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# Summary of Findings

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## Unethical and Divisive 2001 Mayoral Campaign, Fined \$17,000

- **Becerra campaign produced “unethical,” “deceptive” anonymous phone call smearing Antonio Villaraigosa:** In May 2001, after Becerra had lost his bid for mayor, the Los Angeles District Attorney’s office identified his campaign as the source of an anonymous phone call maligning Becerra’s opponent, Antonio Villaraigosa.
  - **Gloria Molina felt “abused” and “personally hurt by Xavier Becerra”: “He never really apologized”:** "As one of the victims I feel abused and am personally hurt by Xavier Becerra and his campaign," veteran L.A. County supervisor and longtime political ally Gloria Molina said. After Becerra released a statement stating he had apologized privately to Molina and Villaraigosa, Molina responded, "He never really apologized. ... Holding no one accountable only sanctions these kind of dirty tricks."
  - **While Becerra blamed staff, *LA Times* demanded that he “Take responsibility”: “Shame on Xavier Becerra”:** A few days after the D.A.’s announcement, Becerra issued a statement denying any involvement with the calls, and stating that none of the campaign staff named in the district attorney’s report worked for him any longer. The calls were generated from a phone bank run by La Colectiva, a nonprofit organization that Becerra’s campaign had paid \$25,000 for campaign-related calls.
  - **Actions alienated Latinos” “Latino community are angry at Becerra over a sleazy tactic”** *Los Angeles Times* associate editor Frank del Olmo wrote: “Benites and a lot of other people in the Latino community are angry at Becerra over a sleazy tactic used in last April’s primary that the district attorney has traced directly to Becerra’s mayoral campaign. And the tactic didn’t even do Becerra any good--he barely got 6% of the vote
  - **Becerra waited weeks before he disclosed his campaign’s involvement to the district attorney:** The *Los Angeles Times* reported that two political associates of Becerra’s had informed him that his campaign was responsible for the anonymous calls weeks prior to Becerra contacting the D.A. who had asked all the campaigns to come forward with any information.
  - **State legislation introduced in response to “unsavory tactics”:** That summer, two bills “inspired by the unsavory telephone campaigning in the recently concluded Los Angeles mayor’s race” were introduced at the state legislature, the *Los Angeles Times* reported. One bill, AB 690 (Wesson, D-Culver City), passed the Assembly on a 74-0 vote but was gutted and amended in the Senate. The other bill, SB 3 (Brulte, R-Rancho Cucamonga), passed the Senate on a 40-0 vote but did not come to an Assembly floor vote.

- **Nonprofit investigated for using taxpayer funds intended for healthcare outreach for poor people for Becerra's campaign calls:** In May 2001, *City News Service* reported that taxpayer money intended to help poor residents get health coverage may have been used to make political phone calls on behalf of Becerra's mayoral run. When county Department of Health Services investigators showed up at the phone bank after receiving an anonymous tip, they found phone bankers making calls for Becerra.
- **Advocated for library honoring campaign volunteer involved in phone smear:** In 2003, Becerra attended a meeting of the Los Angeles library board to speak in support of dedicating a new library in memory of Lloyd Monserratt. Monserratt was a volunteer at the phone bank and had "put through the order" to send out the anonymous call, according to the *Los Angeles Times*. He later went to the District Attorney with the information.
- **Paid \$17,000 in ethics fines for failing to disclose mailer and accepting matching funds for returned donations:** In 2005, Becerra agreed to pay a fine of \$11,000 and \$7,000 in repayment of city matching funds after admitting that he accepted matching funds for contributions he returned and that he failed to provide the Ethics Commission with copies of his campaign's mailers.
- **Ran for mayor over Latino leaders' objections:** In 2001, *The Los Angeles Times* reported that Becerra had resisted efforts by county Supervisor Gloria Molina and Henry Cisneros, the former Secretary of Housing and Urban Development, to broker a compromise so that only one Latino would be in the Los Angeles mayoral race. Molina was "puzzled" that Becerra was running for mayor.
  - **Called "selfish" for splitting the Latino vote:** Sources told the *Los Angeles Times* that Becerra's decision to run for mayor was "selfish" because it threatened to split the Latino vote, which, if galvanized behind Antonio Villaraigosa, who had better funding, was performing better in polling, and had a more varied group of endorsements, would make it possible for a Latino to be elected.
- **Becerra's mayoral campaign "tries to tap into people's fears":** In March 2001, the *Los Angeles Times* reported that Becerra's campaign tried "to tap into people's fears that government is ineffective at best, incompetent at worst," wrote a staff writer.

## Out for Himself

- **Becerra's "blatant ambition" made him less effective:** "Becerra may have to clothe his ambition better if he hopes to rise in the House leadership," Jonathan Allen wrote for *Politico* in May 2010. Allen also reported that some House and Ways Means committee insiders held the view that Becerra's "attempt to maneuver for a Ways and Means subcommittee gavel" - at the possible expense of more senior Democrats -

“underscored his willingness to put his own ambitions ahead of the interests of his colleagues and his party.” A veteran House Democrat told *Politico*, “He’s blindly ambitious. It’s blatant, and it’s blind.”

- **Threw Nancy Pelosi “under the bus” during ACA push:** Becerra suggested to the Congressional Progressive Caucus that party leaders gave up too easily on the favored ‘robust’ public option when negotiating the passage of the Affordable Care Act. At a subsequent leadership meeting, witnesses quoted House Speaker Pelosi as saying, “I understand I have tire tracks on my back from Xavier throwing me under the bus.”
- **Said Latinos view President Obama with “suspicion” and “doubt”:** In 2010, Becerra issued what *The Hill* described as “one of the most significant broadsides from a lawmaker against Obama’s sway with Latinos,” declaring that Latinos viewed Obama with “suspicion” for failing to meet expectations.
- **Slammed Obama on trade:** In 2015, Becerra was one of 140 House Democrats who refused to support Obama’s trade agenda, which had stalled the legislation a week prior. The administration responded by changing their strategy and getting approval for an extension of time for considering the bills. Becerra derided the move to extend a possible revote as “underhanded” and “shady stuff.”
- **“Clearly, for Xavier Becerra it’s not about what is good for the caucus” but what is expedient for Becerra:** Fellow Hispanic caucus member Rep. Filemon Vela (D-TX) also reacted badly to Becerra’s short-lived effort in late 2016 to become ranking Democrat on the House Ways & Means Committee, pointing out that Becerra was the only caucus member who didn’t support Rep. Loretta Sanchez’s Senate bid against Kamala Harris.
- **“As self-serving as they come”:** Critics spoke to *CQ Roll Call* and accused Becerra of “playing a role in the demise of the House’s bipartisan [immigration] working group.” Becerra “would insist that leadership weigh in on any provision he didn’t personally support, and was willing to slow down the process in order to get his way.”
- **Squandered immigrants’ benefits by picking fight with senior member:** Becerra got into a “shouting match” on the House floor over how to pay for an extension in unemployment benefits, according to an article in the *Los Angeles Times*. After they had already reached an agreement in committee, Becerra “took [Rostenkowski] to task” for his original proposal, which was to pay for the benefits by delaying previously budgeted welfare payments to blind, elderly and disabled legal immigrants.

## Washington Politician

- **“Outbid” rivals for Ways & Means seat with \$100,000 contribution to Democratic Party:** In 1996, when Becerra won a coveted spot on the powerful House Ways and Means Committee, Basil Talbott of the *Chicago Sun-Times* wrote that Becerra won the

seat because he “outbid” Rep. Luis Gutierrez by contributing \$100,000 to the Democratic Party.

- **Received laundered donations from Mattel Corp.; sponsored favorable legislation:** In 2002, the *Los Angeles Times* identified Becerra as recipient of laundered political donations from Mattel Inc. who had also authored Mattel-backed legislation. HR 3704, which was introduced by Becerra in 2000, tried to exclude from a list of items subject to certain tariffs specific toys including "dress-up outfits marketed year-round for the amusement of children in role-play activity." The bill was supported by Mattel and the Toy Assn. of Southern California, but did not advance after it was sent to the House Ways and Means Committee and subcommittee on trade.
- **Stayed in BOLD PAC, even as others left to protest chair steering campaign funds to his family:** In the spring of 2006, seven members of the Congressional Hispanic Caucus’s BOLD PAC committee resigned the committee after learning that several members, including Caucus chairman Joe Baca (D-CA), had steered political donations to friends and family members. Becerra remained as a member.
- **Ignoring the pleas of watchdog groups, raised special interest funds while on debt super committee:** In 2011, amidst calls from watchdog groups that members of the recently convened debt supper committee should cease fundraising while serving, “so the public can have confidence the decisions they're making are in the best interests of all Americans, not top donors,” Becerra responded that he had not changed his event schedule as a result of his appointment to the committee.
  - **Raised almost \$40,000 from PACs and lobbyists six weeks following appointment:** In the three weeks following his appointment, Becerra had raised \$15,000 from PACs, including the American Health Care Association and the American Hospital Association. Becerra pulled in \$24,518 in September 2011, including \$1,000 from Joe Velasquez of Velasquez and Associates, and \$2,000 a piece from Moses Mercado and Dean Aguillen of Ogilvy Government Relations and \$1,000 from Ogilvy's Joseph Hogan. PACs like Honeywell, Parsons, Poker Players Alliance, Clear Channel and Comcast helped Becerra net \$17,500 from corporate giving groups.
- **Said “90% of officeholders could be prosecuted” if campaign laws were enforced:** In 1997, when asked about President Clinton’s recent admission that he made fundraising calls from his White House office, Becerra said, “[a]bout 90% of the people who hold elected office on the Hill probably could be prosecuted” if campaign laws were vigorously enforced. Becerra would not admit to any personal wrongdoing, however.
- **Withdrew sponsorship of bill to curb unregulated campaign spending:** In 2005, Becerra withdrew his name as co-sponsor to a bill that was intended to curb the proliferation of “527” organizations. In a House floor statement, Becerra expressed a

"growing discomfort" that the bill "may actually limit voices too dramatically without offering other alternatives."

- **Voted against censuring Rangel despite 11 ethics violations:** In December 2010, Becerra voted against HR 1737 (Lofgren, D-CA), to censure Rep. Charles Rangel. The resolution passed 333-79. The censure listed 11 ethics violations that Rep. Rangel had committed related to the purchase of several rent-stabilized apartments at below market rate, failure to pay taxes on rental property income, and the use of congressional office stationary and stamps to request donations for a school.
- **Missed congressional votes, three times more than typical member:** From January 1993 to January 2017, Becerra missed 1,096 of 16,021 roll call votes, which is 6.8 percent. According to GovTrack, Becerra's absentee rate "is much worse than the median of 2.3% among the lifetime records of representatives serving in January 2017."
- **Only California House member to vote against California earthquake relief:** In February 1994, Becerra voted against an \$8.6-billion earthquake relief package for Southern California. He was the only member of the California delegation to vote against the bill, while eight others were absent.

