

Scorecard 115-1

The Congressional Scorecard is a nationwide educational program of The John Birch Society. Its purpose is to create an informed electorate on how members of Congress are voting. The Scorecard is nonpartisan; it does not promote any candidate or political party. Bills are selected for their constitutional implications and cost to the taxpayers.

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U.S. Constitution, Amendment I --- 11 C.F.R. §114(4)(c)(4) --- 616 F.2d 45 (2d Cir. 1980)

The following scorecard lists several key votes in the 115th Congress (January 3, 2017 – January 3, 2019) and ranks congressmen based on his or her fidelity to constitutional and limited-government principles.



Ro Khanna

Representative

California District 17th

Democrat

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Lifetime Score

This legislator voted constitutionally on **17%** of the votes shown below.

CPH: Estimated cost per household.

★ Constitutional	✗ Unconstitutional	? Did not Vote	CPH	Vote
				No
1. HR 26 Major Regulations (Passed 237 to 187 on 1/5/2017, Roll Call 23). Would require congressional approval before any "major rule" issued by an executive branch agency could go into effect. See U.S. Const., Art. I, Sec. 1.				✗
2. HR 7 Federal Funding for Abortion (Passed 238 to 183 on 1/24/2017, Roll Call 65). Would prohibit both federal funds and the District of Columbia's funds from being used to pay for abortions.				✗
3. HJR 38 Stream Protection Rule (Passed 228 to 194 on 2/1/2017, Roll Call 73). Would nullify the "Stream Protection Rule" issued in 2016 by the Interior Department's Office of Surface Mining Reclamation and Enforcement.				✗
4. HR 1181 Veteran Gun Purchases (Passed 240 to 175 on 3/16/2017, Roll Call 169). Prohibits the U.S. government from preventing individuals from purchasing a gun simply by claiming the individual is "mentally incompetent." See U.S. Const., Amend. 2.				✗
5. HR 244 Omnibus Appropriations (Passed 309 to 118 on 5/3/2017, Roll Call 249). Would provide \$1.16 trillion in wasteful and unconstitutional government spending over the span of just under five months. See U.S. Const., Art. I, Sec. 8.			\$9,190	✗
6. HR 1628 ObamaCare Replacement (Passed 217 to 213 on 5/4/2017, Roll Call 256). Would retain much of ObamaCare under the guise of "repeal and replace."				★



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1. Major Regulations

Under the Regulations from the Executive in Need of Scrutiny Act (H.R. 26), regulations would require congressional approval before any "major rule" issued by an executive branch agency could go into effect. "Major rules" would include any regulation that would have an annual economic impact of \$100 million or more. The intent of the legislation is to rein in the executive branch from usurping legislative powers.

All legislative powers in the Constitution are vested in Congress, not the executive branch. Mandatory rules issued by the executive branch might not be called laws, but they have the same effect as laws, and what they are called does not change the reality.

2. Federal Funding for Abortion

The No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act (H.R. 7) would permanently prohibit federal funds from being used to pay for abortion services or health insurance plans that include abortion coverage, as well as prohibit the District of Columbia from using its own local funds to provide or pay for abortions. Additionally, the Office of Personnel Management would be required to ensure that qualified health plans under the state exchanges were not providing abortion coverage. There is a rape, incest, and life of the mother exemption.

The Constitution does not authorize the federal government to fund any healthcare-related programs. Such issues should be left up to the states, or, ideally, left to the free market. Also, abortion is the taking of an innocent human life, period. It is unconscionable that American taxpayers' money should be used to subsidize such a practice.

3. Stream Protection Rule

This legislation (House Joint Resolution 38) would disapprove of and nullify the "Stream Protection Rule" issued by the Department of the Interior's Office of Surface Mining Reclamation and Enforcement in 2016. This new rule would "jeopardize thousands of coal and coal-related jobs, devastate coal producing communities, and put a majority of the country's coal reserves off limits," according to the bill's lead sponsor, Representative Bill Johnson (R-Ohio).

The federal government has no constitutional authority to issue environmental regulations, such as the "Stream Protection Rule," which destroy jobs and increase energy costs. Also, states already protect streamwater.

4. Veteran Gun Purchases

The Veterans 2nd Amendment Protection Act (H.R. 1181) would prohibit a Veterans Affairs Department determination that an individual is mentally incompetent from being used as a basis for that individual's inclusion in the National Instant Criminal Background Check System, which would thereby prevent the individual from purchasing a gun. Under the measure, an individual could not be considered to be mentally defective without a judicial authority's finding that the individual poses a danger to himself or herself or others.

The Veterans Affairs Department determination referenced above is a clear violation of the Second Amendment, which states that "the right of the people to keep and bear Arms, shall not be infringed."

5. Omnibus Appropriations

The Consolidated Appropriations Act or omnibus bill (H.R. 244) would provide \$1.16 trillion in discretionary appropriations through September 30, 2017.

With this fiscal 2017 omnibus appropriations bill, Congress is failing to address its fiscally and constitutionally irresponsible budgeting and appropriating process that is currently yielding annual federal deficits measured in the hundreds of billions of dollars that contribute directly to the dramatic growth of our nearly \$20 trillion national debt.

6. ObamaCare Replacement

Rather than voting to repeal ObamaCare, the House voted instead to retain much of ObamaCare under the guise of "repeal and replace." The legislation (H.R. 1628), known as the American Health Care Act (AHCA), was strongly backed by President Trump and the Republican congressional leadership.

The House passed H.R. 1628 on May 4, 2017 by a vote 217 to 213 (Roll Call 256). We have assigned pluses to the nays because ObamaCare should be repealed, not replaced with a Republican variant of unconstitutional government healthcare that more liberty-minded lawmakers have referred to as "ObamaCare Lite" and "ObamaCare 2.0." Admittedly, the Democrats who voted against this GOP alternative have gotten "pluses" on this for the wrong reasons (they do not want to move away from the ObamaCare brand and in many cases want even more socialized medicine), but the Republicans who voted against the bill based on principle as opposed to partisanship are to be applauded.