



# David Kustoff

**Representative**  
**Tennessee** District 8th  
**Republican**

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Lifetime Score

This legislator voted constitutionally on **33%** of the votes shown below.

### CPH: Estimated cost per household.

★ Constitutional	✗ Unconstitutional	? Did not Vote	CPH	Vote
<b>1. Rep. Matt Gaetz's (R-Fla.) amendment to HR 2670 Ukraine</b> (Rejected 70 to 358 on 7/13/2023, Roll Call 304). Prohibits the use of federal funds to provide security assistance to Ukraine. See U.S. Const., Art. I, Sec. 8.			<b>+\$2</b>	<b>No</b> ✗
<b>2. Rep. Mary Miller's (R-Ill.) amendment to HR 3935 DEI Funding</b> (Rejected 181 to 254 on 7/19/2023, Roll Call 353). Prevents funds from being used to hire DEI officials or conduct DEI training. See U.S. Const., Art. I, Sec. 8.			<b>\$0</b>	<b>Yes</b> ★
<b>3. HR 3935 FAA Reauthorization</b> (Passed 351 to 69 on 7/20/2023, Roll Call 364). Reauthorizes the Federal Aviation Administration (FAA) through fiscal year 2028, and increases funding to the agency. See U.S. Const., Art. I, Sec. 8.			<b>\$872</b>	<b>Yes</b> ✗
<b>4. Rep. Scott Perry's (R-Pa.) amendment to HR 4665 Migration and Refugee Assistance</b> (Rejected 121 to 311 on 9/28/2023, Roll Call 469). Eliminates all \$2,548,250,000 of funding for the State Department's Migration and Refugee Assistance program.			<b>+\$19</b>	<b>Yes</b> ★
<b>5. HR 5860 Continuing Resolution</b> (Passed 335 to 91 on 9/30/2023, Roll Call 513). Appropriates federal government funding at bloated fiscal 2023 levels from October 1, 2023 through November 17, 2023. See U.S. Const., Art. I, Sec. 8.			<b>\$13,314</b>	<b>Yes</b> ✗
<b>6. Rep. Thomas Massie's (R-Ky.) amendment to HR 4820 Defunding "Kill-switch" Mandate</b> (Rejected 201 to 229 on 11/7/2023, Roll Call 616). Defunds the federal "kill-switch" surveillance mandate for all new passenger vehicles. See U.S. Const., amends. 4 & 5.			<b>+\$3</b>	<b>No</b> ✗



## CONGRESSIONAL SCORECARD

BASED ON THE U.S. CONSTITUTION

**Rep. David Kustoff**  
Lifetime Score: **57%**

**Scorecard 118-2**  
118th Session Score: **53%**

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.

**Please share this Scorecard in your district to inform people about the constitutionality of their congressman's votes.**

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 118th Congress (January 3, 2023 - January 3, 2025) and ranks congressmen based on his or her fidelity to constitutional and limited-government principles.

**Federal debt equals \$264,090 per taxpayer, as of January 9, 2024.**



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# Bill Descriptions for the Votes that Affect You

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## 1. Ukraine

During consideration of the fiscal 2024 National Defense Authorization Act (H.R. 2670), Representative Matt Gaetz (R-Fla.) offered an amendment to prohibit the use of federal funds to provide security assistance to Ukraine.

Using American taxpayer dollars to provide financial and military support to Ukraine is unconstitutional. Providing foreign aid, including the more than \$113 billion in funding for Ukraine, is not one of the enumerated powers delegated to Congress under Article I, Section 8 of the U.S. Constitution. The United States should pursue a traditional foreign policy of noninterventionism, based on U.S. national interests and the intent of the Founding Fathers.

## 2. DEI Funding

During consideration of a bill to reauthorize the Federal Aviation Administration (H.R. 3935), Representative Mary Miller (R-Ill.) offered an amendment to prevent funds in the bill from being used to hire diversity, equity, and inclusion (DEI) officials or conduct DEI training.

Nowhere in the Constitution is Congress authorized to allocate federal funding for DEI initiatives. Moreover, DEI is part of the broader Marxist-inspired “Black Lives Matter” agenda and has its roots in Marxist “Critical Theory.” The federal government has no business promoting this extremist, anti-American agenda.

## 3. FAA Reauthorization

The Securing Growth and Robust Leadership in American Aviation Act (H.R. 3935) would reauthorize the Federal Aviation Administration (FAA) through fiscal year 2028. It would gradually increase annual authorizations for federal aviation programs from \$12.7 billion in fiscal 2024 to \$14 billion in fiscal 2028. It would also transfer federal oversight authority over unmanned aircraft systems, which support and control unmanned aerial vehicles or drones, from the Department of Transportation to the FAA.

This bill amounts to unconstitutional federal overreach. The federal government should stay out of the regulation of unmanned aerial systems and vehicles, which should instead be managed by local ordinances or (at most) state laws. Ultimately, the Constitution does not authorize the federal government to control or regulate private or commercial aviation. Instead, such matters should be under the auspices of local and state governments, and left up to the market to determine.

## 4. Migration and Refugee Assistance

During consideration of the fiscal 2024 state-foreign operations appropriations bill (H.R. 4665), Representative Scott Perry (R-Pa.) offered an amendment to eliminate all \$2,548,250,000 of funding for the State Department’s Migration and Refugee Assistance program.

This program encourages increased immigration, a tool of the Deep State to fundamentally transform the United States by deliberately changing the country’s demographics, thus radically altering the nation's voting patterns.

## 5. Continuing Resolution

Representative Kay Granger (R-Texas) made a motion to suspend the rules and pass H.R. 5860, the “Continuing Appropriations Act, 2024 and Other Extensions Act,” which would appropriate federal government funding at fiscal 2023 levels from October 1, 2023 through November 17, 2023. Additionally, it would appropriate \$16 billion in disaster relief for fiscal 2024 and extend federal authorization for multiple programs, including certain Medicare, Medicaid, and Federal Aviation Administration programs.

Congress needs to cut spending to avoid fiscal disaster. Additionally, Congress’ inability to promptly pass a 2024 budget, instead using a continuing appropriations bill that funds the federal government at bloated fiscal 2023 levels, illustrates the breakdown of the federal budgeting process.

## 6. Defunding “Kill-switch” Mandate

During consideration of the fiscal 2024 Transportation-HUD appropriations bill (H.R. 4820), Representative Thomas Massie (R-Ky.) offered an amendment that would prohibit the use of federal funds to implement Section 24220 of the Infrastructure Investment and Jobs Act, which requires that all new passenger motor vehicles be equipped with “advanced drunk and impaired driving prevention technology.”

This federal “kill-switch” mandate to forcibly “monitor the performance” of every driver and automatically “prevent or limit motor vehicle operation” is a violation of the fundamental right of the American people to travel freely, with a reasonable expectation of privacy. The Fourth and Fifth Amendments to the U.S. Constitution not only protect against “unreasonable searches and seizures” of persons and their possessions, but also provide that no person shall be deprived of “liberty, or property, without due process of law.”