



THE FREEDOM INDEX

A Congressional Scorecard Based on the U.S. Constitution

Our first look at the 112th Congress shows how every Representative and Senator voted on key issues such as ObamaCare, the Patriot Act extension, and U.S. military action.

House Vote Descriptions

1 ObamaCare Repeal. Since widespread opposition to ObamaCare propelled the Republicans to a substantial majority in the House in the 2010 elections, it was appropriate that the Republicans arranged for a vote on repealing ObamaCare very early in the first session of the 112th Congress. Dubbed the “Repealing the Job-Killing Health Care Law Act,” H.R. 2 would repeal both the “Patient Protection and Affordable Care Act” (PL 111-148) and the “Health Care and Education Reconciliation Act of 2010” (PL 111-152), known collectively as ObamaCare. Passage of this repeal bill would be the best solution to the ObamaCare problem because it is worded to be effective as of the original date of enactment of PL 111-148 and 152 and would repeal both laws, as well as restore and revive the provisions of law that had been amended or repealed by ObamaCare, as if ObamaCare had never been enacted.

The House passed H.R. 2 on January

19, 2011 by a vote of 245-189 (Roll Call 14). We have assigned pluses to the yeas because the 2010 healthcare overhaul law known as ObamaCare is thoroughly unconstitutional. There is no constitutional authority for the federal government to require individuals to purchase health insurance or to manage the healthcare industry.

2 UN Dues. During consideration of a continuing appropriations bill (H.R. 1) to fund government operations through the rest of the fiscal year ending on September 2011, Rep. Paul Broun (R-Ga.) offered an amendment to prohibit any funding in the bill from being used to pay for any dues to the United Nations.

The House rejected Broun’s amendment



AP Images

Capital idea! Rep. Steve King (R-Iowa) addresses a Capitol Hill news conference on January 18, after receiving petitions calling for the repeal of ObamaCare. The House passed the repeal legislation the following day, but the Senate rejected the repeal on February 2 (see House vote #1 and Senate vote #1).

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 53 percent. Twenty-four Representatives earned 100 percent. The average Senate score is 43 percent, with two Senators — Rand Paul of Kentucky and Mike Lee of Utah — earning perfect scores. 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. To contact your own Representative and Senators about key issues, go to JBS.org, click on “Act Now,” then click on “Fed. Legis. Action Alerts.”



on February 18, 2011 by a vote of 177 to 243 (Roll Call 107). We have assigned pluses to the yeas because stopping U.S. dues payments to the United Nations is a step toward getting the United States out of the UN. Our membership in the UN undermines U.S. sovereignty — e.g., when the Security Council passes various resolutions, including resolutions calling for military intervention, that the United States is expected to enforce, irrespective of the U.S. Constitution or congressional powers.

3 ObamaCare (1099 Reporting Requirement Repeal). This bill (H.R. 4) stripped the very unpopular 1099 reporting requirement out of ObamaCare. This was significant because it was the first component of ObamaCare to be repealed by Congress. This reporting requirement for businesses and real estate owners to file a 1099 form with the IRS for every vendor to whom they paid more than \$600 a year had been added to the ObamaCare legislation as a way to raise \$19 billion by reducing tax fraud; however, business organizations protested that the 1099 requirement would bury businesses in additional, costly paperwork.

The House passed H.R. 4 on March 3, 2011 by a vote of 314-112 (Roll Call 162). We have assigned pluses to the yeas because the burdensome 1099 reporting requirement was added to the ObamaCare legislation as a way to help pay for this unconstitutional program.

4 NPR Funding Ban. This bill (H.R. 1076) would prohibit federal funding of National Public Radio (NPR). Rep. Doug Lamborn (R-Colo.), the bill’s sponsor, said that “NPR can survive on its own” without federal funding. NPR funding has become a contentious issue because of its left-wing bias. However, NPR funding should also be debated because there is no constitutional authorization for the federal government to create or fund “public broadcasting,” any more than there is authorization for the feds to bankroll a “public newspaper” in competition with a free press.

The House passed this bill on March 17, 2011 by a vote of 228 to 192 (Roll Call 192). We have assigned pluses to the yeas because federal funding of public broadcasting is unconstitutional.



AP Images

Global-warming alarmists have thus far failed to push legislation through Congress to limit carbon-dioxide and other greenhouse-gas emissions from stationary sources such as this Chevron oil refinery in Richmond, California, but the EPA claims it can regulate these emissions without the legislation (see House vote #5 and Senate vote #5).

5 Greenhouse-gas Regulation. This bill (H.R. 910) would prohibit the Environmental Protection Agency from regulating greenhouse-gas emissions from stationary sources for the purpose of addressing climate change. The EPA claims that carbon dioxide and other greenhouse gases are pollutants, and that these gases can therefore be regulated under the Clean Air Act — even without the enactment of any legislation restricting greenhouse-gas emissions. Global-warming alarmists have tried to push such legislation through Congress, but have thus far been unsuccessful. Carbon dioxide, one of the EPA-defined greenhouse-gas pollutants, not only occurs naturally but is necessary for the existence of plant life.

The House passed H.R. 910 on April 7, 2011 by a vote of 255 to 172 (Roll Call 249). We have assigned pluses to the yeas because restricting greenhouse-gas emissions would be harmful to the economy, carbon dioxide and other greenhouse gases are not pollutants, and the federal government has no constitutional authority to limit such emissions.

6 ObamaCare Defunding. House Concurrent Resolution 35 would direct the House clerk to insert a section in the enrollment of H.R. 1473 (Department

of Defense and Full-Year Continuing Appropriations Act, 2011) that would bar the use of funds made available in the bill to implement the provisions of the 2010 healthcare overhaul law. Since full repeal of the ObamaCare law had already been rejected in the Senate, this attempt to defund the implementation of ObamaCare for fiscal year 2011 was made.

The House adopted H. Con. Res. 35 on April 14, 2011 by a vote of 240 to 185 (Roll Call 270). We have assigned pluses to the yeas because there is no constitutional authority for the federal government to require individuals to purchase health insurance or to manage the health-care industry.

7 Planned Parenthood Defunding. House Concurrent Resolution 36 would direct the House clerk to insert a section in the enrollment of H.R. 1473 (Department of Defense and Full-Year Continuing Appropriations Act, 2011) that would prohibit the use of any funding in the bill for Planned Parenthood.

The House adopted H. Con. Res. 36 on April 14, 2011 by a vote of 241 to 185 (Roll Call 271). We have assigned pluses to the yeas because Planned Parenthood is the nation’s largest abortion provider, and government should not subsidize the

