

## Week ending 09/03/17 - PA-08 MoCTrack Report

### Tracking Congress in the Age of Trump

The lower the number, the more the legislator is in opposition to the Trump agenda.

Senator Bob Casey - **27.1%** (no change from last week)

Representative Brian Fitzpatrick - **78.0%** (no change from last week)

Senator Pat Toomey - **93.6%** (no change from last week)

Nate Silver's FiveThirtyEight website assesses the voting records of our MoCs to provide this index assessment. With the Congress wrapping up its summer recess, we should expect to see some movement again, starting next week.

### MoC Twitter Action

#### Senator Bob Casey hot topics:

The Senator memorialized the 1955 death of Emmett Till by lynching and commemorated the 1963 Martin Luther King, Jr. speech made during the March on Washington for Jobs and Freedom. He retweeted several notices from FEMA about Harvey relief efforts, and shared pictures of PA-Task Force One, who were deployed to Texas to assist in the Harvey recover efforts. And the Senator continues to cover the healthcare situation, retweeting links to the Trump Administration's decision to cut the ACA outreach budget by 72%.

Casey tweet of the week: 08/31/17 "@realDonaldTrump The Affordable Care Act is the law of the land. Instead of sabotaging our health care system, work with us to improve it."

#### Representative Brian Fitzpatrick hot topics:

The Representative retweeted a link to an op-ed he wrote about protecting watersheds that are stops for migratory birds. He also shared a picture of himself from a Yardley event held on International Overdose Awareness Day. And then he responded to the press coverage of the President and First Lady's trip to see Harvey victims.

Fitzpatrick tweet of the week: 09/03/17 "@POTUS, our nation was so comforted to see you & @FLOTUS pitch in to help w/ clean-up & serve food to #Harvey victims. Sent a great message"

#### Senator Pat Toomey hot topics:

The Senator visited several businesses in Potter, Jefferson and Clarion Counties. He shared images from those visits, and used the opportunity to promote tax reform. He promoted his town hall and thanked PBS for hosting and all who attended and watched online. In response to the news of new North Korean nuclear tests, the Senator promoted his BRONK Act, which will be discussed in a Senate Banking committee hearing this coming Thursday.

Toomey tweet of the week: 08/30/17, "Appreciate @POTUS's call for a more simple, pro-growth tax code to make the US a more competitive place for biz. Time for #TaxReform is now."

### Fitzpatrick in the News

*Online Poker Report*, 08/28/17, specialty online newspaper, news analysis by Steve Ruddock, "PA Congressman Pushing for Federal Online Gambling Ban is Wasting Taxpayer Time and Money." "Like brother, like brother on online gambling." Article contends Brian Fitzpatrick is continuing his congressional predecessor and brother's efforts to reinterpret the 1961 Wire Act to ban online gaming, that it is not used by terrorists to launder money, and that one reason Fitzpatrick is trying to curry favor from casino magnate Sheldon Adelson by advocating for the ban is that Adelson's Sands Casino in Bethlehem abuts Fitzpatrick's district. The Ruddock also contends the Pennsylvania Legislature is considering legalizing online gambling, and a ban would cost the state needed revenue.

*Philly.com*, 08/28/17, online newspaper, op-ed by Brian Fitzpatrick and Greg Goldman, director of Audubon Pennsylvania, "Let's see funding for Delaware watershed protection." The co-authors applaud Congressional approval in December of the Delaware River Basin Conservation Act aimed at protecting the watershed, and urge Congress to "follow through" and fund the \$5 million proposed for the act by a House appropriations committee.

*Intelligencer*, news analysis by James Boyle, "Crowds have thinned but anti-Trump sentiment still strong among Bucks County activists." Article quotes representatives of the Fridays with Fitzpatrick demonstrations, interviewed at a gathering protesting the congressman's lack of town hall meetings. Independent Kerstyn Zolfo said Republicans have proven themselves unwilling to work with Democrats, and Democratic leaders Steve Bacher and John Cordisco said Democrats have capitalized on the wave of activism triggered by opposition to President Trump's policies and actions.