## Vignali Controversy

- **Becerra urged President Clinton to commute sentence of campaign donor's crack dealer son:** In 2000, Becerra was one of several public officials, including a Catholic cardinal, who sent letters to President Clinton regarding a pardon request for convicted drug dealer Carlos Vignali, son of major donor, Horacio Vignali. Vignali had donated nearly \$14,000 to Becerra by that time, according to *The Los Angeles Times*.
- **Made several calls to White House and DOJ; called White House on eve of Clinton's Last Day:** Becerra also reportedly followed up with phone calls to the White House and Department of Justice, including a call to the White House on January 19, 2001, Clinton's final day in office. When the issue came up in Becerra's 2001 mayoral run, Becerra insisted that he never sought Carlos' release, only a review of the case.
- **Investigators and prosecutors strongly objected to commutation; wiretap had Vignali admitting to making crack:** The federal prosecutors who had handled the case urged Justice officials in Washington to deny the request, based on the facts that Carlos Vignali was a major player in the drug conspiracy and he had never apologized for his wrongdoing.
  - **Police detective: Vignali "was the No. 1 guy":** Minneapolis police detective Tony Adams, who had investigated the case, was "stunned" when he learned of Vignali's release from prison, "It's like, basically, you've just been told that this kid, he's untouchable." "He was the No. 1 guy," Adams said.

- **Judge: Vignali “played a major role in the financing, transport, and procurement of the drugs”:** The federal judge in the case also disapproved Vignali’s early release: “Vignali was not a low-level operator in the conspiracy,” said U.S. District Judge David S. Doty in a statement reported by the Associated Press. “He played a major role in the financing, transport and procurement of the drugs.”
- **Vignali case cast shadow over mayor’s race:** In February 2001, Becerra’s connection to the Vignali commutation became an issue in his mayoral campaign. The *Los Angeles Times* reported that Becerra and another candidates’ actions drew criticism from African American leaders and parents of drug offenders, who complained that the officials had done a favor for a well-connected donor. Becerra maintained that he had done nothing wrong; that he had only requested a review of the conviction and did not request a commutation.
- **Congressional committee: Commutation “mocked law enforcement” and showed “double standard of justice between rich and poor”:** In 2008, the Vignali case again became an issue when Becerra was under consideration to be President-Elect Obama’s trade representative. A *Los Angeles Times* article about Becerra and Attorney General Eric Holder’s connection to the case mentioned a 2002 congressional report by a Republican-led committee that concluded that the Vignali commutation “mocked law enforcement” and “sent a message that there is a double standard of justice between the rich and the poor.”

## Residency Issues

- **Obtained tax benefits by claiming principal residence in Maryland:** In 2009, Becerra and his wife Carolyn Reyes purchased the property located at 5406 Center Street in Chevy Chase, Maryland. Upon signing the deed for the house, Becerra signed an affidavit stating that the couple intended to use the home as their principal residence. That gave them a tax credit worth \$692 a year; asked about the tax credits by the *Huffington Post*, Becerra said the annual tax credit was legal because his wife used the home as per principal residence.

## Didn’t Stand Up to Trump

- **Progressives said other state attorneys general were providing better leadership against Trump; Becerra responded, “I’m getting too old to be the resistance”:** *Grist* magazine’s Nathanael Johnson reported in October 2017 that, despite Becerra’s image as a bulwark against the Trump administration, some progressives faulted him for a lack of leadership compared to other state attorneys general, and Becerra himself rejected the idea of him being a leader of “the resistance.”

- **Urged Hispanic Caucus PAC against anti-Trump campaign, outraging colleagues:** In August 2016, Becerra was on the losing end of an internal 13-4 Congressional Hispanic Caucus vote to dedicate \$50,000 of the caucus's PAC budget toward attacking Dennis Nixon, CEO of one of the largest banks in Texas and Trump's finance chairman in Texas. Caucus members were furious that Nixon, who had prospered serving a largely Hispanic clientele, would fundraise for Trump, who had attacked and derided the Hispanic community.
  - **Colleague: "Baffling" that Becerra would not "stand up" to Trump: "No way in hell I could support him for Democratic leadership:** *The Hill* reported that Becerra's refusal to back anti-Trump efforts angered and alienated his colleagues.
- **Said whether Donald Trump is misogynist not "a really important question":** As a Hillary Clinton supporter, Becerra appeared on the CNN show *Legal View with Ashleigh Banfield* in May 2016. Becerra stated the following: "I think most Americans would like to know how we're going to stop nuclear proliferation, how we're going to make sure our troops don't die in Iraq, how we make sure that the Zika virus doesn't affect pregnant women. The American people, I think, want us to answer really important questions, not whether Donald Trump is a misogynist or whether Donald Trump thinks he's the greatest of all."

## Crime and Public Safety

- **Withheld support from measures to increase crime-fighting funding for local governments:** In 2012, Becerra abstained from voting on an amendment (Runyan, R-NJ) to HR 5326 (the Commerce, Justice, Science and Related Agencies appropriations bill) that increased funding for the Byrne Justice Assistance Grant (JAG) program by \$22.4 million to a total of \$392 million. The amendment passed on a 325-81 vote. Becerra was present and participated in other votes that day (he voted against the full bill two days later).
- **Lackluster vote ratings from National Association of Police Organizations:** The National Organization of Police Organizations, a coalition of police unions and associations representing over 241,000 sworn law enforcement officers, has given Becerra the following vote ratings since 2011: "C" grade; 79%; 50%.
- **Voted against appropriations bill reauthorizing health care and compensation programs for 9/11 first responders:** In 2015, Becerra was one of 18 House Democrats to vote against concurrence with Senate amendments on HR 2029, the FY 2016 Omnibus Appropriations bill.
- **Among small group of representatives to support clemency for members of terrorist group:** In 1999, Becerra voted against HCR 180 (Fossella, R-NY) which criticized President Clinton for granting clemency to Puerto Rican radicals.

## Labor

- **Voted for “Union Busting” Tribal Labor Sovereignty Act:** In 2015, Becerra was one of only 24 Democrats to vote in support of HR 511 (Rokita, R-IL), the Tribal Labor Sovereignty Act. After the House passed the bill on a 249-177 vote, AFL-CIO President Richard Trumka said: “Make no mistake, this legislation is a veiled attempt to silence the voices of working people. The AFL-CIO believes in both tribal sovereignty and worker solidarity. We don’t have to choose. The Senate should reject this union-busting bill in its entirety.”
- **Inconsistent record on trade agreements:** Becerra has taken both sides of the trade debate, voting in favor of trade agreements with Peru and Chile, as well as permanent most-favored nation status for China. Meanwhile, he opposed the Central America Free Trade Agreement and has called for more protectionist policies. Becerra has also appeared to take both sides of the Trans Pacific Partnership and fast-track debate.
  - **Cast critical pro-business, anti-labor vote on China Trade Bill (2000):** In May 2000, ahead of a Ways and Means Committee vote, Becerra threw his support behind a bill granting permanent normal trading privileges with China. Becerra had consistently voted in favor of granting China normal trade ties as the issue came up for annual review. Becerra’s vote was considered pivotal to the bill’s outcome.
  - **Backed NAFTA; got “A+” grade from business groups on trade in 2000:** In November 1993, Becerra voted for the North Atlantic Free Trade Agreement, which passed the House 234-200. In September 2000, the National Foreign Trade Council and USA\*ENGAGE--which included many business interests, as well as the Business Roundtable and the U.S. Chamber of Commerce, gave Becerra an “A+” grade. Becerra had backed the entire business agenda in the prior year.
  - **Voted against Bernie Sanders’s resolution withdrawing US from WTO:** In 2005, Becerra voted against House Joint Resolution 27 (Sanders, I-VT) which would have withdrawn the United States from the World Trade Organization.
- **Voted for measure that would have jeopardized maritime jobs:** In 2013, Becerra voted for a farm bill amendment (Royce, R-CA) that would have modified the way the U.S. delivers foreign food aid, sourcing up to half of it from local and regional purchases instead of purchasing all food from American farms and shipping it on American vessels.
- **Denied signing SEIU pledge to fight Valley secession after union said he supported it:** During his 2001 Los Angeles mayoral candidacy, Becerra disputed a local labor union’s report that he had pledged to fight the Valley secession effort. The previous

year, Becerra had told leaders of the Valley secession movement that he backed the principle of putting the matter on the ballot.

- **LA County Fed: Becerra “not in favor of poor people”:** During the 2001 mayoral race, the county Federation of Labor sent out a telephone and mail campaign on behalf of candidate Antonio Villaraigosa. At the end of one of the calls, the caller said, of Becerra, “Even though he is a Democrat, he is not in favor of poor people.”

## Women

- **Backed Hispanic Caucus chair accused of calling female member “whore”:** In March 2007, after Rep. Loretta Sanchez (D-CA) left the House Hispanic Caucus in protest of Chairman Joe Baca’s (D-CA) leadership, Becerra helped push through Baca’s election as chairman of the caucus’s nonprofit arm. Sanchez had said Baca told people she was a “whore,” and said she would return to the caucus if he were ousted as chairman.
- **Voted against bill cracking down on sexual assault in military:** In 2013, Becerra voted against HR 1960, the FY 2014 National Defense Authorization Act, which was noted at the time for including several provisions addressing incidents of sexual assault in the military. Becerra, who regularly voted against annual defense authorizations, voted for a Democratic motion to recommit the bill with additional sexual assault provisions; that motion failed on a partisan vote.
- **Skipped voting on abortion legislation:** In 1995 and 2006, Becerra skipped votes on anti-abortion measures: The 1995 bill, HR 1833, the Partial Birth/Late-term Abortion Ban Act, (Canady, R-FL) passed by a vote of 288-139. The 2006 bill, HR 6099, the Unborn Child Pain Awareness Act, (Smith, R-NJ) failed by a vote of 250-162.
  - **Perfect ratings from abortion rights groups:** Planned Parenthood Action Fund has awarded Becerra a lifetime rating of 100 percent. NARAL Pro-Choice America has rated Becerra 100 percent since at least 1996.

## Fiscal Crisis, Business and Jobs

- **Voted for Clinton-era financial deregulation blamed for financial crisis:** During the Clinton administration, Becerra supported legislation deregulating the financial markets. The deregulation is now widely viewed as having helped cause the 2007-08 financial crisis that led to the Great Recession.
  - **Voted to repeal Glass-Steagall act -- “Led directly to the 2008 wall street crash”:** In 1999, Becerra voted for S 900 (Gramm, R-TX), the Gramm-Leach-Bliley Act, also known as the Financial Services Modernization Act. Former Labor

Secretary Robert Reich wrote in 2015, “The repeal of Glass-Steagall led directly to the 2008 Wall Street crash.”