House Vote Scores

	Votes:	1-10	1	2	3	4	5	6	7	8	9	10
ALABAMA												
1	Bonner (R)	70%	+	-	+	+	+	+	+	+	-	-
2	Roby (R)	70%	+	-	+	+	+	+	+	+	-	-
3	Rogers, Mike D. (R)	80%	+	+	+	+	+	+	+	+	-	-
4	Aderholt (R)	80%	+	+	+	+	+	+	+	+	-	-
5	Brooks (R)	90%	+	+	+	+	+	+	+	+	-	+
6	Bachus, S. (R)	80%	+	+	+	+	+	+	+	+	-	-
7	Sewell (D)	30%	-	-	+	-	+	-	-	+	-	-
ALASKA												
AL	Young, D. (R)	100%	+	+	+	?	?	+	+	+	+	+
ARIZONA												
1	Gosar (R)	80%	+	-	+	+	+	+	+	+	-	+
2	Franks, T. (R)	78%	+	+	+	+	+	?	+	+	-	-
3	Quayle (R)	78%	+	?	+	+	+	+	+	+	-	-
4	Pastor (D)	30%	-	-	+	-	-	-	-	-	+	+
5	Schweikert (R)	90%	+	+	+	+	+	+	+	+	-	+
6	Flake (R)	89%	+	-	+	+	+	+	+	+	?	+
7	Grijalva (D)	20%	-	-	-	-	-	-	-	-	+	+
8	Giffords (D)	?	?	?	?	?	?	?	?	?	?	?
ARKANSAS												
1	Crawford (R)	80%	+	+	+	+	+	+	+	+	-	-
2	Griffin (R)	80%	+	+	+	+	+	+	+	+	-	-
3	Womack (R)	70%	+	-	+	+	+	+	+	+	-	-
4	Ross, M. (D)	60%	+	-	+	-	+	+	+	+	-	-
CALIFORNIA												
1	Thompson, M. (D)	10%	-	-	-	-	-	-	-	-	+	-
2	Herger (R)	80%	+	+	+	+	+	+	+	+	-	-
3	Lungren (R)	70%	+	-	+	+	+	+	+	+	-	-
4	McClintock (R)	100%	+	+	+	+	+	+	+	+	+	+
5	Matsui (D)	10%	-	-	-	-	-	-	-	-	+	-
6	Woolsey (D)	20%	-	-	-	-	-	-	-	-	+	+
7	Miller, George (D)	0%	-	-	-	-	-	-	-	-	?	?
8	Pelosi (D)	10%	-	-	-	-	-	-	-	-	+	-
9	Lee (D)	20%	-	-	-	-	-	-	-	-	+	+
10	Garamendi (D)	11%	-	-	-	?	-	-	-	-	+	-
11	McNerney (D)	20%	-	-	+	-	-	-	-	-	+	-
12	Speier (D)	22%	-	-	?	-	-	-	-	-	+	+
13	Stark (D)	20%	-	-	-	-	-	-	-	-	+	+
14	Eshoo (D)	10%	-	-	-	-	-	-	-	-	+	-
15	Honda (D)	10%	-	-	-	-	-	-	-	-	+	-
16	Lofgren (D)	11%	-	-	-	-	-	-	-	-	+	?
17	Farr (D)	20%	-	-	-	-	-	-	-	-	+	+
18	Cardoza (D)	20%	-	-	+	-	-	-	-	-	+	-
19	Denham (R)	80%	+	+	+	+	+	+	+	+	-	-
20	Costa (D)	30%	-	-	+	-	+	-	-	+	-	-
21	Nunes (R)	80%	+	+	+	+	+	+	+	+	-	-
22	McCarthy, K. (R)	80%	+	+	+	+	+	+	+	+	-	-
23	Capps (D)	10%	-	-	-	-	-	-	-	-	+	-
24	Galleghy (R)	80%	+	+	+	+	+	+	+	+	-	-
25	McKeon (R)	78%	+	-	+	+	+	+	+	+	?	-
26	Dreier (R)	70%	+	-	+	+	+	+	+	+	-	-
27	Sherman (D)	20%	-	-	-	-	-	-	-	-	+	+
28	Berman (D)	0%	-	-	-	-	-	-	-	-	?	-
29	Schiff (D)	10%	-	-	+	-	-	-	-	-	-	-
30	Waxman (D)	10%	-	-	-	-	-	-	-	-	+	-
31	Becerra (D)	11%	-	-	-	-	-	-	-	-	?	+
32	Chu (D)	10%	-	-	-	-	-	-	-	-	+	-

	Votes:	1-10	1	2	3	4	5	6	7	8	9	10
33	Bass, K. (D)	10%	-	-	-	-	-	-	-	-	+	-
34	Roybal-Allard (D)	20%	-	-	-	-	-	-	-	-	+	+
35	Waters (D)	20%	-	-	-	-	-	-	-	-	+	+
36	Vacant											
37	Richardson (D)	30%	-	-	+	-	-	-	-	-	+	+
38	Napolitano (D)	20%	-	-	-	-	-	-	-	-	+	+
39	Sánchez, Linda (D)	11%	-	-	?	-	-	-	-	-	+	-
40	Royce (R)	90%	+	+	+	+	+	+	+	+	-	+
41	Lewis, Jerry (R)	78%	+	?	+	+	+	+	+	+	-	-
42	Miller, Gary (R)	80%	+	+	+	+	+	+	+	+	+	-
43	Baca (D)	22%	-	-	+	-	-	-	-	-	+	?
44	Calvert (R)	80%	+	+	+	+	+	+	+	+	-	-
45	Bono Mack (R)	67%	+	-	+	+	+	+	+	+	?	-
46	Rohrabacher (R)	90%	+	+	+	+	+	+	+	+	+	-
47	Sanchez, Loretta (D)	11%	-	-	+	-	-	-	-	-	?	-
48	Campbell (R)	100%	+	+	+	+	+	+	+	+	+	+
49	Issa (R)	70%	+	-	+	+	+	+	+	+	-	-
50	Bilbray (R)	70%	+	-	+	+	+	+	+	+	-	-
51	Filner (D)	0%	-	-	-	-	-	-	-	-	?	-
52	Hunter (R)	80%	+	+	+	+	+	+	+	+	-	-
53	Davis, S. (D)	10%	-	-	+	-	-	-	-	-	-	-
COLORADO												
1	DeGette (D)	10%	-	-	-	-	-	-	-	-	+	-
2	Polis (D)	10%	-	-	-	-	-	-	-	-	+	-
3	Tipton (R)	80%	+	-	+	+	+	+	+	+	+	-
4	Gardner (R)	80%	+	+	+	+	+	+	+	+	+	-
5	Lamborn (R)	80%	+	+	+	+	+	+	+	+	+	-
6	Coffman (R)	70%	+	-	+	+	+	+	+	+	+	-
7	Perlmutter (D)	40%	-	-	+	-	-	-	-	-	+	+
CONNECTICUT												
1	Larson, J. (D)	20%	-	-	-	-	-	-	-	-	+	+
2	Courtney (D)	20%	-	-	+	-	-	-	-	-	+	-
3	DeLauro (D)	10%	-	-	-	-	-	-	-	-	+	-
4	Himes (D)	20%	-	-	+	-	-	-	-	-	+	-
5	Murphy, C. (D)	10%	-	-	-	-	-	-	-	-	+	-
DELAWARE												
AL	Carney (D)	10%	-	-	+	-	-	-	-	-	-	-
FLORIDA												
1	Miller, J. (R)	89%	+	+	+	+	+	+	+	+	-	?
2	Southerland (R)	90%	+	+	+	+	+	+	+	+	-	+
3	Brown, C. (D)	0%	-	-	-	-	-	-	-	-	-	-
4	Crenshaw (R)	70%	+	-	+	+	+	+	+	+	-	-
5	Nugent (R)	90%	+	+	+	+	+	+	+	+	-	+
6	Stearns (R)	90%	+	+	+	+	+	+	+	+	+	-
7	Mica (R)	80%	+	+	+	+	+	+	+	+	-	-
8	Webster (R)	90%	+	+	+	+	+	+	+	+	-	+
9	Bilirakis (R)	75%	+	?	+	+	?	+	+	+	-	-
10	Young, C.W. (R)	89%	+	+	+	+	+	+	+	+	-	?
11	Castor (D)	22%	-	-	+	-	-	-	-	-	?	+
12	Ross, D. (R)	90%	+	+	+	+	+	+	+	+	+	-
13	Buchanan (R)	100%	+	+	+	+	+	+	+	+	?	+
14	Mack (R)	100%	+	+	+	+	+	+	+	+	+	+
15	Posey (R)	100%	+	+	+	+	+	+	+	+	+	+
16	Rooney (R)	90%	+	+	+	+	+	+	+	+	+	-
17	Wilson, F. (D)	10%	-	-	-	-	-	-	-	-	+	-
18	Ros-Lehtinen (R)	70%	+	-	+	+	+	+	+	+	-	-
19	Deutch (D)	0%	-	-	-	-	-	-	-	-	-	-

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 1, 2, and 4.



AP Images

Dead in the water? America possesses abundant energy resources that often are not tapped owing to political roadblocks. One such roadblock can be the process for obtaining a permit for exploratory drilling in the Gulf of Mexico. The House passed a bill in May to expedite the process (see House vote #8).

killing of innocent human life. Moreover, under the Constitution, the federal government should not be subsidizing any private entity in the marketplace.

