2012 VOTING RECORD

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO







INTRODUCTION

The American Federation of Government Employees, AFL-CIO, is the nation's largest federal employee union, representing more than 650,000 federal and D.C. government workers nationwide and overseas. Workers in virtually every function of government depend upon AFGE for legislative advocacy, legal representation, technical expertise, and informational services.

AFGE is proud to represent federal and D.C. government workers because they are the vital threads of the fabric of American life. Government workers inspect the food we eat and the places we work. They protect citizens from the illicit flow of drugs, maintain the safety of our nation's borders, and keep the national defense systems prepared for any danger. They care for our nation's veterans and serve as a vital link to Social Security recipients.

AFGE takes seriously its responsibility to protect the rights of the working and middle class Americans who make up the federal and D.C. workforces. The union believes the best way to improve government's effectiveness and efficiency is to treat federal and D.C. workers as valuable resources rather than easy targets.

Federal labor unions, including AFGE, are not currently afforded the same full-scope collective bargaining rights as unions representing private sector workers. For this reason, AFGE relies on a comprehensive legislative and political action program to deal with issues that affect the federal and D.C. workforces. When Congress tackles government employee pay and benefit issues or debates funding of vital government programs, AFGE is on the scene representing its members.

The 2012 Voting Record shows where House and Senate lawmakers stood on the issues that were most important to federal and D.C. workers, as well as other working Americans, during the second session of the 112th Congress. While the 2012 Voting Record is an important tool in monitoring the actions of Congress, it is important to recognize that it is not the sole reflection of a lawmaker's record. The 2012 Voting Record is neither an endorsement nor a condemnation of any Member of Congress.

For more information, please contact AFGE's Legislative and Political Action Department at (202) 639-6413.

HOUSE OF REPRESENTATIVES

1. Unemployment Insurance Extension/Federal Employee Offset – Vote #72

AFGE opposed the conference report on the Payroll Tax Holiday and Unemployment Insurance Extension Act (H.R. 3630) because it would force federal employees hired after 2012 to pay 50 percent of the cost of the one-year Unemployment Insurance extension by requiring them to contribute 3.1 percent of their salaries to their pensions, up from the previous level of 0.8 percent.

Here is how this 2.3 percent tax increase would affect various federal employees:

- For a GS-3 nursing assistant earning \$27,322 while working in a VA hospital psychiatric ward, this would be a \$628 annual tax increase.
- For a GS-5 USDA meat and poultry inspector earning \$31,825 while protecting Americans from E. Coli and other deadly diseases caused by contaminated meat, this would be a \$732 annual tax increase.
- For a GS-7 federal penitentiary correctional officer earning \$38,790 while guarding ruthless gang leaders in dangerously understaffed institutions, this would be an \$893 annual tax increase.

In addition, it is important to note:

- The Unemployment Insurance extension would be temporary, but the additional 2.3 percent tax on new federal employees in this bill would be permanent.
- The 2.3 percent tax on new federal employees would go to a retirement trust fund that is already fully funded. It would not address any kind of shortfall in federal retirement financing.
- According to the Bureau of Labor Statistics' data on private sector defined benefit plans, 96 percent of employers required no funding contribution from their employees. But this bill would force new federal employees to pay 3.1 percent of their incomes for this modest benefit.

The House agreed to the H.R. 3630 conference report on February 17, 2012, by a vote of 293-132 (R: 146-91; D: 147-41). *A "No" vote in opposition of the H.R. 3630 conference report is counted as a "Right" vote.*

2. House FY 2013 Budget Resolution – Vote #151

AFGE opposed the House FY 2013 Budget Resolution (H.Con.Res. 112), a sweeping budget plan devised by House Budget Committee Chairman Paul Ryan (R-WI).

The Ryan budget proposed a dramatic "reverse-Robin-Hood" approach with a large share of its spending cuts coming from programs for modest-income Americans while

providing extremely large tax cuts to the wealthiest Americans. According to the nonpartisan Center on Budget and Policy Priorities, the Ryan budget "would likely produce the largest redistribution of income from the bottom to the top in modern U.S. history and likely increase poverty and inequality more than any other budget in recent times (and possibly in the nation's history)."

With regard to federal employees, the Ryan budget proposed a staggering \$368 billion in additional federal workforce cuts over the next 10 years:

- Federal employees would have their salaries frozen for another three years, through 2015;
- Current federal employees' retirement benefits would be drastically reduced and/or employee contributions greatly increased.
- The federal workforce would be cut by 10 percent, jeopardizing the federal programs and services on which every American relies. This would renege on the compromises of the Budget Control Act of 2011, which will require all federal agencies, including the Department of Defense, the Department of Veterans Affairs, the Department of Homeland Security, and the Social Security Administration to slash their services.

The House agreed to the FY 2013 Ryan budget plan on March 29, 2012, by a vote of 228-191 (R: 228-10; 0-181). A "No" vote in opposition to the FY 2013 Ryan budget plan is counted as a "Right" vote.

3. Small Business Tax Break Act – Vote #177

AFGE opposed the Small Business Tax Break Act (H.R. 9), a bill that would allow businesses with fewer than 500 full-time employees to take a tax deduction equal to 20 percent of their domestic business income. Touted by its proponents as a job creator, the Joint Committee on Taxation found that H.R. 9's economic impact "is so small as to be incalculable." In addition, the Urban Institute/Brookings Institution Tax Policy Center estimated that about 49 percent of the \$46 billion tax break would go to 0.3 percent of people with incomes exceeding \$1 million in 2012 – each receiving an average tax break of more than \$44,000.

The House passed H.R. 9 on April 19, 2012, by a vote of 235-173 (R: 217-10; D: 18-163). A "No" vote in opposition to H.R. 9 is counted as a "Right" vote.

4. Weakening the Dodd-Frank Financial Reform Act – Vote #180

AFGE opposed the Small Business Credit Availability Act (H.R. 3336), a bill that would weaken the Dodd-Frank Financial Reform Act of 2010 and undermine comprehensive oversight of the derivatives market by federal financial regulatory agencies.

The 2008 financial crisis cost the U.S. economy trillions of dollars and millions of jobs, and led to millions of families losing their homes. Lack of oversight in the unregulated derivatives market was a key cause of these enormous losses.

The Dodd-Frank law instituted measures to make derivatives trading more transparent and less risky. It generally called for derivatives swaps to be:

- Traded on designated exchanges thus providing for transparency,
- Cleared by designated organizations which ensures that such organizations accept responsibility to make good on contract obligations, and
- Subject to capital and margin requirements thereby plugging the gaping regulatory hole that allowed the likes of the American International Group (AIG) to take on risks that exceeded its resources.

Since the passage of the Dodd-Frank Act, many in the financial industry have engaged in a concerted effort to weaken it. H.R. 3336 was part of that effort, exempting purportedly small players – even those with up to \$200 billion in notional value of their derivatives exposure - from the Dodd-Frank law and its upcoming regulations.

