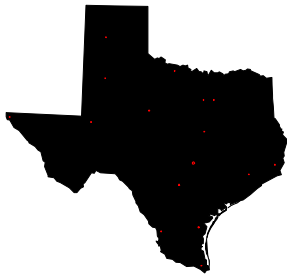


Texas



2004 TexPIRG Congressional Scorecard

Senate

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	2004 Score	Lifetime Score
Cornyn (R)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0%	0%
Hutchison (R)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	+	-	-	-	-	5%	8%

House

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	2004 Score	Lifetime Score
1 Sandlin (D)	-	-	-	-	-	-	-	+	-	+	-	+	+	+	+	-	-	-	-	+	+	38%	32%
2 Turner (D)	-	-	-	-	-	-	-	-	-	-	A	+	-	+	+	-	-	-	-	+	-	19%	32%
3 Johnson (R)	-	-	-	-	A	-	A	-	-	-	-	A	A	-	-	-	-	-	-	-	-	0%	5%
4 Hall (R)	-	-	-	-	-	-	-	-	-	-	-	+	-	-	+	-	-	-	-	+	-	14%	14%
5 Hensarling (R)	-	-	-	-	-	-	-	-	-	-	-	+	+	-	-	-	-	-	-	-	-	10%	10%
6 Barton (R)	-	-	-	-	A	-	A	-	-	-	-	A	A	-	+	-	+	-	+	-	-	14%	7%
7 Culberson (R)	-	-	-	-	-	-	-	-	-	-	-	+	-	-	+	-	-	-	-	-	-	10%	6%
8 Brady (R)	-	-	-	-	-	-	-	-	-	-	-	+	-	-	-	-	-	-	-	-	-	5%	47%
9 Lampson (D)	-	+	-	-	+	+	+	+	+	+	-	-	-	+	+	-	+	-	+	+	+	62%	68%
10 Doggett (D)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	94%
11 Edwards (D)	-	-	-	-	-	-	-	+	-	+	-	-	-	+	+	-	+	-	-	+	-	29%	40%
12 Granger (R)	-	-	-	-	A	-	A	-	-	-	-	A	A	-	-	-	-	-	-	-	-	0%	6%
13 Thornberry (R)	-	-	-	-	-	-	-	-	-	-	-	+	-	-	-	-	-	-	-	-	-	5%	5%
14 Paul (R)	-	A	+	A	-	+	-	-	A	-	-	A	A	+	-	-	-	A	+	-	-	19%	34%
15 Hinojosa (D)	+	-	-	-	+	+	+	+	-	+	-	+	+	+	+	-	-	-	+	+	-	57%	55%
16 Reyes (D)	+	-	-	A	-	+	+	+	-	+	-	-	-	+	+	-	+	+	-	+	-	48%	57%
17 Stenholm (D)	-	-	-	-	-	-	-	-	-	-	-	+	-	-	+	-	-	-	-	+	+	19%	16%
18 Jackson Lee (D)	+	+	A	+	+	+	+	+	-	+	+	+	+	+	+	+	+	+	+	+	+	90%	80%
19 Neugebauer (R)	-	NA	-	-	-	NA	-	NA	NA	-	-	+	-	NA	-	NA	-	NA	-	-	-	7%	7%
20 Gonzalez (D)	-	+	+	-	+	+	+	+	-	+	-	-	+	+	+	-	+	+	-	+	-	62%	77%
21 Smith (R)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0%	4%
22 DeLay (R)	-	-	-	-	-	-	-	-	-	-	-	A	A	-	-	-	-	-	-	-	-	0%	5%
23 Bonilla (R)	-	-	-	-	A	-	A	-	-	-	-	A	A	-	-	-	-	-	-	-	-	0%	3%
24 Frost (D)	+	+	+	+	+	-	+	+	-	+	+	-	-	+	+	-	+	-	-	+	-	62%	52%
25 Bell (D)	+	+	-	-	+	+	+	+	-	+	-	+	+	+	+	-	-	-	-	+	+	62%	62%
26 Burgess (R)	-	-	-	-	A	-	A	-	-	-	-	A	A	-	-	-	-	-	-	-	-	0%	0%
27 Ortiz (D)	-	-	-	A	-	-	+	+	-	-	-	-	-	+	+	-	+	-	-	+	-	29%	37%
28 Rodriguez (D)	+	-	-	-	+	+	+	+	-	+	-	-	+	+	+	+	+	+	+	+	+	71%	70%
29 Green (D)	-	-	-	-	+	+	+	+	-	+	-	-	-	+	+	-	+	-	-	+	-	43%	57%
30 Johnson (D)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	-	+	+	+	+	-	90%	71%
31 Carter (R)	-	-	-	-	A	-	A	-	-	-	-	A	A	-	-	-	-	-	-	-	-	0%	0%
32 Sessions (R)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0%	4%

Key: +=Supports public interest position -=Does not support public interest position A=Absent NA=Not in office P=Present
 Votes occurred between January 22, 2003 and November 21, 2003.