*FlushDraw*, 08/30/17, specialty online outlet for poker players, reports that Representative Fitzpatrick "...is working on a letter that calls for the Department of Justice to allow [Sheldon] Adelson's army to sidestep the pesky legislative process altogether and unilaterally declare state efforts illegal." The article hypothesizes about why Fitzpatrick would be so against online gambling, noting, "Well, it could have something to do with Fitzpatrick's district being located in the southeast part of the state, right next to Bethlehem. Bethlehem just happens to be where one of Adelson's casinos, Sands Bethlehem, is situated. Could Brian Fitzpatrick – and his brother before him – be trying to curry favor with Adelson? I think that would be a good bet (see what I did there?)"

*The Jewish Exponent*, 08/30/17, online newspaper article by Jon Marks, "Congressman's Trip to Israel Leaves Him 'In Awe.'" Representative Fitzpatrick visited Israel with 35 of his fellow legislators from August 6-14, on a trip sponsored by the American Israel Education Foundation. Politics were not discussed on the journey. Representative Fitzpatrick said, "It's a bipartisan trip purely for us to learn about Israel and the threats they face, because I can tell you there's no other way to understand it until you're there. I'm on the Foreign Affairs Committee and the subcommittee that covers North Africa and the Middle East, including Israel. It's our responsibility to have a firm understanding of everything going on in the Middle East." The lawmakers had a 45 minutes discussion with Prime Minister Netanyahu, and the journey included stops in Tel Aviv, Bethlehem, Tiberias, Masada and Ramallah.

*Courier Times*, 08/31/17, reporting by Christian Menno, "Tales of loss, addiction shared during town hall meeting in New Hope." Scheduled to coincide with International Overdose Awareness Day, the New Hope-Solebury Cares organization held a meeting called "All Hands In for Addiction Prevention and Recovery." Representative Fitzpatrick was there as a guest speaker, and the article notes that he introduced the Road to Recovery Act this summer. Representative Fitzpatrick discussed border controls as one part of addressing the influx of drugs, but focused on prevention and education. "I suspect everyone here has felt some level of personal pain (as a result of addiction) ... We must turn that pain into action to save lives. It's on the ground level where the real wars are fought and won."

*POLITICO*, 09/01/17, online political reporting by Kyle Cheney "Trump army puts Dent, GOP moderates on notice — in his backyard." Over a hundred Trump supporting political activists gathered in a park in the middle of Allentown to announce an effort to primary and unseat the moderate Republicans who they believe are thwarting President Trump's agenda. At the rally "others name-checked moderate Pennsylvania Republicans like Brian Fitzpatrick and Ryan Costello and suggested they should be on notice, too." The alliance of right-wing supporters plan to push these legislators on the upcoming budget, debt-ceiling debates, and continue to support funds to be allocated for building the wall.

*CBS Philly 3, 09/01/17*, reporting by Dom Giordano, "US Rep Fitzpatrick: Harvey Relief And Tax Reform On Congress Agenda Next Week." This piece recaps the highlights from a radio interview Mr. Fitzpatrick did on 1210 WPHT with Com Giordano. The article spends little time on the Representative's comments about the upcoming congressional agenda, but instead detours to a portion of the conversation where they discussed former Director Comey's investigation into Hillary Clinton, with the radio host making allegations of impropriety. Mr. Fitzpatrick defends his former boss, noting that "there is no conspiracy, no direction that management could ever try to take a case that would ever survive because there would be a revolt among the agent population."

