

**SPECIAL  
REPORT**

From the National Federation of Independent Business

# HOW CONGRESS VOTED<sup>®</sup>

**110th CONGRESS PRE-ELECTION REPORT**

**HAVE THEY EARNED YOUR VOTE?**



**110th Congress Pre-Election Report**  
January 18, 2007 to August 1, 2008

**NFIB**

The Voice of Small Business<sup>®</sup>

# HOW CONGRESS VOTED®

## The 110th Congress Pre-Election Report

### Have They Earned Your Vote?

In keeping with our promise to help our members make informed decisions at the polls, NFIB presents this special pre-election voting guide of *How Congress Voted*. This election-year report cuts through the rhetoric of campaigns and looks at the hard facts: how your U.S. senators and representatives voted on small business issues during the 110th Congress. (Note: This report represents NFIB Key Votes taken prior to August 1, 2008. NFIB will issue a final report at the end of the 110th Congress.)

Lawmakers who vote with small business on key issues 70 percent of the time or more during the 110th Congress earn NFIB's Guardian of Small Business award. Just as important, this report also highlights lawmakers who not only didn't earn a Guardian Award, but who actually voted against small business issues a majority of the time.

This report should come as no surprise. Before key votes, **NFIB asks lawmakers to support the consensus view of our members. We also remind them that their votes are being monitored and will be reported back to NFIB members.**

### Now it's up to you—the small business owner.

Many of the lawmakers listed here are asking to be sent back to Washington for the next Congress. **Before you go to the polls, decide if they have earned the chance.**

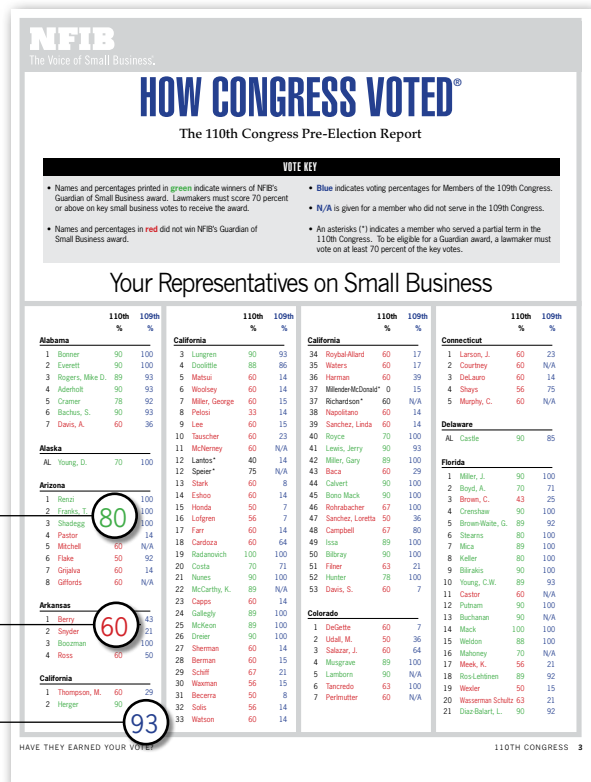
How to read this report >>

### What the Charts in How Congress Voted Show

Names and voting percentages of lawmakers who earned a Guardian Award in the 110th Congress appear in **green**.

Names and voting percentages of lawmakers who did not earn a Guardian Award in the 110th Congress appear in **red**.

Voting percentages of lawmakers who also served in the 109th Congress are in **blue**.



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## The 110th Congress Pre-Election Report

### VOTE KEY

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- Names and percentages in **red** did not win NFIB's Guardian of Small Business award.
- Blue** indicates voting percentages for Members of the 109th Congress.
- N/A** is given for a member who did not serve in the 109th Congress.
- An asterisks (\*) indicates a member who served a partial term in the 110th Congress. To be eligible for a Guardian award, a lawmaker must vote on at least 70 percent of the key votes.

## Your Representatives on Small Business

	110th %	109th %
<b>Alabama</b>		
1 Bonner	90	100
2 Everett	90	100
3 Rogers, Mike D.	89	93
4 Aderholt	90	93
5 Cramer	78	92
6 Bachus, S.	90	93
7 Davis, A.	60	36

<b>Alaska</b>		
AL Young, D.	70	100

<b>Arizona</b>		
1 Renzi	78	100
2 Franks, T.	80	100
3 Shadegg	70	100
4 Pastor	60	14
5 Mitchell	60	N/A
6 Flake	50	92
7 Grijalva	60	14
8 Giffords	60	N/A