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Senate Vote Descriptions

1. Clean Air/Protect Crucial Clean Air Act Standards:

On December 31, 2002, the U.S. Environmental Protection Agency (EPA) finalized the most significant rollback of clean air rules since the Clean Air Act was adopted 30 years ago. The Agency made the changes at the behest of industry lobbyists and in spite of the vocal opposition of state regulators, at least nine Attorneys General, hundreds of thousands of private citizens, more than one thousand medical doctors, and many members of Congress. These rule changes will allow increased emissions from 17,000 industrial facilities across the country, exacerbating the soot and smog that send hundreds of thousands of Americans to hospital emergency rooms each year. On January 21, 2003, Sens. Edwards (D-NC) and Lieberman (D-CT) introduced an amendment that would have prevented EPA's implementation of the rule changes until their health impacts were studied. On January 22, 2003, the Senate voted against the amendment 46-50. (Roll Call #12) **PUBLIC INTEREST VOTE: YES**

2. Clean Water/Keep Polluters Responsible for Pollution: Companies should be fully liable for problems caused by their products, but the 2003 Senate energy bill (S. 14) would have shielded the oil, chemical, and ethanol industries from liability for problems caused by renewable fuels and fuel additives, including companies' failure to warn the public of a product's risks. This loophole would shift water pollution cleanup costs from polluters to local taxpayers, eliminate a major incentive for companies to thoroughly test fuels and fuel additives and warn the public about problems caused by products already on the market, and create a dangerous precedent for future environmental policy. Research already indicates that one additive, ethanol, inhibits the breakdown of more toxic components of gasoline and increases the spread of benzene and other toxics around leaking storage tanks. As new ethanol-derived fuel additives are developed, additional public health and environmental hazards may well emerge. Sen. Barbara Boxer (D-CA) offered an amendment to the energy bill that would ensure that companies remain fully liable for problems caused by renewable fuels and fuel additives. On June 5, 2003, the Senate rejected the amendment by a vote of 38-57. (Roll Call #208) **PUBLIC INTEREST VOTE: YES**

3. Arctic Refuge/Stop Drilling in the Arctic National Wildlife Refuge: In 2003, the Senate Budget Committee, led by chairman Pete Domenici (R-NM), included language in the Budget Resolution that counted revenue from oil and gas leasing and drilling in the coastal plain of the Arctic National Wildlife Refuge. Including this type of revenue language in a Budget Resolution has been used in the past as a first step towards passing legislation that would actually authorize oil and gas leasing and drilling in the Arctic Refuge. Sen. Barbara Boxer (D-CA) introduced an amendment to remove the "assumption of revenue" language from the Budget Resolution. On March 19, 2003, the Senate approved the amendment by a vote of 52-48. (Roll Call #59) **PUBLIC INTEREST VOTE: YES**

4. Energy/Reject Anti-Consumer, Anti-Environment Energy Bill: When the House-Senate energy conference committee convened early in the fall of 2003 to reconcile the two chambers' versions of the energy bill, the conference committee quickly abandoned the Senate version of the bill and met behind closed doors to draft a new bill. The result was an anti-environment, anti-consumer energy bill that was a disaster for anyone who drinks the water, breathes the air, pays utility bills or pays taxes. The conference report (H.R. 6) also included provisions that did not pass either the House or Senate. One such provision would weaken the Clean Air Act by delaying cleanup of air pollution in smoggy areas. In addition, the conference report would weaken important drinking water and surface water protection, and let oil companies off the hook for polluting drinking water supplies. During Senate consideration of H.R. 6, several senators mounted a filibuster to block its passage. On November 21, 2003, the Senate failed to invoke cloture to stop the filibuster by a vote of 57-40 (60 votes needed to proceed). (Roll Call #456) **PUBLIC INTEREST VOTE: NO**

5. Toxic Waste Cleanup/Reinstate Superfund Polluter Pays Fees: In 1995, Superfund's polluter pays fees expired. Since then, the burden of paying for abandoned toxic waste site cleanups has shifted from polluting industries to taxpayers. In 1995, taxpayers paid for only 18% of these costs; this year, taxpayers will pay for all abandoned site cleanups. At the same time, Superfund cleanups have dropped by 50% compared with the late 1990s. A recent EPA Inspector

General report showed a \$175 million funding shortfall; according to the General Accounting Office, the appropriations for the program have dropped by 35% compared with 1993. Reinstating Superfund's polluter pays fees would shift the burden of paying for toxic cleanups back to polluting industries and provide a dedicated funding source for the program, enhancing cleanup rates and protecting public health and the environment. Sen. Frank Lautenberg (D-NJ) offered an amendment to the FY04 budget resolution that would have reinstated the Superfund polluter pays fees. On March 25, 2003, the Senate rejected the amendment by a vote of 43-56. (Roll Call #97) **PUBLIC INTEREST VOTE: YES**

6. Global Warming/Curb Global Warming Pollution: Burning dirty fossil fuels (oil, coal and gas) to power cars and homes releases heat-trapping global warming gases into the atmosphere, which alters the climate of the planet and throws weather systems out of balance. U.S. global warming pollution accounts for one-quarter of global emissions. Scientists warn that doing nothing to reduce global warming pollution will increase the frequency and severity of costly extreme weather events such as drought, floods, and hurricanes. Extreme weather events cost Americans nearly \$20 billion in 2002, a cost that could increase if the U.S. does nothing to curb global warming. In July 2003, Sens. John McCain (R-AZ) and Joseph Lieberman (D-CT) refused to let the Senate energy bill proceed to a House-Senate conference committee without an agreement to debate and hold an up-or-down vote on their global warming proposal, the Climate Stewardship Act (S. 139). The legislation would require major industries, including power plants and oil companies, to collectively reduce U.S. emissions of greenhouse gases to 2000 emission levels by the year 2010. The Climate Stewardship Act would be a good step towards curbing global warming pollution. On October 30, 2003, the Senate defeated the McCain-Lieberman legislation by a vote of 43-55. (Roll Call #420) **PUBLIC INTEREST VOTE: YES**