- **Voted to deregulate credit default swaps, the “single government move that did more than any other” to cause crisis:** In 2000, Becerra voted for HR 4541 (Ewing, R-IL), the Commodity Futures Modernization Act of 2000. *Time* magazine, assessing blame for the financial crisis, wrote, “If you had to pick a single government move that did more than any other to muck things up, it was probably this bill.”
- **Opposed financial industry bailout:** In September and October 2008, Becerra voted twice to oppose the Emergency Economic Stabilization Act of 2008. About his initial vote, Becerra said, “[t]he last thing I need to do is go back home and tell people I voted for \$700 billion, some of which will touch the same people that caused the problem, and I can't guarantee taxpayers will recoup those costs.”
- **Among minority of Democrats to oppose bill cracking down on patent trolls:** In 2013, Becerra voted against HR 3309 (Goodlatte, R-VA), the Innovation Act, legislation to discourage tactics preferred by patent trolls. The bill, backed by the Obama administration and the technology sector, aimed to rein in fly-by-night companies that send demand letters to thousands of targets hoping to extract nuisance settlements.
- **Backed onerous tax requirement President Obama called an “unnecessary burden on small businesses”:** In 2011, Becerra voted against HR 4 (Lungren, R-CA), which repealed part of the Affordable Care Act that would have required businesses to file a 1099 tax form for every purchase they make over \$600. Obama said upon signing the bill, “I was pleased to take another step to relieve unnecessary burdens on small businesses by signing H.R. 4 into law.”
- **32 percent lifetime rating from Chamber of Commerce; “dismal record on important small business issues”:** Becerra’s cumulative vote score from the U.S. Chamber of Commerce is 32 percent. In December 2016, the National Federation of Business in California denounced Becerra’s “dismal voting record on important small business issues.”
- **Voted against 20% tax deduction for small business:** In March 2012, Becerra voted against a bill before the Ways & Means Committee that would provide businesses with fewer than 500 employees a tax deduction equal to 20 percent of their profits.
- **Opposed bill to spare taxpayers from \$2,000 tax increase:** In December 2007, Becerra voted against HR 3996, the Temporary Alternative Minimum Tax Adjustment Act (Rangel, D-NY). The bill, signed into law by President George W. Bush, spared taxpayers from the alternative minimum tax, which would have resulted in an average tax increase of \$2,000 for taxpayers in 2008.

- **Opposed Obama-GOP tax deal:** In 2010, Becerra voted against HR 4853, the Middle Class Tax Relief Act of 2010, a compromise between President Obama and Republicans that extended the Bush tax cuts for two years, while extending provisions of the American Recovery and Reinvestment Act of 2009 (stimulus) and extending unemployment benefits.

## Families and Kids

- **One of seven Democrats to vote against 1999 education funding bill:** In 1999, Becerra was one of only seven Democrats to vote against HR 2 (Goodling, R-PA), the Student Results Act. The bill passed the house by a 358-67 vote.
- **Voted for No Child Left Behind Act:** In December 2001, Becerra voted for HR 1, the No Child Left Behind Act. The bill passed 381-41.
- **One of only 20 Democrats to vote against middle class tax relief bill; included deduction for school teachers for supplies:** In 2014, Becerra voted against HR 5771 (Camp, R-MI), The Tax Increase Prevention Act. The bill included extended for one year a research and development credit and bonus depreciation, plus over 50 tax deductions benefiting individual taxpayers.
- **Opposed “Marriage Penalty” relief, Bush tax cuts:** In 2004, Becerra voted against HR 1308, the Working Families Tax Relief Act, a conference bill extending Bush era tax cuts. The bill passed 339-65. Becerra also opposed HR 4181 (Gerlach, R-PA) which would have permanently repealed the “marriage penalty.”
- **Flip-Flopped on protecting Social Security, Medicare, and Medicaid:** In February 2011, Becerra, speaking to a group of Social Security advocates, said, “Divorce this conversation about deficit reduction from Social Security and making it a better program!” Becerra told the group that anyone who puts Social Security in the deficit conversation wants to get their “grubby hands” on the surplus in the Social Security trust fund to pay for other things. **In** September 2011, Becerra said, “Everything should be on the table” in debt talks, including Medicare, Medicaid and Social Security: In September 2011, a month after Becerra had been appointed to the debt reduction super committee, *Politico* reported that Becerra believed everything should be on the table in the debt reduction super committee, including cuts to Medicare and Social Security.

# Unethical and Divisive 2001 Mayoral Campaign

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## Becerra Campaign Produced “Unethical,” “Deceptive” Anonymous Phone Call Smearing Rival

In May 2001, after Becerra had lost his bid for mayor, the Los Angeles District Attorney's office identified his campaign as the source of an anonymous phone call maligning Becerra's opponent, Antonio Villaraigosa. Although there was insufficient evidence to file criminal charges, District Attorney Steve Cooley told reporters, it was “unethical,” “deceptive,” “misleading,” and it “wasn't truthful” (*Associated Press State & Local Wire*, “Negative phone calls in LA mayor's race linked to Becerra campaign,” May 24, 2001)

## Gloria Molina Felt “Abused” & “Hurt by Xavier Becerra”: “He Never Really Apologized”

"As one of the victims I feel abused and am personally hurt by Xavier Becerra and his campaign," veteran L.A. County supervisor and longtime political ally Gloria Molina said. The telephone campaign sought to make voters think they were hearing a message from Molina. A female caller identifying herself as "Gloria Marina" accused Villaraigosa of opposing legislation to increase penalties for rapists and child molesters. (*Los Angeles Times*, “Becerra Knew of Hit Calls Long Ago, Two Say,” May 25, 2001)

After Becerra released a statement stating he had apologized privately to Molina and Villaraigosa, Molina responded, "He never really apologized. ... Holding no one accountable only sanctions these kind of dirty tricks." (*Los Angeles Times*, “Volts, Quotes and Votes from the Elect Among Us,” May 28, 2001)

## Becerra Blamed Staff, *LA Times* Demanded He “Take Responsibility”: “Shame on Xavier Becerra”

A few days after the D.A.'s announcement, Becerra issued a statement denying any involvement with the calls, and stating that none of the campaign staff named in the district attorney's report worked for him any longer. (*Los Angeles Times*, “Times' Endorsement of Villaraigosa for Mayor,” May 30, 2001)

The district attorney's report said investigators found that the caller was Veronica Del Rico, a paid employee of the Becerra campaign. Del Rico had told investigators that campaign manager Paige Richardson, deputy campaign manager Bubba Scott Nunnery and press secretary Allyson Laughlin had enlisted her for the call. (*Associated Press State & Local Wire*, “Negative phone calls in LA mayor's race linked to Becerra campaign,” May 24, 2001)

The calls were generated from a phone bank run by La Colectiva, a nonprofit organization that Becerra's campaign had paid \$25,000 for campaign-related calls. (*Associated Press State & Local Wire*, "Negative phone calls in LA mayor's race linked to Becerra campaign," May 24, 2001)

The *Los Angeles Times* wrote in an editorial:

"Shame on Rep. Xavier Becerra (D-Los Angeles), a losing candidate in last month's mayoral primary. How could he not know that his campaign paid for the outrageous phone calls--made in a voice sounding like Los Angeles County Supervisor Gloria Molina's--that smeared former Assembly Speaker Antonio Villaraigosa?

"If Becerra didn't know what his campaign was doing on his behalf, he should have. In the end, the dirty trick didn't help him much. He polled barely 6%. In contrast, Villaraigosa won a spot in the June 5 runoff. That's justice.

"Now that the Becerra campaign's involvement has been confirmed by the district attorney's office, the congressman owes apologies to Villaraigosa, Molina and the voters. Although he insists he didn't know about the calls when they were made, he knows now. He must take responsibility." (*Los Angeles Times*, "Face Up to It, Rep. Becerra," May 24, 2001)

### **Actions Alienated Latinos: "Latino community are angry at Becerra over a sleazy tactic"**

*Los Angeles Times* associate editor Frank del Olmo wrote:

"Benites and a lot of other people in the Latino community are angry at Becerra over a sleazy tactic used in last April's primary that the district attorney has traced directly to Becerra's mayoral campaign. And the tactic didn't even do Becerra any good--he barely got 6% of the vote. He's got a lot of explaining to do to get back in good stead with his community." (*Los Angeles Times*, "Becerra Has a Lot of Explaining to Do," May 27, 2001)

### **Becerra Hid Information from D.A., Waited Weeks to Disclosed Involvement**

The *Los Angeles Times* reported that two political associates of Becerra's had informed him that his campaign was responsible for the anonymous calls weeks prior to Becerra contacting the D.A. who had asked all the campaigns to come forward with any information. Martin Gutierrez, who ran La Colectiva, told the *Times* that he informed Becerra on April 9<sup>th</sup>, the day before the election, that he believed Becerra's campaign manager was responsible for the calls. L.A. Councilmember Nick Pacheco said he told Becerra in mid-April. (*Los Angeles Times*, "Becerra Knew of Hit Calls Long Ago, Two Say," May 25, 2001)

In an interview, Becerra said he did not contact the D.A. about the rumors because he "assumed the D.A.'s office had been talking to all those folks." He also mentioned that his

campaign manager emphatically denied the allegations when he approached her. (*Los Angeles Times*, “Becerra Knew of Hit Calls Long Ago, Two Say,” May 25, 2001)

### **State Legislation Introduced in Response to Becerra’s “Unsavory Tactics”**

That summer, two bills “inspired by the unsavory telephone campaigning in the recently concluded Los Angeles mayor’s race” were introduced at the state legislature, the *Los Angeles Times* reported. The bills would require political groups to identify themselves during political calls. (*Los Angeles Times*, “2 Bills Target False Campaign Calls,” July 12, 2001)

One bill, AB 690 (Wesson, D-Culver City), passed the Assembly on a 74-0 vote but was gutted and amended in the Senate. The other bill, SB 3 (Brulte, R-Rancho Cucamonga), passed the Senate on a 40-0 vote but did not come to an Assembly floor vote. (*California Legislative Information*, 2001-02, AB 690 and SB 3)

### **Nonprofit Shut Down After Using Taxpayer Funds Intended for Poor People for Becerra’s Campaign Calls**

In May 2001, *City News Service* reported that taxpayer money intended to help poor residents get health coverage may have been used to make political phone calls on behalf of Becerra’s mayoral run. Community Health Foundation of East Los Angeles had hired La Colectiva to do the outreach phone bank as part of a \$375,000 grant CHFELA received from Los Angeles county. But when county Department of Health Services investigators showed up at the phone bank after receiving an anonymous tip, they found phone bankers making calls for Becerra. (*City News Service*, “Diverted Taxpayer Money May Have Funded Phone Bank for Becerra Campaign,” May 16, 2001)

