

# AFL-CIO

## 2005 Senate Scorecard

### 109th Congress—First Session

1. **CLASS ACTION OVERHAUL/CIVIL RIGHTS AND LABOR CASES—S. 5**— The so-called Class Action Fairness Act, backed the Bush administration and corporate interests, shifts many class action lawsuits from state to federal courts, which already are overburdened and reluctant to review such cases. In addition, many states provide greater protection and stiffer penalties than federal law. As a result of the shift to federal courts, many employers will be shielded from back-pay suits altogether. An amendment to keep state wage and hour claims, such as disputes on overtime pay, in state courts failed Feb. 9, 2005, 40-59 (R: 0-54; D: 39-5; I: 1-0) AFL-CIO Position: Y=Right; N=Wrong
2. **MINIMUM WAGE—S. 256**—The federal minimum wage of \$5.15 an hour has not been raised since 1997. Adjusted for inflation, the real value of the wage has fallen by more than 20 percent. But Congress had voted to raise its pay seven times since 1997. During debate on the bankruptcy bill (S. 256), Sen. Edward Kennedy (D-Mass.) offered an amendment to raise the minimum wage to \$7.25 an hour in three steps over 26 months. The amendment failed to get the 60 votes needed under a procedural agreement and was defeated March 7, 2005, 46-49 (R: 4-49; D: 41-0; I: 1-0) AFL-CIO Position: Y=Right; N=Wrong
3. **OVERTIME AND OTHER WAGE PROTECTIONS—S. 256**—In a move to provide political cover to opponents of raising the minimum wage, Sen. Rick Santorum (R-Pa.) offered an amendment to the bankruptcy bill (S. 256) to increase the minimum wage by \$1.10 an hour (compared with Kennedy's \$2.10 an hour proposal). But Santorum tied the raise to rollbacks in other wage and hour protections. The amendment would have allowed employers to substitute an 80-hour, two-week work period for the current 40-hour week. It would have disqualified as many as 10 million workers at firms with less than \$1 million in annual revenues from the minimum wage, overtime pay and equal pay protections under the Fair Labor Standards Act. The amendment would have lowered the minimum wage for many tipped employees and allowed 90 percent of businesses to avoid penalties for first-time violations—even willful violations—of information collection requirements, including reporting on hazardous chemicals and pension fund management. The amendment failed to get the 60 votes needed under a procedural agreement March 7, 2005. 38-61 (R:38-17; D: 0-43; I:0-1) AFL-CIO Position: Y=Wrong; N=Right

4. **BANKRUPTCY/WORKERS' WAGE PRIORITY**—S. 256—The credit card industry and the banking community joined the Bush administration in pushing a bankruptcy bill (S. 256) that made it more difficult for working families to secure bankruptcy protection from the courts. In an attempt to somewhat level the playing field, an amendment was introduced that would have protected workers from losing vacation and severance pay when their employers declare bankruptcy. The amendment failed on March 9, 2005, 48-52 (R: 3-52; D: 44-0; I: 1-0) AFL-CIO Position: Y=Right; N=Wrong
5. **SOCIAL SECURITY**—S. Con. Res. 18—The Bush administration has vigorously fought to privatize Social Security, but working families, seniors, unions and consumer and other groups mobilized to block the effort that would weaken Social Security and its guaranteed benefits. Most analyses of Social Security privatization proposals predict deep benefits cuts and a huge increase federal debt. Sen. Bill Nelson (D-Fla.) offered an amendment to the Senate budget resolution (S. Con. Res. 18) that would have expressed the sense of the Senate that Congress should reject any Social Security plan that requires deep benefit cuts or a massive increase in debt. The amendment failed on March 15, 2005, 50-50 (R: 5-50; D: 44-0; I: 1-0) AFL-CIO Position: Y=Right; N=Wrong
6. **MEDICAID**—S Con. Res. 18—The Bush administration's budget proposal included \$14 billion in Medicaid cuts over five years. Such large cuts would devastate state budgets and result in more uninsured and uncompensated care, the cost of which often is shifted to employer-sponsored health plans. A bipartisan amendment to the Senate budget resolution (S. Con. Res. 18) to reject those cuts passed on March 17, 2005, 52-48 (R: 7-48; D: 44-0; I: 1-0) AFL-CIO Position: Y=Right; N=Wrong
7. **IMMIGRATION**—H.R. 1268—During consideration of a supplemental appropriations bill (H.R. 1268), a bipartisan amendment addressing documented and undocumented migrant farm workers was offered. The measure, which represented a compromise between farm worker advocates and agricultural employers, would reform the agricultural guest worker program known as H-2A. The amendment would provide an avenue for 500,000 undocumented farm workers to qualify for an earned adjustment program with a path to permanent residence, along with additional legal protections for workers who hold H-2A visas. Opponents staged a filibuster and a cloture motion (which takes 60 votes) to end debate on the bill failed April 19, 2005, 53-45 (R: 15-40; D: 7-5; I: 1-0) AFL-CIO Position: Y=Right; N=Wrong
8. **TRADE/CAFTA**—S. 1307—President George W. Bush tabbed the Dominican Republic-Central American Free Trade Agreement (CAFTA) his top trade priority. CAFTA cuts tariffs among the United States, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras and Nicaragua. But the agreement, which is modeled after the North American Free Trade Agreement (NAFTA), does not contain adequate environmental protections or enforceable protections

