# **ADA TODAY**

A Newsletter for Liberal Activists

# Congress misses the boat

1991 was a difficult, disappointing year for those eager for change. Congressional initiatives continued to face a barage of crippling Presidential vetoes and veto threats, and Republicans, willing to sacrifice public policy for partisan politics, united behind the President.

The list of Congressional missed opportunities is long. A persistent, deep recession damaging the quality of life for all Americans continued and worsened while Congress tried to figure out how to get much needed relief to the unemployed over repeated Administration vetoes. A Gag Rule on abortion continued, preventing women from even discussing abortion at the federally-funded clinics many are forced to patronize. Millions of Americans still don't have medical insurance or access to medical care. The Family and Medical Leave Act, which would ensure that parents Are not forced to choose between their jobs and the health of their children, languishes without a Conference Committee to iron out differences between the House and Senate versions of the bill. All this took place under the shadow of a Budget Agreement that eliminates all options for savings from a military budget still designed to fight the Cold War to go, instead, into an all out battle on the problems crippling our nation.

There were, however, some moments of which we can be proud. The Brady Bill, mandating a five day waiting period for the purchase of handguns, was passed despite last minute attempts to remove it from the Crime Bill. President Bush tried to stare Congress down on the Civil Rights Act, but finally blinked. A bill forbidding the permanent replacement of workers engaged in legal strikes was passed by the House of Representatives.

#### **Action and Effectiveness**

Two issues, the Persian Gulf War and the Clarence Thomas Nomi-

nation, showed both how effective constituent pressure can be and the limits of that effectiveness.

Congress reminded the President that he alone could not declare war in the Persian Gulf and insisted upon exercising its right to debate and decide the issue. ADA activists were deeply involved, and though we lost that fight, many considered the debate to be one of Congress' finest hours.

ADA was among the first national groups to call for the rejection of Judge Clarence Thomas' nomination to the Supreme Court, and played a leadership role in both the legislative and grass roots efforts in opposition. We succeeded in getting a tie in the Judiciary Committee, and the nomination was referred to the Senate without recommendation. We reinforced our campaign after allegations of sexual harassment by Professor Anita Hill, continuing to cite

## Perfect Scores in 1991

#### House Neil Abercrombie Thomas Andrews Barbara Rose-Collins Lane Evans Floyd Flake Barney Frank Charles Haves Sander Levin Nita Lowey **Edward Markey** Kweisi Mfume Patsy Mink John Olver **Major Owens** James Scheuer Jose Serrano Fortney (Pete) Stark Louis Stokes Alan Wheat Howard Wolpe Senate / Tom Harkin Howard Metzenbaum

Paul Sarbanes
Paul Simon

Thomas' lack of qualifications and judgement as reasons for his defeat. Unfortunately, we fell two votes short, and Thomas was confirmed by the narrowest margin of any Supreme Court nominee in history, 52-48.

Although both efforts failed, we now have a large group of activists, mobilized around the country, ready to work for real change in 1992.

#### The Outlook

my Isaacs, ADA's National Director, has issued a challenge to lawmakers. Noting that the ADA Voting Records for Members of the House have shown a steady decline over the past three years, and that George Bush's veto has been sustained every time he has used it, Ms. Isaacs asserted, "It is time for Congress to reject its policy of appeasement with the White House and boldly move ahead with critical legislation needed to protect our nation's future. It is ridiculous to allow the President to rule with the one-third of the Congress it takes to sustain a veto."

Ms. Isaacs also challenged the Senate to take the next step. "In 1991, the Senate all too often became the American version of a Potemkin Village, building the framework of a responsible legislative house but letting it fall down in the face of Bush vetoes," she said.

The Senate appears to be getting more polarized. There were 24 Senators with ADA ratings between zero and ten, and 25 Senators with ADA ratings between 90 and 100. With only 51 votes left, it is difficult to move the agenda on liberal legislation. Only through grass roots pressure and strong election challenges will we be able to muster the 42 of those 51 votes necessary to override a veto. As we enter an election year, this voting record becomes not just a look back, but a cautionary look forward. We look forward to working with Congress to reorder our national priorities to meet critical human needs.

