



Benjamin Gilman

U.S. Representative, NY 20th (R)

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Congressional Scorecard 107-1: 0%

Based on the Principles of the U.S. Constitution

✓ Constitutional	✗ Unconstitutional	— Did not Vote	Vote
1. Anti-Terrorism Authority: Would create the "USA Patriot Act," giving law enforcement and intelligence agencies vast new powers to combat terrorism.			✗
Constitutional: No · Cast: Yes · H.R. 3162 · 10/24/2001			
2. Education: Would, as the "No Child Left Behind Act," overhaul education proposals to increase school accountability and reauthorize the Elementary and Secondary Education Act (ESEA) for six years.			✗
Estimated Cost per household: -\$1,248.00/year.			
Constitutional: No · Cast: Yes · H.R. 1 · 12/13/2001			
3. Illegal Aliens: Would allow certain illegal immigrants to remain in this country while applying for legal residency.			✗
Constitutional: No · Cast: Yes · H.Res.365 · 03/12/2002			
4. Debt Limit: Would increase the public debt limit by \$450 billion for a new ceiling of \$6.4 trillion.			✗
Estimated Cost per household: -\$4,117.00/year.			
Constitutional: No · Cast: Yes · S. 2578 · 06/27/2002			
5. Partial-Birth Abortion Ban: Would ban one type of abortion, known as partial-birth abortion.			✗
Constitutional: Yes · Cast: No · H.R. 4965 · 07/24/2002			
6. War Authorization Against Iraq: Authorizes the use of U.S. military force against Iraq, including to enforce any related UN Security Council resolutions.			✗
Constitutional: No · Cast: Yes · H.J.Res.114 · 10/10/2002			



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\$297,530

U.S. National Debt Per Household as of August 28, 2026

Why do these votes matter?

1. Anti-Terrorism Authority

H.R. 3162, known as the "USA Patriot Act," was passed by the House on October 24th, passed by the Senate the next day, and signed into law the day after that. The Act, introduced in response to the September 11th terrorist attacks, gives law enforcement and intelligence agencies vast new powers to combat terrorism.

This bill expands the list of crimes deemed terrorist acts; increases the ability of law enforcement to secretly search homes and business records; expands the FBI's wiretapping and surveillance authority; and provides for nationwide jurisdiction for search warrants and electronic surveillance devices, including the legal extension of those devices to e-mail and the Internet.

2. Education

The final version (conference report) of H.R. 1 would overhaul education proposals to increase school accountability and reauthorize the Elementary and Secondary Education Act (ESEA) for six years. This bill would require states to test students in reading and math in grades three through eight annually, provide new accountability measures for schools that fail to make adequate yearly progress, and give schools greater flexibility to spend federal funds. It would include about \$26.3 billion for federal elementary and secondary education programs and \$13.5 billion for Title I programs for disadvantaged children in fiscal 2002.

The federal government has no constitutional authority over education.

3. Illegal Aliens

This bill (H.R. 1885) would extend the "Section 245 (i)" program allowing certain illegal immigrants to remain in this country while applying for legal residency. The applicant must have been in the U.S. as of December 21, 2000; a family member or employer must sponsor the application and the familial or employer relationship must have existed by August 15, 2001.

The bill would reward those who have unlawfully entered the country with legal status. Congressional Quarterly noted the vote "was a sign that a long-term move toward liberalization of immigration laws has been delayed, but not stopped, by Sept. 11."

4. Debt Limit

This bill (S. 2578) would increase the public debt limit by \$450 billion for a new ceiling of \$6.4 trillion on the National Debt.

The supposed need for increasing the debt ceiling by \$450 billion demonstrates that the federal government is still on a trajectory of out-of-control spending. Instead of raising the legal limit on what the federal government may borrow, Congress should cut spending.

5. Partial-Birth Abortion Ban

This bill (H.R. 4965) would ban one type of abortion, known as partial-birth abortion. Of course this measure, while commendable, would only slightly reduce the rate of routine killing of pre-born babies in this nation. This is the fourth consecutive session of Congress where the House has passed a bill banning partial-birth abortions. However, the Senate has only passed similar legislation once (106th Congress, 1999-2000). But the conference committee charged with reconciling the House-and Senate-passed versions never began work.

All forms of abortion constitute the murder of preborn children, and the Supreme Court, in its Roe v. Wade decision, overstepped its proper authority by "legalizing" abortion in the first place.

6. War Authorization Against Iraq

This joint resolution (House Joint Resolution 114) authorizes the president "to use the Armed Forces of the United States as he determines to be necessary and appropriate in order to -- (1) defend the national security of the United States against the continuing threat posed by Iraq; and (2) enforce all relevant United Nations Security Council resolutions regarding Iraq."

The purpose of the resolution is to enforce UN Security Council dictates. Since the Constitution gives Congress the sole responsibility for declaring war, this resolution represents congressional abdication of its responsibility.