8 Offshore Drilling Leases. This bill (H.R. 1229) would modify the process for leasing permits for exploratory drilling in the Gulf of Mexico so as to remove bureaucratic foot-dragging impeding more offshore drilling. As summarized by *Congressional Quarterly*, H.R. 1229 “would require the Interior Department to decide on approval of an exploratory drilling permit application within 30 days, with the option of extending the review period up to 60 days. If the department fails to issue a ruling within 60 days, the application would be deemed approved.”

The House passed H.R. 1229 on May 11, 2011 by a vote of 263 to 163 (Roll Call 309). We have assigned pluses to the yeas because the federal government should not be impeding the exploration for and development of natural resources by entrepreneurs.

9 Patriot Act Extension. This legislation (S. 990) extended for four years three provisions of the Patriot Act that were set to expire: the “roving wiretap” provision that allows the federal government to wiretap any number of a suspect’s tele-

phone/Internet connections without specifying what they will find or how many connections will be tapped; the “financial records” provision that allows the feds to seize “any tangible thing” that has “relevance” to an investigation; and the “lone wolf” provision that allows spying on non-U.S. citizens without a warrant. These provisions violate the Fourth Amendment of the U.S. Constitution, which requires that no warrants be issued “but upon probable cause” (a much higher standard than “relevance”), and that warrants must contain language “particularly describing the place to be searched, and the persons or things to be seized.”

The Patriot Act even allows the FBI to issue warrants called “National Security Letters” without going to a judge, though this provision was not set to expire and therefore was not part of this legislation.

The House passed the Patriot Act extension on May 26, 2011 by a vote of 250 to 153 (Roll Call 376). We have assigned pluses to the nays because the provi-

sions that were extended, as well as the Patriot Act as a whole, violate the Fourth Amendment to the Constitution.

10 Libya Troop Withdrawal. House Concurrent Resolution 51 would have directed President Obama, “pursuant to ... the War Powers Resolution, to remove the United States Armed Forces from Libya.” The War Powers Resolution bars the President from militarily engaging the armed forces for more than 60 days without congressional approval. Obama had not sought congressional approval for undertaking military action in Libya. Rep. Dennis Kucinich (D-Ohio), who sponsored H. Con. Res. 51, noted: “In the weeks leading up to the war, the administration had time to consult with the Arab League, the United Nations, the African Union, but apparently had no time to come to this Congress for approval.”

The House rejected Kucinich’s resolution on June 3, 2011 by a vote of 148 to 265 (Roll Call 412). We have assigned pluses to the yeas not merely because Obama’s Libya deployment is now in violation of the War Powers Act’s 60-day requirement for congressional authorization, but also because it violates the Constitution, which clearly assigns to Congress the power “to declare war.” ■



AP Images

Rep. Dennis Kucinich (D-Ohio) sponsored a resolution directing Obama to remove U.S. troops from Libya. His resolution was considered on the House floor but was voted down (see House vote #10).

Votes:		1-10	1	2	3	4	5	6	7	8	9	10
20	Wasserman Schultz (D)	0%	-	-	-	?	-	-	-	-	-	-
21	Diaz-Balart (R)	80%	+	+	+	+	+	+	+	+	-	-
22	West, A. (R)	100%	+	+	+	+	+	+	+	+	+	+
23	Hastings, A. (D)	20%	-	-	-	-	-	-	-	-	+	+
24	Adams (R)	90%	+	+	+	+	+	+	+	+	-	+
25	Rivera (R)	80%	+	+	+	+	+	+	+	+	-	-
GEORGIA												
1	Kingston (R)	90%	+	+	+	+	+	+	+	+	-	+
2	Bishop, S. (D)	30%	-	-	+	-	+	-	-	+	-	-
3	Westmoreland, L. (R)	90%	+	+	+	+	+	+	+	+	-	+
4	Johnson, H. (D)	10%	-	-	-	-	-	-	-	-	+	-
5	Lewis, John (D)	20%	-	-	-	-	-	-	-	-	+	+
6	Price, T. (R)	90%	+	+	+	+	+	+	+	+	-	+
7	Woodall (R)	90%	+	+	+	-	+	+	+	+	+	+
8	Scott, A. (R)	90%	+	+	+	+	+	+	+	+	-	+
9	Graves, T. (R)	100%	+	+	+	+	+	+	+	+	+	+
10	Broun (R)	100%	+	+	+	+	+	+	+	+	+	+
11	Gingrey (R)	80%	+	+	+	+	+	+	+	+	-	-
12	Barrow (D)	30%	-	-	+	-	+	-	-	+	-	-
13	Scott, D. (D)	10%	-	-	+	-	-	-	-	-	-	-
HAWAII												
1	Hanabusa (D)	20%	-	-	-	-	-	-	-	-	+	+
2	Hirono (D)	11%	-	?	-	-	-	-	-	-	+	-
IDAHO												
1	Labrador (R)	100%	+	+	+	?	+	+	+	+	+	+
2	Simpson (R)	80%	+	+	+	+	+	+	+	+	-	-
ILLINOIS												
1	Rush (D)	11%	-	-	-	-	-	-	-	-	+	?
2	Jackson, J. (D)	11%	-	-	-	-	-	-	-	-	?	+
3	Lipinski (D)	20%	-	-	+	-	-	+	-	-	-	-
4	Gutierrez (D)	20%	-	-	-	-	-	-	-	-	+	+
5	Quigley (D)	20%	-	-	+	-	-	-	-	+	-	-
6	Roskam (R)	80%	+	+	+	+	+	+	+	+	-	-
7	Davis, D. (D)	20%	-	-	-	-	-	-	-	-	+	+
8	Walsh (R)	90%	+	+	+	+	+	+	+	+	-	+
9	Schakowsky (D)	10%	-	-	-	-	-	-	-	-	+	-
10	Dold (R)	60%	+	-	+	+	+	+	+	+	-	-
11	Kinzing (R)	70%	+	-	+	+	+	+	+	+	-	-
12	Costello (D)	50%	-	-	+	-	+	-	+	-	+	+
13	Biggert (R)	60%	+	-	+	+	+	+	-	+	-	-
14	Hultgren (R)	80%	+	+	+	+	+	+	+	+	-	-
15	Johnson, Timothy (R)	100%	+	+	+	+	+	+	+	+	+	+
16	Manzullo (R)	100%	+	+	+	+	+	+	+	+	+	+
17	Schilling (R)	80%	+	+	+	+	+	+	+	+	-	-
18	Schock (R)	78%	+	?	+	+	+	+	+	+	-	-
19	Shimkus (R)	70%	+	-	+	+	+	+	+	+	-	-
INDIANA												
1	Visclosky (D)	30%	-	-	+	-	-	-	-	-	+	+
2	Donnelly (D)	40%	-	-	+	-	+	-	+	+	-	-
3	Stutzman (R)	90%	+	+	+	+	+	+	+	+	-	+
4	Rokita (R)	90%	+	+	+	+	+	+	+	+	+	-
5	Burton (R)	90%	+	+	+	+	+	+	+	+	-	+
6	Pence (R)	67%	+	-	+	?	+	+	+	+	-	-
7	Carson (D)	10%	-	-	-	-	-	-	-	-	+	-
8	Bucshon (R)	80%	+	+	+	+	+	+	+	+	-	-
9	Young, T. (R)	70%	+	-	+	+	+	+	+	+	-	-
IOWA												
1	Bralley (D)	30%	-	-	+	-	-	-	-	-	+	+
2	Loeb sack (D)	20%	-	-	+	-	-	-	-	-	+	-
3	Boswell (D)	30%	-	-	+	-	+	-	-	+	-	-
4	Latham (R)	80%	+	+	+	+	+	+	+	+	-	-
5	King, S. (R)	80%	+	+	+	+	+	+	+	+	-	-

