2022 DEMOCRACY SCORECARD
Introduction by Common Cause President Karen Hobert Flynn

117TH CONGRESS: From attempted coup to groundswell support, the filibuster blocks bills strengthening the people’s voice

Never has it been more important for voters to stand together and demand candidates tell them what they will do to strengthen our march toward a multi-racial, multi-cultural, and multi-ethnic democracy that respects and works for everyone. As they evaluate their representatives’ actions in office, constituents must discern truth from lies or disinformation. The stakes for our democracy couldn’t be higher.

Common Cause offers this Democracy Scorecard as one piece of information to consider: a factual, nonpartisan accounting of actions by each member of the 117th Congress on a range of democracy-related legislation. Common Cause does not endorse or oppose candidates; we simply provide constituents the facts about how your delegation voted, so you and the people you share this nonpartisan tool can make an informed and comprehensive evaluation of your legislators’ performance.

In many states, office holders are deciding on matters that present a choice between a fundamental belief in democracy or authoritarian rule; between you and me having power in our vote and voice, or others taking that away from us. We weren’t all included in the rights protected by the Constitution in 1789, and even as we fight for a more inclusive democracy and celebrate the confirmation of Justice Ketanji Brown Jackson, the first Black woman on the Supreme Court, this past summer saw six justices on the U.S. Supreme Court take away rights to reproductive freedom. How our elected representatives serve in office determines whether we move toward a more perfect union, see more rights stripped from different communities, or lose our democracy altogether.

The story of the 117th Congress, when seen through a good government lens, provides important information to constituents as they evaluate their choices. In many cases there is much to celebrate. This Congress was more active considering more pro-democracy legislation than previous years, as we are scoring 23 combined votes (14 in the House, nine in the Senate) compared to 12 in the last session, along with a number of bills to cosponsor. This is our 4th biennial Democracy Scorecard, and this year’s version has the highest number of members of Congress with perfect scores (101). This is likely attributable to the salience of democracy issues among millions of Americans who continue to demand reform from their elected officials, as well as House Speaker Nancy Pelosi and Senate Majority Leader Chuck Schumer prioritizing democracy reform in this Congress.

In what has turned out to be a productive legislative session, the most historic effort to advance voting rights, set fair national voting standards, and reduce the undue influence of money in politics in decades, came up two votes short of passing. Partially in response to the 19 states that passed 34 anti-voter bills and to help counteract the election sabotage efforts stemming from the “Big Lie” and the January 6th insurrection, House and Senate Democrats were unified in advancing the For the People Act, Freedom to Vote Act, John R. Lewis Voting Rights Advancement Act, and ultimately, the Freedom to Vote: John R. Lewis Act. These transformative bills would have gotten secret, dark money out of politics, significantly protected and expanded voting rights against racial discrimination in voting, and curbed partisan gerrymandering.

However, Senate Republicans repeatedly refused to even allow a full debate on these bills and continually filibustered them. Despite the obstruction, a groundswell of public support has led to a more than 70% increase in the number of perfect scores among Members of Congress on the democracy legislation scored this year by Common Cause.

NEGATIVE MOTIVATION

Within 72 hours of the 117th Congress being sworn into office, the 245-year peaceful transfer of power ended as insurgents, fueled by lies by the former president, attacked the Capitol to stop the counting of the Electoral College votes. Then-President Trump identified the counting of the Electoral College on January 6th as the last chance for those caught up in his lie to overturn the results of a free and fair election. He recruited and then incited supporters to attack the Capitol. Several sitting members of Congress have been implicated in the scheme,
the subject of ongoing investigations by the bi-partisan House Select Committee to Investigate the January 6th Attack on the U.S. Capitol and the Department of Justice.

Truth matters, and the Select Committee’s success was not a sure thing. But the Select Committee earned the attention and respect of the American people by doing the hard investigative work and laying out its case, including testimony mostly from Republican witnesses and one-time supporters of, and staff to, the former president, as well as election officials who came under withering personal attack. It captivated television audiences reaching tens of millions of viewers for its hearings and quickly established an undeniable fact pattern leading directly to the former president.