## **Casey in the News**

**Topic One - Casey's 2018 Challenger:** On 08/29/17 multiple national outlets (CNN, CNBC, USA Today, The Hill, Washington Examiner, US News and World Report) covered the announcement of Republican Representative Lou Barletta will enter the race for the Senate. He joins two other Republican State Representatives. The Hill refers to Barletta as "an early backer of President Trump." CNN notes that one of the Republicans already in the race, State Rep. Jeff Bartos has plans for a TV spot "knocking both Barletta and Casey by showing their pictures as a narrator says: 'Career politicians make big promises but fail to deliver.'" Philly.com included an opinion piece that made the observation "Know the reelection rate of incumbent senators of the party not in the White House in midterm elections over the last 100 years? Well, from 1914 through 2014, it's 91 percent." Senator Casey was asked about the announcement by press who covered his appearance at a roundtable event about the opioid crisis, held in Tunkhannock. The Citizen's Voice reports that the Senator responded "I think we'll let 2018 take care of itself."

**Topic Two - Casey wraps up his statewide road-trip during recess:** Several outlets (PA Homepage, Citizen's Voice) reported on Mr. Casey's Tunkhannock opioid crisis roundtable. Penn Live has details about a stop Mr. Casey made in New Bloomfield, also to discuss the opioid epidemic. At that event, the Senator said "I approach this issue with a degree of humility. I don't have all the answers and the federal government doesn't either." WFMZ has video of a business workshop in Allentown held by Google, to help companies improve their online footprint. The Senator attended the event, where he noted "In a state like Pennsylvania, something like half of the small businesses in our state don't have a website."

**Topic Three - Confederate statues in the Capitol:** The Tribune-Democrat reports that Senator Casey supports the removal of Confederate figures from Statuary Hall and other locations in the Capitol. They report that he said, "The U.S. Capitol should not have monuments to individuals who took up arms against the United States in order to preserve slavery. I support removal of these statues and will review Senator Booker's legislation when it's introduced." The New Castle News ran an article that cited the same quote.

## **Toomey in the News**

**Topic One - Tax Reform:** The Bradford Era reports that at a stop in McKean County, Senator Toomey discussed tax reform with constituents at a local diner. He observed, "People understand that we've got a ridiculous tax code. It's pretty hard to defend. On the individual side, it's awfully complicated and very onerous to comply with. On the business side, we put American business — and therefore all our employees — at a competitive disadvantage as the rest of the world as much lower tax rates on business."

**Topic Two - North Korea:** WCBC 1270 AM reported that on August 29th, both Senator Toomey and Senator Chris Van Hollen (D-MD) urged Congress to support their BRINK Act as a way to respond to North Korea's continued threats. The piece quoted Senator Van Hollen, "The rapidly escalating situation in North Korea demands quick action from Congress to expand and enforce sanctions against Kim Jong Un's regime, and Senator Toomey and I have introduced the BRINK Act to do just that. U.N sanctions

resolutions are only words if they are not enforced, and for too long the international community has been unwilling to enforce sanctions against Pyongyang.'

**Topic Three - Town Hall:** Many outlets, both local and national, covered Senator Toomey's town hall. The Allentown Morning Call (co-host of the event) noted "Toomey strikes tone of civility at town hall forum," while WESA 90.5 observed "Few surprises at small Toomey town hall." That sentiment of 'few surprises' was echoed by most other outlets covering the event, including WFMZ Allentown, Lehigh Valley Live, and ABC news. For more on the town hall, see below.

## Town Hall Update

Senator Toomey held a televised town hall on Thursday, August 31st in Bethlehem, with 12.75 million Pennsylvanian constituents represented by 54 pre-selected attendees (30 picked at random, 24 invited from the local political party organizations). It was sponsored by the Lehigh Valley PBS station and the Morning Call. If you would like to spend an hour watching the recording, it can be found [here](#). If you don't have an hour to spend watching the event, but can put five minutes into reading a detailed recap, I compiled one (feed interruptions and all) [here](#). One of those feed disruptions was due to a questioner making a bit of a scene at the event, and the "live" (obviously on a delay) feed was cut for a short period of time. That person has now been arrested for disorderly conduct and disrupting a public meeting. You can read more about the situation [here](#). Raw Story has the full version of the question that was cut off, with reporting on that [here](#).

