

2021 Civil Rights Legislative Scorecard: U.S. Senate

Introduction

A coalition of civil rights organizations, in conjunction with HIT Strategies, calculated grades for U.S. senators to provide civil rights advocates with clear insights into the voting patterns of their Senate delegations, which is demonstrative of their larger political and policy agendas.

The grades are based on senators' votes on the American Rescue Plan Act, the John R. Lewis Voting Rights Advancement Act, and the For the People Act. Thematically, these demonstrate the focus on economic recovery from the COVID-19 pandemic and expansion of voting access and voter protection at the federal level following the 2020 election. In addition to the voting rights legislation, we have included senators' stance on the filibuster because this once rare procedure has been normalized into a tool to effectively stymie major legislation, including voting rights protection bills. Coupled with the dramatic expansion of its use, the filibuster has, and will continue to have, a substantial effect on policymaking in the foreseeable future as the divide between the 51st and 60th vote in the Senate is unbridgeable with the Senate split along partisan lines.

Key Legislation and the Filibuster

Each senator's grade is based on their action or inaction on key pieces of legislation and eliminating the filibuster that would help secure voting rights.

American Rescue Plan Act (ARP)

Designed to provide economic relief in response to the COVID-19 pandemic. It outlines spending for a multi-pronged relief plan, including national vaccine programs, reopening schools, personal economic stimulus payments, and extending unemployment and other benefits.

Voted: 3/06/21

Vote Result: 50-49, passed the Senate with an amendment.

John R. Lewis Voting Rights Advancement Act (JRLVRAA)

Restores and strengthens the Voting Rights Act of 1965 to prohibit discrimination in voting to create an open and transparent democratic process in which everyone across the country can participate.

Procedural Vote: 11/3/21

Vote Result: 51 – 49, failed to meet 60 votes to open the floor to debate on the bill

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For the People Act (FTP-A)

Expands voting rights access, reduces big money in politics, and implements anti-corruption measures to strengthen protection of voting.

Procedural Vote: 06/22/21

Vote Result: 50-50, failed to meet 60 votes to open the floor to debate on the bill

Filibuster (FB)

The filibuster refers to a procedural Senate rule which allows a prolonged debate on a piece of legislation for an unlimited amount of time. Without at least 60 out of 100 votes to end a filibuster - a procedure known as cloture - any Senator can prevent a vote on a bill, resolution, amendment, or other debatable questions.

The Senate does not publicly report the number of cloture votes held, making the identification of modern filibusters not readily available. In the absence of a Congressional voting record, HIT Strategies relied on data compiled by the Washington Post on each Senator's position on the filibuster. The Washington Post accrued each Democratic senators' position using senators' most recent comments. These statements - and the categories each Senator lands in - are updated when applicable.

A senator's stance on the filibuster is important to this analysis because of the current 50 – 50 split of the Senate along party lines that has made it harder for Congress to pass laws like voting rights legislation, which are currently languishing in the Senate. Within this context, knowing each Senator's position on the filibuster also provides us with a read on their commitment to pass voter protections in light of increasingly brazen measures enacted by states to disenfranchise voters who are disproportionately voters of color.

Scorecard Methodology

By aggregating the votes from the three Senate bills we've calculated a grade for each senator. Each act was scored by a coded system:

Yes vote = 1

No vote = 0

Abstained = 0

Did not vote = 0

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For the filibuster, the scaled score was based on the Washington Post's analysis and ranking of Democratic Senators' stance on the filibuster.

Abolish the filibuster = 3

Reform the filibuster = 2

Willing to change the filibuster = 1

Opposed to abolishing the filibuster = 0

Of the senators' overall score, the filibuster vote comprises 50 percent, while the other 50 percent is an average of the votes on the John R. Lewis Voting Rights Advancement Act, the American Rescue Plan Law, and the For the People Act of 2021.

A= Pass (3 – 2.1)

I = Incomplete (2 – 1)

F = Fail (0.9 - 0)

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	ARP	JLVRAA	FTPA	FB	Average	Score
ALABAMA						
<i>Shelby Richard</i>	0	0	0	0	0	F
<i>Tuberville Tommy</i>	0	0	0	0	0	F
ALASKA						
<i>Murkowski Lisa</i>	0	1	0	0	0.5	F
<i>Sullivan Daniel</i>	0	0	0	0	0	F
ARIZONA						
<i>Sinema Kyrsten</i>	1	1	1	0	1.5	I
<i>Kelly Mark</i>	1	1	1	2	2.5	A
ARKANSAS						
<i>Boozman John</i>	0	0	0	0	0	F
<i>Cotton Thomas</i>	0	0	0	0	0	F
CALIFORNIA						
<i>Feinstein Dianne</i>	1	1	1	1	2	I
<i>Padilla Alex</i>	1	1	1	3	3	A