The House passed H.R. 3336 on April 25, 2012, by a vote of 312-111 (R: 239-0; D: 73-111). *A "No" vote in opposition to H.R. 3336 is counted as a "Right" vote.*

5. Bureau of Prisons/OMB Circular A-76 – Vote #215

AFGE opposed an amendment offered by Rep. Bill Huizenga (R-MI) to the FY 2013 Commerce-Justice-Science (CJS) Appropriations Act (H.R. 5326) that would strike Section 212 from the bill. Section 212 prohibits the use of CJS funds for a public-private competition under OMB Circular A-76 for work performed by federal employees at the Bureau of Prisons (BOP) or Federal Prison Industries (FPI).

Section 212 is necessary because competing BOP and FPI positions would not promote the best interests of the federal government with regard to ensuring the safety and security of federal prisons. Federal correctional workers who work for BOP and FPI are performing at superior levels. It therefore would be ill-advised to compete their positions merely for ideological reasons.

In addition, various studies comparing the costs of federally operated BOP prisons with those of privately operated prisons have concluded - using OMB Circular A-76 cost methodology - that the federally operated prisons are more cost effective than their private counterparts.

The House rejected the Huizenga amendment to H.R. 5326 on May 8, 2012, by a 199-211 vote (R: 193-38; D: 6-173). *A "No" vote in opposition to the Huizenga amendment is counted as a "Right" vote.*

6. Sequester Replacement Reconciliation Act – Vote #247

AFGE opposed the Sequester Replacement Reconciliation Act of 2012 (H.R. 5652), a bill sponsored by House Budget Committee Chairman Paul Ryan (R-WI). This bill would impose almost \$79 billion in major cuts to federal retirement programs over a ten-year period, by requiring all *current* federal employees to contribute an additional five percent of salary toward their defined benefit pension plan, with no corresponding increase in retirement benefits. (It is important to note that contribution increases to defined benefit plans score under federal budget rules as tax increases.)

Current Civil Service Retirement System (CSRS) employees contribute 7 percent to the federal retirement defined benefit plan while current Federal Employees Retirement System (FERS) employees contribute 0.8 percent to the defined benefit plan plus 6.2 percent to Social Security.

The Ryan reconciliation bill would phase in the tax increases in the following manner:

- 2013: Employees would contribute an additional 1.5% of salary (CSRS total 8.5%; FERS 2.3% to the defined benefit + 6.2% to Social Security)
- 2014: Employees would contribute an additional 0.5% of salary (CSRS total 9%; FERS 2.8% to the defined benefit + 6.2% to Social Security)
- 2015: Employees would contribute an additional 1.0% of salary (CSRS total 10%; FERS 3.8% to the defined benefit + 6.2% to Social Security)
- 2016: Employees would contribute an additional 1.0% of salary (CSRS total 11%; FERS 4.8% to the defined benefit + 6.2% to Social Security)
- 2017: Employees would contribute an additional 1.0% of salary (CSRS total 12%; FERS 5.8% to the defined benefit + 6.2% to Social Security)

So by January 1, 2017, CSRS employees would be contributing 12% of salary to the defined benefit plan, and FERS employees would be contributing 5.8% of salary to the defined benefit plan plus 6.2% to Social Security.

In addition, the Ryan reconciliation bill would require new federal employees (hired after 2012 with fewer than five years of previous service) to immediately pay 5.8% to the defined benefit plan (no phase-in) and 6.2% to Social Security.

Finally, the bill would eliminate the supplemental payment to federal employees hired after 2012 who voluntarily retire before the age of eligibility for Social Security. Even employees who retire after 30 years of service would be penalized, if they have not yet reached the age of 62.

The House passed H.R. 5652 on May 10, 2012, by a vote of 218-199 (R: 218-16; D: 0-183). *A "No" vote in opposition to H.R. 5652 is counted as a "Right" vote.*

7. Weakening the Violence Against Women Act – Vote #258

AFGE opposed the Violence Against Women Reauthorization Act (H.R. 4970) because it would roll back existing protections of the Violence Against Women Act of 1994 and omit important improvements in the Senate-passed bill (S. 1925).

Among other things, H.R. 4970 would:

- Eliminate a confidentiality requirement in current law that protects the identity of
 undocumented immigrant women who file domestic violence complaints against
 a spouse who is a citizen or legal resident and allows the women to apply for
 legal status on their own. Since the inception of the Violence Against Women Act
 in 1994, nearly 75,000 self-petitions have been approved for immigrant women
 victims who would have otherwise remained dependent on an abusive spouse to
 adjust their status.
- Omit provisions in the Senate-passed bill that ensure equal treatment and access to services for violence victims who are lesbian, gay, bi-sexual, or transgender.
- Deny justice for tribal women abused by non-Indians, negating the reality that Native American women suffer domestic violence at epidemic proportions but remain largely unprotected under current law.

The House passed H.R. 4970 on May 16, 2012, by a 222-205 vote (R: 216-23; R: 6-182). *A "No" vote in opposition to H.R. 4970 is counted as a "Right" vote.*

8. Prohibiting Project Labor Agreements – Vote #267

AFGE opposed an amendment offered by Rep. Roscoe Bartlett (R-MD) to the National Defense Authorization Act for FY 2013 (H.R. 4310) that would prevent federal agencies from requiring contractors to sign a project labor agreement (PLA) as a condition of winning a federal construction contract.

PLAs are pre-hire collective bargaining agreements with one or more labor organizations that establish the terms and conditions of employment for large-scale construction projects. They provide structure and stability to those construction projects, thereby promoting efficiency and productivity. PLAs also help ensure contractor compliance with laws and regulations governing workplace safety and health, equal employment opportunity, and other labor and employment standards.

The House agreed to the Bartlett amendment to H.R. 4310 on May 17, 2012, by a 211-209 vote (R: 210-28; D: 1-181). *A "No" vote in opposition to the Bartlett amendment is counted as a "Right" vote.*

9. Department of Defense/Competitive Sourcing – Vote #272

AFGE opposed an amendment offered by Rep. Mike Coffman (R-CO) to the National Defense Authorization Act for FY 2013 (H.R. 4310) that would prevent the Department of Defense (DoD) from correcting – through insourcing - service contracts that cost too much or are poorly performed; are related to acquisition (i.e., awarding and supervising contracts); or involve too much risk – all by repealing 10 USC 2463, a statutory provision signed into law by President George W. Bush, that requires the DoD to consider insourcing, not just outsourcing.

The DoD also opposed the Coffman amendment, arguing that: "the [Coffman] amendment would interfere with the Department's ability to exercise discretionary authority in appropriately sourcing its workforce to meet management, operational readiness, and critical risk mitigation needs.....In addition to inherently governmental functions, there are functions that, while readily available in the private sector, must be performed by the government in order to meet critical oversight and management needs; mitigate risk; ensure continuity of operations; build internal capacity; meet operational readiness and training requirements; and ensure the Department has the necessary capabilities and skills to meet its missions."

The House rejected the Coffman amendment to H.R. 4310 on May 18, 2012, by a 209-211 vote (R: 209-29; D: 0-182). *A "No" vote in opposition to the Coffman amendment is counted as a "Right" vote.*

10. Eliminating Davis-Bacon Act Requirements – Vote #338

AFGE opposed an amendment offered by Rep. Steve King (R-IA) to the FY 2013 Energy and Water Development Appropriations Act (H.R. 5325) that would eliminate Davis-Bacon Act prevailing wage requirements for any construction project funded by the bill.

