

HOUSE OF REPRESENTATIVES

1. Digital Tech Corps (83)

Summary: AFGE strongly supported an amendment which would have eliminated obvious conflict of interest problems that would have been created by the establishment of a controversial personnel exchange program between information technology contractors and federal agencies.

AFGE Activists continued to complicate the once pleasant and serene lives of federal service contractors with their tough, take-no-prisoners grassroots lobbying. On April 10, an AFGE-backed amendment, sponsored by Representative Henry Waxman (D-CA), to the controversial Digital Tech Corps Act (H.R. 3925), was defeated, by a vote of 204-219, but only after contractors were forced to anxiously scrape and scramble for House Republican votes.

The Digital Tech Corps Act, sponsored by Representative Tom Davis (R-VA), would establish an exchange program to encourage agencies to temporarily assign contractor executives to manage agencies' information technology programs and information technology service contracts. This legislation is another form of contracting out: instead of hiring and training the necessary in-house staff, the work is given to short-term contractor executives.

Understanding the obvious conflict of interest problems created by such an exchange program, Representative Waxman offered an amendment to prevent these incoming contractor executives from gaining access to trade secrets and confidential information. To improve the federal government's ability to manage its information technology efforts, the Waxman amendment would also have established a rigorous training program for federal employees. Speaking on behalf of his amendment, Mr. Waxman cited the support of AFGE and the AFL-CIO, and read an excerpt from a letter written by AFGE National President Bobby L. Harnage, Sr.

2. Immigration and Naturalization Service (114)

Summary: AFGE strongly opposed an amendment that would have stripped thousands of federal employees in the Immigration and Naturalization Service of traditional civil service protections.

Even before the tragic events of September 11, some House Republicans were trying to eliminate traditional civil service protections for employees involved in homeland security. On April 25, Representative Darrell Issa (R-CA) offered an amendment that would have fundamentally jeopardized basic employee rights, limited the ability of Congress to gain access to critical information about agency activities, and dramatically increased an already severe attrition rate within the

Immigration and Naturalization Service (INS) by placing most of the workforce in the excepted service.

The Issa amendment would have given INS the authority to circumvent the civil service system for hiring purposes. Essentially, it would have constituted a throw-back to the era of federal hiring based on patronage and cronyism--which the civil service system was created to prevent. The amendment, which would at a minimum have facilitated and possibly even encouraged such abuse, would have been particularly problematic when applied to a beleaguered agency such as INS. As a result of bipartisan opposition, the Issa amendment failed by a vote of 145-272.

Three House Republicans spoke eloquently against the Issa amendment during the debate.

Representative James Sensenbrenner (R-WI) declared that,

“(T)he question of placing all immigration employees in the excepted service merits extensive investigation before it is done. A change as radical as this, by placing them in the excepted service, should be carefully considered. Before introducing this bill, I did extensive investigation and oversight in practically every part of the country where the Immigration Service has a lot of business, including in San Diego, I might add. And some of the most useful information that we have heard today and during the consideration of this bill came from the unionized employees that I insisted upon meeting with, apart from management, to find out what was really going on. If they did not have the protection of the civil service laws, we would not have much of this information.

“I have never had employees of the FBI or the CIA or other agencies in the excepted service be as frank and honest with me during the time that I have served in Congress as I have tried to learn how these agencies work.

“So keeping them out of the excepted service I think is important, at least in terms of having candor on the part of the employees. That is something that the amendment of the gentleman from California (Mr. Issa) would take away. I would not have found out about all the problems in San Diego if the employees that met with me were afraid that they would be fired by their district director because they were meeting face to face with me and I came out with information in public on how bad things were.”

Representative Tom Davis (R-VA), also spoke against the Issa amendment,

“If you are trying to recruit and retain the best in Federal employees, why are you going to take away the right to independent review, the right of appeal, and make them basically employees at will? No one is going to leave a job in the private sector or move laterally from another agency if they are going to be subject to those restrictions. If we have a problem, let us look at the overall civil service system in that context instead of putting pieces into different agencies. It is going to become unmanageable in my judgment. So I urge my colleagues to vote against this particular amendment.”

Representative Connie Morella (R-MD) pointed out that,

“While this amendment purports to give the newly created Agency for Immigration Affairs more flexibility in its hiring process, it actually would eliminate all employee protections in disciplinary cases and worsen an already severe attrition problem within the ranks of the INS. According to INS statistics, the FY 2002 loss rate for Border patrol agents is 14% and could rise to 20 percent by the end of the year.

“The Issa amendment would also effectively deny Congress critical information on a wide range of immigration issues because current employee protections would be removed. Consequently, employee ‘whistleblowers’ would be discouraged from disclosing information for fear of losing their jobs.

“In addition, allowing all positions within the new agency to be considered ‘excepted service’ positions would lead to the kind of political patronage and cronyism the civil service was created to prevent.”

After the tragic events of September 11, Bush Administration officials followed in the footsteps of Representative Issa and used the legislation to establish a Department of Homeland Security as the pretext for gutting the civil service protections and collective bargaining rights of tens of thousands of federal employees, including those in INS. The same arguments applied, but the votes were much different. (See Votes #4 and #5.) Of the three House Republicans who argued so persuasively against the Issa amendment, only Representative Morella remained true to her original position.

3. OMB Privatization Quotas (336)

Summary: AFGE strongly supported an amendment to eliminate the use of the infamous OMB numerical privatization quotas.