<b>Arkansas</b>		
1 Berry	50	43
2 Snyder	60	21
3 Boozman	90	100
4 Ross	60	50

<b>California</b>		
1 Thompson, M.	60	29
2 Heger	90	93

	110th %	109th %
<b>California</b>		
3 Lungren	90	93
4 Doolittle	88	86
5 Matsui	60	14
6 Woolsey	60	14
7 Miller, George	60	15
8 Pelosi	33	14
9 Lee	60	15
10 Tauscher	60	23
11 McNerney	60	N/A
12 Lantos*	40	14
12 Speier*	75	N/A
13 Stark	60	8
14 Eshoo	60	14
15 Honda	50	7
16 Lofgren	56	7
17 Farr	60	14
18 Cardoza	60	64
19 Radanovich	100	100
20 Costa	70	71
21 Nunes	90	100
22 McCarthy, K.	89	N/A
23 Capps	60	14
24 Gallegly	89	100
25 McKeon	89	100
26 Dreier	90	100
27 Sherman	60	14
28 Berman	60	15
29 Schiff	67	21
30 Waxman	56	15
31 Becerra	50	8
32 Solis	56	14
33 Watson	60	14

	110th %	109th %
<b>California</b>		
34 Roybal-Allard	60	17
35 Waters	60	17
36 Harman	60	39
37 Millender-McDonald*	0	15
37 Richardson*	60	N/A
38 Napolitano	60	14
39 Sanchez, Linda	60	14
40 Royce	70	100
41 Lewis, Jerry	90	93
42 Miller, Gary	89	100
43 Baca	60	29
44 Calvert	90	100
45 Bono Mack	90	100
46 Rohrabacher	67	100
47 Sanchez, Loretta	50	36
48 Campbell	67	80
49 Issa	89	100
50 Bilbray	90	100
51 Filner	63	21
52 Hunter	78	100
53 Davis, S.	60	7

<b>Colorado</b>		
1 DeGette	60	7
2 Udall, M.	50	36
3 Salazar, J.	60	64
4 Musgrave	89	100
5 Lamborn	90	N/A
6 Tancredo	63	100
7 Perlmutter	60	N/A

	110th %	109th %
<b>Connecticut</b>		
1 Larson, J.	60	23
2 Courtney	60	N/A
3 DeLauro	60	14
4 Shays	56	75
5 Murphy, C.	60	N/A

<b>Delaware</b>		
AL Castle	90	85

<b>Florida</b>		
1 Miller, J.	90	100
2 Boyd, A.	70	71
3 Brown, C.	43	25
4 Crenshaw	90	100
5 Brown-Waite, G.	89	92
6 Stearns	80	100
7 Mica	89	100
8 Keller	80	100
9 Bilirakis	90	100
10 Young, C.W.	89	93
11 Castor	60	N/A
12 Putnam	90	100
13 Buchanan	90	N/A
14 Mack	100	100
15 Weldon	88	100
16 Mahoney	70	N/A
17 Meek, K.	56	21
18 Ros-Lehtinen	89	92
19 Wexler	50	15
20 Wasserman Schultz	63	21
21 Diaz-Balart, L.	90	92

# HOW CONGRESS VOTED<sup>®</sup>

The 110th Congress Pre-Election Report

## Your Representatives on Small Business

**110th 109th**  
**% %**

### Florida

22	Klein, R.	60	N/A
23	Hastings, A.	50	8
24	Feeney	100	100
25	Diaz-Balart, M.	90	100

### Georgia

1	Kingston	80	100
2	Bishop, S.	56	64
3	Westmoreland	70	100
4	Johnson, H.	60	N/A
5	Lewis, John	67	15
6	Price, T.	80	100
7	Linder	80	100
8	Marshall	50	79
9	Deal	78	100
10	Norwood*	0	100
10	Broun*	75	N/A
11	Gingrey	80	100
12	Barrow	67	64
13	Scott, D.	60	57

### Hawaii

1	Abercrombie	60	33
2	Hirono	60	N/A

### Idaho

1	Sali	90	N/A
2	Simpson	88	93

### Illinois

1	Rush	50	7
2	Jackson, J.	60	14
3	Lipinski	60	36
4	Gutierrez	43	15
5	Emanuel	60	21
6	Roskam	89	N/A
7	Davis, Danny	60	14
8	Bean	60	64
9	Schakowsky	60	8
10	Kirk	80	86
11	Weller	71	93
12	Costello	56	43

**110th 109th**  
**% %**

### Illinois

13	Biggart	90	93
14	Hastert*	100	100
14	Foster*	75	N/A
15	Johnson, Timothy	63	79
16	Manzullo	80	93
17	Hare	60	N/A
18	LaHood	89	86
19	Shimkus	90	93

### Indiana

1	Visclosky	60	7
2	Donnelly	60	N/A
3	Souder	89	100
4	Buyer	89	93
5	Burton	90	100
6	Pence	80	100
7	Carson, J.*	33	15
7	Carson, A.*	75	N/A
8	Ellsworth	60	N/A
9	Hill	70	N/A

