boehner and Mitch McConnell directly, declaring that McConnells number-one goal was to beat me not put Americans back to work, not grow the economy, not help small businesses expand but to defeat me. And hes been saying that now for a couple of years.

The President added, Ive got to go out and enlist the American people to see if maybe hell listen to them if hes not listening to me.

According to the *Washington Examiner*:

Tonight, McConnell made whats called a motion to suspend the rules, to allow a vote on the amendments. Such motions are almost always defeated, because they require a two-thirds majority to pass. But theyre another way for the minority party to force uncomfortable votes. Even though the minority party doesnt get a direct vote on the amendment, how somebody votes on the motion becomes a sort of proxy for such a vote. In this case, for instance, if Democrats had voted down a motion for a vote on Obamas jobs bill, it would have put them in an awkward spot.

Typically, the Senate permits such motions by the minority, but as a result of Reids maneuver, McConnells motion was ruled out of order.

Under normal procedure, the Senate has 30 hours to debate after 60 of its members agree to end a filibuster. During that time, amendments may be considered if each side agrees to a unanimous consent to schedule a vote, or if a Senator moves to waive the rules, which would then require the support of 67 Senators in order to pass.



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Reid's new procedure forbids Senators from waiving the rules once a filibuster has been defeated.

A motion to suspend the rules has not succeeded in the Senate since 1941, notes Politico.

The *Washington Examiner* examines the ultimate effects of the change:

So, the end result is that by a simple majority vote, Reid was able to effectively rewrite Senate rules making it even harder than it already is for the minority party to force votes on any amendments. Should Republicans retake the Senate next year, its something that could come back to haunt Democrats in a major way.

Similarly, *Politico* [notes](#):

While the rules change may not seriously affect the substance of pending legislation, the process employed by Democrats could be replicated in the future to overhaul bedrock rules like the filibuster. For that reason, both parties have tried to avoid employing such tactics to change the rules over the last several congressional sessions, including in a fierce 2005 battle that nearly limited the use of the filibuster.

Some outlets are reporting that the approved rule change is the same as the nuclear option, which prevents the minority party from forcing votes on amendments to a bill that has already worked its way through the legislative process and is about to get a final tally.

CBS News [writes](#):

McConnell wanted to force Democrats to vote against the president's original plan, which could not pass the chamber because it contained some provisions unpopular with the president's own party. Democrats have stripped out provisions to limit the tax deductions for families earning more than \$250,000 to attract both Republican and Democratic votes. Senate Democrats instead added a 5.6 percent tax on income over \$1 million.

The fundamental problem here is that the majority never likes to take votes, McConnell said. The price of being in the majority is you have to take bad votes. Because in the United States Senate, the minority is entitled to be heard.

McConnell asserts that he had hoped to waive the rules so that the Senate could further consider the President's jobs bill, and add amendments, but Democrats refused to consider one of the amendments proposed in particular, which would stop the Environmental Protection Agency from regulating farm dust.

Nebraska Senator Mike Johanns, who introduced the EPA amendment, angrily declared, [Reid] wants to run the Senate like hes a king, but hes not. No one elected him king.

Likewise, McConnell raised concerns that Reid has taken it upon himself to select which GOP amendments will be considered.

In the end, all Democrats, with the exception of Ben Nelson of Nebraska, voted to make the change. I didnt want to change the rules without debate or understanding what it is, explained Nelson, who had conferred with Reid on the floor. Potentially this would change the rules forever.

The entire ordeal, with both sides levying angry accusations against each other, has assured that the already bitterly divided chamber will remain contentious.

Republicans declared that the Democrats aimed to fundamentally limit the rights of the minority party,



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while Democrats countered that the move was necessary to limit dilatory tactics that virtually lead to a filibuster by amendment even after the chamber votes to end debate.

Senator Mitch McConnell complained, We are fundamentally turning the Senate into the House, adding that the Senate was designed in such a way so as to give more power to the minority party than in the House of Representatives, where the party out of power maintains the ability to block legislation backed by a simple majority. He asserted that the minority party is now out of business.

But the Democrats view the shift as a vital one to improve the efficiency of the Senate. The Senate has been completely dysfunctional this year, and this is just one more step in that [direction], said Sen. Jeff Merkley (D-Ore.), who introduced a plan to overhaul Senate rules to ease gridlock earlier this year. There is a great deal that has to be done to restore the functionality of the Senate.

Reids maneuver may be for naught considering that there is little or no chance of the House passing the Senate version of the bill.



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