AFGE Activists racked up a major win on July 24 when an amendment to the Treasury and Postal Appropriations Bill (H.R. 5120), which prohibited the use of the notorious Office of Management and Budget (OMB) privatization quotas, passed the House of Representatives, overwhelmingly, by a vote of 261-166. The effort was led by Representative Jim Moran (D-VA). His two fellow co-sponsors were Representatives Frank Wolf (R-VA) and Connie Morella (R-MD).

While they could continue to contract out under the Moran amendment, agencies would be freed from the OMB numerical privatization quotas. OMB has directed all agencies, regardless of their missions or needs, to review for outsourcing, either with or without public-private competition, at least 5% (42,500) of their commercial jobs in FY02, another 10% (85,000) in FY03, and at least 50% (425,000) by the end of calendar year 2004. These arbitrary, one-size-fits-all outsourcing quotas have been heavily criticized.

The House floor fight over the Moran amendment was conducted in the shadow of a formal veto threat from President Bush's top advisors. Contractors also lobbied vigorously in defense of the outsourcing quotas, including the following organizations: Aerospace Industries Association, Airport Consultants Council, American Congress on Surveying and Mapping, American Council of Independent Laboratories, American Council of Engineering Companies, American Electronics Association, American Institute of Architects, Associated General Contractors of America, Business Executives for National Security Contract Services Association of America, Design Professionals Coalition, Electronic Industries Alliance, Information Technology Association of America, Management Association for Private Photogrammetric Surveyors, National Association of RV Parks and Campgrounds, National Defense Industrial Association, National Society of Professional Engineers, Professional Services Council, Small Business Legislative Council, Textile Rental Services Association of America, The National Auctioneers Association, and United States Chamber of Commerce.

Fortunately, the pro-taxpayer / pro-federal employee side had a real advantage during the floor debate. Contractors could only convince two lawmakers-Representatives Ernest Istook (R-OK) and Pete Sessions (R-TX)-to defend the privatization quotas.

Standing alongside Representatives Moran, Wolf, and Morella, however, were Representatives Tom Davis (R-VA), Norm Dicks (D-WA), Eleanor Holmes Norton (D-DC), Ted Strickland (D-OH), Danny Davis (D-IL), Steve Rothman (D-NJ), Steny Hoyer (D-MD), Henry Waxman (D-CA), and Ron Kind (D-WI). The support of Representative Davis, the chair of the House Government Reform Subcommittee on Technology and Procurement Policy, was key to AFGE's wide margin of victory.

Representatives Istook and Sessions made naked appeals to anti-union bias. Representative Istook insisted that, *"However, the federal employees unions, which are perhaps the strongest labor unions in the country, say 'We do not want (savings) to happen. We do not care if it saves taxpayers money, we want to make sure that these are union jobs.'* Later, the Oklahoma lawmaker declared that, *"Nobody has any control over the federal bureaucracy under (Mr. Moran's) amendment except, of course, the federal employee labor unions. That is not right."* Mr. Sessions insisted that the fight over the outsourcing quotas *"is all about federal employee labor unions, government labor unions versus the White House."*

Fortunately, a large majority of lawmakers saw through such arguments and voted in favor of the Moran amendment. While AFGE Activists should be very proud of garnering 52 Republican votes, especially in the face of a bullying veto threat from the Director of OMB, they should also take credit for securing the support of every single Democrat who voted—from Northeastern labor lefties to Blue Dog Southern Democrats.

4. DHS Collective Bargaining Rights (356)

Summary: AFGE strongly opposed an amendment that made it even easier for management in the new Department of Homeland Security to take collective bargaining rights away from its workforce.

During its July 11 markup of the homeland security legislation (H.R. 5005), the House Government Reform Committee approved, 21-19, an amendment offered by Rep. Connie Morella (R-MD) to protect the union representation rights of the 40,000 unionized federal employees slated to move into the new Department of Homeland Security (DHS). Representative Morella and two other Republicans—Representatives Benjamin Gilman (NY) and John McHugh (NY)—joined 17 Democrats and one Independent in voting for the amendment to ensure collective bargaining rights for DHS employees.

However, the House Republican leadership, at the request of the Bush Administration, stripped H.R. 5005 of the Morella amendment before sending the legislation to the floor. After failing to reattach her amendment, by a vote of 208-222, Representative Morella led the opposition to an amendment offered by Representative Christopher Shays (R-CT) that would have made it even easier for management in DHS to take collective bargaining rights away from its workforce.

AFGE has always appreciated the need for balance between the need to ensure homeland security and the important role collective bargaining plays in ensuring homeland security. The law already allows managers to ignore collective bargaining rights to the maximum extent during any emergency. Under 5 U.S.C. 7106, "nothing (in the chapter establishing collective bargaining rights) shall

affect the authority of any management official of any agency...to take whatever actions may be necessary to carry out the agency mission during emergencies."

The establishment of a new Department of Homeland Security (DHS), however, could allow managers to unfairly exclude all employees merely because of the name of the agency, even though the employees, in their old agencies, had been performing exactly the same work as proud union members. Under 5 U.S.C. 7112, employees "engaged in intelligence, counterintelligence, investigative, or security work that directly affects national security" can be denied their collective bargaining rights. Similarly, under 5 U.S.C. 7103, an agency or part of an agency can be excluded from the collective bargaining process if it is determined that "the agency has as a primary function intelligence, counterintelligence, investigative, or national security work, and (collective bargaining rights) cannot be applied to that agency or subdivision in a manner consistent with national security requirements and considerations."