Votes:		1-10	1	2	3	4	5	6	7	8	9	10
KANSAS												
1	Huelskamp (R)	100%	+	+	+	+	+	+	+	+	?	+
2	Jenkins (R)	80%	+	+	+	+	+	+	+	+	-	-
3	Yoder (R)	80%	+	+	+	+	+	+	+	+	-	-
4	Pompeo (R)	78%	+	-	+	+	+	+	+	+	?	-
KENTUCKY												
1	Whitfield (R)	80%	+	+	+	+	+	+	+	+	-	-
2	Guthrie (R)	89%	+	+	+	+	+	+	+	+	-	?
3	Yarmuth (D)	20%	-	-	+	-	-	-	-	-	+	-
4	Davis, G. (R)	80%	+	-	+	+	+	+	+	+	-	+
5	Rogers, H. (R)	78%	+	?	+	+	+	+	+	+	-	-
6	Chandler (D)	30%	-	-	+	-	+	-	-	+	-	-
LOUISIANA												
1	Scalise (R)	80%	+	+	+	+	+	+	+	+	-	-
2	Richmond (D)	10%	-	-	-	-	-	-	-	-	+	-
3	Landry, J. (R)	90%	+	+	+	+	+	+	+	+	-	+
4	Fleming (R)	90%	+	+	+	+	+	+	+	+	-	+
5	Alexander, R. (R)	70%	+	-	+	+	+	+	+	+	-	-
6	Cassidy (R)	80%	+	-	+	+	+	+	+	+	-	+
7	Boustany (R)	78%	+	-	+	+	+	+	+	+	?	-
MAINE												
1	Pingree (D)	30%	-	-	+	-	-	-	-	-	+	+
2	Michaud (D)	20%	-	-	-	-	-	-	-	-	+	+
MARYLAND												
1	Harris (R)	100%	+	+	+	+	+	+	+	+	+	+
2	Ruppersberger (D)	10%	-	-	+	-	-	-	-	-	-	-
3	Sarbanes (D)	10%	-	-	-	-	-	-	-	-	+	-
4	Edwards (D)	10%	-	-	-	-	-	-	-	-	+	-
5	Hoyer (D)	0%	-	-	-	-	-	-	-	-	-	?
6	Bartlett (R)	100%	+	+	+	+	+	+	+	+	+	+
7	Cummings (D)	10%	-	-	-	-	-	-	-	-	+	-
8	Van Hollen (D)	10%	-	-	-	-	-	-	-	-	+	-
MASSACHUSETTS												
1	Olver (D)	0%	-	-	-	-	-	-	?	?	-	?
2	Neal (D)	11%	-	-	-	-	-	-	-	-	+	?
3	McGovern (D)	20%	-	-	-	-	-	-	-	-	+	+
4	Frank, B. (D)	20%	-	-	-	-	-	-	-	-	+	+
5	Tsongas (D)	0%	-	-	-	-	-	-	-	-	-	-
6	Tierney (D)	20%	-	-	-	-	-	-	-	-	+	+
7	Markey (D)	20%	-	-	-	-	-	-	-	-	+	+
8	Capuano (D)	20%	-	-	-	-	-	-	-	-	+	+
9	Lynch (D)	20%	-	-	-	-	-	-	-	-	+	+
10	Keating (D)	20%	-	-	+	-	-	-	-	-	+	+
MICHIGAN												
1	Benishke (R)	90%	+	+	+	+	+	+	+	+	-	+
2	Huizenga (R)	90%	+	+	+	+	+	+	+	+	-	+
3	Amash (R)	100%	+	+	+	?	+	+	?	+	+	+
4	Camp (R)	90%	+	+	+	+	+	+	+	+	-	+
5	Kildee (D)	10%	-	-	-	-	-	-	-	-	+	-
6	Upton (R)	90%	+	+	+	+	+	+	+	+	-	+
7	Walberg (R)	90%	+	+	+	+	+	+	+	+	-	+
8	Rogers, Mike (R)	80%	+	+	+	+	+	+	+	+	-	-
9	Peters (D)	11%	-	?	+	-	-	-	-	-	-	-
10	Miller, C. (R)	90%	+	+	+	+	+	+	+	+	-	+
11	McCotter (R)	89%	+	+	+	+	+	+	+	+	-	?
12	Levin, S. (D)	0%	-	-	-	-	-	-	-	-	-	-
13	Clarke (D)	20%	-	-	-	-	-	-	-	-	+	+
14	Conyers (D)	11%	-	-	-	-	-	-	-	-	?	+
15	Dingell (D)	0%	-	-	-	-	-	-	-	-	?	-
MINNESOTA												
1	Walz (D)	30%	-	-	+	-	-	-	-	-	+	+
2	Kline, J. (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 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 1, 2, and 4.



112TH CONGRESS, VOTES 1-10

		Votes:	1-10	1	2	3	4	5	6	7	8	9	10
3 Paulsen (R)	90%	+	+	+	+	+			+	+	+	-	+
4 McCollum (D)	11%	-	?	-	-	-	-	-	-	-	-	+	-
5 Ellison (D)	10%	-	-	-	-	-	-	-	-	-	-	+	-
6 Bachmann (R)	90%	+	+	+	+	+			+	+	+	-	+
7 Peterson (D)	50%	-	+	+	-	+			-	+	+	-	-
8 Cravaack (R)	80%	+	+	+	+	+			+	+	+	-	-
MISSISSIPPI													
1 Nunnelee (R)	70%	+	-	+	+	+			+	+	+	-	-
2 Thompson, B. (D)	20%	-	-	-	-	-			-	-	-	+	+
3 Harper (R)	80%	+	+	+	+	+			+	+	+	-	-
4 Palazzo (R)	80%	+	+	+	+	+			+	+	+	-	-
MISSOURI													
1 Clay (D)	20%	-	-	-	-	-			-	-	-	+	+
2 Akin (R)	100%	+	+	+	+	+			+	+	+	?	+
3 Carnahan (D)	20%	-	-	+	-	-			-	-	-	+	-
4 Hartzler (R)	80%	+	+	+	+	+			+	+	+	-	-
5 Cleaver (D)	20%	-	-	-	-	-			-	-	-	+	+
6 Graves, S. (R)	80%	+	+	+	+	+			+	+	+	-	-
7 Long (R)	89%	+	+	+	+	+			+	+	+	?	-
8 Emerson (R)	80%	+	+	+	+	+			+	+	+	-	-
9 Luetkemeyer (R)	80%	+	+	+	+	+			+	+	+	-	-
MONTANA													
AL Rehberg (R)	90%	+	+	+	+	+			+	+	+	+	-
NEBRASKA													
1 Fortenberry (R)	67%	+	-	+	+	+			+	+	?	-	-
2 Terry (R)	90%	+	+	+	+	+			+	+	+	-	+
3 Smith, Adrian (R)	80%	+	+	+	+	+			+	+	+	-	-
NEVADA													
1 Berkley (D)	20%	-	+	+	-	-			-	-	-	-	-
2 Vacant													
3 Heck (R)	70%	+	-	+	+	+			+	+	+	-	-
NEW HAMPSHIRE													
1 Guinta (R)	90%	+	+	+	+	+			+	+	+	-	+
2 Bass, C. (R)	67%	+	-	+	+	+			+	-	+	-	?
NEW JERSEY													
1 Andrews (D)	13%	-	-	+	-	-			?	?	-	-	-
2 LoBiondo (R)	80%	+	+	+	+	+			+	+	+	-	-
3 Runyan (R)	80%	+	+	+	+	+			+	+	+	-	-
4 Smith, C. (R)	70%	+	-	+	+	+			+	+	+	-	-
5 Garrett (R)	90%	+	+	+	+	+			+	+	+	-	+
6 Pallone (D)	10%	-	-	-	-	-			-	-	-	+	-
7 Lance (R)	70%	+	-	+	+	+			+	+	+	-	-
8 Pascrell (D)	0%	-	-	-	-	-			-	-	-	-	-
9 Rothman (D)	0%	-	-	-	-	-			-	-	-	-	-
10 Payne (D)	20%	-	-	-	-	-			-	-	-	+	+
11 Frelinghuysen (R)	63%	+	-	+	+	?			+	-	+	-	?
12 Holt (D)	20%	-	-	-	-	-			-	-	-	+	+
13 Sires (D)	11%	-	-	+	-	-			-	-	-	?	-
NEW MEXICO													
1 Heinrich (D)	20%	-	-	+	-	-			-	-	-	+	-
2 Pearce (R)	90%	+	+	+	+	+			+	+	+	-	+
3 Luján (D)	20%	-	-	-	-	-			-	-	-	+	+
NEW YORK													
1 Bishop, T. (D)	20%	-	-	+	-	-			-	-	-	-	+
2 Israel (D)	10%	-	-	+	-	-			-	-	-	-	-
3 King, P. (R)	70%	+	-	+	+	+			+	+	+	-	-
4 McCarthy, C. (D)	11%	-	-	+	-	-			-	-	-	?	-
5 Ackerman (D)	10%	-	-	-	-	-			-	-	-	+	-
6 Meeks, G. (D)	13%	-	-	-	-	-			?	?	-	+	-
7 Crowley (D)	10%	-	-	-	-	-			-	-	-	+	-
8 Nadler (D)	22%	-	-	-	?	-			-	-	-	+	+

