

August 3, 2021

Dear Majority Leader Schumer,

In 2012, the Fix the Senate Now! coalition sent you and other Senate leaders [a letter](#) stating:

“Facing unparalleled challenges—a languid economic recovery, crushing debt, and threats at home and abroad—the country cannot afford another two years of inaction fostered by outmoded and broken legislative institutions. In recent decades, Senate conventions have devolved to remove incentives for bipartisan comity, collegiality, and compromise. Whereas Senators once resorted to filibustering only in rare and exceptional instances of intense opposition, rampant obstruction has now transformed standard operating procedure. Today, majority rule in the Senate is the exception, not the rule.”

Today, our country is reeling from intersecting crises that undermine public health, racial justice, the economy, our climate, and our democracy. These crises have accelerated growing inequities in our system, especially for Black and brown communities and working people. The need for action is urgent, but obstruction in the Senate has only gotten worse.

Despite the deadly pandemic, voters showed up in record numbers last cycle to elect new leadership in Washington. The American voters elevated you to the majority to govern. The Senate majority represents 41 million more people than the Senate minority. The American people expect you to deliver results.

Last summer, you said that “[nothing is off the table](#)” when it comes to your options to overcome Republican filibusters. You kept this commitment in January by refusing to capitulate to the Minority Leader’s demands that the organizing resolution preserve the filibuster. Thank you for holding firm.

The House of Representatives has already passed important legislation this Congress to empower and strengthen protections for workers; expand access to voting rights and bolster our democracy; protect the rights of LGBTQ people; hold law enforcement accountable in the wake of systemic racism; enact common sense gun violence prevention legislation; and reform our immigration system. Legislation to protect our environment and raise the minimum wage is also critically important.

The Senate must do its job and provide fair consideration of these critical bills, but without reforming Senate rules, none of these bills will advance and become law as has been proven repeatedly this year as you’ve tried to bring these bills to the Senate floor for debate. As we said in 2012, “We believe that common sense reforms will end routine and reflexive obstruction and will ensure that the Senate will once again be able to address the critical issues facing our country.” Some of us support the full elimination of the filibuster, and all of us believe changes are necessary and must include these at a minimum:

- The minority should be prohibited from blocking even the *opening* of debate on a bill, as is permitted under the current rules.
- So long as the filibuster remains available once debate has begun, those wishing to obstruct the final vote should be required to hold the floor and explain themselves so that their colleagues and the American people know who to hold accountable.
- Those wishing to block action should bear the burden of waging their obstruction.

Like you, we are well familiar with the Minority Leader's tactics to block the Senate from fairly considering legislation. A master of gridlock, the Minority Leader uses the filibuster rule—which President Obama called a “Jim Crow relic,” at Congressman John Lewis's funeral last summer—to block the majority from voting on legislation supported by senators who represent the majority of America.

As you know, the mere threat of a filibuster can be enough to stop action. The American Rescue Plan passed the Senate with a simple-majority vote through reconciliation because you accurately predicted that the Minority Leader would otherwise block its passage with a filibuster.

A filibuster-everything strategy is a relatively new phenomenon in the history of the Senate. There is essentially no cost to the minority to engage in its obstruction—merely registering an objection behind closed doors is enough to ratchet-up the hurdle of passage from 51 to 60 votes. This is intolerable. There must be consequences for obstructionist behavior.

Time is of the essence. As President Biden said when discussing Senate rules, “democracy is having a hard time functioning.” With the 2022 election cycle already looming, state legislatures in key states including Georgia and Arizona are swiftly pushing new laws that create barriers to the right to vote, especially for Black, brown, and women voters. 17 states have enacted 28 new laws restricting voting and more are likely. You have the power to reverse this.

We urge you to take all steps necessary to make sure that the Minority Leader and his colleagues cannot use the Senate rules to obstruct the majority from governing. Blaming the filibuster rule will not suffice as an explanation for inaction.

We stand willing to help however we can to strengthen democracy nationwide.

Sincerely,

Democracy Initiative
20/20 Vision
Action Together New Jersey (ATNJ)
AFL-CIO
Alliance for Justice
Alliance for Retired Americans
Alliance for Youth Action
American Family Voices
American Federation of Musicians
American Postal Workers Union, AFL-CIO
Blue Wave Postcard Movement
Brady United
Campaign for Our Future
CASA in Action
Center for Science in the Public Interest
Clean Water Action
Common Cause
Communications Workers of America

DemCast USA
Democracy Matters
Demos
Fair Elections Center
Fix Democracy First
Friends of Detroit City Airport CDC
Friends of the Earth
Greenpeace USA
Her Time
International Federation of Professional and Technical Engineers (IFPTE)
Jobs with Justice
League of Women Voters of the United States
March for Our Lives
Mid-Ohio Valley Climate Action
NAACP
NETWORK Lobby for Catholic Social Justice
National Council of Churches of Christ in the USA (NCC)
National Disability Rights Network (NDRN)
Natural Resources Defense Council
Our Revolution
People for the American Way
People's Action
Progressive Turnout Project
Public Citizen
SPLC Action Fund
Service Employees International Union (SEIU)
Sierra Club
Small Planet Institute
The Workers Circle
Transport Workers Union
UDW AFSCME Local 3930
United Auto Workers
Voices for Progress
Working Families Party

cc: Senate Democratic Caucus