

FAIR's Congressional Voting Report is designed to help you understand the positions each U.S. Senator has taken on immigration measures during the 111th Congress. We have chosen thirteen votes on a variety of immigration-related topics — including employment verification, border security, sanctuary cities, the Census, and access to credit — in order to present a broad picture of each Senator's stance. Where a Senator voted with FAIR's position on a motion, amendment, or bill, you will see a green plus sign (+). Where a Senator voted against FAIR's position, you will see a red minus sign (-). Where a Senator did not vote, you will see (NV). During any period that a Senator was not in office, you will see (NP).

First Session

H.R. 1

American Recovery and Reinvestment Act of 2009

Better known as the “stimulus bill,” H.R. 1 was an economic package primarily meant to address the nation's climbing unemployment rate.

Senate Vote 59, E-Verify | February 9, 2009 — Reid (D-Nev.) motion to invoke cloture (end debate) on S.A. 570 to H.R. 1. Cloture on the stimulus bill effectively blocked the consideration of two amendments offered by Senator Jeff Sessions (R-Ala.) regarding E-Verify — the online system that allows employers to confirm that their new hires are work authorized. The first amendment would have reauthorized E-Verify for five years (S.A. 164). The second amendment, S.A. 165, would have required any federal contractor receiving funding from the stimulus bill to enroll in E-Verify. The motion to invoke cloture was agreed to, 61-36. **FAIR opposed the motion to invoke cloture.**

H.R. 1105

Omnibus Appropriations Act of 2009

H.R. 1105 was a spending bill that funded the operations of the federal government through September 30, 2009.

Senate Vote 93, E-Verify Extension | March 10, 2009 — Leahy (D-Vt.) motion to table Sessions (R-Ala.) amendment S.A. 604 to extend E-Verify for six years. The motion to table was agreed to, 50-47. **FAIR opposed the motion to table.**

S.CON.RES. 13

Concurrent Resolution on the Budget for Fiscal Year 2010

S.CON.RES. 13 set forth the congressional budget for Fiscal Year (FY) 2010.

Senate Vote 150, Border Fence | April 2, 2009 — Sessions (R-Ala.) Amendment S.A. 969 to provide for a point of order against any appropriations bill that fails to fully fund the construction of the Southwest border fence. Had S.A. 969 been adopted, any Senator could have raised a point of order against any spending bill that did not provide at least \$2.6 billion to fund the construction of a fence along the Southwest border. The amendment provided that if a Senator raised a point of order against a spending bill for failing to properly fund the border fence, the bill could not proceed unless 60 Senators voted to waive the point of order. The amendment was rejected, 36-61. **FAIR supported the amendment.**

H.R. 627

Credit Cardholders' Bill of Rights Act of 2009

H.R. 627 sought to establish new regulations to increase oversight over the credit card industry.

Senate Vote 190, Preventing Terrorists and Illegal Aliens from Obtaining Credit Cards | May 13, 2009 — Vitter (R-La.) Amendment S.A. 1066 to establish identity verification requirements for banks to adhere to when issuing credit cards. Under the Patriot Act, banks are required to make a reasonable attempt to verify the identity of their customers before offering certain services. The Vitter amendment would have limited the types of identification a customer could present to a bank, specifically eliminating the matricula consular card as an acceptable form of I.D. The amendment was rejected, 28-65. **FAIR supported this amendment.**

H.R. 2892

Department of Homeland Security (DHS) Appropriations Act, 2010

H.R. 2892 established funding levels for DHS during Fiscal Year (FY) 2010.