# **US SENATE 1991 VOTING RECORD**

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#### SENATE VOTES

- 1. Sanctions Against Iraq. S.J. Res 1. Passage of the joint sense of Congress resolution urging the President to continue international sanctions and diplomatic efforts to pressure Iraq to withdraw from Kuwait, requiring the President to obtain Congressional approval before undertaking an offensive action against Iraq, and providing for expedited procedures for a Presidential request for the use of such force. Rejected 46-53: (Y = +) 1/12/91.
- 2. Campaign Finance. S 3. Boren (D-OK) motion to table (kill) the McConnell (R-KY) amendment to repeal public financing and spending limits in presidential elections and the preferential mailing rate for political parties. Motion agreed to 60 -38: (Y = +) 5/22/91.
- 3. Disapproval of Fast-Track Procedures. S Res 78. Resolution to disapprove the President's request to extend for two years procedures that require legislation implementing trade agreements be considered within 60 days of introduction. Rejected 36-59: (Y = +) 5/24/91.
- 4. Minority Discrimination. S 1241. Graham (D-FL) amendment to strike the Racial Justice Act provision from the Crime Bill that allowed minorities to challenge a death sentence as discriminatory if statistics show a disproportional number of their race being condemned to die. Adopted 55-41: (N = +) 6/20/91.
- 5. Death Penalty. S 1241. Simon (D-IL) amendment to substitute a mandatory life sentence without parole for the death penalty in all instances of the Omnibus Crime Bill. Rejected 25-73: (Y = +) 6/25/91.
- 6. Crime Bill/Habeas Corpus. S 1241. Hatch (R-UT) amendment to limit the ability of deathrow prisoners to file federal habeas corpus petitions and appeal their sentences. Adopted 58-40: (N = +) 6/26/91.
- 7. Handgun Waiting Period. S 1241. Dole (R-KS) amendment to require a five business day waiting period before handgun purchases. Adopted 67-32: (Y = +) 6/28/91.
- 8. Pregnancy Counseling. S 323. Durenberger (R-MN) amendment to the Chafee (R-RI) substitute, to prohibit entities that receive Title X funding from providing counsel to pregnant women and require such entities to refer pregnant women for prenatal care by furnishing them with a list of health-care providers. The list may include health-care providers that provide abortion but not as a principal means of business. Rejected 35-64: (N = +) 7/16/91.

# **US SENATE 1991 VOTING RECORD**

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## **SENATE VOTES (Continued)**

9. Voter Registration. S 250. Motion to invoke cloture and proceed to the bill to require states to permit voter registration simultaneously with applying for a driver's license. Motion rejected 59-40: (Y = +) 7/18/91. A 3/5 vote (60) of the total Senate required to invoke cloture.

- 10. Conditional MFN for China in 1992. HR 2212. Passage of the bill to prohibit the President from granting most-favored-nation status to China for the 12-month period beginning 7/3, 1992, unless he reports that China has made significant progress in granting domestic freedoms. The bill would also revoke MFN status in 1992 if the President determined that China had sold ballistic missiles to Syria, Iran or Pakistan. Passed 55-44: (Y = +) 7/23/91.
- 11. HIV Testing. HR 2608. Kennedy (D-MA) motion to table the Helms (R-NC) amendment to allow health-care workers to test patients for human immunodeficiency virus (HIV) before invasive medical procedures except in emergencies. States without regulations to protect health-care workers from HIV after one year would be ineligible to receive federal funds under the Public Health Service Act. Motion rejected 44-55: (Y = +) 7/30/91.
- 12. Strategic Defense Initiative. S 1507. Gore (D-TN) amendment to eliminate the provisions that would allow for multiple missile interceptor sites and deployment of space-based missile sensors prohibited by the 1972 anti-ballistic missile treaty, thus keeping SDI in the research and development stage. Rejected 39-60: (Y = +)7/31/91.
- 13. Reproductive Rights. S 1507. A motion to invoke cloture on the Wirth (D-CO) amendment to allow military personnel and their dependents stationed overseas access to military medical facilities for all legal reproductive health services, including abortions that are paid for by the individual. Motion rejected 58-40: (Y = +)8/2/91. A 3/5 majority vote (60) of the total Senate required to invoke cloture.
- 14. 1991 Budget Agreement. HR 2707. Harkin (D-IA) motion to waive the Budget Act and rescind \$3.148 billion in budget authority from unobligated balances in Defense Department accounts from fiscal 1988-91 and transfer the \$3.148 billion in budget authority to domestic programs. Motion rejected 28-69; (Y = +) 9/10/91. A 3/5 majority (60) of the Senate is required to waive the Budget Act.
- 15. Affirmative Action. HR 2707. Judgment of the Senate whether the Helms (R-NC)

## **US SENATE 1991 VOTING RECORD**

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### SENATE VOTES (Continued)

amendment to prohibit employers from granting preferential treatment on the basis of race color, sex, religion or national origin and to allow employers to establish affirmative action programs designed to expand the applicant pool was germane. Ruled non-germane 33-67 (N = +) 9/11/91.