I feel like there are a lot of points that can conceivably be made about this and I don't feel entirely up to the task of drawing conclusions. I will state a few facts, instead. We are calling a scripted event with 54 attendees who had questions prescreened by the station a "town hall." We live in a country where a person has been arrested for going off-script and asking an ill-advised stunt question at a town hall. I feel like those two observations are inextricably linked. And I have a prediction: Senator Toomey will use this disruption as a pretext for not holding any more "town hall" events. That doesn't benefit anyone. The loser in this situation was civilized political discourse. There were no winners.

## Learning about Legislation: what Schoolhouse Rock skipped

If you haven't treated yourself to a few minutes of Schoolhouse Rock nostalgia on Youtube, then you should definitely do so this holiday weekend to warm up for renewed legislative wrangling in the coming weeks. The best quality clip of the incomparable "I'm Just a Bill" piece can be found [here](#). For those of you who haven't had the pleasure or for whom it has been a while, here's the quick version: Someone gets an idea, pitches it to their legislator, who writes and introduces a bill. It goes to committee, where it is debated, and then voted upon. Then it goes to the floor of the House, where it is debated and voted upon. It repeats that process in the Senate, and if it passes it goes to the president, who can veto it or sign it into law. And if it is vetoed, it goes back to the Congress, who need to pull together two-thirds of the members to vote to overturn the veto. And then it is a new law.

That is indeed the process, of course - but Schoolhouse Rock bypassed a couple of steps that don't make for good musical edu-tainment for children. These steps are nonetheless important status indicators, or process steps that we all need to understand if we are going to track the process of legislation in Congress.

**Mark-up** - After a bill has been introduced, the committees to which the bill has been assigned will often have hearings from experts and interested parties. After those hearings are held, the committee may have a "mark-up session" where they make revisions to the original bill. If you are using Govtrack.org or Congress.org to check on the status of a particular bill, it may still have the initial status of "introduced." If, however, you go into the "Text" section of the bill and see that there are multiple versions of the bill and it has been amended, you can infer that the Committee has had a mark-up session, and is thus giving this bill some level of attention.

**Ordered Reported** - It is a little unfair of me to say that this was skipped by Schoolhouse Rock, as Bill does say at one point in the cartoon "I hope they report on me favorably!" This is a step that occurs after a committee votes on a bill, but before it moves over to the full House or Senate. The Report is kind of like a position paper, in that it explains the purpose and justification for the bill, details how it changes the current laws on its topic, and usually budgets out how much it will cost to implement the bill. Depending on the session of Congress, only between 1/8 to 1/4 of bills ever make it to the reporting stage.

**Added to the Legislative Calendar** - This is where things get political. Just because a bill makes it through committee, doesn't mean that it has to be voted on by the full House or Senate. Being the party in control makes a HUGE difference in that they have 100% control over what gets voted on. This is a little tricky, because there is an official process step called "Legislation is placed on the calendar" but that really means that the bill is put on a docket of things that the legislature \*might\* consider. The real place worth checking is the House Majority Leader's calendar. This is an actual calendar of what is going to be debated in the coming week. You can find it on Rep. Kevin McCarthy's website, [here](#). Right now it is still showing items from the last week of July, because they are on recess. But after Labor Day it will be populated with the actual bills that are going to be handled in the coming weeks.

**Conference Committee** - This step happens after both houses pass a bill, but when the second house makes amendments and everyone has to get on the same page. For a bill to go to the president, the same version has to pass both houses. So each branch of the legislature sends an undefined number of their members to a meeting where they iron out their differences. The two groups don't have to be the same number of people, the key is that the majority of each group agrees to the changes. Once they agree to the changes, the new version of the bill is sent back to both houses to be voted upon again, before going on to the president.