Merely because an employee performs work related to homeland security should not automatically mean that his union membership should be outlawed. Department of Defense employees have put their lives on the line for decades in conflicts around the world. Collective bargaining rights never kept them from performing their important work. The same is equally true of the tens of thousands of union members in General Services Administration, Customs Services, Immigration and Naturalization Service, and the other agencies to be made part of DHS.

The Shays amendment would have allowed the agency to strip DHS employees of their collective bargaining rights, even if they had been union members for years and were performing the same work as they performed in their old agencies, with a written determination that their collective bargaining rights had "a substantial adverse impact on the DHS' ability to protect homeland security." Affected employees would have no appeal to the Federal Labor Relations Authority. Given that President Bush had earlier in the year stripped more than 500 Department of Justice employees of their collective bargaining rights apparently in order to stave off an organizing drive, the Shays amendment gives DHS managers an opportunity to practice the same union-busting tactics—but on a much greater scale, considering the agency's workforce may be as large as 170,000. On July 26, the House voted to make such union-busting possible, by a vote of 229-201.

5. DHS Civil Service Protections (360)

Summary: AFGE strongly supported an amendment that would have restored traditional Title 5 civil service protections to employees being transferred to the new Department of Homeland Security.

Repudiating the bipartisan vote of lawmakers on the House Government Reform Committee, the House Republican leadership rewrote the legislation establishing the Department of Homeland Security (DHS) (H.R. 5005) to remove its workforce from Title 5, thus eliminating traditional civil service protections in favor of leaving to the discretion of managers decisions over hiring, firing, paying, and promoting.

Even the Bush Administration's Office of Personnel Management (OPM) acknowledges that managers already retain significant authority over all phases of the federal employment process. In fact, in literature distributed to Bush Administration appointees, OPM officials write, "You may be surprised to discover how flexible Title 5 is in meeting your organizational needs." However, the Bush Administration eagerly seized upon the tragic events of September 11 to advance stalled schemes to transform the civil service into a spoils system. Bush Administration officials acknowledged that its approach to DHS would serve as a model for gutting the civil service process in the rest of the federal government.

Outraged over the impact on DHS employees and fearful of the precedent that would be set for other agencies, Representative Henry Waxman (D-CA) led the fight to restore traditional Title 5 protections to the legislation. However, on July 26, one of the darkest days in the history of the federal workforce, the House of Representatives voted down the Waxman amendment by a vote of 208-220.

6. Economic Stimulus (38)

Summary: AFGE opposed a so-called economic stimulus bill because it constituted: (1) an ineffective stimulus that would benefit primarily wealthier tax-filers, and (2) an irresponsible fiscal policy that would adversely affect federal employees' jobs and benefits.

AFGE opposed a Republican economic stimulus bill (H.R. 622) when it was used primarily as a way to pursue special tax cuts for large corporations and wealthy individuals, not as a means to stimulate a flagging economy or to strengthen a sharply deteriorating fiscal budget situation.

For example, a major provision in the Republican stimulus bill involved reducing the 27 percent marginal tax rate to 25 percent in 2002 – and thereby accelerating the implementation of rate reductions scheduled to take effect in 2004 and 2006. But this provision had two serious problems:

- (1) Ineffective Stimulus – For the economy to receive an effective stimulus in the short run, tax-cut beneficiaries must spend their extra dollars. But the Congressional Budget Office reported that accelerating the implementation of the 25 percent rate would benefit only the top one-

quarter of all tax filers – not middle-income taxpayers as supporters of this proposal frequently claimed. And these more affluent taxpayers were more likely to save more - and spend less - of their tax cut than taxpayers with lower incomes. That is why CBO essentially gave this proposal a failing grade as a stimulus measure.

- (2) Fiscally Irresponsible – Accelerating these marginal rate reductions, which the Joint Committee on Taxation estimated would cost \$12.8 billion in 2002 and \$53.7 billion between 2002 and 2011 represented unsound fiscal policy when new CBO projections indicated that the federal budget outlook had deteriorated markedly. In 2001, the cumulative budget surpluses between 2002 and 2011 totaled \$5.6 trillion. The February 2002 CBO estimates placed the total surpluses at \$1.6 trillion – a \$4 trillion reduction. Locking in these rate reductions would weaken the nation's ability to address future fiscal problems – a budget situation that could result in significant cuts in federal employees' jobs and benefits.

The House approved H.R. 622 by 225-199 vote on February 14, 2002.

7. Budget Resolution (79)

Summary: AFGE opposed the budget resolution because it failed to face up to the sharply deteriorating federal budget situation - a budget situation that could result in significant cuts in federal employees' jobs and benefits.

When President George W. Bush took office, he inherited a strong federal budget situation from the Clinton administration, with a January 2001 Congressional Budget Office (CBO) report projecting a total budget surplus of \$313 billion in FY 2002 and \$5.6 trillion over the FY 2002-2011 period.

Over the course of 2001, President Bush promised the American people that they could have it all: large tax cuts, spending on key priorities, and paying down the national debt, all within the framework of a balanced federal budget.

However, his promises proved not to be true. The 2001 tax cuts have helped deplete the federal budget surplus, with CBO projecting in August 2002 a total budget deficit of \$157 billion in FY 2002 (a drop of \$470 billion) and a budget surplus of only \$336 billion over the FY 2002-2011 period (a drop of \$5.3 trillion from its January 2001 projection).