7. Global Warming/Increase Fuel Economy of Vehicles: America is too dependent on oil; this dependence has repercussions for the environment, for consumers and for our national security. Although the U.S. possesses only 3% of the world's oil reserves, Americans consume more than a quarter of the world's oil. America's cars and light trucks comprise an estimated 40% of U.S. oil consumption; the U.S. could substantially reduce both its dependence on oil and its global warming pollution by using existing technology to raise the vehicle mileage-per-gallon of new cars and light trucks. Under the corporate average fuel economy (CAFE) standards, each manufacturer's fleet of light trucks, including sport utility vehicles (SUVs), minivans and pickup trucks, is required to meet a standard of only 20.7 miles per gallon; cars must meet a higher 27.5 miles per gallon standard. As increasing numbers of gas-guzzling SUVs and other light trucks have replaced cars on the nation's highways, the fuel economy of new vehicles has sunk to its lowest level since 1980. During consideration of the Senate energy bill (S. 14), Sen. Dick Durbin (D-IL) proposed an amendment to raise the CAFE standard for cars and light trucks to 40 miles per gallon by 2015. This improvement would have saved 3.1 million barrels of oil a day—combined, as much oil as the U.S. currently imports from the Persian Gulf and could extract from the Arctic Refuge and off the California coast—and would have prevented the release of more than 500 million tons of global warming pollution into the atmosphere. On July 29, 2003, the Senate rejected the amendment by a vote of 32-65. (Roll Call #309) **PUBLIC INTEREST VOTE: YES**

8. Environmental Preservation/Oppose Increased Logging Under the Guise of Fighting Forest Fires: The Senate voted in favor of a modified version of the House-passed Healthy Forests Restoration Act of 2003 (H.R. 1904). Instead of ensuring that federal agencies protect at-risk communities by using the best scientific data and requiring that the necessary resources go to states and communities, the Senate-passed bill weakens environmental protections, interferes with the independent judiciary, and undermines public participation in decisions that affect our public lands. Despite claims to the contrary, the bill provides little or no protection for our last remaining old growth trees and allows the timber industry to cut down large, fire resistant trees that are miles from communities at risk. On October 30, 2003, the Senate passed the bill by a vote of 80-14. (Roll Call #428) **PUBLIC INTEREST VOTE: NO** [Negotiations between the House and the Senate lead to a final version of the bill that was even worse than the earlier Senate version. This final version passed both houses of Congress, and President Bush signed the so-called Healthy Forests Restoration Act into law on December 3, 2003.]

9. Environmental Preservation/Protect National Forests and Public Participation: The Healthy Forests Restoration Act (H.R. 1904) weakens the National Environmental Policy Act (NEPA), a cornerstone environmental law, by gutting the

NEPA requirement that agencies consider a full range of alternatives to logging and road-building and other proposals with environmental impacts. During consideration of H.R. 1904 on the Senate floor, Sen. Maria Cantwell (D-WA) introduced an amendment to restore the adequate-range-of-alternatives standard required by NEPA when conducting environmental reviews of forest thinning projects. Sen. Mike Crapo (R-ID) offered a motion to table the Cantwell amendment. On October 30, 2003, the Senate tabled the amendment by a vote of 57-34. (Roll Call #426) **PUBLIC INTEREST VOTE: NO**

10. Environmental Preservation/Protect Tongass Rainforest: In another threat to the judicial system and the Tongass National Forest, Sen. Ted Stevens (R-AK) added an anti-environmental rider to the FY04 Interior Appropriations bill in committee that would make it much harder for citizens to go to court to stop harmful logging projects by allowing only 30 days to file lawsuits on about 40 logging projects in the Tongass – including several where some or all of the sale is prohibited by the Roadless Area Conservation Rule. The rider would also interfere with the independence of the federal judiciary by limiting to 180 days the time the Federal District Court in Alaska has to review and render a final decision on lawsuits regarding logging projects in the Tongass. During consideration of the FY04 Interior Appropriations bill, Sen. Barbara Boxer (D-CA) offered an amendment to strike the Stevens rider. Sen. Stevens then offered a motion to table Senator Boxer's amendment. On September 23, 2003, the Senate voted to table the Boxer amendment by a vote of 52-44. (Roll Call #359) **PUBLIC INTEREST VOTE: NO**

11. Environmental Preservation/Require Department of Defense to Comply with Environmental Laws: During consideration of S. 1050, the Defense Authorization bill, the Senate Armed Services Committee inserted a provision exempting the military from habitat protection provisions of the Endangered Species Act, threatening more than 300 federally-listed threatened and endangered species living on 25 million acres of Department of Defense land. These exemptions are unnecessary; under the Endangered Species Act, the Secretary of Defense already has the authority to waive regulations on a case-by-case basis in the interest of national security. In response to the proposed exemption, Sens. Frank Lautenberg (D-NJ), Daniel Akaka (D-HI), Joseph Lieberman (D-CT) and Jim Jeffords (I-VT) introduced an amendment to require the Interior Secretary to assure that the lands in question were adequately protected before the Endangered Species Act could be waived. On May 21, 2003, the Senate approved the amendment by a vote of 51-48. (Roll Call #190) **PUBLIC INTEREST VOTE: YES**