In October 2001, still under investigation, La Colectiva closed its doors for good. (*Los Angeles Times*, “Eastside Operation Leaves Youths at Loss,” October 10, 2001)

That month, Los Angeles City Councilmember Nick Pacheco shut down his nonprofit, Community Action and Leadership, Inc., amidst an investigation by the District Attorney for pressuring city contractors to donate to the group. CAL, Inc. owned the phone bank that Becerra’s campaign had used to make the unethical calls. It had been leased to La Colectiva at the time. (*Los Angeles Times*, “Pacheco Puts Fund-Raising Group on Hold,” October 5, 2001)

### **Becerra Advocated for Library Honoring Campaign Volunteer Involved in Phone Smear**

In 2003, Becerra attended a meeting of the Los Angeles library board to speak in support of dedicating a new library in memory of Lloyd Monserratt. Monserratt was a volunteer at the phone bank and had “put through the order” to send out the anonymous call, according to the *Los Angeles Times*. He later went to the District Attorney with the information. (*Los*

*Angeles Times*, “Library Dedication an Act of the Heart, Maybe Not of Mind,” January 14, 2003)

*Los Angeles Times* writer Patt Morrison, describing the recently deceased Monserratt as “an accomplished political being,” asked, “why have libraries become the billboards for honoring the political crowd?” (*Los Angeles Times*, “Library Dedication an Act of the Heart, Maybe Not of Mind,” January 14, 2003)

## **Becerra Paid \$17,000 in Ethics Fines**

In 2005, Becerra agreed to pay a fine of \$11,000 and \$7,000 in repayment of city matching funds after admitting that he accepted matching funds for contributions he returned and that he failed to provide the Ethics Commission with copies of his campaign's mailers. (*Los Angeles Times*, “4 Candidates in 2001 L.A. Mayor's Race to Pay Fines,” April 8, 2005)

## **Becerra Ran for Office Over Latino Leaders’ Objections That He Would Split Latino Vote;**

In 2001, *The Los Angeles Times* reported that Becerra had resisted efforts by county Supervisor Gloria Molina and Henry Cisneros, the former Secretary of Housing and Urban Development, to broker a compromise so that only one Latino would be in the Los Angeles mayoral race. Molina and Villaraigosa had both been part of a group of Eastside Los Angeles “power brokers” who recruited Becerra to run for state Assembly and then Congress. Molina was “puzzled” that Becerra was running for mayor. (*Los Angeles Times*, “Profile: Xavier Becerra,” March 12, 2001)

According to the profile, Becerra repeatedly “told supporters that he refused to cut a deal with Villaraigosa because he doesn’t believe in el dedazo (‘literally the fingering from a powerful person: It’s your turn’):

“But isn’t that exactly how he got into office? He laughed at the question. ‘Those were tiny dedos,’ he said. ‘What they offered wasn’t enough to push me over the finish line.’ When pressed, Becerra acknowledged he got help. ‘I am where I am because of others,’ he said. ‘What I’m saying is I’ve never been part of the establishment.’” (*Los Angeles Times*, “Profile: Xavier Becerra,” March 12, 2001)

## **Becerra Called “Selfish” for Splitting Latino Vote**

Sources told the *Los Angeles Times* that Becerra’s decision to run for mayor was “selfish” because it threatened to split the Latino vote, which, if galvanized behind Antonio Villaraigosa, who had better funding, was performing better in polling, and had a more varied group of endorsements, would make it possible for a Latino to be elected. (*Los Angeles Times*, “Latino Candidates Running Despite Fear of Split Vote,” January 10, 2001)

## **LA Times in 2001: Becerra's Mayoral Campaign "Tries to Tap into People's Fears"**

In March 2001, the *Los Angeles Times* reported that Becerra's campaign tried "to tap into people's fears that government is ineffective at best, incompetent at worst," wrote a staff writer. The article quoted Becerra, speaking in a forum at the Staples Center:

"From the outside, what a great city. But you look inside, and what do you see? Rampart, Belmont, MTA. If these three words don't epitomize where we are in Los Angeles, I don't know what does." (*Los Angeles Times*, "Defining Issues Elude Mayoral Candidates," March 22, 2001)

## **Out for Himself**

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### ***Politico*: Becerra's "Blatant Ambition" Made Him Less Effective**

"Becerra may have to clothe his ambition better if he hopes to rise in the House leadership," Jonathan Allen wrote for *Politico* in May 2010. (*Politico*, "Becerra's 'blatant' ambition," May 26, 2010)

The piece chronicled Becerra's political "missteps" on both ends of Pennsylvania Avenue – from throwing Nancy Pelosi "under the bus" to build street cred with progressives on healthcare, to "flirting" with the job of U.S. Trade Representative and then turning down President-Elect Obama "at the last minute." (*Politico*, "Becerra's 'blatant' ambition," May 26, 2010)

Allen also reported that some House and Ways Means committee insiders held the view that Becerra's "attempt to maneuver for a Ways and Means subcommittee gavel" - at the possible expense of more senior Democrats – "underscored his willingness to put his own ambitions ahead of the interests of his colleagues and his party." "If he's looking to move up in leadership, he should be in the 'mode of friend-making, not friend-alienating,' said one Ways and Means Committee member." A veteran House Democrat told *Politico*, "He's blindly ambitious. It's blatant, and it's blind." (*Politico*, "Becerra's 'blatant' ambition," May 26, 2010)

### **Becerra Threw Nancy Pelosi "Under the Bus" During ACA Push**

In late 2009, Becerra suggested to the Congressional Progressive Caucus that party leaders gave up too easily on the favored 'robust' public option when negotiating the passage of the Affordable Care Act. At a subsequent leadership meeting, witnesses quoted House Speaker Pelosi as saying, "I understand I have tire tracks on my back from Xavier throwing me under the bus." (*Politico*, "Pelosi thrown 'under the bus,'" November 17, 2009)

## **Becerra Slammed Obama: Said Latinos View Him with “Suspicion” & “Doubt”**

In 2010, Becerra issued what *The Hill* described as “one of the most significant broadsides from a lawmaker against [President] Obama’s sway with Latinos,” declaring that Latinos viewed Obama with “suspicion” for failing to meet expectations:

“Rep. Xavier Becerra (Calif.), the House Democratic Caucus vice chairman, offered stern words for Obama, saying that the Latino population wants to see more from the White House on issues that are important to them.

“‘I think there’s a lot of suspicion, a lot of doubt, a lot of concern,’ he said on KPCC Radio of Obama’s image among Latinos. ‘The president made a promise. He hasn’t fulfilled that promise. Rightfully, I think a lot of folks are questioning where the president’s priorities are.’

“Latino groups have been pressuring Congress and the White House to act on comprehensive immigration reform amid doubts that legislation will be passed this year.” (*The Hill*, “Senior House Dem: Latinos view President Obama with ‘suspicion,’” April 7, 2010)

## **Slammed Obama on Trade (2015)**

In 2015, Becerra was one of 140 House Democrats who refused to support Obama’s trade agenda, which had stalled the legislation a week prior. The administration responded by changing their strategy and getting approval for an extension of time for considering the bills. Becerra derided the move to extend a possible revote as “underhanded” and “shady stuff.” “We would all hope that whatever is done is done in the plain sight of the day and not in some backroom deal,” he said. (*Washington Post*, “House gives Obama, allies more time to devise trade plan,” June 17, 2015)

Regarding the president’s new strategy of working with Republicans to pass the legislation despite little Democratic support, Becerra predicted, “the same result as the Titanic,” likening it to a “reshuffling” of the furniture on the ill-fated ship. (*Houston Chronicle*, “House OKs core of Obama’s trade agenda,” June 19, 2015)

Becerra had previously allowed Obama to consider him for the post of U.S. trade representative, only to turn him down at the last minute. (*Politico*, “Becerra’s ‘blatant’ ambition,” May 26, 2010)

## **Becerra Failed to Back Initiatives Important for Latinos**

Fellow Hispanic caucus member Rep. Filemon Vela (D-TX) also reacted badly to Becerra’s short-lived effort in late 2016 to become ranking Democrat on the House Ways & Means

Committee, pointing out that Becerra was the only caucus member who didn't support Rep. Loretta Sanchez's Senate bid against Kamala Harris. (*Sacramento Bee*, "The Take: Standing Rock settlement, opioids, and our new attorneys general," December 5, 2016)

In a statement to *The Hill*, Vela chastised Becerra for failing to back initiatives important to the Congressional Latinos. "Clearly, for Xavier Becerra it's not about what is good for the caucus, but what is politically expedient for Xavier Becerra," Vela said. (*The Hill*, "Levin will step down as top Democrat on Ways & Means," November 29, 2016)

### **Becerra "As Self-Serving as They Come"**

In April 2014, anonymous critics spoke to *CQ Roll Call* and accused Becerra of "playing a role in the demise of the House's bipartisan [immigration] working group." They said Becerra "would insist that leadership weigh in on any provision he didn't personally support, and was willing to slow down the process in order to get his way." "Ultimately, critics said, Becerra is like any politician: He's looking out for himself and his own interests, and the caucus chairman is as self-serving as they come." (*Congressional Quarterly News*, "Highest Ranking Latino in Congress, Xavier Becerra Comes into His Own," April 2, 2014)

### **Becerra Squandered Immigrants' Benefits by Picking Fight with Senior Member**

In 1993, Becerra got into a "shouting match" with Ways & Means Committee Chairman Dan Rostenkowski (D-IL) on the House floor over how to pay for an extension in unemployment benefits, according to the *Los Angeles Times*. After they had already reached an agreement in committee, Becerra "took [Rostenkowski] to task" for his original proposal, which was to pay for the benefits by delaying previously budgeted welfare payments to blind, elderly and disabled legal immigrants. In response, Rostenkowski torpedoed the vote. The next day, the Hispanic Caucus joined the rest of the House in overwhelmingly approving Rostenkowski's original plan. It also passed the Senate and was signed into law. (*Los Angeles Times*, "A lesson in the House Rules of Etiquette," December 17, 1993)

## **Washington Politician**

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### **Becerra Received Laundered Donations from Mattel Corp., Sponsored Favorable Legislation**

In 2002, the *Los Angeles Times* identified Becerra as recipient of laundered political donations from Mattel Inc. who had also authored Mattel-backed legislation. A federal investigation concluded finding that two individuals had donated to Becerra and others with the intention of subverting federal laws that prevented corporations from donating to political candidates. Becerra denied knowing the contributions were from Mattel. (*Los Angeles Times*, "Mattel-Backed Bills OK'd as Gifts Came In," December 11, 2002)

HR 3704, which was introduced by Becerra in 2000, tried to exclude from a list of items subject to certain tariffs specific toys including "dress-up outfits marketed year-round for the amusement of children in role-play activity." The bill was supported by Mattel and the Toy Assn. of Southern California, but did not advance after it was sent to the House Ways and Means Committee and subcommittee on trade. (*Los Angeles Times*, "Mattel-Backed Bills OK'd as Gifts Came In," December 11, 2002)

