



# The Congressional Innovation Scorecard

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Second Edition

May 2025

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David Kappos, Co-Chair  
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Judge Kathleen O'Malley (Ret.), Board Member  
Frank Cullen, Executive Director

## Who We Are

[The Council for Innovation Promotion](#) is a bipartisan coalition dedicated to promoting strong and effective intellectual property rights that are necessary for innovation, increased economic competitiveness, and improved lives everywhere.

## What We Believe

- **Intellectual Property Enables Creators to Improve the Human Condition.** Copyrights, trademarks, trade secrets, and patents underpin the innovations responsible for saving and improving millions of lives. They foster the development of cutting-edge technologies like [3D bioprinting](#), [wearable devices and sensors](#), and even [firefighting drones](#).
- **IP Fosters Economic Growth.** [IP-intensive sectors](#), from high-tech manufacturing to life sciences, employ 45 million Americans and account for over one-third of total U.S. GDP.
- **IP Protections Tackle Global Challenges.** Strong patent protections facilitate pioneering discoveries that [address](#) today's energy, climate change, and public health concerns.
- **IP Rights Drive High-Value Industries.** Strong IP rights, from copyrights and trademarks to standard essential patents and trade secrets, incentivize the development of creative works and standardized technologies that fuel the economy and benefit the general public.



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# Executive Summary

In 2024, the U.S. gross domestic product (GDP) grew by an estimated 2.4%, bringing total national output to just under \$30 trillion. This is almost double the size of the world's second-largest economy, China, and more than the total of the other G7 economies put together. Critically, the United States is not only the world's largest economy — it is also, by scale and substance, the global leader in innovation and creativity. Indeed, many, if not most, of the revolutionary technologies developed globally over the past half-century originated in the United States. A robust innovation-driven economy relies on a strong system of intellectual property (IP) rights, both now and in the future. This is a critical point that cannot be overstated. Virtually every member of Congress — regardless of party affiliation — claims to be “pro-innovation.” But innovation does not happen in a vacuum. It is driven and supported by a reliable and effective IP system. Findings from both the inaugural and current editions of the Congressional Innovation Scorecard make one thing clear: far too few lawmakers understand that being pro-innovation also means being pro-IP, which requires consistently supporting the bills and policies that strengthen

America's IP framework. Supporting innovation in name only is not enough. In this sense, our national IP system is America's 401(K) — the investment vehicle through which we secure future prosperity. Nurturing

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that system is essential to ensuring long-term economic strength, national security, and global leadership. And that responsibility falls heavily on the shoulders of Congress.

## Project rationale

First released in 2024, the Congressional Innovation Scorecard assesses and rates how the U.S. Congress as a whole — and its individual members (senators and representatives) — support and strengthen a robust national IP system through their political, legislative, and policy activities. This system drives innovation and creative output, boosts economic competitiveness, and improves lives everywhere.

The Scorecard evaluates Congress across three dimensions: political, legislative, and policy activity. It assesses both current congressional activity and relevant past activity by current members across three sessions:

- The 118th Congress;
- the 117th Congress; and
- the 116th Congress.

While it includes past activity, the Scorecard places greater emphasis on the 118th Congress, assigning it more statistical weight than the results from prior sessions.

## Key findings

***Key finding 1: While improving, the U.S. Congress as a whole still fails to engage fully and effectively on national IP issues — over half of all members included in the Scorecard received a grade of 'C' or lower.***

Fifty-four percent of members evaluated in the Scorecard earned a grade of 'C' or below, including almost seven percent who received a 'D,' 'D-,' or 'F.' As in last year's edition, a clear majority of Congress continues to show only limited interest in advancing pro-IP legislation and policy.

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***Key finding 2: Despite Congress' overall lack of engagement on IP issues, two clear champions remain in the Senate — and a growing group of pro-IP voices is emerging in both chambers.***

As in the previous year, Senators Christopher Coons (D-DE) and Thom Tillis (R-NC) continued to advance national IP policy in a positive direction throughout 2024. Not only did both again receive the highest possible grade — an 'A+' — reflecting their sustained leadership on IP issues, but their numerical score is substantively higher than any other member of Congress, outpacing all other members by a significant margin. In a welcome development, the number of pro-IP senators has grown to more than 20. Notably, Senators Mazie Hirono (D-HI),

Marsha Blackburn (R-TN), and Tom Cotton (R-AR) demonstrated increased engagement in the second session of the 118th Congress. Each earned an ‘A’ grade for their consistent support of pro-IP policies and measurable increases in activity. In the House, a growing group of representatives also showed meaningful support for IP, both through legislation and public advocacy. In particular, Representative Nathaniel Moran (R-TX) earned an ‘A+’ grade, and Representatives Ben Cline (R-VA), Hank Johnson (D-GA), Kevin Kiley (R-CA), Madeleine Dean (D-PA), Scott Peters (D-CA), and Deborah Ross (D-NC) showed key engagement and support for pro-IP bills and policies — all earning an ‘A’ grade. Other active members in the House include Representatives Brian Fitzpatrick (R-PA), Chip Roy (R-TX), Darrell Issa (R-CA), Jake Auchincloss (D-MA), Josh Gottheimer (D-NJ), Lance Gooden (R-TX), María Elvira Salazar (R-FL), Mikie Sherrill (D-NJ), Scott Fitzgerald (R-WI), Ted Lieu (D-CA), Thomas Massie (R-KY), Thomas Tiffany (R-WI), Vern Buchanan (R-FL), Young Kim (R-CA), and Zachary Nunn (R-IA), all of whom earned a grade of ‘B+.’

***Key finding 3: IP-intensive industries employ between 23% and 37% of private sector workers in every state, yet only two congressional state delegations earned a Scorecard grade above ‘C.’***

A new feature of this year’s Scorecard is a comparative analysis of each congressional state delegation’s Scorecard performance against the economic importance of IP-intensive industries in their respective states. The results reveal a significant disconnect: while IP-intensive industries account for a large share of private sector employment in every state, most congressional delegations show limited engagement on IP issues.

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**“Despite the central role of IP in state-level economies, Congress remains insufficiently engaged in supporting pro-IP legislation and policy.”**

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Most delegations — 54% — received an average Scorecard grade of ‘C’ or below. No delegation received an ‘F,’ and only one — Vermont — earned a ‘D-.’ Still, these results reinforce a broader trend observed over the past two years: despite the central role of IP in state-level economies, Congress remains insufficiently engaged in supporting pro-IP legislation and policy.



# Kickstarting Growth and Prosperity – How a New Congress and Presidential Administration Can Get America’s National IP Environment Back on Track in 2025

## Driving U.S. growth, international competitiveness, and technological superiority — the critical contribution of IP-intensive industries to the U.S. economy

According to the latest estimates from the Commerce Department’s Bureau of Economic Analysis, U.S. GDP grew by 2.4% in 2024, reaching nearly \$30 trillion on a current-dollar basis.<sup>1</sup> This is almost double the size of the world’s second-largest economy, China, and more than the total of the other G7 economies combined. Significantly, today, the U.S. economy is not only the largest economy in the world, but also the world’s leading source of innovation and creativity. Indeed, many, if not most, of the transformative technologies developed globally over the past 50 years originated in the United States.

This extraordinary level of creativity and innovation is driven in large part by the United States’ advanced system of IP rights and incentive structures. In 2022, the U.S. Patent and Trademark Office (USPTO) found that IP-intensive industries accounted for over 40% of the U.S. economy and supported around 63 million jobs or 44% of all national employment.<sup>2</sup> The significance of IP-intensive sectors is also reflected in the value of America’s most successful companies, namely those comprising the Standard & Poor’s (S&P) 500 index.

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Two generations ago, in the mid-1970s, roughly 80% of the value of S&P 500 firms came from tangible assets. Today, the opposite is true. A study by Ocean Tomo JS Held found that, as of 2020, 90% of that value resides in intangible IP assets.<sup>3</sup> IP-intensive industries have never been more critical, not just to the U.S. economy, but to national security. America’s ability to out-create, out-invent, and out-innovate potential adversaries is a strategic imperative.

1 BUREAU OF ECON. ANALYSIS, GROSS DOMESTIC PRODUCT, 4TH QUARTER AND YEAR 2024 (ADVANCE ESTIMATE) (2025).

2 ANDREW A. TOOLE, RICHARD D. MILLER, NICHOLAS RADA, U.S. PAT. AND TRADEMARK OFF., INTELLECTUAL PROPERTY AND THE U.S. ECONOMY iii (3rd ed. 2022).

3 OCEAN TOMO, INTANGIBLE ASSET MARKET VALUE STUDY 2 (2020).

However, the U.S. intellectual property environment — and the rights and incentives that have long powered American innovation and prosperity — now faces serious, structural challenges.

Most notably, a series of Supreme Court decisions over the past decade — *Bilski*, *Myriad*, *Mayo*, and *Alice* — have created sustained uncertainty around what constitutes patentable subject matter. Since 2014, the USPTO has repeatedly issued and revised its patent examination guidelines, while lower and circuit courts have issued inconsistent rulings in patent infringement cases. The net result is that inventors and creators are left without a clear understanding of how decisions on patent eligibility will be made or, when patents are challenged, which claims will be upheld.

In addition, since the Supreme Court’s eBay decision, it has become nearly impossible for patent owners to obtain injunctive relief, even when their patents are found to be valid and infringed. Meanwhile, in an effort to provide a more cost-effective, efficient alternative to judicial proceedings, the 2011 America Invents Act (AIA) introduced new post-grant opposition and inter partes review (IPR). Despite the intentions of these new mechanisms, the result has been a sustained level of uncertainty and unpredictability for many patent owners. This is particularly true of the IPR process, which occurs before the specialized Patent Trial and Appeal Board (PTAB) within the USPTO — often years after a patent has been granted.

IP-related challenges extend beyond patents. Today’s creators and innovators also face serious threats to copyrighted material, goods and services protected by trademarks, and design rights — especially in the digital and online environment, where infringement and outright theft are widespread. Protecting confidential business information and trade secrets has also become more difficult with the proliferation of digital technologies, data, and access points, all of which make safeguarding proprietary information far more complex.

These challenges to the national IP system are not limited to domestic policy. They also raise broader concerns about the United States’ international economic competitiveness and strategic interests. Around the world, economies are growing their capacity to innovate — China being the most prominent example. A generation ago, the Chinese economy consisted

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largely of basic manufacturing and industry. Today, China leads the world in research and development across many of the technologies shaping the future.

A 2023 study by the Australian Strategic Policy Institute, funded by the U.S. State Department, found that China has become the “world’s leading science and technology superpower [across a] range of crucial technology fields spanning defense, space, robotics,



energy, the environment, biotechnology, artificial intelligence (AI), advanced materials and key quantum technology areas.”<sup>4</sup>

But as the findings of our inaugural Congressional Innovation Scorecard made clear, **there remains a disconnect between the urgent need for meaningful policy reform of the national IP system and the level of engagement by one of our most important public institutions: the U.S. Congress. Simply put, Congress and its members are not as actively engaged on IP issues as they should be.**

Now, a full calendar year has passed since the first Scorecard’s release. The second session of the 118th Congress is complete, and a new Congress and presidential administration have been sworn in. The question now is: what lessons can the 119th Congress draw from its predecessor, and is there real positive momentum for IP reform in 2025?

**Seeds of change? The second session of the 118th Congress and a positive path forward for the members of the 119th Congress**

The 118th Congress saw a notable uptick in IP-related activity, with nearly 150 IP-focused bills introduced. Several of these proposals, if enacted, have the potential to deliver significant and lasting improvements to the national IP system, addressing some of the most persistent and complex challenges facing the country.

Table 1 below lists the IP-related bills and resolutions introduced during both sessions of the 118th Congress, as included and benchmarked in the Scorecard.

**Table 1: IP-Related Bills Introduced, 118th Congress**

| Bill Number | Companion Bill | Title   |
|-------------|----------------|---|
| H.R.1016    |                | Stop China’s IP Theft Act   |
| H.R.1146    | S.360          | Stop Higher Education Espionage and Theft Act of 2023                   |
| H.R.1398    |                | Protect America’s Innovation and Economic Security from CCP Act of 2024 |
| H.R.1505    |                | No Stolen Trademarks Honored in America Act of 2023                     |
| H.R.1549    |                | Criminalizing Abused Substance Templates Act of 2023                    |
| H.R.1631    | S.835          | Protecting and Enhancing Public Access to Codes Act (Pro Codes Act)     |
| H.R.1707    |                | Save Money on Auto Repair Transportation Act (SMART Act)                |
| H.R.1710    |                | Office of Manufacturing and Industrial Innovation Policy Act of 2023    |

4 JAMIE GAIDA ET AL., AUSTL. STRATEGIC POL’Y INST., ASPI’S CRITICAL TECHNOLOGY TRACKER: THE GLOBAL RACE FOR FUTURE POWER 1 (2023).

| Bill Number | Companion Bill | Title   |
|-------------|----------------|---|
| H.R.1717    | S.79           | Interagency Patent Coordination and Improvement Act of 2023   |
| H.R.1805    |                | Leo's Law   |
| H.R.1840    | S.1016         | Agriculture Resilience Act of 2023  |
| H.R.1913    |                | To provide for a limitation on availability of funds for Library of Congress, Copyright Office Salaries and Expenses for fiscal year 2024.                      |
| H.R.2070    |                | To provide for a limitation on availability of funds for Executive Office of the President, Intellectual Property Enforcement Coordinator for fiscal year 2024. |
| H.R.2594    |                | China Technology Transfer Control Act of 2023   |
| H.R.2670    | S.2226         | National Defense Authorization Act for Fiscal Year 2024   |
| H.R.3056    | S.1396         | Research Advancing to Market Production for Innovators Act  |
| H.R.3093    |                | Affordable Pricing for Taxpayer-Funded Prescription Drugs Act of 2023   |
| H.R.3334    |                | Sanctioning Tyrannical and Oppressive People within the Chinese Communist Party Act (Stop CCP Act)  |
| H.R.3421    | S.1655         | Medicare for All Act  |
| H.R.3535    |                | Advancing America's Interests Act   |
| H.R.3597    |                | To direct the President to impose sanctions on the People's Republic of China.  |
| H.R.3858    | S.1834         | No Free TRIPS Act   |
| H.R.3935    | S.1939         | FAA Reauthorization Act of 2024   |
| H.R.4217    |                | Secure E-Waste Export and Recycling Act   |
| H.R.4370    | S.2220         | Promoting and Respecting Economically Vital American Innovation Leadership Act (PREVAIL Act)  |
| H.R.4692    | S.574          | Increasing Prescription Drug Competition Act  |
| H.R.4785    |                | Fracturing Responsibility and Awareness of Chemicals Act of 2023  |
| H.R.5078    | S.2060         | Foreign Agricultural Restrictions to Maintain Local Agriculture and National Defense Act of 2023 (FARMLAND Act of 2023)   |
| H.R.5404    | S.4466         | Countering Chinese Espionage Reporting Act  |
| H.R.5429    | S.2780         | Medication Affordability and Patent Integrity Act   |
| H.R.5475    |                | Prohibiting Adversarial Patents Act of 2023   |
| H.R.5604    |                | Agricultural Right to Repair Act  |