for such core workers' rights as the freedom to form unions. CAFTA likely will exacerbate poverty and inequality in Central America, while further eroding good jobs and wages at home. At the same time, its excessive protections for multinational corporations will undermine the ability of governments to protect public health, strong communities and the environment. The bill passed June 30, 2005, 54-45 (R: 43-12; D: 10-33; I: 1-0) AFL-CIO Position: Y=Wrong; N=Right

9. **ENERGY BILL—H.R. 6**—The overhaul of the nation's energy policy (H.R. 6) is expected to create thousands of jobs through the construction of pipelines, power plants and new nuclear power facilities. It also would allow the Federal Energy Regulatory Commission to approve the construction, expansion or operation of any facility that imports or processes natural gas, including liquefied natural gas. The Senate passed the conference report on the bill July 29, 2005, 74-26 (R: 49-6; D: 25-19; I: 0-1) AFL-CIO Position: Y=Right; N=Wrong
10. **HIGHWAY/TRANSIT BILL—H.R. 3**—The highway bill is a six-year, \$286 billion reauthorization of the federal highway and transit construction program. The massive infrastructure modernization bill will create 1 million family-supporting jobs, protected by Davis Bacon prevailing wage standards. The Senate passed the conference report July 29, 2005, 91-4 (R: 48-4; D: 42-0; I:1-0) AFL-CIO Position: Y=Right; N=Wrong
11. **ROBERTS SUPREME COURT NOMINATION**—President Bush nominated John G. Roberts, a judge on the U.S. Court of Appeals for the D.C. Circuit, to become chief justice of the U.S. Supreme Court. But during Senate confirmation hearings, Roberts failed to allay concerns about his record on civil rights, voting rights, equal pay for women, heightened scrutiny for gender discrimination under the Constitution, public education for children of immigrants and other important working family issues. In addition, the Bush administration refused to provide documents from Roberts' tenure in the first Bush administration (contrary to established practice for other Supreme Court nominations), preventing the Senate from fully examining Roberts' suitability for this lifetime appointment. The Senate confirmed Roberts Sept. 29, 2005, 78-22 (R: 55-0; D: 22-22; I: 1-0) AFL-CIO Position: Y=Wrong; N=Right
12. **BUDGET RECONCILIATION/MEDICARE—S. 1932**—For seniors, Medicare Part B insurance pays for physician and other medical costs. But seniors faced an increase in their Part B premiums because Congress enacted an increase in Medicare payments to physicians but failed to enact savings from Medicare payments to private health plans. An amendment that would have protected seniors from steep increases in their Medicare Part B premiums failed Nov. 3, 2005, 49-50 (R: 5-50; D: 43-0; I: 1-0) AFL-CIO Position: Y=Right; N=Wrong

**13. BUDGET RECONCILIATION—TAX CUTS FOR THE WEALTHY—S.**

2020—As part of the budget reconciliation process, which included tax cut and spending cut legislation, the Bush administration and congressional Republican leaders were seeking \$70 billion in tax cuts, mostly for the wealthy, paid for in part by huge cuts in vital working family programs. After some changes, the Senate passed a \$60 billion tax cut bill, with more than three-quarters of the benefits going to families with \$100,000 or more in annual income. The bill passed Nov. 18, 2005, 64-33 (R: 49-4; D: 15-28; I: 0-1) AFL-CIO Position: Y=Wrong; N=Right

