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Top Votes in Congress: 2015

By **Richard G. Thomas**

Editor, Voterama in Congress

Against a backdrop of enemy advances in Syria and Iraq and recent terrorist attacks on Western targets as close to home as southern California, Congress approved measures in December to expand war-fighting accounts in the military budget, fund U.S. intelligence agencies at record levels, tighten visa procedures, add new layers of refugee screening and step up government and private-sector defenses against cyber attacks.

But the year-end security push steered clear of bills that would formally authorize America's expanding war against the Islamic State in Iraq and Syria (ISIS). Instead, Congress stood by the post-9/11 Authorization of Military Force (AUMF) as the main legal basis of U.S. actions in the Middle East, even though three out of four current members of the House and Senate were not yet in office when that measure was adopted.

In defense of the status quo, members of both parties said the 15-year-old AUMF was sufficiently broad to cover a wide range of tactics against ISIS short of major troop deployments. And with elections approaching, few lawmakers were anxious to cast conspicuous votes on yet another U.S. intervention in the Middle East or endure a floor debate over the merits of sending GIs to face death or injury there.

And some members said it would be wrong for the current Congress to pass an AUMF limiting the next president's military options. "We're going to have a new president a year from now," Senate Majority Leader Mitch McConnell, R-Ky., told CQ-Roll Call. "He or she may have a different view about the way to deal with ISIS and that part of the world."

But advocates of immediate congressional debate and votes on an updated war authorization argued that current lawmakers should be held accountable for policies and words that put military lives at risk. They noted that the Constitution gives Congress, not the president, authority to declare war, and that inaction on Capitol Hill cedes unchecked power to the executive.

"We can always find a way to send our brave men and women overseas to fight and die in these wars, but we can't ever seem to find the backbone or the time to debate and authorize them," Rep. Jim McGovern, D-Mass., said on the House floor June 11. "Failure to act is an abdication of our constitutional responsibilities as members of Congress," Rep. Scott Rigell, R-Va., said Dec. 10 in promoting his bill to authorize military force against ISIS.

This report covers 24 of Congress's most newsworthy votes during the 2015 session, including a House roll call (#4, below) aimed at forcing a vote on whether to authorize

war against ISIS — the year's only vote in either chamber on the subject. The report also spotlights votes on bolstering cyber security, curbing National Security Agency powers, screening Syrian refugees, tightening visa rules, denying gun sales to those on terrorist watch lists and clearing the way for a six-nation nuclear deal with Iran.

In addition, the report covers votes pitting environmental protection against concerns over government regulations, including roll calls on whether to limit carbon emissions from power plants, authorize the Keystone XL pipeline and kill a rule on headwaters proposed under the Clean Water Act.

And it shows where members stood on efforts to defund Planned Parenthood; advance the proposed Trans-Pacific Trade Partnership; require most financial advisers to adhere to fiduciary standards; block pro-labor rules on union elections; allow millions of student loans to be refinanced; enact protections for lesbian, gay, bisexual and transgender individuals; place stricter limits on abortions and reauthorize elementary and secondary education programs.

Finally, the report spotlights a bill now signed into law that made dozens of business and personal tax breaks permanent at the cost of adding \$622 billion to the national debt over 10 years.

Here are summaries of 24 of the most important votes in Congress in 2015:

In the House

- 1. Keystone XL Pipeline, Reality of Climate Change:** By a vote of 270-152, the House on Feb. 11 passed a bill approving construction of the Keystone XL Pipeline between the Canadian border and Steele City, Neb., while declaring "climate change is real and not a hoax." A yes vote was to send the legislation (S 1) to President Obama, who vetoed it.
- 2. Steps to Foil Cyber Attacks:** The House on April 22 passed, 307-116, a bill encouraging companies struck by cyber attacks to voluntarily share sensitive data on the incident with U.S. agencies in real time so that broad defenses could be quickly mounted to protect the government and private sectors. The bill largely immunizes companies submitting data from lawsuits based on privacy violations. A yes vote was to send the bill (HR 1560) to the Senate. The president signed a similar bill into law (Issue #21, below).
- 3. Government Spy Powers:** The House on May 13 voted, 338-88, to bar the National Security Agency (NSA) from collecting bulk data on Americans' telephone calls and other telecommunications under laws including the USA Patriot Act. The prohibition was