### Iowa

1	Brale	56	N/A
2	Loeb	60	N/A
3	Boswell	60	30
4	Latham	90	100
5	King, S.	90	100

### Kansas

1	Moran, Jerry	80	100
2	Boyd	70	N/A
3	Moore, D.	60	21
4	Tiahrt	89	93

### Kentucky

1	Whitfield	80	100
2	Lewis, R.	89	100
3	Yarmuth	56	N/A
4	Davis, G.	90	93
5	Rogers, H.	90	86
6	Chandler	56	36

**110th 109th**  
**% %**

### Louisiana

1	Jindal*	100	100
1	Scalise*	100	N/A
2	Jefferson	57	31
3	Melancon	60	57
4	McCrery	88	100
5	Alexander, R.	89	100
6	Baker*	100	100
6	Cazayoux*	50	N/A
7	Boustany	90	100

### Maine

1	Allen	50	14
2	Michaud	60	21

### Maryland

1	Gilchrest	100	85
2	Ruppersberger	60	36
3	Sarbanes	60	N/A
4	Wynn*	63	71
4	Edwards, D.*	100	N/A
5	Hoyer	60	14
6	Bartlett	90	93
7	Cummings	60	14
8	Van Hollen	67	14

### Massachusetts

1	Olver	60	14
2	Neal	56	14
3	McGovern	60	14
4	Frank, B.	60	14
5	Meehan*	50	14
5	Tsongas*	67	N/A
6	Tierney	60	14
7	Markey	60	14
8	Capuano	56	14
9	Lynch	56	21
10	Delahunt	50	21

### Michigan

1	Stupak	60	23
2	Hoekstra	89	100
3	Ehlers	90	86

**110th 109th**  
**% %**

### Michigan

4	Camp	90	100
5	Kildee	60	14
6	Upton	90	79
7	Walberg	90	N/A
8	Rogers, Mike J.	90	100
9	Knollenberg	90	100
10	Miller, C.	80	100
11	McCotter	80	100
12	Levin, S.	56	14
13	Kilpatrick	60	14
14	Conyers	60	17
15	Dingell	60	15

### Minnesota

1	Walz	60	N/A
2	Kline, J.	90	100
3	Ramstad	80	86
4	McCollum	60	7
5	Ellison	67	N/A
6	Bachmann	90	N/A
7	Peterson, C.	44	71
8	Oberstar	60	7

### Mississippi

1	Wicker*	100	100
1	Childers*	50	N/A
2	Thompson, B.	60	29
3	Pickering	75	100
4	Taylor	60	64

### Missouri

1	Clay	60	36
2	Akin	90	100
3	Carnahan	60	14
4	Skelton	60	57
5	Cleaver	67	8
6	Graves	89	100
7	Blunt	90	100
8	Emerson	90	93
9	Hulshof	86	100

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	110th %	109th %
<b>Montana</b>		
AL Rehberg	90	100
<b>Nebraska</b>		
1 Fortenberry	90	100
2 Terry	90	86
3 Smith, Adrian	90	N/A
<b>Nevada</b>		
1 Berkley	60	33
2 Heller	90	N/A
3 Porter	80	100
<b>New Hampshire</b>		
1 Shea-Porter	60	N/A
2 Hodes	60	N/A
<b>New Jersey</b>		
1 Andrews	57	15
2 LoBiondo	67	79
3 Saxton	67	71
4 Smith, C.	70	79
5 Garrett	90	100
6 Pallone	56	14
7 Ferguson	70	86
8 Pascrell	56	14
9 Rothman	60	21
10 Payne	56	8
11 Frelinghuysen	90	86
12 Holt	60	7
13 Sires	60	N/A
<b>New Mexico</b>		
1 Wilson, H.	100	100
2 Pearce	89	100
3 Udall, T.	56	14
<b>New York</b>		
1 Bishop, T.	60	14
2 Israel	60	29
3 King, P.	80	86
4 McCarthy, C.	60	21
5 Ackerman	60	14

	110th %	109th %
<b>New York</b>		
6 Meeks, G.	60	15
7 Crowley	60	14
8 Nadler	60	14
9 Weiner	56	14
10 Towns	60	33
11 Clarke	67	N/A
12 Velazquez	60	43
13 Fossella	80	100
14 Maloney	67	15
15 Rangel	60	14
16 Serrano	60	8
17 Engel	50	14
18 Lowey	60	14
19 Hall, J.	60	N/A
20 Gillibrand	67	N/A
21 McNulty	60	21
22 Hinchey	60	14
23 McHugh	67	86
24 Arcuri	60	N/A
25 Walsh	80	79
26 Reynolds	90	100
27 Higgins	60	21
28 Slaughter	60	21
29 Kuhl	90	93
<b>North Carolina</b>		
1 Butterfield	56	21
2 Etheridge	60	14
3 Jones, W.	90	86
4 Price, D.	60	14
5 Foxx	80	100
6 Coble	80	93
7 McIntyre	60	71
8 Hayes	70	93
9 Myrick	89	100
10 McHenry	90	100
11 Shuler	78	N/A
12 Watt	60	14
13 Miller, B.	60	14

