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## Top Votes in Congress: 2013

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After a long reign as Capitol Hill's most voted-on and divisive issue, the Affordable Care Act (ACA) is set to play a similarly outsized role in this year's congressional campaigns. The legislative signature of the Obama administration could tip the outcome of close races and change the balance of power in Washington as constituents reward or punish incumbents for their voting records on the law.

The verdicts from back home in November will have their sharpest impact on the Senate, where Republicans need a net gain of six seats in this fall's 35 races to become the majority party. That would put the GOP in charge of the entire legislative branch — assuming Republicans retain control of the House, as they are heavily favored to do given that Democrats would need a net pickup of 17 seats this fall in fewer than three dozen competitive races to take charge there.

As long as the new health law enacted without GOP support remains unpopular in opinion polls, Republicans will attempt to hang it around the necks of their Democratic opponents. The administration's fumbles as the law was implemented handed the GOP an issue to take the political spotlight away from the partial government shutdown Republicans triggered in the fall in their zeal to block the law from taking effect.

The GOP-led House conducted 29 votes on the health law last year, more than on defense, homeland security, foreign affairs or any other subject. About half of the House votes were on direct attacks on the law, while others dealt with procedural squabbles. But each Republican bill the House passed died quickly in the Democratic-controlled Senate. The Senate voted only once on the ACA last year. That roll call, on a GOP bid to repeal the law, is included along with a House repeal vote in this report on 24 of Congress's most newsworthy votes of the 2013 session.

Also charted here are votes to increase the federal minimum wage; end the government shutdown; advance the Keystone XL pipeline; extend unemployment benefits; curb National Security Agency surveillance; expand background checks of gun buyers; further restrict abortions; pass a five-year farm bill; retain the Guantanamo Bay military prison; pass the Dream Act allowing some children who entered the country illegally to remain in the U.S.; tighten border security; overhaul immigration laws; protect women against violence; restrict Senate filibusters; cut food stamps spending; pass a regular budget and confirm the Consumer Financial Protection Bureau's first director.

The health law entered 2014 with its major benefits finally in place, two million enrollees in its federal and state insurance exchanges and several million Americans newly eligible for expanded Medicaid programs in 25 states and the District of Columbia. But the ACA remained under water in just about every major opinion poll, weighted down by years of criticism from the right and self-inflicted wounds such as the flawed launch of the healthcare.gov website and President Obama's mistaken assurance that no one would be forced to change their health insurance coverage.

The president "repeatedly promised Americans that they could keep their current healthcare plans and doctors if they chose, but millions have found out the hard way that this was the 'Lie of the Year,'" said Tim Phillips, president of Americans for Prosperity, in unveiling his group's ad campaign against Senate Democrats running for re-election after voting for the healthcare law.

Democrats predict that public opinion will move their way now that the ACA is on track to provide tens of millions of previously uninsured Americans with health security and tangible benefits that show the GOP's long-running gloom-and-doom narrative to be a campaign of misinformation.

"Voters won't forget that it was Democrats who were fighting for middle-class families during the healthcare debate" while Republicans advocated repeal, the Democratic Congressional Campaign Committee declares on its website, charging that some Republicans are now trying "to squirm away from their repeal efforts."

Democrats note that House Republicans have voted dozens of times since 2010 to repeal or dismantle the ACA but have not presented an alternative healthcare program for debate and votes. The last time a comprehensive Republican health plan reached a House vote was on Nov. 7, 2009. The bill was defeated, 176-258, in a chamber controlled by Democrats.

When the House voted last May to abolish the ACA, Majority Leader Eric Cantor, R-Va., said "we should repeal 'Obamacare' and replace it with the health care that the American people desire." Rep. George Miller, D-Calif., said in the same debate: "The Republicans don't have an alternative. They only have obstruction and repeal as part of their program." When House Speaker John Boehner, R-Ohio, was asked at a December press conference if he would allow a GOP health bill to reach the floor this year, he said: "We'll see."