Whether breaching a barricade or protocol, shattering glass or expectations, or undermining reputations or our faith in each other and our democracy; those who lie, divide, and stoke, condone, or commit acts of violence in order to take power away from the people must be held accountable. More than 855 cases involving individuals who stormed the Capitol are in progress, and the earliest sentences for as many as seven years are serious. There have been further indications that the Department of Justice will continue to pursue accountability for those who plotted, promoted, and financed what we now know was clearly an attempted coup to keep the outgoing president in power.

It has also inspired a rolling coup in dozens of state legislatures that considered, including 19 that passed, laws making it harder for Americans to vote.

**POSITIVE MOTIVATION**

Not only was there increased support for strengthening our democracy within the Congress, but strong popular support also saw voters from both parties and independents clamoring for change, and the Republican leadership in the Congress knew it. In a recording obtained and released by journalist Jane Mayer in *The New Yorker*, Republican strategists discussed how to defeat the bill, and it was clear that conservatives had no answer.

When presented with a neutral description of the For the People Act (H.R. 1/S. 1), conservatives were just as supportive as the general public. *The New Yorker* quoted the strategist as saying that “...when presented with a very neutral description’ of the bill, ‘people were generally very supportive.’ ... [T]he most worrisome part ... is that conservatives were actually as supportive as the general public was when they read the neutral description.’ ... As a result, [the expert] conceded, the legislation’s opponents would likely have to rely on Republicans in the Senate, where the bill [was then] under debate, to use ‘under-the-dome-type-strategies’—meaning legislative maneuvers beneath Congress’s roof, such as the filibuster—to stop the bill, because turning public opinion against it would be ‘incredibly difficult.’”

To give you an idea of just how significant public support was for comprehensive pro-democracy reform, Common Cause generated more than 5 million phone calls and 4.5 million texts and pushed more than 45,000 calls to the Senate. In addition, hundreds of opinion pieces and letters-to-the-editor appeared in local media, and tens of thousands of people attended rallies coordinated around the country.

In the end, with high levels of support in Congress and an overwhelming outpouring of public support, Congress ran into one of the reasons our democracy needs to be modernized: the filibuster. Even with 51 votes, a majority, the arcane Senate procedure known as the filibuster requiring super majorities just to debate an issue, prevented the Democrats from passing major democracy reform and voting rights legislation or the Republicans from considering negotiating in good faith to get to 60 votes.

**ACCOUNTABILITY MOTIVATION**

As the 117th Congress winds down, one of the most important questions will be about accountability. Constituents almost always have the quickest route to accountability.

As the House Select Committee to Investigate the January 6th Attack on the United States Capitol issues its report and the mid-term elections draw near, January 6, 2021, is a bright line after which there is no excuse for elected officials to get away with believing in, condoning, or remaining silently complicit with the lies about the 2020 election.

The people who continue to endorse these lies and speak sympathetically of those who led the violent mob, or themselves continue to stoke the idea that political violence is acceptable, should be held accountable. Some of these people are sitting members of Congress, or are winning primaries for U.S. Senator, Governor and for election administrators in the states. Some of them are state legislators who used the Big Lie to pass state legislation that empowers states to overthrow election results.

Increasingly many of the people identified with these anti-democracy views are publicly identifying as White Christian Nationalists. Most Americans have rejected movements of White Christian Nationalists at other moments in our history, but that doesn’t make their resurgence any less troubling. Often, once these movements come out from under the rocks they normally hide under, it takes time to repudiate them.

With respect to January 6th, many people are waiting for the Department of Justice to act. But with respect to holding those involved accountable, or preventing
candidates who would continue to undermine our democracy by embracing the Big Lie, or worse, being willing to undermine democracy by overthrowing future elections, voters do not have to wait. In our system of self-governance, the checks and balances can seem slow, but it is designed to prevent would-be authoritarians from getting into office and taking away the people’s power. At the same time, the people vote every two years, a time span that comes quicker than the government can act in some cases, giving the people an opportunity to do their job in holding leaders accountable.

