



How At-Risk Senators Voted 2023-2024

118th Congress Key Votes: Sherrod Brown, Jacky Rosen, Jon Tester, Robert Casey and Tammy Baldwin

By Richard G. Thomas, Editor
US Congress VoteFacts.com

Of the 25 incumbent U.S. senators seeking re-election this year, 20 are heavily favored by the nonpartisan Cook Political Report to keep their seats. The other five are engaged in close contests. They are Sherrod Brown (D-OH), Jacky Rosen (D-NV) and Jon Tester (D-MT), whose races are considered toss-ups, and Robert Casey Jr. (D-PA) and Tammy Baldwin (D-WI), whose contests are rated by Cook as “leaning” Democratic. This Constituent Research Guide shows how the five voted on issues concerning Abortion and Reproductive Rights, Guns, Immigration and Ukraine during the 118th Congress (2023-2024).

		Issue 1 Blocking Veterans' Abortions	Issue 2 Revoking Pistol-to-Rifle Regulation	Issue 3 Guns for Impaired Veterans	Issue 4 Bipartisan Immigration Reforms	Issue 5 Approving Aid to Ukraine	Issue 6 Ensuring Contraception Rights	Issue 7 Ensuring IVF Rights	Issue 8 Ensuring Reproductive Freedom
		Roll Call #90 4/19/23 SJ Res 10	Roll Call #171 6/22/23 HJ Res 44	Roll Call #268 10/25/23 HR 4366	Roll Call #39 2/7/24 HR 815	Roll Call #154 4/23/24 HR 815	Roll Call #190 6/5/24 S 4381	Roll Call #197 6/13/24 S 4445	Roll Call #211 7/10/24 S 4554
Jon Tester	D MT	No	No	Yes	Yes	Yes	Yes	Yes	Yes
Jacky Rosen	D NV	No	No	Yes	Yes	Yes	Yes	Yes	Yes
Sherrod Brown	D OH	No	No	No	Yes	Yes	Yes	Yes	Yes
Robert Casey Jr.	D PA	No	No	No	Yes	Yes	Yes	Yes	Yes
Tammy Baldwin	D WI	No	No	No	Yes	Yes	Yes	Yes	Yes

Issue 1 Blocking Veterans' Access to Abortion

Voting 48 for and 51 against, the Senate on April 19, 2023, defeated a Republican-sponsored measure (SJ Res 10) that sought to prevent the Department of Veterans Affairs from offering limited abortion services to veterans in states that

sharply restricted reproductive rights after the Supreme Court, in *Dobbs v. Jackson*, ruled that abortion access is not constitutionally guaranteed and can be blocked by law. In the wake of that ruling in June 2022, the Veterans Health Administration provided abortions to veterans or family

members in cases where the pregnancy was the result of rape or incest or endangered the woman's life or health.

A yes vote was to cancel the Department of Veterans Affairs abortion policy.

Issue 2 Regulating Pistols Converted to Rifles

The Senate on June 22, 2023, upheld a new Bureau of Alcohol, Tobacco and Firearms rule that pistols equipped with stabilizing braces must be registered as short-barreled rifles because the braces enable firing from the shoulder. Owners who fail to register these accessorized AR-style pistols with the ATF would

face stiff fines and potential prison terms under the National Firearms Act of 1934, which requires registration of machine guns and sawed-off rifles and shotguns, and the Gun Control Act of 1968, which governs interstate commerce in firearms. On this vote, the Senate defeated, 49 for and 50 against, a resolution (HJ Res 44) that sought to revoke the rule.

Pistols equipped with braces were used in mass shootings at The Covenant School in Nashville, Tenn., in March 2023; the Club Q in Colorado Springs, Colo., in November 2022; the King Soopers market in Boulder, Colo., in March 2021 and outside a bar in Dayton, Ohio, in August 2019.

A yes vote was to revoke the rule.

Issue 3 Allowing Guns for Mentally Impaired Veterans

Voting 53 for and 45 against, the Senate on Oct. 25, 2023, adopted an amendment that would restore the gun rights of individuals judged by the Department of Veterans Affairs to be too mentally impaired to manage their own veterans' benefits. By law, the department must appoint a fiduciary to manage

the benefits. The department also must report the individual's name to the FBI's National Instant Criminal Background Check (NICS) system, a step that disqualifies the individual from purchasing a firearm because of his or her mental condition. This amendment would ban funding to carry out the NICS

reporting requirement. The amendment was added to a bill (HR 4366), later passed, providing fiscal 2024 appropriations for agencies including the departments of Veterans Affairs and Transportation.

A yes vote was to adopt the amendment.