	110th %	109th %
<b>North Dakota</b>		
AL Pomeroy	60	36
<b>Ohio</b>		
1 Chabot	89	93
2 Schmidt	90	88
3 Turner	89	100
4 Jordan	90	N/A
5 Gillmor*	100	100
5 Latta*	80	N/A
6 Wilson, Charlie	63	N/A
7 Hobson	90	92
8 Boehner	89	100
9 Kaptur	50	14
10 Kucinich	56	14
11 Tubbs Jones	50	17
12 Tiberi	89	100
13 Sutton	56	N/A
14 LaTourette	67	86
15 Pryce, D.	88	100
16 Regula	89	93
17 Ryan, T.	60	36
18 Space	60	N/A

	110th %	109th %
<b>Oklahoma</b>		
1 Sullivan	88	93
2 Boren	90	100
3 Lucas	90	93
4 Cole	89	93
5 Fallin	90	N/A
<b>Oregon</b>		
1 Wu	60	23
2 Walden	89	93
3 Blumenauer	60	7
4 DeFazio	60	21
5 Hooley	60	36
<b>Pennsylvania</b>		
1 Brady, R.	56	14
2 Fattah	56	15
3 English	78	93
4 Altmire	60	N/A
5 Peterson, J.	100	93
6 Gerlach	80	86
7 Sestak	60	N/A
8 Murphy, P.	60	N/A
9 Shuster	88	100
10 Carney	60	N/A
11 Kanjorski	60	7
12 Murtha	56	21
13 Schwartz	56	14

### VOTE KEY

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## The 110th Congress Pre-Election Report Your Representatives on Small Business

**110th 109th**  
**% %**

### Pennsylvania

14	Doyle	60	21
15	Dent	80	100
16	Pitts	90	100
17	Holden	56	36
18	Murphy, T.	80	100
19	Platts	80	86

### Rhode Island

1	Kennedy, P.	60	15
2	Langevin	60	29

### South Carolina

1	Brown, H.	90	100
2	Wilson, J.	90	100
3	Barrett	80	100
4	Inglis	89	100
5	Spratt	60	21
6	Clyburn	60	23

### South Dakota

AL	Hereth Sandlin	60	57
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### Tennessee

1	Davis, David	90	N/A
2	Duncan	80	93
3	Wamp	90	100
4	Davis, L.	67	100
5	Cooper	50	50
6	Gordon	60	79
7	Blackburn	89	100
8	Tanner	60	71
9	Cohen	60	N/A

### Texas

1	Gohmert	88	100
2	Poe	67	93
3	Johnson, S.	89	100
4	Hall, R.	90	100
5	Hensarling	80	93
6	Barton	90	100
7	Culberson	100	100
8	Brady, K.	90	100

**110th 109th**  
**% %**

### Texas

9	Green, A.	60	14
10	McCaul	80	100
11	Conaway	90	100
12	Granger	89	100
13	Thornberry	90	100
14	Paul	67	83
15	Hinojosa	56	46
16	Reyes	56	15
17	Edwards, C.	60	86
18	Jackson Lee	67	29
19	Neugebauer	90	100
20	Gonzalez	60	36
21	Smith, L.	90	100
22	Lampson	75	N/A
23	Rodriguez	60	N/A
24	Marchant	88	100
25	Doggett	60	8
26	Burgess	80	100
27	Ortiz	56	36
28	Cuellar	70	100
29	Green, G.	60	21
30	Johnson, E.	56	14
31	Carter	90	100
32	Sessions, P.	90	100

### Utah

1	Bishop, R.	90	100
2	Matheson	70	86
3	Cannon	80	100

### Vermont

AL	Welch	60	N/A
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### Virginia

1	Davis*	0	93
1	Wittman*	80	N/A
2	Drake	90	100
3	Scott, R.	60	7
4	Forbes	80	100
5	Goode	80	100
6	Goodlatte	90	100
7	Cantor	90	100

**110th 109th**  
**% %**

### Virginia

8	Moran, James	56	29
9	Boucher	67	36
10	Wolf	100	86
11	Davis, T.	80	93

### Washington

1	Inslee	71	21
2	Larsen, R.	60	36
3	Baird	50	43
4	Hastings, D.	89	100
5	McMorris Rodgers	90	100
6	Dicks	60	21
7	McDermott	60	7
8	Reichert	80	93
9	Smith, Adam	44	29

### West Virginia

1	Mollohan	60	36
2	Capito	100	93
3	Rahall	60	36

**110th 109th**  
**% %**

### Wisconsin

1	Ryan, P.	90	100
2	Baldwin	60	14
3	Kind	60	21
4	Moore, G.	60	7
5	Sensenbrenner	80	100
6	Petri	90	93
7	Obey	60	18
8	Kagen	56	N/A

### Wyoming

AL	Cubin	60	100
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# HOW CONGRESS VOTED®

## The 110th Congress Pre-Election Report

**KEY HOUSE VOTES:** The following are descriptions of the 10 bills designated as *NFIB Key Votes* that were used to compile your lawmaker's NFIB Voting Record for the 110th Congress. Each description includes NFIB's position on the issue and the *NFIB Member Ballot* and polling results that created the position.

