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CONGRESSIONAL SCORECARD

BASED ON THE PRINCIPLES OF THE U.S. CONSTITUTION



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\$297,530

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



Evan Bayh

U.S. Senator, Indiana (D)

Website: <http://bayh.senate.gov>

freedomindex.us/637/



Congressional Scorecard 111-1: 60%

✓ Constitutional ✗ Unconstitutional — Did not Vote Vote

1. Abortion: Offered an amendment to prohibit the use of any funding authorized by the bill to pay for abortions or for health plans that cover abortions, except in cases of rape or incest or to protect the mother. ✓

Constitutional: **No** · Cast: **No** · S.Amdt. 2962 to S.Amdt. 2786 to H.R. 3590 · 12/08/2009

2. Omnibus Appropriations: Comprised of six appropriations bills that Congress failed to complete separately. The price tag in the final version of HR3288 is \$1.1 trillion. ✓

Estimated Cost per household: **-\$9,387.00/year.**

Constitutional: **No** · Cast: **No** · H.R. 3288 · 12/13/2009

3. ObamaCare: Popularly known as "ObamaCare," this bill essentially completed the government takeover of the American healthcare system. ✗

Estimated Cost per household: **-\$8,508.00/year.**

Constitutional: **No** · Cast: **Yes** · H.R. 3590 · 12/24/2009

4. Audit the Fed: Amendment to audit the Federal Reserve. ✗

Constitutional: **Yes** · Cast: **No** · S.Amdt. 3760 to S.Amdt. 3739 to S. 3217 · 05/11/2010

5. Greenhouse Gas Regulation: Would disapprove an Environmental Protection Agency endangerment finding that greenhouse gases may be regulated as pollutants under the Clean Air Act. ✓

Constitutional: **Yes** · Cast: **Yes** · S.J.Res. 26 · 06/10/2010

6. Arizona Immigration Law: Offered a measure to recommit the bill to the Judiciary Committee with instructions to include language that no funds in any provision of law may be used to participate in a lawsuit against Arizona's immigration law. —

Constitutional: **Yes** · Cast: None · Amdt. No. 4464 · 07/21/2010

Why do these votes matter?

1. Abortion

During consideration of healthcare "reform" legislation (H.R. 3590), Sen. Ben Nelson (D-Neb.) offered an amendment to prohibit the use of any funding authorized by the bill to pay for abortions or for health plans that cover abortions, except in cases of rape or incest or when the life of the mother is endangered.

Government should not subsidize the killing of innocent human life.

2. Omnibus Appropriations

This catch-all legislative package (H.R. 3288) is comprised of six appropriations bills for fiscal 2010 that Congress failed to complete separately. The total price tag in the final version (conference report) of H.R. 3288 is about \$1.1 trillion.

Many of the bill's spending programs — e.g., education, housing, foreign aid, etc. — are unconstitutional. Moreover, lawmakers should have been able to vote on component parts of the total package.

3. ObamaCare

This historic bill (H.R. 3590), officially titled the "Patient Protection and Affordable Care Act," went on to be signed into law (Public Law 111-148) by President Obama on March 23, 2010. Popularly known as "ObamaCare," this bill essentially completed the government takeover of the American healthcare system that was begun with Medicare and Medicaid in 1965. The law creates 159 new government agencies, which will inevitably drive private healthcare insurers out of the market. This would create an exchange in each state for the purchase of government-approved health insurance, mandate that most individuals purchase health insurance, fine individuals who don't purchase health insurance, subsidize the purchase of health insurance, require employers with 50 or more employees to provide healthcare coverage or pay a fine if any employee gets a subsidized healthcare plan from the exchange, and prohibit insurance companies from denying coverage based on pre-existing conditions.

The federal government has no constitutional authority to require individuals to purchase health insurance or to manage the healthcare industry.

4. Audit the Fed

During consideration of the financial regulatory reform bill (S. 3217), Sen. David Vitter (R-La.) offered an amendment to audit the Federal Reserve. The Senate rejected the Vitter amendment on May 11, 2010 by a vote of 37-62 (Roll Call 138), after unanimously adopting a watered-down audit-the-Fed amendment offered by Sen. Bernie Sanders (I-Vt.)

The American people need to know what the Fed is doing and because this may represent a first step in eliminating the unconstitutional Federal Reserve.

5. Greenhouse Gas Regulation

This legislative measure (SJR 26) would disapprove an Environmental Protection Agency endangerment finding that greenhouse gases may be regulated as pollutants under the Clean Air Act. The supposedly dangerous pollutants include carbon dioxide, even though this natural substance is necessary for the existence of plant life.

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. Arizona Immigration Law

During consideration of the bill to extend unemployment benefits (H.R. 4213), Sen. Jim DeMint (S.C.) offered a measure to recommit the bill to the Judiciary Committee with instructions to include language that no funds in any provision of law may be used to participate in a lawsuit against Arizona's immigration law. The Obama administration opposes the Arizona law (S.B. 1070) despite the fact that it does not actually create new powers of government but instead makes illegal under state law the illegal immigration that is already illegal under federal law.

Arizona (like any other state) has the right to stem the tide of illegal immigration into the state.