In the Senate

- 13. New Rule for Union Elections:** The Senate on March 4 voted, 53-46, to disapprove of a new National Labor Relations Board rule that would quicken the pace of union elections. In part, the rule bars lawsuits filed mainly to delay the election process, and allows forms to be filed electronically with the NLRB instead of by regular mail. A yes vote was to send SJ Res 8 to the House, which passed the measure. It was vetoed by President Obama.
- 14. Student-Loan Refinancing:** The Senate on March 25 refused, 46-53, to establish authority for student-loan refinancing in the Republican budget blueprint for fiscal 2016 and later years (S Con Res 11). A yes vote was to allow tens of millions of borrowers to refinance their student loans down to interest rates that prevailed during the 2013-2014 school year.
- 15. To Provide LGBT Protections:** The Senate on April 22 failed, 56-43, to reach 60 votes needed to adopt a Democratic-sponsored measure that would renew the Runaway and Homeless Youth Act with explicitly stated anti-discrimination protections for lesbian, gay, bisexual and transgender

In the House

added to a bill that renewed three sections of the Patriot Act that were due to expire June 1. A yes vote was to send HR 2048 to the Senate.

4. Authorization of Force Against ISIS:

The House on June 11 refused, 196-231, to require Congress to formally authorize America's military efforts against Islamic State in Iraq and Syria (ISIS) forces by March 2016. A yes vote was to push Congress toward passage of a war authorization that would supplant the 2001 Authorization for Use of Military Force (AUMF) as the main legal basis for the current campaign against ISIS. (HR 2685)

5. Trans-Pacific Trade Partnership:

The House on June 18 passed, 218-208, a bill (HR 2146) that would allow the proposed Trans-Pacific Trade Partnership to move through Congress without amendments or filibusters. The fate of the agreement depends on future House and Senate votes. A yes vote was to send the Senate a bill setting fast-track rules for later debates on the Pacific trade pact.

6. Defunding Planned Parenthood: The House on Sept. 29 voted, 236-193, to allow states to deny payments to medical providers including Planned Parenthood for health services provided to Medicaid recipients. The effort to cut off payments to Planned Parenthood reflected longstanding conservative opposition to the organization's providing of abortions using non-federal funds. Though the Supreme Court ruled in *Roe v. Wade* that women have a right to choose to have abortions, current law prohibits federal funding of the procedure. A yes vote was to send HR 3495 to the Senate, where it stalled.

7. Fiduciary Standards for Financial Advisers:

The House on Oct. 27 voted, 245-186, to sidetrack a proposed Department of Labor regulation that would require those who sell financial advice to retail investors to adhere to fiduciary standards obligating them to put clients' interests ahead of their own profits. A yes vote was to send HR 1090 to the Senate, where it stalled.

8. Added Screening of Syrian Refugees:

The House on Nov. 19 voted, 289-137, to require the secretary of Homeland Security, FBI director and director of national intelligence

In the Senate

(LGBT) individuals. A yes vote was to adopt an amendment to S 178 containing LGBT protections.

16. Government Spy Powers: Voting 67-32, the Senate on June 2 gave final congressional approval to a bill (HR 2048) to end the National Security Agency's collection and storage of bulk data on Americans' telecommunications under Section 215 of the USA Patriot Act. The logs would remain with telephone companies, and the government would need court approval to gain access to specific records in the form of metadata. The bill also would renew three sections of the USA Patriot Act that were soon to expire. A yes vote was to send the bill to President Obama, who signed it into law.

17. Trans-Pacific Trade Partnership:

Voting 60-38, the Senate on June 24 sent President Obama a bill (HR 2146) allowing trade deals including the proposed Trans-Pacific Partnership to move through Congress without amendments or filibusters. A yes vote was to set fast-track rules for trade debates over the next six years. The president signed the measure into law.

