



# THE FREEDOM INDEX

*A Congressional Scorecard Based on the U.S. Constitution*

Our first look at the 111th Congress shows how every representative and senator voted on key issues, such as TARP funding, SCHIP, the federal budget, and the economic-stimulus bill.

## House Vote Descriptions

**1 TARP Funding.** House Joint Resolution 3 would have prevented the release of the remaining \$350 billion of the Troubled Asset Relief Program (TARP) to bail out banks and other institutions. The Emergency Economic Stabilization Act of 2008 had authorized a total of \$700 billion, only half of which was initially released, for TARP. The act was written so that the Treasury Department, which administers the program, could start spending the second \$350 billion unless both chambers of Congress disapproved.

This joint resolution to disapprove the release of the second \$350 billion was passed on January 22, 2009, by a vote of 270-155 (Roll Call 27). We have assigned pluses to the “yeas” because the Constitution does not authorize Congress to grant financial aid or loans to private companies, e.g., banks and automakers.

An identical resolution in the Senate was rejected a week earlier (see Senate vote #1), making this House vote merely symbolic.

**2 SCHIP.** H.R. 2 would reauthorize the State Children’s Health Insurance Program, commonly referred to as SCHIP, for over four and a half years and increase the funding for the program by \$32.8 billion. SCHIP is designed to provide health insurance to children of families whose incomes are up to four times above the poverty level (and therefore would have

too much income to qualify for Medicaid), yet would have little income to buy private insurance. Often SCHIP crowds out private insurance: the Congressional Budget Office found that between 25 and 50 percent of children who enroll in SCHIP dropped their private insurance to get “free care.” Because SCHIP, like Medicaid and Medicare, pays doctors and hospitals only



**TARP tangle:** The Troubled Asset Relief Program allows the Treasury to buy risky assets (such as collateralized house mortgages) from banks, so taxpayers take on banks’ likely losses. Even after \$350 billion in TARP spending, many banks failed the government’s “stress test” in April.

## ABOUT THIS INDEX

The Freedom Index: a Congressional Scorecard Based on the U.S. Constitution rates congressmen based on their adherence to constitutional principles of limited government, fiscal responsibility, national sovereignty, and a traditional foreign policy of avoiding foreign entanglements.

To learn how any representative or senator voted on the key measures described herein, look him or her up in the vote charts. The scores are derived by dividing a congressman’s constitutional votes (pluses) by the total number he cast (pluses and minuses) and multiplying by 100.

The average House score for this index (votes 1-10) is 38 per-

cent; the average Senate score is 35 percent. In the House, three congressmen earned 100 percent: John Duncan (R-Tenn.), Jeff Flake (R-Ariz.), and Ron Paul (R-Texas). In the Senate, Tom Coburn (R-Okla.) was the top scorer with 90 percent. We encourage readers to examine how their own congressmen voted on each of the 10 key measures as well as overall.

We also encourage readers to commend legislators for their constitutional votes and to urge improvement where needed. For congressional contact information and a series of pre-written letters to Congress on some key issues, go to [www.jbs.org](http://www.jbs.org) and click on “Legislative Action” under the “Action” tab. ■

# House Vote Scores

	Votes:	1-10	1	2	3	4	5	6	7	8	9	10
<b>ALABAMA</b>												
1 Bonner (R)	70%		+	+	+	+	-	+	+	-	-	+
2 Bright (D)	50		+	+	+	-	-	+	+	-	-	-
3 Rogers, Mike D. (R)	50		+	-	+	+	-	+	+	-	-	-
4 Aderholt (R)	67		+	?	+	+	-	+	+	-	-	+
5 Griffith (D)	50		+	-	+	-	-	+	+	-	+	-
6 Bachus, S. (R)	70		+	+	+	-	+	+	+	-	+	-
7 Davis, A. (D)	30		+	-	-	-	-	-	+	-	+	-
<b>ALASKA</b>												
Young, D. (R)	44		?	-	+	-	-	+	+	-	-	+
<b>ARIZONA</b>												
1 Kirkpatrick (D)	30		+	-	-	-	-	-	-	-	+	+
2 Franks, T. (R)	80		+	+	+	+	+	+	+	-	-	+
3 Shadegg (R)	80		+	+	+	+	+	+	+	-	-	+
4 Pastor (D)	10		-	-	-	-	-	-	-	-	+	-
5 Mitchell (D)	30		+	-	-	-	-	+	-	-	+	-
6 Flake (R)	100		+	?	+	+	+	+	+	+	+	+
7 Grijalva (D)	20		-	-	-	-	-	-	-	+	+	-
8 Giffords (D)	20		-	-	-	-	-	-	-	-	+	+
<b>ARKANSAS</b>												
1 Berry (D)	22		+	-	-	+	-	-	?	-	-	-
2 Snyder (D)	0		-	-	-	-	-	-	-	-	-	-
3 Boozman (R)	80		+	+	+	+	-	+	+	-	+	+
4 Ross (D)	30		+	-	-	-	-	-	+	-	+	-
<b>CALIFORNIA</b>												
1 Thompson, M. (D)	10		-	-	-	-	-	-	-	+	-	-
2 Hergert (R)	80		+	+	+	+	+	+	+	-	-	+
3 Lungren (R)	80		+	+	+	+	+	+	+	-	-	+
4 McClintock (R)	90		+	+	+	+	+	+	+	-	+	+
5 Matsui (D)	10		-	-	-	-	-	-	-	+	-	-
6 Woolsey (D)	20		-	-	-	-	-	-	-	+	+	-
7 Miller, George (D)	22		-	-	-	-	-	-	?	?	+	-
8 Pelosi (D): <i>Speaker</i>	0		-	-	-	?	-	-	?	?	-	-
9 Lee (D)	20		-	-	-	-	-	-	-	+	+	-
10 Tauscher (D)	10		-	-	-	-	-	-	-	-	+	-
11 McNerney (D)	20		+	-	-	-	-	-	-	-	+	-
12 Speier (D)	30		+	-	-	-	-	-	-	-	+	+
13 Stark (D)	40		+	?	-	-	?	?	?	?	+	-
14 Eshoo (D)	0		-	-	-	-	-	-	-	-	-	-
15 Honda (D)	10		-	-	-	-	-	-	-	+	-	-
16 Lofgren (D)	20		-	-	-	-	-	-	-	+	+	-
17 Farr (D)	20		-	-	-	-	-	-	-	+	+	-
18 Cardoza (D)	20		+	-	-	-	-	-	-	-	+	-
19 Radanovich (R)	90		+	+	+	+	+	+	+	+	+	+
20 Costa (D)	20		+	-	-	-	-	-	-	-	+	-
21 Nunes (R)	90		+	+	+	+	+	+	+	-	+	+
22 McCarthy, K. (R)	90		+	+	+	+	+	+	+	-	+	+
23 Capps (D)	10		-	-	-	-	-	-	-	-	+	-
24 Gallegly (R)	70		+	+	+	-	+	+	+	-	-	+
25 McKeon (R)	70		+	+	+	-	+	+	+	-	+	-
26 Dreier (R)	80		+	+	+	+	+	+	+	-	+	-
27 Sherman (D)	10		-	-	-	-	-	-	-	-	+	-
28 Berman (D)	10		-	-	-	-	-	-	-	-	+	-
29 Schiff (D)	10		-	-	-	-	-	-	-	-	+	-
30 Waxman (D)	10		-	-	-	-	-	-	-	-	+	-
31 Becerra (D)	10		-	-	-	-	-	-	-	-	+	-
32 <i>Vacant</i>												