The Davis-Bacon Act requires federal construction project contractors to pay workers the wage rates prevailing in the community where the federally funded project is being constructed. This prevents contractors from winning federal projects by undercutting local community contractors, importing lower-waged workers into local communities, or driving down the wages of local community workers.

The House rejected the King amendment to H.R. 5325 on June 6, 2012, by a 184-235 vote (R: 184-52; D: 0-183). *A "No" vote in opposition to the King amendment is counted as a "Right" vote.*

11. Repealing Health Care Reform – Vote #460

AFGE opposed H.R. 6079, a bill that would repeal the Affordable Care Act – sometimes referred to as Obamacare - which became law on March 23, 2010. This landmark health

care law, the constitutionality of which was upheld by the U.S. Supreme Court on June 28, 2012, makes substantial changes in three critical areas:

- (1) <u>Instituting essential reforms in the health insurance markets</u>. Obamacare includes long overdue reforms that are intended to rein in harmful insurance industry practices, such as denying coverage to people with pre-existing health conditions, rescinding health insurance coverage when beneficiaries become ill, or imposing annual or lifetime limits on health insurance coverage, thereby refusing to pay the full cost of beneficiaries' medical care.
- extends health insurance coverage to 32 million more Americans, thereby increasing the share of insured Americans from 83% now to 95% in 2019. This robust coverage gain reflects provisions that (1) significantly extend Medicaid to all low-income individuals under age 65, (2) provide premium subsidies to help low- and moderate-income individuals purchase health insurance in the new state-run health insurance exchanges, and (3) allow young people to remain covered by their parents' health insurance plans until they turn 26 years of age.
- (3) Slowing the growth of health care costs. Obamacare contains a wide range of measures that will slow the growth of health care costs, particularly Medicare costs. For example, it substantially scales back the overpayments that private insurance companies receive through Medicare Advantage, saving \$132 billion over ten years.

The House passed H.R. 6079 on July 11, 2012, by a vote of 244-185 (R: 239-0; D: 5-185). *A "No" vote in opposition to H.R. 6079 is counted as a "Right" vote.*

12. Converting Department of Defense Civilian Work to Private Contractors – Vote #478

AFGE opposed an amendment offered by Justin Amash (R-MI) to the FY 2013 Defense Appropriations Act (H.R. 5856) that would repeal the bill's requirement that there be an actual savings – often referred to as a "conversion differential" – before work performed by Department of Defense civilian employees can be converted to private contractor performance.

The "conversion differential" requirement comes from longstanding language in the OMB Circular A-76, which was reaffirmed by the Bush administration when it rewrote the A-76 circular in 2003:

"The conversion differential is added to a [contractor's] cost of performance and is the lesser of 10 percent of the most efficient organization's personnel-related costs [for performance of that work by federal employees] or \$10 million overall performance periods stated in the solicitation."

The Bush administration's rationale for the "conversion differential" requirement was:

"The conversion differential precludes conversions based on marginal estimated savings, and captures non-quantifiable costs related to a conversion, such as disruption and decreased productivity."

The House rejected the Amash amendment to H.R. 5856 on July 18, 2012, by a 186-233 vote (R: 185-53; D: 1-180). *A "No" vote in opposition to the Amash amendment is counted as a "Right" vote.*

13. Red Tape Reduction Act – Vote #536

AFGE opposed the Red Tape Reduction Act (H.R. 4078), a bill composed of seven previously introduced bills that would attack and undermine regulatory protections for workers, the environment, public health and financial security. This omnibus antiregulatory bill was an extreme measure that would cripple the ability of federal agencies to implement the laws of the land and protect the public from harm.

H.R. 4078's first title, Regulatory Freeze for Jobs Act of 2012, was the most radical component. It would prohibit the development or issuance of all significant government regulations until the national unemployment rate fell below 6 percent – which according to the Congressional Budget Office's estimates is not expected until 2016. All work on rules to implement Obamacare and the Dodd-Frank Financial Reform Act would come to a halt.

This legislation would put workers in danger by stopping new workplace safety standards to prevent the electrocution of utility workers – supported by both employers and unions, new rules to prevent disabling black lung disease among coal miners and silicosis among construction workers, and new measures to prevent death from combustible dust explosions. Federal agencies would be unable to issue new food safety rules to respond to emerging crises, such as *Salmonella*-tainted eggs or spinach contaminated with *E.coli*.

The House passed H.R. 4078 on July 26, 2012, by a 245-172 vote (R: 232-2; D: 13-170). *A "No" vote in opposition to H.R. 4078 is counted as a "Right" vote.*

14. Federal Employee Tax Accountability Act of 2012 – Vote #538

AFGE opposed the Federal Employee Tax Accountability Act of 2012 (H.R. 828), a bill that would provide that any person having seriously delinquent tax debt shall be ineligible for federal government employment. "Seriously tax delinquent tax debt" means an outstanding debt under the Internal Revenue Code of 1986 for which a lien notice has been filed publicly.

Everyone – including federal employees – should pay their taxes. However, it should be noted that:

- The overwhelming majority of federal employees take their income tax obligations seriously. According to the Internal Revenue Service, more than 96 percent of federal employees pay their taxes on time and do not owe money to the government.
- H.R. 828 is a largely symbolic bill as Rep. Darrell Issa (R-CA), chairman of the House Oversight and Government Reform Committee, admitted during his committee's consideration of the bill. There are already existing laws and regulations that address tax debts owed by federal employees, and the IRS has a system in place for levying up to 15 percent of federal wage payments made to delinquent taxpayers until the tax debt is satisfied.
- The Joint Committee on Taxation concluded that H.R. 828 would have "negligible impact" on increasing federal revenues.

Rep. Carolyn Maloney (D-NY), who led the House floor opposition to H.R. 828, put it quite aptly when she concluded:

"I strongly believe that the House efforts and energy would be better spent by focusing on measures to strengthen the federal civil service and improve the efficiency and effectiveness of the federal government rather than by making symbolic gestures that reinforce a negative view of the federal workforce."

The House passed H.R. 828 on July 31, 2012, by a 263-114 vote (R: 204-6; D: 59-108). A "No" vote in opposition to H.R. 828 is counted as a "Right" vote.

15. Extension of Middle Class Tax Cuts – Vote #543

AFGE supported a substitute amendment offered by Rep. Sander Levin (D-MI) to the Job Protection and Recession Prevention Act of 2012 (H.R. 8) that would extend the 2001 and 2003 Bush tax cuts for 98 percent of American taxpayers, allow for the expiration of those tax cuts for the wealthiest 2 percent, and extend the 2009 Obama tax credit provisions that benefit middle- and low-income taxpayers.

The Levin amendment would:

- Extend for one year the 2001 and 2003 Bush tax cuts for middle-income taxpayers with incomes below \$250,000 for married couples and below \$200,000 for single filers.
- Allow the expiration of the 2001 and 2003 Bush tax cuts for those wealthy taxpayers with incomes above \$250,000 for married couples and above \$200,000 for single filers.

