THE FREEDOM INDEX

A Congressional Scorecard Based on the U.S. Constitution

Our final look at the 110th Congress shows how every representative and senator voted on key issues, such as the federal budget, warrantless searches, mortgage relief, oil drilling, and the bank bailout.

House Vote Descriptions

31 Budget Resolution. The final version of the Fiscal 2009 Budget Resolution (Senate Concurrent Resolution 70) was adopted 214-210 on June 5, 2008 (Roll Call 382). Drafted by the Democrats, this \$3.03 trillion budget sets nonbinding limits for the 12 annual appropriations bills. Last year's \$2.9 trillion budget allowed \$145.2 billion for operations in Iraq and Afghanistan. The new budget included only \$70 billion for the two wars in 2009 and nothing thereafter, an unrealistic notion that understates true spending intent and necessitates more war funding in a supplemental bill. The budget would be significantly higher if war funding were not largely off-budget. The plan predicts a hypothetical budget surplus by 2012, which is meaningless.

All spending bills would be increased over 2008. The budget assumes that revenue will be stable or increase and that some tax cuts will expire. An increase was called for in the statutory debt ceiling by

\$800 billion to \$10.6 trillion. That promptly occurred in the Fannie Mae and Freddie Mac bailout. We have assigned pluses to the "nays" because inflation and the national debt are skyrocketing as Congress persists at disregarding constitutional limits on spending.

32 Aid to Mexican Military. H.R. 6028 would authorize \$1.1 billion in fiscal years 2008-10 to train and equip the Mexican military and law-enforcement agencies for the stated purpose of combating drug trafficking and organized crime. The Mexican government is rife with



Hand out for a handout: The House aims to give \$1.1 billion to Mexico's President Felipe Calderon (center) to combat drug trafficking and organized crime, though Calderon refuses to help control the flow of illegal immigrants to the United States and Mexico's government is notoriously corrupt.

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 31-40) is 31 percent; the average Senate score is 25 percent. Ron Paul (R-Texas) was the only House member to score a perfect 100 percent. Jim DeMint (R-

S.C.) was the top scorer in the Senate with 90 percent. We encourage readers to examine how their own congressmen voted on each of the 10 key measures as well as overall.

This is our final index for the 110th Congress. Our first index (votes 1-10) appeared in our July 23, 2007 issue, our second index (votes 11-20) appeared in our December 10, 2007 issue, and our third index (votes 21-30) appeared in our July 21, 2008 issue.

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.capwiz.com/jbs/home.

House Vote Scores

Votes:	31-40	31	32	33	34	35	36	37	38	39	40	1-40	Votes:	31-40	31	32	33	34	35	36	37	38	39	40	1-40
ALABAMA													33 Watson (D)	10%	_	_	_	+	_	_	_	_	_	_	20%
1 Bonner (R)	50%	+	+	-	-	+	+	-	-	+	-	54%	34 Roybal-Allard (D)	22	-	-	-	+	-	-	-	P	-	+	24
2 Everett (R)	50	?	+	-	-	+	+	?	-	+	-	59	35 Waters (D)	10	-	-	-	+	-	-	-	-	-	-	23
3 Rogers, Mike D. (R)	40	+	+	-	-	+	-	-	-	+	-	46	36 Harman (D)	0	-	-	?	-	-	-	-	-	-	-	15
4 Aderholt (R)	60	+	+	-	-	+	+	-	-	+	+	57	37 Richardson (D)	0	-	-	-	-	-	-	-	-	-	-	5
5 Cramer (D)	0	-	-	-	-	-	-	-	-	-	-	11	38 Napolitano (D)	20	-	-	-	+	-	-	-	-	-	+	24
6 Bachus, S. (R)	44	+	-	-	-	+	+	-	?	+	-	56	39 Sanchez, Linda (D)	20	-	-	-	+	-	-	-	-	-	+	20
7 Davis, A. (D)	0	-	-	-	-	-	-	-	-	-	-	8	40 Royce (R)	80	+	+	+	-	+	+	+	-	+	+	77
ALASKA													41 Lewis, Jerry (R)	40	+	-	+	-	+	-	-	-	+	-	55
Young, D. (R)	78	+	+	-	-	+	+	+	?	+	+	56	42 Miller, Gary (R)	60	+	+	+	-	+	-	+	-	+	-	66
ARIZONA													43 Baca (D)	0	-	-	-	-	-	-	-	-	-	-	15
1 Renzi (R)	40											47	44 Calvert (R)	50	+	-	+	-	+	-	+	-	+	-	59
2 Franks, T. (R)	80	+	+	-	-	-	-	-	-	+	+	79	45 Bono Mack (R)	20	+	-	-	-	-	-	-	-	+	-	35
3 Shadegg (R)	60	+	+	+	-	+	+	+	-	+	-	74	46 Rohrabacher (R)	80	+	+	+	-	+	+	+	-	+	+	79
4 Pastor (D)	11	-	-	-	+	т.	-	+	P	-	-	21	47 Sanchez, Loretta (D)	20	-	-	-	+	-	-	-	-	-	+	26
5 Mitchell (D)	20	+	-	+	_	-	_	-	-	-	-	21	48 Campbell (R)	56	?	+	+	-	+	-	+	-	+	-	73
6 Flake (R)	80	+	+	+	_	+	+	+		+	+	78	49 Issa (R)	60	+	-	+	-	+	+	-	-	+	+	61
7 Grijalva (D)	22	- T	T .	T .	+	-	_	т -	P	-	+	23	50 Bilbray (R)	60	+	-	+	-	-	+	+	-	+	+	63
8 Giffords (D)	10	+	-		т.					_	-	15	51 Filner (D)	50	-	+	-	+	-	-	-	+	+	+	28
. ,	10	т										1)	52 Hunter (R)	70	+	+	+	-	+	-	+	-	+	+	73
ARKANSAS													53 Davis, S. (D)	10	-	-	-	+	-	-	-	-	-	-	13
1 Berry (D)	0	-	-	-	-	-	-	-	-	-	-	23	COLORADO												
2 Snyder (D)	0	-	-	-	-	?	-	-	-	-	-	5	1 DeGette (D)	10	-	-	-	+	-	-	-	-	-	-	18
3 Boozman (R)	40	+	-	-	-	+	+	-	-	+	-	51	2 Udall, M. (D)	10	-	-	-	-	-	-	-	-	-	+	13
4 Ross (D)	0	-	-	-	-	-	-	-	-	-	-	10	3 Salazar, J. (D)	11	-	-	-	-	-	-	?	-	-	+	10
CALIFORNIA													4 Musgrave (R)	70	+	+	-	-	+	+	+	-	+	+	61
1 Thompson, M. (D)	20	-	-	-	+	-	-	-	-	+	-	20	5 Lamborn (R)	80	+	+	+	-	+	+	+	-	+	+	77
2 Herger (R)	50	+	-	-	-	+	+	+	-	+	-	62	6 Tancredo (R)	67	+	?	+	-	+	+	+	-	+	-	73
3 Lungren (R)	40	+	-	+	-	+	-	-	-	+	-	62	7 Perlmutter (D)	0	-	-	-	-	-	-	-	-	-	-	15
4 Doolittle (R)	60	+	-	-	-	+	+	+	-	+	+	69	CONNECTICUT												
5 Matsui (D)	10	-	-	-	+	-	-	-	-	-	-	18	1 Larson, J. (D)	10	-	_	_	+	_	-	_	_	_	_	18
6 Woolsey (D)	30	-	+	-	+	-	-	-	-	+	-	30	2 Courtney (D)	20	-	-	-	+	-	-	-	-	-	+	23
7 Miller, George (D)	13	-	-	-	+	?	-	-	?	-	-	19	3 DeLauro (D)	10	-	-	-	+	-	-	-	-	-	-	18
8 Pelosi (D): Speaker	0	-	?	-	-	-	-	-	?	-	-	8	4 Shays (R)	20	+	-	+	-	-	-	-	-	-	-	23
9 Lee (D)	20	-	+	-	+	-	-	-	-	-	-	25	5 Murphy, C. (D)	10	-	-	-	+	-	-	-	-	-	-	20
10 Tauscher (D)	0	-	-	-	-	-	-	-	-	-	-	10	DELAWARE												
11 McNerney (D)	0	-	-	-	-	-	-	-	-	-	-	15	Castle (R)	20	+		+								28
12 Speier (D)	13	-	?	-	+	?	-	-	-	-	-	9	` ,	20	т		т								20
13 Stark (D)	25	-	+	?	?	-	-	-	-	-	+	29	FLORIDA	00											-0
14 Eshoo (D)	10	-	-	-	+	-	-	-	-	-	-	18	1 Miller, J. (R)	80	+	+	+	-	+	+	+	-	+	+	79
15 Honda (D)	10	-	-	-	+	-	-	-	-	-	-	16	2 Boyd, A. (D)	0	-	-	-	-	-	-	-	-	-	-	13
16 Lofgren (D)	10	-	-	-	+	-	-	-	-	-	-	15	3 Brown, C. (D)	0	-	-	-	-	-	-	-	-	-	-	11
17 Farr (D)	20	-	-	-	+	-	-	-	-	+	-	18	4 Crenshaw (R)	60	+	-	+	-	+	+	+	-	+	-	64
18 Cardoza (D)	0	-	-	-	-	-	-	-	-	-	-	8	5 Brown-Waite, G. (R)	67	+	+	-	?	-	?	?	?	+	+	53
19 Radanovich (R)	50	+	-	-	-	+	+	+	-	+	-	58	6 Stearns (R)	80	+	+	+	-	+	+	+	-	+	+	72
20 Costa (D)	0	-	-	-	-	-	-	-	-	-	-	5	7 Mica (R)	80	+	+	+	-	+	+	+	-	+	+	71
21 Nunes (R)	60	+	-	+	-	+	+	-	-	+	+	62	8 Keller (R)	50	+	-	+	-	-	-	+	-	+	+	53
22 McCarthy, K. (R)	70	+	-	+	-	+	+	+	-	+	+	67	9 Bilirakis (R)	50	+	+	-	-	-	+	-	-	+	+	54
23 Capps (D)	20	-	-	-	+	-	-	-	-	+	-	18	10 Young, C.W. (R)	50	+	-	+	-	-	+	-	-		+	50
24 Gallegly (R)	50	+	-	-	-	+	-	+	-	+	+	60	11 Castor (D)	10	-	-		-	-	-	-	-	-	+	15
25 McKeon (R)	50	+	-	+	-	+	-	+	-	+	-	63	12 Putnam (R)	50	+	+	-	-	+	-	+	-		-	62
26 Dreier (R)	33	+	-	+	-	+	-	-	-	?	-	50	13 Buchanan (R)	20	+	-	-	-	-	-	+	-	-	-	33
27 Sherman (D)	10	-	-	-	-	-	-	-	-	-	+	18	14 Mack (R)	70	+	-	+	-	+	+	+	-	+		69
28 Berman (D)	11	-	-	+	-	?	-	-	-	-	-	11	15 Weldon (R)	67	+	+	+	-	+	+		?	+	-	76
29 Schiff (D)	0	-	-	-	-	-	-	-		-	-	13	16 Mahoney (D)	0	-	-	-	-	-	-	-	-	-	-	13
30 Waxman (D)	20	-	-	+	+	-	-	-	-	-	-	20	17 Meek, K. (D)	11	-	?	-	+	-	-	-	-	-	-	15
31 Becerra (D)	20	-	-	-	+	-	-	-	-	-	+	18	18 Ros-Lehtinen (R)	20	+	-	-	-	-	-	-	-	+	-	31
32 Solis (D)	10	-	-	-	+	-	-	-	-	-	-	21	19 Wexler (D)	11	-	-	-	+	?	-	-	-	-	-	21