Issue 4 Senate Rejects Bipartisan Immigration Bill

Voting 49 for and 50 against, the Senate on Feb. 7, 2024, defeated a bill (HR 815) that would have been the first overhaul of immigration policies since 1986. Senate Republicans killed the bill after former President Donald Trump said he opposed it. The bill negotiated by a bipartisan group of senators would close the U.S.-Mexico border to undocumented migrants any time crossings averaged more than 5,000 per day over one week. The bill would authorize \$20 billion over 10 years for hiring at least 15,000 additional Border Patrol officers, Immigration and Customs Enforcement agents, immigration judges and asylum officers.

To tighten asylum procedures, the bill would require applicants to present convincing evidence that they would face harm if returned home, expedite the screening of claims and fast-track deportation when asylum is denied. Migrants would be denied asylum or put in detention if they had criminal histories, resettled in another country before coming to America or entered the United States between ports of entry. Those who pass initial screenings would receive a work permit and close supervision while their claim is adjudicated within 90 days.

In addition, the bill would add detection gear to reduce fentanyl smuggling at ports of entry; increase the Treasury's authority to sanction cartels and businesses involved in narco-trafficking; speed the expulsion of foreigners crossing the border without documents; add 50,000 detention beds to end the "catch-and-release" of migrants due to a shortage of accommodations, and fund construction of 30-foot-high border fencing in locations specified by the Trump administration.

A yes vote was to advance the bill.

Issue 5 Approving \$95.3 Billion for Ukraine, Israel, Taiwan

Voting 79 for and 18 against, the Senate on April 23, 2024, gave final congressional approval to a bill (HR 815) that would appropriate \$60.8 billion to help Ukraine defend itself against Russian aggression, \$15 billion in military aid to Israel, \$9 billion in humanitarian aid to global conflict zones including Gaza and \$8.1 billion to bolster Taiwan and Indo-Pacific

countries against Chinese military threats. In addition, the bill would require the social-media platform Tik Tok to be disowned by the Chinese government or banned in the United States.

The Ukraine outlay consisted of \$50.3 billion in military aid to fund weaponry including air defense systems, armored

vehicles and artillery munitions and \$10.5 billion for economic and humanitarian programs. The bill increased to \$173 billion the total U.S. aid to Ukraine since it was attacked by Russia in February 2022. The attack expanded an invasion that began with Russia's annexation of Crimea in 2014.

A yes vote was to pass the bill.

Issue 6 Writing Contraception Rights into Federal Law

Voting 51 for and 39 against, the Senate on June 5, 2024, failed to reach 60 votes needed to advance a bill (S 4381) that would codify in federal law multiple Supreme Court rulings that access to contraception is protected by constitutional

provisions including a right to privacy based on the Fourteenth Amendment. The bill would establish a statutory right for women to use and doctors to prescribe contraceptives. It would enshrine in law the Supreme Court's 1965 Griswold v. Connecticut decision, which validated the constitutional right

of married couples to use contraceptives, as well as other rulings by the court that recognized the right of non-married persons and minors to use contraceptives.

A yes vote was to pass the bill.

Issue 7 Federally Guaranteed Right to In Vitro Fertilization

Voting 48 for and 47 against, the Senate on June 13, 2024, failed to reach 60 votes needed to advance a bill (S 4445) that would enshrine in federal law the rights of women to pursue in vitro fertilization (IVF) and doctors to provide it. In addition, the bill would require group health plans, Medicare and Medicaid to cover fertility treatments. And it stipulates that the families of veterans and active-duty servicemembers are entitled to fertility services including IVF care in their medical insurance. The bill was supported by 46 of the 47 members

of the Democratic caucus who voted and opposed by 46 of the 48 of the Republican senators who voted. Five senators were absent.

The vote followed an Alabama Supreme Court ruling on Feb. 23, 2024, that frozen embryos are considered children under state law, a decision that effectively outlawed IVF treatments in the state. "Unborn children are 'children'...without exception based on developmental stage, physical location or any other ancillary characteristics," said Justice Jay Mitchell in the majority opinion. Days later, Alabama enacted a law that

would give IVF providers criminal and civil immunity if they mishandle an embryo, but which let stand the court's core finding that embryos are people.

Introduced in 1978, the IVF procedure combines a woman's eggs with sperm in a lab dish to create a fertilized embryo, which is then implanted in the woman's uterus in an effort to impregnate her. More than 2 percent of children born in the United States are conceived by IVF, according to Senate debate on the bill.

A yes vote was to pass the bill.

Issue 8 Declaring Support of Reproductive Freedom

Voting 49 for and 44 against, the Senate on July 10, 2024, failed to reach 60 votes needed to advance legislation (S 4554) expressing support of reproductive freedom for women. A nonbinding measure, the resolution states the sense of

Congress that "protections for access to abortion rights and other reproductive health care after the Dobbs v. Jackson... should be supported" and that "the protections enshrined

in Roe v. Wade... should be restored and built upon, moving towards a future where there is reproductive freedom for all."

A yes vote was to advance the bill.