| Bill Number | Companion Bill | Title   |
|-------------|----------------|---|
| H.R.576     |                | Copyright Clause Restoration Act of 2023  |
| H.R.6436    |                | Stopping Pharma's Ripoffs and Drug Savings For All Act  |
| H.R.6606    |                | To amend the Export Control Reform Act of 2018.   |
| H.R.6607    | S.3398         | Affordable Drug Manufacturing Act of 2023   |
| H.R.6684    | S.3569         | Improving Efficiency to Increase Competition Act  |
| H.R.6943    |                | No Artificial Intelligence Fake Replicas And Unauthorized Duplications Act of 2024 (No AI FRAUD Act)  |
| H.R.6986    | S.3583         | To address patent thickets.   |
| H.R.7228    |                | Bolstering Intellectual Rights against Digital Infringement Enhancement Act (BIRDIE Act)  |
| H.R.731     | S.220          | Workforce Mobility Act of 2023  |
| H.R.7394    |                | Justice in Forensic Algorithms Act of 2024  |
| H.R.7476    |                | Countering Communist China Act  |
| H.R.7608    |                | Combatting China's Pilfering of Intellectual Property Act (CCP IP Act)  |
| H.R.7699    | S.3957         | Public-Private Information Sharing on Manipulative Adversary Practices Act  |
| H.R.7741    |                | Trade Related Intellectual Property Protection Act (TRIPP Act)  |
| H.R.7803    | S.3960         | A bill to amend title 35, United States Code, to provide a good faith exception to the imposition of fines for false assertions and certifications, and for other purposes. |
| H.R.791     |                | American Music Fairness Act of 2023   |
| H.R.7913    |                | Generative AI Copyright Disclosure Act of 2024  |
| H.R.8132    |                | Balancing Incentives Act of 2024  |
| H.R.8134    |                | Restoring America's Leadership in Innovation Act of 2024  |
| H.R.8181    |                | Preserving Woodworking Traditions and Blocking Government-Mandated Monopolies Act   |
| H.R.8211    | S.4232         | Fixing Administrations Unethical Corrupt Influence Act (FAUCI Act)  |
| H.R.8274    |                | Bringing Back American Jobs Through Intellectual Property Repatriation Act  |
| H.R.8361    |                | Economic Espionage Prevention Act   |
| H.R.844     |                | Protect American Trade Secrets Act of 2023  |
| H.R.8544    | S.4422         | Fair Repair Act   |

| Bill Number | Companion Bill | Title   |
|-------------|----------------|---|
| H.R.8684    | S.2934         | Stopping Harmful Offers on Platforms by Screening Against Fakes in E-commerce Act of 2024 (SHOP SAFE Act of 2024).                                |
| H.R.885     | S.315          | Taxpayer Research and Contributions Knowledge Act of 2023 (TRACK Act of 2023)   |
| H.R.8924    |                | Protecting American Innovation and Development Act of 2024 (PAID Act of 2024)   |
| H.R.10238   | S.5339         | Medical Innovation Act of 2024  |
| H.R.10359   | S.5473         | United States Leadership in Immersive Technology Act of 2024  |
| H.R.10366   |                | AGOA Extension and Enhancement Act of 2024  |
| H.R.10401   | S.5497         | Servicemember Right-to-Repair Act of 2024   |
| H.R.10445   |                | Further Continuing Appropriations and Disaster Relief Supplemental Appropriations Act, 2025   |
| H.R.10529   |                | Prioritizing American Farmers and Agricultural Industry Over Bureaucracy Act  |
| H.R.10550   |                | Preventing Abuse of Digital Replicas Act  |
| H.R.10103   |                | Timely Reporting of IP Rights Waivers Act (TRIPS Waivers Act)   |
| H.R.527     |                | Ensure Vaccine Mandates Eliminate Non-Competes Act (EVEN Act)   |
| H.R.9070    |                | Affordable Prescriptions for Patients Act of 2024   |
| H.R.9183    |                | Semiconductor Technology Advancement and Research Act of 2024 (STAR Act of 2024)  |
| H.R.9221    | S.4840         | Realizing Engineering, Science, and Technology Opportunities by Restoring Exclusive Patent Rights Act of 2024 (RESTORE Patent Rights Act of 2024) |
| H.R.9258    |                | Disrupt Fentanyl Pill Production Act  |
| H.R.9320    |                | Ensuring America's Competitiveness and Technological Leadership Act   |
| H.R.9455    | S.4713         | Inventor Diversity for Economic Advancement Act of 2024 (IDEA Act)  |
| H.R.9466    |                | AI Development Practices Act of 2024  |
| H.R.9474    |                | Patent Eligibility Restoration Act of 2024  |
| H.R.9498    | S.3888         | Transformational Artificial intelligence to Modernize the Economy against Extreme Weather Act (TAME Extreme Weather Act)                          |
| H.R.9551    | S.4875         | Nurture Originals, Foster Art, and Keep Entertainment Safe Act of 2024 (NO FAKES Act of 2024)   |
| H.R.9555    |                | Chinese Communist Party (CCP) Politburo Accountability Act  |
| H.R.9616    |                | Prompt Approval of Safe Generic Drugs Act   |

| Bill Number | Companion Bill | Title   |
|-------------|----------------|---|
| H.R.9626    |                | AlxBio Defense Sandbox Act  |
| H.R.9637    | S.4563         | United States-Jordan Defense Cooperation Act of 2024  |
| H.R.9668    |                | Strategic Homeland Intelligence and Enforcement Legislation to Defend against the CCP Act (SHIELD Against CCP Act)  |
| H.R.9896    |                | ICE Security Reform Act of 2024   |
| S.5379      |                | Transparency and Responsibility for Artificial Intelligence Networks Act (TRAIN Act)  |
| S.2597      |                | Digital Consumer Protection Commission Act of 2023  |
| S.3878      |                | Americas Act  |
| S.4722      |                | Furthering Operations for Resiliency, Transparency, and Integrity to Fortify (FORTIFY) United States Research Act   |
| S.4845      |                | Prescription Drug Affordability and Access Act  |
| S.4878      |                | Reforming Evergreening and Manipulation that Extends Drug Years Act (REMEDY Act)  |
| S.5131      |                | STRATEGIC Act of 2024   |
| S.5160      |                | A bill to expand the sharing of information with respect to suspected violations of intellectual property rights in trade.  |
| S.5329      |                | Fighting Illicit Goods, Helping Trustworthy Importers, and Netting Gains for America Act of 2024 (FIGHTING for America Act of 2024)   |
| S.5335      |                | Rural Prosperity and Food Security Act of 2024  |
| S.Res.95    |                | A resolution honoring the life of Dr. Paul Farmer by recognizing the duty of the Federal Government to adopt a 21st century global health solidarity strategy and take actions to address past and ongoing harms that undermine the health and well-being of people around the world. |
| S.1128      |                | Ensuring Access to Generic Medications Act  |
| S.1339      |                | Pharmacy Benefit Manager Reform Act   |
| S.142       |                | Preserve Access to Affordable Generics and Biosimilars Act  |
| S.150       |                | Affordable Prescriptions for Patients Act of 2023   |
| S.153       |                | Fair Trade with China Enforcement Act   |
| S.1812      |                | Open and Responsive Government Act of 2023  |
| S.1956      |                | Invent Here, Make Here Act of 2023  |
| S.1965      |                | Airport Infrastructure Resources Security Act of 2023 (AIR Security Act)  |

| Bill Number | Companion Bill | Title  |
|-------------|----------------|--|
| S.2023      |                | Seeds and Breeds for the Future Act  |
| S.2140      |                | Patent Eligibility Restoration Act of 2023   |
| S.2333      |                | Pandemic and All-Hazards Preparedness and Response Act   |
| S.253       |                | American Music Fairness Act  |
| S.2566      |                | American IP Defense and Enforcement Advancement Act (American IDEA Act)  |
| S.289       |                | Genomics Data Security Act   |
| S.3338      |                | Disaster Learning and Life Saving Act of 2023  |
| S.3473      |                | Air Security Act of 2023   |
| S.3631      | H.R.7662       | Critical Minerals Security Act of 2024   |
| S.367       |                | Economic and Commercial Opportunities and Networks Act of 2023 (ECON Act)  |
| S.379       |                | Freedom To Compete Act of 2023   |
| S.3957      | H.R.7699       | A bill to require the Director of National Intelligence to develop a strategy to improve the sharing of information and intelligence on foreign adversary tactics and illicit activities affecting the ability of United States persons to compete in foreign jurisdictions on projects relating to energy generation and storage, and for other purposes. |
| S.4095      |                | Stop Helping Outcome Preferences Act (SHOP Act)  |
| S.4110      |                | AGOA Renewal and Improvement Act of 2024   |
| S.4308      |                | Competition and Antitrust Law Enforcement Reform Act of 2024   |
| S.4355      |                | Criminalizing Abused Substance Templates Act of 2024   |
| S.4713      |                | A bill to amend chapter 11 of title 35, United States Code, to require the voluntary collection of demographic information for patent inventors, and for other purposes.   |
| S.511       |                | Protect America's Innovation and Economic Security from CCP Act  |
| S.746       |                | No Stolen Trademarks Honored in America Act  |
| S.845       |                | Short on Competition Act   |
| S.935       |                | Fair Accountability and Innovative Research Drug Pricing Act of 2023   |
| S.979       |                | H-1B and L-1 Visa Reform Act of 2023   |



| Bill Number | Companion Bill | Title   |
|-------------|----------------|---|
| S.Res.155   |                | A resolution expressing the sense of the Senate that the United States should negotiate strong, inclusive, and forward-looking rules on digital trade and the digital economy with like-minded countries as part of its broader trade and economic strategy in order to ensure that the United States values of democracy, rule of law, freedom of speech, human and worker rights, privacy, and a free and open internet are at the very core of digital governance. |
| S.Res.325   |                | A resolution recognizing the importance of trademarks in the economy and the role of trademarks in protecting consumer safety, by designating the month of August as "National Anti-Counterfeiting and Consumer Education and Awareness Month."   |

While all of the listed bills would have an impact — positive or negative — on the U.S. IP environment, a handful stand out as particularly consequential. Several positive proposals are especially noteworthy.

For example, the **Patent Eligibility Restoration Act (PERA)**, introduced in the Senate in 2023 by Senators Tillis (R-NC) and Coons (D-DE), represents a major step toward resolving long-standing concerns about patent-eligible subject matter. As mentioned above, since a series of precedent-setting Supreme Court decisions over the last decade and a half, there has

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been a persistent lack of clarity around patent eligibility. Inventors have been left without a clear sense of how USPTO decisions on patent eligibility will be made or, when patents are challenged or reviewed either through the courts or through IPR proceedings within the USPTO, which claims will be upheld.

Similarly, the **Promoting and Respecting Economically Vital American Innovation Leadership (PREVAIL) Act** would reduce much of the uncertainty and unpredictability caused by the PTAB and IPR system.

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**“The Promoting and Respecting Economically Vital American Innovation Leadership (PREVAIL) Act would reduce much of the uncertainty and unpredictability caused by the PTAB and IPR system.”**

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Another positive development in 2024 was the introduction of the **Realizing Engineering, Science, and Technology Opportunities by Restoring Exclusive (RESTORE) Patent Rights Act**, introduced by Senators Coons (D-DE) and Cotton (R-AR). The RESTORE Patent Rights Act addresses a key challenge faced by rightsholders since 2006, following the Supreme Court’s decision in *eBay*, which made it significantly harder to obtain permanent injunctions in infringement cases.

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**“The RESTORE Patent Rights Act addresses a key challenge faced by rightsholders since 2006, following the Supreme Court’s decision in *eBay*, which made it significantly harder to obtain permanent injunctions in infringement cases.”**

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Additional positive bills introduced during the 118th Congress include H.R.8134, the Restoring America’s Leadership in Innovation Act of 2024, S.2566, the American IDEA Act, and H.R.8684 and S.2934, the Stopping Harmful Offers on Platforms by Screening Against Fakes in E-Commerce (SHOP SAFE) Act of 2024.

At the time of research, it was unclear how these bills would progress in the 119th Congress. Of these bills, only the PREVAIL Act and the American IDEA Act had advanced in the legislative process in the 118th Congress. Since the start of the 119th Congress, the bipartisan and bicameral PREVAIL Act (S.1553/H.R.3160), RESTORE Patent Rights Act (S.708/H.R.1574), and PERA (S.1546/H.R.3152) have been reintroduced.

On the other end of the spectrum, the 118th Congress also saw several developments that would negatively affect the United States’ IP environment and curtail existing rights, particularly for patents related to medicines and medical treatments. Several bills — The Affordable Prescriptions for Patients Act (S.150) and bills to address so-called “patent thickets” (H.R.6986 and S.3583), among others — seek to limit the number of patents a rightsholder may assert in an infringement action. Not only do these bills discriminate and selectively target the life sciences sector with these restrictions, but they also embrace a fundamentally anti-IP and anti-innovation logic whereby the restriction of IP rights will lead to lower prices and greater access to products, in this case, medicines and medical treatments.

However, the experience of the COVID-19 pandemic made clear that life-saving innovation and product development depend on strong IP protections. American firms continue to lead in developing breakthrough treatments, with thousands of new medicines currently in the pipeline. The 2024 *Annual Membership Survey* from the Pharmaceutical Research and Manufacturers of America (PhRMA) highlights that American research-based biopharmaceutical firms spent an estimated \$71.3 billion in domestic R&D in 2023 and more than \$96 billion globally.<sup>5</sup> This leadership also delivers significant economic benefits. In 2022, the research-based pharmaceutical

5 PHARM. RSCH. & MFRS. OF AMERICA, 2024 PhRMA ANNUAL MEMBERSHIP SURVEY 3 (2024).

industry directly employed over one million workers and supported an additional 3.8 million jobs, for a total of 4.9 million U.S. jobs.<sup>6</sup> In terms of added value and contributions to national economic output, these were estimated at 3.4% and 3.6% of GDP, respectively.<sup>7</sup>

The basic economics of the biopharmaceutical industry show how critical IP rights are to incentivizing and sustaining the development of new medical technologies and products. In 1979, the total cost of developing and approving a new drug stood at \$138 million. Almost 25 years later, in 2003, this figure was estimated at \$802 million. A 2012 estimate placed the cost at approximately \$1.5 billion. More recent research from Tufts University suggests that it costs, on average, \$2.6 billion to develop a new drug.<sup>8</sup>

Only one to two of every 10,000 synthesized, examined, and screened compounds in basic research will successfully pass through all stages of R&D and clinical development to become a marketable drug. Critically, most of the expenditure and risk in this development process falls on the private sector. For example, in its 2023 publication “The Research and Development Pipeline: A Primer,” Research!America found that in the United States, the life sciences industry accounted for approximately 70% of all U.S. investment in life sciences R&D, while the federal government — largely through the National Institutes of Health — contributed around 20%.<sup>9</sup>

Patents and other forms of exclusivity for biopharmaceuticals, such as regulatory data protection and targeted incentives for orphan drugs, enable research-based companies to invest these vast sums required for R&D and the discovery of new drugs, products, and therapies. It has been clear for many years that American taxpayers and patients are concerned with the cost of prescription medicines and wish their elected representatives to take appropriate action. However, the cost of medicines and new medical technologies is a complex subject that does not lend itself to generalization. It involves a range of factors, including health system infrastructure, financing mechanisms, and the organization of care delivery in the United States. Within this broader equation, intellectual property protections play little to no role in driving cost.

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**“Within this broader equation, intellectual property protections play little to no role in driving cost.”**

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Instead of achieving the goal of lowering costs, proposals that weaken the incentives underpinning life sciences R&D risk destabilizing the very innovation model that has, since the

6 PHARM. RSCH. & MFRS. OF AMERICA, THE ECONOMIC IMPACT OF THE U.S. BIOPHARMACEUTICAL INDUSTRY: 2022 NATIONAL AND STATE ESTIMATES 1 (2024).

7 *Id.*

8 See Joseph A. DiMasi et al., *The Price of Innovation: New Estimates of Drug Development Costs*, 22 J. HEALTH ECONs. 151, 151–85 (2003); JORGE MESTRE-FERRANDIZ ET AL., OFF. OF HEALTH ECONs., THE R&D COST OF A NEW MEDICINE v (2012); and Joseph A. DiMasi et al., *Innovation in the Pharmaceutical Industry: New Estimates of R&D Costs*, 47 J. HEALTH ECONs. 20, 20–33 (2016).

9 RESEARCH!AMERICA, THE RESEARCH AND DEVELOPMENT PIPELINE: A PRIMER 1–2 (2023).

mid-1980s, delivered a steady stream of new and improved medicines and health technologies to patients in the United States and around the world.

