

Gary Gates

House District 28

December 27, 2024

Dear Colleague,

This letter is directed to my 57 fellow Republican House members who listed in public support of Rep. David Cook for House Speaker. As time grows short and critical decisions must be made that impact our entire state, I must be frank: The path is very narrow at this time and needs a change of its game plan to achieve victory.

I never signed on to a list to support Rep. Cook because I couldn't see how he would be able to overcome a simple math problem: the ability to reach the 76 votes needed to win the speakership, much less 76 Republican votes. My concerns have been validated in that he hasn't been able to reach the needed number since December 7. With opening day fast approaching, I'm urging this group to review the situation factually based on political reality.

After reviewing the current situation for Speaker and discussing this with Members who support Rep. Cook, Members publicly supporting Rep. Burrows, and our Democrat colleagues, I'm going to summarize some background and general concerns:

As of now, the 150 members can be divided into 3 groups:

- A) Cook has listed 57 Republicans and 0 Democrats as supporting him.
- B) Burrows has listed 31 Republicans and 38 Democrats as supporting him.
- C) 24 Democrats are uncommitted and have expressed strong desire to not support Rep. Cook.

As we all know, this past September 48 Republican members met at a closed meeting in Austin that was limited to invited members as selected by a small group of members. After several rounds of voting, Cook was selected when the leading candidate, Rep. John Smithee, withdrew his name because the selection process was at an impasse and Smithee asked members to vote for Cook. It was discussed that a list would be made public when it reached 53 members.

A week later, when no new members had been added, a decision by some of Rep. Cook's team was made to publish the list of 48 names. I, along with one other member, asked that our names not be listed. I objected because I felt that the world knew about 48 names and to publish a week later with no new names would be a sign of weakness.

By December 7th, Rep. Cook's group has been unsuccessful in adding the required

Members to reach the magic number of 76 after more than 80 days of trying. Despite some of Cook's team claiming that they would not seek the votes of any of our Democrat colleagues until after the December 7th House Republican Caucus meeting and vote, it was revealed that some had been talking with Democrats ever since the September 21st meeting – and have been unsuccessful in getting any support or involvement.

Since our Caucus meeting, outside interest groups have been attacking the 31 Republican colleagues who are not supporting the Cook candidacy; this has been detrimental for Cook to gain additional support from some of these Republicans, and now requires him to reach out to Democrats to get to the 76 needed votes. That is in direct contradiction to the Cook campaign which pledges to have a Speaker who is not beholden to Democrats.

I'll speak for myself, but these attacks threatening primary opponents, the daily emails, phone calls, text messages and now direct mail being dropped to Members' constituents, has only hardened feelings towards Rep. Cook. This has been unfair to him as David Cook is a decent fellow. To succumb to these bullying tactics would only confirm a poisonous atmosphere next session and could encourage more such tactics in the future and during session, if you fail to bend to their desires. Much of the messaging has been deceptive and misleading.

It's also these very tactics that have emboldened Democrats to unanimously vote to not support Rep. Cook. They have concluded that if these outside interest groups will attack their own Republicans this way, what would they do to marginalize our Democrat House Colleagues if some of these people are perceived as gaining a position of leadership?

They have told me that it is their view that the "Texas Reform Contract" is not friendly to bipartisanship. The irony is that these outside financial groups will benefit financially by Cook's failure to secure the Speakership. Their business model to raise money depends on chaos and spreading the narrative that whoever is in power is less conservative and are branded as a RINO. The term 'conservative' has become a subjective word. By all 8 major score card rankings, Cook measures around the mid mark. But the above-mentioned groups will benefit financially if Burrows prevails. Unlike House Members, they can raise funds non-stop, 24/7, 365.

While in theory, it would be ideal to be able to pick the Speaker from Republican Members only, we need to be aware of the current reality we face here. You can't start a race to 76 votes by giving 62 D votes to an opponent. It creates a mathematical hurdle that is hard to overcome and from a statistical standpoint is virtually impossible.

As it has become clear that Rep. Cook is unable to unify the Republican Caucus, Rep. Ryan Guillen and I have been having conversations with our fellow colleagues in an effort to find a way that we could all unify to reach the 76 votes. Our efforts to have these conversations would have been hampered if we had chosen to prematurely side with Rep. Cook, knowing his path to victory was unlikely.