• Extend for one year the 2009 Obama tax credit provisions: the new American Opportunity Tax credit, which helps families pay for college, and the expansion of the Child Tax credit and the Earned Income Tax Credit.

The House rejected the Levin amendment to H.R.8 on August 1, 2012, by a vote of 170-257 (R: 0-238; D: 170-19). *A "Yes" vote in support of the Levin amendment is counted as a "Right" vote.*

16. Upper Class Tax Cuts/Working Family Tax Increases – Vote #545

AFGE opposed the Job Protection and Recession Prevention Act of 2012 (H.R. 8), a bill that would extend the 2001 and 2003 Bush tax cuts for taxpayers, including the wealthiest 2 percent, but allow for the expiration of the 2009 Obama tax credit provisions that benefit middle- and low-income taxpayers.

H.R. 8 would:

- Extend for one year the 2001 and 2003 Bush tax cuts all taxpayers, including
 those wealthy taxpayers with incomes above \$250,000 for married couples and
 above \$200,000 for single files. The extension of the 2001 and 2003 Bush tax
 cuts for the wealthiest 2 percent would add billions to the federal deficit while
 having little or no stimulus impact on the economy.
- Raise taxes for 25 million working families by an average of \$1,000 because it would discontinue three 2009 Obama tax credit provisions: the new American Opportunity Tax Credit (AOTC) and improvements to the Child Tax Credit (CTC) and Earned Income Tax Credit (EITC). Under H.R. 8, 11 million families would get less help paying for college in 2013 year due to the end of the AOTC, nearly 6 million working families would see tax increases due to reductions in the EITC for married couples and larger families, and 12 million working families and children would receive a smaller CTC including 5 million families that would no longer be eligible for the CTC at all.

The House passed H.R. 8 on August 1, 2012, by a vote of 256-171 (R: 237-1; 19-170). A "No" vote in opposition to H.R. 8 is counted as a "Right" vote.

17. More Tax Cuts for the Wealthy and Corporations – Vote #552

AFGE opposed the Pathway to Job Creation Through a Simpler, Fairer Tax Code Act of 2012 (H.R. 6169), a bill that would provide expedited consideration of tax reform only on the condition that it include massive tax cuts for high-income households and corporations.

Under H.R. 6169, tax reform legislation would receive expedited – or "fast track" – consideration only if it included another large tax cut for high-income households, over and above tax cuts these households would receive under House Republican proposals

to extend the 2001 and 2003 Bush tax cuts. For example, under the House Republican proposal to extend all of these tax cuts (H.R. 8), households with incomes over \$1 million would receive tax cuts averaging \$160,000 per year. But the individual and corporate tax reductions required under H.R. 6169 could provide these households with additional tax cuts averaging as much as \$265,0000, for a total tax cut of over \$400,000 per household.

The tax cuts required by H.R. 6169 carry a price tag of about \$5 trillion over ten years. This revenue shortfall would either explode the federal deficit or have to be paid for. If the tax cuts were financed by reductions in tax benefits, as proposed in the House-passed Ryan budget resolution, the result would be a large tax cut for the wealthy paid for by substantial tax increases on middle-class families.

The House passed H.R. 6669 on August 2, 2012, by a vote of 232-189 (R: 232-3; 0-186). *A "No" vote in opposition to H.R. 6669 is counted as a "Right" vote.*

18. Federal Employee Pay Freeze Extension – Vote #655

AFGE opposed the Federal Employee/Congressional Pay Freeze Extension Act (H.R. 6726), a bill that would extend the current two-and-a-half year pay freeze for federal employees until the end of 2013, as well as prevent a pay raise for Member of Congress.

Federal employees have already made significant financial sacrifices over the past two years – and should not have to make more. Since 2011, budget savings from reduced compensation to the federal employee workforce has totaled at least \$103 billion over ten years. That is an average of \$50,000 per federal employee.

The \$103 billion comes from:

- The two-year (2011 and 2012) pay freeze which saves \$60 billion over ten years.
- A 0.5 percent pay raise in 2013 instead of 2.2 percent, and even that low amount is being delayed until April 2013, the combination of which saves \$28 billion over ten years.
- Federal employees were forced to pay 50 percent of the cost of the Unemployment Insurance extension passed in February 2012, which saves \$15 billion over ten years. To achieve that savings, federal employees hired after 2012 will be required to contribute 3.1 percent of their salaries to their pensions, compared to the current level of 0.8 percent.

The House passed H.R. 6726 on January 1, 2013, by a 287-129 vote (R: 232-2; D: 55-127). *A "No" vote in opposition to H.R. 6726 is counted as a "Right" vote.*

19. "Fiscal Cliff" Tax Agreement – Vote #659

AFGE supported the American Taxpayer Relief Act (H.R. 8) because it is a significant step toward restoring tax fairness and achieves some key goals of working families.

- <u>Total Revenue Raised</u>: Raises \$620 billion in revenue over 10 years relative to existing 2012 tax policy.
- 2001 and 2003 Bush Income Tax Rates: Permanently extends all Bush tax cuts for taxpayers with incomes below \$450,000 for married couples and below \$200,000 for single filers. Permanently increases income tax rates from 35 percent to 39.6% for income above those two thresholds.
- <u>Capital Gains and Dividends</u>: Permanently increases taxes on investment income from 15 percent to 20 percent for income above \$450,000 for married couples and above \$400,000 for single filers. (Both rates will increase to 23.8 percent due to a surcharge to fund the Affordable Care Act.)
- Middle- and Low-Income Stimulus Tax Credits Extended: Expansions in three
 middle- and low-income tax credits in the 2009 Recovery Act will be extended for
 5 years. The American Opportunity Tax Credit, which helps families afford
 college, the Child Tax Credit and the Earned Income Tax Credit benefit about 25
 million Americans.
- Alternative Minimum Tax: Provides a permanent fix to the Alternative Minimum Tax, which would have hit 30 million additional Americans in 2013 many of whom are in the middle class. The new inflation-indexed exemption amounts are \$78,750 for married couples and \$50,600 for single filers.
- Extends Unemployment Insurance Emergency Benefits for One Year: Without this extension, more than 2 million unemployed Americans would lose Unemployment Insurance benefits at the beginning of 2013 and another million would lose them later.