Senate Vote 219, Permanent E-Verify Extension | July 8, 2009 — Schumer (D-N.Y.) motion to table Sessions (R-Ala.) Amendment S.A. 1371 to permanently reauthorize E-Verify. S.A. 1371 also would have required all employers who do business with the federal government to use E-Verify on new hires, as well as existing employees assigned to affected federal contracts. The motion to table was rejected, 53-44. **FAIR opposed the motion to table.**

Senate Vote 220, Border Fence | July 8, 2009 — DeMint (R-S.C.) Amendment S.A. 1399 to require DHS to complete almost 700 miles of double-layered, reinforced fencing along the southwest border by the end of 2010. DHS has constructed fencing that would prevent vehicular border crossings, but S.A. 1399 would have ensured that the border fence would also reduce

illegal alien foot traffic. S.A. 1399 would have restored DHS' original mandate — as laid out in the Secure Fence Act of 2006 — to complete the entire 670-mile southwest border fence using double-layered, reinforced fencing. The amendment was agreed to, 54-44. **FAIR supported this amendment.**

H.R. 2847

Commerce, Justice, Science and Related Agencies Appropriations Act, 2010

H.R. 2847 set funding levels for the federal Departments of Commerce, Justice, and certain federal science programs.

Senate Vote 316, Sanctuary Cities | October 7, 2009 — Menendez (D-N.J.) motion to table (or kill) Vitter (R-La.) amendment S.A. 2630 to deny sanctuary cities from receiving certain grant funding from the Department of Justice (DOJ). DOJ administers the Community Oriented Policing Services (COPS) Program, which provides federal grant money to state and local law enforcement agencies. Under Vitter's amendment, cities that have enacted sanctuary policies — which harbor illegal aliens and interfere with the federal government's ability to enforce immigration laws — would have been barred from receiving COPS funding. Such sanctuary policies are in direct violation of federal law. The motion to table was agreed to, 61-38. **FAIR opposed the motion to table.**

Senate Vote 335, Census | November 5, 2009 — Reid (D-Nev.) reconsideration motion to invoke cloture (end debate) on H.R. 2847. Reid filed this motion to block a vote on an amendment co-authored by Senators David Vitter (R-La.) and Robert Bennett (R-Utah) that would have essentially required the Census Bureau — within the Department of Commerce — to include questions about citizenship and immigration status in the 2010 Census. The census is used to apportion seats in Congress and to determine how federal funds are dispersed, among other things. The Vitter-Bennett amendment would have laid the groundwork for reforming how Congressional seats are apportioned and federal funding is disbursed by excluding illegal and temporary aliens. The reconsideration motion to invoke cloture was agreed to, 60-39. **FAIR opposed the reconsideration motion to invoke cloture.**

Second Session

H.R. 4872

Health Care and Education Reconciliation Act of 2010

H.R. 4872 amended the original health care bill (H.R.3590) with “fixes” that had been negotiated between the House and the Senate.

Senate Vote 95, Health Care Subsidy Verification and Maintenance of Five-Year Waiting Period | March 25, 2010 — Durbin (D-Ill.) motion to table Sessions (R-Ala.) Amendment, S.A. 3701, to require the use of an effective verification system to ensure that illegal aliens would not be able to access taxpayer-funded subsidies created by the new health care law. The Sessions Amendment would have also maintained the five-year waiting period in current law to ensure that immigrants must pay into the system before they are able to receive taxpayer-funded health benefits. The motion to table was agreed to, 55-43. **FAIR opposed the motion to table.**

H.R. 4899

Supplemental Appropriations Act, 2010

H.R. 4899 provided emergency funding for disaster relief and other programs for the remainder of FY2010.

Senate Vote 165, National Guard Deployment to the U.S.-Mexico Border | May 27, 2010 — Motion to waive a point of order against the McCain (R-Ariz.) Amendment, S.A. 4214, to fund the deployment of 6,000 National Guard troops to support and secure the southern border of the United States. McCain’s amendment was voted on just two days after the Obama administration announced its intention to send only 1,200 National Guard troops to the border — a proposal that McCain criticized as “simply not enough.” Senator Schumer (D-N.Y.) raised a point of order against the McCain amendment, necessitating 60 votes to waive the point of order. The motion to waive the point of order failed, 51-46. **FAIR supported the motion to waive the point of order.**

Senate Vote 166, Operation Streamline | May 27, 2010 — Motion to waive a point of order against the Kyl (R-Ariz.) Amendment, S.A. 4228, to provide \$200 million for Operation Streamline. Operation Streamline is a highly successful, zero-tolerance program that targets illegal aliens for immediate prosecution upon apprehension at or near the border. Senator Schumer (D-N.Y.) raised a point of order against the Kyl amendment, necessitating 60 votes to waive the point of order. The motion to waive the point of order failed, 54-44. **FAIR supported the motion to waive the point of order.**