This logic is not exclusive to the life sciences industry but can be extended to ***all*** IP-intensive industries. This includes the cutting-edge technologies that power our lives, like the information and communication technology (ICT) behind smartphones and cloud storage.

In its latest statistical profile examining patent activity in the United States, the World Intellectual Property Organization (WIPO) listed computer technology and digital communication as the top two technical fields, together accounting for almost a quarter of all patent applications.<sup>10</sup> These technologies, and the new products and services they spawn, will form the backbone of the U.S. economy in the years and decades ahead. But just as with the biopharmaceutical industry, the development of these new technologies is resource-intensive and requires significant and sustained R&D investment. Indeed, ICT companies are some of the biggest investors in R&D globally. For instance, in 2023, the European Union estimated that two ICT industries (software and hardware) together invested over €546 billion in R&D — almost 45% of the total R&D spending by the top 2,000 companies in the world.<sup>11</sup>

However, without the necessary IP rights and incentives to invest in R&D and continue to innovate, these industries will cease to produce new technologies, products, and services.

### **Going for growth – how the new Congress and administration can kickstart the U.S. economy through IP reforms**

As the following section and the 2025 Congressional Innovation Scorecard results make clear, the 118th Congress largely failed to advance meaningful IP reform. The 119th Congress now has a unique opportunity to build on the positive steps taken over the past two years. By passing several of the key IP bills referenced above, Congress can give the current administration a powerful tool to jumpstart the U.S. economy and establish the foundation for long-term, innovation-driven growth and high-value economic development.

10 WIPO, INTELLECTUAL PROPERTY STATISTICAL COUNTRY PROFILE 2023: UNITED STATES OF AMERICA (2023).

11 ELISABETH NINDL ET AL., JOINT RSCH. CTR., THE 2024 EU INDUSTRIAL R&D INVESTMENT SCOREBOARD 52 (2024) (measuring R&D expenditure by the top 2,000 companies in the world).

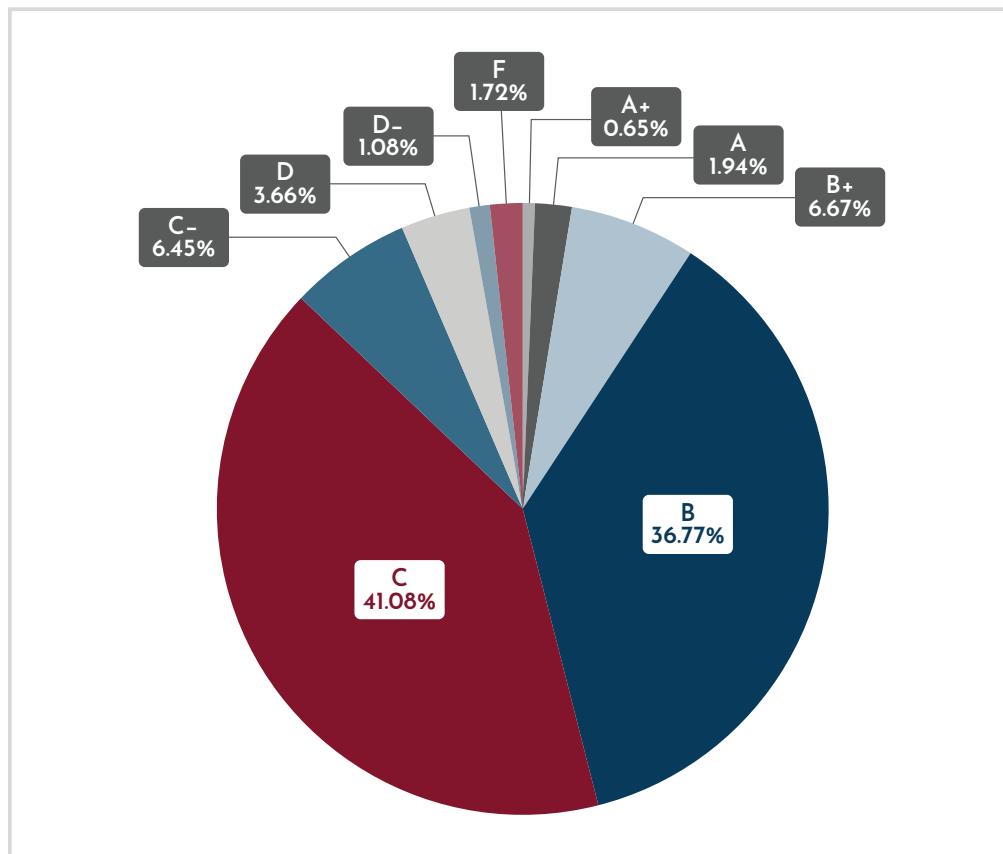
# Overall Scorecard Results

## Good or bad? Evaluating Congress' performance on the Scorecard

How did members of Congress perform in the second edition of the Scorecard? Has there been progress compared to last year in terms of pro-IP legislative and policy activity, or have activity levels largely remained the same?

Figure 1 below shows the overall distribution of grades for all members of Congress included in this year's Scorecard.

Figure 1: Overall Scorecard Grades, Percentage of Members per Grade

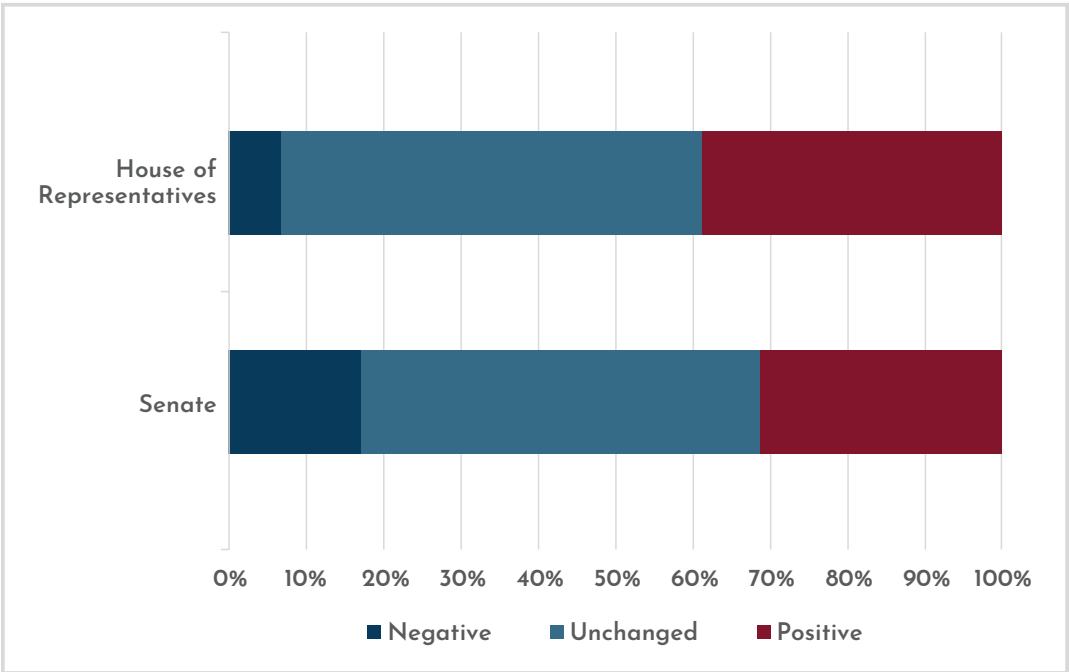


As Figure 1 shows, over half of all members included in the Scorecard — 54% — received a grade of ‘C’ or lower. Consequently, and as the inaugural edition indicated, this means that **a clear majority of Congress shows only a limited interest in advancing pro-IP legislation and policy.** A comparison between the first and second editions of the Scorecard reveals little overall improvement. Most members saw their grades remain the same or decline.

As shown in Figure 2, over 60% of members included in both editions experienced no change or a drop in their Scorecard performance.<sup>12</sup>

<sup>12</sup> The comparison in Figure 2 and below in Tables 2 and 3 include those representatives and senators that were active members of Congress at the time of research and compilation of the Scorecard.

Figure 2: Change in Members' Alphabetical Grades: First vs. Second Edition of the Congressional Scorecard – Positive, Negative, or Unchanged



Of particular note are the members who saw a significant improvement — or deterioration — in their Scorecard performance.

In the U.S. Senate, there were several members who improved their Scorecard grades by supporting pro-IP policies and voting for and sponsoring pro-IP bills. This includes, for example, Senators Marsha Blackburn (R-TN) and Tom Cotton (R-AR). While not seeing a substantial fall or change to their overall Scorecard grade, other senators failed to make sustained positive contributions to the national IP environment.

There were also a handful of senators who saw their performance on the Scorecard and alphabetical grades fall. This includes Senators Tammy Baldwin (D-WI), Jeff Merkley (D-OR), Mike Lee (R-UT), and Christopher Murphy (D-CT), who supported policies and bills that would negatively impact our national IP system.

In the House of Representatives, a similar trend emerged among several representatives who improved their Scorecard performance and alphabetical grades by supporting pro-IP policies and voting for and sponsoring pro-IP bills. This includes Representatives Jake Auchincloss (D-MA), Ben Cline (R-VA), Madeleine Dean (D-PA), Josh Gottheimer (D-NJ), Glenn Ivey (D-MD), Hank Johnson (D-GA), Kevin Kiley (R-CA), Young Kim (R-CA), Thomas Massie (R-KY), Nathaniel Moran (R-TX), Scott Peters (D-CA), Deborah Ross (D-NC), and Chip Roy (R-TX).

But, just as in the Senate, there were also representatives who moved in the opposite direction and saw their performance on the Scorecard and alphabetical grades fall. This includes,



among others, Representatives Jonathan Jackson (D-IL), Pramila Jayapal (D-WA), Tom Cole (R-OK), Mark Takano (D-CA), Jill Tokuda (D-HI), and Janice Schakowsky (D-IL).

Encouragingly, a higher share of members earned a positive grade of ‘B’ or higher in this edition of the Scorecard compared to last year.

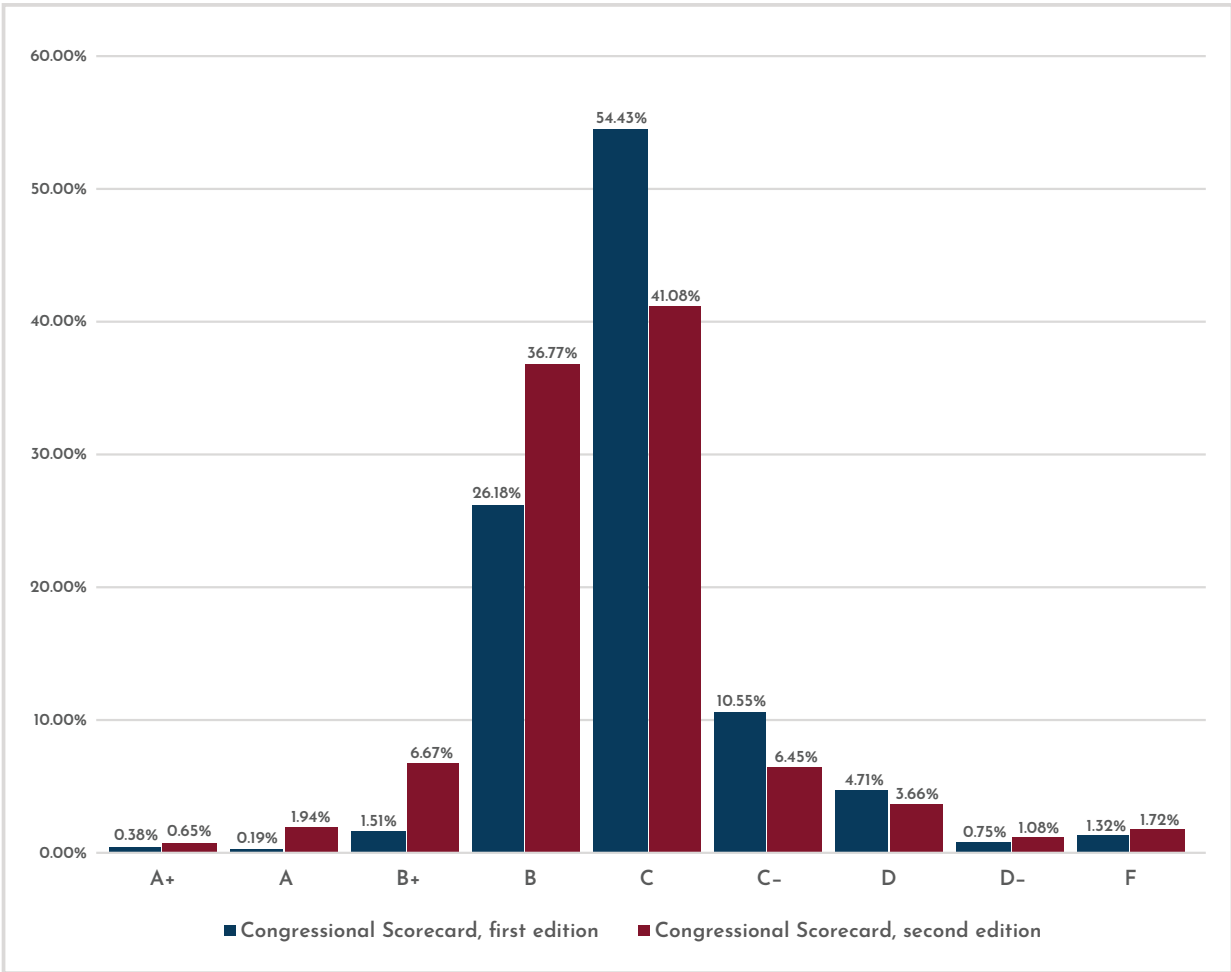
Figure 3 below compares the overall Scorecard results and grade distribution between last year’s inaugural edition and this year’s update.

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**“Encouragingly, a higher share of members earned a positive grade of ‘B’ or higher in this edition of the Scorecard compared to last year.”**

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**Figure 3: Percentage of Members by Grade: Comparison of First and Second Editions of the Congressional Scorecard**



What explains this development?

The biggest driver of this change is the addition of a new congressional session — the second session of the 118th Congress — which has afforded all members of Congress the opportunity to engage more on IP issues. Because the Scorecard methodology is based on measurable levels

of activity, the inclusion of another session naturally results in more data points, whether those actions are positive or negative. In short, more opportunities to engage typically yield more activity.

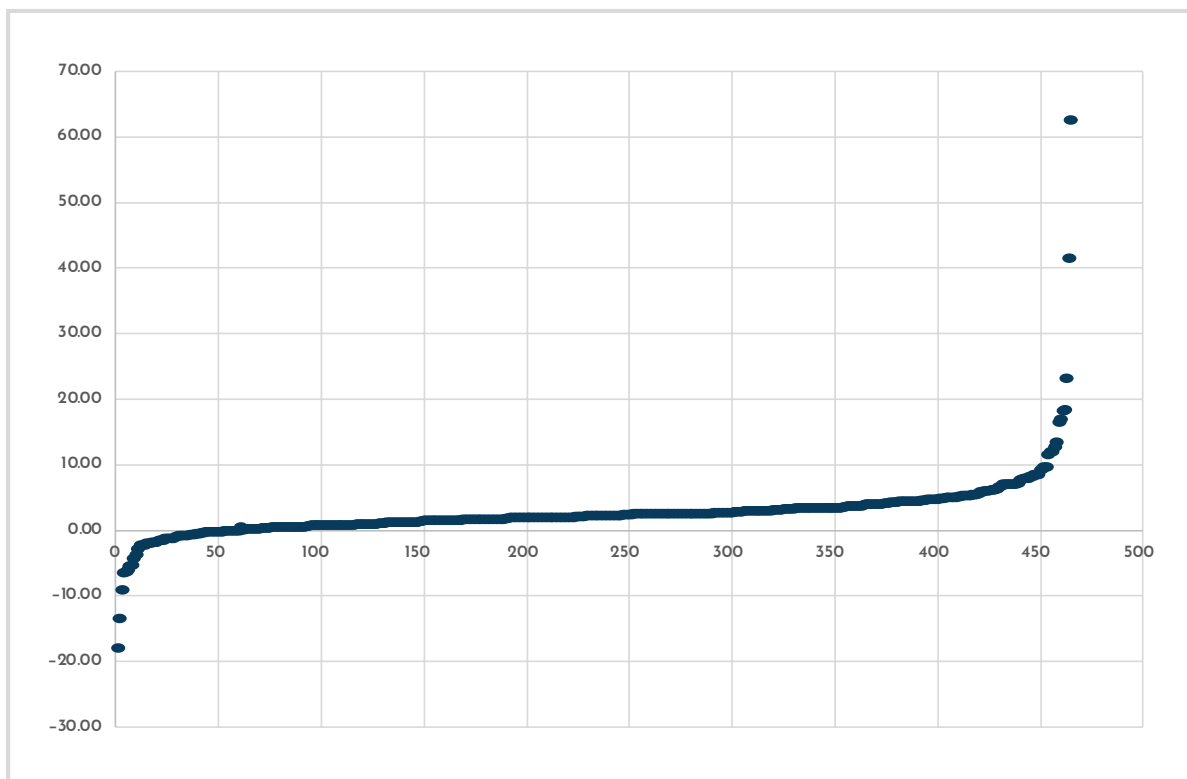
Beyond this increased opportunity, part of the explanation lies in the content of the second session itself. As noted above, the latter half of the 118th Congress saw an uptick in positive IP-related activity. While several harmful bills were introduced, a number of proposals from the second session would, if enacted, improve the national IP landscape.