- 16. Stealth Bomber. HR 2521. Inouye (D-HI) motion to table Division 1 of the Sasser (D-TN) amendment to cut \$3.2 billion from the Air Force budget, halting production of the B-2 bomber at 15 planes. Motion agreed to 51-48: (N = +) 9/25/91.
- 17. Thomas Nomination. Confirmation of the nomination of Clarence Thomas to be an Associate Justice of the U.S. Supreme court. Confirmed 52-48: (N = +) 10/15/91.
- 18. Unemployment Benefits Extension. S 1722. Passage, over President's veto, of the bill to provide an estimated \$6.4 billion in unemployment benefits for up to 20 additional weeks, based on a state's average total unemployment rate. The bill designates the spending as an emergency, thus exempting it from the spending limits of last year's budget agreement. Rejected 65-35: (Y = +) 10/16/91/A 2/3 majority of the those present and voting (67 in this case) of both houses is required to override a veto.
- 19. National Endowment for the Arts Funding. HR 2686. Byrd (D-WV) motion to table Helms (R-NC) motion to prohibit the National Endowment for the Arts from using funds to promote, disseminate or produce materials that depict or describe, in patently offensive ways, sexual or excretory activities or organs. Motion agreed to 73-25: (Y = +) 10/31/91.
- 20. National Energy Policy. S 1220. Mitchell (D-ME) motion to invoke cloture on the motion and proceed to the bill to allow drilling in the Arctic National Wildlife Refuge, mandate alternative fuels for federal and private vehicle fleets, direct the Secretary of Transportation to adopt new corporate average fuel economy (CAFE) standards, restructure electric utility regulations, streamline the licensing process for nuclear power plants, and enact other programs related to energy production and consumption. Motion rejected 50-44: (N = +) 11/1/91. A 3/5 majority (60) of the total Senate is required to invoke cloture.

# **US HOUSE 1991 VOTING RECORD**

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#### HOUSE VOTES

- 1. Sanctions Against Iraq. H Con Res 33. Concurrent resolution expressing the sense o Congress that the continued use of international sanctions and diplomatic efforts to pressure Iraq to withdraw from Kuwait was desirable and that the President must obtain Congressional approval before undertaking any offensive action. Rejected 183-250: (Y = +) 1/12/91.
- 2. Handgun Waiting Period. HR 7. Passage o bill to requiring a seven-day waiting period for handgun purchases, allowing local law enforcement authorities to check the background of perspective buyers for a criminal record. Passed 239-186: (Y = +) 5/8, 1991.
- 3. Star Wars. HR 2100. Dellums (D-CA) amendment to terminate the Strategic Defense Initiative and permit only basic SDI research funded at \$1.1 billion. Rejected 118-266: (Y = +) 5/20/91.
- 4. Foreign Military Bases. HR 2100. Frank (D-MA) amendment to cut \$8 billion from the total authorization by the withdrawal of U.S. forces from Europe, Japan or South Korea. The reduction could be offset if there were a supporting increase of an equal amount from a host nation. The amendment also would require a report on steps being taken to close overseas military installations. Rejected 167-225: (Y = +).5/21/91.
- 5. Abortion. HR 2100. AuCoin (D-OR) amendment to provide servicemen and their dependents stationed overseas reproductive health services, including privately paid abortions at military hospitals. Adopted 220-208: (Y = +) 5/22/91.
- 6. Disapproval of Fast-Track Procedures. H Res 101. Adoption of resolution to disapprove the President's request to extend for two years procedures that require legislation implementing trade agreements be considered within 60 days o introduction. Rejected 192-231: (Y = +) 5/23/91.
- 7. Civil Rights Act of 1991. HR 1. Towns (D-NY) substitute amendment to provide for unlimited punitive damages for discrimination based on sex, religion, or disability as opposed to the \$150,000 cap provided for in the Brooks (D-TX) substitute; ban sex discrimination in private contracts; and define "business necessity" as a practice that bears a substantial and demonstrable relationship to job performance. Rejected 152-277; (Y = +) 6/4/91.
- 8. Civil Rights Act of 1991. HR 1. Passage of bill

(Continued on Page 8)

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# House Votes (From Page 5)

to reverse or modify Supreme Court rulings that narrowed the reach and remedies of job discrimination laws and authorized compensator and punitive damages for victims of discrimination based on sex, religion or disability. Passed 273-158: (Y = +) 6/5/91.