## **Becerra Ignored Pleas of Watchdog Groups, Raised Funds While on Debt Super Committee**

In 2011, amidst calls from watchdog groups that members of the recently convened debt super committee should cease fundraising while serving, "so the public can have confidence the decisions they're making are in the best interests of all Americans, not top donors," Becerra responded that he had not changed his event schedule as a result of his appointment to the committee. "I don't get a pass for having to run for reelection," he said. (*National Journal Daily*, "Super Committee Members' Fundraising Scrutinized," September 6, 2011)

*Politico* reported that Becerra "faced an early controversy" when a supporter, Investment Company Institute's Jim Hart, sent out an email encouraging attendance at a \$1,500-per-person fundraiser based on Becerra's status as one of the newly appointed members of the powerful committee. (*Politico*, "Kerry to shun cash during debt panel," September 12, 2011)

The night before the first meeting of the super committee, Becerra attended a fundraiser for his PAC, held at Nationals Park during a game between the Washington Nationals and the Los Angeles Dodgers. (*National Journal Daily*, "Super Committee Members' Fundraising Scrutinized," September 6, 2011)

## **Raised \$40,000 Six Weeks After Appointment, Lobbied by Former Counsel**

In the three weeks following his appointment, Becerra had raised \$15,000 from PACs, including the American Health Care Association and the American Hospital Association. (*New York Times Blogs*, "Donors Gave \$83,000 to Deficit Panel Members in August," October 6, 2011)

Becerra pulled in \$24,518 in Sept 2011, including \$1,000 from Joe Velasquez of Velasquez & Associates, and \$2,000 a piece from Moses Mercado and Dean Aguillen of Ogilvy Government Relations & \$1,000 from Ogilvy's Joseph Hogan. PACs like Honeywell, Parsons, Poker Players Alliance, Clear Channel and Comcast helped Becerra net \$17,500 from corporate giving groups. (*Politico*, "Lobbyist cash for debt panel PACs," October 20, 2011)

Becerra was reportedly being lobbied by his former counsel Arshi Siddiqui, a lobbyist for General Electric. (*Washington Post*, "K Street has close ties to the debt panel," September 7, 2011)

## **Said "90% of Officeholders Could Be Prosecuted" if Campaign Laws Strictly Enforced**

In November 1997, when asked about President Clinton's recent admission that he made fundraising calls from his White House office, Becerra said, "[a]bout 90% of the people who hold elected office on the Hill probably could be prosecuted" if campaign laws were vigorously enforced. Becerra would not admit to any personal wrongdoing, however. (*Los Angeles Times*, "Southland Legislators Denounce Fundraising Sins," November 12, 1997)

## **Withdrew Sponsorship of Bill to Curb Unregulated Campaign Spending**

In May 2005, Becerra withdrew his name as co-sponsor to a bill that was intended to curb the proliferation of "527" organizations (similar to PACs). Following the passage of McCain-Feingold in 2002, corporations, unions, and other entities used these organizations to circumvent new limits on donations to political parties. In a House floor statement, Becerra expressed a "growing discomfort" that the bill "may actually limit voices too dramatically without offering other alternatives." (*U.S. House of Representatives*, [Congressman Becerra's Statement on Removing Name as Co-Sponsor](#), April 28, 2005)

## **Voted against Censuring Rep. Charles Rangel, Despite 11 Ethics Violations**

In December 2010, Becerra voted against HR 1737 (Lofgren, D-CA), to censure Rep. Charles Rangel (D-NY). The resolution passed 333-79. (*U.S. House of Representatives*, [Roll Call 607](#), December 2, 2010)

The censure listed 11 ethics violations that Rep. Rangel had committed related to the purchase of several rent-stabilized apartments at below market rate, failure to pay taxes on rental property income, and the use of congressional office stationary and stamps to request donations for a school. (*New York Times*, "Rangel Censured Over Violations of Ethics Rules," December 2, 2010).

## **Becerra's Absentee Rate in Congress Was Nearly Three Times Worse Than the Typical Member**

From January 1993 to January 2017, Becerra missed 1,096 of 16,021 roll call votes, which is 6.8 percent. According to GovTrack, Becerra's absentee rate "is much worse than the median of 2.3% among the lifetime records of representatives serving in January 2017." (*GovTrack.us*, [Rep. Xavier Becerra](#))

Excluding January 2017, when Becerra was marked as absent for 42 of 61 votes before officially resigning to become California attorney general, Becerra missed 1,054 of 15,960 votes, or 6.6 percent. (*GovTrack.us*, [Rep. Xavier Becerra](#))

GovTrack sorts absentee rates by quarter-year. From January to March 2001, when Becerra was running for mayor of Los Angeles, he missed 47 of 75 votes (62.7 percent). He missed nearly a quarter of the 137 votes held between January and March 2016. Of the 97 quarters Becerra served in Congress, he had worse-than-average attendance in 78 of them. (*GovTrack.us*, [Rep. Xavier Becerra](#))

## **Only California House Member to Vote against California Earthquake Relief**

In February 1994, Becerra voted against an \$8.6-billion earthquake relief package for Southern California. He was the only member of the California delegation to vote against the bill, while eight others were absent. Fast action on the funds were reportedly necessary to keep federal disaster funds flowing to victims of the earthquake, which killed at least 57 people and left damage estimated as high as \$20 billion. The bill included a Senate-proposed ban on anything more than temporary humanitarian aid for illegal immigrants. (*Los Angeles Times*, "Earthquake: The Road to Recovery," February 12, 1994)

## **Vignali Controversy**

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### **Becerra Urged President Clinton to Commute Sentence of Campaign Donor's Crack Dealer Son**

In 2000, Becerra was one of several public officials, including a Catholic cardinal, who sent letters to President Clinton regarding a pardon request for convicted drug dealer Carlos Vignali, son of major donor, Horacio Vignali. Vignali had donated nearly \$14,000 to Becerra by that time, according to *The Los Angeles Times*. (*Los Angeles Times*, "Working the American System," April 29, 2001)

### **Becerra Made Several Calls to White House and DOJ; Called White House on Eve of Clinton's Last Day**

Becerra also reportedly followed up with phone calls to the White House and Department of Justice, including a call to the White House on January 19, 2001, Clinton's final day in office. The following day, Carlos Vignali's name was listed "among minor drug offenders whose sentences were commuted as symbols of Clinton's compassion." When the issue came up in Becerra's 2001 mayoral run, Becerra insisted that he never sought Carlos'

release, only a review of the case. (*Los Angeles Times*, "Working the American System," April 29, 2001)

## **Investigators and Prosecutors Strongly Objected to Commutation, Wiretap had Vignali Admitting to Making Crack**

The federal prosecutors who had handled the case urged Justice officials in Washington to deny the request, based on the facts that Carlos Vignali was a major player in the drug conspiracy and he had never apologized for his wrongdoing. U.S. Attorney Todd Jones, who oversaw the case, says, "I can't tell you how strongly we registered our objection to Carlos Vignali getting a break." (*Los Angeles Times*, "Working the American System," April 29, 2001)

### **Police Detective: Vignali "Was the No. 1 Guy"**

Minneapolis police detective Tony Adams, who had investigated the case, was "stunned" when he learned of Vignali's release from prison, "It's like, basically, you've just been told that this kid, he's untouchable." "He was the No. 1 guy," Adams said. "We intercepted 7 kilos alone on a wiretap that he said he got himself and turned into crack." (*Los Angeles Times*, "Working the American System," April 29, 2001)

### **Judge: Vignali "Played a Major Role in the Financing, Transport, and Procurement of the Drugs"**

The federal judge in the case also disapproved Vignali's early release: "Vignali was not a low-level operator in the conspiracy," said U.S. District Judge David S. Doty in a statement reported by the Associated Press. "He played a major role in the financing, transport and procurement of the drugs." (*Los Angeles Times*, "Cabinet picks put focus on drug case," December 5, 2008)

## **Vignali Case Cast Shadow Over Mayor's Race**

In February 2001, Becerra's connection to the Vignali commutation became an issue in his mayoral campaign. The *Los Angeles Times* reported that Becerra and another candidates' actions drew criticism from African American leaders and parents of drug offenders, who complained that the officials had done a favor for a well-connected donor. "If they are going to fight for the rights of one drug offender," Earl Ofari Hutchinson, president of the National Alliance for Positive Action, said in a news conference, "then they need to be prepared to do the same thing for other drug offenders." Becerra maintained that he had done nothing wrong; that he had only requested a review of the conviction and did not request a commutation. (*Los Angeles Times*, "Vignali Case Casts Shadow Over Mayor's Race," February 20, 2001)

## Congressional Committee: Commutation “Mocked Law Enforcement” and Showed “Double Standard of Justice Between Rich and Poor”

In 2008, the Vignali case again became an issue when Becerra was under consideration to be President-Elect Obama’s trade representative. A *Los Angeles Times* article about Becerra and Attorney General Eric Holder’s connection to the case mentioned a 2002 congressional report by a Republican-led committee that concluded that the Vignali commutation “mocked law enforcement” and “sent a message that there is a double standard of justice between the rich and the poor. (*Los Angeles Times*, “Cabinet picks put focus on drug case,” December 5, 2008)

## Residency Issues

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### Obtained Tax Benefits by Claiming Principal Residence in Maryland

In 2009, Becerra and his wife Carolyn Reyes purchased the property located at 5406 Center Street in Chevy Chase, Maryland. Upon signing the deed for the house, Becerra signed an affidavit stating that the couple intended to use the home as their principal residence. The affidavit enabled the couple to avoid the county recordation tax. (*Montgomery County Circuit Court*, Deed, Book 37927, Page 310, August 21, 2009)

The couple claimed an annual county homestead tax credit worth \$692 each year, which is available for homes used as the owner’s principal residence. They also initially appeared to claim a homeowner’s tax credit granted to defray impacts of rising assessments.

Asked about the tax credits by the *Huffington Post*, Becerra said the annual tax credit was legal because his wife used the home as per principal residence. He said the other tax credit carried over from the previous owner:

“In Becerra’s case, the congressman signed two affidavits — for himself and for Reyes as her ‘attorney in fact’ — declaring the home to be their principal residence.

“A spokesman for Becerra, a rising star in the Democratic caucus, insisted the lawmaker’s tax breaks were proper, arguing that they were not actually his, but his wife’s and the previous owner’s.

“Almost half of the couple’s tax savings — \$1,907.60 — came from a so-called homestead tax credit that is granted to defray impacts on homeowners when assessments rise more than 10 percent. A Becerra aide said that credit carried over from the previous owner, and Becerra made sure not to apply for it himself.

“‘He is aware of it and made sure not to submit that application when they submitted their closing documents,’ an aide said.