	Votes:	1-10	1	2	3	4	5	6	7	8	9	10
33 Watson (D)	20%		-	-	-	-	-	-	-	+	+	-
34 Roybal-Allard (D)	10		-	-	-	-	-	-	-	-	+	-
35 Waters (D)	10		-	-	-	-	-	-	-	-	+	-
36 Harman (D)	10		+	-	-	-	-	-	-	-	-	-
37 Richardson (D)	20		+	-	-	-	-	-	-	-	-	+
38 Napolitano (D)	30		+	-	-	-	-	-	-	-	+	+
39 Sanchez, Linda (D)	14		+	-	-	-	-	-	-	?	?	?
40 Royce (R)	90		+	+	+	+	+	+	+	+	+	-
41 Lewis, Jerry (R)	70		+	+	+	-	-	+	+	-	+	+
42 Miller, Gary (R)	78		+	+	+	?	+	+	+	-	+	-
43 Baca (D)	10		-	-	-	-	-	-	-	-	+	-
44 Calvert (R)	60		+	+	+	-	-	+	+	-	+	-
45 Bono Mack (R)	33		+	-	+	-	-	+	-	-	-	?
46 Rohrabacher (R)	80		+	+	+	+	+	+	+	-	-	+
47 Sanchez, Loretta (D)	22		+	-	-	?	-	-	-	-	+	-
48 Campbell (R)	75		-	?	?	?	+	+	+	+	+	-
49 Issa (R)	90		+	+	+	+	+	+	+	-	+	+
50 Bilbray (R)	50		+	+	+	-	-	+	+	-	-	-
51 Filner (D)	30		+	-	-	-	-	-	-	+	+	-
52 Hunter (R)	80		+	+	+	+	-	+	+	-	+	+
53 Davis, S. (D)	10		-	-	-	-	-	-	-	-	+	-
<b>COLORADO</b>												
1 DeGette (D)	0		-	-	-	-	-	-	-	-	-	-
2 Polis (D)	30		-	-	-	-	-	-	-	+	+	+
3 Salazar, J. (D)	20		+	-	-	-	-	-	-	-	+	-
4 Markey, B. (D)	20		+	-	-	-	-	+	-	-	-	-
5 Lamborn (R)	90		+	+	+	+	+	+	+	+	+	+
6 Coffman (R)	60		+	+	+	+	-	+	-	-	-	+
7 Perlmutter (D)	10		-	-	-	-	-	-	-	-	+	-
<b>CONNECTICUT</b>												
1 Larson, J. (D)	10		-	-	-	-	-	-	-	-	+	-
2 Courtney (D)	11		+	-	-	-	-	-	-	-	?	-
3 DeLauro (D)	0		-	-	-	-	-	-	-	-	-	-
4 Himes (D)	0		-	-	-	-	-	-	-	-	-	-
5 Murphy, C. (D)	10		-	-	-	-	-	-	-	-	+	-
<b>DELAWARE</b>												
Castle (R)	30		+	-	+	-	-	+	-	-	-	-
<b>FLORIDA</b>												
1 Miller, J. (R)	80		+	+	+	+	+	+	+	-	-	+
2 Boyd, A. (D)	30		+	-	-	-	-	-	-	-	-	+
3 Brown, C. (D)	10		-	-	-	-	-	-	-	-	-	+
4 Greshaw (R)	70		+	+	+	-	-	+	+	-	+	+
5 Brown-Waite, G. (R)	70		+	+	+	-	+	+	+	-	+	-
6 Stearns (R)	70		+	+	+	+	-	+	+	-	+	-
7 Mica (R)	70		+	+	+	+	-	+	+	-	-	+
8 Grayson (D)	30		+	-	-	-	-	-	-	+	+	-
9 Bilirakis (R)	60		+	+	+	-	-	+	+	-	-	+
10 Young, C.W. (R)	50		+	-	+	-	-	+	+	-	-	+
11 Castor (D)	10		-	-	-	-	-	-	-	-	-	+
12 Putnam (R)	67		+	+	+	-	-	+	+	-	+	?
13 Buchanan (R)	56		+	-	+	-	-	+	+	-	+	?
14 Mack (R)	89		+	+	+	+	+	+	+	-	+	?
15 Posey (R)	80		+	+	+	+	-	+	+	-	+	+
16 Rooney (R)	70		+	+	+	-	-	+	+	-	+	+
17 Meek, K. (D)	20		+	-	-	-	-	-	-	-	+	-
18 Ros-Lehtinen (R)	30		+	-	+	-	-	+	-	-	-	-
19 Wexler (D)	10		-	-	-	-	-	-	-	-	-	+

The scores are derived by dividing the constitutionally correct votes (pluses) by the total number of pluses and minuses and multiplying by 100. (A "?" means a rep. did not vote; a "P" means he voted "present." If a rep. cast fewer than five votes in this index, a score is not assigned.) Match numbers at the top of the chart to House vote descriptions on pages 20, 22, and 24.



**Stimulus spending:** Though it is true that U.S. infrastructure is crumbling, stimulus money spent on infrastructure does not boost job creation because infrastructure repair merely diverts money from elsewhere that it would be spent. Ohio is even bypassing building infrastructure: \$57 million of its stimulus will go to “studies.”

AP Images

a fraction of the actual cost of care, the unfunded costs get passed to holders of private insurance. Additionally, SCHIP would apply to 400,000 to 600,000 children of legal immigrants whose sponsors had agreed to cover the children’s healthcare needs for at least five years after arriving to the United States.

The House passed H.R. 2 on February 4, 2009, by a vote of 290-135 (Roll Call 50). We have assigned pluses to the “nays” because federal healthcare programs are unconstitutional and would likely lower the quality of healthcare.

**3 Economic Stimulus.** The American Recovery and Reinvestment Act (H.R. 1) would provide \$787 billion — \$575 billion in new spending and \$212 billion in tax cuts — to stimulate the economy. The “stimulus” spending is supposed to create jobs, yet the money that the government spends for this purpose would have to be drained from the economy in the first place, thereby destroying jobs throughout the economy in order to give the government the means to create jobs in selected sectors. Even the tax cuts, which constitute less than a third of the stimulus package, would not reduce the burden that government spending places on the economy, since there are no corresponding spending cuts. Since the federal government is already operating in the red, the entire \$787-billion “stimulus” would translate into another \$787 billion in federal debt,

as well as inflation when the money to finance the debt is created out of thin air by the Fed and pumped into the economy. In fact, the legislation would increase the national debt ceiling by \$789 billion, a little more than the bill’s price tag.

The House passed the final version (conference report) for H.R. 1 on February 13, 2009, by a vote of 246-183 (Roll Call 70). We have assigned pluses to the “nays” because most of the spending would be unconstitutional and government cannot stimulate the economy by draining money from the private sector.

**4 National Service.** The Serve America Act (H.R. 1388) would reauthorize Corporation for National and Community Service programs through 2014, and expand the number of “volunteer” positions (which are actually paid positions) in national-service programs such as AmeriCorps from 75,000 to 250,000. The Congressional Budget Office estimates that the House version of this legislation would cost \$6 billion and the Senate version would cost \$5 billion over five years.

The House passed H.R. 1388 on March 18, 2009, by a vote of 321-105 (Roll Call 140). We have assigned pluses to the “nays” because national-service programs are not authorized by the Constitution.

**5 COPS Funding.** The Community Oriented Policing Services bill (H.R. 1139) would authorize \$1.8 billion a year

from fiscal 2009 through 2014 for the Justice Department’s COPS program. This is up from the \$1.05 billion that was authorized for the COPS program for fiscal years 2006 through 2009. The funds authorized for H.R. 1139 would aid in the hiring of law-enforcement officers.

The House passed H.R. 1139 on April 23, 2009, by a vote of 342-78 (Roll Call 206). We have assigned pluses to the “nays” because providing federal aid to local law-enforcement programs is not only unconstitutional, but also further federalizes the police system.

**6 Budget Resolution.** The final version of the Fiscal 2010 Budget Resolution (Senate Concurrent Resolution 13) calls for \$3.56 trillion in federal spending for the fiscal year beginning on September 1, 2009. This level of spending would be significantly less than the \$4.0 trillion the Obama administration forecast in May that the federal government would spend in the current fiscal year (which includes the \$700 billion TARP program), but significantly more than the \$3.0 trillion the federal government spent in fiscal 2008. And the deficit for fiscal 2010 would be more than \$1 trillion.

The House passed the final version (conference report) of the budget resolution on April 29, 2009, by a vote of 233-193 (Roll Call 216). We have assigned pluses to the “nays” because much of the budget is unconstitutional (e.g., foreign aid, education, healthcare, etc.), and the federal government should end deficit spending and live within its means.

