



Presidential White Paper #2

Kansas Senator Sam Brownback's Record Largely Pro-Growth

Taxes

The Club for Growth is committed to lower taxes—especially lower tax rates—across the board. Lower taxes on work, savings, and investments lead to greater levels of these activities, thus encouraging greater economic growth.

Senator Brownback's twelve years in Congress reveal a stellar record on tax policy. From his early years in the House of Representatives to his ten years in the U.S. Senate, Senator Brownback has been a steadfast defender of American taxpayers, voting for every major tax cut and standing up against tax hikes. These include:

- Voted for the 1997 capital gains tax cut (Roll Call #160, 06/27/97)
- Voted for the 2001 Bush tax cuts (Roll Call #170, 05/26/01)
- Voted for repealing the Death Tax (Roll Call #151, 06/12/02)
- Voted for the 2003 Bush tax cuts (Roll Call #196, 05/23/03)
- Voted to extend the 2003 Bush tax cuts by two years (Roll Call #118, 05/11/06)

Senator Brownback's voting record is further enhanced by his consistent support for replacing the current tax code with a flat tax. Even in his early days as a representative, Sam Brownback supported a flat tax, saying, "I'm for getting social engineering out of the system" (*Wall Street Journal*, 12/29/95). This commitment remained unflagging in the Senate. In 2004, Senator Brownback introduced legislation to eradicate the current onerous tax system by 2009 (Press release, 05/25/04). He also pushed for a voluntary flat tax system for Washington D.C. residents in 2006, arguing that a flat tax "removes the double-taxation on money saved or invested. I do not think that dollars on which wage earners have already paid taxes should be taxed again when those dollars are saved or invested. This double-taxation creates a disincentive to saving and investing" (U.S. Fed News Service, 03/08/06).

Recently, Senator Brownback declared the flat tax a crucial element of his presidential campaign (Knight Ridder Tribune News Service, 01/11/07) and signed the Americans for Tax Reform's No Tax Pledge on January 1, 2007 (U.S. Newswire, 01/03/07).

In our interview with Senator Brownback, he emphasized his continued interest in a flat tax, perhaps along the lines of a transition to a voluntary flat tax where taxpayers could opt into the new tax system.

Spending

The Club for Growth is committed to reducing government spending. Less spending enhances economic growth by enabling lower taxes and diminishing the economically inefficient political allocation of resources.

Unfortunately, Senator Brownback's record on taxes is not matched by his record on spending. As a member of the Appropriations Committee, he has voted for a large majority of the appropriations bills on the Senate floor, including many that overspent. Although he has opposed several appropriations bills, he has too often voted for pork projects and boasted on his website of the pork he has brought home to Kansas. In addition, he has failed to oppose even some outrageous pork projects, voting, for instance, against Senator Tom Coburn's amendment to transfer \$223 million for Alaska's "Bridge to Nowhere" to rebuild a Louisiana bridge damaged by Hurricane Katrina (Roll Call #262, 10/20/05) and against Senator Coburn's amendment to eliminate \$950,000 to build a parking lot for the Joslyn Art Museum in Omaha, Nebraska (Roll Call #260, 10/20/05).

To his credit, Senator Brownback has supported numerous bills restricting the federal government's looseness with the purse strings, including a vote for welfare reform in the House (Roll Call #383, 07/31/96) and a vote against increasing federal funding for Amtrak (Roll Call #52, 03/15/06). Hailing from a farm state, Senator Brownback's vote for the Freedom to Farm Act in the House is particularly noteworthy and deserves praise (Roll Call #42, 02/29/96). This 1996 bill reduced, and aimed to phase out, farm subsidies while diminishing distortions to the agricultural economy. The Senator also voted against the 2002 Farm Security Act (Roll Call #30, 02/13/02), a bill that sought to increase subsidies with market-distorting payments, undoing the progress of the 1996 act.

Even so, Senator Brownback has voted for several key increases in federal spending, including the \$400-plus billion Medicare prescription drug bill (Roll Call #459, 11/25/03) and No Child Left Behind (Roll Call Vote #371, 12/18/01) which increased federal spending on education by \$48 billion over three years (Heritage.org, 11/09/06). Senator Brownback has also pushed for spending more taxpayer dollars on certain government programs, including foreign aid and various healthcare proposals. American taxpayers would be better served if Senator Brownback's unwavering commitment to cutting taxes was applied as consistently to reining in government spending.

Free Trade

Free trade is a vital policy necessary for maximizing economic growth. In recent decades, America's commitment to expanding trade has resulted in lower costs for consumers, job growth, and higher levels of productivity and innovation.