- 9. Fiscal 1992 VA and HUD Appropriations/Restore Space Station Funding-HR 2519. Chapman (D-TX) en bloc amendment to provide \$1.9 billion for the space station Freedom, restoring funding to the FY 1991 level, and offseting the increase by holding all NASA programs to FY 1991 levels -- a decrease of \$1.7 billion -- and cutting \$217 million from Housing and Urban Development public housing operating subsidies unavailable until the last 10 days of FY 1992. Adopted 240-173: (N = +) 6/6/91.
- 10. MX Missile Rail Garrison. HR 2521. Frank (D-MA), amendment to cut \$260 million for research and development of the MX missile rail garrison. Rejected 155-229; (Y = +) 6/7/91.
- 11. Nuclear Proliferation. HR 2508. Hyde (R-IL) en bloc amendment to eliminate the law that prohibits U.S. foreign aid to Pakistan unless the President certifies annually that Pakistan does not have a nuclear explosive device. Rejected 151-252: (N = +) 6/12/91.
- 12. Conditional MFN for China in 1992. H 2212. Passage of the bill to prohibit the President from waiving the Jackson-Vanik amendment to the 1974 trade act with respect to China in 1992 unless he certifies that China has released and accounted for all prisoners from the Tiananmen Square demonstrations, ended the practice of coercive abortions, stopped assisting other nations in acquiring nuclear weapons, stopped the export o goods made with forced labor, ended human rights violations, and met other conditions. Jackson-Vanik bars most-favored-nation trade status to communist countries that do not allow free emigration. Passed 313-112: (Y = +) 7/10/91.
- 13. Striker Replacement. HR 5. Passage of bill to prohibit employers from hiring permanent replacements for workers striking over economic issues, if the strike was by union represented employees. Passed 247-182: (Y = +) 7/17/91.
- 14. Unemployment Benefits Extension. HR 3040. Passage of the bill to extend permanentl unemployment benefits to long-term unemployed workers for up to 20 additional weeks at estimated cost of \$6.3 billion through fiscal 1996. The bill automatically declared the benefits to be (Continued on Page 9)

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# House Votes (From Page 8)

emergency spending and would not require a Presidential declaration to be exempt from the spending requirements of the 1900 budget agreement. Passed 283-125: (Y = +) 9/17/91.

- 15. National Endowment of the Arts. HR 2686. Yates (D-IL) motion to table Dannemeyer (R-CA) motion instructing conferees to insist on the Senate amendment to prohibit the National Endowment for the Arts from funding projects that depict or describe, in a patently offensive way, sexual or excretory activities or organs. Rejected 181-243: (Y = +) 10/16/91.
- 16. Death Penalty Replacement. HR 3371. Staggers (D-WV) en bloc amendment to provide mandatory life imprisonment without parole in all places where the Omnibus Crime Bill imposes the death penalty and to require restitution of no less than half of offender's earnings to the victim's family. Rejected 101-322: (Y = +) 10/17/91.
- 17. Assault Weapons. HR 3371. Volkmer (D-MO) amendment to strike the provisions that prohibit the ownership or sale of 13 types of semi-automatic assault weapons. The amendment would also delete provision makeing illegal to own or sell ammunition clips of more than seven rounds. Adopted 247-177: (N = +) 10/17/91.
- 18. Omnibus Crime Bill/Fairness in Death Sentencing Act. HR 3371. McCollum (R-FL) amendment to replace the Fairness in Death Sentencing Act, which allows minorities to challenge a death sentence as discriminatory i statistics show a disproportionate number of their race being condemned to die, with the Equal Justice Act, which prohibits the consideration o race in the determining a defendant's sentence and the use of statistics to invalidate a sentence. Adopted 223-191: (N = +) 10/22/91.
- 19. Omnibus Crime Bill/Race-Based Sentencing. HR 3371. Hyde (R-IL) amendment to strike provisions allowing death row prisoners to raise certain race-bias claims in habeas corpus appeals. Adopted 238-180: (N = +) 10/22/91.
- 20. Head Start. HR 3543. Schroeder (D-CO) amendment to provide \$1.39 billion for the Head Start preschool program (\$1.2 billion), the Women, Infants and Children nutrition program (\$100 million) and the childhood immunization program (\$90 million). Adopted 243-180: (Y = +) 10/29/91.