Finally, from a methodological perspective, this year's Scorecard has also been updated with a broader set of bills identified and benchmarked. This, too, has had an impact on member grading and grade distribution.

Another way to visualize the Scorecard's findings is to examine the numerical results that underlie the letter-grade system. As explained in the Methodology Appendix, the Scorecard is ultimately designed to measure congressional activity — both positive and negative — on national IP policy. A score near zero indicates relative inactivity, suggesting that the member took no meaningful action on IP during the period studied. In contrast, a higher numerical score — whether positive or negative — indicates active engagement on IP issues, with clear implications for the U.S. IP environment.

Figure 4 below presents a scatter diagram of the numerical results for all members of Congress — both the House of Representatives and the Senate — included in the Scorecard.

**Figure 4: Overall Scorecard Numerical Results**



Looking at the results of the Scorecard from this perspective — and factoring in the expanded opportunity to engage due to the addition of a second congressional session — it is striking that almost half of the members included in the Scorecard earned a numerical score between -2.00 and 2.00 across the entire time period and all dimensions assessed.

Under the Scorecard’s methodology, members receive points (positive or negative) for each defined form of activity — such as roll call votes, bill sponsorship, and relevant public statements or interventions — ranging from a minimum of 0.5 to a maximum of 2.0 points per action.<sup>13</sup> Based on this system, the data shows that, over the course of three full congresses, nearly one-third of members engaged at only the minimum level on IP-related policy issues.

On the other hand, similar to the last edition, this year’s Scorecard shows how a group of lawmakers in the Senate and House of Representatives continue to drive national IP policy in both positive and negative directions. The next section explores the Scorecard results for each chamber in greater detail.

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**“This year’s Scorecard shows how a group of lawmakers in the Senate and House of Representatives continue to drive national IP policy . . .”**

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## Comparing the results for the Senate with those of the House of Representatives

### Scorecard results – U.S. Senate

Separating the Scorecard results for each of the two chambers of Congress shows both similarities and some noteworthy differences.

Beginning with the U.S. Senate, the following findings were discovered:

First, the Senate continues to have a core group of what can be described as national “IP Champions.” Like last year, Senators Christopher Coons (D-DE) and Thom Tillis (R-NC) have continued to drive national IP policy forward in a positive direction. Both senators again achieved the highest possible grade — an ‘A+’ — showing their continued national leadership on IP issues. Moreover, their numerical scores are substantively higher than any other member of Congress, outpacing the rest of Congress by a significant margin.

Second, in a welcome development, the number of pro-IP senators has continued to grow. More than 20 senators now fall into this category. While not as active as Senators Coons and Tillis, Senators Mazie Hirono (D-HI), Marsha Blackburn (R-TN), and Tom Cotton (R-AR) stand out for their consistent support of pro-IP legislation and increased activity in the second session of the 118th Congress. Each received a grade of ‘A.’ Just below this tier is a larger group of

<sup>13</sup> As detailed below in the Methodology Appendix, this year’s Scorecard has added the possibility for members to achieve bonus points for activity relating to critical national IP bills identified by C4IP.

engaged senators who frequently make public statements and interventions in support of IP policy. This group includes Senators Bill Cassidy (R-LA), Bill Hagerty (R-TN), Chuck Schumer (D-NY), James Lankford (R-OK), James Risch (R-ID), Jerry Moran (R-KS), John Barrasso (R-WY), John Cornyn (R-TX), Joni Ernst (R-IA), Mark Warner (D-VA), Michael Crapo (R-ID), Mitch McConnell (R-KY), Rick Scott (R-FL), Ted Budd (R-NC), Tim Scott (R-SC), Todd Young (R-IN), and Tommy Tuberville (R-AL). All these senators received a ‘B+’ grade.

Third, across the three congresses examined in the Scorecard, a small group of senators actively promoted anti-IP policies and received failing grades as a result. These are Senators Bernard Sanders (I-VT), Elizabeth Warren (D-MA), Margaret Hassan (D-NH), and Peter Welch (D-VT). Each has consistently supported harmful legislation, often sponsoring or cosponsoring anti-IP bills and issuing misleading or damaging public statements on IP policy.

Finally, and similar to the trend observed in the House, many senators continue to show relatively limited public engagement on IP issues. These members failed to sponsor or cosponsor pro-IP bills and did not make meaningful public statements in support of IP rights. Most of these senators’ Scorecard scores are based on unanimous consent votes across the three congresses examined.

Table 2 below presents the Scorecard results for all senators included in this year’s analysis.

**Table 2: Overall Scorecard Grades, U.S. Senate<sup>14</sup>**

| Senator |                 | State | Party      | Congressional Innovation Scorecard, Second Edition, Alphabetical Grade | Congressional Innovation Scorecard, First Edition, Alphabetical Grade | Change in Alphabetical Grade: Positive, Negative, or Unchanged |
|---------|-----------------|-------|------------|--|---|--|
| Tammy   | Baldwin         | WI    | Democrat   | D  | B   | Negative   |
| Jim     | Banks           | IN    | Republican | C  | C*  | Unchanged  |
| John    | Barrasso        | WY    | Republican | B+   | B   | Positive   |
| Michael | Bennet          | CO    | Democrat   | B  | C   | Positive   |
| Marsha  | Blackburn       | TN    | Republican | A  | B+  | Positive   |
| Richard | Blumenthal      | CT    | Democrat   | C-   | D   | Positive   |
| Lisa    | Blunt Rochester | DE    | Democrat   | B  | B*  | Unchanged  |
| Cory    | Booker          | NJ    | Democrat   | D  | C-  | Negative   |
| John    | Boozman         | AR    | Republican | B  | B   | Unchanged  |
| Katie   | Britt           | AL    | Republican | C  | C   | Unchanged  |
| Ted     | Budd            | NC    | Republican | B+   | B   | Positive   |
| Maria   | Cantwell        | WA    | Democrat   | B  | B   | Unchanged  |
| Shelley | Capito          | WV    | Republican | B  | B   | Unchanged  |
| Bill    | Cassidy         | LA    | Republican | B+   | B   | Positive   |

<sup>14</sup> The Scorecard includes an asterisk next to the alphabetical grades for all freshman senators that were previously members of the House of Representatives.

| Senator     |              | State | Party       | Congressional Innovation Scorecard, Second Edition, Alphabetical Grade | Congressional Innovation Scorecard, First Edition, Alphabetical Grade | Change in Alphabetical Grade: Positive, Negative, or Unchanged |
|-------------|--------------|-------|-------------|--|---|--|
| Susan       | Collins      | ME    | Republican  | B  | B   | Unchanged  |
| Christopher | Coons        | DE    | Democrat    | A+   | A+  | Unchanged  |
| John        | Cornyn       | TX    | Republican  | B  | C   | Positive   |
| Catherine   | Cortez Masto | NV    | Democrat    | C  | B   | Negative   |
| Tom         | Cotton       | AR    | Republican  | A  | B   | Positive   |
| Kevin       | Cramer       | ND    | Republican  | B  | B   | Unchanged  |
| Michael     | Crapo        | ID    | Republican  | B+   | B   | Positive   |
| Ted         | Cruz         | TX    | Republican  | B  | B   | Unchanged  |
| John        | Curtis       | UT    | Republican  | B  | C*  | Positive   |
| Steve       | Daines       | MT    | Republican  | B  | B   | Unchanged  |
| Tammy       | Duckworth    | IL    | Democrat    | B  | B   | Unchanged  |
| Richard     | Durbin       | IL    | Democrat    | B  | B   | Unchanged  |
| Joni        | Ernst        | IA    | Republican  | B+   | C   | Positive   |
| John        | Fetterman    | PA    | Democrat    | D  | C-  | Negative   |
| Deb         | Fischer      | NE    | Republican  | B  | B   | Unchanged  |
| Rubén       | Gallego      | AZ    | Democrat    | B  | C*  | Positive   |
| Kirsten     | Gillibrand   | NY    | Democrat    | C  | B   | Negative   |
| Lindsey     | Graham       | SC    | Republican  | B  | B   | Unchanged  |
| Charles     | Grassley     | IA    | Republican  | B  | C   | Positive   |
| Bill        | Hagerty      | TN    | Republican  | B+   | B   | Positive   |
| Margaret    | Hassan       | NH    | Democrat    | F  | F   | Unchanged  |
| Joshua      | Hawley       | MO    | Republican  | C  | C   | Unchanged  |
| Martin      | Heinrich     | NM    | Democrat    | C  | B   | Negative   |
| John        | Hickenlooper | CO    | Democrat    | B  | B   | Unchanged  |
| Mazie       | Hirono       | HI    | Democrat    | A  | A   | Unchanged  |
| John        | Hoeven       | ND    | Republican  | B  | B   | Unchanged  |
| Cindy       | Hyde-Smith   | MS    | Republican  | B  | B   | Unchanged  |
| Ron         | Johnson      | WI    | Republican  | B  | B   | Unchanged  |
| Timothy     | Kaine        | VA    | Democrat    | C  | B   | Negative   |
| Mark        | Kelly        | AZ    | Democrat    | C  | C-  | Positive   |
| John        | Kennedy      | LA    | Republican  | B  | B   | Unchanged  |
| Andy        | Kim          | NJ    | Democrat    | C  | C*  | Unchanged  |
| Angus       | King         | ME    | Independent | C  | C   | Unchanged  |
| Amy         | Klobuchar    | MN    | Democrat    | D  | F   | Positive   |
| James       | Lankford     | OK    | Republican  | B+   | B   | Positive   |
| Mike        | Lee          | UT    | Republican  | C  | B   | Negative   |
| Ben         | Luján        | NM    | Democrat    | C  | B   | Negative   |

| Senator     |            | State | Party       | Congressional Innovation Scorecard, Second Edition, Alphabetical Grade | Congressional Innovation Scorecard, First Edition, Alphabetical Grade | Change in Alphabetical Grade: Positive, Negative, or Unchanged |
|-------------|------------|-------|-------------|--|---|--|
| Cynthia     | Lummis     | WY    | Republican  | B  | B   | Unchanged  |
| Edward      | Markey     | MA    | Democrat    | C-   | B   | Negative   |
| Roger       | Marshall   | KS    | Republican  | B  | B   | Unchanged  |
| Mitch       | McConnell  | KY    | Republican  | B+   | B   | Positive   |
| Jeff        | Merkley    | OR    | Democrat    | D  | B   | Negative   |
| Jerry       | Moran      | KS    | Republican  | B+   | B   | Positive   |
| Markwayne   | Mullin     | OK    | Republican  | B  | C   | Positive   |
| Lisa        | Murkowski  | AK    | Republican  | B  | B   | Unchanged  |
| Christopher | Murphy     | CT    | Democrat    | C-   | B   | Negative   |
| Patty       | Murray     | WA    | Democrat    | C  | C   | Unchanged  |
| Jon         | Ossoff     | GA    | Democrat    | D  | C-  | Negative   |
| Alejandro   | Padilla    | CA    | Democrat    | B  | B   | Unchanged  |
| Rand        | Paul       | KY    | Republican  | B  | C   | Positive   |
| Gary        | Peters     | MI    | Democrat    | B  | B   | Unchanged  |
| John        | Reed       | RI    | Democrat    | B  | B   | Unchanged  |
| Pete        | Ricketts   | NE    | Republican  | B  | C   | Positive   |
| James       | Risch      | ID    | Republican  | B+   | B   | Positive   |
| Jacky       | Rosen      | NV    | Democrat    | C  | C   | Unchanged  |
| Mike        | Rounds     | SD    | Republican  | B  | C   | Positive   |
| Bernard     | Sanders    | VT    | Independent | F  | F   | Unchanged  |
| Brian       | Schatz     | HI    | Democrat    | C  | B   | Negative   |
| Adam        | Schiff     | CA    | Democrat    | B  | C*  | Positive   |
| Eric        | Schmitt    | MO    | Republican  | B  | C   | Positive   |
| Chuck       | Schumer    | NY    | Democrat    | B+   | B+  | Unchanged  |
| Rick        | Scott      | FL    | Republican  | B+   | B+  | Unchanged  |
| Tim         | Scott      | SC    | Republican  | B+   | B   | Positive   |
| Jeanne      | Shaheen    | NH    | Democrat    | C  | C   | Unchanged  |
| Elissa      | Slotkin    | MI    | Democrat    | C-   | D*  | Positive   |
| Tina        | Smith      | MN    | Democrat    | C-   | C   | Positive   |
| Dan         | Sullivan   | AK    | Republican  | B  | B   | Unchanged  |
| John        | Thune      | SD    | Republican  | B  | B   | Unchanged  |
| Thom        | Tillis     | NC    | Republican  | A+   | A+  | Unchanged  |
| Tommy       | Tuberville | AL    | Republican  | B+   | B+  | Unchanged  |
| Chris       | Van Hollen | MD    | Democrat    | C  | C   | Unchanged  |
| Mark        | Warner     | VA    | Democrat    | B+   | B+  | Unchanged  |
| Raphael     | Warnock    | GA    | Democrat    | C-   | C-  | Unchanged  |
| Elizabeth   | Warren     | MA    | Democrat    | F  | F   | Unchanged  |



| Senator |            | State | Party      | Congressional Innovation Scorecard, Second Edition, Alphabetical Grade | Congressional Innovation Scorecard, First Edition, Alphabetical Grade | Change in Alphabetical Grade: Positive, Negative, or Unchanged |
|---------|------------|-------|------------|--|---|--|
| Peter   | Welch      | VT    | Democrat   | F  | F   | Unchanged  |
| Sheldon | Whitehouse | RI    | Democrat   | C  | B   | Negative   |
| Roger   | Wicker     | MS    | Republican | B  | B   | Unchanged  |
| Ron     | Wyden      | OR    | Democrat   | C  | B   | Negative   |
| Todd    | Young      | IN    | Republican | B+   | B+  | Unchanged  |

## Scorecard results – U.S. House of Representatives

While differences remain, this year’s results for the House of Representatives have moved closer to those of the U.S. Senate.

To begin, although overall engagement with IP issues in the House remains less pronounced than in the Senate, the score range for House members has widened — indicating increased activity in the lower chamber. Notably, pro-IP activity rose in the second session of the 118th Congress, exceeding levels seen in earlier sessions for many members. Still, the House as a whole continues to lag behind the Senate in IP engagement.

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**“Notably, pro-IP activity rose in the second session of the 118th Congress, exceeding levels seen in earlier sessions for many members.”**

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Second, and building on this point, a large majority of House members continue to show limited interest in IP policy. Across the three congresses examined, more than 50% of representatives included in the Scorecard earned a score between 0 and 2.50. In most cases, these scores were driven by a handful of roll call votes involving IP legislation rather than more substantive engagement.