Here are summaries of the 24 issues covered in this report:

### In the House

**1. Violence Against Women:** The House on Feb. 28 voted, 286-138, to renew the Violence Against Women Act through fiscal 2018. A yes vote was to send President Obama a bill (S 47) adding protections for battered illegal immigrants, gays and lesbians as well as victims of rape and domestic violence on Indian lands and college campuses.

### In the Senate

**1. Violence Against Women:** The Senate on Feb. 12 renewed, 78-22, the Violence Against Women Act through fiscal 2018. A yes vote was to send the House a bill (S 47) adding protections for gays and Native American and Alaska Native women while extending programs to help victims of domestic and campus violence, battered illegal immigrants and others.

## In the House

**2. Minimum-Wage Increase:** Voting 184-233, the House on March 15 defeated a bid by Democrats to increase the federal minimum wage from \$7.25 to \$10.10 per hour as part of a GOP workplace bill (HR 803). A yes vote was to raise the minimum wage for the first time since 2009.

**3. Health-Law Repeal:** The House on May 16 voted, 229-195, to repeal the Affordable Care Act. This was the third House vote to repeal the law following its enactment in March 2010. A yes vote was to send the bill to the Senate, where it was shelved. (HR 45)

**4. Keystone XL Pipeline:** The House on May 22 approved, 241-175, the building of the Keystone XL Pipeline between the Canadian border and Steele City, Neb. This would have taken authority over the project away from the executive branch, which is weighing the proposal. A yes vote was to send HR 3 to the Senate.

**5. Guantanamo Bay Detainees:** The House on June 4 refused, 170-254, to clear the way for closing the U.S. military prison at Guantanamo Bay, Cuba. The underlying bill (HR 2216) effectively barred the transfer of detainees from Guantanamo to maximum-security military or civilian U.S. prisons. A yes vote was to strip the bill of that prohibition and allow transfers.

**6. The Dream Act:** The House on June 6 voted, 224-201, to block an administration policy that achieves goals of the Dream Act, which is stalled in Congress. The proposed law would bar deportation of those under 31 who entered the U.S. illegally as children, have clean records and have met certain educational or military criteria. A yes vote was in opposition to the Dream Act. (HR 2217)

**7. Stricter Abortion Ban:** The House on June 18 voted, 228-196, to outlaw abortions beyond 20 weeks after fertilization on grounds that the fetus can feel pain by then. This would upend the Supreme Court's holding in *Roe v. Wade* that a woman has a right to choose to have an abortion until her fetus reaches viability, or the potential to live outside the womb, which can occur as early as 24 weeks after fertilization. A yes vote was to send HR 1797 to the Senate.

## In the Senate

**2. Health Law Repeal:** The Senate on March 13 defeated, 45-52, a GOP bid to repeal the Affordable Care Act until U.S. economic growth returns to the range of 3 to 5 percent. A yes vote was to kill the health law despite Democrats' arguments that voters affirmed it by re-electing President Obama. (HR 933)

**3. Expanded Gun Checks:** The Senate on April 17 failed, 54-46, to reach 60 votes needed to advance a measure to require criminal and mental-health background checks on most gun purchases. A yes vote backed the so-called Manchin-Toomey amendment to greatly expand background checks on gun sales. (S 649)

**4. Food Stamps Cuts:** The Senate on May 21 refused, 40-58, to trim \$30 billion from the \$800 billion, 10-year budget in a five-year farm bill (S 954) for food stamps, known formally as the Supplemental Nutrition Assistance Program (SNAP). The program already was cut by \$4 billion in the bill. A yes vote was to further cut food stamps.

**5. Five-Year Farm Law:** The Senate on June 10 sent to the House, 66-27, a bill shaping U.S. farm and food programs for five years at a 10-year cost of nearly \$1 trillion. A yes vote was to pass S 954, which would end direct payments to growers, subsidize and expand crop insurance and cut spending on food stamps.