On the whole, Senator Sam Brownback has been one of the most consistent supporters of free trade in the U.S. Senate. He was deemed a “free trader” by the Cato Institute for the 105th Congress through the 108th Congress, a designation given to those who “consistently vote against both trade barriers and international economic subsidies.” Some of these measures include:

- Voted for trade promotion authority (Roll Call #294, 11/05/97)
- Voted for trade with sub-Saharan Africa (Roll Call #98, 05/11/00)
- Voted for granting normal trade relations with China (Roll Call #251, 09/19/00)
- Voted for granting normal trade relations with Vietnam (Roll Call #291, 10/03/01)
- Voted for the U.S.-Singapore Trade Act (Roll Call #318, 07/31/03)
- Voted for the U.S.-Chile Trade Act (Roll Call #319, 07/31/03)
- Voted for the U.S.-Australian Trade Act (Roll Call #156, 07/15/04)
- Voted to kill the Schumer-Graham bill, which would have imposed an onerous tariff on China if it refused to float its currency (Roll Call #86, 04/06/05)
- Voted for CAFTA (Roll Call #209, 07/28/05)
- Voted for the Oman Free Trade Act (Roll Call #190, 06/29/06)

His overall pro-trade record, however, is tarnished slightly by his support for a quota on foreign wheat gluten imports (Press release, 03/19/01) and his support for the preservation of a 54 cent-per-gallon tariff on imported ethanol (Press release, 05/10/06). No doubt, these two aberrations were motivated by the role wheat gluten and ethanol play in the Kansas economy, but they are nevertheless disappointing blemishes on an otherwise extremely impressive record on trade.

Entitlement Reform

America's major middle-class entitlement programs are already insolvent. The Club for Growth supports entitlement reforms that enable personal ownership of retirement and healthcare programs, benefit from market returns, and diminish dependency on government.

Senator Brownback has been an outspoken and brave supporter of Social Security reform. In 2006, he voted to stop the raid on the Social Security Trust Fund (Roll Call #68, 03/16/06). In 2004, he co-sponsored the Ryan-Sununu bill to reform Social Security by allowing for large personal savings accounts (Brownback press release, 09/28/04).

On the other hand, Senator Brownback voted for and was an outspoken supporter of the 2003 Medicare prescription drug plan (Roll Call #459, 11/25/03), which created a massive unfunded entitlement program, costing over \$400 billion over ten years and totaling 1,162 pages in regulatory minutia (Heritage.org, Backgrounder #1860, 06/14/05).

Regulation

Excessive government regulation stymies individual and business innovation necessary for strong economic expansion. The Club for Growth supports less and more sensible government regulation as a critical step toward increasing freedom and growth in the marketplace.

Senator Brownback's record on regulation is generally pro-growth with just a few exceptions. He has often demonstrated his respect for the self-regulation of the marketplace and his general aversion to burdensome regulatory measures. These votes include:

- Voted against raising the minimum wage (Roll Call #257, 10/19/05) (Roll Call #179, 06/21/06)
- Voted against the Patients' Bill of Rights, which allowed the government to impose a set of onerous mandates on insurance coverage instead of allowing individuals to make their own decisions about healthcare plans in the marketplace (Roll Call # 220, 06/29/01)
- Voted against banning drilling in ANWR (Roll Call #52, 03/16/05)
- Voted to prohibit an increase in CAFE standards (Roll Call vote #48, 03/13/02)
- Voted against a bill that would require greenhouse gas emissions to be reduced to 2000 levels by 2010 (Roll Call #420, 10/30/03)
- Voted against legislation that would have prohibited media conglomerates from owning more television stations (Roll Call #348, 09/16/03)
- Circulated a letter with Senator Jim DeMint (R-SC) opposing legislation to regulate broadband companies, writing, "Opposing the heavy hand of regulation that network neutrality represents is critical if we are to maintain the Internet as an open, evolving, and market-based tool" (Brownback press release, 05/17/06)
- Voted for a resolution expressing congressional disapproval of ergonomic rules submitted by the Department of Labor (Roll Call #15, 03/06/01)
- Voted against increasing restrictions on tobacco companies (Roll Call #161, 06/17/98)

At the same time, Senator Brownback has cast some votes that increase burdensome government regulations. The most unfortunate of these was his vote (admittedly along with all his Senate colleagues) in favor of the Sarbanes-Oxley legislation, an overreaction to corporate malfeasance that imposed heavy financial burdens on companies (Roll Call #192, 07/25/02). He has also voted in favor of an amendment that would allow the federal government to set drug prices (Roll Call #302, 11/03/05) and supported the CAN-SPAM Act of 2003 (Brownback press release, 10/27/03).