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 22, 24, and 26.





Small salvo against subsidies: Budget Director Jim Nussle briefs reporters about the farm bill. President Bush vetoed the subsidy-filled bill because it would give taxpayer money to farmers at a time of already high food and crop prices. Bush's veto was overridden.

corruption, and there is no guarantee the expenditure would have the intended effect. "It is inexcusable, it is intolerable to send one dime to the Mexican government when they can afford to pay for this equipment themselves," Rep. John Culberson (R-Texas) said. "But more importantly, our southern border is not secure." H.R. 6028 would also authorize \$405 million during the same period for aid to Central American countries.

The House passed H.R. 6028 on June 10, 2008 by a vote of 311-106 (Roll Call 393). We have assigned pluses to the "nays" because foreign aid is not authorized by the Constitution.

33 Farm Bill (Veto Override). H.R. 6124 would authorize the nation's farm programs for the next five years, including crop subsidies and nutrition programs. The final version of the legislation provides \$289 billion for these programs, including a \$10.4 billion boost in spending for nutrition programs such as food stamps.

After this legislation was vetoed by President Bush, the House passed the bill over the president's veto on June 18, 2008 by a vote of 317-109 (Roll Call 417). A two-thirds majority vote is required to over-

ride a presidential veto. We have assigned pluses to the "nays" because federal aid to farmers and federal food aid to individuals are not authorized by the Constitution.

Warrantiess Sources 6304, the bill to revamp the For-Warrantless Searches. H.R. eign Intelligence Surveillance Act (FISA), would allow warrantless electronic surveillance, including monitoring telephone conversations and e-mails, of foreign targets, including those communicating with American citizens in the United States. The final version of the bill would not explicitly grant immunity to telecommunications companies that have assisted President Bush's warrantless surveillance program. But it would require courts to dismiss lawsuits against such companies if there is "substantial evidence" they were insured in writing the program was legal and authorized by the president. The provision would almost certainly result in the dismissal of the lawsuits.

The House passed H.R. 6304 on June 20, 2008 by a vote of 293-129 (Roll Call 437). We have assigned pluses to the "nays" because warrantless searches are a violation of the Fourth Amendment, which protects Americans against unreasonable searches and seizures, and

requires that any searches be conducted only upon issuance of a warrant under conditions of probable cause. Moreover, Article I, Section 9 of the Constitution forbids "ex post facto laws" — laws having a retroactive effect.

Energy Price Gouging. A motion to suspend the rules and pass H.R. 6346, the Federal Price Gouging Prevention Act, was rejected 276-146 (Roll Call 448) on June 24, 2008. Under suspension of the rules, a two-thirds majority would have been required for passage. The bill would have permitted states to sue retailers believed to have been price gouging for fuels sold in areas where there was an energy emergency. The bill also would have set civil and criminal penalties for price gouging.

We have assigned pluses to the "nays" because no federal or state government investigation (and there have been many over the years) has ever found broad market manipulation in the oil industry. Furthermore, there is no clear definition of "price gouging." Hence, this bill would likely have been counterproductive, as it would have created an incentive for retailers to close, rather than risk penalties for simply following the economic laws of supply and demand. Besides, the federal government has no business trying to dictate prices in the private sector, under any circumstances.

Mortgage Relief. This legislation (H.R. 3221) would grant authority to the Treasury Department to extend new credit and buy stock in the Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corporation (Freddie Mac). As described by Congressional Quarterly, "It also would create an independent regulator for the two mortgage giants and the Federal Home Loan Bank System. It would overhaul the Federal Housing Administration and allow it to insure up to \$300 billion worth of new, refinanced loans for struggling mortgage borrowers. It also includes a \$7,500 tax credit to some first-time homebuyers, higher loan limits for FHA-backed loans, a standard tax deduction for property taxes and revenue-raisers to offset part of the costs. It also would authorize \$3.92 bil-