The House passed the "fiscal cliff" tax agreement (H.R. 8) on January 1, 2013, by a vote of 257-167 (R: 85-151; D: 172-16). *A "Yes" vote in support of the "fiscal cliff" tax agreement is counted as a "Right" vote.*

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EndNotes

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Eliminating Davis-Bacon Act	>
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Sequester Replacement	>
BOP/A-76	>
Weakening Dodd-Frank Act	>
Small Business Tax Break Act	œ
House FY 2013 Budget Resolution	>
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Party Representative	R Lummis
Dist	3 AL
State	Wyoming

House EndNotes

- On June 12, 2012, Rep. Ron Barber (D-AZ) won the special election to replace former Rep. Gabrielle Giffords (D-AZ). Rep. Barber was sworn into the U.S. House of Representatives
- On August 15, 2012, Rep. Dennis Cardoza (D-CA) resigned from the U.S. House of Representatives
- On December 3, 2012, Rep. Bob Filner (D-CA) resigned from the U.S. House of Representatives. He assumed the office of Mayor of San Diego, CA on the same day.
- 4 On November 21, 2012, Rep. Jesse Jackson, Jr. (D-IL) resigned from the U.S. House of Representatives.
- On July 31, 2012, Rep. Geoff Davis (R-KY) resigned from the U.S. House of Representatives. Kentucky Governor Steve Beshear called for a special election to fill the vacancy for November 6, 2012.
- On July 7, 2012, Rep. Thaddeus McCotter (R-MI) resigned from the U.S. House of Representatives. Michigan Lt. Governor Brian Calley scheduled a special election to fill the vacancy for November 6, 2012. 9
 - On March 6, 2012, Rep. Donald Payne (D-NJ) passed away. New Jersey Governor Chris Christie scheduled a special election to fill the vacancy for November 6, 2012.
 - By tradition, the Speaker of the U.S. House of Representatives does not vote on most legislation that comes before the House. ∞
- On March 20, 2012, Rep. Jay Inslee (D-WA) resigned from the U.S. House of Representatives in order to focus on his campaign for Governor of Washington. He was declared winner of the gubernatorial elecction on November 9, 2012.

SENATE

1. Unemployment Insurance Extension/Federal Employee Offset – Vote #22

AFGE opposed the conference report on the Payroll Tax Holiday and Unemployment Insurance Extension Act (H.R. 3630) because it would force federal employees hired after 2012 to pay 50 percent of the cost of the one-year Unemployment Insurance extension by requiring them to contribute 3.1 percent of their salaries to their pensions, up from the previous level of 0.8 percent.

Here is how this 2.3 percent tax increase would affect various federal employees:

- For a GS-3 nursing assistant earning \$27,322 while working in a VA hospital psychiatric ward, this would be a \$628 annual tax increase.
- For a GS-5 USDA meat and poultry inspector earning \$31,825 while protecting Americans from E. Coli and other deadly diseases caused by contaminated meat, this would be a \$732 annual tax increase.
- For a GS-7 federal penitentiary correctional officer earning \$38,790 while guarding ruthless gang leaders in dangerously understaffed institutions, this would be an \$893 annual tax increase.

In addition, it is important to note:

- The Unemployment Insurance extension would be temporary, but the additional 2.3 percent tax on new federal employees in this bill would be permanent.
- The 2.3 percent tax on new federal employees would go to a retirement trust fund that is already fully funded. It would not address any kind of shortfall in federal retirement financing.
- According to the Bureau of Labor Statistics' data on private sector defined benefit plans, 96 percent of employers required no funding contribution from their employees. But this bill would force new federal employees to pay 3.1 percent of their incomes for this modest benefit.

The Senate agreed to the H.R. 3630 conference report on February 17, 2012, by a vote of 60-36 (D: 45-5; R: 14-30; I: 1-1). *A "No" vote in opposition to the H.R. 3630 conference report is counted as a "Right" vote.*

2. Part-Time Federal Retiree Employment – Vote #29

AFGE opposed an amendment offered by Senator Max Baucus (D-MT) to the Federal Highway Construction Reauthorization Act (S. 1813) that would help fund the Secure Rural Schools and Community Self-Determination Program by changing both the Federal Employees Retirement System and the Civil Service Retirement System to allow "phased, part-time retirement employment."

Specifically, the Baucus amendment would allow federal agencies to pick and choose which retirement-eligible employees they want to work part-time. The \$450 million in projected savings from the amendment would be used to fund rural schools, not programs related to federal employees or deficit reduction.

While the change to federal retirement, a phased, part-time retirement-employment concept, may be acceptable to the federal community after proper analysis and study, it was completely outrageous for federal employees to be required, *again*, to serve as the Automated Teller Machine for the nation. Federal employees had already given up – at the time of the vote - \$75 billion over ten years:

- Federal employees had endured a two-year (2010 and 2011) pay freeze which saves \$60 billion over ten years.
- Federal employees were forced to pay 50 percent of the cost of the Unemployment Insurance extension passed in February 2012 – which saves \$15 billion over ten years. To achieve that savings, federal employees hired after 2012 were required to contribute 3.1 percent of their salaries to their pensions, compared to the previous level of 0.8 percent.

The Senate passed the Baucus amendment to S. 1813 on March 8, 2012, by a vote of 82-16 (D: 45-6; R: 35-9; I: 1-1). *A "No" vote in opposition to the Baucus amendment to S, 1813 is counted as a "Right" vote.*

3. Extending Federal Employee Pay Freeze – Vote #38

AFGE opposed an amendment offered by Senator Pat Roberts (R-KS) to the Federal Highway Construction Reauthorization Act (S. 1813) that would implement energy drilling projects by extending the two-year federal employee pay freeze for a third year.

When the Senate considered the Roberts amendment, too many seemed unaware that federal employees had already sacrificed \$75 billion over ten years - \$60 billion from the two-year pay freeze and \$15 billion from the Unemployment Insurance bill's 2.3 percent increase in retirement contributions for post-2012 hires. If the Roberts amendment were enacted, that would have brought the total contribution by federal employees to \$103 billion over ten years.

The impact of a pay freeze for a third year on federal employees would have been devastating:

- A GS-5 meat and poultry inspector earning \$31,315 had given up \$1,265 in lost salary increases from the two-year freeze. If the freeze continued for a third year, the inspector would have lost \$3,842.
- A GS-7 federal penitentiary correctional officer earning \$38,790 while guarding ruthless gang leaders in dangerously understaffed institutions had given up

\$1,567 from the two-year freeze. If the freeze continued for a third year, the correctional officer would have lost \$4,759.

The Senate rejected the Roberts amendment to S. 1813 on March 13, 2012, by a vote of 41-57 (D: 3-48; R: 38-7; I: 0-2). *A "No" vote against the Roberts amendment to S. 1813 is counted as a "Right" vote.*

4. Implementing the "Buffett Rule" – Vote #65

AFGE supported a motion offered by Senator Harry Reid (D-NV) to invoke cloture (thus ending debate) and proceed to consider the Paying a Fair Share Act of 2012 (S. 2230), a bill to implement the so-called "Buffett Rule" – a common sense proposition to reduce the federal deficit by imposing a minimum tax rate of 30 percent on individual taxpayers who make over \$1 million.

The Buffett Rule is the basic principle that no household making over \$1 million annually should pay a smaller share of their income in taxes than middle-class families pay. It was dubbed the "Buffett Rule" after billionaire investor Warren Buffett said that he should pay at least the same tax rate on his income as his secretary.

Unfortunately, nearly one-quarter of all millionaires (about 55,000 taxpayers) face a tax rate that is lower than more than millions of middle-income taxpayers, according to *The Buffett Rule: A Basic Principle of tax Fairness*, a National Economic Council report released in April 2012.