For those of you who like charts, Representative Alan Lowenthal of California (who has a name you might recognize, as he is the Democrat who co-sponsored an anti-gerrymandering resolution with PA-08's own Representative Fitzpatrick this year) hosts a spectacular infographic on his website. I recommend it highly. It includes all the steps from "I'm Just a Bill" along with these complex extra bits. <https://lowenthal.house.gov/uploadedphotos/highresolution/db7257e2-5b5a-4424-9169-4e63175843df.jpg>

With recess coming to an end, next week will see us returning to our normal legislative updates. Thank you all for the feedback on "Learning about Legislation" - expect it to return in time for the next Congressional Recess in November.

## **Legislation updates - what's coming up in September**

September may prove to be a very consequential month, legislatively. We can expect to see three big items on the docket:

1) Hurricane Harvey emergency funding - expect to see things get contentious not between parties, but between geographic regions. New Jersey's Governor Christie got things started, by reminding everyone how both members of the Texas Senatorial delegation (current Senators Cruz and Cornyn) both voted against disaster relief for Superstorm Sandy, but are now beseeching their fellow legislators for help after Harvey. I believe Gov. Christie said that Senator Cruz in particular was "disgusting." The Texas Senators said their no votes were because there was a bunch of non-relief pork added to the Sandy package, a claim that Politifact rated as "mostly false." Everyone expects a relief package will pass both houses, but don't be surprised if you see some very pointed words and posturing from New Jersey and New York legislators.

2) Government funding - back in April there was a threat of a government shutdown, but it was averted by a vote that funded things through the end of September. Now we have another government shutdown threat, as September is here. President Trump stirred the pot by bringing his infamous Wall into the situation. The New York Times described it thusly earlier this week: "President Trump has widened an extraordinary rift with his own party, as he threatened a government shutdown over his long-promised border wall and attacked key lawmakers whose votes he needs heading into a crucial legislative period."

The Harvey situation may smooth out this mess, as no legislator wants a government shut down amidst the initial critical rebuilding stages post-storm. It may come down to whether or not President Trump can be made to understand that fact by his advisors, to keep him from making things worse in Congress.

3) The Debt Ceiling - I am no economist. My understanding of the debt-ceiling is basically that it's like we (the US government) are spending up to our credit card limit, and now Congress gets to vote if we get a higher limit. What we DO know is that the Freedom Caucus and their Tea Party supporters do not like us spending so much money, so they oppose raising the debt ceiling. But the Republican leadership, who might normally agree with the Freedom Caucus on principle, knows that it looks atrocious for them as a ruling party to have control of all parts of the government, but let things like a shutdown or credit downgrade happen because they can't manage to control their own party members. So they want this vote to pass. If you would like to read a more nuanced but still very readable article to understand what is happening and what has happened with debt ceiling debates in the past, check out [The Balance's piece](#) on the topic.

If you are interested in following all of the voting action in Congress there are a number of phone apps that come in handy. One of our fearless leaders, Connie Gruen, recommends the Countable app. It is available for both Apple and Android phones. You can sign up at [Countable.us](#) to get instant notification when our legislators vote, as well as details on each measure, pros and cons, status, and links to take action.

For those of you who are more computer versus phone oriented, I recommend [Govtrack.us](#) - the website enables you to add individual bills that interest you to a docket, so you can easily see the status of all your items in one place. They can also provide daily or weekly digest emails (your choice) to track the action of any legislator, committee, bill or vote. If not for Govtrack, I would not be able to compile this report.

This report brought to you by the PA-08 MoCTrack team...

Kierstyn Piotrowski Zolfo, Lower Bucks Indivisible and Fridays with(out) Fitzpatrick  
Gail Friedman

We are seeking additional assistance. Our Congresspeople are always busy and there is always more for us to cover - tasks big and small to fit any level of time commitment. Can you help us out? Please email [KierstynPZ@gmail.com](mailto:KierstynPZ@gmail.com) and put "MoCTrack Help" in the subject. Thanks!