Given the House Republicans' fiscal responsibility rhetoric, it was hoped they would face up to the sharply changed budget realities and possibly reverse last year's huge tax cut. In fact, the House budget resolution sidestepped and camouflaged the fiscal challenges the nation faces. For example, the resolution: (1) uses the substantially rosier budget assumptions of the Office of Management and Budget rather than the assumptions of the Congressional Budget Office; (2) includes \$82 billion over five years in unspecified cuts in non-defense

appropriated programs other than homeland security; and (3) omits various inevitable costs, such as, the considerable costs of preventing the individual Alternative Minimum Tax from encroaching heavily upon the middle class in coming years.

Federal employees should be concerned about the deteriorating budget situation – and the failure of the House budget resolution to face up to that situation – because it will have seriously adverse consequences for them. The budget deterioration will provide ammunition to those in the Bush administration and Congress who tend to act as if federal employees are simply budget costs to be cut rather than human capital assets to be valued. As in the past, many federal employees could lose their jobs, and those who survive could suffer pay freezes, reductions in earned retirement benefits, cost-shifting in health insurance, and relentless pressure to carry out their agencies' missions with inadequate funding for equipment, training, and staffing.

The House passed the AFGE-opposed budget resolution by a 221-209 vote on March 20, 2002.

8. Pension Security Reform (90)

Summary: When the House considered post-Enron pension reform legislation, AFGE supported a pro-employee substitute that provided improved information and disclosure, increased employee control and participation in savings plans, fairness and equity in retirement security, and greater pension plan accountability.

AFGE supported the Democratic substitute offered by Rep. George Miller (D-CA) when the House considered the Republican-sponsored Pension Security Act (H.R. 3762). This legislation was a response to the Enron scandal and the terrible losses its employees experienced in their 401(k) retirement plans.

While the National Pension Rights Center concluded that H.R. 3762 itself was “a business protection proposal,” the AFGE-supported Democratic substitute would have provided significantly better protection for workers' pension plans. Among other things, the Democratic substitute provided:

- Executive Accountability. – Would require plan participants to be notified of any significant sales of employer stock by executives or plan fiduciaries. Significant stock sales are sales of \$100,000 or more.
- Honest, Accurate and Timely Information for Employees. – Pension plans would be prohibited from giving misleading information; required regular benefit statements to workers, including notice about the importance of diversification; provided at least 30-day advance notice of plan lockdowns, including the right to make investment changes that are implemented

- before a lockdown imposed civil penalties for failure to provide accurate information to employees.
- Unbiased, Independent Investment Advice. – Provided for independent financial advice for employees when company stock was offered as an investment option under the plan.
 - Gave Employees a Voice on Pension Boards. – Required pension plans to include rank-and-file employees on Pension Boards, where critical decisions about workers' retirement security are made.
 - Lockout Restrictions. – Prohibit executives from bailing out of employer stock they own if the rank and file employees are prohibited from selling their stock under the pension plan.
 - Parity of Benefits for Executive and Rank-and-File Workers. – Closes current law loophole that provides special treatment for executive pension plans. Enron showered its executives with special executive deferred compensation benefits (that were paid outside the reach of bankruptcy and the claims of creditors), while rank-and-file employees are still standing in line with all other creditors with little hope of recovery any of the billions of pension benefits that were lost.
 - Gives Employees Control Over Their Retirement Savings. – Gives employees the right to diversify company-matched stock after 3 years of plan participation.
 - Additional Protections for Workers' Pension Benefits. – Requires plan fiduciaries to secure insurance in an amount sufficient to cover benefits under the plan; gives employees the right to be made whole in court for 401(k) plan abuses; and protects whistleblowers.
 - Tougher Criminal Enforcement. – Toughens current law criminal penalties for fiduciaries who violate workers' pension rights.

The House rejected the Democratic substitute by a 187-232 vote on April 11, 2002.

9. Corporate and Auditing Accountability (108)

Summary: AFGE supported strong reform legislation that mandated tough corporate responsibility and strict accounting industry reforms to restore integrity to the nation's financial markets and protect the savings of millions of working Americans.

AFGE supported the Democratic substitute offered by Rep. John LaFalce (D-NY) when the House considered the Republican-sponsored Corporate and Auditing Accountability Act of 2002 (H.R. 3763). This legislation was a response to the Enron bankruptcy scandal.

The LaFalce substitute, which took on powerful Wall Street and big money interests on behalf of working families, contained five critical elements:

- (1) Created a powerful new regulatory board with the authority and responsibility to ensure that auditors would be truly independent and objective. It provided for a regulator that would: set audit and quality standards for auditors of public companies; possess sweeping investigative and disciplinary powers over audit firms; and be controlled by a board comprised of public members and not the accounting industry.
- (2) Banned auditors from providing their audit clients with two nonaudit services – financial reporting systems design and internal auditing.
- (3) Included important corporate governance reforms that would have ensured that the audit committees of public companies have the authority they need to better protect shareholder interests. It ensured that audit committees, not management, would be responsible for hiring and firing the auditors. It also required that audit committees approve any consulting services that auditors provide to an audit client.
- (4) Included three Bush administration proposals on corporate responsibility: (a) require CEOs and CFOs to certify the accuracy of their firms' financial statements, (b) require corporate officers who falsify their financial statements to disgorge their compensation, including stock bonuses and other pay incentives, for any period in which they falsified statements, and (c) empower the SEC to bar officers and directors from serving as an officer or director of a public company if they had been found guilty of wrongdoing and determined to be unfit.
- (5) Sought to ensure that stock analysts were truly independent by: barring analysts from holding stock in the companies they cover, prohibiting analysts' pay from being based on their firms' investment banking revenue, and barring their firms' investment banking department from having any input into analysts' pay or promotion.