12. Oceans Protection/Stop Harmful Oil and Gas Exploration: For more than 20 years, Congress has voted to protect our precious coastlines and marine ecosystems from oil and gas drilling and development. These votes have prevented the Department of Interior from issuing leases on the Outer Continental Shelf (OCS) – the submerged lands and seabeds that lie between three and 200 nautical miles offshore. The 2003 Senate energy bill (S. 14), however, originally included language that would strip these protections and require that the Department of Interior conduct an inventory of potential oil and gas resources of the entire OCS. This inventory, which was to include environmentally harmful techniques such as seismic surveys and sediment sampling, would include even those areas specifically under moratorium for such activities. In an effort to protect the integrity of our fragile ocean ecosystems, Sens. Bob Graham (D-FL) and Dianne Feinstein (D-CA) proposed an amendment that would have struck the provision requiring the Interior Secretary to conduct the OCS inventory. On June 12, 2003, the Senate rejected the amendment by a vote of 45-53. (Roll Call #221) **PUBLIC INTEREST VOTE: YES**

13. Polluter Subsidies/Cut Loan Guarantees for Nuclear Power Plants: No new nuclear power plants have been ordered and built in the U.S. since the disaster at Three Mile Island in 1979. Nuclear waste from nuclear power plants may be the most dangerous substance produced by humans, and we have no safe methods of storing or disposing of it. Despite these concerns, the federal government provided the nuclear industry with more than \$66 billion in research and development subsidies between 1948-1998. In an attempt to jump-start the construction of new nuclear reactors, Sen. Pete Domenici (R-NM) inserted language into the Senate energy bill, S. 14, authorizing federal loan guarantees to finance half the cost of bringing an additional 8,400 megawatts of nuclear power on line (approximately 8 new plants). According to the Congressional Research Service, this provision would cost taxpayers between \$14 and \$16 billion. In addition, the provision authorized the federal government to buy back power from the reactors—potentially at above market rate—effectively taxing taxpayers twice to subsidize the nuclear industry. During floor consideration of the

energy bill, Sens. Ron Wyden (D-OR) and John Sununu (R-NH) offered an amendment to strike this provision. On June 10, 2003, the Senate rejected the amendment by a vote of 48-50. (Roll Call #214) **PUBLIC INTEREST VOTE: YES**

14. Health Care/Increase Access to Affordable Generic Drugs: Consumers are increasingly frustrated by the high costs of prescription drugs. In 2003, a PIRG study found that the uninsured paid 72% more than federal agencies paid for the same prescription drugs. In addition, drug prices in the United States are the highest in the world. One way to lower the costs for consumers is to make it easier for generic drug makers to enter the market without interference from brand-name manufacturers. Generic drugs are typically priced at 30-80% below brand-name drugs. Sen. Byron Dorgan (D-ND) offered an amendment to the Medicare Reform Bill that would make access to generic drugs easier, by removing unfair market barriers used by the prescription drug industry to inhibit competition from low-cost generic drug companies. On June 20, 2003, the Senate approved the amendment by a vote of 62-28. (Roll Call #232) **PUBLIC INTEREST VOTE: YES**

15. Consumer Protection/Oppose Media Consolidation: On June 2, 2003, the Federal Communications Commission (FCC) weakened longstanding structural rules that limited the number of television stations one corporation can own. The previous rules had ensured that viewers and listeners had access to a variety of viewpoints on scarce, publicly-owned airwaves. The old FCC rule allowed a corporation to own television stations that could reach no more than 35% of the nation's households - the new rule increased ownership to 45%. The new FCC rule also weakened a prohibition on cross-ownership between the dominant newspaper and television station in a community. Sen. Byron Dorgan (D-ND) offered a "legislative veto" resolution to overturn these and other related FCC actions. On September 16, 2003, the Senate approved the resolution by a vote of 55-40. (Roll Call #348) **PUBLIC INTEREST VOTE: YES**

16. Consumer Protection/Protect Consumers from Electricity Price Gouging: America should have an energy plan that provides reliable, clean electricity at a fair price. We can achieve this and help prevent future blackouts by placing a priority on utility accountability, conservation, efficiency and clean local power, using technologies that are already available. Because of increased consolidation and poorly-crafted state deregulation of the electricity industry, consumers are more vulnerable than ever to rip-offs and blackouts. The Senate energy bill (S. 14) would make this problem worse by repealing one of the only pro-consumer electricity laws on the books, the Public Utility Holding Company Act (PUHCA). Under PUHCA, the Securities and Exchange Commission requires large, multi-state companies that own utilities - known as registered holding companies - from using the kind of financial structures and accounting practices that helped lead to the downfall of Enron. PUHCA helps shield consumers and investors from these risky business decisions by requiring registered holding companies to invest only in businesses needed to run the utility. Sen. Maria Cantwell (D-WA) offered an amendment to the energy bill that would have prohibited all forms of fraudulent market manipulation and required the Federal Energy Regulatory Commission to strip the ability to participate in the market from utilities that knowingly engaged in manipulative practices. On July 30, 2003, the Senate rejected the amendment by a vote of 48-50. (Roll Call #311) **PUBLIC INTEREST VOTE: YES**

17. Consumer Protection/Protect Financial Privacy: In 1999, Congress passed the Gramm-Leach-Bliley Act (GLBA), which encouraged mergers between banking, securities, insurance and other financial firms. Although that law did not adequately protect consumers from the sharing of their confidential consumer records between the affiliates of these new financial supermarkets, or with third parties, GLBA gave the states the authority to enact stronger financial privacy laws. In August 2003, California passed a law that allowed, with some exceptions, consumers to opt out of most sharing with affiliates and require opt in consent for sharing with a third party. During consideration of S. 1753, the Senate version of the Fair and Accurate Credit Transactions Act (H.R. 2622), Sens. Dianne Feinstein (D-CA) and Barbara Boxer (D-CA) offered an amendment to make California's new law, which is at risk of federal preemption, the national law. On November 4, 2003, the Senate voted to table the amendment by a vote of 70-24. (Roll Call #434) **PUBLIC INTEREST VOTE: NO**