**7 Hate Crimes.** The passage of the Hate Crimes Prevention Act (H.R. 1913) would expand the federal hate crimes law to include crimes that are based on sexual orientation, gender, or physical or mental disability. (Current law covers crimes based on race, color, religion, or national origin.) This bill would allow for harsher sentencing for individuals who commit violent crimes because of politically incorrect hateful motives. This legislation begs the question, are not all violent crimes committed with some hateful motive? If so, H.R. 1913 would ensure that some victims will receive more “equal protection under the law” than others. In a guest commentary in the *Denver Post* editorial, criminal

	Votes:	1-10	1	2	3	4	5	6	7	8	9	10
20 Wasserman Schultz (D)	10%	-	-	-	-	-	-	-	-	-	+	-
21 Diaz-Balart, L. (R)	40	+	-	+	-	-	-	+	-	-	+	-
22 Klein, R. (D)	0	-	-	-	-	-	-	-	-	-	-	-
23 Hastings, A. (D)	10	-	-	-	-	-	-	-	-	-	+	-
24 Kosmas (D)	20	+	-	-	-	-	-	-	-	-	+	-
25 Diaz-Balart, M. (R)	40	+	-	+	-	-	-	+	-	-	+	-
<b>GEORGIA</b>												
1 Kingston (R)	80	+	+	+	+	-	-	+	+	-	+	+
2 Bishop, S. (D)	10	-	-	-	-	-	-	-	-	-	+	-
3 Westmoreland (R)	90	+	+	+	+	+	+	+	+	+	+	+
4 Johnson, H. (D)	20	+	-	-	-	-	-	-	-	-	+	-
5 Lewis, John (D)	25	-	-	-	-	-	?	-	+	+	?	-
6 Price, T. (R)	90	+	+	+	+	+	+	+	+	-	+	+
7 Linder (R)	89	+	+	+	+	?	-	+	+	-	+	+
8 Marshall (D)	40	-	+	-	-	-	-	+	-	-	+	+
9 Deal (R)	89	+	+	+	+	+	+	+	+	-	+	?
10 Broun (R)	90	+	+	+	+	+	+	+	+	-	+	+
11 Gingrey (R)	70	+	+	+	+	-	-	+	+	-	+	-
12 Barrow (D)	30	+	-	-	-	-	-	+	-	-	+	-
13 Scott, D. (D)	10	-	-	-	-	-	-	-	-	-	+	-
<b>HAWAII</b>												
1 Abercrombie (D)	10	-	-	-	-	-	-	-	-	-	+	-
2 Hirono (D)	10	-	-	-	-	-	-	-	-	-	+	-
<b>IDAHO</b>												
1 Minnick (D)	30	+	-	+	-	-	-	+	-	-	-	-
2 Simpson (R)	50	+	-	+	-	-	-	+	+	-	-	+
<b>ILLINOIS</b>												
1 Rush (D)	10	-	-	-	-	-	-	-	-	-	+	-
2 Jackson, J. (D)	13	-	-	-	-	?	?	-	-	-	+	-
3 Lipinski (D)	22	+	-	?	-	-	-	-	-	-	+	-
4 Gutierrez (D)	20	-	-	-	-	-	-	-	-	+	+	-
5 Quigley (D)	17	?	?	?	?	-	-	-	-	-	+	-
6 Roskam (R)	80	+	+	+	+	-	-	+	+	-	+	+
7 Davis, D. (D)	10	-	-	-	-	-	-	-	-	-	+	-
8 Bean (D)	0	-	?	-	-	-	-	-	-	-	-	-
9 Schakowsky (D)	10	-	-	-	-	-	-	-	-	+	-	-
10 Kirk (R)	30	-	-	+	-	-	-	+	-	-	-	+
11 Halvorson (D)	10	+	-	-	-	-	-	-	-	-	-	-
12 Costello (D)	20	+	-	-	-	-	-	-	-	+	-	-
13 Biggert (R)	50	+	+	+	-	-	-	+	-	-	-	+
14 Foster (D)	10	-	-	-	-	-	-	+	-	-	-	-
15 Johnson, Timothy (R)	70	+	+	+	-	-	-	+	+	+	+	-
16 Manzullo (R)	80	+	+	+	+	+	+	+	+	-	+	-
17 Hare (D)	20	+	-	-	-	-	-	-	-	-	+	-
18 Schock (R)	70	+	+	+	-	-	-	+	+	-	+	+
19 Shimkus (R)	67	+	+	+	-	?	-	+	+	-	+	-
<b>INDIANA</b>												
1 Visclosky (D)	10	+	-	-	-	-	-	-	-	-	-	-
2 Donnelly (D)	20	-	-	-	-	-	-	-	+	-	+	-
3 Souder (R)	40	-	+	+	-	-	-	+	+	-	-	-
4 Buyer (R)	80	+	+	+	+	+	+	+	+	-	+	-
5 Burton (R)	70	+	+	+	+	+	+	+	+	-	-	-
6 Pence (R)	90	+	+	+	+	+	+	+	+	-	+	+
7 Carson, A. (D)	10	-	-	-	-	-	-	-	-	-	+	-
8 Ellsworth (D)	30	+	-	-	-	-	-	-	+	-	+	-
9 Hill (D)	20	+	-	-	-	-	-	-	-	-	+	-
<b>IOWA</b>												
1 Braley (D)	11	-	-	-	-	-	-	-	-	-	+	?
2 Loebsack (D)	11	-	-	-	-	-	-	-	-	-	+	?
3 Boswell (D)	0	-	-	-	-	-	-	-	-	-	?	-
4 Latham (R)	50	+	+	+	-	-	-	+	+	-	-	-
5 King, S. (R)	80	+	+	+	+	+	+	+	+	-	+	-

	Votes:	1-10	1	2	3	4	5	6	7	8	9	10
<b>KANSAS</b>												
1 Moran, Jerry (R)	78%	+	-	+	+	?	-	+	+	-	+	+
2 Jenkins (R)	90	+	+	+	+	+	+	+	+	-	+	+
3 Moore, D. (D)	10	-	-	-	-	-	-	-	-	-	-	-
4 Tiahrt (R)	80	+	+	+	+	-	-	+	+	-	+	+
<b>KENTUCKY</b>												
1 Whitfield (R)	78	+	+	+	+	-	-	+	+	-	+	?
2 Guthrie (R)	60	+	+	+	-	-	-	+	+	-	+	-
3 Yarmuth (D)	10	-	-	-	-	-	-	-	-	-	+	-
4 Davis, G. (R)	80	+	+	+	+	-	-	+	+	-	+	+
5 Rogers, H. (R)	60	+	+	+	-	-	-	+	+	-	-	+
6 Chandler (D)	20	+	-	-	-	-	-	-	-	-	+	-
<b>LOUISIANA</b>												
1 Scalise (R)	80	+	+	+	+	-	-	+	+	-	+	+
2 Cao (R)	40	+	-	+	-	-	-	+	-	-	+	-
3 Melancon (D)	30	+	-	-	-	-	-	-	+	-	+	-
4 Fleming (R)	70	+	+	+	+	-	-	+	+	-	+	+
5 Alexander, R. (R)	80	+	+	+	+	-	-	+	+	-	+	+
6 Cassidy (R)	50	+	+	+	-	-	-	+	-	-	+	-
7 Boustany (R)	67	+	+	+	?	-	-	+	+	-	-	+
<b>MAINE</b>												
1 Pingree (D)	30	+	-	-	-	-	-	-	-	+	+	-
2 Michaud (D)	30	+	-	-	-	-	-	-	-	+	+	-
<b>MARYLAND</b>												
1 Kratovil (D)	20	+	-	-	-	-	-	+	-	-	-	-
2 Ruppersberger (D)	14	+	-	-	-	-	-	-	?	-	?	?
3 Sarbanes (D)	10	-	-	-	-	-	-	-	-	-	+	-
4 Edwards, D. (D)	20	-	-	-	-	-	-	-	-	+	+	-
5 Hoyer (D)	10	-	-	-	-	-	-	-	-	-	+	-
6 Bartlett (R)	90	+	+	+	+	+	+	+	+	+	+	+
7 Cummings (D)	10	-	-	-	-	-	-	-	-	-	+	-
8 Van Hollen (D)	10	-	-	-	-	-	-	-	-	-	+	-
<b>MASSACHUSETTS</b>												
1 Olver (D)	0	-	-	-	-	-	-	-	-	-	-	-
2 Neal (D)	20	-	-	-	-	-	-	-	-	+	+	-
3 McGovern (D)	20	-	-	-	-	-	-	-	-	-	+	+
4 Frank, B. (D)	10	-	-	-	-	-	-	-	-	+	-	-
5 Tsongas (D)	20	-	-	-	-	-	-	-	-	-	+	+
6 Tierney (D)	20	-	-	-	-	-	-	-	-	+	+	-
7 Markey, E. (D)	20	-	-	-	-	-	-	-	-	+	+	-
8 Capuano (D)	20	-	-	-	-	-	-	-	-	+	+	-
9 Lynch (D)	20	+	-	-	-	-	-	-	-	-	+	-
10 Delahunt (D)	22	+	-	-	-	-	-	-	-	?	+	-
<b>MICHIGAN</b>												
1 Stupak (D)	20	+	-	-	-	-	-	-	-	-	+	-
2 Hoekstra (R)	60	+	+	+	+	-	-	+	+	-	-	-
3 Ehlers (R)	60	+	-	+	-	+	-	+	+	+	-	-
4 Camp (R)	70	+	+	+	-	+	-	+	+	-	+	-
5 Kildee (D)	10	-	-	-	-	-	-	-	-	-	+	-
6 Upton (R)	50	+	-	+	-	-	-	+	+	-	+	-
7 Schauer (D)	10	+	-	-	-	-	-	-	-	-	-	-
8 Rogers, Mike (R)	50	+	+	+	-	-	-	+	+	-	-	-
9 Peters (D)	10	-	-	-	-	-	-	-	-	-	+	-
10 Miller, C. (R)	40	+	-	-	-	-	-	+	+	-	-	-
11 McCotter (R)	50	+	-	+	-	-	-	+	+	-	+	-
12 Levin, S. (D)	10	-	-	-	-	-	-	-	-	-	+	-
13 Kilpatrick (D)	10	-	-	-	-	-	-	-	-	-	+	-
14 Conyers (D)	33	+	-	-	-	-	-	-	-	+	+	?
15 Dingell (D)	10	-	-	-	-	-	-	-	-	-	+	-
<b>MINNESOTA</b>												
1 Walz (D)	20	+	-	-	-	-	-	-	-	-	+	-
2 Kline, J. (R)	90	+	+	+	+	+	+	+	+	-	+	+

