Below are two articles dealing with the “nuclear option,” meaning completely eliminating the filibuster by altering the Senate rules to remove the power of the filibuster. Long seen as a protective tool for small minorities in Congress, the filibuster has been alternately hated and loved by all political parties since it emerged as a parliamentary tool. Read both articles and answer the questions below.

Washington Post-ABC News Poll

Filibuster Rule Change Opposed By Richard Morin and Dan Balz
Washington Post Staff Writers
Tuesday, April 26, 2005

As the Senate moves toward a major confrontation over judicial appointments, a strong majority of Americans oppose changing the rules to make it easier for Republican leaders to win confirmation of President Bush’s court nominees, according to the latest Washington Post-ABC News poll.

GOP leaders are threatening a rule change to prohibit the use of filibusters to block judicial nominees and have stepped up their criticism of the Democrats for using the tactic on some of Bush’s nominees to the federal appellate courts. They say they are prepared to invoke what has become known as the “nuclear option” to ensure that Bush’s nominees receive an up-or-down vote on the Senate floor.

But by a 2 to 1 ratio, the public rejected easing Senate rules in a way that would make it harder for Democratic senators to prevent final action on Bush’s nominees. Even many Republicans were reluctant to abandon current Senate confirmation procedures: Nearly half opposed any rule changes, joining eight in 10 Democrats and seven in 10 political independents, the poll found.

The wide-ranging survey also recorded a precipitous decline in support for the centerpiece of Bush’s Social Security plan — private or personal accounts — despite the fact that the president and other administration officials have been stumping the country in a 60-day blitz to mobilize support. The Post-ABC poll found that a bare majority — 51 percent — opposed such accounts, while 45 percent supported them.

The poll also registered drops in key Bush performance ratings, growing pessimism about the economy and continuing concern about U.S. involvement in Iraq.

On the issue that has consumed the capital’s political community this spring, four in 10 said that House Majority Leader Tom DeLay of Texas, under fire for alleged ethics violations, should resign his leadership post, while a third
of the public said he should remain in his job. Among the 36 percent who said they have been following the allegations against DeLay, nearly two in three said DeLay should step down.

Taken together, the findings suggest that Bush is off to a difficult start in his second term, with Democrats far less willing to accommodate him and his agenda than his reelection victory last November may have foreshadowed. Beyond that, the survey highlights the divisions within the Republican Party, whether that involves Bush’s signature Social Security proposal or the intersection of religion and politics that has become a defining characteristic of today’s GOP.

A total of 1,007 randomly selected adults were interviewed by telephone April 21-24 for this Post-ABC News poll. The margin of sampling error for the overall results is plus or minus three percentage points.

The survey found that Bush’s overall job approval rating stood at 47 percent, matching his all-time low in Post-ABC News polls. Half disapproved of the job he is doing as president.

On several other key measures of performance, Bush’s standing with the public was at or near new lows, with less than half the public supporting the way the president is handling the economy, energy policy and Iraq. Four in 10 approved of Bush’s handling of the economy, down six points since the start of the year. Slightly more than a third of the public approved of Bush’s energy policies, and Americans were more inclined to blame the president rather than oil companies or other countries for soaring gasoline prices.

Just over four in 10 — 42 percent — endorsed the way the president is dealing with the situation in Iraq, a slight increase from the all-time low in March of 39 percent. Almost six in 10 (58 percent) said the United States has gotten bogged down there, and 39 percent said they are confident Iraq will have a stable, democratic government in a year.

Bush continues to get strong marks on his handling of the campaign against terrorism, with 56 percent supporting his actions, down five points since January. But the survey also found that the sluggish economy has eclipsed terrorism on the public’s list of top priorities, fueling Bush’s drop in the polls.

A third of those interviewed (32 percent) said the economy should be the highest priority for the administration and Congress, up five points in the past month, followed by Iraq (22 percent) and health care (15 percent). Only 12 percent cited terrorism as the top issue, down five points since March.

The biggest changes in opinion came on Social Security, which Bush has made the principal domestic priority of his second term. Three in 10 (31 percent) approved of the job Bush is doing on Social Security, while 64 percent disapproved, an eight-point increase in disapproval in a month. Only a third said they trust Bush more than the Democrats to handle the Social Security issue, a new low for the president.

In little more than a month, there has been a double-digit shift in sentiment. In mid-March, 56 percent favored private accounts, compared with 45 percent in the latest poll, which marked the first time in Post-ABC News polling that less than half of the public supported allowing workers to invest some of their Social Security contributions in the stock market.