Senate Vote 167, Multiple Border Security Measures | May 27, 2010 — Motion to waive a point of order against the Cornyn (R-Tex.) Amendment, S.A. 4202, to provide \$3 billion for the federal, state, and local law enforcement officers who work on the frontlines of the U.S.-Mexico border. The Cornyn Amendment would have funded six important priorities involving border security, including border security and technology, state and local law enforcement, southwest border taskforces, border enforcement personnel, detention and removal activities, and ports of

entry. Senator Schumer (D-N.Y.) raised a point of order against the Cornyn Amendment, necessitating 60 votes to waive the point order. The motion to waive the point of order failed, 54-43. **FAIR supported the motion to waive the point of order.**

H.R. 4213

Unemployment Compensation Extension Act, 2010

H.R. 4213 amended the Internal Revenue Code of 1986 to extend certain expiring provisions related to unemployment compensation.

Senate Vote 214, Funding for the Department of Justice’s Lawsuit against Arizona | July 21, 2010 – DeMint motion to suspend the rules and allow a vote on the DeMint/Vitter amendment, S.A. 4464, to H.R. 4213 to block funding for any lawsuit that seeks to invalidate the provisions enacted into law by Arizona Senate Bill 1070. The motion to suspend the rules failed, 55-43. **FAIR supported the motion to suspend the rules to permit consideration of the amendment.**

H.R.5281

Development, Relief, and Education for Alien Minors Act of 2010 (DREAM Act)

Senate Vote 278, DREAM Act | December 18, 2010 – Reid (D-NV) motion to invoke cloture (end debate) on the DREAM Act, H.R. 5281, to grant amnesty to illegal aliens up to 30 years old who claim to have lived in the U.S. for five years and “initially entered” before the age of 16. H.R.5281 did this by granting illegal aliens a 5-year period of conditional nonimmigrant status if they completed high school, had a GED, or had been admitted to a college or university (including online schools). The bill also would have allowed these aliens to extend this status for another five years (or longer) if the alien completed two years of college or military service, and an alien could apply for a green card after ten years. Under the bill, aliens would be charged an initial fee of \$525 upon being granted conditional nonimmigrant status and a subsequent fee of \$2,000 upon renewal. The motion to invoke cloture (which required 60 votes to pass), failed, 55-41. **FAIR opposed the motion to invoke cloture.**

		HR. 1 S.A.570 59	H.R.1105 S.A.604 93	S.CON.RES.13 S.A.969 150	H.R. 627 S.A. 1066 190	H.R. 2892 S.A. 1371 219	H.R. 2892 S.A. 1399 220	H.R. 2847 S.A.2630 316	H.R. 2847 335	H.R. 4872 S.A. 3701 95	H.R. 4899 S.A. 4214 165	H.R. 4899 S.A. 4228 166	H.R. 4899 S.A. 4202 167	H.R.4213 S.A. 4464 214	H.R.5281 278
Alabama															
Sessions, Jeff	(R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+
Shelby, Richard	(R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+
Alaska															
Begich, Mark	(D)	-	-	-	-	-	-	-	-	-	-	+	-	-	-
Murkowski, Lisa	(R)	+	+	-	-	+	-	-	+	+	+	+	+	+	-
Arizona															
Kyl, Jon	(R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+
McCain, John	(R)	+	+	+	+	+	+	+	NV	+	+	+	+	+	+
Arkansas															
Lincoln, Blanche	(D)	-	-	-	-	+	+	-	-	-	+	+	+	+	-
Pryor, Mark	(D)	-	-	-	-	+	+	-	-	+	+	+	+	+	+
California															
Boxer, Barbara	(D)	-	-	-	-	-	+	-	-	-	+	+	+	-	-
Feinstein, Dianne	(D)	-	-	-	-	-	+	-	-	-	+	+	+	-	-
Colorado															
Bennet, Michael	(D)	-	-	-	-	-	-	-	-	-	+	-	-	-	-
Udall, Mark	(D)	-	-	-	-	-	-	-	-	-	-	-	+	-	-
Connecticut															
Dodd, Christopher	(D)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Lieberman, Joseph	(I)	-	-	-	-	+	-	-	-	-	-	+	+	-	-
Delaware															
Carper, Thomas	(D)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Coons, Christopher	(D)	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	-
Kaufman, Edward	(D)	-	-	-	-	-	-	-	-	-	-	-	-	-	NP
Florida															
Martinez, Mel	(R)	+	+	-	-	+	-	NP	NP	NP	NP	NP	NP	NP	NP
Nelson, Bill	(D)	-	-	-	-	-	+	-	-	-	+	-	-	-	-
LeMieux	(R)	NP	NP	NP	NP	NP	NP	+	+	+	+	+	+	+	+