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COLORADO							
Bennet	Michael	1	1	1	1	2	I
Hickenlooper	John	1	1	1	1	2	I
CONNECTICUT							
Blumenthal	Richard	1	1	1	3	3	A
Murphy	Christopher	1	1	1	2	2.5	A
DELAWARE							
Carper	Thomas	1	1	1	3	3	A
Coons	Christopher	1	1	1	1	2	I
FLORIDA							
Rubio	Marco	0	0	0	0	0	F
Scott	Richard	0	0	0	0	0	F
GEORGIA							
Ossoff	Jon	1	1	1	2	2.5	A
Warnock	Raphael	1	1	1	2	2.5	A
HAWAII							
Schatz	Brian	1	1	1	3	3	A
Hirono	Mazie	1	1	1	3	3	A
IDAHO							
Crapo	Michael	0	0	0	0	0	F
Risch	James	0	0	0	0	0	F
ILLINOIS							
Durbin	Richard	1	1	1	2	2.5	A
Duckworth	Tammy	1	1	1	3	3	A
INDIANA							
Young	Todd	0	0	0	0	0	F
Braun	Mike	0	0	0	0	0	F
IOWA							
Grassley	Chuck	0	0	0	0	0	F
Ernst	Joni	0	0	0	0	0	F

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KANSAS						
Marshall Roger	0	0	0	0	0	F
Moran Jerry	0	0	0	0	0	F
KENTUCKY						
McConnell Mitch	0	0	0	0	0	F
Paul Rand	0	0	0	0	0	F
LOUISIANA						
Cassidy William	0	0	0	0	0	F
Kennedy John	0	0	0	0	0	F
MAINE						
Collins Susan	0	0	0	0	0	F
King Angus	1	1	1	1	2	I
MARYLAND						
Cardin Benjamin	1	1	1	3	3	A
Van Hollen Christopher	1	1	1	3	3	A
MASSACHUSETTS						
Warren Elizabeth	1	1	1	3	3	A
Markey Edward	1	1	1	3	3	A
MICHIGAN						
Stabenow Deborah	1	1	1	2	2.5	A
Peters Gary	1	1	1	1	2	I
MINNESOTA						
Klobuchar Amy	1	1	1	3	3	A
Smith Tina	1	1	1	3	3	A
MISSISSIPPI						
Wicker Roger	0	0	0	0	0	F
Hyde-Smith Cindy	0	0	0	0	0	F
MISSOURI						
Blunt Roy	0	0	0	0	0	F
Hawley Joshua	0	0	0	0	0	F

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MONTANA						
Tester Jon	1	1	1	1	2	I
Daines Steven	0	0	0	0	0	F
NEBRASKA						
Fischer Debra	0	0	0	0	0	F
Sasse Benjamin	0	0	0	0	0	F
NEVADA						
Cortez Masto Catherine	1	1	1	2	2.5	A
Rosen Jacky	1	1	1	3	3	A
NEW HAMPSHIRE						
Shaheen Jeanne	1	1	1	2	2.5	A
Hassan Margaret	1	1	1	2	2.5	A
NEW JERSEY						
Mendez Robert	1	1	1	2	2.5	A
Booker Cory	1	1	1	2	2.5	A
NEW MEXICO						
Lujan Ben Ray	1	1	1	2	2.5	A
Heinrich Martin	1	1	1	3	3	A
NEW YORK						
Schumer Charles	1	1*	1	1	2.5	A
Gillibrand Kirsten	1	1	1	3	3	A
NORTH CAROLINA						
Burr Richard	0	0	0	0	0	F
Tillis Thomas	0	0	0	0	0	F
NORTH DAKOTA						
Hoeven John	0	0	0	0	0	F
Cramer Kevin	0	0	0	0	0	F
OHIO						
Brown Sherrod	1	1	1	3	3	A
Portman Robert	0	0	0	0	0	F

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OKLAHOMA							
Inhofe	James	0	0	0	0	0	F
Lankford	James	0	0	0	0	0	F
OREGON							
Wyden	Ronald	1	1	1	2	2.5	A
Merkley	Jeffrey	1	1	1	3	3	A
PENNSYLVANIA							
Casey	Robert	1	1	1	3	3	A
Toomey	Patrick	0	0	0	0	0	F
RHODE ISLAND							
Reed	John	1	1	1	1	2	I
Whitehouse	Sheldon	1	1	1	1	2	I
SOUTH CAROLINA							
Graham	Lindsey	0	0	0	0	0	F
Scott	Timothy	0	0	0	0	0	F
SOUTH DAKOTA							
Thune	John	0	0	0	0	0	F
Rounds	Michael	0	0	0	0	0	F
TENNESSEE							
Hagerty	Bill	0	0	0	0	0	F
Blackburn	Marsha	0	0	0	0	0	F
TEXAS							
Cornyn	John	0	0	0	0	0	F
Cruz	Ted	0	0	0	0	0	F
UTAH							
Lee	Michael	0	0	0	0	0	F
Romney	Mitt	0	0	0	0	0	F
VERMONT							
Leahy	Patrick	1	1	1	1	2	I
Sanders	Bernie	1	1	1	3	3	A

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VIRGINIA						
Warner Mark	1	1	1	1	2	I
Kaine Timothy	1	1	1	2	2.5	A
WASHINGTON						
Murray Patty	1	1	1	2	2.5	A
Cantwell Maria	1	1	1	2	2.5	A
WEST VIRGINIA						
Manchin Joseph	1	1	1	0	1.5	I
Capito Shelley	0	0	0	0	0	F
WISCONSIN						
Johnson Ronald	0	0	0	0	0	F
Baldwin Tammy	1	1	1	3	3	A
WYOMING						
Lummis Cynthia	0	0	0	0	0	F
Barrasso John	0	0	0	0	0	F

* Denotes procedural no vote, but Senator has gone on the record supporting JLVRAA passage which has been taken into account for their updated score.

For more information:

Please reach out to Terrance Woodbury or Samuel Madrigal from HIT Strategies for any additional research questions about this data.

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