**14. BUDGET RECONCILIATION—SPENDING CUTS CONFERENCE**

**REPORT—S. 1932—** As part of the budget reconciliation process, which included tax cut and spending cut legislation, the Bush administration and congressional Republican leaders sought more than \$50 billion in spending cuts for vital working family programs to help pay for huge tax cuts aimed mostly at the wealthy. The Senate and House passed separate spending cut bills and a conference to reconcile the two bills resulted in a \$39.7 billion package of spending cuts for Medicaid, Medicare, student aid, child support enforcement and other working family programs. The vote on the conference report was 50-50, and Vice President Dick Cheney, who serves as president of the Senate and only votes in case of a tie, cast the tie-breaking vote Dec. 21, 2005, 50-50 (R: 50-5; D: 0-44; I: 0-1) AFL-CIO Position: Y=Wrong; N=Right



**Indiana**

Bayh (D)	R	R	R	R	R	R	R	R	R	R	R	R	R	R	Y	14	0	100%	78	7	<b>92%</b>
Lugar (R)	W	W	W	W	W	W	R	W	R	R	W	W	W	W		3	11	21%	38	346	<b>10%</b>

**Iowa**

Grassley (R)	W	W	W	W	W	W	W	W	R	R	W	W	W	W		2	12	14%	41	272	<b>13%</b>
Harkin (D)	R	R	R	R	R	R	R	R	R	R	R	R	R	R	Y	14	0	100%	215	20	<b>91%</b>

**Kansas**

Brownback (R)	W	W	W	W	W	W	W	W	R	R	W	W	W	W		2	12	14%	7	92	<b>7%</b>
Roberts (R)	W	W	W	W	W	W	W	W	R	A	W	W	W	W		1	12	8%	7	92	<b>7%</b>

**Kentucky**

Bunning (R)	W	W	W	W	W	W	W	W	R	R	W	W	W	W		2	12	14%	12	72	<b>14%</b>
McConnell (R)	W	W	W	W	W	W	W	W	R	R	W	W	W	W		2	12	14%	27	211	<b>11%</b>

**Louisiana**

Landrieu (D)	R	R	R	R	R	R	R	R	R	R	W	R	W	R	Y	12	2	86%	78	21	<b>79%</b>
Vitter (R)	W	W	R	W	W	W	W	R	R	R	W	W	W	W		4	10	29%	4	10	<b>29%</b>

**Maine**

Collins (R)	W	W	R	R	R	R	W	R	R	R	W	R	W	R		9	5	64%	32	68	<b>32%</b>
Snowe (R)	W	W	W	R	R	R	R	R	R	R	W	R	W	R		9	5	64%	47	72	<b>39%</b>

**Maryland**

Mikulski (D)	R	A	A	R	R	R	R	R	R	R	R	R	R	R	Y	12	0	100%	186	11	<b>94%</b>
Sarbanes (D)	R	R	R	R	R	R	R	R	W	R	R	R	R	R	Y	13	1	93%	370	14	<b>96%</b>

**Massachusetts**

Kennedy, E. (D)	R	R	R	R	R	R	R	R	W	R	R	R	R	R	Y	13	1	93%	451	32	<b>93%</b>
Kerry (D)	R	R	R	R	R	R	R	R	W	R	R	R	R	R	Y	13	1	93%	202	20	<b>91%</b>

**Michigan**

Levin, C. (D)	R	R	R	R	R	R	R	R	R	R	W	R	R	R	Y	13	1	93%	323	27	<b>92%</b>
Stabenow (D)	R	R	R	R	R	R	R	R	R	R	R	R	W	R	Y	13	1	93%	65	3	<b>96%</b>

**Minnesota**

Coleman (R)	W	R	W	W	W	R	R	W	R	R	W	W	W	W		5	9	36%	8	31	<b>21%</b>
Dayton (D)	R	R	R	R	R	R	R	R	R	R	R	R	W	R	Y	13	1	93%	67	1	<b>99%</b>

**Mississippi**

Cochran (R)	W	W	R	W	W	W	W	W	R	R	W	W	W	W		3	11	21%	48	295	<b>14%</b>
Lott (R)	W	W	R	W	W	W	W	W	R	R	W	W	A	W		3	10	23%	17	160	<b>10%</b>