Georgia																
Chambliss, Saxby	(R)	+	+	+	+	+	+	+	+	+	+	NV	NV	NV	+	+
Isakson, Johnny	(R)	+	+	+	+	+	+	+	+	+	NV	+	+	+	+	+
Hawaii																
Akaka, Daniel	(D)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Inouye, Daniel	(D)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Idaho																
Crapo, Michael	(R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
Risch, James	(R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
Illinois																
Burris, Roland	(D)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	NP
Kirk, Mark	(R)	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	+
Durbin, Richard	(D)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Indiana																
Bayh, Evan	(D)	-	+	+	-	-	+	-	-	+	+	+	+	+	NV	-
Lugar, Richard	(R)	+	+	-	-	+	-	+	+	+	+	+	+	+	+	-
Iowa																
Grassley, Charles	(R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
Harkin, Tom	(D)	-	-	-	-	NV	-	-	-	-	-	-	-	-	-	-
Kansas																
Brownback, Sam	(R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
Roberts, Pat	(R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
Kentucky																
Bunning, Jim	(R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	NV
McConnell, Mitch	(R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
Louisiana																
Landrieu, Mary	(D)	-	-	-	-	+	+	+	-	-	-	+	-	-	-	-
Vitter, David	(R)	+	+	+	+	+	+	+	+	+	+	+	+	+	NV	+
Maine																
Collins, Susan	(R)	-	+	-	-	+	-	+	+	+	+	+	+	+	+	+
Snowe, Olympia	(R)	-	+	-	-	+	+	-	+	+	+	+	+	+	+	+
Maryland																
Cardin, Benjamin	(D)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Mikulski, Barbara	(D)	-	-	-	NV	-	-	-	-	-	-	-	-	-	-	-

Massachusetts															
Kennedy, Ted	(D)	-	NV	NV	NV	NV	NV	NP	NP	NP	NP	NP	NP	NP	NP
Kerry, John	(D)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Kirk, Paul	(D)	NP	NP	NP	NP	NP	NP	-	-	NP	NP	NP	NP	NP	NP
Brown, Scott	(R)	NP	NP	NP	NP	NP	NP	NP	NP	+	+	+	+	+	+
Michigan															
Levin, Carl	(D)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Stabenow, Debbie	(D)	-	-	-	-	-	+	-	-	-	-	-	-	-	-
Minnesota															
Franken, Al	(D)	NP	NP	NP	NP	-	-	-	-	-	-	-	-	-	-
Klobuchar, Amy	(D)	-	+	-	-	+	+	-	-	-	-	+	+	-	-
Mississippi															
Cochran, Thad	(R)	+	+	+	+	+	-	+	+	+	+	+	+	+	+
Wicker, Roger	(R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+
Missouri															
Bond, Christopher	(R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+
McCaskill, Claire	(D)	-	+	-	-	+	+	-	-	-	+	+	+	-	-
Montana															
Baucus, Max	(D)	-	+	-	-	+	+	-	-	-	+	-	+	+	+
Tester, Jon	(D)	-	+	-	-	+	+	-	-	-	+	-	+	+	+
Nebraska															
Johanns, Mike	(R)	+	NV	+	+	+	+	+	+	+	+	+	+	+	-
Nelson, Benjamin	(D)	-	+	+	-	+	+	-	-	+	+	+	+	+	+
Nevada															
Ensign, John	(R)	+	+	+	-	+	-	+	+	+	+	+	+	+	+
Reid, Harry	(D)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
New Hampshire															
Gregg, Judd	(R)	NV	+	+	-	+	+	+	+	+	+	+	+	+	NV
Shaheen, Jeanne	(D)	-	-	-	-	-	-	-	-	-	-	-	-	NV	-
New Jersey															
Lautenberg, Frank	(D)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Menendez, Robert	(D)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
New Mexico															
Bingaman, Jeff	(D)	-	-	-	-	-	-	-	-	-	-	-	-	-	-