### 1. EMPLOYEE FREE CHOICE ACT (H.R. 800)

NFIB opposed H.R. 800, the so-called Employee Free Choice Act. The bill would replace federally supervised private-ballot union elections with an inferior "card check" system and allow federal regulators to determine wages and benefits at a newly organized business. The bill passed by a 241–185 vote.

#### WHAT MEMBERS SAID:

*In a 2007 Member Ballot (Vol. 554), 79 percent of NFIB members said employers should not be required to recognize unions by way of signed authorization cards.*

### 2. SBA ENTREPRENEURIAL DEVELOPMENT PROGRAMS ACT (H.R. 2359)

NFIB supported H.R. 2359, the SBA Entrepreneurial Development Programs Act. This bill addresses a primary concern of NFIB members: relief from the disproportionate burden placed on small businesses by federal regulations. H.R. 2359 requires the Small Business Administration Office of Advocacy to determine what regulations have significantly affected a substantial number of small businesses, and then petition the

respective agencies for review of such regulations. The bill passed by a 405–18 vote.

#### WHAT MEMBERS SAID:

*In a 1993 Member Ballot (Vol. 503), 77 percent of NFIB members said that all existing federal regulations should be reevaluated every three to five years.*

### 3. LEDBETTER FAIR PAY ACT (H.R. 2831)

NFIB opposed H.R. 2831, the Ledbetter Fair Pay Act of 2007. The bill creates an open-ended statute of limitations on employee discrimination claims. H.R. 2831 was abruptly rushed through Congress in order to overturn the recent U.S. Supreme Court decision *Ledbetter v. Goodyear Tire & Rubber Company*. The bill passed by a 225–199 vote.

#### WHAT MEMBERS SAID:

*In May 2007, the NFIB Small Business Legal Center scored a key victory when the Supreme Court determined that there is a limit to how far back a plaintiff can reach when seeking damages in a disparate pay claim under Title VII of the 1964 Civil Rights Act (Ledbetter v. Goodyear Tire & Rubber Co.). NFIB's Legal Center filed an*

*amicus brief in this case. In a 2007 Member Ballot (Vol. 555), 89 percent of NFIB members said that Congress should not extend the amount of time an employee has to file a discrimination claim against an employer.*

### 4. INTERNET TAX FREEDOM ACT AMENDMENTS ACT (H.R. 3678)

NFIB strongly supported H.R. 3678, the Internet Tax Freedom Act Amendments Act of 2007. The bill extends, for seven years, the current ban on taxing Internet access. NFIB continues to support a permanent ban on taxing Internet access. The bill passed by a 402–0 vote.

#### WHAT MEMBERS SAID:

*According to the NFIB Research Foundation's 2006 National Small Business Poll on Promotion and Advertising, 51 percent of small employers have a Web site. Advancements in technology have allowed small business owners to better reach their customers and are an increasingly important aspect of business growth for NFIB members.*

### 5. THE TRADE ADJUSTMENT ASSISTANCE AMENDMENT TO THE TRADE AND GLOBALIZATION ACT (H.R. 3920)

NFIB supported the Trade Adjustment Assistance amendment, which was offered by Rep. Jim McCrery (LA-4). The amendment would remove provisions of H.R. 3920 that NFIB members oppose—including extension of the FUTA surtax and expansion of unemployment benefits to part-time and seasonal workers. The amendment failed by a 196–226 vote.

# HOW CONGRESS VOTED<sup>®</sup>

## The 110th Congress Pre-Election Report

### WHAT MEMBERS SAID:

*In a 2001 Member Ballot (Vol. 535), 89 percent of NFIB members said Congress should not expand the current unemployment insurance program to part-time and seasonal workers.*

### 6. RECOVERY REBATES AND ECONOMIC STIMULUS FOR THE AMERICAN PEOPLE ACT (H.R. 5140)

NFIB supported H.R. 5140, the Recovery Rebates and Economic Stimulus for the American People Act of 2008. The bill doubles the current small business expensing limit to \$250,000 for tax year 2008 and allows for an additional one-year 50 percent depreciation deduction. The bill passed by a 385-35 vote.

### WHAT MEMBERS SAID:

*In a 2006 Member Ballot (Vol. 551), 91 percent of NFIB members said that Congress should increase the dollar amount of equipment purchases a small business can expense.*

### 7. PLAIN LANGUAGE IN GOVERNMENT COMMUNICATIONS (H.R. 3548)

NFIB supported H.R. 3548, the Plain Language in Government Communications Act of 2008. The bill requires the federal government to write documents using simple and easy-to-understand language, including tax returns and veterans benefit forms. The bill passed by a 376-1 vote.