18. Defunding Planned Parenthood: The Senate on Aug. 3 failed, 53-46, to reach 60 votes needed to advance a GOP-drafted bill that would end federal grants and Medicaid payments to the Planned Parenthood Federation of America, a nonprofit organization that provides health care, including abortion and other reproductive services, to low-income women and men at 700 clinics. A yes vote supported the funding cutoff. (S 1881)

19. Green Light for Iran Nuclear Deal:

The Senate on Sept. 10 failed, 58-42, to reach 60 votes needed to advance a Republican bid to block an international agreement aimed at preventing Iran from producing nuclear weapons for 10-to-15 years or longer. A yes vote was to kill the deal on grounds, in part, that it is weak on verification and dangerous to Israel. (HJ Res 61)

20. Stricter Abortion Limits: The Senate on Sept. 22 failed, 54-42, to reach 60 votes needed to advance a bill (HR 36) that would outlaw abortions at or beyond 20 weeks after fertilization on grounds that a fetus can feel pain by then. There would be exceptions for

In the House

to clear each refugee applicant from Syria or Iraq. A yes vote was to pass a bill (HR 4038) that added several steps to the current two-year-long vetting process for such individuals. The bill later failed in the Senate.

9. To Kill Rule on Carbon Emissions:

Voting 242-180, the House on Dec. 1 adopted a GOP-drafted measure that would kill a new Environmental Protection Agency rule designed to limit carbon emissions from existing coal- and gas-fired power plants. A yes vote was to send the measure (SJ Res 24) to President Obama, who vetoed it.

10. To Tighten Visa Rules: The House on Dec. 8 voted, 407-19, to tighten the Visa Waiver Program, which allows nationals of 38 countries, mostly in Europe, to enter the United States visa-free for up to 90 days. In part, the bill would exclude from the program those who have traveled to Iraq or Syria during the preceding five years, or who have dual citizenship with Iraq, Syria, Iran or Sudan. A yes vote was to send HR 158 to the Senate, where it was shelved.

11. Guns, Explosives, Terror Watch List:

The House on Dec. 10 blocked, 242-173, a Democratic motion to force an immediate floor vote on a bill stalled in the Judiciary Committee that would bar the sale of firearms or explosives to individuals on the FBI's terrorist watch list. A yes vote was to block a floor vote on the gun-control bill (HR 1076).

12. \$622 Billion in Tax Breaks, Deficits:

The House on Dec. 17 voted, 318-109, to extend several dozen tax deductions and credits that benefit families, individuals, businesses and other parties. The bill, which did not include offsetting revenue measures, would add \$622 billion to the national debt over 10 years, or more than \$700 billion when Treasury borrowing costs are factored in. This bill was later combined with a \$1.15 trillion spending measure (HR 2029), passed by the Senate and signed into law by President Obama.

In the Senate

pregnancies resulting from rape or incest, or abortions needed to save the life of the pregnant woman. The 20-week threshold would be at odds with the Supreme Court's ruling in *Roe v. Wade* that abortion is legal up until viability of the fetus, which occurs at about 24 weeks or later. A yes vote was to advance the bill.

21. Steps to Foil Cyber Attacks: The Senate on Oct. 27 passed, 74-21, a bill (S 754) encouraging companies struck by cyber attacks to voluntarily share sensitive data on the incident with federal agencies in real time so that broad defenses can be quickly mounted to protect the government and private sectors. The bill largely immunizes companies submitting data from lawsuits based on privacy violations. A yes vote was to pass a bill that President Obama later signed into law.

22. Clean Water Dispute: The Senate on Nov. 3 failed, 57-41, to reach 60 votes needed to advance a Republican bill that would kill a new Environmental Protection Agency rule giving protection under the Clean Water Act to waters such as wetlands and tributaries upstream of navigable waters. A yes vote was to advance S 1140 to full debate.

23. Guns, Terrorist Watch List: By a vote of 45-54, the Senate on Dec. 3 defeated an amendment that sought to add a new prohibition against the sale of firearms or explosives to individuals on the FBI's terrorist watch list. The amendment was offered to a bill (HR 3762) that would repeal the 2010 health law. A yes vote supported the gun-control amendment.

24. Elementary and Secondary Education: Voting 85-12, the Senate on Dec. 9 passed a bill extending elementary and secondary education programs for four years while devolving considerable authority to states and localities. The bill would continue reading and math testing started in 2002, but would allow local authorities to develop their own measures for responding to test scores. A yes vote was to send the conference report on S 1177 to President Obama, who signed it into law.

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