Udall, Tom	(D)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
New York																
Gillibrand, Kirsten	(D)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Schumer, Charles	(D)	-	-	-	-	-	+	-	-	-	-	-	-	-	-	
North Carolina																
Burr, Richard	(R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Hagan, Kay	(D)	-	-	-	-	+	-	-	-	-	NV	-	-	-	+	
North Dakota																
Conrad, Kent	(D)	-	-	-	-	+	+	-	-	-	-	-	-	-	-	
Dorgan, Byron	(D)	-	-	-	-	+	+	-	-	-	-	-	-	-	-	
Ohio																
Brown, Sherrod	(D)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Voinovich, George	(R)	+	+	-	+	+	-	-	+	+	-	+	+	-	+	
Oklahoma																
Coburn, Thomas	(R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Inhofe, James	(R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Oregon																
Merkley, Jeffrey	(D)	-	-	-	-	-	+	-	-	-	-	+	-	-	-	
Wyden, Ron	(D)	-	-	-	-	-	+	-	-	-	-	+	-	-	-	
Pennsylvania																
Casey, Robert	(D)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Specter, Arlen	(D)	-	+	-	-	-	+	-	-	-	-	-	-	-	-	
Rhode Island																
Reed, Jack	(D)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Whitehouse, Sheldon	(D)	-	-	-	NV	-	-	-	-	-	-	-	-	-	-	
South Carolina																
DeMint, Jim	(R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Graham, Lindsey	(R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
South Dakota																
Johnson, Tim	(D)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Thune, John	(R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Tennessee																
Alexander, Lamar	(R)	+	+	+	-	+	+	+	+	+	+	+	+	+	+	
Corker, Bob	(R)	+	+	+	-	+	+	+	+	+	+	+	+	+	+	

Texas															
Cornyn, John	(R)	NV	+	+	+	+	+	+	+	+	+	+	+	+	+
Hutchison, Kay Bailey	(R)	+	+	+	NV	+	+	+	+	+	+	+	+	+	+
Utah															
Bennett, Robert	(R)	+	+	+	-	+	+	+	+	+	+	+	+	+	-
Hatch, Orrin	(R)	+	+	+	-	+	+	+	+	+	+	+	+	+	NV
Vermont															
Leahy, Patrick	(D)	-	-	-	NV	-	-	-	-	-	-	-	-	-	-
Sanders, Bernard	(I)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Virginia															
Warner, Mark	(D)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Webb, Jim	(D)	-	+	-	-	-	+	-	-	-	+	+	+	-	-
Washington															
Cantwell, Maria	(D)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Murray, Patty	(D)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
West Virginia															
Byrd, Robert	(D)	-	-	NV	-	NV	NV	NV	-	NV	NV	NV	NV	NP	NP
Rockefeller, John	(D)	-	-	-	NV	+	+	-	-	-	-	-	-	-	-
Manchin, Joe	(D)	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NV
Goodwin, Carte	(D)	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	-	NP
Wisconsin															
Feingold, Russ	(D)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Kohl, Herbert	(D)	-	-	-	-	-	-	-	-	-	-	-	+	-	-
Wyoming															
Barrasso, John	(R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+
Enzi, Michael	(R)	+	+	+	+	+	+	+	+	+	+	+	+	+	+