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# In Landmark Vote, Senate Limits Use of the Filibuster

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WASHINGTON — The Senate approved the most fundamental alteration of its rules in more than a generation on Thursday, ending the minority party's ability to filibuster most presidential nominees in response to the partisan gridlock that has plagued Congress for much of the Obama administration.

Furious Republicans accused Democrats of a power grab, warning them that they would deeply regret their action if they lost control of the Senate next year and the White House in years to come. Invoking the Founding Fathers and the meaning of the Constitution, Republicans said Democrats were trampling the minority rights the framers intended to protect. But when the vote was called, Senator Harry Reid, the majority leader who was initially reluctant to force the issue, prevailed 52 to 48.

Under the change, the Senate will be able to cut off debate on executive and judicial branch nominees with a simple majority rather than rounding up a supermajority of 60 votes. The new precedent established by the Senate on Thursday does not apply to Supreme Court nominations or legislation itself.

It represented the culmination of years of frustration over what Democrats denounced as a Republican campaign to stall the machinery of Congress, stymie President Obama's agenda and block his choices for cabinet posts and federal judgeships by insisting that virtually everything the Senate approves be done by a supermajority.

After repeatedly threatening to change the rules, Mr. Reid decided to follow through when Republicans refused this week to back down from their effort to keep Mr. Obama from filling any of three vacancies on the most powerful appeals court in the country.

This was the final straw for some Democratic holdouts against limiting the filibuster, providing Mr. Reid with the votes he needed to impose a new standard certain to reverberate through the Senate for years.

"There has been unbelievable, unprecedented obstruction," Mr. Reid said as he set in motion the steps for the vote on Thursday. "The Senate is a living thing, and to survive it must change

as it has over the history of this great country. To the average American, adapting the rules to make the Senate work again is just common sense.”

Republicans accused Democrats of irreparably damaging the character of an institution that in many ways still operates as it did in the 19th century, and of disregarding the constitutional prerogative of the Senate as a body of “advice and consent” on presidential nominations.

“You think this is in the best interest of the United States Senate and the American people?” asked the Republican leader, Senator Mitch McConnell, sounding incredulous.

“I say to my friends on the other side of the aisle, you’ll regret this. And you may regret it a lot sooner than you think,” he added.

Mr. Obama applauded the Senate’s move. “Today’s pattern of obstruction, it just isn’t normal,” he told reporters at the White House. “It’s not what our founders envisioned. A deliberate and determined effort to obstruct everything, no matter what the merits, just to refight the results of an election is not normal, and for the sake of future generations we can’t let it become normal.”

Only three Democrats voted against the measure.

The changes will apply to all 1,183 executive branch nominations that require Senate confirmation — not just cabinet positions but hundreds of high- and midlevel federal agency jobs and government board seats.

This fight was a climax to the bitter debate between the parties over electoral mandates and the consequences of presidential elections. Republicans, through their frequent use of the various roadblocks that congressional procedure affords them, have routinely thwarted Democrats. Democrats, in turn, have accused Republicans of effectively trying to nullify the results of a presidential election they lost, whether by trying to dismantle his health care law or keep Mr. Obama from filling his cabinet.

Republicans saw their battle as fighting an overzealous president who, left to his own devices, would stack a powerful and underworked court with judges sympathetic to his vision of big-government liberalism, pushing its conservative tilt sharply left. The court is of immense political importance to both parties because it often decides questions involving White House and federal agency policy.

Republicans proposed eliminating three of its 11 full-time seats. When Democrats balked, the Republicans refused to confirm any more judges, saying they were exercising their constitutional check against the executive.

Senator Pat Roberts, Republican of Kansas, said Democrats had undercut the minority party's rights forever. "We have weakened this body permanently, undermined it for the sake of an incompetent administration," he said. "What a tragedy."

With the filibuster rules now rewritten — the most significant change since the Senate lowered its threshold to break a filibuster from two-thirds of the body to three-fifths, or 60 votes, in 1975 — the Senate can proceed with approving a backlog of presidential nominations.

There are now 59 nominees to executive branch positions and 17 nominees to the federal judiciary awaiting confirmation votes. The Senate acted immediately on Thursday when it voted with just 55 senators affirming to move forward on the nomination of Patricia A. Millett, a Washington lawyer nominated to the Washington appeals court. Two other nominees to that court, Cornelia T. L. Pillard and Robert L. Wilkins, are expected to be confirmed when the Senate returns from its Thanksgiving recess next month.

The filibuster or threats to use it have frustrated presidents and majority parties since the early days of the republic. Over the years, and almost always after the minority had made excessive use of it, the Senate has adjusted the rules. Until 1917, the year Woodrow Wilson derided the Senate as "a little group of willful men" that had rendered the government helpless through blocking everything in front of it, there was no rule to end debate. From 1917 to 1975, the bar for cutting off debate was set at two-thirds of the Senate.

Some would go even further than Thursday's action. Senator Jeff Merkley, Democrat of Oregon, said that he would like to see the next fight on the filibuster to be to require senators to actually stand on the floor and talk if they wanted to stall legislation.

The gravity of the situation was reflected in an unusual scene on the Senate floor: Nearly all 100 senators were in their seats, rapt, as their two leaders debated.

As the two men went back and forth, Mr. McConnell appeared to realize there was no way to persuade Mr. Reid to change his mind. As many Democrats wore large grins, Republicans looked dour as they lost on a futile, last-ditch parliamentary attempt by Mr. McConnell to overrule the majority vote.

When Mr. McConnell left the chamber, he said, "I think it's a time to be sad about what's been done to the United States Senate."