This situation is the result of decades of the tax system being tilted in favor of high-income households at the expense of the middle class. Not only is this fundamentally unfair, it can also be economically inefficient by providing opportunities for distorting investment decisions.

The Senate rejected the Reid cloture motion on April 16, 2012, by a vote of 51-45 (D: 49-1; R: 1-44; I: 1-0). (Note: Three-fifths of the total Senate – 60 – are required to invoke cloture.) A "Yes" vote in support of the Reid cloture motion is counted as a "Right" vote.

5. Disapproving NLRB Rule to Modernize Representation Election Procedures – Vote #68

AFGE opposed a joint resolution (S.J.Res. 36) offered by Senator Michael Enzi (R-WY) that would provide for the congressional disapproval of a rule to update and modernize the procedures used by the National Labor Relations Board (NLRB) to supervise elections for workers who want to vote on whether to form a union.

Workers who want to vote on whether to form a union deserve the right to vote without lengthy, drawn-out litigation and endless, unnecessary delays. Yet under the previous NLRB election rules, workers could be forced to wait months and even years before

they were able to exercise their right to vote and then bargain for an enforceable contract with good wages and benefits.

The NLRB's new final rule, published in 76 FR 80138 on December 22, 2011, eliminates many of the barriers workers previously faced by reducing existing delays, eliminating frivolous and duplicative litigation, and ensuring that workers have a fair vote in a reasonable period of time.

The Senate rejected the Enzi motion to proceed to consider S.J.Res. 36 on April 24, 2012, by a vote of 45-54 (D: 0-51; R: 45-1; I: 0-2). *A "No" vote in opposition to the Enzi motion is counted as a "Right" vote.*

6. FECA Amendment to Postal Service Reform – Vote #73

AFGE supported an amendment offered by Senator Daniel Akaka (D-HI) to the 21st Century Postal Service Act of 2012 (S. 1789) that would strike Title III, the Federal Employees' Compensation Act (FECA) "reform" section and replace it with the Housepassed, bipartisan Federal Workers' Compensation Modernization and Improvement Act (H.R. 2465).

AFGE supported striking S. 1789's Title III because it would unfairly cut FECA wageloss compensation benefits for federal employees by an estimated \$1 billion over 10 years. Among other things:

- Title III would cut FECA benefits for totally disabled beneficiaries to 50 percent of their gross wages at time of injury once those beneficiaries reach the full Social Security retirement age. Currently, totally disabled beneficiaries who have an eligible dependent are compensated at 75 percent of their gross wages at time of injury and those without an eligible dependent are compensated at 66 2/3 percent.
- Title III would set FECA benefits at a single rate 66 2/3 percent of gross wages at time of injury – regardless of whether a beneficiary has an eligible dependent. It would eliminate the additional compensation of 8 1/3 percent of their gross wages at time of injury for those beneficiaries with an eligible dependent.

At the same time, AFGE supported replacing S. 1789's Title III with the House-passed, bipartisan H.R. 2465 because it would modernize the FECA program without undercutting federal beneficiaries' wage compensation benefits. This bill would reform the FECA program by:

 Authorizing physician assistants and advanced practice nurses, such as nurse practitioners, to provide medical services and to certify traumatic injuries.

- Updating benefit levels for severe disfigurement of the face, head, or neck (up to \$50,000) and for funeral expenses (up to \$6,000) both of which have not been increased since 1949.
- Making clear that the FECA program covers injuries caused from an attack by a terrorist or terrorist organization.
- Giving federal workers who suffer traumatic injuries in a zone of armed conflict more time to initially apply for FECA benefits and extending the duration of the "continuation of pay" period from 45 days to 135 days.
- Including program integrity measures recommended by the Inspector General and the Government Accountability Office.

The Senate rejected the Akaka amendment to S. 1789 on April 24, 2012, by a vote of 46-53 (D: 44-7; R: 1-45; I: 1-1). **A "Yes" vote in support of the Akaka amendment is counted as a "Right" vote.**

7. Prohibiting Collective Bargaining at USPS – Vote #79

AFGE opposed an amendment offered by Senator Rand Paul (R-KY) to the 21st Century Postal Service Act of 2012 (S. 1789) that would prohibit employees of the United States Postal Service (USPS) from engaging in collective bargaining.

"[T]here is no justification for completely removing the right of [USPS] workers to collectively bargain, said Senator Susan Collins (R-ME), the then-Ranking Member of the Homeland Security and Governmental Affairs Committee, when opposing the Rand amendment on the Senate floor. Indeed, our country has enjoyed more than 40 years of stable labor relations at the USPS. Steady productivity growth since the Postal Reorganization Act of 1970 has benefited mailers, workers, and taxpayers. Both labor and management have developed this system with care and diligence. It has allowed the USPS to offer high quality service at the most affordable postage rates in the world, while saving U.S. taxpayers more than \$100 billion in subsidies that existed before the Postal Reorganization.

The Senate rejected the Paul amendment to S. 1789 on April 25, 2012, by a vote of 23-76 (D: 0-51; R: 23-23; I: 0-2). *A "No" vote in opposition to the Paul amendment is counted as a "Right" vote.*

8. Undermining Postal Workers Political Activities – Vote #81

AFGE opposed an amendment offered by Senator Jim DeMint (R-SC) to the 21st Century Postal Service Act of 2012 (S. 1789) which provided that no postal worker's labor union dues "shall be used or contributed to any person, organization, or entity for any purpose not directly germane to the labor [union's] collective bargaining or contract

administration functions unless the [union] member.....authorizes such expenditure in writing."

The DeMint amendment – and other so-called "paycheck protection" proposals - are thinly veiled attempts to limit the involvement of unions in politics. Unions are already prohibited from using dues to contribute to political candidates. So what DeMint and others are talking about is preventing unions from using dues to lobby, to communicate with their members about issues and where the candidates stand on those issues, and to mobilize their members to take action, including voting.

In 1988, the U.S. Supreme Court ruled that when Congress approved the National Labor Relations Act, it had not intended to guarantee a union's authority to use fees paid to the union by dissenting employees for non-collective bargaining purposes, such as political activities. [Communications Workers of America v. Beck, 487 U.S. 735 (1988)] Though the decision directly allowed workers to "opt out" of paying for the political activities of a union, it opened the door for legislative efforts to impose an "opt in" requirement on unions – that is, unions must receive permission from each worker to use a portion of their dues for political activities.

Just by sheer inertia alone, an "opt in" system of using union dues for political purposes would reduce the amount of funds available for unions to work for pro-working family policies and legislation. In a political world where business already outspending labor by 10-to-1 or more, "paycheck protection" would substantially enhance the clout of business over labor in the policy arena.

The Senate rejected the DeMint amendment to S. 1789 on April 25, 2012, by a vote of 46-53 (D: 0-51; R: 46-0; I: 0-2). *A "No" vote in opposition to the DeMint amendment is counted as a "Right" vote.*

9. Strengthening the Violence Against Women Act – Vote #87

AFGE supported the Violence Against Women Reauthorization Act of 2012 (S. 1925), a strong bipartisan bill that would reauthorize the landmark 1994 law that is key to efforts against domestic violence, sexual assault, and stalking.