The scores are derived by dividing the constitutionally correct votes (pluses) by the total number of pluses and minuses and multiplying by 100. (A “?” means a rep. did not vote; a “P” means he voted “present.” If a rep. cast fewer than five votes in this index, a score is not assigned.) Match numbers at the top of the chart to House vote descriptions on pages 20, 22, and 24.



Newscom

**TSA screening:** The Transportation Security Administration, which screens passengers at airports, is beginning to face scrutiny for invasion of privacy. Its new scanners literally “see” through people’s clothes.

defense lawyer Robert J. Corry, Jr. opined: “The ‘hate crime’ law does not apply equally, instead criminalizing only politically incorrect thoughts directed against politically incorrect victim categories.”

The House passed H.R. 1913 on April 29, 2009, by a vote of 249-175 (Roll Call 223). We have assigned pluses to the “nays” because this legislation would further federalize the criminal code as well as punish not only criminal acts, but the thoughts behind them.

## 8 Supplemental Appropriations.

The Fiscal 2009 Supplemental Appropriations bill (H.R. 2346) would provide an *additional* \$96.7 billion in “emergency” funding for the current fiscal year over and above the regular appropriations. Included in the funds for H.R. 2346 is \$84.5 billion for the ongoing operations in Afghanistan and Iraq, \$10 billion for foreign aid programs, and \$2 billion for flu pandemic preparation.

The House passed H.R. 2346 on May 14, 2009, by a vote of 368-60 (Roll Call 265). We have assigned pluses to the

**Cash for clunkers:** On the surface, Congress’ plan to give Americans up to \$4,500 for trading in old vehicles if they buy more fuel-efficient models may sound reasonable. In a broader context, it doesn’t: what if government gave \$45,000 to taxpayers willing to tear down their old, poorly insulated houses to build new ones? In both cases, the taxpayers pay.

“nays” because the spending is over and above what the federal government had already budgeted, the United States never declared war against Iraq and Afghanistan, and some of the spending (e.g., foreign aid) is unconstitutional.

## 9 Body Imaging Screening.

During consideration of the Transportation Security Administration Authorization bill (H.R. 2200), Rep. Jason Chaffetz (R-Utah) offered an amendment that would prohibit the use of Whole-Body Imaging (WBI) as the primary method of screening at airports. The amendment would allow passengers the option of a pat-down search rather than being subjected to a WBI search that shows extremely intimate details of one’s body. The Chaffetz amendment would also prohibit TSA from storing, copying, or transferring any images that are produced by WBI machines.

Since its creation, TSA has become infamous for its meddlesome searches and disregard for an individual’s right of privacy. Evidence shows that corruption and mismanagement have been commonplace within the relatively new federal department for years. The Chaffetz amendment would do very little to scale back the power held by the TSA, but it does offer some hope that our representatives are not wholly unaware of how the TSA and its policies would threaten the privacy of American citizens through a process that has been called a “virtual strip-search.”

The House adopted the Chaffetz amendment by a “Committee of the Whole” on June 4, 2009, by a vote of 310-118 (Roll Call 305). We have assigned pluses to the “yeas” because such technology is obtrusive for American citizens and violates our right of protection against unwarranted searches and seizures.

## 10 Cash for Clunkers.

The “Consumer Assistance to Recycle and Save Act” (H.R. 2751) would authorize \$4 billion for an auto trade-in program that’s also known as “cash for clunkers.” Under the program, consumers would be offered rebates of up to \$4,500 if they trade in their old cars for more fuel-efficient ones. The vehicles traded-in would have to be destroyed, meaning that cars not yet ready for the junkyard would be taken off the road, reducing the stock of used vehicles and inflating the price of used cars.

The House passed H.R. 2751 on June 9, 2009, by a vote of 298-119 (Roll Call 314). We have assigned pluses to the “nays” because the federal government should not be subsidizing the automotive companies via vouchers to customers. Besides, it’s unconstitutional. ■



	Votes:	1-10	1	2	3	4	5	6	7	8	9	10
3 Paulsen (R)	50%	+	-	+	-	-	-	+	+	-	-	+
4 McCollum (D)	20	+	-	-	-	-	-	-	-	-	+	-
5 Ellison (D)	20	-	-	-	-	-	-	-	-	+	+	-
6 Bachmann (R)	90	+	+	+	+	+	+	+	+	+	+	+
7 Peterson (D)	30	+	-	+	-	-	-	-	+	-	-	-
8 Oberstar (D)	10	-	-	-	-	-	-	-	-	+	-	-
<b>MISSISSIPPI</b>												
1 Childers (D)	40	+	-	-	-	-	-	+	+	-	+	-
2 Thompson, B. (D)	0	-	-	-	-	-	-	-	-	-	-	-
3 Harper (R)	89	+	+	+	+	?	?	+	+	-	+	+
4 Taylor (D)	60	+	-	+	-	-	-	+	+	-	+	+
<b>MISSOURI</b>												
1 Clay (D)	10	-	-	-	-	-	-	-	-	-	+	-
2 Akin (R)	80	+	+	+	+	+	+	+	+	-	-	+
3 Carnahan (D)	0	-	-	-	-	-	-	-	-	-	-	-
4 Skelton (D)	0	?	-	-	-	-	-	-	-	-	-	-
5 Cleaver (D)	10	-	-	-	-	-	-	-	-	-	+	-
6 Graves (R)	70	+	+	+	+	+	+	+	+	-	-	+
7 Blunt (R)	80	+	+	+	+	+	+	+	+	-	+	-
8 Emerson (R)	50	+	-	+	-	-	-	+	+	-	+	-
9 Luetkemeyer (R)	80	+	+	+	+	-	-	+	+	-	+	+
<b>MONTANA</b>												
Rehberg (R)	60	+	-	+	-	-	-	+	+	-	+	+
<b>NEBRASKA</b>												
1 Fortenberry (R)	70	+	+	+	-	-	-	+	+	-	+	+
2 Terry (R)	60	+	+	+	-	-	-	+	+	-	+	-
3 Smith, Adrian (R)	90	+	+	+	+	+	+	+	+	-	+	+
<b>NEVADA</b>												
1 Berkley (D)	20	+	-	-	-	-	-	-	-	-	+	-
2 Heller (R)	70	+	+	+	-	-	-	+	+	-	+	+
3 Titus (D)	20	+	-	-	-	-	-	-	-	-	+	-
<b>NEW HAMPSHIRE</b>												
1 Shea-Porter (D)	30	+	-	-	-	-	-	-	-	+	+	-
2 Hodes (D)	20	+	-	-	-	-	-	-	-	-	+	-
<b>NEW JERSEY</b>												
1 Andrews (D)	0	-	-	-	-	-	-	-	-	-	-	-
2 LoBiondo (R)	30	+	-	+	-	-	-	+	-	-	-	-
3 Adler (D)	20	+	-	-	-	-	-	-	-	-	+	-
4 Smith, C. (R)	50	+	-	+	-	-	-	+	+	-	+	-
5 Garrett (R)	90	+	+	+	+	+	+	+	+	-	+	+
6 Pallone (D)	10	-	-	-	-	-	-	-	-	-	+	-
7 Lance (R)	30	+	-	+	-	-	-	+	-	-	-	-
8 Pascrell (D)	10	-	-	-	-	-	-	-	-	-	+	-
9 Rothman (D)	10	-	-	-	-	-	-	-	-	-	+	-
10 Payne (D)	20	-	-	-	-	-	-	-	-	+	+	-
11 Frelinghuysen (R)	30	+	-	+	-	-	-	+	-	-	-	-
12 Holt (D)	10	-	-	-	-	-	-	-	-	-	+	-
13 Sires (D)	10	-	-	-	-	-	-	-	-	-	+	-
<b>NEW MEXICO</b>												
1 Heinrich (D)	20	+	-	-	-	-	-	-	-	-	+	-
2 Teague (D)	33	+	-	-	-	-	-	+	?	-	+	-
3 Lujan (D)	20	+	-	-	-	-	-	-	-	-	+	-
<b>NEW YORK</b>												
1 Bishop, T. (D)	0	-	-	-	-	-	-	-	-	-	-	-
2 Israel (D)	10	-	-	-	-	-	-	-	-	-	+	-
3 King, P. (R)	50	+	-	+	-	-	-	+	+	-	-	+
4 McCarthy, C. (D)	0	-	-	-	-	-	-	-	-	-	-	-
5 Ackerman (D)	0	-	-	-	-	-	-	-	-	-	-	-
6 Meeks, G. (D)	10	-	-	-	-	-	-	-	-	-	+	-
7 Crowley (D)	10	-	-	-	-	-	-	-	-	-	+	-
8 Nadler (D)	10	-	-	-	-	-	-	-	-	-	+	-