**Missouri**

Bond (R)	W	W	R	W	W	W	W	W	R	R	W	W	W	W		3	11	21%	36	161	<b>18%</b>
Talent (R)	W	W	W	W	W	W	W	W	R	R	W	R	W	W		3	11	21%	7	32	<b>18%</b>

**Montana**

Baucus, M. (D)	R	A	R	R	R	R	R	R	R	R	W	R	W	R		11	2	85%	259	87	<b>75%</b>
Burns (R)	W	W	W	W	W	W	R	R	R	R	W	R	W	W		5	9	36%	24	157	<b>13%</b>

**Nebraska**

Hagel (R)	W	W	W	W	W	W	R	W	R	R	W	W	W	W		3	11	21%	12	86	<b>12%</b>
Nelson, Ben (D)	W	R	R	R	R	R	R	W	R	R	W	R	W	R		10	4	71%	48	19	<b>72%</b>

**Nevada**

Ensign (R)	W	A	W	W	W	W	W	W	R	R	W	W	W	W		2	11	15%	8	57	<b>12%</b>
Reid, H. (D)	R	R	R	R	R	R	R	R	W	R	R	R	R	R	Y	13	1	93%	183	18	<b>91%</b>

**New Hampshire**

Gregg (R)	W	W	R	W	W	W	W	W	W	W	W	W	W	W		1	13	7%	5	131	<b>4%</b>
Sununu (R)	A	W	R	W	W	W	W	W	W	A	W	W	W	W		1	11	8%	1	35	<b>3%</b>

**New Jersey**

Corzine (D)	R	R	R	R	R	R	R	R	W	R	R	A	A	R	Y	11	1	92%	64	1	<b>98%</b>
Lautenberg (D)	R	R	R	R	R	R	R	R	W	R	R	R	R	R	Y	13	1	93%	215	23	<b>90%</b>

**New Mexico**

Bingaman (D)	R	R	R	R	R	R	R	W	R	R	W	R	R	R	Y	12	2	86%	222	44	<b>83%</b>
Domenici (R)	W	R	W	W	W	W	R	W	R	R	W	W	W	W		4	10	29%	89	348	<b>20%</b>