### WHAT MEMBERS SAID:

*In a 2003 NFIB Small Business Poll, 29 percent of small employers think the most difficult part of government paperwork is the clarity of the instructions.*

### 8. TAXPAYER ASSISTANCE AND SIMPLIFICATION ACT (H.R. 5719)

NFIB supported H.R. 5719, the Taxpayer Assistance and Simplification Act of 2008. The bill modifies the current outdated rules for deducting the use of cell phones for business purposes, amends a recent change to the tax code that created a potential conflict of interest between accountants and their clients, and includes a one-year delay of the implementation of the 3 percent withholding requirement by federal, state and local governments on payments for goods and services. The bill passed by a 238-179 vote.

### WHAT MEMBERS SAID:

*In a 2004 NFIB Small Business Poll, 78 percent of small business owners use a cell phone for business purposes. In a separate study, 88 percent of our members rely on a tax preparer to complete their annual return. Also, NFIB has consistently opposed any withholding requirements that would restrict the cash flow of businesses.*

### 9. THE 21ST CENTURY GREEN HIGH-PERFORMING PUBLIC SCHOOL FACILITIES ACT (H.R. 3021)

NFIB strongly opposed the 21st Century Green High-Performing Public School Facilities Act. The bill expands the Davis-Bacon Act prevailing wage requirements. The bill passed by a 250-164 vote.

### WHAT MEMBERS SAID:

*In a 1993 Member Ballot (Vol. 503), 81 percent of NFIB members supported the repeal of the Davis-Bacon Act.*

### 10. THE PAPERWORK ASSISTANCE ACT (H.R. 6113)

NFIB supported H.R. 6113, the Paperwork Assistance Act. The bill requires federal agencies to include a contact telephone number in all government paperwork. The bill passed by a 394-0 vote.

### WHAT MEMBERS SAID:

*In a 2007 Member Ballot (Vol. 553), 85 percent of NFIB members said Congress should mandate that all federally required paperwork include contact information for the agency requesting the information.*

# HOW CONGRESS VOTED<sup>®</sup>

## The 110th Congress Pre-Election Report

### VOTE KEY

- Names and percentages printed in **green** indicate winners of NFIB's Guardian of Small Business award. Lawmakers must score 70 percent or above on key small business votes to receive the award.
- Names and percentages in **red** did not win NFIB's Guardian of Small Business award.
- Blue** indicates voting percentages for Members of the 109th Congress.
- N/A** is given for a member who did not serve in the 109th Congress.
- A pound sign (#) indicates a member percent reflecting their House voting record from the 109th Congress.
- An asterisks (\*) indicates a member who served a partial term in the 110th Congress. To be eligible for a Guardian award, a lawmaker must vote on at least 70 percent of the key votes.

## Your Senators on Small Business

	110th %	109th %
<b>Alabama</b>		
Shelby	82	88
Sessions, J.	91	100
<b>Alaska</b>		
Stevens	100	100
Murkowski	91	100
<b>Arizona</b>		
McCain	100	100
Kyl	91	100
<b>Arkansas</b>		
Lincoln	73	44
Pryor	64	22
<b>California</b>		
Feinstein	55	22
Boxer	60	0
<b>Colorado</b>		
Allard	82	100
Salazar, K.	64	33
<b>Connecticut</b>		
Dodd	50	11
Lieberman	73	11
<b>Delaware</b>		
Biden	56	25
Carper	70	44
<b>Florida</b>		
Nelson, Bill	64	33
Martinez	100	100
<b>Georgia</b>		
Chambliss	100	100
Isakson	100	100

	110th %	109th %
<b>Hawaii</b>		
Inouye	60	13
Akaka	55	0
<b>Idaho</b>		
Craig	91	89
Crapo	91	89
<b>Illinois</b>		
Durbin	55	0
Obama	50	13
<b>Indiana</b>		
Lugar	100	100
Bayh	73	22
<b>Iowa</b>		
Grassley	100	100
Harkin	55	0
<b>Kansas</b>		
Brownback	100	100
Roberts	100	100
<b>Kentucky</b>		
McConnell	100	100
Bunning	100	100
<b>Louisiana</b>		
Landrieu	73	44
Vitter	100	100
<b>Maine</b>		
Snowe	100	100
Collins	100	100
<b>Maryland</b>		
Mikulski	55	0
Cardin	55	N/A

	110th %	109th %
<b>Massachusetts</b>		
Kennedy, E.	55	0
Kerry	50	0
<b>Michigan</b>		
Levin, C.	55	0
Stabenow	55	22
<b>Minnesota</b>		
Coleman	100	89
Klobuchar	55	N/A
<b>Mississippi</b>		
Cochran	100	100
Lott*	100	100
Wicker*	100	100#
<b>Missouri</b>		
Bond	100	100
McCaskill	64	N/A
<b>Montana</b>		
Baucus, M.	73	38
Tester	73	N/A
<b>Nebraska</b>		
Hagel	90	100
Nelson, Ben	80	67
<b>Nevada</b>		
Reid, H.	55	11
Ensign	90	100
<b>New Hampshire</b>		
Gregg	91	100
Sununu	100	100
<b>New Jersey</b>		
Lautenberg	55	0
Menendez	55	0