“The other credit is a \$690 annual break that Montgomery County, Md., gives owners who occupy their homes. Becerra’s office pointed The Huffington Post to tax officials who said Reyes could qualify as the principal resident.

“Although it leaves Becerra in the odd position of claiming to live 2,700 miles away in Los Angeles while his wife and daughters live in Maryland, a county official said Becerra’s interpretation was in bounds. Carolina Reyes registered to vote in Montgomery County in the spring of this year, and dropped her L.A. registration on Aug. 17, election officials said. HuffPost inquired about the tax issues on Aug. 12.

“As the Congressman had believed, and as representatives from the state of Maryland and Montgomery County have confirmed, he and his wife did what they were supposed to do when they purchased the house in Maryland, and they have paid the taxes that they were supposed to pay,’ said Becerra spokesman Greg Buss.” (*Huffington Post*, “Reps. Xavier Becerra, Pete Visclosky Get Tax Breaks Claiming Principal Homes In Maryland,” August 25, 2011)

According to the article, which was published in 2011, Becerra had saved over \$4,050 in taxes by claiming the Maryland home as his principal residence. In the five years following the article, Becerra saved another \$3,460 in taxes before selling the home in 2017.

Becerra’s stance drew criticism from ethics watchdogs:

“Melanie Sloan, the head of Citizens for Responsibility and Ethics in Washington, said out-of-state representatives should not claim Maryland as a primary home.

“‘In order to be a congressman from a certain district, you have to live there,’ Sloan said. ‘This happens periodically, and then they say it was a mistake.’

“In Becerra’s case, the papers he signed under penalty of perjury make explanation harder.

“‘It’s a problem,’ Sloan said. ‘Any story that he didn’t mean it, when you’ve got affidavits and signatures — what, politicians don’t read? Are they really going to say they’re not responsible for what they signed?’ (*Huffington Post*, “Reps. Xavier Becerra, Pete Visclosky Get Tax Breaks Claiming Principal Homes In Maryland,” [August 25, 2011](#))

The couple sold the property to John and Teresa Kosmidis for \$1,560,000 in May 2017. (*Montgomery County Circuit Court*, Deed, Book 54435, Page 180, June 16, 2017)

## Didn’t Stand Up to Trump

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## Other State Attorneys General Provided Better Leadership Against Trump; Becerra: “I’m getting too old to be the resistance”

*Grist* magazine’s Nathanael Johnson reported in October 2017 that, despite Becerra’s image as a bulwark against the Trump administration, some progressives faulted him for a lack of leadership compared to other state attorneys general, and Becerra himself rejected the idea of him being a leader of “the resistance”:

“Judith Enck, a former top EPA official who also spent eight years working for the New York attorney general, also says Becerra’s office hasn’t been aggressive enough. ‘Leadership seems to be coming mostly from other AGs,’ she says. ‘Becerra seems to sign on a lot.’

“Becerra tells me that although he sympathizes with the liberal hunger for resistance, he sees his role differently. ‘I’m getting too old to be the resistance,’ he says. ‘I want to move forward.’” (*Grist*, “Better Call Becerra: The Planet’s Lawyer,” [October 2, 2017](#))

## Becerra Urged Against Anti-Trump Campaign, Outraging Colleagues

Becerra was on the losing end of an internal 13-4 Congressional Hispanic Caucus vote to dedicate \$50,000 of the caucus’s PAC budget for a campaign targeting Donald Trump’s Texas finance chairman, Dennis Nixon, CEO of one of the largest banks in the state. Caucus members were furious that Nixon, who had prospered serving a largely Hispanic clientele, would fundraise for Trump, who had attacked and derided the Hispanic community. (*The Hill*, “Dem tensions explode in Hispanic Caucus over Trump,” August 5, 2016)

An internal email sent to Bold PAC members from a consultant stated, “We need to hold those who support Trump at the expense of hardworking Latinos accountable.” (*The Hill*, “Dem tensions explode in Hispanic Caucus over Trump,” August 5, 2016)

## Colleague: “Baffling” That Becerra Would Not “Stand Up” to Trump: “No Way in Hell I Could Support Him for Democratic Leadership”

*The Hill* reported that Becerra’s refusal to back anti-Trump efforts angered and alienated his colleagues:

“The dispute also led to some heated sniping between members of the usually cohesive Hispanic Caucus, with at least one Texas lawmaker suggesting Becerra’s opposition has alienated many of his colleagues and damaged any plans he has to ascend the Democratic leadership ladder.

“Vela said it's 'baffling' that an Hispanic lawmaker of Becerra's stature would oppose a campaign designed to take on a Trump surrogate in a heavily Hispanic part of the country.

“‘To me, it's a good thing that we have new Hispanic leadership in the Caucus, and I'm not talking about myself,’ Vela said. ‘Sometimes you've just got to take a stand.’” (*The Hill*, “Dem tensions explode in Hispanic Caucus over Trump,” August 5, 2016)

## Becerra Said Whether Trump Is Misogynist “Not A Really Important”

As a Hillary Clinton supporter, Becerra appeared on the CNN show *Legal View with Ashleigh Banfield* in May 2016. The panel discussion focused on Trump’s attacks related to Hillary’s alleged treatment of the women who had accused Bill Clinton of sexual misconduct. Becerra stated the following:

“I think most Americans would like to know how we're going to stop nuclear proliferation, how we're going to make sure our troops don't die in Iraq, how we make sure that the Zika virus doesn't affect pregnant women. **The American people, I think, want us to answer really important questions, not whether Donald Trump is a misogynist or whether Donald Trump thinks he's the greatest of all.**” (*CNN*, “Legal View with Ashleigh Banfield,” May 24, 2016) (Emphasis added)

# Crime and Public Safety

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## Withheld Support from Measure to Increase Crime-Fighting Funding for Local Governments

In 2012, Becerra abstained from voting on an amendment (Runyan, R-NJ) to HR 5326 (the Commerce, Justice, Science and Related Agencies appropriations bill) that increased funding for the Byrne Justice Assistance Grant (JAG) program by \$22.4 million to a total of \$392 million. The amendment passed on a 325-81 vote; Democrats favored it by a 98-75 margin. Becerra was present and participated in other votes that day (he voted against the full bill two days later). (*U.S. House of Representatives*, [Roll Call 212](#), May 8, 2012)

The U.S. Justice Department uses the Byrne Justice Assistance Grant program to send crime-fighting money to cities, towns and counties. The grants can be used for law enforcement functions such as prosecutions, court programs, drug treatment and education, technology upgrades, planning programs, and crime victim and witness programs. Local programs are often adopted nationally, such as drug courts, methamphetamine lab reduction, anti-gang strategies, re-entry programs and information sharing protocols, according to the National Criminal Justice Association, a national association that represents local enforcement agencies. President Obama touted his

funding of the program, promoting it as a funding source for anti-drug and anti-gang task forces. (*PolitiFact*, “Byrne grants get \$2 billion from stimulus,” April 3, 2009)

## **Voted against Appropriations Bill That Reauthorized Health Care and Compensation Programs for 9/11 First Responders**

In 2015, Becerra was one of 18 House Democrats to vote against concurrence with Senate amendments on HR 2029, the FY 2016 Omnibus Appropriations bill. The bill provided \$1.15 trillion in discretionary appropriations for federal departments and agencies covered by fiscal 2016 spending bills. The measure also ended the U.S. ban on crude oil exports and reauthorized health care and victim compensation programs for 9/11 first-responders. That provision led to its support from the National Association of Police Organizations. The House approved the motion on a 316-113 vote; Democrats split in favor by a 166-18 margin. (*Congress.gov*, 114<sup>th</sup> Congress, [HR 2029](#); *National Association of Police Organizations*, Report Card, [114<sup>th</sup> Congress](#))

## **Among Small Group of Representatives to Support Clemency for Members of Terrorist Group**

In 1999, Becerra voted against HCR 180 (Fossella, R-NY) which criticized President Clinton for granting clemency to Puerto Rican radicals. The resolution passed 311-41. (*U.S. House of Representatives*, [Roll Call 398](#), September 9, 1999)

The prisoners were members of FALN - the Armed Forces of National Liberation, which was blamed for 130 bombings of U.S. civilian and military targets between 1974 and 1983. Six people were killed in the attacks. Among the people urging their release were former President Carter, South African Archbishop Desmond Tutu and Coretta Scott King, widow of civil rights leader Rev. Martin Luther King Jr. (*Houston Chronicle*, “President defends clemency decision in letter to Congress,” September 22, 1999)

# **Labor**

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## **Voted for “Union Busting” Tribal Labor Sovereignty Act**

In 2015, Becerra was one of only 24 Democrats to vote in support of HR 511 (Rokita, R-IL), the Tribal Labor Sovereignty Act. (*U.S. House of Representatives*, [Roll Call 633](#), November 17, 2015)

The legislation would have exempted Native American tribes from the National Labor Relations Act, which guarantees the rights of unionization, collective bargaining, and collective action. The exemption would have primarily affected Indian casinos and their 600,000 employees. (*HuffPost*, “Labor Rights And Tribal Sovereignty Collide At Indian Casinos,” [June 15, 2015](#); *AFL-CIO*, “Letter to Representatives” [June 5, 2015](#))

State, local, and federal governments and their workers are exempt. Supporters of HR 511 argued that tribal nations were governments, and therefore deserved the same exemption. (*OpenSecrets.org*, "Tribal battles make for well-fed lobbyists," [May 31, 2017](#))

While tribes fought for passage of the legislation, organized labor strongly opposed it. Unite Here, which represents 6,000 workers at Indian casinos, said the bill would "strip thousands of American workers from rights and protections." (*HuffPost*, "Labor Rights And Tribal Sovereignty Collide At Indian Casinos," [June 15, 2015](#))

After the House passed the bill on a 249-177 vote, AFL-CIO President Richard Trumka said:

"Make no mistake, this legislation is a veiled attempt to silence the voices of working people. The AFL-CIO believes in both tribal sovereignty and worker solidarity. We don't have to choose. The Senate should reject this union-busting bill in its entirety." (*AFL-CIO News Release*, "Tribal Labor Sovereignty Act a Union-Busting Bill," [November 18, 2015](#))

The bill stalled in the Senate but has been reintroduced in the current congress. (*OpenSecrets.org*, "Tribal battles make for well-fed lobbyists," [May 31, 2017](#))

## **Inconsistent Record on Trade Agreements**

Becerra has taken both sides of the trade debate, voting in favor of trade agreements with Peru and Chile, as well as permanent most-favored nation status for China. Meanwhile, he opposed the Central America Free Trade Agreement and has called for more protectionist policies. He voted for NAFTA but has since said he regretted the vote, and has spoken out against the agreement. (*New Republic*, "Will The Next Trade Rep Be An Anti-nafta Protectionist?" [December 10, 2008](#))