We believe we can find a path forward to bring up to 30 additional members who would join with the current 57 Republican members on Cook's team. Their top concern is mutual with the 57: that is to break the stranglehold by current leadership (which has gone from Team Bonnen to Team Phelan to now Team Burrows) and put new House leadership in place elected by this new group of 85-90 members.

Our fear, as time is now running out, is that these 30 members who, when left to no choice, will support Burrows over Cook.

The bottom line is that these Republican and Democrat colleagues will not support Cook or anyone they feel is beholden to the outside financial interests driving the 57. At this point, Rep. Cook would need to be willing to step aside to bring these new 30 members and be replaced by a candidate that will work for this change.

Let me be clear in this, virtually every member I've talked to, including myself, have little or no negativity towards Rep. Cook personally or as a Legislator. He is somewhat a victim of the circumstances. This is not personal, this is about doing what is best for Texas, and best for the Texas House. It is the fear of who Rep. Cook might be beholden to if he were elected Speaker is what is preventing his ability to be elected. This perception is a reality that all 57 Republicans who desire change must face.

Refusal to accept the perception that others have of Cook's backing is what is concerning. It's a refusal to acknowledge why 62 D's and 31 R's are not on board. Good leadership involves accepting the perception of others and working within the less than 20 days we have to develop a plan to find a solution to this crisis – and I do believe it is a crisis.

Activists planning to come to Austin on Opening Day will only harden feelings and encourage more ill will. Opening Day chaos only helps secure the Speakership for the very House Members that Conservatives do not want.

As it stands now, if this remains a two-person race between Reps. Cook and Burrows, then Burrows wins, and the leaders of the House Democrats will work to collect the debts they are owed.

I believe the failure to plan and understand this political reality is putting many House members of Team Cook in a difficult situation. Because all the members of Burrows' team are being attacked daily, they will have little desire to work with Cook's team. But at the same time, if Burrows prevails, they may offer something to those willing to join them and reduce the forces aligned against Burrows team during the session. After all, there are members who want some chance of passing bills that are beneficial to their district.

How can we prevent the current situation and victory for the "reform group" and still achieve almost all the other goals?

First, Rep. Cook must personally accept the situation and agree to step aside, but only when a replacement candidate can be shown they can get the additional support to exceed 76 votes. There are realistically, in my opinion, up to 5 candidates at this late stage remaining who could work to bring the 30 additional members.

Below is a summary of some points that the additional 30 members voiced as concerns:

- 1) They accept a School Choice bill will likely pass, but they want to ensure they have some input to protect their constituents and public education as they see it, especially in poor and rural districts.
- 2) They do not want legislative bills that will never pass yet eat up valuable committee time and not allow meaningful legislation to come forward and be considered in a timely manner.
- 3) Many members are frustrated by the Point of Orders and would like to see reform in the House Rules to limit this, as well as frustration with the current House Parliamentarians.
- 4) Most understand the political climate of not having Democrat chairs.
- 5) They fail to understand why senior members in the House should be tossed aside.

I would point out to my colleagues that our veteran Conservative Lt. Governor, Dan Patrick, has already established the precedent on how to address this issue. Governor Patrick grandfathered certain Senators who were serving in committee chairmanship, as he did with then Senate Dean John Whitmire on the Senate Criminal Justice Committee, when he began to reduce the number of Democrat Senators serving as committee chairman. The Patrick Precedent offers a way forward on this issue for the Texas House.

Members, we have a great opportunity to reach the goals of what so many have been working towards. This group of 57 was put together by the hard work of many House members - and House Members to be - who have been unfairly criticized and marginalized by the current House Leadership. The bold leadership by all the Speaker candidates from this group need to be commended for their stepping out and be rewarded next session where they can continue with their leadership. This can only happen if we develop a plan to ensure victory.

Please remember, last year Republicans in the U.S. House went through four candidates before electing Congressman Mike Johnson as U.S. House Speaker. Our measure of success, at this point, should not be based on electing a specific candidate.

Time is running short. There are just a few days left to develop a plan to succeed to bring the needed change that the Texas House and our constituents demand. We're in it to win, deliver real conservative results, and not benefit the special interests groups.

Remember, this is a war and in war, rules are often broken. Don't bemoan the tactics by the other side. They are in it to win. In a war with two countries, they might start out agreeing to play by certain rules, but in the heat of the battle, you will break rules when everything you stand for including your life or your families is at stake. In this contest, second place is meaningless if you have an opponent who will not build bridges to ensure success.

Feel free to call me if you want to discuss further.

Gary Gates

713-899-7870

ggates@gatescoinc.com