The decline in support was widespread. The poll found that support among Republicans fell
by nine percentage points, among Democrats by 10 percentage points and among political independents by 12 percentage points.

Neither party is held completely blameless in the increasingly acrimonious Senate battle over judgeships, with only four in 10 saying they approved of the way Democrats or Republicans were handling the confirmation process. But other findings suggested that Senate GOP leaders risk alienating the public over their efforts to circumvent opposition to nominees who Democrats say are far too conservative.

So far, the Senate has confirmed 35 federal appeals court judges nominated by Bush, while Senate Democrats have blocked 10 others by threatening to filibuster. According to the poll, nearly half of the public said Democrats are right to block the 10 contested Bush appointees, while slightly more than a third said they are wrong. Religious and ideological splits are now at the center of the debate over judicial appointments, and the survey found that the deep partisan divide is matched by large differences over the proper role of religion in politics. For example, more than six in 10 Republicans said they think political leaders should rely on their religious beliefs in making policy decisions, while an equally large proportion of Democrats disagreed.

Four in 10 Americans said they think religious conservatives play too large a role in the Republican Party, a view shared by about half of all Democrats and independents but only one in five Republicans. Conversely, nearly as many Americans (35 percent) said liberals have too much influence over the Democratic Party, a view held by nearly six in 10 Republicans.

Assistant polling director Claudia Deane contributed to this report.

**Reid, Democrats trigger ‘nuclear’ option; eliminate most filibusters on nominees**

**By Paul Kane November 21, 2013**

*The Washington Post*

Senate Democrats took the dramatic step Thursday of eliminating filibusters for most nominations by presidents, a power play they said was necessary to fix a broken system but one that Republicans said will only rupture it further.

Democrats used a rare parliamentary move to change the rules so that federal judicial nominees and executive-office appointments can advance to confirmation votes by a simple majority of senators, rather than the 60-vote supermajority that has been the standard for nearly four decades.

The immediate rationale for the move was to allow the confirmation of three picks by President Obama to the U.S. Court of Appeals for the District of Columbia Circuit — the most recent examples of what Democrats have long considered unreasonably partisan obstruction by Republicans.

In the long term, the rule change represents a substantial power shift in a chamber that for more than two centuries has prided itself on affording more rights to the minority party than any other legislative body in the world. Now, a president whose party holds the majority in the Senate is virtually assured of having his nominees approved, with far less opportunity for political obstruction.
The main combatants Thursday were the chamber’s two chiefs, Majority Leader Harry M. Reid (D-Nev.) and Minority Leader Mitch McConnell (R-Ky.), who have clashed for several years over Republican filibusters of Obama’s agenda and nominees.

Reid said the chamber “must evolve” beyond parliamentary roadblocks. “The American people believe the Senate is broken, and I believe the American people are right,” he said, adding: “It’s time to get the Senate working again.”

McConnell linked the rule change to the methods used to approve Obama’s health-care law solely with Democratic votes. The normally reserved GOP leader paced at his desk during his speech, often turning his back to Democrats to address only his fellow Republicans.

“It’s a sad day in the history of the Senate,” McConnell told reporters, calling the move a Democratic “power grab.”

The clash ended with a vote nearly as partisan as the times — 52 to 48, with all but three Democrats backing the move and every Republican opposing it.

The vote was the culmination of more than 25 years of feuding over nominations, beginning with President Ronald Reagan’s choices for the Supreme Court and including Obama’s picks for obscure federal regulatory agencies. Each side in Thursday’s debate cited its own statistics to state its case.

Democrats said the attempted filibusters of Chuck Hagel during his confirmation hearing to become defense secretary, a first for any nominee to lead the Pentagon — as well as a blockade of picks to head the National Labor Relations Board and the Consumer Financial Protection Bureau — exceeded anything Democrats did when they were in the minority. In addition, Democrats charged that Republicans didn’t even have substantive objections to the D.C. Circuit nominees they filibustered.

After the vote, Obama told reporters at the White House that Republicans had turned nomination fights into a “reckless and relentless tool” to grind the gears of government to a halt and noted that “neither party has been blameless for these tactics.” However, he said, “today’s pattern of obstruction . . . just isn’t normal; it’s not what our founders envisioned.”

Republicans countered that they had confirmed 99 percent of Obama’s judicial selections. McConnell accused Democrats of eyeing the D.C. Circuit in an effort to stack the court, which reviews many cases related to federal laws and regulations, to tilt its balance in a liberal direction.