18. Consumer Protection/Protect Medical Malpractice Victims: The so-called Patients First Act (S. 11) sponsored by Sen. John Ensign (R-NV) would place unfair limits on the non-economic damages available to victims of medical malpractice by doctors, HMOs, hospitals, and drug companies. These damages for pain and suffering (severe disfigurement, loss of child-bearing capacity, brain damage, etc.) are often the only fair compensation available to children or non-

working women. Rising medical malpractice insurance rates are not caused by lawsuits, as proponents of this bill claim, but by lack of doctor oversight to prevent medical errors and by reckless investments by the insurance industry. Opponents of the measure led a filibuster to stop Senate consideration of the bill. On July 9, 2003, the Senate failed to invoke cloture to stop the filibuster by a vote of 49-48 (60 votes needed to end the filibuster). (Roll Call #264) **PUBLIC INTEREST VOTE: NO**

19. Consumer Protection/Protect Class Action Rights: Class action lawsuits are an especially effective consumer tool for victims of "nickel, dime and dollar" rip-offs, such as unfair credit card practices, where individuals cannot afford their own attorneys. Class action lawsuits are also important for victims of environmental contamination or civil rights violations. The falsely-labeled Class Action Fairness Act (CAFA) sponsored by Sen. Charles Grassley (R-IA) would make it harder for consumers victimized by dangerous products or unfair financial practices to band together into a group, or class, to sue wrongdoers. This bill would force most class actions out of consumer-friendly state courts and into more restrictive federal courts, where corporate wrongdoers could take advantage of restrictive federal court procedures to delay and weaken the cases against them. Senate opponents of the bill led a filibuster to stop it. On October 22, 2003, the Senate failed to invoke cloture to stop the filibuster by a vote of 59-39 (60 votes needed to proceed). (Roll Call #403) **PUBLIC INTEREST VOTE: NO**

20. Corporate Responsibility/Prevent "Enron Like" Energy Market Fraud: The Commodity Futures Modernization Act, enacted in 2000, has a loophole that allows companies to trade complex energy and minerals futures (derivative financial products) with no regulatory oversight. Enron used these over-the-counter derivatives trades extensively to hide its murky financial transactions. Sens. Dianne Feinstein (D-CA) and Peter Fitzgerald (R-IL) offered an amendment to the Energy Policy Act (S. 14) that would close this loophole and restore necessary transparency and oversight to the financial marketplace to guard against fraud and manipulation. On June 11, 2003, the Senate tabled the amendment by a vote of 55-44. (Roll Call #218) **PUBLIC INTEREST VOTE: NO**

House Vote Descriptions

1. Clean Air/Maintain Smog Cleanup Deadlines: Today, more than 159 million Americans live in areas where ground level ozone or "smog" levels are high enough to cause serious health problems. Smog triggers asthma attacks and exacerbates chronic respiratory disease, sending more than 150,000 people to hospital emergency rooms each year. Regrettably, Rep. Joe Barton (R-TX) succeeded in inserting language into the energy bill that would amend the Clean Air Act to allow polluted areas to have more time to cleanup, without having to implement strong air pollution controls. To block this effort, Rep. Eddie Bernice Johnson (D-TX) offered a motion to instruct the House-Senate conference committee members to drop the Barton language. On October 30, 2003, the House defeated Rep. Johnson's motion by a vote of 182-232. (Roll Call #598) **PUBLIC INTEREST VOTE: YES**

2. Arctic Refuge/Stop Drilling in the Arctic Refuge: The House energy bill that went to the floor on April 10, 2003 included language that would allow oil and gas drilling and development in the coastal plain of the Arctic National Wildlife Refuge, one of America's last wild places. Arctic champions Reps. Ed Markey (D-MA) and Nancy Johnson (R-CT) offered an amendment stripping the Arctic Refuge drilling language out of the House energy bill, keeping the coastal plain of the Arctic Refuge off limits to oil and gas drilling. On April 10, 2003, the House rejected the amendment by a vote of 197-228. (Roll Call #135) **PUBLIC INTEREST VOTE: YES**

3. Energy/Reject Dirty, Dangerous Energy Bill: For the past three years, the Bush administration and Congress have been promoting an energy plan that is dirty, dangerous and would deliver far more to the oil and nuclear industry than it would ever deliver to American consumers. Early in 2003, House leaders again introduced a bill based on the president's energy plan (H.R. 6). The energy bill would allow drilling in the Arctic National Wildlife Refuge, give away more than \$27 billion in taxpayer handouts to polluters, and reward the polluting oil, coal and nuclear companies that have created our energy problems. The House energy bill does little to

ensure energy efficiency - the cleanest, cheapest, quickest and safest way to save consumers money and reduce pollution. This bill does not require a significant shift to clean, renewable energy production, which could make us less reliant on fossil fuels. The bill also would weaken important drinking water and surface water protections and let oil companies off the hook for polluting drinking water supplies. Following passage of H.R. 6, the Senate passed a slightly better energy bill prior to the August congressional recess. However, when the House-Senate energy conference committee convened early in the fall of 2003, it abandoned the Senate's version of the bill and met behind closed doors to draft a new bill. The result was an energy conference report that would not allow drilling in the Arctic, but included provisions that did not pass either the House or Senate. For example, one new provision would weaken the Clean Air Act by delaying cleanup of air pollution in smoggy areas. On November 18, 2003, the House approved the conference report for H.R. 6 by a vote of 246-180. (Roll Call #630) **PUBLIC INTEREST VOTE: NO**