		Votes:	1-10	1	2	3	4	5	6	7	8	9	10
9 Vacant													
10 Towns (D)	20%	-	-	-	-	-			-	-	-	+	+
11 Clarke (D)	20%	-	-	-	-	-			-	-	-	+	+
12 Velázquez (D)	30%	-	-	+	-	-			-	-	-	+	+
13 Grimm (R)	70%	+	-	+	+	+			+	+	+	-	-
14 Maloney (D)	20%	-	-	+	-	-			-	-	-	+	-
15 Rangel (D)	20%	-	-	-	-	-			-	-	-	+	+
16 Serrano (D)	20%	-	-	-	-	-			-	-	-	+	+
17 Engel (D)	20%	-	+	-	-	-			-	-	-	+	+
18 Lowey (D)	0%	-	-	-	-	-			-	-	-	-	-
19 Hayworth (R)	70%	+	-	+	+	+			+	+	+	-	-
20 Gibson, C. (R)	80%	+	-	+	-	+			+	+	+	+	+
21 Tonko (D)	20%	-	-	-	-	-			-	-	-	+	+
22 Hinchey (D)	20%	-	-	-	-	-			-	-	-	+	+
23 Owens (D)	22%	-	-	+	-	-			-	-	+	?	-
24 Hanna (R)	56%	+	-	?	-	+			+	-	+	+	-
25 Buerkle (R)	80%	+	+	+	+	+			+	+	+	-	-
26 Hochul (D)													
27 Higgins (D)	10%	-	-	+	-	-			-	-	-	-	-
28 Slaughter (D)	20%	-	-	+	-	-			-	-	-	+	-
29 Reed, T. (R)	80%	+	-	+	+	+			+	+	+	-	+
NORTH CAROLINA													
1 Butterfield (D)	10%	-	-	+	-	-			-	-	-	-	-
2 Ellmers (R)	80%	+	+	+	+	+			+	+	+	-	-
3 Jones (R)	100%	+	+	+	+	+			?	+	+	+	+
4 Price, D. (D)	20%	-	-	+	-	-			-	-	-	+	-
5 Foxx (R)	80%	+	-	+	+	+			+	+	+	-	+
6 Coble (R)	90%	+	+	+	+	+			+	+	+	-	+
7 McIntyre (D)	70%	+	+	+	-	+			+	+	+	-	-
8 Kissell (D)	10%	-	-	+	-	-			-	-	-	-	-
9 Myrick (R)	100%	+	+	+	+	+			+	+	+	?	?
10 McHenry (R)	90%	+	+	+	+	+			+	+	+	-	+
11 Shuler (D)	22%	-	-	+	-	-			-	+	-	-	?
12 Watt (D)	10%	-	-	-	-	-			-	-	-	+	-
13 Miller, B. (D)	0%	-	-	-	-	-			-	-	-	-	-
NORTH DAKOTA													
AL Berg (R)	80%	+	-	+	+	+			+	+	+	-	+
OHIO													
1 Chabot (R)	80%	+	+	+	+	+			+	+	+	-	-
2 Schmidt (R)	90%	+	+	+	+	+			+	+	+	-	+
3 Turner (R)	70%	+	-	+	+	+			+	+	+	-	-
4 Jordan (R)	75%	+	+	?	?	+			+	+	+	-	-
5 Latta (R)	80%	+	+	+	+	+			+	+	+	-	-
6 Johnson, B. (R)	80%	+	+	+	+	+			+	+	+	-	-
7 Austria (R)	70%	+	-	?	?	?			+	+	+	-	-
8 Boehner (R)		+	?	?	?	?			?	?	?	?	?
9 Kaptur (D)	11%	-	-	-	-	-			-	-	-	+	?
10 Kucinich (D)	20%	-	-	-	-	-			-	-	-	+	+
11 Fudge (D)	11%	-	-	-	?	-			-	-	-	+	-
12 Tiberi (R)	70%	+	+	+	-	+			+	+	+	-	-
13 Sutton (D)	10%	-	-	-	-	-			-	-	-	+	-
14 LaTourette (R)	60%	+	-	+	-	+			+	+	+	-	-
15 Stivers (R)	70%	+	-	+	+	+			+	+	+	-	-
16 Renacci (R)	70%	+	-	+	+	+			+	+	+	-	-
17 Ryan, T. (D)	10%	-	-	-	-	-			-	-	-	+	-
18 Gibbs, B. (R)	80%	+	+	+	+	+			+	+	+	-	-
OKLAHOMA													
1 Sullivan (R)	89%	+	+	+	+	+			+	+	+	?	-
2 Boren (D)	70%	+	+	+	-	+			+	+	+	-	-
3 Lucas (R)	80%	+	+	+	+	+			+	+	+	-	-
4 Cole (R)	80%	+	-	+	+	+			+	+	+	-	+
5 Lankford (R)	80%	+	+	+	+	+			+	+	+	-	-