Votes:	31-40	31	32	33	34	35	36	37	38	39	40	1-40	Votes:	31-40	31	32	33	34	35	36	37	38	39	40	1-40
20 Wasserman Schultz (D) 10%	_	_	_	+	-	_	-	_	_	_	11%	KANSAS												
21 Diaz-Balart, L. (R)	40	+	-	-		+	-	-	-	+	+	38	1 Moran, Jerry (R)	60%	+	-	+	-	+	+	-	-	+	+	56%
22 Klein, R. (D)	0	-	-	-	-	-	-	-	-	-	-	13	2 Boyda, N. (D)	20	-	-	-	-	-	+	-	-	-	+	18
23 Hastings, A. (D)	0	-	-	-	-	-	-	-	-	-	-	15	3 Moore, D. (D)	0	-	-	-	-	?	-	-	-	-	-	11
24 Feeney (R)	80	+	+	+	-	+	+	+	-	+	+	78	4 Tiahrt (R)	67	+	-	+	?	+	+	-	-	+	+	63
25 Diaz-Balart, M. (R)	40	+	-	-	-	+	-	-	-	+	+	38	KENTUCKY												
GEORGIA													1 Whitfield (R)	60	+	+	-	-	-	+	+	-	+	+	59
1 Kingston (R)	70	+	+	-	-	+	+	+	-	+	+	69	2 Lewis, R. (R)	50	+	-	-	-	+	+	+	-	+	-	59
2 Bishop, S. (D)	0	-	-	-	-	-	?	-	-	-	-	11	3 Yarmuth (D)	0	-	-	-	-	-	-	-	-	-	-	18
3 Westmoreland (R)	80	+	+	+	-	+	+	+	-	+	+	78	4 Davis, G. (R)	60	+	-	-	-	+	+	+	-	+	+	55
4 Johnson, H. (D)	20	-	-	-	+	-	-	-	-	-	+	23	5 Rogers, H. (R)	50	+	-	-	-	+	+	+	-	+	-	59
5 Lewis, John (D)	20	-	+	-	+	-	-	-	-	-	-	23	6 Chandler (D)	10	-	-	-	-	-	-	-	-	-	+	18
6 Price, T. (R)	80	+	+	+	-	+	+	+	-	+	+	74	LOUISIANA												
7 Linder (R)	80	+	+	+	-	+	+	+	-	+	+	77	1 Scalise (R)	70	+	-	+	-	+	+	+	-	+	+	75
8 Marshall (D)	13	?	-	-	-	-	-	-	?	+	-	31	2 Jefferson (D)	20	-	-	-	+	-	-	-	-	-	+	21
9 Deal (R)	80	+	+	+	-	+	+	+	-	+	+	77	3 Melancon (D)	0	-	-	-	-	?	-	-	-	-	-	15
10 Broun (R)	80	+	+	+	-	+	+	+	-	+	+	79	4 McCrery (R)	44	+	?	+	-	+	-	-	-	+	-	58
11 Gingrey (R) 12 Barrow (D)	70 30	+	+	-	-	+	+	+	-	+	+	71 25	5 Alexander, R. (R)	40	+	-	-	-	+	+	-	-	+	-	56
12 Barrow (D) 13 Scott, D. (D)	0	+	-	-	-	-	-	-	-	+	+	13	6 Cazayoux (D)	30	+	-	-	-	-	-	-	-	+	+	25
,	U	-	-	-	-	-	-	-	-	-	-	13	7 Boustany (R)	30	+	-	-	-	+	-	-	-	+	-	54
HAWAII	4.0											22	MAINE												
1 Abercrombie (D)	10	-	-	-	+	-	-	-	-	-	-	23	1 Allen (D)	10	-	-	-	+	-	-	-	-	-	-	21
2 Hirono (D)	10	-	-	-	+	-	-	-	-	-	-	20	2 Michaud (D)	20	-	-	-	+	-	-	-	-	-	+	25
IDAHO													MARYLAND												
1 Sali (R)	70	+	+	-	-	+	+	+	-	+	+	72	1 Gilchrest (R)	13	+	-	?	?	-	-	-	-	-	-	28
2 Simpson (R)	50	+	-	-	-	+	+	+	-	+	-	57	2 Ruppersberger (D)	0	-	-	-	-	-	-	-	-	-	-	8
ILLINOIS													3 Sarbanes (D)	10	-	-	-	+	-	-	-	-	-	-	18
1 Rush (D)		?	?	?	?	?	?	?	?	-	-	23	4 Edwards, D. (D)	14	?	?	?	+	-	-	-	-	-	-	14
2 Jackson, J. (D)	10	-	-	-	+	-	-	-	-	-	-	20	5 Hoyer (D)	0	-	-	-	-	-	-	-	-	-	-	8
3 Lipinski (D)	10	-	-	-	-	-	-	-	-	-	+	18	6 Bartlett (R)	60	+	-	-	-	+	+	+	-	+	+	59
4 Gutierrez (D)	0	-	-	-	-	-	-	-	-	-	-	11	7 Cummings (D)	11	-	?	-	+	-	-	-	-	-	-	21
5 Emanuel (D)	0	-	-	-	-	-	-	-	-	-	-	8	8 Van Hollen (D)	10	-	-	-	+	-	-	-	-	-	-	13
6 Roskam (R) 7 Davis, Danny (D)	70 11	+	-	+	+	+ ?	+	+	-	+	+	69 22	MASSACHUSETTS												
8 Bean (D)	11	?	-	+	+	-	-	-		-	-	18	1 Olver (D)	10	-	-	-	+	-	-	-	-	-	-	18
9 Schakowsky (D)	20		+	-	+	-		-	-	-	-	23	2 Neal (D)	10	-	-	-	+	-	-	-	-	-	-	15
10 Kirk (R)	30	+	-	+	-	-	+	_	_	-	_	31	3 McGovern (D)	20	-	+	-	+	-	-	-	-	-	-	23
11 Weller (R)	33	+	_		?	+		_		+	_	41	4 Frank, B. (D)	10 10	-	-	-	+	-	-	-	-	-	-	15 9
12 Costello (D)	22	-	?	-	+	-	-	-	-	-	+	29	5 Tsongas (D) 6 Tierney (D)	10	-	-		+	-	-	-	-	-	-	20
13 Biggert (R)	30	+	-	+	-	-	-	-	-	+	-	41	7 Markey (D)	10	-	-	-	+	-	-	-	-	-	-	18
14 Foster (D)	20	+	-	-	+	-	-	-	-	-	-	20	8 Capuano (D)	20	-		+	+	-	-	-	-	-	-	26
15 Johnson, Timothy (R)	50	+	-	-	+	-	+	-	-	+	+	50	9 Lynch (D)	20			т -	+	_	_			_	+	21
16 Manzullo (R)	70	+	+	-	-	+	+	+	-	+	+	69	10 Delahunt (D)	20	-	-	-	+	-	-	-	-	-	+	19
17 Hare (D)	11	-	-	-	+	-	?	-	-	-	-	21	MICHIGAN												-/
18 LaHood (R)	22	+	-	-	-	+	-	?	-	-	-	28	1 Stupak (D)	10					_					+	23
19 Shimkus (R)	50	+	-	-	-	+	+	-	-	+	+	56	2 Hoekstra (R)	50	_	_		-	+	_			+	-	67
INDIANA													3 Ehlers (R)	44	+	-	+	-	+	+		-			47
1 Visclosky (D)	11	-	-	-	?	-	-	-	-	-	+	21	4 Camp (R)	50	+	_	-	_	+	+	+	-		-	59
2 Donnelly (D)	10	+	-	-	-	-	-	-	-	-	-	25	5 Kildee (D)	0	-			-	-	-	-	-		-	18
3 Souder (R)	50	+	-	-	-	+	+	+	-	+	-	55	6 Upton (R)	40	+	-	-	-	+	+	-	-	+	-	45
4 Buyer (R)	70	+	+	-	-	+	+	+	-	+	+	69	7 Walberg (R)	56	+	+	-	-	+	+	-	-		+	66
5 Burton (R)	80	+	+	+	-	+	+	+	-	+	+	75	8 Rogers, Mike (R)	60	+	-	-	-	+	+	+	-	+	+	56
6 Pence (R)	56	+	-	+	-	?	+	-	-	+	+	66	9 Knollenberg (R)	30	+	-	+	-	+	-	-	-		-	50
7 Carson, A. (D)	20	-	+	-	+	-	-	-	-	-	-	13	10 Miller, C. (R)	50	+	-	-	-	-	+	+	-	+	+	50
8 Ellsworth (D)	20	+	+	-	-	-	-	-	-	-	-	25	11 McCotter (R)	50	+	+	-	-	-	+	-	-	+	+	51
9 Hill (D)	30	+	-	-	+	-	-	-	-	-	+	23	12 Levin, S. (D)	10	-	-	-	+	-	-	-	-	-	-	15
IOWA													13 Kilpatrick (D)	11	-	-	-	+	-	-	-	?			18
1 Braley (D)	10	-	-	-	+	-	-	-	-	-	-	16	14 Conyers (D)	30	-	+	-	+	-	-	-	-	-		24
2 Loebsack (D)	10	-	-	-	+	-	-	-	-	-	-	20	15 Dingell (D)	11	-	?	-	+	-	-	-	-	-	-	18
3 Boswell (D)	0	-	-	-	-	-	?	?	-	-	-	11	MINNESOTA												
4 Latham (R)	50	+	-	-	-	+	+	-	-	+	+	51	1 Walz (D)	20	-	-	-	+	-	-	-	-	-	+	18
5 King, S. (R)	70	+	+	-	-	+	+	+	-	+	+	67	2 Kline, J. (R)	50	+	+	-	-	+	+	-	-	+	-	56

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 22, 24, and 26.