**6. Border Security:** Voting 69-29, the Senate on June 26 amended S 744 (below) to further tighten the southern border against illegal crossings. A yes vote was to double the number of Border Patrol agents to 40,000, deploy drones and lay a blanket of electronic surveillance at a 10-year cost of \$46 billion.

**7. Immigration Overhaul:** The Senate on June 27 voted, 68-32, to open a path to citizenship for 11 million undocumented immigrants, tighten the southern border, require employers to verify the legal status of employees and establish visa programs for high- and low-skilled workers. A yes vote was to send S 744 to the House.

## In the House

### **8. NSA Telephone-Records Dragnet:**

The House on July 24 defeated, 205-217, an amendment to HR 2397 that sought to end the National Security Agency's bulk collection of records of most phone calls in America under Section 215 of the USA Patriot Act. A yes vote was to outlaw a dragnet that is operated without specific warrants and which gathers a record, not the content, of phone calls.

**9. Food Stamps Cuts:** The House on Sept. 19 voted, 217-210, to cut spending on food stamps by \$4 billion annually over 10 years, to about \$75 billion annually. A yes vote was to pass a GOP bill (HR 3102) that would disqualify an estimated four million recipients by allowing states to toughen work requirements and impose drug testing.

### **10. Deal To Open Government, Pay**

**Debt:** The House on Oct. 16 passed, 285-144, a bill to fund the entire government through Jan. 15, 2014, and authorize Treasury borrowing through Feb. 7, 2014, to pay U.S. debts, among other provisions. A yes vote was to send HR 2775 to President Obama, who immediately signed it into law.

**11. Unemployment Insurance:** The House on Dec. 12 blocked, 227-195, a parliamentary tactic by Democrats to force a direct vote on their bid for three more months of checks for 1.3 million long-term jobless whose eligibility was to expire Dec. 28. A yes vote opposed the bid for a direct vote on extended unemployment benefits.

**12. Two-Year Budget Deal:** The House on Dec. 12 passed, 332-94, a two-year budget deal to slightly increase discretionary spending, ease the impact of the blind cuts known as sequestration, raise a variety of taxes and fees by \$7 billion over 10 years and slow growth in deficit spending. A yes vote was to pass HJ Res 59.

## In the Senate

**8. Richard Cordray Confirmation:** The Senate on July 16 voted, 66-34, to confirm Richard Cordray as director of the Consumer Financial Protection Bureau. He had been leading the new agency since 2012 under a recess appointment. A yes vote was to confirm Cordray for a five-year term.

### **9. Deal To End Shutdown, Raise Debt**

**Cap:** The Senate on Oct. 16 passed, 81-18, a bill (HR 2775) to end the partial government shutdown that began Oct. 1. A yes vote was to send the House a bill to provide stopgap funding for all agencies through Jan. 15, 2014, suspend the U.S. debt limit through Feb. 7, 2014, and require House-Senate negotiators to produce a long-term budget plan within three months.

### **10. Guantanamo Bay Detainees:**

The Senate on Nov. 19 refused, 43-55, to renew Congress's ban on transferring detainees from the Guantanamo Bay, Cuba, military prison to "super-max" incarceration in the U.S. A yes vote was to strip S 1197 of language allowing commanders to consider transfers to the U.S. on a case-by-case basis.

**11. Filibuster Rules Change:** The Senate on Nov. 21 voted, 52-48, to set a simple-majority, up-or-down vote as the threshold for advancing presidential nominees other than Supreme Court nominees. This rules change was dubbed "the nuclear option" because it is a politically explosive rollback of longstanding minority rights in the Senate. A yes vote was to require simple-majority votes rather than 60 votes to end filibusters of presidential nominees in the 100-member Senate.

**12. Two-Year Budget Deal:** The Senate on Dec. 18 passed, 64-36, a two-year budget deal to increase discretionary spending, raise certain fees and taxes, ease the impact of the blind cuts known as sequestration and slow growth in deficit spending. A yes vote was to send HJ Res 59 to President Obama.

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