The House rejected the LaFalce substitute by a 202-219 vote on April 24, 2002.

10. Permanent Repeal of Estate Tax (219)

Summary: AFGE opposed a bill that would make permanent the estate tax repeal enacted in 2001 because it would be extremely costly and benefit only a few, very rich individuals.

AFGE opposed a Republican leadership bill (H.R. 2143) to make permanent the estate tax repeal enacted last year when Congress passed the Bush tax cut legislation (P.L. 107-16).

Last year's Bush tax cut legislation lowers the top estate tax rate to 45 percent by 2007, increases the estate tax exemption to \$3.5 million (\$7 million for a couple) by 2009, and then repeals the estate tax altogether in 2010. But the repeal expires at the end of 2010, as part of the general expiration of all provisions of the Bush tax cut legislation. Following this 2010 expiration, the estate tax reverts

to prior law, with a top rate of 55 percent and an exemption of \$675,000 (\$1,350,000 for a couple).

AFGE opposed making permanent the repeal of the estate tax because it would be extremely costly. The Joint Committee on Taxation estimates that a permanent estate tax repeal would cause a \$55 billion revenue loss in 2011 alone. In the decade after 2011, the revenue losses from making permanent the estate tax repeal are estimated to total \$800 billion. Locking in such large revenue losses would significantly undercut the Social Security and Medicare systems just as large numbers of baby boomers start to retire.

AFGE also opposed making permanent the estate tax repeal because it would benefit only a few, very rich individuals. IRS data for 1999, the latest year available, show that only two percent of the estates of the people who died that year – when the exemption was \$650,000 (\$1,300,000 for a couple) – were subject to the tax. Of that two percent, the bulk of estate taxes were paid by the 3,300 wealthiest estates with assets in excess of \$5 million.

Moreover, these figures reflect the effects of the estate tax when the exemption was only \$650,000 (\$1,300,000 for a couple). As the exemption level rises between now and 2009, fewer estates will be affected by the estate tax, with only the very wealthiest estates paying any tax. The Center on Budget and Policy Priorities estimates that in 2009 – when the exemption will be \$3.5 million (\$7 million for a couple) – only one-half of one percent of all estates will be taxable.

Unfortunately, the House passed the AFGE-opposed H.R. 2143 by a 256-171 vote on June 6, 2002.

11. Constitutional Tax Limitation (225)

Summary: AFGE opposed an attempt to enshrine an extreme, anti-tax philosophy in the Constitution which likely would have required significant cuts in federal employees' jobs and benefits.

AFGE opposed H. J. Res. 96, which would require a two-thirds vote in both the House and the Senate for almost any bill that would increase taxes. Under the measure, the Congress could waive the supermajority requirement only to pass a tax increase during a period of declared war between the United States and another country, or when the Congress and the President have enacted a resolution stating that the United States is engaged in a military conflict which threatens national security.

Since it would become nearly impossible to increase revenues, the Congress would instead be forced to eliminate important government programs and lay off valuable federal employees in order to reduce any deficits that might subsequently arise.

The AFGE-opposed measure was defeated by a vote of 227-178, on June 12. A two-thirds majority vote of those present and voting (281 in this case) is required to pass a joint resolution proposing an amendment to the Constitution.

12. Medicare Prescription Drug Benefit (282)

Summary: AFGE opposed an inadequate Medicare prescription drug benefit bill that required America's elderly to pay the lion's share of prescription drug costs and failed to provide them with guaranteed prescription drug coverage.

AFGE opposed a House Republican-supported Medicare prescription drug benefit bill (H.R. 4954) because it fell far short of meeting the needs of America's elderly.

First, the House Republican bill provides very meager coverage, forcing the elderly to pay the lion's share of their prescription drug costs. Instead of continuous, comprehensive coverage, the bill has copayment gimmicks and gaps that require beneficiaries to shoulder more and more of the financial burden as their drug costs rise – 20 percent up to \$1,000; 50 percent from \$1,001 to \$2,000, and then 100 percent from \$2,001 to \$3,699. Nearly half of all seniors have drug costs more than \$2,000 each year and would be subject to this gap in coverage.

Second, the House Republican bill did not guarantee prescription drug coverage for the elderly. This is because the bill seeks to provide prescription drug coverage through private insurance companies – rather than through the Medicare program. Such “drug only” insurance does not currently exist, and many health policy experts seriously doubt whether private insurers could offer it at an affordable price. The pool of elderly Americans who would want the insurance is likely to consist of those who have the most need for expensive medicine.

Further, while the bill suggests model premiums, copayments, and benefits, it also provides that private insurers/HMOs can offer coverage the freedom to go around these suggested requirements as long as they were “actuarially equivalent” to the model package. Thus, the elderly would have no guarantee about the premiums they would need to pay, the cost-sharing they would bear, the drugs that would be covered, and under what conditions they could obtain those drugs.

The House passed the AFGE-opposed H.R. 4954 by a 221-208 vote on June 28, 2002.

13. Expanding NAFTA (370)

Summary: AFGE opposed the Andean Trade Agreement because, among other things, it had no sanctions to enforce provisions dealing with workers' rights or the environment and had negligible assistance for workers who lose their jobs because of trade.