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Votes:		1-10	1	2	3	4	5	6	7	8	9	10
OREGON												
1	Wu (D)	20%	-	-	+	-	-	-	-	-	+	-
2	Walden (R)	70%	+	-	+	+	+	+	+	+	-	-
3	Blumenauer (D)	10%	-	-	-	-	-	-	-	-	+	-
4	DeFazio (D)	30%	-	-	+	-	-	-	-	-	+	+
5	Schrader (D)	40%	-	-	+	-	+	-	-	-	+	+
PENNSYLVANIA												
1	Brady, R. (D)	10%	-	-	-	-	-	-	-	-	+	-
2	Fattah (D)	10%	-	-	-	-	-	-	-	-	-	+
3	Kelly (R)	80%	+	+	+	+	+	+	+	+	-	-
4	Altmire (D)	30%	-	-	+	-	+	-	-	-	-	-
5	Thompson, G. (R)	80%	+	+	+	+	+	+	+	+	-	-
6	Gerlach (R)	80%	+	+	+	+	+	+	+	+	-	-
7	Meehan (R)	70%	+	-	+	+	+	+	+	+	-	-
8	Fitzpatrick (R)	80%	+	-	+	+	+	+	+	+	+	-
9	Shuster (R)	80%	+	+	+	+	+	+	+	+	-	-
10	Marino (R)	80%	+	+	+	+	+	+	+	+	-	-
11	Barletta (R)	80%	+	+	+	+	+	+	+	+	-	-
12	Critz (D)	50%	-	+	+	-	+	-	+	+	-	-
13	Schwartz (D)	0%	-	-	-	-	-	-	-	-	-	?
14	Doyle (D)	20%	-	-	-	-	-	-	-	-	+	+
15	Dent (R)	60%	+	-	+	+	+	+	+	+	-	-
16	Pitts (R)	90%	+	+	+	+	+	+	+	+	-	+
17	Holden (D)	30%	-	-	+	-	+	-	-	+	-	-
18	Murphy, T. (R)	80%	+	+	+	+	+	+	+	+	-	-
19	Platts (R)	80%	+	+	+	+	+	+	+	+	-	-
RHODE ISLAND												
1	Cicilline (D)	30%	-	-	+	-	-	-	-	-	+	+
2	Langevin (D)	10%	-	-	+	-	-	-	-	-	-	-
SOUTH CAROLINA												
1	Scott, T. (R)	90%	+	+	+	+	+	+	+	+	-	+
2	Wilson, J. (R)	80%	+	+	+	+	+	+	+	+	-	-
3	Duncan (R)	100%	+	+	+	+	+	+	+	+	+	+
4	Gowdy (R)	90%	+	+	+	+	+	+	+	+	-	+
5	Mulvaney (R)	90%	+	+	+	+	+	+	+	+	-	+
6	Clyburn (D)	10%	-	-	-	-	-	-	-	-	+	-
SOUTH DAKOTA												
AL	Noem (R)	80%	+	-	+	+	+	+	+	+	-	+
TENNESSEE												
1	Roe (R)	100%	+	+	+	+	+	+	+	+	+	+
2	Duncan (R)	100%	+	+	+	+	+	+	+	+	+	+
3	Fleischmann (R)	80%	+	+	+	+	+	+	+	+	-	-
4	DesJarlais (R)	80%	+	+	+	+	+	+	+	+	-	-
5	Cooper (D)	10%	-	-	+	-	-	-	-	-	-	-
6	Black, D. (R)	80%	+	+	+	+	+	+	+	+	-	-
7	Blackburn, M. (R)	80%	+	+	+	+	+	+	+	+	-	-
8	Fincher (R)	90%	+	+	+	+	+	+	+	+	-	+
9	Cohen (D)	22%	-	-	+	?	-	-	-	-	+	-
TEXAS												
1	Gohmert (R)	90%	+	+	+	+	+	+	+	+	-	+
2	Poe (R)	90%	+	+	+	+	+	+	+	+	-	+
3	Johnson, S. (R)	89%	+	+	+	+	+	+	+	?	-	+
4	Hall, R. (R)	90%	+	+	+	+	+	+	+	+	-	+
5	Hensarling (R)	70%	+	-	+	+	+	+	+	+	-	-
6	Barton (R)	80%	+	+	+	+	+	+	+	+	-	-
7	Culberson (R)	80%	+	+	+	+	+	+	+	+	-	-
8	Brady, K. (R)	70%	+	-	+	+	+	+	+	+	-	-
9	Green, A. (D)	30%	-	-	+	-	-	-	-	+	+	-
10	McCaul (R)	70%	+	-	+	+	+	+	+	+	-	-
11	Conaway (R)	80%	+	+	+	+	+	+	+	+	-	-
12	Granger (R)	78%	+	-	+	+	+	+	+	+	-	?
13	Thornberry (R)	80%	+	+	+	+	+	+	+	+	-	-

Votes:		1-10	1	2	3	4	5	6	7	8	9	10
14	Paul, Ron (R)	100%	+	?	+	+	+	+	+	+	+	+
15	Hinojosa (D)	17%	-	?	?	?	-	-	-	+	-	?
16	Reyes (D)	20%	-	-	+	-	-	-	-	+	-	-
17	Flores (R)	80%	+	+	+	+	+	+	+	+	-	-
18	Jackson Lee (D)	30%	-	-	-	-	-	-	-	+	+	+
19	Neugebauer (R)	80%	+	+	+	+	+	+	+	+	+	-
20	Gonzalez (D)	30%	-	-	+	-	-	-	-	-	+	+
21	Smith, Lamar (R)	80%	+	+	+	+	+	+	+	+	+	-
22	Olson (R)	80%	+	+	+	+	+	+	+	+	+	-
23	Canseco (R)	80%	+	+	+	+	+	+	+	+	+	-
24	Marchant (R)	80%	+	+	+	+	+	+	+	+	+	-
25	Doggett (D)	10%	-	-	-	-	-	-	-	-	+	-
26	Burgess (R)	89%	+	+	+	+	?	+	+	+	-	+
27	Farenthold (R)	80%	+	+	+	+	+	+	+	+	-	-
28	Cuellar (D)	30%	-	-	+	-	+	-	-	+	-	-
29	Green, G. (D)	22%	-	-	+	-	-	-	-	+	?	-
30	Johnson, E. (D)	10%	-	-	-	-	-	-	-	+	-	-
31	Carter (R)	80%	+	+	+	+	+	+	+	+	-	-
32	Sessions, P. (R)	80%	+	+	+	+	+	+	+	+	-	-
UTAH												
1	Bishop, R. (R)	90%	+	+	+	+	+	+	+	+	+	-
2	Matheson (D)	30%	-	-	+	-	+	-	-	+	-	-
3	Chaffetz (R)	100%	+	+	+	+	+	+	+	+	+	+
VERMONT												
AL	Welch (D)	30%	-	-	+	-	-	-	-	-	+	+
VIRGINIA												
1	Witman (R)	80%	+	+	+	+	+	+	+	+	-	-
2	Rigell (R)	90%	+	+	+	+	+	+	+	+	-	+
3	Scott, R. (D)	20%	-	-	-	-	-	-	-	-	+	+
4	Forbes (R)	80%	+	+	+	+	+	+	+	+	+	-
5	Hurt (R)	80%	+	+	+	+	+	+	+	+	-	-
6	Goodlatte (R)	78%	+	+	+	+	+	+	+	?	-	-
7	Cantor (R)	70%	+	-	+	+	+	+	+	+	-	-
8	Moran, James (D)	10%	-	-	-	-	-	-	-	-	+	-
9	Griffith (R)	90%	+	+	+	+	+	+	+	+	+	+
10	Wolf (R)	80%	+	+	+	+	+	+	+	+	-	+
11	Connolly (D)	20%	-	-	+	-	-	-	-	-	+	-
WASHINGTON												
1	Inslee (D)	20%	-	-	+	-	-	-	-	-	+	-
2	Larsen, R. (D)	20%	-	-	+	-	-	-	-	-	+	-
3	Herrera Beutler (R)	80%	+	-	+	+	+	+	+	+	+	-
4	Hastings, D. (R)	88%	+	+	+	+	+	+	+	?	?	-
5	McMorris Rodgers (R)	80%	+	+	+	+	+	+	+	+	+	-
6	Dicks (D)	0%	-	?	-	-	-	-	-	-	-	-
7	McDermott (D)	10%	-	-	-	-	-	-	-	-	+	-
8	Reichert (R)	50%	+	-	+	-	+	?	?	+	-	-
9	Smith, Adam (D)	10%	-	-	+	-	-	-	-	-	-	-
WEST VIRGINIA												
1	McKinley (R)	90%	+	+	+	+	+	+	+	+	-	+
2	Capito (R)	80%	+	-	+	+	+	+	+	+	-	+
3	Rahall (D)	30%	-	-	+	-	+	-	+	-	-	-
WISCONSIN												
1	Ryan, P. (R)	70%	+	-	+	+	+	+	+	+	-	-
2	Baldwin (D)	20%	-	-	-	-	-	-	-	-	+	+
3	Kind (D)	0%	-	-	-	-	-	-	-	-	-	-
4	Moore (D)	11%	-	-	-	-	-	-	-	-	+	?
5	Sensenbrenner (R)	90%	+	+	+	+	+	+	+	+	-	+
6	Petri (R)	90%	+	+	+	+	+	+	+	+	-	+
7	Duffy (R)	70%	+	-	+	-	+	+	+	+	-	+
8	Ribble (R)	90%	+	+	+	+	+	+	+	+	-	+
WYOMING												
AL	Lummis (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 1, 2, and 4.