4. Clean Water/Prevent Pollution from Oil and Gas Drilling: The House energy bill (H.R. 6) included a provision to exempt oil and gas construction activities from Clean Water Act protections. Clean water supporters were denied an opportunity to offer an amendment to strike this exemption when the bill was in committee and on the House floor. The House-Senate conference committee expanded the exemption. As a result, Rep. Bob Filner (D-CA) offered a motion to instruct the House-Senate energy bill conferees to reject these exemptions from the Clean Water Act for the oil and gas industry. On November 7, 2003, the House rejected the amendment by a vote of 188-210. (Roll Call #618) **PUBLIC INTEREST VOTE: YES**

5. Environmental Preservation/Protect Roadless Areas in National Forests: On December 23, 2003, the Bush administration exempted Alaska's Tongass Rainforest - America's largest national forest - from the Roadless Area Conservation Rule. The roadless rule was enacted in January 2001 to protect 58.5 million acres of pristine national forests from most logging and road-building. The administration also has indicated that it plans to allow governors to decide whether or not they want protection for roadless areas in their states, giving them unprecedented decision-making power over natural treasures owned by all Americans. Reps. Jay Inslee (D-WA), Jim Davis (D-FL), and Ellen Tauscher (D-CA) offered an amendment to the FY04 Interior Appropriations bill to prevent the Bush administration from gutting the widely popular roadless rule. On July 17, 2003, the amendment failed by a vote of 185-234. (Roll Call #386) **PUBLIC INTEREST VOTE: YES**

6. Environmental Preservation/Oppose Increased Logging Under the Guise of Fighting Forest Fires: The Healthy Forests Restoration Act of 2003 (H.R. 1904) is a harmful bill that fails to ensure protection for communities at risk from forest fires. Instead of ensuring that federal agencies use the best scientific data and requiring that the necessary resources go to states and communities, the bill weakens environmental protections, restricts the public's right to seek redress in the courts, provides additional subsidies to the timber industry, and cuts the public out of the process. Rejecting amendments that would have improved the bill, on May 20, 2003, the House passed the bill by a vote of 256-170. (Roll Call #200) **PUBLIC INTEREST VOTE: NO** [A slightly improved version of the bill passed the Senate, but got worse in negotiations with the House. Both the House and Senate voted in favor of the bill that came out of conference committee, and President Bush signed it into law on December 3, 2003.]

7. Environmental Preservation/Protect National Forests and Public Participation: The National Forest Management Act is the law that requires that each of the 155 national forests have a management plan in place. Regulations proposed by the Bush administration in December 2002 would weaken environmental and wildlife protections and limit the public's ability to participate in decisions that affect our national forests. The administration has indicated that it plans to finalize its regulations in the spring or summer of 2004. Rep. Tom Udall (D-NM) offered an amendment to the FY04 Interior Appropriations bill to prevent the Bush administration from finalizing its proposed regulations to the National Forest Management Act. On July 17, 2003, the House rejected the amendment by a vote of 198-222. (Roll Call #384) **PUBLIC INTEREST VOTE: YES**

8. Environmental Preservation/Oppose Timber Industry Control of National Forests: The FY03 Omnibus Appropriations bill that passed the House contained anti-environmental riders that could lead to increased logging in our national forests. One of the anti-environmental riders could turn the management of our national forests over to timber companies by creating unlimited stewardship con-

tracting authority for the Forest Service and the Bureau of Land Management until 2013. These projects include new and unproven practices that have resulted in extensive industrial logging, including logging in roadless areas, proposed wilderness areas, and sensitive wildlife areas. Another rider blocked any future administrative appeal or judicial review of a Forest Service decision not to designate additional wilderness areas in the Tongass National Forest. Rep. David Obey (D-WI) offered a motion to recommit the bill and send it back to the conference committee to have the anti-environmental riders removed. On February 13, 2003, the motion to recommit failed by a vote of 193-226. (Roll Call #31) **PUBLIC INTEREST VOTE: YES**

9. Global Warming/Increase Fuel Economy of Vehicles: America is too dependent on oil; this dependence has repercussions for the environment, for consumers and for our national security. Although the United States possesses only 3% of the world's oil reserves, Americans consume more than a quarter of the world's oil. America's cars and light trucks comprise an estimated 40% of U.S. oil consumption; the U.S. could substantially reduce both its dependence on oil and its global warming pollution by using existing technology to raise the vehicle mileage-per-gallon of new cars and light trucks. The House energy bill (H.R. 6) does virtually nothing to decrease this dependence on oil, foreign or domestic. Reps. Sherwood Boehlert (R-NY) and Ed Markey (D-MA) introduced an amendment that would instruct the Department of Transportation to reduce the amount of oil consumed by U.S. automobiles by 5% by 2010. The amendment left it up to the administration to determine how to achieve the reduction. On April 10, 2003, the House rejected the amendment by a vote of 162-268. (Roll Call #132) **PUBLIC INTEREST VOTE: YES**