CONGRESS

lion in grants to states and localities to purchase and rehabilitate foreclosed properties, and increase the federal debt limit to \$10.6 trillion."

The House passed H.R. 3221 on July 23, 2008 by a vote of 272-152 (Roll Call 519). We have assigned pluses to the "nays" because the federal government acting as an insurer, a micromanager of markets, and a wealth redistributor is unconstitutional and will undoubtedly affect market behavior, leading to more and worse market strife.

37 Global HIV/AIDS Program. This version of H.R. 5501, as modified by the Senate, was agreed to 303-115 (Roll Call 531) on July 24, 2008. The bill would authorize \$48 billion for fiscal 2009 through 2013 to combat AIDS, malaria, and tuberculosis overseas. Currently one-third of the funding for HIV prevention is required to go to abstinence education. The bill would change that allocation to balance funding between condom, fidelity, and abstinence programs. It would also authorize \$2 billion to fund programs for American Indian health, clean water, and law enforcement.

We have assigned pluses to the "nays" because foreign aid is unconstitutional.

H.R. 6633 would reauthorize the E-Verify (Internet-based) pilot employment eligibility verification program allowing employers to verify employment eligibility of new hires. The program is administered by the Department of Homeland Security, which would be required to provide funding to the Social Security Administration for checking Social Security numbers submitted by employers under the program.

The House passed the bill on July 31, 2008 by a vote of 407-2 (Roll Call 557). We have assigned pluses to the "nays" because Social Security numbers were not intended to be used and should not be used as the basis for a national ID database. An alternative measure (H.R. 5515) would have the screening for employment eligibility verification provided by state-administered private companies that already track employee verification for child-support enforcement.

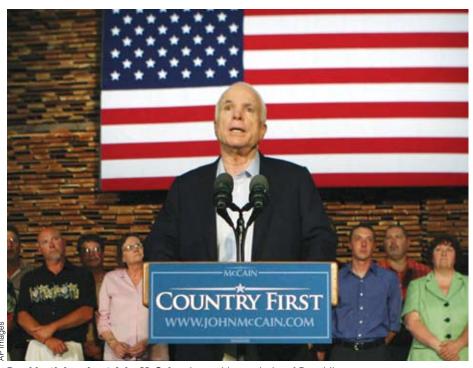
39 Bogus Offshore Drilling Compromise. The Comprehensive American Energy Security and Consumer Protection Act (H.R. 6899) passed 236-189 (Roll Call 599) on September 16, 2008. The plan would allow *limited* offshore drilling for oil

and gas in some areas previously banned by Congress since 1981. Public pressure for action to reduce energy prices motivated the Democrat majority to push through an energy bill before the election, a plan purported to increase offshore drilling, but with overwhelming disincentives.

The measure would permit drilling no nearer to the coast than 100 miles, unless states choose to reduce that to 50 miles. However, it is the first 50 miles that has been exceedingly productive and where infrastructure is ready to expedite drilling in some areas. All royalties from new oil and gas leases permitted under the bill would go to the federal government. States are thus deprived of a revenue incentive for granting the 50-mile privilege. A better alternative to this phony compromise is to let the moratorium on offshore drilling expire and not renew it. That expiration did occur on October 1. We have assigned pluses to the "nays" because the Constitution does not authorize the federal government to assume regulation, much less micromanagement, of the energy industry.

Bailout Bill. The Emergency Economic Stabili nomic Stabilization Act of 2008 (H.R. 1424) passed 263-171 (Roll Call 681) on October 3, 2008. This bill authorizes the Treasury Department to use \$700 billion of taxpayer money to purchase troubled mortgage-related securities from banks and other financial-related institutions, on terms set by the Treasury Secretary, who now has authority to manage and sell those assets. The bailout plan also expands FDIC protection from \$100,000 to \$250,000 per bank account, extends dozens of expiring tax provisions, expands incentives for renewable energy, provides a one-year adjustment to exempt millions of Americans from the alternative minimum tax, and requires health insurers who provide mental-health coverage to put mental-health benefits on par with other medical benefits.

We have assigned pluses to the "nays" because the bill establishes an unconstitutional merger of government with banks and businesses — in other words, corporate fascism — and greatly increases the national debt and monetary inflation by forcing taxpayers to pay the price for the failures of private financial institutions.



Presidential aspirant John McCain, along with a majority of Republicans, support more offshore drilling, but McCain is opposed to drilling in the Arctic National Wildlife Refuge.