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Senate Vote Descriptions

1 ObamaCare Repeal. The essential text of the House's bill (H.R. 2) "Repealing the Job-Killing Health Care Law Act" was brought to a vote in the Senate by Senator Mitch McConnell (R-Ky.) as an amendment to S. 223, the FAA reauthorization bill. See House vote #1 for further discussion of H.R. 2. The Senate rejected Senator McConnell's amendment on February 2, 2011 by a vote of 47-51 (Roll Call 9). We have assigned pluses to the yeas because the 2010 healthcare overhaul law (PL 111-148 and 111-152), popularly known as ObamaCare, is unconstitutional. There is no constitutional authority for the federal government to require individuals to purchase health insurance or to manage the healthcare industry.

2 Subsidized Airline Service. During consideration of the FAA reauthorization bill (S. 223), Sen. John McCain (R-Ariz.) offered an amendment to end the Essential Air Service program, which provides subsidies to airlines to maintain otherwise unprofitable commercial airline service to certain small communities.

The Senate tabled (killed) the McCain amendment on February 17, 2011 by a vote of 61 to 38 (Roll Call 21). We have assigned pluses to the nays because the federal government has no constitutional authority to subsidize private airlines, and the free market should be allowed to determine which communities commercial airlines service, as well as the cost and extent of that service.

3 ObamaCare (1099 Reporting Requirement Repeal). This bill (H.R. 4) stripped the very unpopular 1099 reporting requirement out of ObamaCare. (See House vote #3.)

The Senate passed H.R. 4 on April 5, 2011 by a vote of 87 to 12 (Roll Call 49). We have assigned pluses to the yeas because the burdensome 1099 reporting requirement was added to the ObamaCare legislation as a way to help pay for this unconstitutional program.

4 Authority for Military Action. During consideration of a small-business bill (S. 493), Sen. Rand Paul (R-Ky.) moved to



AP Images

Perfect scorer: Sen. Rand Paul (R-Ky.) earned a 100-percent rating in our first "Freedom Index" for the 112th Congress, along with one other Senator and 24 Representatives.

send the bill to the Foreign Relations Committee with instructions to insert his amendment expressing the sense of the Senate that "the President does not have power under the Constitution to unilaterally authorize a military attack in a situation that does not involve stopping an actual or imminent threat to the nation." Paul's amendment was in response to President Obama undertaking U.S. military action in Libya without congressional authorization.

The Senate tabled (killed) Rand Paul's motion on April 5, 2011 by a vote of 90 to 10 (Roll Call 50). We have assigned pluses to the nays because the U.S. Constitution assigns to Congress the power "to declare war."

5 Greenhouse-gas Regulation. During consideration of a small-business bill (S. 493), Sen. Mitch McConnell (R-Ky.) offered an amendment to prohibit the EPA from regulating greenhouse-gas emissions from stationary sources for the purpose of addressing climate change. McConnell's amendment is similar to H.R. 910, described under House vote #5.

The Senate rejected McConnell's amendment on April 6, 2011 by a vote of 50 to 50 (Roll Call 54). We have assigned pluses to the yeas because restricting greenhouse-gas emissions would be harmful to the economy, carbon dioxide and other greenhouse

gases are not pollutants, and the federal government has no constitutional authority to limit such emissions.

6 ObamaCare Defunding. House Concurrent Resolution 35 would direct the House clerk to insert a section in the enrollment of H.R. 1473 (Department of Defense and Full-Year Continuing Appropriations Act, 2011) that would bar the use of funds made available in the bill to implement the provisions of the 2010 healthcare overhaul law. (See House vote #6.)

The Senate rejected H. Con. Res. 35 on April 14, 2011 by a vote of 47 to 53 (Roll Call 59). We have assigned pluses to the yeas because there is no constitutional authority for the federal government to require individuals to purchase health insurance or to manage the healthcare industry.

7 Planned Parenthood Defunding. House Concurrent Resolution 36 would have directed the House clerk to insert a section in the enrollment of H.R. 1473 (Department of Defense and Full-Year Continuing Appropriations Act, 2011) that would prohibit the use of any funding in the bill for Planned Parenthood.

The House adopted H. Con. Res. 36 on April 14, 2011 (see House vote #7), but the Senate rejected it the same day by a vote of 42 to 58 (Roll Call 60). We have as-



Senate Vote Scores

Votes:	1-10	1	2	3	4	5	6	7	8	9	10
ALABAMA											
Shelby (R)	80%	+	+	+	-	+	+	+	+	-	+
Sessions, J. (R)	80%	+	+	+	+	+	+	+	-	-	+
ALASKA											
Murkowski (R)	60%	+	-	+	-	+	+	-	-	+	+
Begich (D)	30%	-	-	+	-	-	-	-	-	+	+
ARIZONA											
McCain (R)	70%	+	+	+	-	+	+	+	-	-	+
Kyl (R)	70%	+	+	+	-	+	+	+	-	-	+
ARKANSAS											
Pryor (D)	30%	-	-	+	-	+	-	-	-	-	+
Boozman (R)	60%	+	-	+	-	+	+	+	-	-	+
CALIFORNIA											
Feinstein (D)	20%	-	-	+	-	-	-	-	-	-	+
Boxer (D)	20%	-	-	+	-	-	-	-	-	-	+
COLORADO											
Udall, Mark (D)	30%	-	-	+	-	-	-	-	-	+	+
Bennet (D)	20%	-	-	+	-	-	-	-	-	-	+
CONNECTICUT											
Lieberman (I)	22%	?	-	+	-	-	-	-	-	-	+
Blumenthal (D)	25%	-	-	+	-	-	-	-	?	?	+
DELAWARE											
Carper (D)	20%	-	-	+	-	-	-	-	-	-	+
Coons (D)	30%	-	-	+	-	-	-	-	-	+	+
FLORIDA											
Nelson, Bill (D)	30%	-	+	+	-	-	-	-	-	-	+
Rubio (R)	88%	+	+	+	-	+	+	+	?	?	+
GEORGIA											
Chambliss (R)	60%	+	+	+	-	+	+	+	-	-	-
Isakson (R)	70%	+	+	+	-	+	+	+	-	-	+
HAWAII											
Inouye (D)	10%	-	-	-	-	-	-	-	-	-	+
Akaka (D)	20%	-	-	-	-	-	-	-	-	+	+
IDAHO											
Crapo (R)	70%	+	+	+	-	+	+	+	-	-	+
Risch (R)	67%	+	+	?	-	+	+	+	-	-	+
ILLINOIS											
Durbin (D)	10%	-	-	-	-	-	-	-	-	+	-
Kirk (R)	50%	+	+	+	-	+	+	+	-	-	-
INDIANA											
Lugar (R)	60%	+	+	+	-	+	+	+	-	-	-
Coats (R)	60%	+	+	+	-	+	+	+	-	-	-
IOWA											
Grassley (R)	60%	+	+	+	-	+	+	+	-	-	-
Harkin (D)	10%	-	-	-	-	-	-	-	-	+	-
KANSAS											
Roberts (R)	63%	+	-	+	-	+	+	+	?	?	-
Moran, Jerry (R)	70%	+	-	+	+	+	+	+	+	-	-
KENTUCKY											
McConnell (R)	60%	+	-	+	-	+	+	+	-	-	+
Paul, Rand (R)	100%	+	+	+	+	+	+	+	+	+	+
LOUISIANA											
Landrieu, M. (D)	30%	-	-	+	-	+	-	-	-	-	+
Vitter (R)	70%	+	+	+	-	+	+	+	-	-	+