10. Environmental Protection/Protect the Klamath Wildlife Refuge: Oregon and California's Klamath River basin supports more than 400 species of wildlife. The Klamath River basin's six National Wildlife Refuges teem with more than a million birds, and the Klamath River provides valuable spawning grounds for salmon. Unfortunately, more than 20,000 acres of these refuges have been leased to commercial farming enterprises that grow water and pesticide intensive crops. Runoff from agricultural chemicals degrades water quality in the Klamath basin refuges, and demand for irrigation water has left the refuge wetlands dry periodically. Reps. Earl Blumenauer (D-OR), Mike Thompson (D-CA), and Chris Shays (R-CT) offered an amendment to H.R. 2691, the 2004 Interior Appropriations bill, that would prohibit the Fish and Wildlife Service from issuing new commercial agriculture leases in the Klamath basin for environmentally harmful crops. The amendment would permit agriculture that benefits wildlife. On July 17, 2003, the House rejected the amendment by a vote of 197-228. (Roll Call #380) **PUBLIC INTEREST VOTE: YES**

11. Oceans Protection/Stop Harmful Oil and Gas Exploration: For more than 20 years, Congress has voted to protect our precious coastlines and marine ecosystems from oil and gas drilling and development. These votes have prevented the Department of Interior from issuing leases on the Outer Continental Shelf (OCS) – the submerged lands and seabeds that lie between three and 200 nautical miles offshore. The 2003 House energy bill (H.R. 6), however, originally included language that would strip these critical protections. This harmful language would require that the Department of Interior conduct an inventory of potential oil and gas resources of the entire OCS. This inventory, which would include environmentally harmful techniques such as seismic surveys and sediment sampling, would include even those areas specifically under moratorium for such activities. The final version of this bill did not have this inventory language. However, once the bill reached the House-Senate conference committee, committee members attempted to once again insert this language along with a provision that would limit the rights of states to participate in decisions about the siting of development off of their own coasts. Rep. Lois Capps (D-CA) offered a motion to instruct the conferees to strike the harmful language and exclude any provision that would require an OCS inventory. On October 15, 2003, the House approved the motion by a vote of 229-182. (Roll Call #540) **PUBLIC INTEREST VOTE: YES**

12. Polluter Subsidies/Cut Funding for Harmful Delaware River Project: The U.S. Army Corps of Engineers (Corps) is the nation's largest water management agency and is responsible for undertaking countless wasteful and destructive water resource projects. Environmentalists have been particularly critical of the Corps' plans to deepen a 106-mile stretch of the Delaware River from 40 to 45 feet. Corps advocates claim the project would reduce shipping costs for six crude-oil refineries along the river. The refineries, however, would likely not pay for the dredging just to link their docks with the Corps' deeper channel. Furthermore, the Corps has failed to answer substantial environmental concerns regarding the disposal of dredge spoils, the air pollution

impacts from dredging, and the impacts on fish and wildlife populations. A May 2002 report by the General Accounting Office found that the Corps relied on outdated information to inflate the benefits of the project, which is expected to cost at least \$286 million. The President's FY04 budget requested \$300,000 for the Delaware River deepening project. The House Appropriations Committee increased funding to \$8 million, an increase of 2600 percent. During House debate of H.R. 2754, the 2004 energy and water development appropriations bill, Rep. Robert Andrews (D-NJ) proposed an amendment to reduce funding for the Delaware River deepening project by \$7.7 million. On July 18, 2003, the House rejected the amendment by a vote of 194-213. (Roll Call #391) **PUBLIC INTEREST VOTE: YES**

13. Polluter Subsidies/Shift Funding from Nuclear Dump to Clean, Renewable Energy: Despite environmental and public safety concerns, in 2002 Congress approved Yucca Mountain as the nation's nuclear waste dump. Numerous scientific questions and management problems remain about the site, including concerns that the Department of Energy weakened site guidelines in order to approve the facility. In 2003, the House Appropriations Committee increased funding for the Yucca Mountain project by \$174 million above the President's request, while simultaneously instituting a \$30 million cut in funding for renewable energy research and development. Applying America's technological know-how and increasing our investment in renewable energy would save consumers money and make us less dependent on dirty energy sources. During House debate of H.R. 2754, the 2004 energy and water development appropriations bill, Rep. Mark Udall (D-CO) proposed an amendment to increase investment in renewable energy research and development by \$30 million by reducing funding for the Yucca Mountain nuclear waste disposal by the same amount. On July 18, 2003, the House rejected the amendment by a vote of 153-251. (Roll Call #392) **PUBLIC INTEREST VOTE: YES**

14. Health Care/Protect Victims of Medical Malpractice: The so-called Health Act (H.R. 5) would place unfair limits on the non-economic damages available to victims of medical malpractice by doctors, HMOs, hospitals, and drug companies. These damages for pain and suffering (severe disfigurement, loss of child-bearing capacity, brain damage, etc) are often the only fair compensation available to children or non-working women. Rising medical malpractice insurance rates are not caused by lawsuits, as proponents of this bill claim, but by lack of doctor oversight to prevent medical errors and by reckless investments by the insurance industry. On March 13, 2003, the Health Act was approved by the House by a vote of 229-196. (Roll Call #64) **PUBLIC INTEREST VOTE: NO**

15. Consumer Protection/Expand Access to Free Credit Reports: Errors in credit reports increase credit costs or even cause denial of credit or housing. Increasingly, credit reports also are used for insurance and employment decisions. During consideration of the Fair and Accurate Credit Transactions Act (H.R. 2622), Rep. Barney Frank (D-MA) offered an amendment that would require certain regional and specialized credit bureaus to offer free credit reports. The bill originally had provided that only the three "national" credit bureaus would be required to provide an annual free credit report on request. The Frank amendment also would add certain large tenant, check cashing, medical and employment credit bureaus to the bill's important new requirement that consumers be allowed to audit their credit reports for free. On September 10, 2003, the House approved the amendment by a vote of 235-186. (Roll Call #497) **PUBLIC INTEREST VOTE: YES**