	110th %	109th %
<b>New Mexico</b>		
Domenici	100	89
Bingaman	55	22
<b>New York</b>		
Schumer	55	25
Clinton	50	13
<b>North Carolina</b>		
Dole	100	100
Burr	100	89
<b>North Dakota</b>		
Conrad	45	29
Dorgan	45	0
<b>Ohio</b>		
Voinovich	90	78
Brown, S.	55	N/A
<b>Oklahoma</b>		
Inhofe	89	100
Coburn	91	100
<b>Oregon</b>		
Wyden	64	0
Smith, G.	100	100
<b>Pennsylvania</b>		
Specter	91	86
Casey	55	N/A
<b>Rhode Island</b>		
Reed, J.	55	11
Whitehouse	45	N/A
<b>South Carolina</b>		
Graham	100	89
DeMint	91	100

	110th %	109th %
<b>South Dakota</b>		
Johnson, Tim	100	44
Thune	100	100
<b>Tennessee</b>		
Alexander, L.	100	100
Corker	91	N/A
<b>Texas</b>		
Hutchison	100	100
Cornyn	100	100
<b>Utah</b>		
Hatch	100	100
Bennett	100	100
<b>Vermont</b>		
Leahy	55	0
Sanders	55	14#
<b>Virginia</b>		
Warner	100	100
Webb	64	N/A
<b>Washington</b>		
Murray	55	0
Cantwell	64	22
<b>West Virginia</b>		
Byrd	64	11
Rockefeller	55	17
<b>Wisconsin</b>		
Kohl	55	22
Feingold	36	0
<b>Wyoming</b>		
Enzi	91	100
Thomas*	100	100
Barrasso*	83	N/A

# HOW CONGRESS VOTED<sup>®</sup>

## The 110th Congress Pre-Election Report

**KEY SENATE VOTES:** The following are descriptions of the 11 bills designated as *NFIB Key Votes* that were used to compile your lawmaker's NFIB Voting Record for the 110th Congress. Each description includes NFIB's position on the issue and the *NFIB Member Ballot* and polling results that created the position.

### 1. REGULATION COMPLIANCE AMENDMENT TO THE FAIR MINIMUM WAGE ACT (H.R. 2)

NFIB supported the Regulation Compliance amendment, offered by Sen. Olympia Snowe (R-ME), which would require federal agencies to publish a compliance guide for each new regulatory rule applying to small business. The amendment passed by a 99-0 vote.

#### WHAT MEMBERS SAID:

*In a 2008 Member Ballot (Vol. 556), 70 percent of NFIB members said that federal agencies should publish step-by-step small business compliance guides by the date a regulation becomes effective.*

### 2. LINE-ITEM VETO AMENDMENT TO THE FAIR MINIMUM WAGE ACT (H.R. 2)

NFIB supported the Line Item Veto amendment, offered by Sen. Judd Gregg (R-NH), which would give the president certain authority to identify and eliminate wasteful spending items. The amendment failed by a 49-48 vote.

#### WHAT MEMBERS SAID:

*In a 1994 Member Ballot (Vol. 508), 80 percent of NFIB members said the president should be given line-item veto authority over spending items.*

### 3. SMALL BUSINESS EXPENSING AMENDMENT TO THE FAIR MINIMUM WAGE ACT (H.R. 2)

NFIB supported the Small Business Expensing amendment, offered by Sen. Jon Kyl (R-AZ), which would provide significant relief for an extended period of time to small businesses hoping to expense current and future business investments. The amendment failed by a 49-48 vote.

#### WHAT MEMBERS SAID:

*In a 2006 Member Ballot (Vol. 551), 91 percent of NFIB members said that Congress should increase the dollar amount of equipment purchases a small business can expense.*

### 4. REPEAL OF BUSH TAX CUTS AMENDMENT TO THE BUDGET (S. CON RES 21: FISCAL 2008 BUDGET RESOLUTION)

NFIB opposed the Repeal of the Bush Tax Cuts amendment, offered by Sen. Bernard Sanders (I-VT), which would have restored the top marginal tax rate to pre-2001 levels on taxable income in excess of \$1 million. The amendment failed by a 38-58 vote.