Votes:	1-10	1	2	3	4	5	6	7	8	9	10
MAINE											
Snowe (R)	60%	+	-	+	+	+	+	-	-	-	+
Collins (R)	50%	+	-	+	+	-	+	-	-	-	+
MARYLAND											
Mikulski (D)	10%	-	-	-	-	-	-	-	-	-	+
Cardin (D)	20%	-	-	+	-	-	-	-	-	-	+
MASSACHUSETTS											
Kerry (D)	22%	-	?	+	-	-	-	-	-	-	+
Brown, Scott (R)	50%	+	-	+	-	+	+	-	-	-	+
MICHIGAN											
Levin, C. (D)	0%	-	-	-	-	-	-	-	-	-	-
Stabenow (D)	10%	-	-	+	-	-	-	-	-	-	-
MINNESOTA											
Klobuchar (D)	10%	-	-	+	-	-	-	-	-	-	-
Franken (D)	20%	-	-	+	-	-	-	-	-	+	-
MISSISSIPPI											
Cochran (R)	50%	+	-	+	-	+	+	+	-	-	-
Wicker (R)	50%	+	-	+	-	+	+	+	-	-	-
MISSOURI											
McCaskill (D)	10%	-	-	+	-	-	-	-	-	-	-
Blunt (R)	50%	+	-	+	-	+	+	+	-	-	-
MONTANA											
Baucus, M. (D)	40%	-	-	+	-	-	-	-	+	+	+
Tester (D)	40%	-	-	+	-	-	-	-	+	+	+
NEBRASKA											
Nelson, Ben (D)	20%	-	-	+	-	+	-	-	-	-	-
Johanns (R)	50%	+	-	+	-	+	+	+	-	-	-
NEVADA											
Reid, H. (D)	10%	-	-	-	-	-	-	-	-	-	+
Heller (R)										+	+
NEW HAMPSHIRE											
Shaheen (D)	30%	-	+	+	-	-	-	-	-	-	+
Ayotte (R)	70%	+	+	+	-	+	+	+	-	-	+
NEW JERSEY											
Lautenberg (D)	30%	-	+	-	-	-	-	-	-	+	+
Menendez (D)	38%	-	+	+	-	-	-	-	?	?	+
NEW MEXICO											
Bingaman (D)	30%	-	-	+	-	-	-	-	-	+	+
Udall, T. (D)	30%	-	-	+	-	-	-	-	-	+	+
NEW YORK											
Schumer (D)	13%	-	-	-	-	-	-	-	?	?	+
Gillibrand (D)	20%	-	-	+	-	-	-	-	-	-	+
NORTH CAROLINA											
Burr (R)	70%	+	+	+	-	+	+	+	-	-	+
Hagan (D)	30%	-	+	+	-	-	-	-	-	-	+
NORTH DAKOTA											
Conrad (D)	10%	-	-	+	-	-	-	-	-	-	-
Hoeven (R)	50%	+	-	+	-	+	+	+	-	-	-
OHIO											
Brown, Sherrod (D)	20%	-	-	+	-	-	-	-	-	+	-
Portman (R)	60%	+	+	+	-	+	+	+	-	-	-
OKLAHOMA											
Inhofe (R)	70%	+	+	+	-	+	+	+	-	-	+
Coburn (R)	70%	+	+	+	-	+	+	+	-	-	+

	Votes:	1-10	1	2	3	4	5	6	7	8	9	10
OREGON												
Wyden (D)	30%	-	-	+	-	-	-	-	-	-	+	+
Merkley (D)	30%	-	-	+	-	-	-	-	-	-	+	+
PENNSYLVANIA												
Casey (D)	10%	-	-	+	-	-	-	-	-	-	-	-
Toomey (R)	80%	+	+	+	+	+	+	+	+	-	-	+
RHODE ISLAND												
Reed, J. (D)	20%	-	-	+	-	-	-	-	-	-	-	+
Whitehouse (D)	20%	-	-	+	-	-	-	-	-	-	-	+
SOUTH CAROLINA												
Graham (R)	70%	+	+	+	-	+	+	+	+	-	-	+
DeMint (R)	90%	+	+	+	+	+	+	+	+	+	-	+
SOUTH DAKOTA												
Johnson, Tim (D)	10%	-	-	+	-	-	-	-	-	-	-	-
Thune (R)	60%	+	+	+	-	+	+	+	+	-	-	-
TENNESSEE												
Alexander, L. (R)	60%	+	-	+	-	+	+	+	+	-	-	+
Corker (R)	70%	+	+	+	-	+	+	+	+	-	-	+
TEXAS												
Hutchison (R)	60%	+	-	+	-	+	+	+	+	-	-	+
Cornyn (R)	70%	+	+	+	-	+	+	+	+	-	-	+

	Votes:	1-10	1	2	3	4	5	6	7	8	9	10
UTAH												
Hatch (R)	70%	+	+	+	-	+	+	+	+	-	-	+
Lee, M. (R)	100%	+	+	+	+	+	+	+	+	+	+	+
VERMONT												
Leahy (D)	20%	-	-	-	-	-	-	-	-	-	+	+
Sanders (I)	20%	-	-	-	-	-	-	-	-	-	+	+
VIRGINIA												
Webb (D)	20%	-	-	+	-	-	-	-	-	-	-	+
Warner (D)	22%	?	-	+	-	-	-	-	-	-	-	+
WASHINGTON												
Murray (D)	20%	-	-	-	-	-	-	-	-	-	+	+
Cantwell (D)	30%	-	-	+	-	-	-	-	-	-	+	+
WEST VIRGINIA												
Rockefeller (D)	20%	-	-	+	-	-	-	-	-	-	-	+
Manchin (D)	30%	-	-	+	-	+	-	-	-	-	-	+
WISCONSIN												
Kohl (D)	20%	-	+	+	-	-	-	-	-	-	-	-
Johnson, R. (R)	80%	+	+	+	+	+	+	+	+	+	-	+
WYOMING												
Enzi (R)	80%	+	+	+	-	+	+	+	+	+	-	+
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 9 and 11.

signed pluses to the yeas because Planned Parenthood is the nation’s largest abortion provider and government should not subsidize the killing of innocent human life. Moreover, under the Constitution, the federal government should not be subsidizing any private entity in the marketplace.

8 Patriot Act (Firearms Purchase Records). During consideration of the Patriot Act extension bill (S. 990), Sen. Rand Paul (R-Ky.), who opposes the Patriot Act on constitutional grounds, offered an amendment that would have banned the use of Patriot Act searches for American citizens’ firearms records without the Fourth Amendment’s protections of probable cause, warrants, and particularity. Gun Owners of America, which supported this amendment, warned: “Without Paul’s exemption, it is possible that the BATFE could go to a secret (FISA) court, and, in a one-party (ex parte) proceeding, obtain an order to produce every 4473 [firearms transaction record] in the country, ostensibly because a ‘terrorism investigation’ requires it. If such an action were taken, the government would have a list of every gun buyer in the country going back decades.”

The Senate tabled (killed) Rand Paul’s amendment on May 26, 2011 by a vote of 85 to 10 (Roll Call 82). We have assigned

pluses to the nays because Paul’s amendment would have prevented the Patriot Act from being used to violate the rights of gun owners.

9 Patriot Act Extension. This legislation (S. 990) extended for four years three Patriot Act provisions that were set to expire — the “roving wiretap,” “financial records,” and “lone wolf” provisions. These provisions are described under House vote #9.

The Senate passed S. 990 on May 26, 2011 by a vote of 72 to 23 (Roll Call 84). We have assigned pluses to the nays because the extended provisions, and the Patriot Act as a whole, violate the Fourth Amendment of the U.S. Constitution.

10 Ethanol Subsidies Repeal. During consideration of the economic development bill (S. 782), Sen. Dianne Feinstein (D-Calif.) introduced an amendment that would end the 45-cents-per-gallon tax credit that refiners get for blending ethanol with gasoline and the 54-cents-per-gallon

tariff on imported ethanol. These federal energy subsidies currently cost about \$6 billion per year. Critics of the ethanol subsidy say ethanol production for use in fuels hurts the environment, gums up engines, and raises food prices. According to DesMoinesRegister.com, “About 40 percent of last year’s U.S. corn crop went toward ethanol production.”

The Senate adopted Feinstein’s amendment on June 16, 2011 by a vote of 73 to 27 (Roll Call 90). We have assigned pluses to the yeas because the Constitution does not authorize the federal government to subsidize alternative energy sources. ■



Ethanol subsidies have enticed farmers to divert huge amounts of their acreage to growing corn for ethanol production, thereby fueling the high price of food.



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