Votes	: <u>31-40</u>	31	32	33	34	35	36	37	38	39	40	1-40	Votes:	31-40	31	32	33	34	35	36	37	38	39	40	
3 Ramstad (R)	30%	+	-	+	-	-	+	-	-	-	-	33%	9 Weiner (D)	10%	-	-	-	+	-	-	-	-	-	-	
4 McCollum (D)	10	-	-	-	+	-	-	-	-	-	-	18	10 Towns (D)	11	-	-	-	+	-	-	?	-	-	-	
5 Ellison (D)	20	-	+	-	+	-	-	-	-	-	-	23	11 Clarke (D)	20	-	+	-	+	-	-	-	-	-	-	
6 Bachmann (R)	80	+	+	+	-	+	+	+	-	+	+	72	12 Velazquez (D)	11	-	-	-	+	-	-	-	P	-	-	
7 Peterson, C. (D)	20	-	-	-	-	+	-	-	-	-	+	28	13 Fossella (R)	56	+	?	+	-	+	+	-	-	+	-	
8 Oberstar (D)	10	-	-	-	+	-	-	-	-	-	-	22	14 Maloney (D)	10	-	-	-	+	-	-	-	-	-	-	
IISSISSIPPI													15 Rangel (D)	10	-	-	-	+	-	-	-	-	-	-	
1 Childers (D)	20	+		_	_	_	_	_	_	_	+	20	16 Serrano (D)	30	-	+	-	+	-	-	-	-	-	+	
2 Thompson, B. (D)	10	т .	_		_			-	_		+	20	17 Engel (D)	0	-	-	-	-	-	-	-	-	-	-	
3 Pickering (R)	30	+	_		_	+			_	_	-	50	18 Lowey (D)	0	-	-	-	-	-	-	-	-	-	-	
4 Taylor (D)	20	+	-	-	-	т	-	-	-	+	+	33	19 Hall, J. (D)	10	-	-	-	+	-	-	-	-	-	-	
	20	-	-	_	-	-	-	_	_	т		33	20 Gillibrand (D)	11	-	?	-	-	-	-	-	-	-	+	
IISSOURI	20											10	21 McNulty (D)	10	-	-	-	+	-	-	-	-	-	-	
1 Clay (D)	20	-	-	-	+	-	-	-	-	-	+	18	22 Hinchey (D)	20	-	-	-	+	-	-	-	-	-	+	
2 Akin (R)	70	+	+	-	-	+	+	+	-	+	+	74	23 McHugh (R)	20	+	-	-	-	-	-	-	-	+	-	
3 Carnahan (D)	10	-	-	-	+	-	-	-	-	-	-	20	24 Arcuri (D)	0	-	-	-	-	-	-	-	-	-	-	
4 Skelton (D)	0	-	-	-	-	-	-	-	-	-	-	10	25 Walsh (R)	30	+	-	-	-	+	-	-	-	+	-	
5 Cleaver (D)	0	-	-	-	-	-	-	-	-	-	-	15	26 Reynolds (R)	33	+	-	-	?	+	-	-	-	+	-	
6 Graves (R)	67	+	+	-	-	-	+	+	?	+	+	58	27 Higgins (D)	0	-	-	-	-	-	-	-	-	-	-	
7 Blunt (R)	50	+	-	-	-	+	+	+	-	+	-	56	28 Slaughter (D)	10	-	-	-	+	-	-	-	-	-		
8 Emerson (R)	30	+	-	-	-	-	+	-	-	+	-	38	29 Kuhl (R)	30	+	-	-	-	-	+	-	-	+	-	
9 Hulshof (R)	60	+	?	?	-	-	?	?	?	+	+	53	NORTH CAROLINA												
IONTANA													NORTH CAROLINA 1 Butterfield (D)	10											
Rehberg (R)	50	+	_	-	-	+	+	-	-	+	+	54		10	-	-	-	-	-	-	-	-	-	+	
EBRASKA													2 Etheridge (D)		-	-	-	-	-	-	-	-	-	-	
	40											46	3 Jones, W. (R)	56	+	+	-	?	-	+	+	-	-	+	
1 Fortenberry (R)	40	+	-	-	-	-	+	-	-	+	+	46	4 Price, D. (D)	10	-	-	-	+	-	-	-	-	-	-	
2 Terry (R)	60	+	-	+	-	+	+	+	-	+	-	67	5 Foxx (R)	80	+	+	+	-	+	+	+	-	+	+	
3 Smith, Adrian (R)	60	+	-	-	-	+	+	+	-	+	+	62	6 Coble (R)	60	+	+	-	-	+	+	+	-	+	-	
EVADA													7 McIntyre (D)	30	-	+	-	-	-	-	+	-	-	+	
1 Berkley (D)	0	-	-	-	-	-	-	-	-	-	-	10	8 Hayes (R)	30	+	-	-	-	-	-	+	-	-	+	
2 Heller (R)	60	+	+	+	-	-	-	+	-	+	+	56	9 Myrick (R)	60	+	-	+	-	+	+	+	-	+	-	
3 Porter (R)	20	+	-	-	-	+	-	-	-	-	-	28	10 McHenry (R)	80	+	+	+	-	+	+	+	-	+	+	
EW HAMPSHIRE													11 Shuler (D)	11	?	-	-	-	-	-	-	-	-	+	
1 Shea-Porter (D)	20	_	_	_	+	_	_	_	_	_	+	20	12 Watt (D)	10	-	-	-	+	-	-	-	-	-	-	
2 Hodes (D)	20	_			÷	_			_	_	+	23	13 Miller, B. (D)	10	-	-	-	+	-	-	-	-	-	-	
	20										•	23	NORTH DAKOTA												
EW JERSEY	10												Pomeroy (D)	0	-	-	-	-	-	-	-	-	-	-	
1 Andrews (D)	10	-	-	-	+	-	-	-	-	-	-	15	оню												
2 LoBiondo (R)	50	+	-	+	-	-	+	+	-	-	+	44	1 Chabot (R)	70											
3 Saxton (R)	56	+	-	+	-	+	+	?	-	+	-	54	2 Schmidt (R)	40	+	+	+	-	-	+	+	-	+	+	
4 Smith, C. (R)	30	+	-	+	-	-	-	-	-	-	+	41			+	-	+	•	-	+	-	-	+		
5 Garrett (R)	70	+	-	+	-	+	+	+	-	+	+	79	3 Turner (R)	33 80	+	-	-	-	-	-	-	?	+	+	
6 Pallone (D)	20	-	-	-	+	-	-	-	-	+	-	23	4 Jordan (R)		+	+	+	-	+	+	+	-		+	
7 Ferguson (R)	44	+	?	+	-	+	-	-	-	+	-	42	5 Latta (R)	70	+	+	-		+	+	+	-	+	+	
8 Pascrell (D)	10	-	-	-	+	-	-	-	-	-	-	18	6 Wilson, Charlie (D)	0	-	-	-	-	-	-	-	-	-	-	
Rothman (D)	30	-	-	-	+	-	-	-	-	+	+	23	7 Hobson (R)	44	+	-	+	-	+	-	?	-		-	
Payne (D)	40	-	+	-	+	-	-	-	-	+	+	28	8 Boehner (R)	60	+	-	+	-	+	+	+	-		-	
1 Frelinghuysen (R)	50	+	-	+	-	+	+	-	-	+	-	46	9 Kaptur (D)	30	-	-	-	+	-	+	-	-	-	+	
2 Holt (D)	22	-	?	-	+	-	-	-	-	+	-	23	10 Kucinich (D)	40	+	+	-	+	-	-	-	-	-	+	
3 Sires (D)	0	-	-	-	-	-	-	-	-	-	-	15	11 Vacant												
EW MEXICO													12 Tiberi (R)	40	+	-	+	-	-	-	+	-	+		
Wilson, H. (R)	44	+	_	+	_	_	+	_	,	+	_	49	13 Sutton (D)	10	-	-	-	+	-	-	-	-	-	-	
Pearce (R)	50	Д		-	-	+	Т			+	+	62	14 LaTourette (R)	33	+	-	-	-	-	-	-	?	+	+	
Udall, T. (D)	20	т .			_				_	т -	+	20	15 Pryce, D. (R)	25	?	-	+	-	?	-	-	-	+	-	
	40	-	-	-	+	-	-	-	-	-	-	40	16 Regula (R)	40	+	-	-	-	+	+	-	-	+	-	
EW YORK													17 Ryan, T. (D)	10	-	-	-	+	-	-	-	-	-	-	
Bishop, T. (D)	0	-	-	-	-	-	-	-	-	-	-	15	18 Space (D)	0	-	-	-	-	-	-	-	-	-	-	
2 Israel (D)	10	-	-	-	+	-	-	-	-	-	-	13	OKLAHOMA												
King, P. (R)	40	+	-	+	-	+	-	-	-	+	-	44	1 Sullivan (R)	60	_	+	_	_	+	,	+		_	_	
McCarthy, C. (D)	0	-	-	-	-	-	-	-	-	-	-	13			+	+	-			+	+	-	+		
5 Ackerman (D)	0	-	-	-	-	-	-	-	-	-	-	10	2 Boren (D)	10	+	-	-	-		-	-	-	-	-	
6 Meeks, G. (D)	0	-	-	?	-	-	-	-	-	-	-	13	3 Lucas (R)	60	+	-	-	-	+	+	+	-	+	+	
7 Crowley (D)	0	-	-	-	-	-	-	-	-	-	-	10	4 Cole (R)	50	+	+	-	-	+	+	-	-	+	-	
												16	5 Fallin (R)	44	+	-	-	-	+	+	?	-	+	-	

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 22, 24, and 26.