Becerra has also appeared to take both sides of the Trans Pacific Partnership and fast-track debate. In 2014, he reportedly refused to sign a letter pledging to vote against fast tracking the TPP, drawing a protest outside his office. (*LA Progressive*, "Constituents Opposing TPP Fast Track Locked Out of Congressman Becerra's Office," [January 16, 2014](#))

While Becerra ultimately voted against fast track, as a House leader, he indicated that he would remain neutral, telling members to make up their own minds. "There's a very good chance that what we'll do is, we'll let members go -- based on the information -- go where they think they must," Becerra said before the vote. (*Inside U.S. Trade*, "Becerra Signals Dem Leaders to Stay Neutral in TPA Fight; Close Vote Seen," June 5, 2015)

## **Cast Critical Pro-Business, Anti-Labor Vote on China Trade Bill (2000)**

In May 2000, ahead of a Ways and Means Committee vote, Becerra threw his support behind a bill granting permanent normal trading privileges with China. (*New York Times*, "China Trade Measure Picks Up Backing of Two Key Democrats," May 17, 2000)

According to the *Los Angeles Times*, the China trade bill was "bitterly opposed by organized labor." Becerra had consistently voted in favor of granting China normal trade ties as the issue came up for annual review. But the bill scrapped the annual review of China's trade status as part of a Clinton administration initiative to open new Chinese markets. Opponents, including the top two House Democrats, said the annual review made it easier to push China to improve its human rights record. Becerra's vote was considered pivotal to the bill's outcome. (*Los Angeles Times*, "Rep. Becerra's Vote On China Trade Bill Could Affect His Campaign For Mayor," May 8, 2000)

The bill, HR 4444, passed the House on a 237-197 vote. Democrats broke against it, 73-138. The bill passed the Senate on an 83-15 vote and was signed by President Clinton. (*GovTrack*, 106<sup>th</sup> Congress, [HR 4444](#))

### **Backed NAFTA; Got "A+" Grade from Business Groups on Trade in 2000**

In November 1993, Becerra voted for the North Atlantic Free Trade Agreement, which passed the House 234-200. (*Los Angeles Times*, "House Passes NAFTA," November 18, 1998)

In September 2000, the National Foreign Trade Council and USA\*ENGAGE--which included many business interests, as well as the Business Roundtable and the U.S. Chamber of Commerce, gave Becerra an "A+" grade. Becerra had backed the entire business agenda in the prior year. (*National Journal's Congress Daily*, "House Dems Get High Marks on Trade," September 8, 2000)

When Becerra voted against the Central America Free Trade Agreement in 2005, he said it was the first time he would vote against a trade agreement in the twelve years he had been in Congress. (*CQ*, "Congressional Testimony, Statement of Xavier Becerra" April 13, 2005)

### **Voted against Bernie Sanders's Resolution Withdrawing US from WTO**

In 2005, Becerra voted against House Joint Resolution 27 (Sanders, I-VT) which would have withdrawn the United States from the World Trade Organization. The resolution failed on a vote of 86-338. (*U.S. House of Representatives*, [Roll Call 239](#), June 9, 2005)

### **Voted for Measure That Would Have Jeopardized Maritime Jobs**

In 2013, Becerra voted for a farm bill amendment (Royce, R-CA) that would have modified the way the U.S. delivers foreign food aid, sourcing up to half of it from local and regional purchases instead of purchasing all food from American farms and shipping it on American vessels. (*AFL-CIO*, [HR 1947](#), June 19, 2013)

According to the AFL-CIO, which lobbied heavily against the amendment, the move “would have gutted the Food for Peace program and in the process jeopardized the U.S. maritime industry and the workforce that helps deliver aid around the world.” (*AFL-CIO*, Legislative Voting Records, 2013, [HR 1947](#))

The AFL-CIO criticized the amendment for sending American tax dollars overseas and for endangering American jobs. “This amendment would undermine our nation’s maritime and agriculture industries and their workforces, our commercial and military sealift capabilities, and our ability to successfully deliver international aid around the globe,” the union wrote in a letter to members of congress. (*Transportation Trades Department AFL-CIO*, [June 18, 2013](#))

## **Denied Signing SEIU Pledge to Fight Valley Secession After Union Said He Supported It**

During his 2001 Los Angeles mayoral candidacy, Becerra disputed a local labor union’s report that he had pledged to fight the Valley secession effort. According to the *Los Angeles Times*, union leaders called the fight “a real big issue for us”:

“Squaring off against the leading secession proponents are some organized labor officials, who worry that new cities might adopt work rules less favorable to unions. Hahn and Villaraigosa are engaged in a fierce struggle for union support, and Becerra also considers himself a friend of organized labor.

“The union representing blue collar city workers says it has secured pledges from Hahn, Becerra and Villaraigosa to ‘fight efforts to divide the city of Los Angeles.’

“But in an indication of how sensitive the topic is, Becerra later denied signing the pledge, saying he plans to fight a breakup only after it makes the ballot. Villaraigosa, who also opposes a breakup, tried to distance himself by saying an aide had signed for him.

“‘Working to keep the city together is a real big issue for us,’ said Julie Butcher, head of Service Employees International Union, Local 347, which endorsed Hahn. Employees represented by the union could suffer if new cities choose to trim services, pay and benefits.” (*Los Angeles Times*, “Mayoral Race Means a Secession Balancing Act,” January 30, 2001)

The previous year, Becerra had told leaders of the Valley secession movement that he backed the principle of putting the matter on the ballot. “I don’t think I have a right to oppose that. This is a democracy,” Becerra said. (*Los Angeles Times*, “Secession Group to Grade Candidates in Mayor’s Race,” May 16, 2000)

## LA County Fed: Becerra “Not in Favor of Poor People”

During the 2001 mayoral race, the county Federation of Labor sent out a telephone and mail campaign on behalf of candidate Antonio Villaraigosa. At the end of one of the calls, the caller said, of Becerra, "Even though he is a Democrat, he is not in favor of poor people." News accounts did not state whether the calls provided evidence for that claim. (*Los Angeles Times*, "Voter Initiative Lets Hidden Funds into Mayoral Race," April 1, 2001)

## Women

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### Backed Hispanic Caucus Chair Accused of Calling Female Member “Whore”

In March 2007, after Rep. Loretta Sanchez (D-CA) left the House Hispanic Caucus in protest of Chairman Joe Baca’s (D-CA) leadership, Becerra helped push through Baca’s election as chairman of the caucus’s nonprofit arm. In a caucus meeting, Becerra advocated in favor of waiving a bylaw that required a seven-day waiting period between the nomination and vote. Sanchez had said Baca told people she was a “whore,” and said she would return to the caucus if he were ousted as chairman. (*Politico*, “Baca Fights Hispanic Caucus Coup,” March 1, 2007)

### Voted against Bill Cracking Down on Sexual Assault in Military

In 2013, Becerra voted against HR 1960, the FY 2014 National Defense Authorization Act, which was noted at the time for including several provisions addressing incidents of sexual assault in the military. The bill stripped commanders of their authority to dismiss or reduce guilty verdicts in sexual assault cases, lifted the five-year statute of limitations for sexual assault, and established minimum sentencing guidelines for service members found guilty of sexual assault, among other provisions. Becerra, who regularly voted against annual defense authorizations, voted for a Democratic motion to recommit the bill with additional sexual assault provisions; that motion failed on a partisan vote. The full bill passed on a 315-108 vote; Democrats split 103-90 in favor. (*Congress.gov*, 113<sup>th</sup> Congress, [HR 1960](#); *Women’s Congressional Policy Institute*, “House Passes Defense Authorization Bill,” [June 2013](#))

### Skipped Voting on Abortion Legislation

In 1995 and 2006, Becerra skipped votes on anti-abortion measures:

The 1995 bill, HR 1833, the Partial Birth/Late-term Abortion Ban Act, (Canady, R-FL) passed by a vote of 288-139. (*U.S. House of Representatives*, [Roll Call 756](#), November 1, 1995)

The bill passed the Senate and but was vetoed by President Clinton. In September 1996, the House voted to override the President's veto by a 285-137 vote. Becerra voted nay. The Senate did not reach the two-thirds majority vote required to override the veto. (*U.S. House of Representatives*, Roll Call 422, September 19, 1996; *Chicago Tribune*, "Senate Fails to Override Veto on Partial Birth Abortion Ban," September 27, 1996)

The 2006 bill, HR 6099, the Unborn Child Pain Awareness Act, (Smith, R-NJ) failed by a vote of 250-162. The bill required doctors providing abortions to give their patients a pamphlet on "unborn child pain awareness." (*U.S. House of Representatives*, [Roll Call 526](#), December 6, 2006)

### Perfect Ratings from Abortion Rights Groups

Planned Parenthood Action Fund has awarded Becerra a lifetime rating of 100 percent. NARAL Pro-Choice America has rated Becerra 100 percent since at least 1996. ([VoteSmart.org](#), [Xavier Becerra's Ratings and Endorsements](#))

## Financial Crisis, Business and Jobs

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### Voted for Deregulation Blamed for Financial Crisis

During the Clinton administration, Becerra supported legislation deregulating the financial markets. The deregulation is now widely viewed as having helped cause the 2007-08 financial crisis that led to the Great Recession.

### Becerra Voted to Repeal Act: "Led Directly to the 2008 Wall Street Crash"

In 1999, Becerra voted for S 900 (Gramm, R-TX), the Gramm-Leach-Bliley Act, also known as the Financial Services Modernization Act. The bill passed the House on a 362-57 vote, with Democrats voting 155-51 in favor. It passed the Senate on a 54-44 vote and was signed by President Clinton. ([Congress.gov](#), 106<sup>th</sup> Congress, [S 900](#))

The bill repealed the Glass-Steagall Act, a Depression-era bank regulation that kept commercial banks separate from investment firms. Critics have said allowing the two to merge helped lead to the financial crisis, by encouraging banks to make risky investments, putting consumers' savings at risk, knowing those deposits are federally insured, and requiring a government bailout. Former Labor Secretary Robert Reich wrote in 2015, "The repeal of Glass-Steagall led directly to the 2008 Wall Street crash." U.S. Senator Elizabeth Warren (D-MA) has proposed resurrecting Glass-Steagall. "If banks want to engage in high-risk trading — they can go for it, but they can't get access to ensured deposits and put the taxpayers on the hook for that reason," she said. ([Salon](#), "Robert Reich: Hillary Clinton is making "a big mistake" by not reinstating the Glass-Steagall Act," July 18, 2015)

## **Becerra Voted to Deregulate Credit Default Swaps, the “Single Government Move That Did More Than Any Other” to Cause Crisis**