Taking their cues from anti-voter laws at the state level, congressional Republicans have introduced more than 30 anti-voter bills in this Congress. While none of that legislation will become law this year, a less reform-minded Congress next year could do in one fell swoop at the national level what power-hungry anti-democracy state legislators are trying to do—make it harder for certain Americans, especially Black and Brown Americans, to have their voices heard and votes counted.

As you evaluate the decisions your representatives made in this Congress on issues that we care about, make sure you and your family, friends, colleagues, and others have the facts by sharing this nonpartisan 2022 Democracy Scorecard at democracyscorecard.org.

September 2022

We are extremely appreciative of Common Cause’s more than 1.5 million supporters, who continue to sustain our work. We also want to thank the several hundred congressional offices that replied to the Democracy Scorecard letters and the more than 250 cosponsors who were directly added to bills we included as a result of this Scorecard following the letters we sent to all Capitol Hill offices four times this year.

While other worthy legislation certainly could have been included in this Scorecard, we had to limit its scope and were only able to incorporate a fraction of the hundreds of democracy reform bills that have been introduced in the 117th Congress. We didn’t include a handful of Members of Congress who won special elections due to a vacancy and joined partway through the session because they were in office for less than a year and therefore couldn’t vote on a majority of the votes: Reps. Shontel Brown, Sheila Cherfilus-McCormick, Mike Carey, Connie Conway, Mike Flood, Mayra Flores, and Brad Finstad. Members who were absent for a vote, didn’t cosponsor the initial bill, and didn’t indicate how they would’ve voted for the bill were counted as a “no.” House Members are listed with their current congressional districts, not in new districts in which they may be running. Delegates and resident commissioners were not graded because they aren’t able to participate in full floor votes, which comprised a majority of this Scorecard. We also didn’t score House Speaker Nancy Pelosi and Senate Majority Leader Chuck Schumer, both of whom set the overall agenda in Congress and prioritized the For the People Act, the John R. Lewis Voting Rights Advancement Act, and the Freedom to Vote: John R. Lewis Act, among other legislation. Since House speakers and Senate majority leaders frequently don’t cosponsor bills and sometimes have to switch their votes at the end for procedural reasons, we decided that scoring Speaker Pelosi and Leader Schumer would not be reflective of their leadership on democracy issues.

Common Cause does not endorse or oppose candidates for elected office. The purpose of reporting legislators’ actions and votes here is to support Common Cause’s lobbying efforts. Legislative votes and actions are not the sole basis on which to evaluate a legislator’s performance. All cosponsors listed in this Democracy Scorecard were taken from the Congress.gov website as of September 6, 2022. If you have feedback on this Democracy Scorecard or have ideas about what should be included in a future scorecard, please feel free to share those comments with Aaron Scherb, Common Cause’s Senior Director of Legislative Affairs, at ascherb@commoncause.org.
HOUSE

BILLS AND RESOLUTIONS WITH VOTES
- H.Res. 24, Impeachment of Donald John Trump
- H.R. 1, For the People Act
- H.R. 51, Washington, DC Statehood
- H.R. 3233, Independent commission to investigate January 6th insurrection
- H.R. 2662, IG Independence and Empowerment Act
- H.Res. 503, Resolution creating January 6th Select Committee
- H.R. 4, John R. Lewis Voting Rights Advancement Act
- H.Res. 730, Steve Bannon criminal contempt resolution
- H.R. 5720, Courthouse Ethics and Transparency Act
- H.R. 5314, Protecting Our Democracy Act
- H.Res. 851, Mark Meadows criminal contempt resolution
- H.R. 5746, Freedom to Vote: John R. Lewis Act
- H.Res. 1037, Criminal contempt resolution for Peter Navarro and Dan Scavino