	Votes:	1-10	1	2	3	4	5	6	7	8	9	10
9 Weiner (D)	20%	-	-	-	-	-	-	-	-	+	+	-
10 Towns (D)	10	-	-	-	-	-	-	-	-	-	+	-
11 Clarke (D)	20	-	-	-	-	-	-	-	-	-	+	+
12 Velazquez (D)	20	-	-	-	-	-	-	-	-	-	+	+
13 McMahon (D)	11	+	-	-	-	-	-	-	-	-	?	-
14 Maloney (D)	10	-	-	-	-	-	-	-	-	-	+	-
15 Rangel (D)	20	+	-	-	-	-	-	-	-	-	+	-
16 Serrano (D)	30	+	-	-	-	-	-	-	-	-	+	+
17 Engel (D)	10	-	-	-	-	-	-	-	-	-	-	+
18 Lowey (D)	0	-	-	-	-	-	-	-	-	-	-	-
19 Hall, J. (D)	10	-	-	-	-	-	-	-	-	-	-	+
20 Murphy, S. (D)		?	?	?	?	?	?	?	-	-	+	-
21 Tonko (D)	10	-	-	-	-	-	-	-	-	-	-	+
22 Hinchey (D)	11	-	-	-	?	-	-	-	-	-	-	+
23 McHugh (R)	50	+	-	+	-	-	-	+	+	-	+	-
24 Arcuri (D)	20	+	-	-	-	-	-	-	-	-	-	+
25 Maffei (D)	22	+	-	-	-	-	?	-	-	-	-	+
26 Lee, C. (R)	33	+	-	?	-	-	-	+	+	-	-	-
27 Higgins (D)	10	-	-	-	-	-	-	-	-	-	-	+
28 Slaughter (D)	10	+	-	-	-	-	-	-	-	-	-	-
29 Massa (D)	30	+	-	-	-	-	-	-	-	-	+	+
<b>NORTH CAROLINA</b>												
1 Butterfield (D)	0	-	-	-	-	-	-	-	?	-	-	-
2 Etheridge (D)	10	-	-	-	-	-	-	-	-	-	-	+
3 Jones, W. (R)	80	+	+	+	+	-	-	+	+	-	+	+
4 Price, D. (D)	0	-	-	-	-	-	-	-	-	-	-	-
5 Fox (R)	80	+	+	+	+	+	+	+	+	-	-	+
6 Coble (R)	80	+	+	+	+	+	+	+	+	-	+	-
7 McIntyre (D)	40	+	-	-	-	-	-	+	+	-	+	-
8 Kissell (D)	22	+	?	-	-	-	-	-	-	-	+	-
9 Myrick (R)	80	+	+	+	+	+	+	+	+	-	+	-
10 McHenry (R)	90	+	+	+	+	+	+	+	+	-	+	+
11 Shuler (D)	40	+	+	+	-	-	-	-	+	-	+	-
12 Watt (D)	10	-	-	-	-	-	-	-	-	-	+	-
13 Miller, B. (D)	10	-	-	-	-	-	-	-	-	-	-	+
<b>NORTH DAKOTA</b>												
Pomeroy (D)	10	-	-	-	-	-	-	-	-	-	+	-
<b>OHIO</b>												
1 Driehaus (D)	20	+	-	-	-	-	-	-	-	-	+	-
2 Schmidt (R)	80	+	+	+	+	+	+	+	+	-	+	+
3 Turner (R)	50	+	-	+	-	-	-	+	+	-	+	-
4 Jordan (R)	90	+	+	+	+	+	+	+	+	-	+	+
5 Latta (R)	80	+	+	+	+	+	+	+	+	-	+	+
6 Wilson, Charlie (D)	0	-	-	-	-	-	-	-	-	-	?	-
7 Austria (R)	50	+	-	+	-	-	-	+	+	-	+	-
8 Boehner (R)	89	+	+	+	+	?	?	+	+	-	+	+
9 Kaptur (D)	30	+	-	-	-	-	-	-	-	-	+	+
10 Kucinich (D)	40	+	-	-	-	-	-	+	-	+	+	-
11 Fudge (D)	10	-	-	-	-	-	-	-	-	-	+	-
12 Tiberi (R)	44	?	-	+	-	-	-	+	+	-	+	-
13 Sutton (D)	10	-	-	-	-	-	-	-	-	-	-	+
14 LaTourette (R)	40	+	-	+	-	-	-	+	+	-	-	-
15 Kilroy (D)	20	+	-	-	-	-	-	-	-	-	+	-
16 Boccieri (D)	20	+	-	-	-	-	-	-	-	-	+	-
17 Ryan, T. (D)	0	-	-	-	-	-	-	-	-	-	-	-
18 Space (D)	20	+	-	-	-	-	-	-	-	-	+	-
<b>OKLAHOMA</b>												
1 Sullivan (R)	75	+	+	+	-	+	+	+	+	-	?	?
2 Boren (R)	30	+	-	-	-	-	-	+	+	-	-	-
3 Lucas (R)	70	+	+	+	-	+	+	+	+	-	-	+
4 Cole (R)	70	+	+	+	-	+	+	+	+	-	-	+
5 Fallin (R)	90	+	+	+	+	+	+	+	+	-	+	+

The scores are derived by dividing the constitutionally correct votes (pluses) by the total number of pluses and minuses and multiplying by 100. (A “?” means a rep. did not vote; a “P” means he voted “present.” If a rep. cast fewer than five votes in this index, a score is not assigned.) Match numbers at the top of the chart to House vote descriptions on pages 20, 22, and 24.