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# **VOTING RECORD STATISTICS**

DEMOCRATS	HOUSE 67%	SENATE 75%
REPUBLICANS	14%	18%
COMBINED	47%	50%

# Immediate ADAction Needed On The Budget

The end of the Cold War presents us with an unprecedented opportunity to bring the federal budget under control for the first time in twelve years. After more than a decade of federal budget policies which forced states and cities to cut back on essential services, the bloated military budget can be substantially reduced and an effective anti-recession program can be enacted.

ADA will be in the forefront in the effort. Our immediate goals are to: (1) reduce military spending by at least 50%; and (2) transfer the resulting dividend to domestic priorities. The peace dividend should be used for programs that promote long-term economic growth, including universal health care, education, child care, economic conversion and infrastructure rebuilding.

ADA will prepare background material, lobby vigorously on Capitol Hill, and encourage constituent visits to Senators and Representatives at home. We will also carry our message to the public through an extensive media and mail campaign.

The battle can be won, but we need your help. Congress must be made aware of the strong support that exists for a national program to meet desperate needs. Please take a moment to write a brief letter to your Senators and Representatives. Ask your friends and neighbors to do so as well.

Remember: Write today! Congress is working on the budget and plans to complete action by March 20. They must hear your views. We have the best opportunity in years to win passage of ADA's budget priorities. We mustn't let this moment slip past.

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#### **OBTAINING THE LIBERAL QUOTIENT**

The votes selected by the ADA Legislative Committee this year cover a wide variety of domestic, foreign, economic, military, and social issues. We tried to select votes which display sharp liberal/conservative divisions. In some instances, we have chosen procedural votes (i.e. amendments, motions to table, and votes on rules to debate) since thay seem to reveal true attitudes which are often obscured in a final vote.

The Voting Record should be viewed as merely one factor in evaluating the legislative performance of U.S. Senators and Representatives. It does not measure leadership skills, constituent service or work in committees, and cannot give a true picture of a legislator's work.

## GET OUT AND VOTE

In this election year, we have a special opportunity to change the shape of next year's Voting Record. President Bush has vetoed 24 bills during his tenure, and he has not yet been overridden. This pattern will continue until we have a liberal in the White House.

ADA has endorsed Sen. Tom Harkin's campaign for the Presidency. We have assembled his lifetime voting record in both the House and the Senate. We also have available voting records for the other candidates who have served in the House and Senate, Sen. Paul Tsongas and Sen. Robert Kerrey. We will be happy to share these useful organizing tools with you.

The primaries are coming up very quickly, and we need to show the Democratic Party that we cannot win by dressing up more like Republicans. We do not need more conservative Democrats, we need more principled ones.

We must also stay involved in local elections. Due to redistricting, many of ADA's friends in Congress will be facing tough races. We need to win these elections, since many of the veto overrides have been extremely close. The attempt to override the Gag Rule failed by 12 votes. Changing only seven Representatives would have made all the difference.

We have an enormous chance this year to make changes. Both Sen. Paul Wellstone and Sen. Harris Wofford won against heavily favored opposition by enunciating the themes we have worked on for many years. We must make ourselves heard at the ballot box if we are to continue to make progress.

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## Legislative Priorities for 1992

- · Campaign Finance Reform
- · Cohesive Energy Policy
- Stronger Environmental Policy
- The Family and Medical Leave Act
- · The Freedom of Choice Act
- · The Striker Replacement Act
- · Universal Health Care
- · A 50% Cut in the Defense Budget
- · Restrictive Social Clubs

# **ADA Has Moved!**

ADA has a new address and new telephone numbers:

1625 K Street, N.W.

**Suite 1150** 

Washington, DC 20006

Our new telephone numbers will be: (202) 785-5980

(202) 785-5969 (FAX)

## TURNING RHETORIC INTO ACTION

Two of ADA's most important legislative priorities, freedom of choice and voting rights for the District of Columbia, will be the focus of public demonstrations during the first weekend in April.

On Saturday, April 4, demonstrators will be forming a ring around the US Capitol to protest the continued disenfranchisement of residents of the capital city. The following day, Sunday, April 5, ADA will be co-sponsoring a march in support of abortion rights. With opponents of choice claiming victory, it is essential that the pro-choice community show its strength.

Make plans to stay for the weekend and come to both rallies. Please contact Ron Zucker in the National ADA office for more information and to find out where ADA will be gathering. Your support is essential.

February, 1992

Vote No.:

Vote No.:

ADA Position

U.S. Sen. Paul D. Wellstone, President Amy Isaacs, National Director Darryl Fagin, Legislative Director Ron Zucker, Editor

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