#### WHAT MEMBERS SAID:

*In a 2005 Member Ballot (Vol. 548), 87 percent of NFIB members said that Congress should make the individual tax rate cuts permanent.*

### 5. SARBANES-OXLEY AMENDMENT TO THE AMERICA COMPETES ACT (S. 761)

NFIB supported the Sarbanes-Oxley amendment, offered by Sen. Chris Dodd (D-CT), which encourages the Securities and Exchange Commission (SEC) and Public Company Accounting Oversight Board (PCAOB) to rewrite the regulatory rules implementing Section 404 of the 2002 Sarbanes-Oxley Act. Because the SEC and PCAOB have found the current rules to be too onerous on small- and mid-sized public firms, rewriting these rules would make them more efficient and less costly. The amendment passed by a 97-0 vote.

#### WHAT MEMBERS SAID:

*In a 2000 Member Ballot (Vol. 534), 85 percent of NFIB members said that regulatory agencies should be required to consider indirect costs and impact of regulations on small business.*

### 6. EMPLOYEE FREE CHOICE ACT (H.R. 800)

NFIB opposed H.R. 800, the so-called "Employee Free Choice Act." H.R. 800 would replace federally supervised private-ballot union elections with an inferior "card check" system and allow federal regulators to determine wages and benefits at a newly organized business. The Senate failed to limit debate (or "invoke cloture") on the amendment by a 51-48 vote.

#### WHAT MEMBERS SAID:

*In a 2007 Member Ballot (Vol. 554), 79 percent of NFIB members said employers should not be required to recognize unions by way of signed authorization cards.*

# HOW CONGRESS VOTED<sup>®</sup>

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### **7. TEMPORARY TAX RELIEF ACT (H.R. 3996)**

NFIB supported the Alternative Minimum Tax patch bill. The bill did not raise taxes to pay for the one-year extension of the AMT patch and provides relief for millions of small business owners who would have been faced with this hefty tax increase had Congress not acted. The bill passed by an 88–5 vote.

#### **WHAT MEMBERS SAID:**

*In a 2005 Member Ballot (Vol. 547), 67 percent of NFIB members said Congress should repeal the individual Alternative Minimum Tax.*

### **8. RECOVERY REBATES AND ECONOMIC STIMULUS FOR THE AMERICAN PEOPLE ACT (H.R. 5140)**

NFIB supported H.R. 5140, the Recovery Rebates and Economic Stimulus for the American People Act of 2008. The bill doubles the current small business expensing limit to \$250,000 for tax year 2008 and allows for an additional one-year 50 percent depreciation deduction. The bill passed by an 86–16 vote.

#### **WHAT MEMBERS SAID:**

*In a 2006 Member Ballot (Vol. 551), 91 percent of NFIB members said that Congress should increase the dollar amount of equipment purchases a small business can expense.*

### **9. BUSH TAX CUT EXTENSIONS AMENDMENT TO THE FISCAL 2009 BUDGET RESOLUTION (S. CON RES 70)**

NFIB supported the Bush Tax Cut Extension amendment, offered by Sen. Max Baucus (D-MT), which would allow for the extension of certain 2001 and 2003 tax cuts. The 10 percent bracket created by the 2001 Bush tax cuts would be extended, which would affect all small business taxpayers. In addition, the amendment would avoid the return to pre-2001 estate tax levels. The amendment passed by a 99–1 vote.

#### **WHAT MEMBERS SAID:**

*In a 1999 Member Ballot (Vol. 529), 89 percent of NFIB members said that Congress should repeal the estate tax. Also, in a 2006 Member Ballot (Vol. 551), 91 percent of NFIB members said that Congress should permanently increase the dollar amount of equipment purchases a small business can expense.*

### **10. MORTGAGE RELIEF/BANKRUPTCY AMENDMENT TO THE AMERICAN HOUSING RESCUE AND FORECLOSURE PREVENTION ACT (H.R. 3221)**

NFIB opposed the Mortgage Relief/Bankruptcy amendment, offered by Sen. Dick Durbin (D-IL), which would have allowed bankruptcy judges to modify the terms of subprime and nontraditional mortgages, including reducing the outstanding principal, during bankruptcy proceedings. The amendment passed by a 58–36 vote.

#### **WHAT MEMBERS SAID:**

*In a 1994 Member Ballot (Vol. 508), 77 percent of NFIB members said that the criteria for declaring bankruptcy should be more stringent.*

### **11. STRATEGIC PETROLEUM RESERVE AMENDMENT TO THE NATIONAL FLOOD INSURANCE PROGRAM (S. 2284)**

NFIB supported the Strategic Petroleum Reserve amendment, which was offered by Sen. Harry Reid (D-NV). The amendment suspended the acquisition of petroleum for the Strategic Petroleum Reserves through December 2008. The amendment was passed by a 97–1 vote.

#### **WHAT MEMBERS SAID:**

*According to NFIB's 2008 Small Business Problems and Priorities, the cost of natural gas, propane, gasoline, diesel and fuel oil ranked as the second most important issue facing small business owners. The primary energy cost for 38 percent of small firms is operating vehicles and for one-fifth, the primary cost is operating equipment. Also, in a 2006 Member Ballot (Vol. 552), 78 percent of NFIB members said that the federal government should make it easier for more refineries to open.*