BILLS AND RESOLUTIONS TO COSPONSOR
- H.R. 1334, DISCLOSE Act
- H.R. 4766, Supreme Court Ethics Act, OR H.R. 7647, Supreme Court Ethics, Recusal, and Transparency Act, OR H.R. 7706, Judicial Ethics and Anti-Corruption Act
- H.R. 5008, Frank Harrison, Elizabeth Peratrovich, and Miguel Trujillo Native American Voting Rights Act
- H.J.Res 1, Democracy for All Amendment

SENATE

BILLS AND RESOLUTIONS WITH VOTES
- H.Res. 24, Impeachment conviction
- H.R. 3233, Cloture vote on independent commission to investigate January 6th insurrection
- S. 2093, Cloture vote on motion to proceed to the For the People Act
- S. 1, Vote to discharge the For the People Act from the Senate Rules Committee
- S. 2747, Cloture vote on motion to proceed to the Freedom to Vote Act
- S. 4, Cloture vote on motion to proceed to the John R. Lewis Voting Rights Advancement Act
- H.R. 5746, Cloture vote on the Freedom to Vote: John R. Lewis Act
- H.R. 5746, Talking filibuster vote for the Freedom to Vote: John R. Lewis Act
- Confirmation vote for Supreme Court Justice Ketanji Brown Jackson

BILLS AND RESOLUTIONS TO COSPONSOR
- S. 51, Washington, D.C. Admission Act
- S 443, DISCLOSE Act
- S 481, Democracy Restoration Act
- S 2512, Supreme Court Ethics Act OR S. 4188, Supreme Court Ethics, Recusal, and Transparency Act OR S. 4177, Judicial Ethics and Anti-Corruption Act
- S 2702, Frank Harrison, Elizabeth Peratrovich, and Miguel Trujillo Native American Voting Rights Act
- SJ Res 25, Democracy for All Amendment
## HOUSE BILLS & RESOLUTIONS

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- ✔ pro-democracy reform position
- ✖ anti-democracy reform position
- DNV did not vote
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✔️ pro-democracy reform position  ✖ anti-democracy reform position  DNV did not vote

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- ✖ anti-democracy reform position
- DNV did not vote
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- ✔️: pro-democracy reform position
- ✖️: anti-democracy reform position
- DNV: did not vote
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✔  pro-democracy reform position  ✖ anti-democracy reform position  DNV  did not vote
### HOUSE BILLS & RESOLUTIONS

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- ✔ pro-democracy reform position
- ✖ anti-democracy reform position
- DNV did not vote
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✔ pro-democracy reform position  ✖ anti-democracy reform position  DNV did not vote
## House Bills & Resolutions

### BILLS WITH VOTES

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✔️: pro-democracy reform position  ✖: anti-democracy reform position  DNV: did not vote
## House Bills & Resolutions

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✔ pro-democracy reform position  ✖ anti-democracy reform position  DNV did not vote
**House Bills & Resolutions**

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- **Bills with Votes**
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  - anti-democracy reform position
  - DNV did not vote

**Common Cause**

**Democracy Scorecard**

**2022**

**Democracy Scorecard.org** | Common Cause.org
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- **pro-democracy reform position**
- **anti-democracy reform position**
- **DNV** did not vote
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- ✖ anti-democracy reform position
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- **✔**: Pro-democracy reform position
- **✖**: Anti-democracy reform position
- **DNV**: Did not vote

**BILLS WITH VOTES**

- H.Res. 24, Impeachment of Donald John Trump
- H.R. 85, For the People Act
- H.R. 2566, Independent Commission to Investigate January 6th Insurrection and Independence Act
- H.R. 653, 6th Select Committee
- H.R. 1155, Creating January 6th Select Committee
- H.R. 258, Steve Brannon criminal contempt resolution
- H.R. 2583, Paul Gosar censure
- H.R. 5720, Courthouse Ethics and Transparency Act
- H.R. 8541, Mark Meadows criminal contempt resolution
- H.R. 246, Freedom to Vote Act
- H.R. 133, DISCLOSE Act
- H.J. Res. 1, Democracy for All Amendment