S. 1925 would significantly expand protections for an estimated 30 million people by including new provisions that ensure victims are not denied services because they are gay or lesbian, grant more U-visas to undocumented immigrants who are victims of domestic violence by U.S. citizens, and ensure that domestic violence crimes committed by non-Indian men in tribal communities are prosecuted.

The Senate passed S. 1925 on April 26, 2012, by a vote of 68-31 (D: 51-0; R: 15-31; I: 2-0). *A "Yes" vote in support of S. 1925 is counted as a "Right" vote.*

10. House FY 2013 Budget Resolution - Vote #98

AFGE opposed the House FY 2013 Budget Resolution (H.Con.Res. 112), a sweeping budget plan devised by House Budget Committee Chairman Paul Ryan (R-WI).

The Ryan budget proposed a dramatic "reverse-Robin-Hood" approach with a large share of its spending cuts coming from programs for modest-income Americans while providing extremely large tax cuts to the wealthiest Americans. According to the nonpartisan Center on Budget and Policy Priorities, the Ryan budget "would likely produce the largest redistribution of income from the bottom to the top in modern U.S. history and likely increase poverty and inequality more than any other budget in recent times (and possibly in the nation's history)."

With regard to federal employees, the Ryan budget proposed a staggering \$368 billion in additional federal workforce cuts over the next 10 years:

- Federal employees would have their salaries frozen for another three years, through 2015;
- Current federal employees' retirement benefits would be drastically reduced and/or employee contributions greatly increased.
- The federal workforce would be cut by 10 percent, jeopardizing the federal programs and services on which every American relies.

The Senate rejected FY 2013 Ryan budget plan on May 16, 2012, by a vote of 41-58 (D: 0-51; R: 41-5; I: 0-2). *A "No" vote in opposition to the FY 2013 Ryan budget plan is counted as a "Right" vote.*

11. Paycheck Fairness Act – Vote #115

AFGE supported a motion offered by Senator Barbara Mikulski (D-MD) to invoke cloture (thus closing debate) and move to consideration of the Paycheck Fairness Act (S. 3220), a long overdue remedial measure that would respond to the demonstrated inadequacies of the Equal Pay Act.

When the Equal Pay Act was enacted into law in 1963, it became illegal for employers to pay unequal wages to male and female employees who perform work requiring equal effort, skill, and responsibility. Yet wage disparities between men and women are evident today in both the private and public sectors.

The Paycheck Fairness Act would:

 Require employers to demonstrate that wage gaps between men and women doing the same work are truly a result of factors other than gender.

- Prohibit retaliation against workers who share salary information or inquire about their employers' wage practices.
- Bring Equal Pay Act remedies and class action procedures into conformance with those available for other civil rights claims.
- Strengthen the federal government's ability to identify and remedy systematic wage discrimination. S. 3220 would require the U.S. Department of Labor to reinstate critical activities that promote and enforce equal pay, such as collecting wage-related data and providing technical assistance to employers. It also would require the Equal Employment Opportunity Commission (EEOC) to develop regulations that direct employers to collect wage data and report the race, sex, and national origin of employees, and authorize additional training for EEOC staff to better identify and handle wage disputes.

The Senate rejected the Mikulski cloture motion on June 5, 2012, by a vote of 53-46 (D: 51-0; R: 0-46; I: 2-0). (Note: Three-fifths of the total Senate – 60 – are required to invoke cloture.) A "Yes" vote in support of the Mikulski cloture motion is counted as a "Right" vote.

12. Undercutting Collective Bargaining Agreements – Vote #163

AFGE opposed an amendment offered by Senator Marco Rubio (R-FL) to the Agriculture Reform, Food, and Jobs Act of 2012 (S. 3240) that would allow employers to give merit-based compensation increases to individual employees, even if those increases are not part of the collective bargaining agreement.

This amendment was "a solution in search of a problem" – as Senator Tom Harkin (D-IA) noted when speaking on the Senate floor against the Rubio amendment. Under the National Labor Relations Act, employers and employees already can agree to link pay increases and bonuses to performance levels. Indeed, many collective bargaining agreements already provide for such merit-based compensation increases.

The Senate rejected the Rubio amendment on June 21, 2012, by a vote of 45-54 (D: 0-51; R: 45-1; I: 0-2). A "No" vote in opposition to the Rubio amendment is counted as a "Right" vote.

13. Bring Jobs Home Act – Vote #181

AFGE supported a motion offered by Senator Harry Reid (D-NV) to invoke cloture (thus closing debate) and proceed to the consideration of the Bring Jobs Home Act (S. 3364), a bill to provide incentives for businesses to bring jobs back to America.

S. 3364 would amend the Internal Revenue Code to: (1) grant business taxpayers a 20 percent tax credit for insourcing expenses incurred for closing a business outside the

United States and relocating it within the United States, and (2) deny a tax deduction for outsourcing expenses incurred in relocating a U.S. business outside the United States.

The Senate rejected the Reid cloture motion on July 19, 2012, by a vote of 56-42 (D: 50-0; R: 4-42; I: 2-0). (Note: Three-fifths of the total Senate – 60 – are required to invoke cloture.) A "Yes" vote in support of the Reid cloture motion is counted as a "Right" vote.

14. Upper Class Tax Cuts/Working Family Tax Increases – Vote #183

AFGE opposed an amendment offered by Senator Mitch McConnell (R-KY) to the Middle Class Tax Cut Act (S. 3412) that would extend the 2001 and 2003 Bush tax cuts for all taxpayers, including the wealthiest 2 percent, but allow for the expiration of the 2009 Obama tax credit provisions that benefit middle- and low-income taxpayers.

The McConnell amendment would:

- Extend for one year the 2001 and 2003 Bush tax cuts for all taxpayers, including married couples with incomes above \$250,000 and individuals with incomes above \$200,000. The extension of the 2001 and 2003 Bush tax cuts for the wealthiest 2 percent would add billions to the federal deficit while having little or no stimulus effect on the economy.
- Raise taxes for 25 million working families by an average of \$1,000 because it would discontinue three 2009 Obama tax credit provisions: the new American Opportunity Tax Credit (AOTC) and the improvements to the Child Tax Credit (CTC) and Earned Income Tax Credit (EITC). Under the McConnell amendment, 11 million families would get less help paying for college in 2013 due to the end of the AOTC, nearly 6 million working families would see tax increases due to reductions in the EITC for married couples and larger families, and 12 million working families and children would receive a smaller CTC including 5 million families that would no longer be eligible for the CTC.

The Senate rejected the McConnell amendment to S. 3412 on July 25, 2012, by a vote of 45-54 (D: 1-50; R: 44-2; I: 0-2). A "No" vote in opposition to the McConnell amendment is counted as a "Right" vote.

15. Extension of Middle Class Tax Cuts – Vote #184

AFGE supported the Middle Class Tax Cut Act (S. 3412), a bill that would extend the 2001 and 2003 Bush tax cuts for 98 percent of American taxpayers, allow for the expiration of those tax cuts for the wealthiest 2 percent, and extend the 2009 Obama tax credit provisions that benefit middle- and low-income taxpayers.