Third, while there is no member of the House of Representatives that has achieved a level of sustained and meaningful positive pro-IP activity on the Scorecard akin to that achieved by Senators Coons and Tillis, the House has a core group of pro-IP legislators. In particular, Representative Nathaniel Moran (R-TX) earned an ‘A+’ grade, and Representatives Ben Cline (R-VA), Hank Johnson (D-GA), Kevin Kiley (R-CA), Madeleine Dean (D-PA), Scott Peters (D-CA), and Deborah Ross (D-NC) showed key engagement and support for pro-IP bills and policies — all earning an ‘A’ grade. Other active members in the House include Representatives Brian Fitzpatrick (R-PA), Chip Roy (R-TX), Darrell Issa (R-CA), Jake Auchincloss (D-MA), Josh Gottheimer (D-NJ), Lance Gooden (R-TX), María Elvira Salazar (R-FL), Mikie Sherrill (D-NJ), Scott Fitzgerald (R-WI), Ted Lieu (D-CA), Thomas Massie (R-KY), Thomas Tiffany (R-WI), Vern Buchanan (R-FL), Young Kim (R-CA), and Zachary Nunn (R-IA), all of whom earned a grade of ‘B+.’

Finally, as in the Senate, a small group of House members actively supported and promoted anti-IP policies across the three congresses examined, receiving a grade of ‘F’ or ‘D–.’ These include Representatives Andy Biggs (R-AZ), Janice Schakowsky (D-IL), Jesús Garcia (D-IL), Jill Tokuda (D-HI), Jonathan Jackson (D-IL) , Lloyd Doggett (D-TX), Marie Gluesenkamp Perez (D-WA), Mark Takano (D-CA), Pramila Jayapal (D-WA), and Valerie Hoyle (D-OR).

Table 3 below presents the Scorecard results for all representatives included in this year’s analysis.

**Table 3: Overall Scorecard Grades, U.S. House of Representatives**

| Representative |             | State | District | Party      | Congressional Innovation Scorecard, Second Edition, Alphabetical Grade | Congressional Innovation Scorecard, First Edition, Alphabetical Grade | Change in Alphabetical Grade: Positive, Negative, or Unchanged |
|----------------|-------------|-------|----------|------------|--|---|--|
| Alma           | Adams       | NC    | 12       | Democrat   | C  | C   | Unchanged  |
| Robert         | Aderholt    | AL    | 4        | Republican | B  | C   | Positive   |
| Pete           | Aguilar     | CA    | 33       | Democrat   | C  | B   | Negative   |
| Mark           | Alford      | MO    | 4        | Republican | B  | C–  | Positive   |
| Rick           | Allen       | GA    | 12       | Republican | B  | B   | Unchanged  |
| Gabe           | Amo         | RI    | 1        | Democrat   | C  |   |  |
| Mark           | Amodei      | NV    | 2        | Republican | B  | C   | Positive   |
| Jodey          | Arrington   | TX    | 19       | Republican | D  | D   | Unchanged  |
| Jake           | Auchincloss | MA    | 4        | Democrat   | B+   | C   | Positive   |
| Brian          | Babin       | TX    | 36       | Republican | B  | B   | Unchanged  |
| Don            | Bacon       | NE    | 2        | Republican | B  | B   | Unchanged  |
| James          | Baird       | IN    | 4        | Republican | B  | C   | Positive   |
| Troy           | Balderson   | OH    | 12       | Republican | B  | B   | Unchanged  |
| Becca          | Balint      | VT    | 0        | Democrat   | C–   | D   | Positive   |
| Garland        | Barr        | KY    | 6        | Republican | B  | B   | Unchanged  |
| Nanette        | Barragán    | CA    | 44       | Democrat   | D  | C   | Negative   |
| Aaron          | Bean        | FL    | 4        | Republican | B  | B   | Unchanged  |
| Joyce          | Beatty      | OH    | 3        | Democrat   | B  | C   | Positive   |
| Cliff          | Bentz       | OR    | 2        | Republican | C  | C   | Unchanged  |
| Ami            | Bera        | CA    | 6        | Democrat   | B  | C   | Positive   |
| Jack           | Bergman     | MI    | 1        | Republican | B  | C   | Positive   |
| Donald         | Beyer       | VA    | 8        | Democrat   | D  | C–  | Negative   |
| Stephanie      | Bice        | OK    | 5        | Republican | B  | B   | Unchanged  |
| Andy           | Biggs       | AZ    | 5        | Republican | D–   | D–  | Unchanged  |
| Gus            | Bilirakis   | FL    | 12       | Republican | B  | C   | Positive   |
| Sanford        | Bishop      | GA    | 2        | Democrat   | C  | C   | Unchanged  |
| Lauren         | Boebert     | CO    | 4        | Republican | C  | C   | Unchanged  |

| Representative |                     | State | District | Party      | Congressional Innovation Scorecard, Second Edition, Alphabetical Grade | Congressional Innovation Scorecard, First Edition, Alphabetical Grade | Change in Alphabetical Grade: Positive, Negative, or Unchanged |
|----------------|---------------------|-------|----------|------------|--|---|--|
| Suzanne        | Bonamici            | OR    | 1        | Democrat   | C  | B   | Negative   |
| Mike           | Bost                | IL    | 12       | Republican | B  | C   | Positive   |
| Brendan        | Boyle               | PA    | 2        | Democrat   | C  | C   | Unchanged  |
| Josh           | Brecheen            | OK    | 2        | Republican | C  | C-  | Positive   |
| Shontel        | Brown               | OH    | 11       | Democrat   | C  | C   | Unchanged  |
| Julia          | Brownley            | CA    | 26       | Democrat   | C  | C   | Unchanged  |
| Vern           | Buchanan            | FL    | 16       | Republican | B+   | B   | Positive   |
| Nicole         | Budzinski           | IL    | 13       | Democrat   | C  | C   | Unchanged  |
| Tim            | Burchett            | TN    | 2        | Republican | B  | C   | Positive   |
| Eric           | Burlison            | MO    | 7        | Republican | B  | C   | Positive   |
| Ken            | Calvert             | CA    | 41       | Republican | B  | C   | Positive   |
| Katherine      | Cammack             | FL    | 3        | Republican | B  | C-  | Positive   |
| Salud          | Carbajal            | CA    | 24       | Democrat   | C  | C   | Unchanged  |
| Mike           | Carey               | OH    | 15       | Republican | B  | C   | Positive   |
| Andre          | Carson              | IN    | 7        | Democrat   | B  | C   | Positive   |
| Earl           | Carter              | GA    | 1        | Republican | B  | B   | Unchanged  |
| John           | Carter              | TX    | 31       | Republican | C  | C   | Unchanged  |
| Troy           | Carter              | LA    | 2        | Democrat   | C-   | C-  | Unchanged  |
| Gregorio       | Casar               | TX    | 35       | Democrat   | D  | D   | Unchanged  |
| Ed             | Case                | HI    | 1        | Democrat   | B  | B   | Unchanged  |
| Sean           | Casten              | IL    | 6        | Democrat   | C  | C   | Unchanged  |
| Kathy          | Castor              | FL    | 14       | Democrat   | C  | C   | Unchanged  |
| Joaquin        | Castro              | TX    | 20       | Democrat   | B  | C   | Positive   |
| Sheila         | Cherfilus-McCormick | FL    | 20       | Democrat   | C-   | C   | Negative   |
| Judy           | Chu                 | CA    | 28       | Democrat   | C  | C   | Unchanged  |
| Juan           | Ciscomani           | AZ    | 6        | Republican | C  | C   | Unchanged  |
| Katherine      | Clark               | MA    | 5        | Democrat   | B  | B   | Unchanged  |
| Yvette         | Clarke              | NY    | 9        | Democrat   | C  | C   | Unchanged  |
| Emanuel        | Cleaver             | MO    | 5        | Democrat   | C  | C   | Unchanged  |
| Ben            | Cline               | VA    | 6        | Republican | A  | B+  | Positive   |
| Michael        | Cloud               | TX    | 27       | Republican | C  | C   | Unchanged  |
| James          | Clyburn             | SC    | 6        | Democrat   | C  | C   | Unchanged  |
| Andrew         | Clyde               | GA    | 9        | Republican | C  | C   | Unchanged  |
| Steve          | Cohen               | TN    | 9        | Democrat   | C  | C   | Unchanged  |
| Tom            | Cole                | OK    | 4        | Republican | C  | B   | Negative   |
| Mike           | Collins             | GA    | 10       | Republican | B  | C   | Positive   |
| James          | Comer               | KY    | 1        | Republican | B  | C   | Positive   |

| Representative |             | State | District | Party      | Congressional Innovation Scorecard, Second Edition, Alphabetical Grade | Congressional Innovation Scorecard, First Edition, Alphabetical Grade | Change in Alphabetical Grade: Positive, Negative, or Unchanged |
|----------------|-------------|-------|----------|------------|--|---|--|
| Gerald         | Connolly    | VA    | 11       | Democrat   | D  | C-  | Negative   |
| J. Luis        | Correa      | CA    | 46       | Democrat   | B  | B   | Unchanged  |
| Jim            | Costa       | CA    | 21       | Democrat   | B  | B   | Unchanged  |
| Joe            | Courtney    | CT    | 2        | Democrat   | C  | C   | Unchanged  |
| Angie          | Craig       | MN    | 2        | Democrat   | B  | C   | Positive   |
| Eli            | Crane       | AZ    | 2        | Republican | D  | D   | Unchanged  |
| Eric           | Crawford    | AR    | 1        | Republican | B  | B   | Unchanged  |
| Dan            | Crenshaw    | TX    | 2        | Republican | B  | C   | Positive   |
| Jasmine        | Crockett    | TX    | 30       | Democrat   | C-   | C-  | Unchanged  |
| Jason          | Crow        | CO    | 6        | Democrat   | B  | B   | Unchanged  |
| Henry          | Cuellar     | TX    | 28       | Democrat   | B  | C   | Positive   |
| Sharice        | Davids      | KS    | 3        | Democrat   | C-   | C-  | Unchanged  |
| Warren         | Davidson    | OH    | 8        | Republican | C  | C   | Unchanged  |
| Danny          | Davis       | IL    | 7        | Democrat   | C  | C   | Unchanged  |
| Donald         | Davis       | NC    | 1        | Democrat   | B  | C   | Positive   |
| Monica         | De La Cruz  | TX    | 15       | Republican | C  | C   | Unchanged  |
| Madeleine      | Dean        | PA    | 4        | Democrat   | A  | B   | Positive   |
| Diana          | DeGette     | CO    | 1        | Democrat   | D  | C   | Negative   |
| Rosa           | DeLauro     | CT    | 3        | Democrat   | C  | C   | Unchanged  |
| Suzan          | DelBene     | WA    | 1        | Democrat   | B  | C   | Positive   |
| Chris          | Deluzio     | PA    | 17       | Democrat   | C  | C   | Unchanged  |
| Mark           | DeSaulnier  | CA    | 10       | Democrat   | C  | C   | Unchanged  |
| Scott          | DesJarlais  | TN    | 4        | Republican | C  | C   | Unchanged  |
| Mario          | Díaz-Balart | FL    | 26       | Republican | C  | B   | Negative   |
| Debbie         | Dingell     | MI    | 6        | Democrat   | C-   | C   | Negative   |
| Lloyd          | Doggett     | TX    | 37       | Democrat   | F  | F   | Unchanged  |
| Byron          | Donalds     | FL    | 19       | Republican | C  | C   | Unchanged  |
| Neal           | Dunn        | FL    | 2        | Republican | B  | C   | Positive   |
| Charles        | Edwards     | NC    | 11       | Republican | C  | C   | Unchanged  |
| Jake           | Ellzey      | TX    | 6        | Republican | B  | C   | Positive   |
| Tom            | Emmer       | MN    | 6        | Republican | B  | C   | Positive   |
| Veronica       | Escobar     | TX    | 16       | Democrat   | C  | C   | Unchanged  |
| Adriano        | Español     | NY    | 13       | Democrat   | C  | C   | Unchanged  |
| Ron            | Estes       | KS    | 4        | Republican | B  | B   | Unchanged  |
| Dwight         | Evans       | PA    | 3        | Democrat   | B  | B   | Unchanged  |
| Mike           | Ezell       | MS    | 4        | Republican | B  | C   | Positive   |
| Patrick        | Fallon      | TX    | 4        | Republican | C  | C   | Unchanged  |

| Representative |                   | State | District | Party      | Congressional Innovation Scorecard, Second Edition, Alphabetical Grade | Congressional Innovation Scorecard, First Edition, Alphabetical Grade | Change in Alphabetical Grade: Positive, Negative, or Unchanged |
|----------------|-------------------|-------|----------|------------|--|---|--|
| Randy          | Feenstra          | IA    | 4        | Republican | B  | C   | Positive   |
| Brad           | Finstad           | MN    | 1        | Republican | B  | C   | Positive   |
| Michelle       | Fischbach         | MN    | 7        | Republican | C  | C   | Unchanged  |
| Scott          | Fitzgerald        | WI    | 5        | Republican | B+   | B   | Positive   |
| Brian          | Fitzpatrick       | PA    | 1        | Republican | B+   | B   | Positive   |
| Charles        | Fleischmann       | TN    | 3        | Republican | B  | C   | Positive   |
| Lizzie         | Fletcher          | TX    | 7        | Democrat   | B  | C   | Positive   |
| Mike           | Flood             | NE    | 1        | Republican | B  | C   | Positive   |
| Vince          | Fong              | CA    | 20       | Republican | C  |   |  |
| Bill           | Foster            | IL    | 11       | Democrat   | B  | B   | Unchanged  |
| Valerie        | Foushee           | NC    | 4        | Democrat   | C-   | C-  | Unchanged  |
| Virginia       | Foxx              | NC    | 5        | Republican | B  | C   | Positive   |
| Lois           | Frankel           | FL    | 22       | Democrat   | C  | C   | Unchanged  |
| C. Scott       | Franklin          | FL    | 18       | Republican | C  | C-  | Positive   |
| Maxwell        | Frost             | FL    | 10       | Democrat   | C-   | D   | Positive   |
| Russell        | Fry               | SC    | 7        | Republican | C  | D   | Positive   |
| Russ           | Fulcher           | ID    | 1        | Republican | B  | C   | Positive   |
| John           | Garamendi         | CA    | 8        | Democrat   | C  | C   | Unchanged  |
| Andrew         | Garbarino         | NY    | 2        | Republican | C  | C   | Unchanged  |
| Jesús          | Garcia            | IL    | 4        | Democrat   | D-   | C-  | Negative   |
| Robert         | Garcia            | CA    | 42       | Democrat   | C  | C-  | Positive   |
| Sylvia         | Garcia            | TX    | 29       | Democrat   | C  | C   | Unchanged  |
| Carlos         | Gimenez           | FL    | 28       | Republican | C  | C   | Unchanged  |
| Marie          | Gluesenkamp Perez | WA    | 3        | Democrat   | F  | F   | Unchanged  |
| Jared          | Golden            | ME    | 2        | Democrat   | B  | C   | Positive   |
| Dan            | Goldman           | NY    | 10       | Democrat   | C-   | C-  | Unchanged  |
| Jimmy          | Gomez             | CA    | 34       | Democrat   | C  | C   | Unchanged  |
| Ernest Tony    | Gonzales          | TX    | 23       | Republican | C  | C   | Unchanged  |
| Vicente        | Gonzalez          | TX    | 34       | Democrat   | B  | C   | Positive   |
| Lance          | Gooden            | TX    | 5        | Republican | B+   | B   | Positive   |
| Paul           | Gosar             | AZ    | 9        | Republican | B  | C   | Positive   |
| Josh           | Gottheimer        | NJ    | 5        | Democrat   | B+   | B   | Positive   |
| Sam            | Graves            | MO    | 6        | Republican | B  | C   | Positive   |
| Al             | Green             | TX    | 9        | Democrat   | C  | C   | Unchanged  |
| Mark           | Green             | TN    | 7        | Republican | B  | C   | Positive   |
| Marjorie       | Greene            | GA    | 14       | Republican | C  | C-  | Positive   |
| H. Morgan      | Griffith          | VA    | 9        | Republican | C  | C   | Unchanged  |