AFGE opposed the conference report on the Andean Trade Preference Expansion Act (H.R. 3009), which will, as noted by the United Auto Workers, "grease the skids for an expansion of the North American Free Trade Agreement (NAFTA) to the rest of South and Central America." The American manufacturing sector lost over one million jobs during the last year alone because of NAFTA and other flawed trade deals.

The legislation prohibits the use of sanctions to enforce any provisions in a trade agreement relating to workers' rights or environmental protections, thereby precluding any meaningful efforts to address these issues in future trade agreements; and it completely eviscerates provisions that sought to protect U.S. anti-dumping laws and other trade remedies. Moreover, the legislation reduces the federal contribution for health care coverage for laid off workers to only 65 percent. However, the conference report was passed by the House, on July 27, by a vote of 215-212.

STATE	CD	PARTY	REPRESENTATIVE	1	2	3	4	5	6	7	8	9	10	11	12	13	AFGE SCORE
				Digital Tech Corps	Immigration & Naturalization	OMB Privatization Quotas	DHS Collective Bargaining	DHS Civil Service Protections	Economic Stimulus	Budget Resolution	Pension Security Reform	Corporate & Auditing Accountability	Permanent Estate Tax Repeal	Constitutional Tax Limitation	Medicare Prescription Drugs	Expanding NAFTA	
ALASKA	AL	R	Don Young	W	R	W	W	W	W	W	W	W	W	W	W	R	15
ALABAMA	1	R	Sonny Callahan	W	W	W	W	W	W	W	?	W	W	W	W	W	0
	2	R	Terry Everett	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	3	R	Bob Riley	W	W	R	W	W	?	W	W	W	W	W	W	W	8
	4	R	Robert Aderholt	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	5	D	Robert Cramer	R	R	R	W	R	W	R	W	R	W	W	R	R	62
	6	R	Spencer Bachus	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	7	D	Earl Hilliard	R	R	R	R	R	R	R	R	R	R	R	R	R	100
ARKANSAS	1	D	Marion Berry	R	R	R	R	R	R	R	R	R	W	W	R	R	85
	2	D	Vic Snyder	R	R	R	R	R	R	R	W	R	R	R	R	W	85
	3	R	John Boozman	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	4	D	Michael Ross	R	R	R	R	R	R	R	W	R	W	W	R	R	77
ARIZONA	1	R	Jeffrey Flake	W	W	W	W	W	W	W	W	W	W	W	R	W	8
	2	D	Ed Pastor	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	3	R	Bob Stump	W	W	W	?	W	?	W	W	W	W	W	W	W	0
	4	R	John Shadegg	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	5	R	Jim Kolbe	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	6	R	J.D. Hayworth	W	W	W	W	W	W	W	W	W	W	W	W	W	0
CALIFORNIA	1	D	Mike Thompson	R	R	R	R	R	R	R	R	R	W	R	R	R	92
	2	R	Wally Herger	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	3	R	Doug Ose	W	R	R	W	W	W	W	W	W	W	W	W	W	15
	4	R	John Doolittle	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	5	D	Robert Matsui	R	?	R	R	R	R	R	R	R	R	R	R	R	92
	6	D	Lynn Woolsey	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	7	D	George Miller	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	8	D	Nancy Pelosi	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	9	D	Barbara Lee	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	10	D	Ellen Tauscher	W	R	R	W	R	R	R	R	R	R	R	R	W	77
	11	R	Richard Pombo	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	12	D	Tom Lantos	?	R	R	R	R	R	R	R	R	R	R	R	R	92
	13	D	Fortney Stark	R	R	R	R	R	R	R	R	?	R	R	R	R	92
	14	D	Anna Eshoo	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	15	D	Michael Honda	R	R	R	R	R	R	R	R	R	R	?	R	R	92
	16	D	Zoe Lofgren	W	R	R	R	R	R	R	R	R	R	R	R	R	92
	17	D	Sam Farr	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	18	D	Gary Condit	R	W	R	R	R	R	R	R	R	W	W	W	R	69
	19	R	George Radanovich	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	20	D	Calvin Dooley	R	R	R	W	R	R	R	W	R	W	R	R	W	69