S. 3412 would:

- Extend for one year the 2001 and 2003 Bush tax cuts for married couples with incomes below \$250,000 and for individuals with incomes below \$200,000.
- Allow the expiration of the 2001 and 2003 Bush tax cuts for married couples with incomes above \$250,000 and for individuals with incomes above \$200,000.
- Extend for one year the 2009 Obama tax credit provisions: the new American
 Opportunity Tax Credit, which helps families pay for college, and the expansions
 of the Child Tax Credit and the Earned Income Tax Credit.

The Senate passed S. 3412 on July 25, 2012, by a vote of 51-48 (D: 50-1; R: 0-46; I: 1-1). A "Yes" vote in support of S. 3412 is counted as a "Right" vote.

16. Department of Defense/Arbitrary Reduction of Civilian Workforce – Vote #214

AFGE supported an amendment offered by Senator Ben Cardin (D-MD) that would strike Section 341 of the FY 2013 National Defense Authorization Act (S. 3254) and replace it with a provision that reaffirms existing law and accepted workforce management policies.

Section 341 would arbitrarily reduce the Department of Defense's (DoD's) civilian workforce by as many as 36,000 positions. With the military drawdown in the Middle East and the need to reduce spending, it is inevitable that the military, civilian, and contractor workforces all will be reduced. Such reductions, however, should be judiciously determined, based on projected workload analyses in which the President and Congress determine which functions the DoD will no longer perform and then reduce those workforces accordingly.

The Obama administration, the DoD, the DoD's service contractors, as well as House Armed Service Committee Republicans and Democrats, all strongly opposed Section 341. The DoD offered a particularly incisive argument in support of the Cardin amendment:

"We very strongly support SA 3025 as introduced by Senator Cardin. As you know, the Department has expressed significant reservations and concerns with section 341 as introduced by Senator McCain, which this amendment would strike...SA 3025 would replace the original section 341 language with language that is acceptable to the Department and would allow the Defense Department to appropriately size its workforce to meet mission workload, while maintaining necessary flexibility to address risk, operational readiness needs, and funding availability.

"SA 3025's proposed language is consistent with our current policies and practices regarding the Department's sourcing of functions and work among military, civilian, and contracted services. Rather than mandating reductions in the civilian and contracted services elements of our Total Force based on reductions to military end-strength levels, SA 3025 would allow the Department

the management flexibilities needed to ensure that we have a sufficient number of federal civilian personnel to meet the support needs of our military forces. Additionally, it retains for the Secretary of Defense the necessary flexibility and discretionary authority needed to be sure that military or federal civilians are performing all inherently governmental jobs, and that sufficient levels of civilians are available to perform critical oversight, management, and readiness functions of the Department."

The Senate rejected the Cardin amendment to S. 3254 on November 30, 2012, by a vote of 41-53 (D: 37-12; R: 2-41; I: 2-0). A "Yes" vote in support of the Cardin amendment is counted as a "Right" vote.

17. Eliminating Davis-Bacon Act Requirements – Vote #243

AFGE opposed an amendment offered by Senator Rand Paul (R-KY) to the Hurricane Sandy Emergency Relief Appropriations Act (H.R. 1) that would provide for the non-application of the Davis-Bacon Act in the case of projects funded by this emergency relief bill.

The Davis-Bacon Act requires federal construction project contractors to pay workers the wage rates prevailing in the community where the federally funded project is being constructed. This prevents contractors from winning federal projects by undercutting local community contractors, importing lower-waged workers into local communities, or driving down the wages of local community workers.

The Senate rejected the Paul amendment to H.R. 1 on December 28, 2012, by a vote of 42-52 (D: 0-47; R: 42-3; I: 0-2). A "No" vote in opposition to the Paul amendment is counted as a "Right" vote.

18. Hurricane Sandy Emergency Relief Funding – Vote #248

AFGE supported the Hurricane Sandy Emergency Relief Appropriations Act (H.R. 1), a bill that would provide \$60.4 billion in disaster relief funding to assist the victims of Hurricane Sandy.

Hurricane Sandy was one of the most severe natural disasters on record, and it occurred in our nation's most populous region. Over 650,000 homes and 427,500 businesses have been adversely affected, and hundreds of thousands of families are in desperate need of immediate help. In addition to homes and businesses, critical infrastructure – tunnels, subways, and electrical systems – sustained serious damage, and they too will need to be repaired or rebuilt.

Hurricane Sandy also directly impacted many federal employees – some of whose workplaces were seriously damaged and others whose work duties and responsibilities dramatically increased (such as FEMA, EPA and HUD). Disaster relief funding is therefore needed to help those employees fulfill their agencies' missions.

The Senate passed H.R. 1 on December 28, 2012, by a vote of 62-32 (D: 48-0; R: 12-32; I: 2-0). *A "Yes" vote in support of H.R. 1 is counted as a "Right" vote.*

19. "Fiscal Cliff" Tax Agreement – Vote #251

AFGE supported the American Taxpayer Relief Act (H.R. 8) because it is a significant step toward restoring tax fairness and achieves some key goals of working families.

- <u>Total Revenue Raised</u>: Raises \$620 billion in revenue over 10 years relative to existing 2012 tax policy.
- 2001 and 2003 Bush Income Tax Rates: Permanently extends all Bush tax cuts for married couples with incomes below \$450,000 and individuals with income below \$400,000. Permanently increases income tax rates from 35 percent to 39.6% for income above those two thresholds.
- <u>Capital Gains and Dividends</u>: Permanently increases taxes on investment income from 15 percent to 20 percent for married couples with income above \$450,000 and individuals with income above \$400,000. (Both rates will increase to 23.8 percent due to a surcharge to fund the Affordable Care Act.)
- Middle- and Low-Income Stimulus Tax Credits Extended: Expansions in three
 middle- and low-income tax credits in the 2009 Recovery Act will be extended for
 5 years. The American Opportunity Tax Credit, which helps families afford
 college, the Child Tax Credit and the Earned Income Tax Credit benefit about 25
 million Americans.
- Alternative Minimum Tax: Provides a permanent fix to the Alternative Minimum Tax, which would have hit 30 million additional Americans in 2013 many of whom are in the middle class. The new inflation-indexed exemption amounts are \$78,750 for married couples and \$50,600 for individuals.
- Extends Unemployment Insurance Emergency Benefits for One Year: Without this extension, more than 2 million unemployed Americans would lose Unemployment Insurance benefits at the beginning of 2013 and another million would lose them later.

The Senate passed the "fiscal cliff" tax agreement (H.R. 8) on January 1, 2013, by a vote of 89-8 (D: 47-3; R: 40-5; I: 2-0). A "Yes" vote in support of the "fiscal cliff" tax agreement is counted as a "Right" vote.

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1 Senator Daniel Inouye (D-HI) passed away on December 10, 2012, at Walter Reed Medical Center in Washington, DC. A senator since 1963, Inouye was the chairman of the Senate Appropriations Committee and President pro tempore of the Senate at the time of his death.

End Notes