



# UNDERSTANDING THE FILIBUSTER

## A Clear and Digestible Guide

A filibuster is a Senate tactic used to extend debate or prevent the Senate from voting on a bill, nomination, or other matter. It works because the Senate is built around the idea of unlimited debate – meaning senators can keep discussion going unless the Senate votes to end it, called cloture (which usually requires 60 votes to approve. Most major Senate actions require the Senate to agree to stop debating and start voting. But if you don't have 60 votes, you can't pass cloture – the off switch to the filibuster that allows you to start voting.

### Where did the filibuster come from?

The filibuster isn't mentioned in the Constitution, but it did grow out of Senate procedures over time. Early in US history, the Senate removed a rule that allowed unlimited debate to be cut off by a simple majority. That change helped create the conditions for unlimited debate – and eventually the filibuster tactic.

The cloture rule (remember, that's the formal way to end debate) was later adopted, and its vote threshold has changed over time. In modern Senate practice, the 60-vote requirement became a major feature of the chamber.

### When and why is the filibuster used?

The filibuster is often used when a group of senators wants to:

- **delay** a bill
- **block** a bill entirely
- **force changes** through negotiation
- **gain leverage** over the majority party

It can be used on issues that are politically controversial, high-profile, or deeply divided.

The longest filibuster on record lasted 25 hours and 5 minutes, and it was not a formal filibuster blocking a specific vote or bill. It was done by Sen. Corey Booker (D-NJ) in the Spring of 2025 to disrupt normal Senate operations to draw and attention and express extreme opposition to the Trump administration's policies. The longest formal filibuster on record came from Sen. Strom Thurmond (D-SC) and it lasted 24 hour and 18 minutes on August 28, 1957. It was intended to prevent the passage of the Civil Rights Act of 1957.

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## **When can the filibuster not be used?**

There are certain situations where the Senate can act with a simple majority, like in budget reconciliation measures, some procedural votes on the Senate rules, and on many executive and judicial nominations. Importantly, these rules and exceptions have changed over time, and together they shape what laws are easiest, or hardest, to pass.

## **Why is the filibuster important?**

Supporters and critics disagree strongly, but both sides can agree that the filibuster has great influence and matters a lot. Supporters of the filibuster so that it protects the right of the minority party, forces compromise and consensus, and prevents major laws from flipping every time control changes. However, critics argue that the filibuster allows a minority of senators to block a widely supported piece of legislation, that it causes gridlock and inaction, and that the filibuster makes the Senate less democratic and less responsive. Either way, whether you support it or oppose it, the filibuster is certainly a major reason the Senate often moves slowly.

### **References**

- <https://www.senate.gov/about/powers-procedures/filibusters-cloture.htm>
- <https://www.congress.gov/crs-product/RL30360>

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