# CONGRESS

Votes: 1-10 1 2 3 4 5 6 7 8 9 10

**OREGON**

1 Wu (D)	0%	-	-	-	-	-	-	-	-	-
2 Walden (R)	40	+	+	+	-	-	+	-	-	-
3 Blumenauer (D)	0	-	-	-	-	-	-	-	-	-
4 DeFazio (D)	20	+	-	+	-	-	-	-	-	-
5 Schrader (D)	10	+	-	-	-	-	-	-	-	-

**PENNSYLVANIA**

1 Brady, R. (D)	10	-	-	-	-	-	-	-	+	-
2 Fattah (D)	10	-	-	-	-	-	-	-	-	+
3 Dahlkemper (D)	20	+	-	-	-	-	-	-	-	+
4 Altmire (D)	20	+	-	-	-	-	-	-	-	+
5 Thompson, G. (R)	60	+	-	+	-	-	+	+	-	+
6 Gerlach (R)	30	+	-	+	-	-	+	-	-	-
7 Sestak (D)	0	-	-	-	-	-	-	-	-	-
8 Murphy, P. (D)	0	-	-	-	-	-	-	-	-	-
9 Shuster (R)	80	+	+	+	+	-	+	+	-	+
10 Carney (D)	20	+	-	-	-	-	-	+	-	-
11 Kanjorski (D)	10	-	-	-	-	-	-	-	-	+
12 Murtha (D)	11	-	-	-	-	-	-	?	-	+
13 Schwartz (D)	0	-	-	-	-	-	-	-	-	-
14 Doyle (D)	11	-	-	-	-	?	-	-	-	+
15 Dent (R)	40	+	-	+	-	-	+	-	-	+
16 Pitts (R)	80	+	+	+	+	+	+	+	-	+
17 Holden (D)	10	+	-	-	-	-	-	-	-	-
18 Murphy, T. (R)	50	+	-	+	-	-	+	+	-	+
19 Platts (R)	40	+	-	+	-	-	+	-	-	+

**RHODE ISLAND**

1 Kennedy, P. (D)	0	-	-	-	-	-	-	-	?	?
2 Langevin (D)	10	-	-	-	-	-	-	-	-	+

**SOUTH CAROLINA**

1 Brown, H. (R)	90	+	+	+	+	+	+	+	-	+
2 Wilson, J. (R)	90	+	+	+	+	+	+	+	-	+
3 Barrett (R)	80	+	+	+	+	+	+	+	-	+
4 Inglis (R)	80	-	+	+	+	+	+	+	-	+
5 Spratt (D)	0	-	-	-	-	-	-	-	-	-
6 Clyburn (D)	0	-	-	?	-	?	-	-	-	-

**SOUTH DAKOTA**

Herseth Sandlin (D)	30	+	-	-	-	-	-	-	+	+
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**TENNESSEE**

1 Roe (R)	60	+	+	+	-	-	+	+	-	+
2 Duncan (R)	100	+	+	+	+	+	+	+	+	+
3 Wamp (R)	78	+	?	+	+	-	+	+	-	+
4 Davis, L. (D)	20	+	-	-	-	-	-	+	-	-
5 Cooper (D)	20	-	-	-	-	-	-	-	+	+
6 Gordon (D)	10	-	-	-	-	-	-	+	-	-
7 Blackburn (R)	80	+	+	+	+	+	+	+	-	+
8 Tanner (D)	25	?	-	-	-	-	-	+	?	+
9 Cohen (D)	20	-	-	-	-	-	-	-	+	+

**TEXAS**

1 Gohmert (R)	89	+	+	+	?	+	+	+	-	+
2 Poe (R)	67	+	?	+	+	-	+	+	-	+
3 Johnson, S. (R)	90	+	+	+	+	+	+	+	-	+
4 Hall, R. (R)	70	+	+	+	+	-	+	+	-	+
5 Hensarling (R)	90	+	+	+	+	+	+	+	-	+
6 Barton (R)	70	+	+	+	+	-	+	+	-	+
7 Culberson (R)	90	+	+	+	+	+	+	+	-	+
8 Brady, K. (R)	90	+	+	+	+	+	+	+	-	+
9 Green, A. (D)	10	-	-	-	-	-	-	-	-	-
10 McCaul (R)	80	+	+	+	+	-	+	+	-	+
11 Conaway (R)	90	+	+	+	+	+	+	+	-	+
12 Granger (R)	75	+	+	+	+	+	?	?	-	+
13 Thornberry (R)	90	+	+	+	+	+	+	+	-	+

Votes: 1-10 1 2 3 4 5 6 7 8 9 10

14 Paul (R)	100%	+	+	+	+	+	+	+	+	+
15 Hinojosa (D)	11	-	-	-	-	-	-	?	-	-
16 Reyes (D)	11	-	-	-	-	-	-	?	-	-
17 Edwards, C. (D)	0	-	-	-	-	-	-	-	-	-
18 Jackson-Lee (D)	0	-	-	-	-	-	-	-	-	?
19 Neugebauer (R)	89	?	+	+	+	+	+	+	+	+
20 Gonzalez (D)	11	-	-	-	-	-	-	-	-	?
21 Smith, Lamar (R)	89	+	+	+	+	?	+	+	-	+
22 Olson (R)	89	+	+	+	?	+	+	+	-	+
23 Rodriguez (D)	20	+	-	-	-	-	-	-	-	+
24 Marchant (R)	90	+	+	+	+	+	+	+	+	+
25 Doggett (D)	40	+	-	-	-	-	-	-	+	+
26 Burgess (R)	75	+	+	+	+	-	?	?	-	+
27 Ortiz (D)	10	-	-	-	-	-	-	-	-	+
28 Cuellar (D)	20	+	-	-	-	-	-	-	-	+
29 Green, G. (D)	20	+	-	-	-	-	-	-	-	+
30 Johnson, E. (D)	11	?	-	-	-	-	-	-	-	+
31 Carter (R)	90	+	+	+	+	+	+	+	-	+
32 Sessions, P. (R)	89	+	+	+	+	+	+	+	-	?

**UTAH**

1 Bishop, R. (R)	88	+	+	+	+	+	+	+	-	?
2 Matheson (D)	30	+	-	-	-	-	-	-	-	+
3 Chaffetz (R)	80	+	+	+	+	-	+	+	-	+

**VERMONT**

Welch (D)	30	+	-	-	-	-	-	-	+	+
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**VIRGINIA**

1 Wittman (R)	60	+	+	+	-	-	+	+	-	+
2 Nye (D)	20	+	-	-	-	-	+	-	-	-
3 Scott, R. (D)	20	+	-	-	-	-	-	-	-	+
4 Forbes (R)	80	+	+	+	+	-	+	+	-	+
5 Perriello (D)	25	+	-	-	-	-	?	?	-	-
6 Goodlatte (R)	90	+	+	+	+	+	+	+	-	+
7 Cantor (R)	80	+	+	+	+	+	+	+	-	+
8 Moran, James (D)	10	-	-	-	-	-	-	-	-	+
9 Boucher (D)	11	?	-	-	-	-	-	-	-	+
10 Wolf (R)	60	+	-	+	-	-	+	+	-	+
11 Connolly (D)	20	+	-	-	-	-	-	-	-	+

**WASHINGTON**

1 Inslee (D)	30	+	-	-	-	-	-	-	+	+
2 Larsen, R. (D)	10	-	-	-	-	-	-	-	-	+
3 Baird (D)	20	-	-	-	-	-	-	-	-	+
4 Hastings, D. (R)	80	+	+	+	+	+	+	+	-	+
5 McMorris Rodgers (R)	78	+	+	+	-	-	+	+	?	+
6 Dicks (D)	0	-	-	-	-	-	-	-	-	-
7 McDermott (D)	30	+	-	-	-	-	-	-	+	+
8 Reichert (R)	40	+	-	+	-	-	+	-	-	+
9 Smith, Adam (D)	10	-	-	-	-	-	-	-	-	+

**WEST VIRGINIA**

1 Mollohan (D)	0	?	-	-	-	-	-	-	-	-
2 Capito (R)	40	+	-	+	-	-	+	+	-	-
3 Rahall (D)	0	-	-	-	-	-	-	-	-	-

**WISCONSIN**

1 Ryan, P. (R)	90	+	+	+	+	+	+	+	-	+
2 Baldwin (D)	20	-	-	-	-	-	-	-	+	+
3 Kind (D)	20	+	-	-	-	-	-	-	-	+
4 Moore, G. (D)	10	-	-	-	-	-	-	-	-	+
5 Sensenbrenner (R)	90	+	+	+	+	+	+	+	+	+
6 Petri (R)	60	+	-	+	-	-	+	+	+	+
7 Obey (D)	0	-	-	-	-	-	-	-	-	-
8 Kagen (D)	30	+	-	-	-	-	-	-	+	+

**WYOMING**

Lummis (R)	90	+	+	+	+	+	+	+	-	+
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The scores are derived by dividing the constitutionally correct votes (pluses) by the total number of pluses and minuses and multiplying by 100. (A "?" means a rep. did not vote; a "P" means he voted "present." If a rep. cast fewer than five votes in this index, a score is not assigned.) Match numbers at the top of the chart to House vote descriptions on pages 20, 22, and 24.