**TOTAL**
# House Bills & Resolutions

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✅ pro-democracy reform position  ✖️ anti-democracy reform position  DNV did not vote
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- ✖️ anti-democracy reform position
- DNV did not vote
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|--------------------------|-------|-------|---------|------|----------|-------|---------|------|----------|-------|---------|------|----------|-------|---------|------|----------|-------|---------|------|----------|-------|---------|------|----------|-------|---------|------|----------|-------|---------|------|----------|-------|---------|------|----------|-------|---------|------|----------|-------|---------|------|----------|-------|---------|------|----------|-------|---------|------|----------|-------|---------|------|----------|
| Roger Williams           | R     | TX    | 25th    | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       |
| Frederica S. Wilson     | D     | FL    | 24th    | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       |
| Joe Wilson              | R     | SC    | 2nd     | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       |
| Robert J. Wittman       | R     | VA    | 1st     | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       |
| Steve Womack            | R     | AR    | 3rd     | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       |
| John A. Yarmuth         | D     | KY    | 3rd     | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       |
| Lee M. Zeldin           | R     | NY    | 1st     | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       | ✔    | ✔        | ✔     | ✔       |

- ✔ pro-democracy reform position
- ✖ anti-democracy reform position
- DNV did not vote
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### Bills with Votes

- **H.R. 3233**: Cloture vote on independent commission to investigate January 6th insurrection.
- **S. 2093**: Cloture vote on motion to proceed to the For the People Act.
- **S. 1**: Vote to discharge the For the People Act from the Senate Rules Committee.
- **S. 2747**: Cloture vote on motion to proceed to the Freedom to Vote Act.
- **S. 4**: Cloture vote on motion to proceed to the John R. Lewis Voting Rights Advancement Act.
- **H.R. 5746**: Cloture vote on the Freedom to Vote: John R. Lewis Act.
- **S. 51**: Washington, D.C. Admission Act.
- **S. 443**: DISCLOSE Act.
- **S. 481**: Democracy Restoration Act.
- **S. 2512**: Supreme Court Ethics Act.
- **S. 4188**: Supreme Court Ethics, Recusal, and Transparency Act.
- **S. 4177**: Judicial Ethics and Anti-Corruption Act.
- **S. 2702**: Frank Harrison, Elizabeth Peratrovich, and Miguel Trujillo Native American Voting Rights Act.
- **S. Res. 25**: Democracy for All Amendment.

### Bills to Cosponsor

- **Total Bills to Cosponsor**: 61
- **Total Bills with Votes**: 15

- ✔ pro-democracy reform position
- ✖ anti-democracy reform position
- DNV did not vote
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☑ pro-democracy reform position ☒ anti-democracy reform position DNV did not vote
## Senate Bills & Resolutions

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- **✔**: pro-democracy reform position
- **×**: anti-democracy reform position
- **DNV**: did not vote

**TOTAL**

- **James M. Inhofe**: 0/15
- **Ron Johnson**: 0/15
- **Tim Kaine**: 14/15
- **Mark Kelly**: 10/15
- **John Kennedy**: 0/15
- **Angus S. King Jr.**: 11/15
- **Amy Klobuchar**: 15/15
- **James Lankford**: 0/15
- **Patrick J. Leahy**: 15/15
- **Mike Lee**: 0/15
- **Ben Ray Luján**: 14/15
- **Cynthia M. Lummis**: 0/15
- **Joe Manchin III**: 9/15
- **Edward J. Markey**: 15/15
- **Roger Marshall**: 0/15
- **Mitch McConnell**: 0/15
- **Robert Menendez**: 14/15
- **Jeff Merkley**: 15/15
- **Jerry Moran**: 0/15
- **Lisa Murkowski**: 4/15
- **Christopher Murphy**: 12/15
## Senate Bills & Resolutions

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- ✔️ pro-democracy reform position
- ✗ anti-democracy reform position
- DNV did not vote

Total:
- Bills with Votes: 70
- Bills to Cosponsor: 35

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"Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has." –Margaret Mead

✔ pro-democracy reform position  ✖ anti-democracy reform position  DNV did not vote