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KENTUCKY																	
	1	R	Ed Whitfield	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	2	R	Ron Lewis	W	W	R	W	W	W	W	W	W	W	W	W	W	8
	3	R	Anne Northup	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	4	D	Ken Lucas	R	R	R	W	W	W	W	W	W	W	W	W	W	23
	5	R	Harold Rogers	W	R	W	W	W	W	W	W	W	W	W	W	W	8
	6	R	Ernie Fletcher	W	R	R	W	W	W	W	W	W	W	W	W	W	15
LOUISIANA																	
	1	R	David Vitter	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	2	D	William Jefferson	R	R	R	R	R	R	R	R	R	W	R	?	W	77
	3	R	W.J. Tauzin	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	4	R	Jim McCrery	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	5	R	John Cooksey	W	?	W	W	W	W	?	W	W	W	W	W	W	0
	6	R	Richard Baker	W	W	R	W	W	W	W	W	W	W	W	W	W	8
	7	D	Christopher John	R	R	R	R	R	W	R	W	R	W	R	R	W	69
MASSACHUSETTS																	
	1	D	John Olver	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	2	D	Richard Neal	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	3	D	James McGovern	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	4	D	Barney Frank	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	5	D	Martin Meehan	R	R	R	?	?	R	R	?	R	R	R	R	?	69
	6	D	John Tierney	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	7	D	Edward Markey	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	8	D	Michael Capuano	R	R	R	R	R	R	R	R	R	?	R	R	R	92
	9	D	Stephen Lynch	R	R	R	R	R	R	R	R	R	R	?	R	R	92
	10	D	William Delahunt	R	R	?	R	R	R	R	R	R	R	R	R	R	92
MARYLAND																	
	1	R	Wayne Gilchrest	W	R	W	W	?	W	W	W	?	?	W	W	W	8
	2	R	Robert Ehrlich	W	W	R	W	W	W	W	W	W	W	W	W	W	8
	3	D	Benjamin Cardin	R	R	R	R	R	R	R	W	R	R	?	R	R	85
	4	D	Albert Wynn	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	5	D	Steny Hoyer	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	6	R	Roscoe Bartlett	W	W	W	W	W	W	W	W	W	W	W	W	R	8
	7	D	Elijah Cummings	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	8	R	Constance Morella	W	R	R	R	R	R	W	R	W	R	R	W	W	62
MAINE																	
	1	D	Thomas Allen	R	R	R	R	R	R	R	?	R	R	R	R	R	92
	2	D	John Baldacci	R	?	R	R	R	R	R	R	R	R	R	R	R	92
MICHIGAN																	
	1	D	Bart Stupak	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	2	R	Peter Hoekstra	W	R	W	W	W	W	W	W	W	W	W	W	R	15
	3	R	Vernon Ehlers	W	W	W	W	W	W	?	W	W	W	W	W	W	0
	4	R	Dave Camp	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	5	D	James Barcia	R	R	R	R	R	W	R	W	R	W	W	R	R	69
	6	R	Fred Upton	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	7	R	Nick Smith	W	R	R	W	W	W	W	W	W	W	W	R	W	23

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NORTH CAROLINA (cont.)																	
	9	R	Sue Myrick	W	R	W	W	W	W	W	W	W	W	W	W	W	8
	10	R	Cass Ballenger	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	11	R	Charles Taylor	W	W	W	W	W	?	W	W	W	W	W	W	R	8
	12	D	Melvin Watt	R	R	R	R	R	R	R	R	R	R	R	R	R	100
NORTH DAKOTA																	
	AL	D	Earl Pomeroy	R	R	R	R	R	R	R	W	R	R	R	R	R	92
NEBRASKA																	
	1	R	Doug Bereuter	W	R	W	W	W	W	W	W	W	R	R	W	W	23
	2	R	Lee Terry	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	3	R	Tom Osborne	W	W	W	W	W	W	W	W	W	W	W	W	W	0
NEW HAMPSHIRE																	
	1	R	John Sununu	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	2	R	Charles Bass	W	W	W	W	W	W	W	W	W	W	W	W	W	0
NEW JERSEY																	
	1	D	Robert Andrews	R	R	R	R	R	R	R	R	R	R	W	R	R	92
	2	R	Frank LoBiondo	W	R	R	W	W	W	W	W	W	W	W	W	R	23
	3	R	Jim Saxton	W	R	R	W	W	W	W	W	W	W	W	W	W	15
	4	R	Christopher Smith	W	R	R	W	W	W	W	W	W	W	W	W	R	23
	5	R	Marge Roukema	W	R	R	W	W	?	W	?	W	?	R	?	?	23
	6	D	Frank Pallone	R	R	R	R	R	R	R	R	R	R	W	R	R	92
	7	R	Mike Ferguson	W	R	R	W	W	W	W	?	W	W	W	W	W	15
	8	D	Bill Pascrell	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	9	D	Steven Rothman	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	10	D	Donald Payne	R	R	R	R	R	?	R	R	R	R	?	R	R	85
	11	R	Rodney Frelinghuysen	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	12	D	Rush Holt	R	?	R	R	R	R	R	R	R	W	R	R	R	85
	13	D	Robert Menendez	R	R	R	R	R	R	R	R	R	R	?	R	R	92
NEW MEXICO																	
	1	R	Heather Wilson	W	R	W	W	W	W	W	W	W	W	W	W	W	8
	2	R	Joe Skeen	W	R	W	W	W	W	W	W	W	W	W	W	W	8
	3	D	Tom Udall	R	R	R	R	R	R	R	R	R	R	R	R	R	100
NEVADA																	
	1	D	Shelley Berkley	R	R	R	R	R	R	R	R	R	W	W	R	R	85
	2	R	Jim Gibbons	W	W	W	W	W	W	W	W	W	W	W	W	W	0
NEW YORK																	
	1	R	Felix Grucci	W	R	R	W	W	W	W	W	W	W	W	W	W	15
	2	D	Steve Israel	R	R	R	R	R	W	R	R	R	W	R	W	R	77
	3	R	Peter King	W	R	R	W	W	W	W	W	W	W	W	W	W	15
	4	D	Carolyn McCarthy	R	R	R	R	R	W	R	R	R	W	W	R	R	77
	5	D	Gary Ackerman	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	6	D	Gregory Meeks	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	7	D	Joseph Crowley	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	8	D	Jerrold Nadler	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	9	D	Anthony Weiner	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	10	D	Edolphus Towns	?	R	R	R	R	R	R	R	R	R	R	?	R	85