Votes:	31-40	31	32	33	34	35	36	37	38	39	40	1-40	Votes: 3		31								39	_
DREGON														100%	+	+	+	?	+	+	+	+		+
1 Wu (D)	10%	-	-	-	+	-	-	-	-	-	-	20%	15 Hinojosa (D)	0	-	-	-	-	-	-	?	-		-
2 Walden (R)	40	+	-	-	-	-	+	+	-	+	-	46	16 Reyes (D)	0	-	-	-	-	-	-	-	-	-	-
3 Blumenauer (D)	33	-	-	+	+	?	-	-	-	-	+	23	17 Edwards, C. (D)	0	-	-	-	-	-	-	-	-	-	-
4 DeFazio (D)	30	-	-	-	+	-	+	-	-	-	+	23	18 Jackson-Lee (D)	11	?	-	-	+	-	-	-	-		-
5 Hooley (D)	11	-	-	-	+	-	-	?	-	-	-	16	19 Neugebauer (R)	67	+	+	-	-	+	+	+	-	?	
ENNSYLVANIA													20 Gonzalez (D)	10	-	-	-	+	-	-	-	-		-
1 Brady, R. (D)	10	-	-	-	+	-	-	-	-	-	-	17	21 Smith, L. (R)	70	+	+	+	-	+	+	+	-	•	-
2 Fattah (D)	11	?	-	-	+	-	-	-	-	-	-	15	22 Lampson (D)	22	+	-	-	-	-	-	-	-	?	+
3 English (R)	30	+	-	-	-	-	-	-	-	+	+	33	23 Rodriguez (D)	10	-	-	-	-	-	-	-	-	-	+
4 Altmire (D)	10	-	-	-	-	-	-	-	-	-	+	13	24 Marchant (R)	80	+	+	+	-	+	+	+	-	+	+
5 Peterson, J. (R)	67	+	-	?	?	+	?	+	?	+	-	61	25 Doggett (D)	20	-	-	-	+	-	-	-	-	-	+
6 Gerlach (R)	30	+	-	-	-	-	+	-	-	+	-	29	26 Burgess (R)	80	+	+	+	-	+	+	+	-	+	+
7 Sestak (D)	0	-	-	-	-	-	-	-	-	-	-	13	27 Ortiz (D)	0	-	?	-	-	-	?	?	-	-	-
8 Murphy, P. (D)	10	+	-	-	_	_	_	_	_	_	-	25	28 Cuellar (D)	0	-	-	-	-	-	-	-	-	-	-
Shuster (R)	60	+	+	-	-	+	+	+	_	+	-	62	29 Green, G. (D)	11	-	-	-	-	-	?	-	-	-	+
Carney (D)	20	Ė	+		_	Ė	Ė	-	_	÷	+	18	30 Johnson, E. (D)	10	-	-	-	+	-	-	-	-	-	-
Kanjorski (D)	0	_	Ċ		_	_	_	_	_	_	-	18	31 Carter (R)	78	+	+	-	-	+	+	+	?	+	+
Murtha (D)	0	_	_	-	-		-	-	-	-	-	13	32 Sessions, P. (R)	67	+	-	+	-	+	+	+	?	+	-
Schwartz (D)	10	-	-	-	+	-	-	-			-	15	UTAH											
Doyle (D)	10	-	-		+	-	-	-				21	1 Bishop, R. (R)	71	+	+	2		+	?	?	-		
			-		+			-	-	-	-		• •			+	· ·	-		?	!	-	+	
Dent (R)	40	+	-	+	-	-	+	-	-	+	-	33	2 Matheson (D)	30	+	-	+	-	-	-	-	-	-	+
Pitts (R)	67	+	-	+	-	+	+	+	-	?	+	69	3 Cannon (R)	67	+	-	+	?	?	+	?	?	+	-
Holden (D)	10	-	-	-	-	-	-	-	-	-	+	18	VERMONT											
Murphy, T. (R)	44	+	-	-	-	+	-	-	?	+	+	44	Welch (D)	20	-	+	-	+	-	-	-	-	-	-
Platts (R)	50	+	+	-	-	-	+	-	-	+	+	45	VIRGINIA											
IODE ISLAND													1 Wittman (R)	60	+	_				_	_		+	+
Kennedy, P. (D)	10	-	-	-	+	-	-	-	_	-	-	18	2 Drake (R)	60	+	т	-	-	-		+	-		+
Langevin (D)	0	-	-	-	-	-	-	-	-	-	-	18	` '		+	-		-	+	+	+	-	+	
													3 Scott, R. (D)	20	-	-	-	+	-	-	-	-		+
OUTH CAROLINA	40											50	4 Forbes (R)	50	+	+	-	-	-	+	-	-		+
Brown, H. (R)	40	+	-	-	-	+	-	+	-	+	-	59	5 Goode (R)	70	+	+	+	-	-	+	+	-		+
Wilson, J. (R)	56	+	?	+	-	+	+	-	-	+	-	63	6 Goodlatte (R)	60	+	+	-	-	-	+	+	-		+
Barrett (R)	70	+	+	+	-	+	+	+	-	+	-	76	7 Cantor (R)	70	+	+	+	-	+	+	+	-		-
Inglis (R)	40	+	-	+	-	+	+	-	-	-	-	62	8 Moran, James (D)	10	-	-	-	+	-	-	-	-	-	-
Spratt (D)	0	-	-	-	-	-	-	-	-	-	-	13	9 Boucher (D)	0	?	-	-	-	-	-	-	-	-	-
Clyburn (D)	0	-	-	-	-	-	-	-	-	-	-	15	10 Wolf (R)	40	+	-	+	-	-	+	-	-	+	-
UTH DAKOTA													11 Davis, T. (R)	50	+	-	+	-	+	+	-	-	+	-
Herseth Sandlin (D)	10	-	-	-	-	-	-	-	-	-	+	10	WASHINGTON											
MAIDCODE													1 Inslee (D)	30	_	_	+	+	_	_	_	_	_	+
NNESSEE	=0											(1	2 Larsen, R. (D)	10	_	_		+	_	_	_	_	_	_
Davis, David (R)	70	+	+	-	-	+	+	+	-	+	+	64	3 Baird (D)	0	_				_			_	_	_
Duncan (R)	80	+	+	+	-	+	+	+	-	+	+	85	4 Hastings, D. (R)	60	+			_	+	+	+	-	+	+
Wamp (R)	70	+	+	+	-	+	+	+	-	+	-	67	5 McMorris Rodgers (R)		+	-	-	-			+	-	+	
Davis, L. (D)	10	-	-	-	-	-	-	-	-	-	+	20			+	-		-	+	+	+	-		+
Cooper (D)	10	-	-	+	-	-	-	-	-	-	-	13	6 Dicks (D)	0	-	-		-	-	-	-	?	-	
Gordon (D)	0	-	-	-	-	-	-	-	-	-	-	10	7 McDermott (D)	40	-	+	+	+	-	-	-	-	-	+
Blackburn (R)	70	+	+	-	-	+	+	+	-	+	+	67	8 Reichert (R)	40	+	-	+	-	-	+	-	-	-	+
Tanner (D)	0	-	-	-	-	-	-	-	-	-	-	8	9 Smith, Adam (D)	10	-	-	+	-	-	-	-	-	-	-
Cohen (D)	10	-	-	-	+	-	-	-	-	-	-	18	WEST VIRGINIA											
XAS													1 Mollohan (D)	11	-	-	-	+	-	-	-	?	-	-
Gohmert (R)	75		+		?		?	+				67	2 Capito (R)	30	+	-	-	-	-	-	-	-	+	+
	75 70	+		-		+			-		+		3 Rahall (D)	0	-	-	-	-	-	-	-	-	-	
Poe (R)	70	+	+	-		+	+	+	-	+	+	71												
Johnson, S. (R)	80	+	+	+	-	+	+	+	-	+	+	78	WISCONSIN	70										
Hall, R. (R)	60	+	+	-	-	-	+	+	-	+	+	59	1 Ryan, P. (R)	70	+	+	+	-	+	+	+	-	+	-
Hensarling (R)	80	+	+	+	-	+	+	+	-	+	+	77	2 Baldwin (D)	20	-	+	-	+	-	-	-	-	-	
Barton (R)	70	+	-	+	-	+	+	+	-	+	+	62	3 Kind (D)	10	-	-	+	-	-	-	-	-	-	-
Culberson (R)	80	+	+	+	-	+	+	+	-	+	+	76	4 Moore, G. (D)	30	-	+	+	+	-	-	-	-	-	-
Brady, K. (R)	56	+	+	-	-	+	+	+	-	?	-	62	5 Sensenbrenner (R)	70	+	+	+	-	-	+	+	-	+	+
Green, A. (D)	0	-	-	-	-	-	-	-	-	-	-	18	6 Petri (R)	70	+	+	+	-	-	+	+	-	+	+
McCaul (R)	70	+	+	-	-	+	+	+	-	+	+	64	7 Obey (D)	10	-	-	-	+	-	-	-	-	-	-
Conaway (R)	50	+	-	-	-	+	+	+	-	+	-	64	8 Kagen (D)	20	-	-	-	+	-	-	-	-	-	+
Granger (R)	70	+	+	+	-	+	+	+	-	+	-	66												
Thornberry (R)	60	+	+	-	_	+	+	+	-	+	-	59	WYOMING	(=							r			
,												//	Cubin (R)	67	+	,	+	-	+	+	?	?	?	-

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 22, 24, and 26.