School Choice

The Club for Growth supports broad school choice, including charter schools and voucher programs that create a competitive education market including public, private, religious, and non-religious schools. More competition in education will lead to higher quality and lower costs.

Senator Brownback has been a reliable and outspoken champion of school choice throughout his twelve years in the U.S. Congress. He voted in favor of implementing a vouchers program in Washington D.C. (Roll Call #260, 09/30/97) and again in 2001 when Senator Judd Gregg proposed a pilot voucher program for poor children as an amendment to No Child Left Behind (Roll Call #179, 06/12/01). These programs failed to pass, but Senator Brownback played a key role in bringing the project to fruition in 2004 (*Washington Times*, 11/13/03) (Roll Call #3, 01/22/04). Much to his credit, he spearheaded the campaign to amend the program in 2006 to “allow participating families to remain in it even if their incomes rise above the limit of the original legislation” (Heartland Institute, 10/01/06).

Political Free Speech

Maximizing prosperity requires sound government policies. When the government strays from these policies, citizens must be free to exercise their constitutional rights to petition and criticize those policies and the politicians responsible for them.

Senator Brownback’s record on protecting political free speech is generally good. He voted against the most egregious version of the McCain-Feingold bill (Roll Call #54, 03/20/02)—the one that ultimately became law—and is on record strongly opposing restrictions on issue advocacy advertisements, arguing in a 1999 press release: “Groups that seek to advertise a point of view should not, and I believe constitutionally can not, be limited from their participation in the political system. If provisions to hinder constitutionally protected free speech issue advocacy are added to the bill, I will vote against the final bill” (10/12/99).

At the same time, Senator Brownback has supported earlier and less restrictive versions of the McCain-Feingold bill. In 1999, Senator Brownback issued a press release announcing his support for the 1999 version of the McCain-Feingold bill, which took “a vigorous first step forward toward reforming the so-called soft money system” (10/12/99) and co-sponsored the Hagel-Landrieu Open and Accountable Campaign Financing Act of 2001 (Press release, 03/16/01). These bills capped soft money contributions to political parties, but did not contain the egregious and patently unconstitutional restriction on issue advocacy advertisements that the final McCain-Feingold bill contained.

Senator Brownback was also one of seven Republican senators to sign a letter to Majority Leader Bill Frist in 2006 that threatened a filibuster against the House-passed bill to impose draconian speech restriction on certain nonprofit advocacy groups (Letter, 06/09/06). The letter played an important role in the demise of the House bill. In our

interview with him, Senator Brownback continued to emphasize his support for free speech.

His support for the soft money cap aside, Senator Brownback's consistent opposition to restrictions on issues advocacy advertisements and his 2006 filibuster threat demonstrate his firm commitment to protecting political speech even in the face of pressure from his colleagues.

Tort Reform

The American economy suffers from excessive litigation which increases the cost of doing business and slows economic growth. The Club for Growth supports major reforms to our tort system to restore a more just and less costly balance in tort litigation.

Senator Brownback has been a consistent supporter of tort reform. He has voted for several measures to limit the number of frivolous lawsuits and place caps on punitive awards, demonstrating his understanding of how lawsuit abuse harms the economy. These measures include:

- Voted for the Securities Litigation Uniform Standards Act that limited the conduct of securities class actions under state law (Roll Call #135, 05/13/98)
- Voted for the Class Action Fairness Act in 2005 (Roll Call #9, 02/10/05) that sought to curb lawsuits by shifting suits from state to federal courts, by requiring judges to review all coupon settlements, and by limiting attorney's fees in non-cash settlements
- Voted for a bill that would bar lawsuits against manufacturers, distributors, dealers, and importers of firearms (Roll Call #16, 02/25/04)
- Vote for a bill that would place caps on damage awards in medical malpractice suits against obstetricians and gynecologists (Roll Call #15, 02/24/04)
- Voted for a motion to proceed to a bill that would cap non-economic and punitive damages in medical malpractice suits (Roll Call #264, 07/09/03)

Summation

Senator Brownback's record on pro-growth, free-market policies is generally quite good with a few minor exceptions. His record on taxes, tort reform, and school choice has been outstanding in its support of prosperity and opportunity. On trade, government regulation of business, and political speech, his record has been very positive. His simultaneous support for Social Security reform with personal accounts and for the huge expansion of Medicare to cover prescription drugs constitutes an incongruous approach to entitlement reform. On controlling government spending, he has, at times, been disappointing.

If elected president, we believe Senator Brownback would continue to pursue a solidly pro-growth agenda, and we hope that he would take a stronger stand for limiting federal spending.