# Senate Vote Descriptions

**1 TARP Funding.** Senate Joint Resolution 5 would have prevented the release of the remaining \$350 billion of the Troubled Asset Relief Program (TARP) to bail out banks and other institutions. The Emergency Economic Stabilization Act of 2008 had authorized a total of \$700 billion, only half of which was initially released, for TARP. The act was written so that the Treasury Department, which administers the program, could start spending the second \$350 billion unless *both* chambers of Congress disapproved.

The Senate rejected this resolution on January 15, 2009, by a vote of 42-52 (Roll Call 5). We have assigned pluses to the “yeas” because the Constitution does not authorize Congress to grant financial aid or loans to private companies, i.e., banks and automakers.

**2 Mexico City Policy.** Senator Mel Martinez (R-Fla.) offered an amendment to the Children’s Health Insurance bill to reinstate the so-called Mexico City Policy, which newly inaugurated President Barack Obama had overturned on January 23, 2009 via executive order. The overturned policy barred the distribution of U.S. foreign aid to organizations that “perform or actively promote abortion as a method of family planning.”

The Senate rejected the Martinez amendment by a vote of 37-60 on January 28, 2009 (Roll Call 19). We have assigned pluses to the “yeas” not only because foreign aid is unconstitutional, but because the amendment would have helped to protect the right to life.

**3 SCHIP.** H.R. 2 would reauthorize the “State Children’s Health Insurance Program,” commonly referred to as SCHIP, for over four and a half years and increase the funding for the program by \$32.8 billion. (For a fuller description, see House vote #2 on SCHIP.)

The Senate passed H.R. 2 on January 29, 2009, by a vote of 66-32 (Roll Call 31). We have assigned pluses to the “nays” because federal healthcare programs are unconstitutional and would likely lower the quality of healthcare.

**4 Economic Stimulus.** The mammoth \$787 billion American Recovery and Reinvestment Act (H.R. 1) is described under House vote #3.

The Senate adopted H.R. 1 (thus clearing it for the president to sign) on February 13, 2009, by a vote of 60-38 (Roll Call 64). We have assigned pluses to the “nays” because much of the spending would be unconstitutional and government cannot

stimulate the economy by draining money from the private sector.

**5 District of Columbia Voting Rights.** The District of Columbia Voting Rights bill (S. 160) would add two seats to the United States House of Representatives, bringing the total number of representatives to 437. Specifically, the bill would create an additional seat in Utah beginning with the 112th Congress and a permanent seat in the District of Columbia beginning with the 113th Congress. The bill would also increase the size of the Electoral College to accommodate the changes.

The Senate passed S. 160 on February 26, 2009, by a vote of 61-37 (Roll Call 73). We have assigned pluses to the “nays” because Article 1 Section 2 of the U.S. Constitution states, “The House of Representatives shall be composed of members chosen every second year by the people of the several states.” The District of Columbia is not a state, and can only become a state (and be entitled to representation in Congress) via a constitutional amendment.

**6 Fairness Doctrine.** During consideration of the omnibus appropriations bill (H.R. 1105), Sen. John Thune (R-S.D.) offered an amendment to prohibit the use of funding in the bill to reinstitute a Federal Communications Commission rule known as the “Fairness Doctrine.” Under this doctrine, which the FCC itself abolished in 1987, radio and television broadcasters were required to air opposing viewpoints on controversial issues. The rule had the effect of encouraging broadcasters to minimize controversial programming so as to avoid providing free air time for opposing viewpoints. And it inhibited free speech in the same way that an extension of the Fairness Doctrine to magazines or newspapers would have inhibited the ability of publishers to express their beliefs.

The Senate rejected Thune’s amendment on March 10, 2009, by a vote of 47-50 (Roll Call 92). We have assigned pluses to the “yeas” because reinstating the Fairness Doctrine would be an unconstitutional infringement on the right to free speech.



**Funding population control:** President Obama ended the United States’ “Mexico City Policy,” which denied U.S. foreign aid to groups that perform or promote abortions.



# Senate Vote Scores

Votes:	1-10	1	2	3	4	5	6	7	8	9	10
<b>ALABAMA</b>											
Shelby (R)	80%	+	+	+	+	+	-	+	+	+	-
Sessions, J. (R)	78	+	+	+	+	+	-	+	?	+	-
<b>ALASKA</b>											
Murkowski (R)	40	+	-	-	+	+	-	-	+	-	-
Begich (D)	0	-	-	-	-	-	-	-	-	-	?
<b>ARIZONA</b>											
McCain (R)	70	+	+	+	+	+	-	-	+	+	-
Kyl (R)	70	-	+	+	+	+	-	+	+	+	-
<b>ARKANSAS</b>											
Lincoln (D)	20	+	-	-	-	-	+	-	-	-	-
Pryor (D)	10	-	-	-	-	-	+	-	-	-	-
<b>CALIFORNIA</b>											
Feinstein (D)	10	-	-	-	-	-	+	-	-	-	-
Boxer (D)	10	-	-	-	-	-	+	-	-	-	-
<b>COLORADO</b>											
Udall, Mark (D)	0	-	-	-	-	-	-	-	-	-	?
Bennet (D)	11	?	-	-	-	-	+	-	-	-	-
<b>CONNECTICUT</b>											
Dodd (D)	10	-	-	-	-	-	+	-	-	-	-
Lieberman (I)	10	-	-	-	-	-	+	-	-	-	-
<b>DELAWARE</b>											
Carper (D)	11	-	-	-	-	-	+	-	-	-	?
Kaufman (D)	11	?	-	-	-	-	+	-	-	-	-
<b>FLORIDA</b>											
Nelson, Bill (D)	10	-	-	-	-	-	+	-	-	-	-
Martinez (R)	50	+	+	-	+	+	-	-	+	-	-
<b>GEORGIA</b>											
Chambliss (R)	67	+	?	+	+	+	-	-	+	+	-
Isakson (R)	70	+	+	+	+	+	-	-	+	+	-
<b>HAWAII</b>											
Inouye (D)	10	-	-	-	-	-	+	-	-	-	-
Akaka (D)	10	-	-	-	-	-	+	-	-	-	-
<b>IDAHO</b>											
Crapo (R)	80	+	+	+	+	+	-	+	+	+	-
Risch (R)	80	+	+	+	+	+	-	+	+	+	-
<b>ILLINOIS</b>											
Durbin (D)	10	-	-	-	-	-	+	-	-	-	-
Burris (D)	10	-	-	-	-	-	+	-	-	-	-
<b>INDIANA</b>											
Lugar (R)	30	-	+	-	+	-	-	-	+	-	-
Bayh (D)	30	+	-	-	-	-	-	-	+	+	-
<b>IOWA</b>											
Grassley (R)	70	+	+	+	+	+	-	-	+	+	-
Harkin (D)	10	-	-	-	-	-	+	-	-	-	-
<b>KANSAS</b>											
Brownback (R)	80	+	+	+	+	+	-	+	+	+	-
Roberts (R)	80	+	+	+	+	+	-	+	+	+	-
<b>KENTUCKY</b>											
McConnell (R)	80	+	+	+	+	+	-	+	+	+	-
Bunning (R)	78	?	+	+	+	+	-	+	+	+	-
<b>LOUISIANA</b>											
Landrieu (D)	10	-	-	-	-	-	+	-	-	-	-
Vitter (R)	80	+	+	+	+	+	-	+	+	+	-