16. Consumer Protection/Oppose Weakening Consumer Bankruptcy Rights: Despite independent research showing that most bankruptcies are the result of job layoffs, divorce, or sudden illness, the House passed H.R. 975. Forcefully backed by the credit card industry, H.R. 975 would severely restrict the ability of financially strapped consumers to make a fresh start through bankruptcy. The bill would create onerous legal and paperwork burdens for debtors of modest means while continuing to allow affluent debtors in some states to file for bankruptcy protection and retain expensive homes. Furthermore, it would do virtually nothing to rein in abusive creditor practices that help lead consumers into insupportable debt. On March 19, 2003, the House passed H.R. 975 by a vote of 315-113. (Roll Call #74) **PUBLIC INTEREST VOTE: NO**

17. Consumer Protection/Prevent Credit Card Bait-and-Switch Practices: During consideration of the Fair and Accurate Credit Transactions Act (H.R. 2622), Reps. Bernie Sanders (I-VT) and Spencer Bachus (R-AL) offered an amendment that would prevent credit card companies from penalizing consumers with higher interest rates for either a decline in their credit score (which could be caused by error or identity theft) or for an alleged late payment to another creditor, even though their payments to this company had

always been timely. On September 10, 2003, the House rejected the amendment by a vote of 142-272. (Roll Call #495) **PUBLIC INTEREST VOTE: YES**

18. Consumer Protection/Protect Consumers from Electricity Price Gouging: America should have an energy plan that provides reliable, clean electricity at a fair price. We can achieve this and help prevent future blackouts by placing a priority on utility accountability, conservation, efficiency and clean local power, using technologies that are already available. Because of increased consolidation and poorly-crafted state deregulation of the electricity industry, consumers are more vulnerable than ever to rip-offs and blackouts. The House energy bill (H.R. 6) would actually make this problem worse by repealing one of the only pro-consumer electricity laws on the books, the Public Utility Holding Company Act (PUHCA). Under PUHCA, the Securities and Exchange Commission requires large, multi-state companies that own utilities - known as registered holding companies - from using the kind of financial structures and accounting practices that helped lead to the downfall of Enron. PUHCA helps shield consumers and investors from these risky business decisions by requiring registered holding companies to invest only in businesses needed to run the utility. Rep. John Dingell (D-MI) offered an amendment to remove the electricity section of the energy bill and instead strengthen consumer protections. On April 10, 2003, the House rejected the amendment by a vote of 193-237. (Roll Call #133) **PUBLIC INTEREST VOTE: YES**

19. Consumer Protection/End Limits on States' Rights after Nine Years: In 1996, Congress amended the Fair Credit Reporting Act by adding a provision partially limiting states' rights to enact stronger credit reporting laws, but set the provision to sunset, or expire, on January 1, 2004, unless Congress affirmatively renewed it. During consideration of the Fair and Accurate Credit Transactions Act (FACTA), H.R. 2622, a bill that would extend those 1996 preemptions permanently, Rep. Paul Kanjorski (D-PA) offered an amendment to again sunset these limits on state authority after nine years, arguing that it made sense to force the industry to make its case for renewal of state limits again, rather than to permanently restrict states. On September 10, 2003, the House rejected the amendment by a vote of 112-310. (Roll Call #496) **PUBLIC INTEREST VOTE: YES**

20. Consumer Protection/Protect Class Action Rights: Class action lawsuits are an especially effective consumer tool for victims of "nickel, dime and dollar" rip-offs, such as unfair credit card practices, where individuals cannot afford their own attorneys. Class action lawsuits are also important for victims of environmental contamination or civil rights violations. Consumer organizations tried to stop consideration of the falsely-labeled Class Action Fairness Act (CAFA). CAFA would make it harder for consumers victimized by dangerous products or unfair financial practices to band together into a group, or class, to sue wrongdoers. This bill would force most class actions out of consumer-friendly state courts and into federal courts, where corporate wrongdoers could take advantage of restrictive federal court procedures to delay and weaken the cases against them. Over the objections of pro-consumer members of the House, Rep. Deborah Pryce (R-OH) moved to proceed with consideration of the anti-consumer CAFA. On June 12, 2003, the House approved the motion to proceed by a vote of 229-193. (Roll Call #265) **PUBLIC INTEREST VOTE: NO**

21. Consumer Protection/Oppose Media Consolidation: On June 2, 2003, the Federal Communications Commission (FCC) weakened longstanding structural rules that limited the number of television stations one corporation can own. The previous rules had ensured that viewers and listeners had access to a variety of viewpoints on scarce, publicly-owned airwaves. Passed out of committee, the Commerce-Justice-State Appropriations bill (H.R. 2799) included a provision that would partially overturn the FCC action and restore the limit on the number of television stations that one corporation could own. A corporate owner would be able to own stations that could reach no more than 35% of the nation's households. Rep. Maurice Hinchey (D-NY) offered an amendment to H.R. 2799 that also would prohibit the FCC from weakening a prohibition on cross-ownership between the dominant newspaper and television station in a given community. On July 22, 2003, the House rejected the amendment by a vote of 174-254. (Roll Call #407) **PUBLIC INTEREST VOTE: YES**