| Representative |             | State | District | Party      | Congressional Innovation Scorecard, Second Edition, Alphabetical Grade | Congressional Innovation Scorecard, First Edition, Alphabetical Grade | Change in Alphabetical Grade: Positive, Negative, or Unchanged |
|----------------|-------------|-------|----------|------------|--|---|--|
| Raúl           | Grijalva    | AZ    | 7        | Democrat   | C–   | D   | Positive   |
| Glenn          | Grothman    | WI    | 6        | Republican | C  | C   | Unchanged  |
| Michael        | Guest       | MS    | 3        | Republican | B  | C   | Positive   |
| Brett          | Guthrie     | KY    | 2        | Republican | B  | C   | Positive   |
| Harriet        | Hageman     | WY    | 0        | Republican | C  | C   | Unchanged  |
| Josh           | Harder      | CA    | 9        | Democrat   | B  | C–  | Positive   |
| Andy           | Harris      | MD    | 1        | Republican | C  | C   | Unchanged  |
| Diana          | Harshbarger | TN    | 1        | Republican | C  | C–  | Positive   |
| Jahana         | Hayes       | CT    | 5        | Democrat   | C  | C   | Unchanged  |
| Kevin          | Hern        | OK    | 1        | Republican | B  | B   | Unchanged  |
| Clay           | Higgins     | LA    | 3        | Republican | B  | C   | Positive   |
| J. French      | Hill        | AR    | 2        | Republican | B  | B   | Unchanged  |
| James          | Himes       | CT    | 4        | Democrat   | C  | C   | Unchanged  |
| Ashley         | Hinson      | IA    | 2        | Republican | B  | B   | Unchanged  |
| Steven         | Horsford    | NV    | 4        | Democrat   | C  | C   | Unchanged  |
| Erin           | Houchin     | IN    | 9        | Republican | C  | C   | Unchanged  |
| Chrissy        | Houlahan    | PA    | 6        | Democrat   | B  | B   | Unchanged  |
| Steny          | Hoyer       | MD    | 5        | Democrat   | C  | C   | Unchanged  |
| Valerie        | Hoyle       | OR    | 4        | Democrat   | D–   | D–  | Unchanged  |
| Richard        | Hudson      | NC    | 9        | Republican | B  | B   | Unchanged  |
| Jared          | Huffman     | CA    | 2        | Democrat   | C  | C   | Unchanged  |
| Bill           | Huizenga    | MI    | 4        | Republican | B  | C   | Positive   |
| Wesley         | Hunt        | TX    | 38       | Republican | C  | C   | Unchanged  |
| Darrell        | Issa        | CA    | 48       | Republican | B+   | B   | Positive   |
| Glenn          | Ivey        | MD    | 4        | Democrat   | C  | C–  | Positive   |
| Jonathan       | Jackson     | IL    | 1        | Democrat   | D–   | C–  | Negative   |
| Ronny          | Jackson     | TX    | 13       | Republican | C  | D   | Positive   |
| Sara           | Jacobs      | CA    | 51       | Democrat   | C  | C–  | Positive   |
| John           | James       | MI    | 10       | Republican | B  | C   | Positive   |
| Pramila        | Jayapal     | WA    | 7        | Democrat   | F  | D   | Negative   |
| Hakeem         | Jeffries    | NY    | 8        | Democrat   | B  | B   | Unchanged  |
| Dusty          | Johnson     | SD    | 0        | Republican | C  | C   | Unchanged  |
| Hank           | Johnson     | GA    | 4        | Democrat   | A  | B   | Positive   |
| Mike           | Johnson     | LA    | 4        | Republican | B  | C   | Positive   |
| Jim            | Jordan      | OH    | 4        | Republican | C  | C   | Unchanged  |
| David          | Joyce       | OH    | 14       | Republican | C  | C   | Unchanged  |
| John           | Joyce       | PA    | 13       | Republican | B  | B   | Unchanged  |



| Representative |                 | State | District | Party      | Congressional Innovation Scorecard, Second Edition, Alphabetical Grade | Congressional Innovation Scorecard, First Edition, Alphabetical Grade | Change in Alphabetical Grade: Positive, Negative, or Unchanged |
|----------------|-----------------|-------|----------|------------|--|---|--|
| Sydney         | Kamlager-Dove   | CA    | 37       | Democrat   | C  | C-  | Positive   |
| Marcy          | Kaptur          | OH    | 9        | Democrat   | B  | C-  | Positive   |
| Thomas         | Kean            | NJ    | 7        | Republican | C  | C   | Unchanged  |
| William        | Keating         | MA    | 9        | Democrat   | C  | C   | Unchanged  |
| Mike           | Kelly           | PA    | 16       | Republican | B  | C-  | Positive   |
| Robin          | Kelly           | IL    | 2        | Democrat   | C  | C   | Unchanged  |
| Trent          | Kelly           | MS    | 1        | Republican | C  | C   | Unchanged  |
| Tim            | Kennedy         | NY    | 26       | Democrat   | C  |   |  |
| Ro             | Khanna          | CA    | 17       | Democrat   | C  | C   | Unchanged  |
| Jennifer       | Kiggans         | VA    | 2        | Republican | C  | C   | Unchanged  |
| Kevin          | Kiley           | CA    | 3        | Republican | A  | B   | Positive   |
| Young          | Kim             | CA    | 40       | Republican | B+   | B   | Positive   |
| Raja           | Krishnamoorthi  | IL    | 8        | Democrat   | B  | B   | Unchanged  |
| David          | Kustoff         | TN    | 8        | Republican | B  | C   | Positive   |
| Darin          | LaHood          | IL    | 16       | Republican | B  | C   | Positive   |
| Nick           | LaLota          | NY    | 1        | Republican | C  | C   | Unchanged  |
| Doug           | LaMalfa         | CA    | 1        | Republican | B  | C   | Positive   |
| Greg           | Landsman        | OH    | 1        | Democrat   | B  | C-  | Positive   |
| Nicholas       | Langworthy      | NY    | 23       | Republican | C  | C-  | Positive   |
| Rick           | Larsen          | WA    | 2        | Democrat   | B  | C   | Positive   |
| John           | Larson          | CT    | 1        | Democrat   | C  | C   | Unchanged  |
| Robert         | Latta           | OH    | 5        | Republican | B  | C   | Positive   |
| Michael        | Lawler          | NY    | 17       | Republican | B  | C   | Positive   |
| Summer         | Lee             | PA    | 12       | Democrat   | C-   | C-  | Unchanged  |
| Laurel         | Lee             | FL    | 15       | Republican | C  | D   | Positive   |
| Susie          | Lee             | NV    | 3        | Democrat   | B  | C   | Positive   |
| Teresa         | Leger Fernández | NM    | 3        | Democrat   | C-   | C-  | Unchanged  |
| Julia          | Letlow          | LA    | 5        | Republican | C  | C   | Unchanged  |
| Mike           | Levin           | CA    | 49       | Democrat   | C  | C   | Unchanged  |
| Ted            | Lieu            | CA    | 36       | Democrat   | B+   | B   | Positive   |
| Zoe            | Lofgren         | CA    | 18       | Democrat   | C  | C-  | Positive   |
| Barry          | Loudermilk      | GA    | 11       | Republican | B  | C   | Positive   |
| Frank          | Lucas           | OK    | 3        | Republican | B  | C   | Positive   |
| Morgan         | Luttrell        | TX    | 8        | Republican | C  | C   | Unchanged  |
| Stephen        | Lynch           | MA    | 8        | Democrat   | B  | C   | Positive   |
| Nancy          | Mace            | SC    | 1        | Republican | C  | C-  | Positive   |
| Seth           | Magaziner       | RI    | 2        | Democrat   | C-   | D   | Positive   |

| Representative |              | State | District | Party      | Congressional Innovation Scorecard, Second Edition, Alphabetical Grade | Congressional Innovation Scorecard, First Edition, Alphabetical Grade | Change in Alphabetical Grade: Positive, Negative, or Unchanged |
|----------------|--------------|-------|----------|------------|--|---|--|
| Nicole         | Malliotakis  | NY    | 11       | Republican | C  | C   | Unchanged  |
| Celeste        | Maloy        | UT    | 2        | Republican | C  |   |  |
| Tracey         | Mann         | KS    | 1        | Republican | C  | C   | Unchanged  |
| Thomas         | Massie       | KY    | 4        | Republican | B+   | B   | Positive   |
| Brian          | Mast         | FL    | 21       | Republican | B  | C   | Positive   |
| Doris          | Matsui       | CA    | 7        | Democrat   | C  | B   | Negative   |
| Lucy           | McBath       | GA    | 6        | Democrat   | C  | C   | Unchanged  |
| Michael        | McCaul       | TX    | 10       | Republican | B  | C   | Positive   |
| Lisa           | McClain      | MI    | 9        | Republican | B  | C-  | Positive   |
| Jennifer       | McClellan    | VA    | 4        | Democrat   | C-   | C-  | Unchanged  |
| Tom            | McClintock   | CA    | 5        | Republican | B  | B   | Unchanged  |
| Betty          | McCollum     | MN    | 4        | Democrat   | C  | C   | Unchanged  |
| Rich           | McCormick    | GA    | 7        | Republican | B  | C-  | Positive   |
| Morgan         | McGarvey     | KY    | 3        | Democrat   | C-   | C-  | Unchanged  |
| James          | McGovern     | MA    | 2        | Democrat   | C  | C   | Unchanged  |
| LaMonica       | McIver       | NJ    | 10       | Democrat   | C-   |   |  |
| Gregory        | Meeks        | NY    | 5        | Democrat   | C  | C   | Unchanged  |
| Robert         | Menendez     | NJ    | 8        | Democrat   | C  | C   | Unchanged  |
| Grace          | Meng         | NY    | 6        | Democrat   | C  | C   | Unchanged  |
| Daniel         | Meuser       | PA    | 9        | Republican | B  | C   | Positive   |
| Kweisi         | Mfume        | MD    | 7        | Democrat   | C  | C-  | Positive   |
| Carol          | Miller       | WV    | 1        | Republican | B  | C   | Positive   |
| Mary           | Miller       | IL    | 15       | Republican | C  | C   | Unchanged  |
| Max            | Miller       | OH    | 7        | Republican | C  | C   | Unchanged  |
| Mariannette    | Miller-Meeks | IA    | 1        | Republican | C  | C-  | Positive   |
| Cory           | Mills        | FL    | 7        | Republican | B  | C   | Positive   |
| John           | Moolenaar    | MI    | 2        | Republican | B  | C   | Positive   |
| Barry          | Moore        | AL    | 1        | Republican | B  | C   | Positive   |
| Blake          | Moore        | UT    | 1        | Republican | B  | C-  | Positive   |
| Gwen           | Moore        | WI    | 4        | Democrat   | C  | C   | Unchanged  |
| Nathaniel      | Moran        | TX    | 1        | Republican | A+   | B   | Positive   |
| Joseph         | Morelle      | NY    | 25       | Democrat   | C  | C   | Unchanged  |
| Jared          | Moskowitz    | FL    | 23       | Democrat   | C  | C   | Unchanged  |
| Seth           | Moulton      | MA    | 6        | Democrat   | C  | B   | Negative   |
| Frank          | Mrvan        | IN    | 1        | Democrat   | C  | C   | Unchanged  |
| Kevin          | Mullin       | CA    | 15       | Democrat   | C-   | C-  | Unchanged  |
| Gregory        | Murphy       | NC    | 3        | Republican | B  | B   | Unchanged  |

| Representative |               | State | District | Party      | Congressional Innovation Scorecard, Second Edition, Alphabetical Grade | Congressional Innovation Scorecard, First Edition, Alphabetical Grade | Change in Alphabetical Grade: Positive, Negative, or Unchanged |
|----------------|---------------|-------|----------|------------|--|---|--|
| Jerrold        | Nadler        | NY    | 12       | Democrat   | B  | B   | Unchanged  |
| Richard        | Neal          | MA    | 1        | Democrat   | C  | C   | Unchanged  |
| Joe            | Neguse        | CO    | 2        | Democrat   | C  | D-  | Positive   |
| Troy           | Nehls         | TX    | 22       | Republican | B  | B   | Positive   |
| Dan            | Newhouse      | WA    | 4        | Republican | B  | B   | Positive   |
| Donald         | Norcross      | NJ    | 1        | Democrat   | B  | C   | Unchanged  |
| Ralph          | Norman        | SC    | 5        | Republican | C  | C   | Unchanged  |
| Zachary        | Nunn          | IA    | 3        | Republican | B+   | B   | Positive   |
| Jay            | Obernolte     | CA    | 23       | Republican | B  | B   | Unchanged  |
| Alexandria     | Ocasio-Cortez | NY    | 14       | Democrat   | C  | C   | Unchanged  |
| Andrew         | Ogles         | TN    | 5        | Republican | C  | C   | Unchanged  |
| Ilhan          | Omar          | MN    | 5        | Democrat   | C  | C-  | Positive   |
| Clarence       | Owens         | UT    | 4        | Republican | C  | C   | Unchanged  |
| Frank          | Pallone       | NJ    | 6        | Democrat   | C  | C   | Unchanged  |
| Gary           | Palmer        | AL    | 6        | Republican | B  | B   | Unchanged  |
| Jimmy          | Panetta       | CA    | 19       | Democrat   | C  | C   | Unchanged  |
| Chris          | Pappas        | NH    | 1        | Democrat   | B  | C   | Positive   |
| Anna           | Paulina Luna  | FL    | 13       | Republican | C-   | C   | Negative   |
| Nancy          | Pelosi        | CA    | 11       | Democrat   | C  | C   | Unchanged  |
| Scott          | Perry         | PA    | 10       | Republican | C  | C   | Unchanged  |
| Scott          | Peters        | CA    | 50       | Democrat   | A  | C   | Positive   |
| Brittany       | Pettersen     | CO    | 7        | Democrat   | C  | C   | Unchanged  |
| August         | Pfluger       | TX    | 11       | Republican | B  | B   | Unchanged  |
| Dean           | Phillips      | MN    | 3        | Democrat   | B  | C   | Positive   |
| Chellie        | Pingree       | ME    | 1        | Democrat   | D  | C-  | Negative   |
| Mark           | Pocan         | WI    | 2        | Democrat   | C-   | C-  | Unchanged  |
| Ayanna         | Pressley      | MA    | 7        | Democrat   | C  | C   | Unchanged  |
| Mike           | Quigley       | IL    | 5        | Democrat   | C  | C   | Unchanged  |
| Delia          | Ramirez       | IL    | 3        | Democrat   | C-   | C-  | Unchanged  |
| Jamie          | Raskin        | MD    | 8        | Democrat   | C  | C   | Unchanged  |
| Guy            | Reschenthaler | PA    | 14       | Republican | B  | B   | Unchanged  |
| Harold         | Rogers        | KY    | 5        | Republican | B  | C   | Positive   |
| Mike           | Rogers        | AL    | 3        | Republican | C  | C   | Unchanged  |
| John           | Rose          | TN    | 6        | Republican | C  | C-  | Positive   |
| Deborah        | Ross          | NC    | 2        | Democrat   | A  | B   | Positive   |
| David          | Rouzer        | NC    | 7        | Republican | B  | C   | Positive   |
| Chip           | Roy           | TX    | 21       | Republican | B+   | C   | Positive   |