Votes:	1-10	1	2	3	4	5	6	7	8	9	10
<b>MAINE</b>											
Snowe (R)	10%	-	-	-	-	-	-	-	+	-	-
Collins (R)	20	+	-	-	-	-	-	-	+	-	-
<b>MARYLAND</b>											
Mikulski (D)	10	-	-	-	-	-	+	-	-	-	-
Cardin (D)	10	-	-	-	-	-	+	-	-	-	-
<b>MASSACHUSETTS</b>											
Kennedy, E. (D)		?	?	?	?	?	?	-	?	?	?
Kerry (D)	10	-	-	-	-	-	+	-	-	-	-
<b>MICHIGAN</b>											
Levin, C. (D)	10	-	-	-	-	-	+	-	-	-	-
Stabenow (D)	10	-	-	-	-	-	+	-	-	-	-
<b>MINNESOTA</b>											
<i>Vacant</i>											
Klobuchar (D)	0	-	-	-	-	-	-	-	-	-	-
<b>MISSISSIPPI</b>											
Cochran (R)	60	+	+	+	+	+	-	-	+	-	-
Wicker (R)	60	+	+	+	+	+	-	-	+	-	-
<b>MISSOURI</b>											
Bond (R)	60	+	+	+	+	+	-	-	+	-	-
McCaskill (D)	10	-	-	-	-	-	+	-	-	-	-
<b>MONTANA</b>											
Baucus, M. (D)	20	-	-	-	-	+	+	-	-	-	-
Tester (D)	11	?	-	-	-	-	+	-	-	-	-
<b>NEBRASKA</b>											
Nelson, Ben (D)	30	+	+	-	-	-	-	-	+	-	-
Johanns (R)	78	+	+	+	+	+	?	-	+	+	-
<b>NEVADA</b>											
Reid, H. (D)	10	-	-	-	-	-	+	-	-	-	-
Ensign (R)	80	+	+	+	+	+	-	+	+	+	-
<b>NEW HAMPSHIRE</b>											
Gregg (R)	50	-	+	+	+	+	-	-	+	-	-
Shaheen (D)	22	+	-	-	-	-	+	-	-	-	?
<b>NEW JERSEY</b>											
Lautenberg (D)	10	-	-	-	-	-	+	-	-	-	-
Menendez (D)	10	-	-	-	-	-	+	-	-	-	-
<b>NEW MEXICO</b>											
Bingaman (D)	10	-	-	-	-	-	+	-	-	-	-
Udall, T. (D)	10	-	-	-	-	-	+	-	-	-	-
<b>NEW YORK</b>											
Schumer (D)	10	-	-	-	-	-	+	-	-	-	-
Gillibrand (D)	11	?	-	-	-	-	+	-	-	-	-
<b>NORTH CAROLINA</b>											
Burr (R)	70	+	+	+	+	+	-	-	+	+	-
Hagan (D)	11	-	-	-	-	-	+	-	-	-	?
<b>NORTH DAKOTA</b>											
Conrad (D)	10	-	-	-	-	-	+	-	-	-	-
Dorgan (D)	22	+	-	-	-	-	+	?	-	-	-
<b>OHIO</b>											
Voinovich (R)	40	-	+	+	+	-	-	-	+	-	-
Brown, S. (D)	11	?	-	-	-	-	+	-	-	-	-
<b>OKLAHOMA</b>											
Inhofe (R)	80	+	+	+	+	+	-	+	+	+	-
Coburn (R)	90	+	+	+	+	+	-	+	+	+	+

	Votes:	1-10	1	2	3	4	5	6	7	8	9	10
<b>OREGON</b>												
Wyden (D)	20%	+	-	-	-	-	+	-	-	-	-	-
Merkley (D)	10	-	-	-	-	-	+	-	-	-	-	-
<b>PENNSYLVANIA</b>												
Specter (D)	20	+	-	-	-	-	-	-	+	-	-	-
Casey (D)	10	-	-	-	-	-	+	-	-	-	-	-
<b>RHODE ISLAND</b>												
Reed, J. (D)	10	-	-	-	-	-	+	-	-	-	-	-
Whitehouse (D)	10	-	-	-	-	-	+	-	-	-	-	-
<b>SOUTH CAROLINA</b>												
Graham (R)	80	+	+	+	+	+	-	+	+	+	-	-
DeMint (R)	80	+	+	+	+	+	-	+	+	+	-	-
<b>SOUTH DAKOTA</b>												
Johnson, Tim (D)	10	-	-	-	-	-	+	-	-	-	-	-
Thune (R)	80	+	+	+	+	+	-	+	+	+	-	-
<b>TENNESSEE</b>												
Alexander, L. (R)	40	-	+	-	+	+	-	-	+	-	-	-
Corker (R)	60	+	+	-	+	+	-	+	+	-	-	-
<b>TEXAS</b>												
Hutchison (R)	60	+	+	-	+	+	-	-	+	+	-	-
Cornyn (R)	80	+	+	+	+	+	-	+	+	+	-	-

	Votes:	1-10	1	2	3	4	5	6	7	8	9	10
<b>UTAH</b>												
Hatch (R)	57%	?	+	+	+	-	-	-	+	?	?	-
Bennett (R)	70	+	+	+	+	+	-	-	+	+	-	-
<b>VERMONT</b>												
Leahy (D)	10	-	-	-	-	-	+	-	-	-	-	-
Sanders (I)	40	+	-	-	-	-	+	-	-	+	+	-
<b>VIRGINIA</b>												
Webb (D)	0	-	-	-	-	-	-	-	-	-	-	-
Warner (D)	10	-	-	-	-	-	+	-	-	-	-	-
<b>WASHINGTON</b>												
Murray (D)	13	-	-	-	-	-	+	-	-	?	?	-
Cantwell (D)	20	+	-	-	-	-	+	-	-	-	-	-
<b>WEST VIRGINIA</b>												
Byrd (D)	38	-	-	-	-	+	+	-	+	?	?	-
Rockefeller (D)	14	-	-	-	-	-	+	-	?	?	?	-
<b>WISCONSIN</b>												
Kohl (D)	10	-	-	-	-	-	+	-	-	-	-	-
Feingold (D)	30	+	-	-	-	-	-	-	-	+	+	-
<b>WYOMING</b>												
Enzi (R)	70	+	+	+	+	+	-	-	+	+	-	-
Barrasso (R)	80	+	+	+	+	+	-	+	+	+	-	-

The scores are derived by dividing the constitutionally correct votes (pluses) by the total number of pluses and minuses and multiplying by 100. (A “?” means a senator did not vote; a “P” means he voted “present.” If he cast fewer than five votes in this index, a score is not assigned.) Match numbers at the top of the chart to Senate vote descriptions on pages 27 and 29.

**7 National-service Programs.** The Serve America Act (H.R. 1388), which would expand the number of “voluntary” positions in national-service programs such as AmeriCorps from 75,000 to 250,000, is described under House vote #4.

The Senate passed H.R. 1388 on March 26, 2009, by a vote of 79-19 (Roll Call 115). We have assigned pluses to the “nays” because national-service programs are not authorized by the Constitution.

**8 Budget Resolution.** The Fiscal 2010 Budget Resolution (Senate Concurrent Resolution 13), which calls for \$3.56 trillion in spending for the fiscal year beginning on September 1, 2009, is described under House vote #6.

The Senate passed the final version (conference report) of the budget resolution on April 29, 2009, by a vote of 53-43 (Roll Call 173). We have assigned pluses to the “nays” because much of the budget is unconstitutional (e.g., foreign aid, education, healthcare, etc.), and the federal government should end deficit spending and live within its means.

**9 IMF Funding.** During consideration of the Fiscal 2009 Supplemental bill (H.R. 2346), Senator Jim DeMint (R-S.C.) offered an amendment to delete \$5 billion provided by the bill for the International Monetary Fund (IMF). The IMF is an adjunct of the United Nations and grants foreign aid to qualifying countries.

The Senate rejected the DeMint amendment on May 21, 2009, by a vote of 30-64 (Roll Call 201). We have assigned pluses

to the “yeas” because foreign aid is unconstitutional, and this is deficit spending.

**10 Fiscal 2009 Supplemental Appropriations.** The Senate version of the Fiscal 2009 Supplemental Appropriations bill (H.R. 2346) would provide an *additional* \$91.3 billion in “emergency” funding for the current fiscal year over and above the regular appropriations. The spending would include \$73 billion for the Defense Department (including the ongoing operations in Iraq and Afghanistan), \$1.5 billion to address potential pandemic flu, and \$5 billion for the International Monetary Fund, a UN agency that lends to qualifying countries.

The Senate passed H.R. 2346 on May 21, 2009, by a vote of 86-3 (Roll Call 202). We have assigned pluses to the “nays” because the spending is over and above what the federal government had already budgeted, Congress never declared war against Iraq and Afghanistan, and some of the spending (e.g., foreign aid) is unconstitutional. ■



**Where to and why?** Though the United States runs huge yearly deficits, we continue to give to the International Monetary Fund to provide foreign aid. This happens despite the fact that studies show that poverty increases in countries that receive foreign aid.

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