What made the day so historic for senators, former senators and the small collection of parliamentary experts in Washington was the simple majority vote used to execute the changes — a tactic so extreme it is known as the “nuclear option.”

Previous majorities had threatened to upend filibuster rules in this manner, but relying on a simple majority vote had been used only for relatively minor procedural changes to how amendments were handled, never to eliminate the supermajority requirement altogether.

Before Thursday, the standard precedent was that major rule changes needed a two-thirds majority. The change was so significant that Reid and his leadership team held a victory party with liberal activists afterward in a room just off the Senate floor.
Republicans said the way Democrats upended the rules will result in fallout for years. “It’s another raw exercise of political power to permit the majority to do anything it wants whenever it wants to do it,” Sen. Lamar Alexander (Tenn.), the GOP’s parliamentary expert, told reporters.

Republicans vowed to reciprocate if they reclaim the majority.

“Democrats won’t be in power in perpetuity,” said Sen. Richard C. Shelby (Ala.), a 27-year member. “This is a mistake — a big one for the long run. Maybe not for the short run. Short-term gains, but I think it changes the Senate tremendously in a bad way.”

After the vote, Reid told reporters that his views on the issue had evolved — from eight years ago, when Republicans held the majority and he led the fight to protect the filibuster. He acknowledged that he wouldn’t mind seeing the supermajority requirement abolished for everything but that there were not enough votes in his caucus to support such a move.

Reid first faced pressure on this issue from junior Democrats four years ago, particularly Sen. Jeff Merkley, a former speaker of the Oregon state House, who became the point person for growing the anti-filibuster movement. But Reid repeatedly rejected their effort as too radical.

Even if Republicans want to do away with the filibuster someday, Reid said, Thursday’s move was worth it because the current climate had become too hostile to get anything significant done. Reid said he faced a choice: “Continue like we are or have democracy?”

The rule change does not apply to Supreme Court nominations or to legislation.

Individual senators will still be able to seize the floor for marathon speeches opposing nominees, as Sen. Rand Paul (R-Ky.) did in a nearly 13-hour session in March against the nomination of John Brennan as CIA director. But once such speeches end, the majority will be able to confirm nominees without needing bipartisan support.

With the Senate majority very much up for grabs in midterm elections next year, Democrats placed a big bet on maintaining control of the chamber. GOP leaders have suggested that, if given the Senate majority back, they might further strip filibuster rules so they could dismantle Obama’s landmark domestic achievement, the Affordable Care Act, on a simple majority vote.

In his remarks, McConnell finally turned to Democrats and said that a majority of them had never served in the minority and then lectured the longtime members who knew what it was like to be on the other side.

“The solution to this problem is at the ballot box,” he said. “We look forward to having a great election in 2014.”

William Branigin and Ed O’Keefe contributed to this report.

Paul Kane covers Congress and politics for the Washington Post.
CRITICAL READING QUESTIONS

1. Why is the filibuster seen as an obstructive tool?
2. Does one’s position on the filibuster change depending on who holds power?
3. Should the position of political parties regarding the filibuster change depending on whether they are in power or not?
4. How does having a tool like the filibuster help to protect the voice of the minority in the Senate?
5. To what extent do you think senators who are obstructive, but represent the views of their constituency, are acting against the common good?
6. Do you think senators who are obstructive, but do not represent the views of their constituency, are acting against the common good?
7. Do you think senators that ignore the voice of the minority in order to pass their legislation or obtain their nominations are acting against the common good?
8. How do you think the filibuster helps balance this dilemma? Or does the filibuster in fact ruin the balance that would otherwise exist?

WHERE DO YOU STAND?

The Senate is having a vote to decide whether or not a new dam should be built with federal money in your state. If the dam is built, it will supply much needed power and water to an economically depressed area of your state. The plan promises to create at least 1,000 new jobs and several million gallons of easily accessible clean water. However, an historic town stands in the way of the future reservoir. For the dam to be built, this town will have to be demolished. The vast majority of the state favors the building of the dam, but those who live in or grew up in the town are strongly opposed. Compromise efforts have failed and the bill looks set to pass. However, one of the state’s senators changes his mind. Knowing he cannot block the bill with votes, he rises to filibuster it.

**Directions:** Write a letter to the editor outlining your position on the filibuster. Is it an obstructive tool preventing the majority from acting on popular will? Or is it a vital tool preventing majority tyranny from oppressing opposing views? The length of your letter should be 150-300 words.