Senate Vote Descriptions

Budget Resolution. The Fiscal 2009 Budget Resolution (Senate Concurrent Resolution 70), which establishes budget targets increasing federal spending over the previous fiscal year, is identical to the legislation described under House vote #31. The Senate adopted Senate Con. Res. 70 on June 4, 2008 by a vote of 48-45 (Roll Call 142). We have assigned pluses to the "nays" because inflation and the national debt are skyrocketing as Congress persistently disregards constitutional limits on spending.

32 Energy Prices. A motion to limit debate and proceed to the Consumer-First Energy Act of 2008 (S. 3044) was rejected 51-43 (Roll Call 146) on June 10, 2008, in a vote that required three-fifths of the Senate to succeed. The bill would repeal \$17 billion in tax breaks for oil companies over 10 years and redirect that revenue to the benefit of renewable energy. A windfall profits tax would also be imposed on the largest oil companies.

We have assigned pluses to the "nays" because increasing taxes on the profits of U.S. oil producers would drive gasoline, heating oil, and natural gas prices *higher*, as the increased tax expense would simply be passed on to consumers. Targeting the largest U.S. oil companies for making higher profits creates a disincentive to in-

creasing exploration and production, and undermines the exceedingly large capital base required to rebuild after hurricanes devastate the oil patch. Moreover, it is unfair because other companies and sectors with even higher profit margins are ignored. Finally, the government should not be subsidizing energy development.

Farm Bill (Veto Override). H.R. 6124, the legislation to authorize farm and nutrition programs for another five years, is the same as that described under House vote #33. After this five-year, \$289 billion farm bill was vetoed by President Bush, the Senate passed the bill over the president's veto on June 18, 2008 by a vote of 80-14 (Roll Call 151). A two-thirds majority vote is required to override a presidential veto. We have assigned pluses to the "nays" because federal aid to farmers and federal food aid to individuals are not authorized by the Constitution.

34 Funds for War, Welfare, Etc. The Supplemental Appropriations bill (H.R. 2642) was agreed to 92-2 (Roll Call 162) on June 26, 2008. Such bills fund unforeseen needs after an annual budget has been approved. However, regular use of emergency supplemental bills to pay for never-ending wars, domestic welfare, and infrastructure programs has made the

annual budget a misleading indicator of spending intentions.

This \$186.5 billion measure includes \$161.8 billion of additional funding for operations in Iraq and Afghanistan. The remaining \$24.7 billion is for domestic programs including tornado, flood, and hurricane relief efforts. It would also expand veterans' education benefits, expand unemployment benefits, and delay shifting some Medicaid costs to the states. We have assigned pluses to the "nays" because Congress continues to fund a war it never authorized under Article I, Section 8, of the Constitution. Also, the federal government is unconstitutionally involved as an individual and corporate insurer at taxpayer expense.

Warrantless Searches. This legislation is described under House vote #34. The Senate passed H.R. 6304 on July 9, 2008 by a vote of 69-28 (Roll Call 168). We have assigned pluses to the "nays" because warrantless searches are a violation of the Fourth Amendment, which protects Americans against unreasonable searches and seizures, and requires that any searches be conducted only upon issuance of a warrant under conditions of probable cause. Moreover, Article I, Section 9 of the Constitution forbids "ex post facto laws" — laws having a retroactive effect.

36 Global HIV/AIDS Program. This legislation (H.R. 5501) to authorize \$48 billion to fight AIDS, tuberculosis, and malaria overseas is described under House vote #37. The Senate passed H.R. 5501 on July 16, 2008 by a vote of 80-16 (Roll Call 182). We have assigned pluses to the "nays" because foreign aid is unconstitutional.

Mortgage Relief. This legislation (H.R. 3221) to bail out Fannie Mae and Freddie Mac and to allow the FHA to insure up to \$300 billion worth of new, refinanced loans is described under House vote #36. The Senate passed H.R. 3221 on July 26, 2008 by a vote of 72-13 (Roll Call 186). We have assigned pluses to the "nays" because the federal government acting as an insurer, a micromanager



Pressure born at the pump: Because gasoline commonly exceeded \$4.00 a gallon earlier this year, over two-thirds of Americans now support offshore drilling. In response to public pressure, Democrats passed a purportedly pro-drilling bill, but it really maintained the status quo.



Senate Vote Scores

	Votes:	31-40	31	32	33	34	35	36	37	38	39	40	1-40
ALABAMA Shelby (R)		40%	+	+	_	-	_	_	_	+	-	+	52%
Sessions, J. (R)		67	+	+	-	-	?	+	-	+	+	+	66
ALASKA Stevens (R)		20			_		_		_		_	_	26
Murkowski (R)		30 40	+	+	+	-	-	-	-	+	-	-	38
ARIZONA		10	•	•	•					•			50
McCain (R)			?	?	?	?	?	?	?	?	?	-	36
Kyl (R)		80	+	+	+	+	-	+	+	+	+	-	70
ARKANSAS													
Lincoln (D) Pryor (D)		0	-	-	-	-	-	-	-	-	-	-	8 15
		U											1)
CALIFORNIA Feinstein (D)		0	_	_	_	_	_	_	_	_	_	_	5
Boxer (D)		10	-	-	-	-	+	-	-	-	-	-	18
COLORADO													
Allard (R)		63	+	+	-	+	-	+	?	?	-	+	63
Salazar, K. (D)		0	-	-	-	-	-	-	-	-	-	-	10
CONNECTICUT													
Dodd (D)		10	-	-	-	-	+	-	-	-	-	-	17
Lieberman (I)		0	-	-	-	-	-	-	-	-	-	-	3
DELAWARE Biden (D)		11	?	_	_			_				_	17
Carper (D)		0	-	-	-	-	+	-	?	-	-	-	17 3
FLORIDA													J
Nelson, Bill (D)		10	-	-	-	-	-	_	-	-	-	+	8
Martinez (R)		30	+	+	-	-	-	-	-	+	-	-	33
GEORGIA													
Chambliss (R)		30	+	+	-	-	-	-	-	+	-	-	52
Isakson (R)		33	+	+	-	-	-	-	-	?	+	-	54
HAWAII													
Inouye (D) Akaka (D)		0 10	-	-	-	-	-+	-	?	?	-	-	15
IDAHO		10					•						1)
Craig (R)		50	+	+	_	+	_	+	_	+	_	_	50
Crapo (R)		50	+	+	-	-	-	+	-	+	-	+	60
ILLINOIS													
Durbin (D)		10	-	-	-	-	+	-	-	-	-	-	15
Obama (D)			-	?	?	-	-	?	?	?	?	-	11
INDIANA													
Lugar (R)		40	+	+	+	-	-	-	-	+	-	-	33 18
Bayh (D)		10	+	-	-	-	-	-	-	-	-	-	10
IOWA Grassley (R)		30	+	_	_	_			+	+	_	_	38
Harkin (D)		13	-	-	-	-	+	-	?	?	-	-	22
KANSAS													
Brownback (R)		40	+	+	-	-	-	-	-	+	-	+	54
Roberts (R)		40	+	+	-	-	-	-	-	+	-	+	43
KENTUCKY													
McConnell (R)		30	+	+	-	-	-	-	-	+	-	-	43
Bunning (R)		50	+	+	-	-	-	+	?	?	-	+	62
LOUISIANA		2.0											~ (
Landrieu (D) Vitter (R)		20 60	+	+	-	-	-	- +	+	+	-	+	26 58
viuci (R)		00	+	т					-	_		7)0