| Representative |            | State | District | Party      | Congressional Innovation Scorecard, Second Edition, Alphabetical Grade | Congressional Innovation Scorecard, First Edition, Alphabetical Grade | Change in Alphabetical Grade: Positive, Negative, or Unchanged |
|----------------|------------|-------|----------|------------|--|---|--|
| Raul           | Ruiz       | CA    | 25       | Democrat   | C  | C   | Unchanged  |
| Michael        | Rulli      | OH    | 6        | Republican | C  |   |  |
| John           | Rutherford | FL    | 5        | Republican | B  | B   | Unchanged  |
| Patrick        | Ryan       | NY    | 18       | Democrat   | C  | C   | Unchanged  |
| María Elvira   | Salazar    | FL    | 27       | Republican | B+   | C-  | Positive   |
| Andrea         | Salinas    | OR    | 6        | Democrat   | C-   | D   | Positive   |
| Linda          | Sánchez    | CA    | 38       | Democrat   | C  | C   | Unchanged  |
| John           | Sarbanes   | MD    | 3        | Democrat   | C  | C   | Unchanged  |
| Steve          | Scalise    | LA    | 1        | Republican | B  | C   | Positive   |
| Mary           | Scanlon    | PA    | 5        | Democrat   | C  | B   | Negative   |
| Janice         | Schakowsky | IL    | 9        | Democrat   | F  | C-  | Negative   |
| Bradley        | Schneider  | IL    | 10       | Democrat   | B  | B   | Unchanged  |
| Hillary        | Scholten   | MI    | 3        | Democrat   | C  | C   | Unchanged  |
| Kim            | Schrier    | WA    | 8        | Democrat   | C  | C   | Unchanged  |
| David          | Schweikert | AZ    | 1        | Republican | D  | D-  | Positive   |
| Austin         | Scott      | GA    | 8        | Republican | B  | B   | Unchanged  |
| David          | Scott      | GA    | 13       | Democrat   | B  | B   | Unchanged  |
| Robert         | Scott      | VA    | 3        | Democrat   | C-   | C   | Negative   |
| Keith          | Self       | TX    | 3        | Republican | C  | C   | Unchanged  |
| Pete           | Sessions   | TX    | 17       | Republican | C  | C   | Unchanged  |
| Terri          | Sewell     | AL    | 7        | Democrat   | B  | B   | Unchanged  |
| Brad           | Sherman    | CA    | 32       | Democrat   | C  | C   | Unchanged  |
| Mikie          | Sherrill   | NJ    | 11       | Democrat   | B+   | B   | Positive   |
| Michael        | Simpson    | ID    | 2        | Republican | B  | C   | Positive   |
| Adam           | Smith      | WA    | 9        | Democrat   | C  | C   | Unchanged  |
| Adrian         | Smith      | NE    | 3        | Republican | B  | C   | Positive   |
| Christopher    | Smith      | NJ    | 4        | Republican | B  | C   | Positive   |
| Jason          | Smith      | MO    | 8        | Republican | C  | C   | Unchanged  |
| Lloyd          | Smucker    | PA    | 11       | Republican | B  | C   | Positive   |
| Eric           | Sorensen   | IL    | 17       | Democrat   | C  | C   | Unchanged  |
| Darren         | Soto       | FL    | 9        | Democrat   | C  | B   | Negative   |
| Victoria       | Spartz     | IN    | 5        | Republican | C  | C   | Unchanged  |
| Melanie        | Stansbury  | NM    | 1        | Democrat   | C-   | D   | Positive   |
| Greg           | Stanton    | AZ    | 4        | Democrat   | C  | C   | Unchanged  |
| Pete           | Stauber    | MN    | 8        | Republican | B  | C   | Positive   |
| Elise          | Stefanik   | NY    | 21       | Republican | B  | B   | Unchanged  |
| Bryan          | Steil      | WI    | 1        | Republican | C  | C   | Unchanged  |

| Representative |                   | State | District | Party      | Congressional Innovation Scorecard, Second Edition, Alphabetical Grade | Congressional Innovation Scorecard, First Edition, Alphabetical Grade | Change in Alphabetical Grade: Positive, Negative, or Unchanged |
|----------------|-------------------|-------|----------|------------|--|---|--|
| Gregory        | Steube            | FL    | 17       | Republican | C  | C   | Unchanged  |
| Haley          | Stevens           | MI    | 11       | Democrat   | B  | C   | Positive   |
| Marilyn        | Strickland        | WA    | 10       | Democrat   | C  | C-  | Positive   |
| Dale           | Strong            | AL    | 5        | Republican | B  | C   | Positive   |
| Thomas         | Suozzi            | NY    | 3        | Democrat   | B  |   |  |
| Eric           | Swalwell          | CA    | 14       | Democrat   | C  | C   | Unchanged  |
| Emilia         | Sykes             | OH    | 13       | Democrat   | C  | C   | Unchanged  |
| Mark           | Takano            | CA    | 39       | Democrat   | D-   | D   | Negative   |
| Claudia        | Tenney            | NY    | 24       | Republican | B  | C   | Positive   |
| Shri           | Thanedar          | MI    | 13       | Democrat   | C  | C-  | Positive   |
| Bennie         | Thompson          | MS    | 2        | Democrat   | C  | C   | Unchanged  |
| Glenn          | Thompson          | PA    | 15       | Republican | B  | C   | Positive   |
| Mike           | Thompson          | CA    | 4        | Democrat   | C  | C   | Unchanged  |
| Thomas         | Tiffany           | WI    | 7        | Republican | B+   | B   | Positive   |
| William        | Timmons           | SC    | 4        | Republican | C  | C   | Unchanged  |
| Dina           | Titus             | NV    | 1        | Democrat   | C  | B   | Negative   |
| Rashida        | Tlaib             | MI    | 12       | Democrat   | D  | D   | Unchanged  |
| Jill           | Tokuda            | HI    | 2        | Democrat   | D-   | D   | Negative   |
| Paul           | Tonko             | NY    | 20       | Democrat   | C  | C   | Unchanged  |
| Norma          | Torres            | CA    | 35       | Democrat   | C  | C   | Unchanged  |
| Ritchie        | Torres            | NY    | 15       | Democrat   | C  | C   | Unchanged  |
| Lori           | Trahan            | MA    | 3        | Democrat   | C  | C   | Unchanged  |
| Michael        | Turner            | OH    | 10       | Republican | C  | C   | Unchanged  |
| Lauren         | Underwood         | IL    | 14       | Democrat   | C  | C   | Unchanged  |
| David          | Valadao           | CA    | 22       | Republican | C  | C   | Unchanged  |
| Jefferson      | Van Drew          | NJ    | 2        | Republican | B  | C   | Positive   |
| Beth           | Van Duyne         | TX    | 24       | Republican | B  | C-  | Positive   |
| Derrick        | Van Orden         | WI    | 3        | Republican | C  | C   | Unchanged  |
| Juan           | Vargas            | CA    | 52       | Democrat   | C  | C   | Unchanged  |
| Gabriel        | Vasquez           | NM    | 2        | Democrat   | C  | C   | Unchanged  |
| Marc           | Veasey            | TX    | 33       | Democrat   | C  | B   | Negative   |
| Nydia          | Velázquez         | NY    | 7        | Democrat   | B  | B   | Unchanged  |
| Ann            | Wagner            | MO    | 2        | Republican | B  | C   | Positive   |
| Tim            | Walberg           | MI    | 5        | Republican | C  | C   | Unchanged  |
| Debbie         | Wasserman Schultz | FL    | 25       | Democrat   | C  | C   | Unchanged  |
| Maxine         | Waters            | CA    | 43       | Democrat   | C  | C   | Unchanged  |
| Bonnie         | Watson Coleman    | NJ    | 12       | Democrat   | C  | C   | Unchanged  |

| Representative |           | State | District | Party      | Congressional Innovation Scorecard, Second Edition, Alphabetical Grade | Congressional Innovation Scorecard, First Edition, Alphabetical Grade | Change in Alphabetical Grade: Positive, Negative, or Unchanged |
|----------------|-----------|-------|----------|------------|--|---|--|
| Randy          | Weber     | TX    | 14       | Republican | C  | C   | Unchanged  |
| Daniel         | Webster   | FL    | 11       | Republican | B  | C   | Positive   |
| Bruce          | Westerman | AR    | 4        | Republican | B  | C   | Positive   |
| Nikema         | Williams  | GA    | 5        | Democrat   | C-   | D   | Positive   |
| Roger          | Williams  | TX    | 25       | Republican | C  | C   | Unchanged  |
| Frederica      | Wilson    | FL    | 24       | Democrat   | C  | C   | Unchanged  |
| Joe            | Wilson    | SC    | 2        | Republican | B  | B   | Unchanged  |
| Robert         | Wittman   | VA    | 1        | Republican | B  | B   | Unchanged  |
| Steve          | Womack    | AR    | 3        | Republican | C  | C   | Unchanged  |
| Rudy           | Yakym     | IN    | 2        | Republican | C  | C   | Unchanged  |
| Ryan           | Zinke     | MT    | 1        | Republican | C  | C   | Unchanged  |

# A Growing Disconnect – How Individual State Congressional Delegations’ Performances on the Scorecard Compare With the Economic Importance of IP-Intensive Industries in Their Home States

While national IP policymaking is concentrated in Washington, D.C., the impact of congressional action — or inaction — reverberates across the entire country, right down to each individual state and congressional district. As noted above, IP-intensive industries are more vital to the U.S. economy than ever, accounting for over 40% of the U.S. GDP and supporting around 63 million jobs, or 44% of national employment. Importantly, these industries are not confined to any one city or region.

IP-intensive sectors operate in all 50 states, employing a growing share of each state’s private sector workforce. In this context, Congress’ limited engagement and persistent failure to address the structural challenges facing our national IP system — as documented in both the 2024 and 2025

Scorecard reports — is far from a remote policy concern. It has direct, tangible implications for every senator and representative’s home state or district.

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**“While national IP policymaking is concentrated in Washington, D.C., the impact of congressional action — or inaction — reverberates across the entire country . . .”**

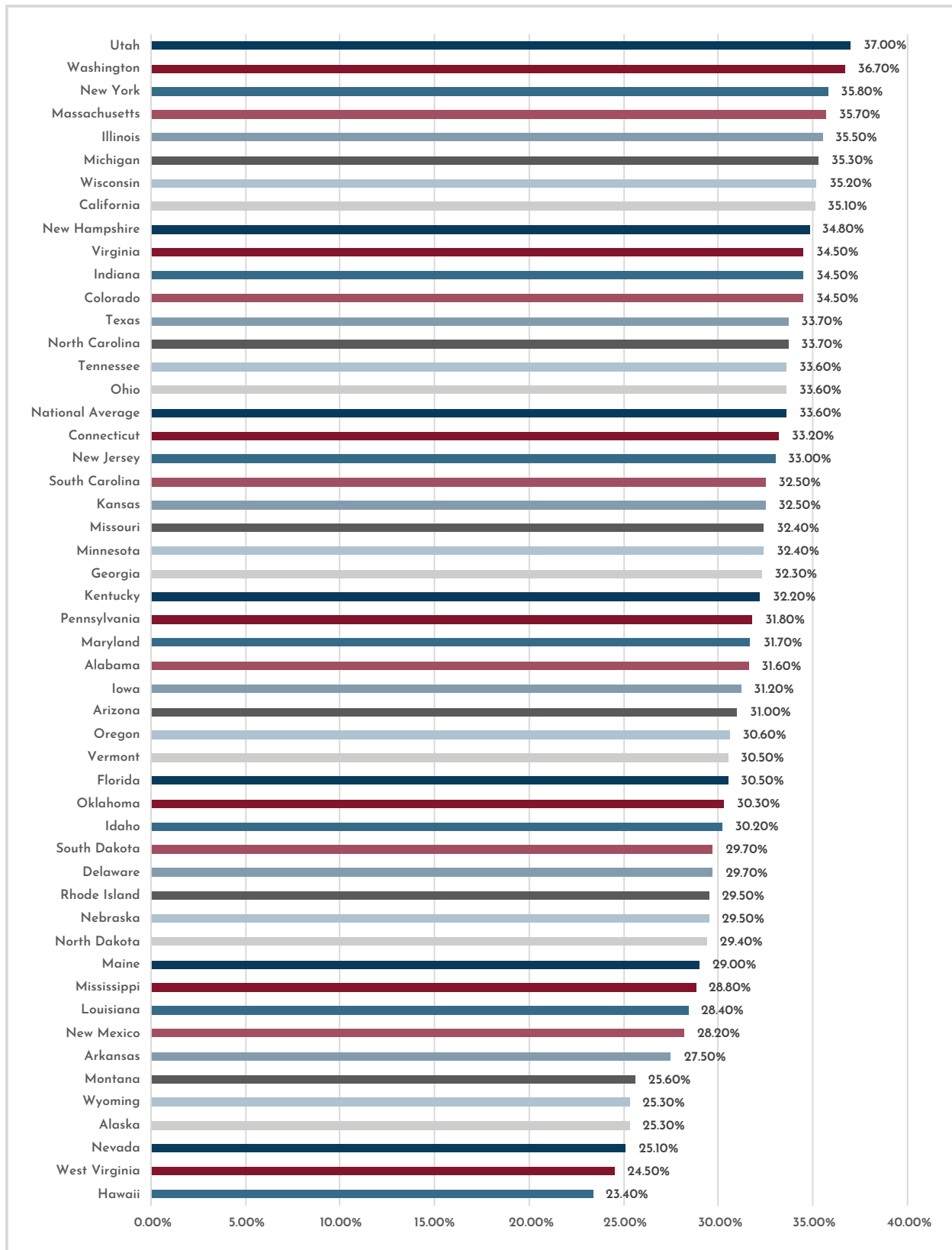
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The USPTO’s 2022 report, *Intellectual property and the U.S. economy: Third edition*, provides detailed data on the share of private sector employment attributable to IP-intensive industries in every state. Although this data is from 2019, it nevertheless provides a critical snapshot of the economic role these industries play at the state level. Moreover, based on consistent findings across USPTO studies, it is likely that the contribution of IP-intensive industries has only grown over the past six years.

Figure 5 below illustrates the state-level importance of these industries in terms of local employment, accounting for between 23% and 37% of the private sector workforce in individual states.<sup>15</sup>

<sup>15</sup> See TOOLE, *supra* note 2, at 20–21.

Figure 5: Shares of Private Sector Workers in IP-Intensive Industries in 2019, by U.S. State<sup>16</sup>





Given the economic importance of IP-intensive industries, how do individual state congressional delegations' performance on the Scorecard compare with the impact of these industries in their home states? For the second year in a row, the Scorecard finds that congressional interest falls short of the economic stakes.

Table 4 below compares each state delegation's performance on the Scorecard with the relative share of private sector employment in IP-intensive industries within that state. An overall delegation grade has been calculated for each state based on the average performance of all benchmarked members in that state's congressional delegation.