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OKLAHOMA (cont.)																	
	4	R	J.C. Watts	W	R	W	W	W	W	W	W	W	W	W	W	W	8
	5	R	Ernest Istook	W	W	W	W	W	W	W	W	W	W	W	R	W	8
	6	R	Frank Lucas	W	W	W	W	W	W	W	W	W	W	W	W	W	0
OREGON																	
	1	D	David Wu	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	2	R	Greg Walden	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	3	D	Earl Blumenauer	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	4	D	Peter DeFazio	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	5	D	Darlene Hooley	R	R	R	R	R	R	R	R	R	W	R	R	R	92
PENNSYLVANIA																	
	1	D	Robert Brady	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	2	D	Chaka Fattah	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	3	D	Robert Borski	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	4	R	Melissa Hart	W	R	R	W	W	W	W	W	W	W	W	W	W	15
	5	R	John Peterson	W	W	W	W	W	W	W	W	W	?	W	W	W	0
	6	D	Tim Holden	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	7	R	Curt Weldon	W	W	R	W	W	?	R	W	W	W	W	W	R	23
	8	R	James Greenwood	?	W	W	W	W	W	W	W	W	W	W	W	W	0
	9	R	Bill Shuster	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	10	R	Donald Sherwood	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	11	D	Paul Kanjorski	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	12	D	John Murtha	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	13	D	Joseph Hoeffel	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	14	D	William Coyne	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	15	R	Patrick Toomey	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	16	R	Joseph Pitts	W	W	W	W	W	W	?	W	W	W	W	W	W	0
	17	R	George Gekas	W	R	R	W	W	W	W	W	W	W	W	W	W	15
	18	D	Michael Doyle	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	19	R	Todd Platts	W	W	R	W	W	W	W	W	W	W	W	W	W	8
	20	D	Frank Mascara	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	21	R	Phil English	W	R	R	W	W	W	W	W	W	W	W	W	W	15
RHODE ISLAND																	
	1	D	Patrick Kennedy	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	2	D	James Langevin	R	R	R	R	R	R	R	R	R	R	R	R	R	100
SOUTH CAROLINA																	
	1	R	Henry Brown	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	2	R	Joe Wilson	W	W	W	W	W	W	W	W	W	W	W	W	R	8
	3	R	Lindsey Graham	W	W	W	W	W	W	W	W	W	W	W	W	R	8
	4	R	Jim DeMint	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	5	D	John Spratt	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	6	D	James Clyburn	R	R	R	R	R	R	R	R	R	R	R	R	R	100
SOUTH DAKOTA																	
	AL	R	John Thune	W	W	W	W	W	W	W	W	?	W	W	W	W	0

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VIRGINIA																	
	1	R	Jo Ann Davis	W	R	R	W	W	W	W	W	W	W	W	W	R	23
	2	R	Edward Schrock	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	3	D	Robert Scott	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	4	R	J. Randy Forbes	W	W	R	W	W	W	W	W	W	W	W	W	W	8
	5	R	Virgil Goode	W	W	W	W	W	W	W	W	W	W	W	W	R	8
	6	R	Robert Goodlatte	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	7	R	Eric Cantor	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	8	D	James Moran	R	R	R	R	R	R	R	R	R	R	R	R	W	92
	9	D	Rick Boucher	R	R	R	R	R	R	R	R	R	W	R	R	R	92
	10	R	Frank Wolf	W	R	R	W	W	W	W	W	W	W	W	W	W	15
	11	R	Thomas Davis	W	R	R	W	W	W	W	W	?	W	W	W	W	15
VERMONT																	
	AL	I	Bernard Sanders	R	R	R	R	R	R	R	R	R	R	R	R	R	100
WASHINGTON																	
	1	D	Jay Inslee	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	2	D	Rick Larsen	R	R	R	R	R	R	R	R	R	W	R	R	W	85
	3	D	Brian Baird	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	4	R	Richard Hastings	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	5	R	George Nethercutt	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	6	D	Norman Dicks	R	R	R	R	R	R	R	R	R	?	R	W	W	85
	7	D	Jim McDermott	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	8	R	Jennifer Dunn	W	R	W	W	W	W	W	W	W	W	W	W	W	8
	9	D	Adam Smith	R	?	R	R	R	R	R	W	?	R	R	R	W	69
WISCONSIN																	
	1	R	Paul Ryan	?	W	W	W	W	W	W	?	W	W	W	W	W	0
	2	D	Tammy Baldwin	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	3	D	Ron Kind	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	4	D	Gerald Kleczka	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	5	D	Thomas Barrett	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	6	R	Thomas Petri	W	R	R	W	W	W	W	W	W	W	W	W	W	15
	7	D	David Obey	R	R	R	R	R	R	R	?	R	R	R	R	R	92
	8	R	Mark Green	W	W	W	W	W	W	W	W	W	W	W	W	W	0
	9	R	F. James Sensenbrenner	W	R	W	W	W	W	W	W	W	W	W	W	W	8
WEST VIRGINIA																	
	1	D	Alan Mollohan	R	R	R	R	R	R	R	R	R	R	R	R	R	100
	2	R	Shelley Capito	W	R	R	W	W	W	W	W	W	W	W	W	R	23
	3	D	Nick Rahall	R	R	R	R	R	R	R	R	R	R	R	R	R	100
WYOMING																	
	AL	R	Barbara Cubin	W	W	W	W	W	W	W	W	W	W	W	W	W	0

KEY
R = VOTED RIGHT
W = VOTED WRONG
? = DID NOT VOTE
X = COULD NOT VOTE