	Votes:	31-40	31	32	33	34	35	36	37	38	39	40	1-40
MAINE													
Snowe (R)		0%	-	-	-	-	-	-	-	-	P	-	8%
Collins (R)		10	-	-	+	-	-	-	-	-	-	-	15
MARYLAND Miladala (D)		0											0
Mikulski (D) Cardin (D)		0	-	-	-	-	+	-	-	-	-	-	8
MASSACHUSET	re						•						13
Kennedy, E. (D)	10		?	?	?	?	?	?	?	?	?	?	15
Kerry (D)		10	-	-	-	-	+	-	-	-	-	-	13
MICHIGAN													
Levin, C. (D)		10	-	-	-	-	+	-	-	-	-	-	15
Stabenow (D)		20	-	-	-	-	+	-	-	-	-	+	23
MINNESOTA													
Coleman (R)		11	+	-	-	-	-	-	-	-	?	-	24
Klobuchar (D)		11	-	-	-	-	+	-	-	-	?	-	15
MISSISSIPPI		40											42
Cochran (R) Wicker (R)		50	+	+	-	-	-	+	-	+	-	+	43 47
MISSOURI													1/
Bond (R)		25	+	+	_	_	_	_	?	?	_	_	41
McCaskill (D)		0	-	-	-	-	-	-	-	-	-	-	20
MONTANA													
Baucus, M. (D)		0	-	-	-	-	-	-	-	-	-	-	20
Tester (D)		20	-	-	-	-	+	-	-	-	-	+	30
NEBRASKA													
Hagel (R)		44	+	+	+	-	-	-	-	+	?	-	44
Nelson, Ben (D)		0	-	-	-	-	-	-	-	-	-	-	21
NEVADA													
Reid, H. (D)		30	-	+	-	-	+	-	-	+	-	-	23
Ensign (R)		60	+	+	+	-	-	+	+	+	-	-	68
NEW HAMPSHII	RE	50											52
Gregg (R) Sununu (R)		50 30	+	+	+	-	-	+	-	+	-	-	53 40
		50	•	•	•								10
NEW JERSEY Lautenberg (D)		10	_	_	_	_	+	_	_	_	_	_	18
Menendez (D)		10	-	-	-	-	+	-	-	-	-	-	15
NEW MEXICO													
Domenici (R)		29	P	+	?	-	-	-	-	+	?	-	36
Bingaman (D)		10	-	-	-	-	+	-	-	-	-	-	18
NEW YORK													
Schumer (D)		10	-	-	-	-	+	-	-	-	-	-	11
Clinton (D)		17	?	?	?	-	+	-	-	-	?	-	18
NORTH CAROLI	NA												
Dole (R) Burr (R)		38 25	+	+	-	-	-	-	?	?	-	+	49 45
		45	+	+	-	-	-	-	!	ŗ	-	-	45
NORTH DAKOT Conrad (D)	A	0	_	_	_	_	_	_	_	_	_	_	13
Dorgan (D)		20	-	-	-	-	+	-	-	-	-	+	31
ОНЮ													
Voinovich (R)		50	+	+	+	+	_	-	_	+	_	_	50
Brown, S. (D)		10	-	-	-	-	+	-	-	-	-	-	25
OKLAHOMA													
Inhofe (R)		63	+	+	-	-	-	+	?	?	+	+	72
Coburn (R)		70	+	+	+	+	-	-	+	+	+	-	80

	Votes:	31-40	31	32	33	34	35	36	37	38	39	40	1-40
OREGON													
Wyden (D)		20%	-	-	-	-	+	-	-	-	-	+	16%
Smith, G. (R)		10	+	-	-	-	-	-	-	-	-	-	23
PENNSYLVANIA													
Specter (R)		30	+	+	-	-	-	-	-	+	-	-	28
Casey (D)		0	-	-	-	-	-	-	-	-	-	-	13
RHODE ISLAND													
Reed, J. (D)		20	-	-	+	-	+	-	-	-	-	-	25
Whitehouse (D)		10	-	-	+	-	-	-	-	-	-	-	18
SOUTH CAROLI	NA.												
Graham (R)	12.	29	+	?	_	_	_	+	?	?	_	_	53
DeMint (R)		90	+	+	+	+	-	+	+	+	+	+	79
SOUTH DAKOTA													
Johnson, Tim (D	_	10	_	_	_	_	_	_	_	_	_	+	14
Thune (R)	,	40	+	+	-	-	-	-	+	+	-	-	55
TENNESSEE													
Alexander, L. (R))	40	+	+	_	_	_	_	_	+	+	_	45
Corker (R)	<u>'</u>	50	+	+	-	-	-	-	+	+	+	-	52
TEXAS													
Hutchison (R)		50	+	+	_	_	_	+	+	+	_	_	38
Cornyn (R)		50	+	+	-	-	-	+	+	+	-	-	55

	Votes: <u>31-40</u>	31	32	33	34	35	36	37	38	39	40	1-40
UTAH												
Hatch (R)	40%	+	+	-	-	-	-	+	+	-	-	36%
Bennett (R)	40	+	+	+	-	-	-	-	+	-	-	40
VERMONT												
Leahy (D)	10	-	-	-	-	+	-	-	-	-	-	20
Sanders (I)	20	-	-	-	-	+	-	-	-	-	+	25
VIRGINIA												
Warner (R)	0	P	-	-	-	-	?	?	?	-	-	29
Webb (D)	0	-	-	-	-	-	-	-	-	-	-	15
WASHINGTON												
Murray (D)	13	-	-	-	-	+	_	?	?	-	-	14
Cantwell (D)	20	-	-	-	-	+	-	-	-	-	+	15
WEST VIRGINIA												
Byrd (D)	14	?	?	?	-	+	_	-	-	-	-	29
Rockefeller (D)	0	-	-	-	-	-	-	-	-	-	-	15
WISCONSIN												
Kohl (D)	0	_	_	_	_	_	_	_	_	_	-	10
Feingold (D)	20	-	-	-	-	+	-	-	-	-	+	20
WYOMING												
Enzi (R)	50	+	+	_	_	_	_	+	+	_	+	65
Barrasso (R)	60	+	+	-	-	-	+	+	+	-	+	65

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 29 and 31.

of markets, and a wealth redistributor is unconstitutional and will undoubtedly affect market behavior, leading to more and worse market strife.

Bill S. 3186 would provide emergency funds of \$2.5 billion, nearly doubling the funding, for the Low Income Home Energy Assistance Program. A motion to limit debate on the motion to proceed to the bill was

rejected 50-35 (Roll Call 187) on July 26, 2008 in a vote that required the approval of three-fifths of the Senate. Proponents of the funding said it was needed to help people with low income pay for rapidly rising heating and cooling costs.

The funding would have an emergency designation, meaning it is neither paid for from existing funds nor offset by spending reductions in other programs. Thus the cost would be added to the national debt and passed on to future generations. The program still had a \$100 million surplus and was expected to be refunded in a continuing resolution, therefore the bill was unnecessary. The bill ignored demands for increasing domestic energy production as a

means to restrain rising energy prices. We have assigned pluses to the "nays" because the federal government should stop over-regulating and interfering with the energy industry and get out of the unconstitutional welfare business.

39 Higher Education Aid. H.R. 4137 would reauthorize the Higher Education Act through fiscal 2012. It would increase the maximum authorized level of

FALL ST

Carrot and stick: Though the House initially rejected the Wall Street bailout, doom-and-gloom scenarios painted by Wall Street, and bribes by political bigwigs in the form of pork-barrel earmarks, brought the bailout back to life.

Pell Grants for low-income students from \$5,800 per year to \$6,000 for the 2009-10 academic year, and to \$8,000 for the 2014-15 academic year. It would also create a \$10,000 student-aid forgiveness program (\$2,000 per year for five years) for graduates who work in high-need fields such as nursing and early childhood education.

The Senate passed the final version of this legislation (known as the conference report) on July 31, 2008 by a vote of 83-8

(Roll Call 194). We have assigned pluses to the "nays" because education aid is not authorized by the Constitution.

Bailout Bill. The Emergency Economic Stabilization Act of 2008 (H.R. 1424) passed 74-25 (Roll Call 213) on October 1, 2008. This bailout bill is identical to that described under House vote #40. We have assigned pluses to the "nays" because the bill establishes an unconstitutional merger of government with big business - in other words, fascism — and greatly increases the national debt and monetary inflation by forcing taxpayers to pay the price for the failures of private financial institutions.