**Table 4: Shares of Private Sector Workers Employed in IP-Intensive Industries in 2019, by State, Versus Average State Delegation's Scorecard Alphabetical Grade**

| State | State Average Score | Employment in IP-intensive industries (%) |
|-------|---------------------|---|
| AL    | B                   | 31.6                                      |
| AK    | B                   | 25.3                                      |
| AZ    | C-                  | 31  |
| AR    | B                   | 27.5                                      |
| CA    | C                   | 35.1                                      |
| CO    | C                   | 34.5                                      |
| CT    | C-                  | 33.2                                      |
| DE    | A                   | 29.7                                      |
| FL    | C                   | 30.5                                      |
| GA    | C                   | 32.3                                      |
| HI    | C                   | 23.4                                      |
| ID    | B+                  | 30.2                                      |
| IL    | C                   | 35.5                                      |
| IN    | B                   | 34.5                                      |
| IA    | B                   | 31.2                                      |
| KS    | B                   | 32.5                                      |
| KY    | B                   | 32.2                                      |
| LA    | B                   | 28.4                                      |
| ME    | C                   | 29  |

| State | State Average Score | Employment in IP-intensive industries (%) |
|-------|---------------------|---|
| MD    | C                   | 31.7                                      |
| MA    | C                   | 35.7                                      |
| MI    | C                   | 35.3                                      |
| MN    | C                   | 32.4                                      |
| MS    | B                   | 28.8                                      |
| MO    | B                   | 32.4                                      |
| MT    | B                   | 25.6                                      |
| NE    | B                   | 29.5                                      |
| NV    | C                   | 25.1                                      |
| NH    | C-                  | 34.8                                      |
| NJ    | C                   | 33  |
| NM    | C                   | 28.2                                      |
| NY    | C                   | 35.8                                      |
| NC    | B                   | 33.7                                      |
| ND    | B                   | 29.4                                      |
| OH    | C                   | 33.6                                      |
| OK    | B                   | 30.3                                      |
| OR    | C-                  | 30.6                                      |
| PA    | B                   | 31.8                                      |
| RI    | C                   | 29.5                                      |
| SC    | B                   | 32.5                                      |
| SD    | B                   | 29.7                                      |
| TN    | B                   | 33.6                                      |
| TX    | C                   | 33.7                                      |
| UT    | C                   | 37  |
| VT    | D-                  | 30.5                                      |
| VA    | C                   | 34.5                                      |

| State | State Average Score | Employment in IP-intensive industries (%) |
|-------|---------------------|---|
| WA    | C                   | 36.7                                      |
| WV    | B                   | 24.5                                      |
| WI    | C                   | 35.2                                      |
| WY    | B                   | 25.3                                      |

As Table 4 indicates, there remains a clear disconnect between the high economic importance of IP-intensive industries at the state level and the generally low level of engagement by individual members and entire state delegations. For example, none of the congressional delegations from states where IP-intensive industries employ more than 35% of the private sector workforce — well above the national average of 33.6% — earned an average Scorecard grade above a ‘C.’ More broadly, with the exception of Delaware and Idaho, no state delegation received a grade higher than a ‘B.’

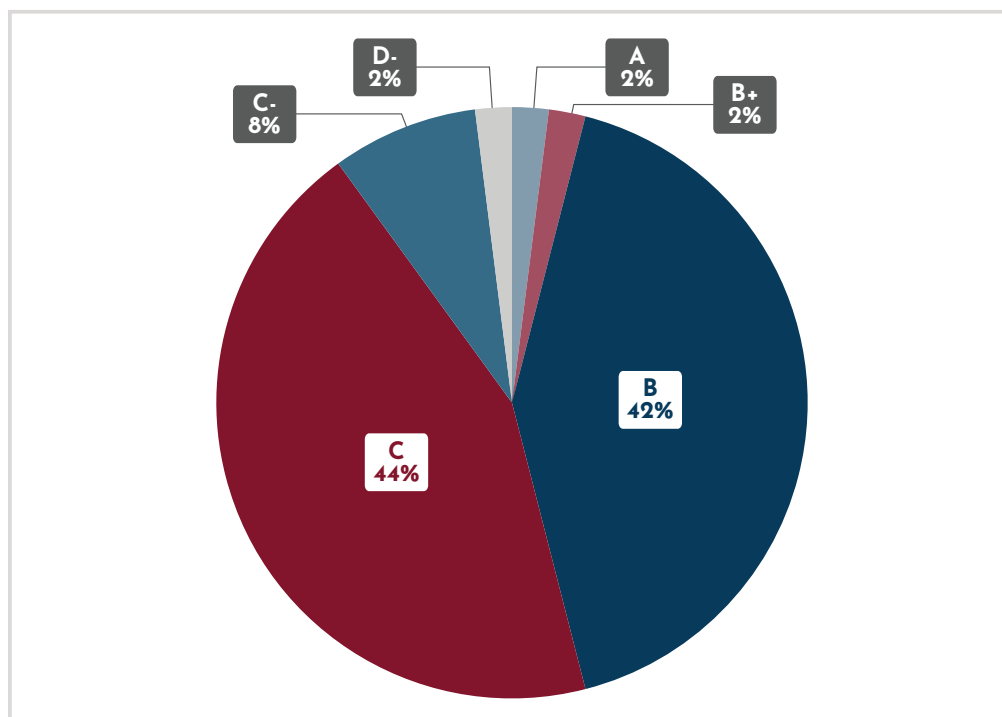
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**“There remains a clear disconnect between the high economic importance of IP-intensive industries at the state level and the generally low level of engagement by individual members and entire state delegations.”**

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Figure 6 below illustrates the percentage breakdown of state delegation grades across the full Scorecard alphabetical grading scale.

**Figure 6: State Delegation Scorecard Alphabetical Grade, Percentage of States per Grade**



As Figure 6 shows, most congressional state delegations — 54% — received an average Scorecard grade of ‘C’ or lower. Of note is that no delegation received an ‘A+,’ ‘D,’ or an ‘F,’ and only one state — Vermont — earned a ‘D-.’ These results reinforce the broader findings of the past two years: **a clear majority of Congress shows only limited interest in advancing pro-IP legislation and policy.**

# Summing up and looking to 2025

As noted in last year's inaugural edition of the Congressional Innovation Scorecard, the strength of the U.S. economy, along with its future prosperity, military capability, and national security, depends on continued innovation and technological leadership. Given these realities, the need for structural reform of the national IP system has never been more urgent.

To its credit, the 118th Congress recognized many of these long-standing challenges and introduced several meaningful legislative proposals. As this report and others have noted, congressional action on bills such as PERA, the PREVAIL Act, and the RESTORE Patent Rights Act would represent a significant step toward resolving key weaknesses in the U.S. innovation system.

Virtually every member of Congress, regardless of party, claims to be pro-innovation. But innovation depends, to a large extent, on a strong and reliable IP system. Lawmakers must understand that to be pro-innovation is also to be pro-IP, and that it requires consistent, meaningful support for legislation and policies that strengthen IP rights.

C4IP hopes that the findings of this year's Scorecard will help elevate the urgency for increased congressional action, engagement, and education on IP issues. At the same time, we urge the current administration to place IP reform at the center of its national economic agenda. The future of U.S. security and prosperity depends on it.

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**"The strength of the U.S. economy, along with its future prosperity, military capability, and national security, depends on continued innovation and technological leadership."**

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**"Lawmakers must understand that to be pro-innovation is also to be pro-IP, and that it requires consistent, meaningful support for legislation and policies that strengthen IP rights."**

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# Methodology Appendix

## Building a congressional scorecard: Rationale and overview

Advocacy and interest groups across the political spectrum regularly publish congressional scorecards. These scorecards assess and rank how individual members of Congress — sometimes from both chambers, sometimes only one — support the political and policy objectives of the publishing organization. While the core purpose is consistent, methodologies vary. Some scorecards rely primarily on members' voting records on pre-identified key pieces of legislation. If a member supports a bill that aligns with the group's priorities, they receive a positive score or grade. Conversely, support for a bill the group opposes results in a negative score or, in some cases, a score of zero. Scoring systems also differ: some use a 0-to-100 scale, while others apply a traditional 'A-F' letter grade. In some cases, scorecards also account for additional factors, such as bipartisanship or leadership roles.

In 2023, the Council for Innovation Promotion (C4IP) commissioned Pugatch Consilium to develop a Congressional Innovation Scorecard.<sup>17</sup> The goal of this Scorecard is to evaluate how the U.S. Congress as a whole, and its individual members — both senators and representatives — support and strengthen the U.S. intellectual property (IP) system through their political, legislative, and policy activities. A strong IP system is vital for driving innovation, boosting economic competitiveness, and improving lives everywhere.

IP-intensive industries have never been more important to the U.S. economy and national security. America's ability to out-create, out-invent, and out-innovate its global competitors depends on a robust IP framework. Supporting and nurturing this system is essential to America's long-term prosperity, peace, and security.

## Scorecard methodology and scoring system

### *Scorecard construction*

The Congressional Innovation Scorecard builds on widely accepted methodologies used by advocacy and policy organizations across the political spectrum. Its core objective is to assess how the U.S. Congress as a whole, and its individual members — senators and representatives — support and strengthen the national IP system through their political, legislative, and policy activity. The Scorecard evaluates engagement across three key dimensions of activity, each related to major components of the IP system: patents, copyrights, trademarks, trade secrets, design protection, and other core rights. Together, these dimensions provide a

<sup>17</sup> For the United States to maintain its competitive edge on the global stage, we must lead in innovation. This is only achievable by committing to protect the intellectual property that underlies game-changing inventions and brings about transformative change for patients, consumers, and businesses. A strong innovation economy is inextricably linked to a strong IP system. That is why this Scorecard is called the "Congressional Innovation Scorecard."

comprehensive view of how members of Congress contribute to fostering innovation, economic competitiveness, and broad societal benefits through intellectual property policy.

Table 5 below defines each of the three dimensions.

**Table 5: Scorecard Dimensions**

|  |   |
|--|---|
| <b>Dimension 1: Congressional voting record (current and historic)</b>                       | This dimension assesses the extent to which individual members of Congress voted for bills that promote and nurture a strong U.S. IP system that drives innovation, boosts economic competitiveness, and improves lives everywhere, as well as voting against bills that would weaken and diminish strong and effective intellectual property rights.   |
| <b>Dimension 2: Non-voting congressional and legislative activity (current and historic)</b> | <p>This dimension assesses the extent to which individual members of Congress have, through their non-voting congressional and legislative activity, supported policies that promote and nurture a strong U.S. IP system that drives innovation, boosts economic competitiveness, and improves lives everywhere.</p> <p>Such support is measured through a member's</p> <ul style="list-style-type: none"><li>i. Bill sponsorship (including original pre-publication co-sponsorship) of relevant IP bills; and</li><li>ii. Bill co-sponsorship of relevant IP bills.</li></ul> |
| <b>Dimension 3: IP and innovation national leadership and advocacy</b>                       | <p>This dimension assesses the extent to which individual members of Congress, through their leadership and advocacy efforts, supported policies that promote and nurture a strong U.S. IP system that drives innovation, boosts economic competitiveness, and improves lives everywhere.</p> <p>Such efforts include, but are not limited to, public speeches, media appearances, official letters to federal agencies, and contributions to the Congressional Record.</p>   |

**Assessing current and past congressional activity**

The Scorecard assesses both current congressional activity and members’ recent past activity.<sup>18</sup> Specifically, current members of Congress’ congressional voting records and non-voting congressional and legislative activities (Dimensions 1 and 2) are assessed across three congresses:

- The 118th Congress;
- the 117th Congress; and
- the 116th Congress.

While the Scorecard incorporates past activity, it places greater emphasis on the 118th Congress. Under the scoring methodology, activity in the 118th Congress carries more statistical weight than results from the two preceding congresses.

18 “Current” congressional membership is defined as those representatives and senators that were active members of Congress at the time of research and compilation of the Scorecard.

Dimension 3, IP and innovation national leadership and advocacy, was only used to assess the 118th Congress.

### **Scoring methodology: Overview**

The Scorecard assesses both positive and negative actions. As a result, it is possible for members of Congress to receive negative overall scores, including scores below zero. Under Dimension 1 (current and historic congressional voting record), members are assessed based on how they voted on specific pieces of legislation. If a member votes in favor of a bill that C4IP views positively, they receive a positive score. Conversely, voting for legislation identified as negative results in a negative score.

The same logic is applied to Dimensions 2 and 3.

For Dimension 2 (current and historic non-voting congressional and legislative activity and bill sponsorship), members receive a positive score for sponsoring or co-sponsoring bills that C4IP identifies as favorable. Sponsorship of legislation considered harmful results in a negative score. In a further distinction, the Scorecard rates bill sponsorship higher than co-sponsorship and, consequently, attaches a more significant score (double) to bill sponsorship over co-sponsorship.

Similarly, under Dimension 3 (IP and innovation national leadership and advocacy), positive leadership and advocacy efforts receive a positive score, and negative efforts receive a negative score.

### **Scoring methodology: Dimensions 1 and 2**

The assessment and scoring under Dimensions 1 and 2 of the Scorecard are based on a member's actions (voting record and/or bill sponsorship and co-sponsorship) with respect to a set of congressional bills identified by C4IP as being of particular importance (positive or negative) to U.S. national IP policy.<sup>19</sup> Each bill is first classified by C4IP as one of the following: i) positive, ii) neutral, or iii) negative. Following this initial classification, each bill is further categorized based on its relative importance and potential policy impact:

- **Category 1 bills:** Viewed by C4IP as being of relatively high significance and policy impact;
- **Category 2 bills:** Viewed by C4IP as being of relatively medium significance and policy impact; and
- **Category 3 bills:** Viewed by C4IP as being of relatively lower significance and policy impact.

<sup>19</sup> Unless otherwise stated, all draft bills, finalized legislation, and data relating to any congressional and/or legislative activity has been collected from the official website for U.S. federal legislative information, Congress.gov. The website is maintained by the Library of Congress and contains all official information relating to congressional and legislative activity in the United States.



This classification of each bill is subsequently weighed in how members of Congress’ actions relating to each bill are assessed in the Scorecard. Category 1 bills are viewed as more important and therefore have a greater statistical weight in the Scorecard; Category 2 bills are viewed as less important than Category 1 bills, but are more important than Category 3 bills; and Category 3 bills have the least relative importance and weight in the Scorecard assessment.

Based on these two layers of bill classification, members’ actions relating to each bill can be scored differently, with double scoring applied to bill sponsorship under Dimension 2.

Table 6 below outlines the possible scores assigned to each of the three bill categories used in the Scorecard evaluation.

**Table 6: Scorecard Scoring System Dimension 1 (Current and Historic Congressional Voting Record) and Dimension 2 (Current and Historic Non-Voting Congressional and Legislative Activity)**

|  |                                |
|--|--------------------------------|
| <b>Category 1 bills:</b> Viewed by C4IP as being of relatively high significance and policy impact   | Full score of 1 or -1          |
| <b>Category 2 bills:</b> Viewed by C4IP as being of relatively medium significance and policy impact | Partial score of 0.75 or -0.75 |
| <b>Category 3 bills:</b> Viewed by C4IP as being of relatively lower significance and policy impact  | Half score of 0.5 or -0.5      |

### ***Additional bonus points for critical IP bills***

This year’s Scorecard has added the possibility for members to achieve bonus points for Dimensions 1 and 2 activity relating to what C4IP has identified as critical IP bills. For this year’s edition, C4IP identified three such bills: PERA (S.1546/H.R.3152); the PREVAIL Act (S.1553/H.R.3160); and the RESTORE Patent Rights Act (S.708/H.R.1574). The importance of these three bills is described at length earlier in this report and is the basis on which they were designated for receiving additional weight in the Scorecard analysis.

Dimension 1 activity relating to these bills is assessed with an additional 50% factor for both negative and positive activity.

Dimension 2 activity relating to these bills is assessed with an additional 10 points for sponsorship and 5 points for co-sponsorship per bill.

### ***Scoring methodology Dimension 3***

Dimension 3 (IP and innovation national leadership) assesses the extent to which a member of Congress has, through their leadership and advocacy efforts, supported policies that promote and nurture a strong U.S. IP system that drives innovation, boosts economic

competitiveness, and improves lives everywhere. As mentioned, such efforts include public speeches, media appearances, contributions to the Congressional Record, and official letters to federal agencies. Similar to Dimensions 1 and 2, scoring is based on a numerical system with the same scoring logic applied: positive efforts result in a positive score, and negative efforts result in a negative score. Dimension 3 distinguishes between “major” leadership and advocacy efforts and “non-major” efforts. “Major” efforts (positive or negative) include official letters to federal agencies and significant and detailed IP-related public policy speeches before a national and/or highly influential audience. All other forms of engagement are classified as non-major efforts. Members can achieve a full score of 1 or -1 for major efforts and a half score of 0.5 or -0.5 for non-major efforts.

### ***Adding it all up: Translating numerical scores into a final grade***

The final step in the scoring process involves converting each member’s numerical Scorecard score into an alphabetical grade. C4IP uses a simple academic ‘A-F’ grading scale, commonly used in schools and universities around the country. Each member’s numerical score is evaluated individually and in relation to the performance of the entire sample of congressional membership. Final grades are determined based on the total score, the balance of positive versus negative activity, and how the member’s performance compares to the broader sample of congressional membership.