<b>New York</b>																					
Clinton (D)	R	R	R	R	R	R	R	R	W	R	R	R	W	R	Y	12	2	86%	61	5	<b>92%</b>
Schumer (D)	R	R	R	R	R	R	R	R	W	R	R	R	W	R	Y	12	2	86%	77	8	<b>91%</b>
<b>North Carolina</b>																					
Burr (R)	W	W	R	W	W	W	W	W	R	R	W	W	R	W	4	10	29%	4	10	<b>29%</b>	
Dole (R)	W	W	W	W	W	W	W	W	R	R	W	W	W	W	2	12	14%	7	32	<b>18%</b>	
<b>North Dakota</b>																					
Conrad (D)	R	A	R	R	R	R	W	R	R	R	W	R	R	R	11	2	85%	171	32	<b>84%</b>	
Dorgan (D)	R	R	R	R	R	R	W	R	R	R	W	R	R	R	Y	12	2	86%	122	14	<b>90%</b>
<b>Ohio</b>																					
DeWine (R)	W	R	W	W	R	R	R	W	R	R	W	R	W	R	8	6	57%	24	95	<b>20%</b>	
Voinovich (R)	W	W	W	W	W	W	R	W	R	R	W	W	R	W	4	10	29%	21	63	<b>25%</b>	
<b>Oklahoma</b>																					
Coburn (R)	W	W	R	W	W	W	W	W	R	R	W	W	W	W	3	11	21%	3	11	<b>21%</b>	
Inhofe (R)	W	W	R	W	W	W	W	W	R	R	W	W	W	W	3	11	21%	15	104	<b>13%</b>	
<b>Oregon</b>																					
Smith, G. (R)	W	W	W	W	W	R	R	W	R	A	W	W	W	R	4	9	31%	21	77	<b>21%</b>	
Wyden (D)	R	R	R	R	R	R	R	W	W	R	W	R	R	R	Y	11	3	79%	91	16	<b>85%</b>
<b>Pennsylvania</b>																					
Santorum (R)	W	W	W	W	W	W	W	W	R	R	W	W	W	W	2	12	14%	14	102	<b>12%</b>	
Specter (R)	W	A	W	R	R	R	R	R	R	R	W	W	W	W	Y	7	6	54%	190	117	<b>62%</b>
<b>Rhode Island</b>																					
Chafee (R)	W	R	R	W	W	R	R	W	W	R	W	W	R	R	7	7	50%	38	39	<b>49%</b>	
Reed, J. (D)	R	R	R	R	R	R	R	R	W	R	R	R	R	R	Y	13	1	93%	95	4	<b>96%</b>
<b>South Carolina</b>																					
DeMint (R)	W	W	R	W	W	W	W	W	R	R	W	W	W	W	3	11	21%	3	11	<b>21%</b>	
Graham (R)	W	W	W	W	R	W	W	R	R	R	W	W	W	W	4	10	29%	7	31	<b>18%</b>	
<b>South Dakota</b>																					
Johnson, Tim (D)	R	R	R	R	R	R	R	R	R	R	W	R	W	R	Y	12	2	86%	89	9	<b>91%</b>
Thune (R)	W	W	W	W	W	W	W	R	R	R	W	W	W	W	3	11	21%	3	11	<b>21%</b>	
<b>Tennessee</b>																					
Alexander, L. (R)	W	W	R	W	W	W	W	W	R	R	W	W	W	W	3	11	21%	3	36	<b>8%</b>	
Frist (R)	W	W	W	W	W	W	W	W	R	R	W	W	W	W	2	12	14%	9	110	<b>8%</b>	
<b>Texas</b>																					
Cornyn (R)	W	W	R	W	W	W	W	W	R	W	W	W	W	W	2	12	14%	3	36	<b>8%</b>	
Hutchison (R)	W	W	W	W	W	W	W	W	R	R	W	W	W	W	2	12	14%	10	123	<b>8%</b>	
<b>Utah</b>																					
Bennett (R)	W	W	W	W	W	W	W	W	R	R	W	W	W	W	2	12	14%	9	126	<b>7%</b>	
Hatch (R)	W	W	W	W	W	W	W	W	R	R	W	W	W	W	2	12	14%	42	340	<b>11%</b>	
<b>Vermont</b>																					
Jeffords (I)	R	R	R	R	R	R	R	W	W	R	W	R	R	R	11	3	79%	95	79	<b>55%</b>	
Leahy (D)	R	R	R	R	R	R	R	R	W	R	W	R	R	R	Y	12	2	86%	366	56	<b>87%</b>
<b>Virginia</b>																					
Allen, G. (R)	W	W	W	W	W	W	W	W	R	R	W	W	W	W	2	12	14%	9	59	<b>13%</b>	
Warner (R)	W	W	W	W	W	W	R	W	R	R	W	W	W	W	3	11	21%	57	295	<b>16%</b>	
<b>Washington</b>																					
Cantwell (D)	R	R	R	R	R	R	R	W	R	R	R	R	W	R	Y	12	2	86%	60	8	<b>88%</b>
Murray (D)	R	R	R	R	R	R	R	W	W	R	W	R	R	R	Y	11	3	79%	119	16	<b>88%</b>
<b>West Virginia</b>																					
Byrd (D)	R	R	R	R	R	R	W	R	R	R	W	R	R	R	Y	12	2	86%	433	121	<b>78%</b>
Rockefeller (D)	R	R	R	R	R	R	W	R	R	R	W	R	R	R	Y	12	2	86%	216	24	<b>90%</b>
<b>Wisconsin</b>																					
Feingold (D)	R	R	R	R	R	R	R	R	W	R	W	R	R	R	Y	12	2	86%	129	9	<b>93%</b>
Kohl (D)	W	R	R	R	R	R	R	R	R	R	W	R	R	R	Y	12	2	86%	145	36	<b>80%</b>

**Wyoming**

Enzi (R)	W	W	W	W	W	W	W	R	R	R	W	W	W	W		3	11	21%	10	87	<b>10%</b>
Thomas, C. (R)	W	W	W	W	W	W	W	R	R	R	W	W	W	W		3	11	21%	9	109	<b>8%</b>

**VOTE KEY**

**R = VOTED RIGHT**

**W = VOTED WRONG**

**A = ABSENT / DID NOT VOTE YEA OR NEY**

**I = NOT IN OFFICE**