In 2000, Becerra voted for HR 4541 (Ewing, R-IL), the Commodity Futures Modernization Act of 2000. The bill passed on a 377-4 vote but stalled in the Senate. Modified language from the act was placed into HR 4577, the Consolidated Appropriations Act. Becerra voted for that bill as well, which passed the House on a 292-60 vote, passed the Senate on unanimous consent, and was signed by President Clinton. (*Congress.gov*, 106<sup>th</sup> Congress, [HR 4541](#) and [HR 4577](#))

The act exempted credit-default swaps from regulation. The authors of the 2011 Financial Crisis Inquiry Report concluded that type of derivative "contributed significantly to this crisis," and called the 2000 law banning their regulation "a key turning point in the march toward the financial crisis." *Time* magazine, assessing blame for the financial crisis, wrote, "If you had to pick a single government move that did more than any other to muck things up, it was probably this bill." (*CBS News*, "Fact check: Clinton slams Sanders on bank votes," January 18, 2016; *Time*, "The Financial Crisis Blame Game," December 31, 2008)

## **Backed Onerous Tax Requirement President Obama Called an “Unnecessary Burden on Small Businesses”**

In 2011, Becerra voted against HR 4 (Lungren, R-CA), which repealed part of the Affordable Care Act that would have required businesses to file a 1099 tax form for every purchase they make over \$600. The requirement was designed to fight tax fraud and raise money for the health care reform plan. But it quickly became unpopular with both parties when businesses complained it would be too burdensome. Opponents of the repeal opposed how the Republican-sponsored bill made up for the \$22 billion the requirement was expected to generate over 10 years. The repeal bill passed the House 314-112, the Senate 87-12, and was signed by President Obama. (*Congress.gov*, 112<sup>th</sup> Congress, [HR 4](#); *CNN*, "Senate sends repeal of new Form 1099 requirement to Obama," April 5, 2011)

Obama said upon signing the bill, "I was pleased to take another step to relieve unnecessary burdens on small businesses by signing H.R. 4 into law. Small business owners are the engine of our economy and because Democrats and Republicans worked together, we can ensure they spend their time and resources creating jobs and growing their business, not filling out more paperwork." (*The White House*, "Statement by President Obama on HR 4," April 14, 2011)

## **32 Percent Lifetime Rating from Chamber of Commerce; “Dismal Record on Important Small Business Issues”**

Becerra’s cumulative vote score from the U.S. Chamber of Commerce is 32 percent. (U.S. Chamber of Commerce, [Xavier Becerra](#))

In December 2016, the National Federation of Business in California denounced Becerra's "dismal voting record on important small business issues." (*Los Angeles Times*, "Opportunity knocked, and Becerra answered," December 8, 2016)

The National Federation of Business' State Director Tom Scott, also stated, "[o]n face value, I wouldn't consider him a friend of business." (*Sacramento Business Journal*, "Business groups ambivalent on Becerra's nomination as California attorney general," December 1, 2016)

## **Voted Against 20% Tax Deduction for Small Business**

In March 2012, Becerra voted against a bill before the Ways & Means Committee that would provide businesses with fewer than 500 employees a tax deduction equal to 20 percent of their profits. The legislation was introduced by Majority Leader Eric Cantor (R-VA, and advanced in a party line vote of 21-14. (*Congressional Quarterly Committee Markup*, "House Ways and Means Panel Advances Tax Deduction for Small," March 28, 2012)

The bill passed the House 235-173 but did not come to a vote in the Senate. (*U.S. House of Representatives*, [Bill Summary](#), April 23, 2012)

## **Opposed Bill to Spare Taxpayers from \$2,000 Tax Increase**

In December 2007, Becerra voted against HR 3996, the Temporary Alternative Minimum Tax Adjustment Act (Rangel, D-NY). The bill passed 352-64. (*U.S. House of Representatives*, Roll Call 1183, December 19, 2007)

The bill, signed into law by President George W. Bush, spared taxpayers from the alternative minimum tax, which would have resulted in an average tax increase of \$2,000 for taxpayers in 2008. The *Los Angeles Times* reported that the House vote marked a significant defeat for congressional Democrats, who had fought to offset the lost revenue with taxes on a small group of very wealthy Americans. (*Los Angeles Times*, "Tax relief, yes; deficit relief, no," December 20, 2007)

## **Opposed Obama-GOP Tax Deal (2010)**

In 2010, Becerra voted against HR 4853, the Middle Class Tax Relief Act of 2010, a compromise between President Obama and Republicans that extended the Bush tax cuts for two years, while extending provisions of the American Recovery and Reinvestment Act of 2009 (stimulus) and extending unemployment benefits. The House passed the bill on a 277-148 vote (Democrats split 139-112 in support), the Senate on an 81-19 vote, and was signed by the president. Obama, signing the bill a week before Christmas, called the bill "good news for the American people this holiday season. By a wide margin, both houses of Congress passed a package of tax relief that will protect the middle class, that will grow our

economy and will create jobs for the American people." (*Congress.gov*, 111<sup>th</sup> Congress, [HR 4853](#); *CNN*, "Obama signs tax deal into law," December 17, 2010)

## Families and Kids

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### One of Seven Democrats to Vote against 1999 Education Funding Bill

In 1999, Becerra was one of only seven Democrats to vote against HR 2 (Goodling, R-PA), the Student Results Act. The bill passed the house by a 358-67 vote. (*U.S. House of Representatives*, [Roll Call 526](#), October 21, 1999)

The bill increased education spending by \$2 billion, added accountability provisions on student achievement, and included tougher credentialing requirements for teachers' aides. House Democrats successfully blocked Republican members' efforts to establish a voucher program. (*Chicago Tribune*, "House Oks More Aid for Public Schools; Vouchers Fail," October 22, 1999)

### Voted for No Child Left Behind Act

In December 2001, Becerra voted for HR 1, the No Child Left Behind Act. The bill passed 381-41. (*U.S. House of Representatives*, [Roll Call 497](#), December 13, 2001)

While advocates described the bill as the most important overhaul of the education system since federal programs began in 1965, school administrators and some unions in California said the bill did not provide enough funding for the changes it required. (*Alameda Times-Star*, "Congress Passes Education Overhaul Package," December 19, 2001)

In 2015, the leaders of the National Education Association and the National Parent Teacher Association penned an opinion-editorial in the *Washington Post* declaring No Child Left Behind a failure. The law's passage took the federal government "off track" by mandating that all students hit arbitrary scores on standardized tests instead of ensuring equal opportunity to students, the leaders argued. (*Washington Post*, "'No Child Left Behind' has failed," February 13, 2015).

### One of Only 20 Democrats to Vote against Middle Class Tax Relief Bill; Included Deduction for School Teachers for Supplies (2014)

In 2014, Becerra voted against HR 5771 (Camp, R-MI), The Tax Increase Prevention Act. (*Congress.gov*, 113<sup>th</sup> Congress, [HR 5771](#))

The bill included extended for one year a research and development credit and bonus depreciation, plus over 50 tax deductions benefiting individual taxpayers, including:

- A deduction of up to \$4,000 for higher education expenses, helping college students or their parents.
- A \$250 deduction for school teachers for supplies.
- A commuter tax break worth up to \$576
- The ability to exclude forgiven residential mortgage indebtedness from gross income.
- An energy-efficient home improvements tax credit of up to \$500.
- Tax-free distributions from an Individual Retirement Account for charitable purposes.
- Enhancements to the rules for donating real property for conservation. (*Forbes*, "Obama Signs 2014 Tax Extenders: Money In Your Pocket," December 19, 2014)

The bill passed the House on a 378-46 vote (Democrats favored the bill by a vote of 176-20), the Senate on a 76-16 vote, and was signed into law by President Obama. (*Congress.gov*, 113<sup>th</sup> Congress, [HR 5771](#))

## Opposed "Marriage Penalty" Relief, Bush Tax Cuts

In 2004, Becerra voted against HR 1308, the Working Families Tax Relief Act, a conference bill extending Bush era tax cuts. The bill passed 339-65. (*U.S. House of Representatives*, [Roll Call 472](#), September 23, 2004)

The measure extended three elements of Bush's \$350-billion 2003 tax cut: relief from the tax code's "marriage penalty" would continue through 2008, the increase in the child tax credit to \$1,000 would continue through 2009, and the expansion of the 10% tax bracket would be effective through 2010. Opponents of the bill said the Bush tax policies had worsened the federal deficit and failed to produce jobs. (*Los Angeles Times*, "Agreement on Extending Tax Cuts Reached," September 23, 2004.)

Becerra also opposed HR 4181 (Gerlach, R-PA) which would have permanently repealed the "marriage penalty." The bill passed the House 323-95, but stalled in the Senate. (*U.S. House of Representatives*, [Roll Call 138](#), April 28, 2004)

## Flip-Flopped on Protecting Social Security, Medicare, and Medicaid

### February 2011: No “grubby hands” on Social Security Surplus to Pay for Deficit Reduction

In February 2011, Becerra, speaking to a group of Social Security advocates, said, “Divorce this conversation about deficit reduction from Social Security and making it a better program!” Becerra told the group that anyone who puts Social Security in the deficit conversation wants to get their “grubby hands” on the surplus in the Social Security trust fund to pay for other things. (*The Hill*, “Nervous liberals say: Get your grubby hands off Social Security,” February 18, 2011)

In July 2011 Becerra said, “Don't make Social Security, which hasn't added a single cent to these deficits, pay for this deficit reduction.” (*Congressional Quarterly Today*, “Democrats Temper Stance on Chained CPI,” November 3, 2011)

### September 2011: “Everything Should Be on the Table” in Debt Talks, Including Medicare, Medicaid and Social Security

In September 2011, a month after Becerra had been appointed to the debt reduction super committee, *Politico* reported that Becerra believed everything should be on the table in the debt reduction super committee, including cuts to Medicare and Social Security. (*Politico*, “Meet the super committee,” September 11, 2011)

When asked by the *Washington Post*, Becerra would not pledge to protect Medicare or Social Security benefits. (*Washington Post*, “For Becerra, budget-cut post holds promise, peril,” September 13, 2011)

In November 2011, Becerra said he would not categorically rule out moving to a chained CPI, despite its effect on Social Security benefits. (*Congressional Quarterly Today*, “Democrats Temper Stance on Chained CPI,” November 3, 2011)

When asked if he would accept additional health care cuts as part of super committee negotiations, Becerra did not say he opposed cutting Medicaid and Medicare. “It has to be the whole package,” Becerra told the *National Journal*. (*National Journal Daily*, “Two-Step Process Needs Specific Instructions-Becerra,” November 17, 2011)

In November, Becerra appeared on *Fox News Sunday* with Chris Wallace, where he confirmed that Medicare eligibility and cost of living adjustments were on the table:

BECERRA: The increase on eligibility has been on the table...

...

WALLACE: Have you rejected any reduction in the cost of living adjustment for Social Security?

BECERRA: That's on the table...

...

BECERRA: Every plan that Democrats put forward has included cuts to entitlement programs. (*Fox News*, "Fox News Sunday," November 20, 2011)