

Dear Colleagues,

I want to thank Senator Lee for encouraging discussion among our members about the path forward for our conference. Mike makes some interesting points, and he has provided us with more food for thought as we approach the election of a new conference leader.

It may be true that many Americans would be shocked to know that members may not be able to offer amendments. I suspect many Americans would also be shocked to know that any one member can grind the legislative process to a halt while attempting to advance an amendment that a supermajority of our conference is against. I have witnessed several occasions when we were on the brink of working out a comprehensive agreement to consider dozens of amendments only to have it fail because a single member or a handful of members objected—the tree gets filled, no amendments are considered, and everybody gets angry.

Since all of us are against blowing up the filibuster, we need to understand that we are not operating in a vacuum—the Democrats will have a say in what bills we proceed to and what the amendment process looks like. Therefore, we must not make any changes to create an opening for Schumer to use against us.

Weak v Strong Leadership Model

The debate among members really boils down to whether you favor a weak or strong conference leader model. Mike has laid out proposals that would substantially weaken the republican leader and further empower Schumer, and I believe it would be unwise to go down that path.

We are witnessing the downside of a weak-leader model in the House today. Two Speakers during a single congress and self-imposed gridlock on legislation hardly seems like a model we want to adopt in the Senate. Compared to the democrat conference leader, we already have a weak-leader model, and I believe it would be risky to weaken it further. In fact, I believe a case could be made to amend the conference rules to better enable the conference leader to square off with the tools at Schumer's disposal, as I outlined in a prior letter.

Mike suggests that we should have the leader candidates present their plans/concessions in advance of the leadership vote, but I respectfully disagree. I believe **we need to elect a new leader first**, rather than negotiate terms with the republican leader candidates before the vote. If enough members are concerned about the risk of a rogue leader, perhaps we should consider adopting conference rules that provide for this unlikely circumstance.

Filling the Tree, etc

While no one likes filling the tree and shutting down amendments, we must differentiate between the leader's action to offer a "gatekeeper" amendment to allow the bill manager to have ball control and a decision to fill the tree. Failing to lay down the first amendment creates the opportunity for the minority leader to play offense—not good. Assuming our members understand this distinction, the primary reason I have observed for "tree filling" is caused by an

impasse between a majority of our republican members and a few of our colleagues who are prepared to delay or halt progress on important legislation/nominations.

I have overheard “we have met the enemy, and he is us” more times than I can count since I joined the senate. We have members and their staff who are so focused on a given priority that they sometimes lose sight of the bigger picture. For example, we spent over a month last year just trying to get started on the first minibus appropriations bill because of objections from our side. We can’t have more time for amendments if it takes us a month just to get started.

There are numerous bills and nominations that have an overwhelming majority support within our conference, but we can’t act on any of them because we have a handful of members who object. Maybe a solution would be for there to be no more secret holds and full transparency into the process. We have a Standing Order on this issue that Chuck Grassley championed. We just need to follow it. Perhaps we should also stop allowing staff to call in holds on behalf of members as well.

If we run the table and take control of DC, we must set aside our differences and work as a team. I know Mike’s concerns about the voices of some members being silenced are sincere, but I believe his proposals to address these concerns are ill advised. I believe delaying the election and creating more hurdles for the republican leader to navigate are unwise, and they will impede our work on behalf of the American people.

Sincerely, Thom T.