

Week ending 09/17/17 - 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 - **28.6%** (No change from last week)

Representative Brian Fitzpatrick - **80.0%** (+0.9% from last week)

Senator Pat Toomey - **91.7%** (No change from last week)

Nate Silver's FiveThirtyEight website assesses the voting records of our MoCs to provide this index assessment. No Senate actions were included in this week's index, thus the lack of moment in the numbers. The House had two votes scored. See the "Votes of Interest" section for more details.

MoC Twitter Action

Senator Bob Casey hot topics:

The Senator focused on the plight of the Dreamers this week, sharing images from several DACA-related meetings he held and retweeting items from constituents on the topic. He also provided information about two initiatives he and Senator Toomey are collaborating on. He provided links to articles on several recently introduced bills, the Boost Saving for College Act and the Child Care for Working Families Act. And because he never forgets about health care, the Senator shared articles about the Trump Administration's sabotage of the ACA healthcare enrollment system.

Casey tweets of the week, 09/11/17: "As we pause to remember September 11th, I want to express my gratitude to all those who serve. And in a particular way, to those who went into the darkness and the danger following the 9/11 attacks."

Representative Brian Fitzpatrick hot topics:

The Representative had several bills make progress this week and he was active in tweeting out their status updates. His bill to help first responders deal with potential terrorist attacks passed the House, and his INTERDICT Act, to provide new technology to border security to help intercept illegal opioids, has been ordered reported. He also shared an op-ed he wrote about that opioid-related act, and one about his support of an apprenticeship program.

Fitzpatrick tweet of the week, 09/11/17: "Sixteen years later. But we'll #NeverForget"

Senator Pat Toomey hot topics:

The Senator continues his push in support of tax reform, and he promoted several interviews he did on the topic as well as a White House meeting. He also shared several tweets about an initiative he is leading with Senator Casey, where they are working on the same military base water contamination issue that Rep. Fitzpatrick addressed successfully in the House. The two PA Senators are also partnering on an effort to reduce energy dependence on Russia for power sources on our European military bases. Lastly, the Senator shared several tweets in remembrance of POW/MIA day.

Toomey tweet of the week, 09/11/17: "We must never forget the innocent lives that were lost 16 years ago, nor the unity & strength we showed as a nation in the wake of tragedy."

Casey in the News

Topic One: DACA and the Dreamers

The York Dispatch reported on a visit Senator Casey made to the York City Police Department, and this issue of DACA was covered at length. The Senator was concerned that ICE employees might take the law into their own hands after the President's announcement. "We've got to make sure not just to get the policy right long-term, but to make sure folks on the ground know that there is a six-month period and can't be rounding people up just because they feel like it," he said.

Topic Two: Medicare for All

This week Bernie Sanders introduced a single payer health insurance bill. The Morning Call carried an article on 09/12/17 titled "Bob Casey not among Senate Dems signing on to Bernie Sanders' 'Medicare for all'." The Senator noted, "We could, I think, take a giant step forward on coverage for many more Americans if we implemented right now a Medicare-like public option. I already voted for it. I'd vote for it again." The article clarified that instead of supporting single-payer, this means the Senator is in support of "crafting a public option plan that would compete with private insurance plans." The paper added that this moderate position might be related to the Senator's upcoming election in 2018. The Tribune-Review of southwestern PA also covered the Senator's position, and said he was more focused on thwarting another Republican attempt to repeal and replace the ACA. They quote Casey as having said, "My first priority is protecting health care for Pennsylvania families, who are paying higher premiums and seeing increased costs because congressional Republicans and the administration are taking actions to undermine and sabotage our health care system."

Topic Three: Bipartisan water safety action

Senators Casey and Toomey are working together to address water contamination from usage of firefighting foam on military bases in Bucks and Montgomery counties. They have introduced amendments together to get the Department of Defense to perform studies on the water in these areas. The Intelligencer quotes Casey in their 09/13/17 article, and he said "we want to authorize as much funding as possible, and even more funding will be needed for future years. The fight for families against water contamination is not anywhere near over, but getting these amendments passed is a step in the right direction." Philly.com also carried an article on 09/13/17, and they noted that Casey was also working with Senator Moore-Capito (R-WV) to get the Pentagon to contribute more funding to perform clean-up nationwide on contaminated military sites. Mr. Casey said of that effort that they hoped to work for additional funding in future years, but "but this is what we think we can get done this year."

Topic Four: Casey attends Chestnut Hill INDIVISIBLE rally

The Chestnut Hill Local carried coverage of Casey's appearance at the Indivisible event in their 09/13/17 edition. What follows are some of Casey's comments from the event: "I have never seen this kind of intensity. And there is a reason for it. We have an administration and a Congress that is full of extremism, ideology, and efforts to divide the country, instead of bringing us together. But, because of your work, we could bring a level of scrutiny, review and accountability to the cabinet nomination process that has ever happened before... We happen to live in one of four states that are called the Commonwealth and I have always believed we have to be a commonwealth in life as well as in name. If we are going to be a commonwealth in life, we've got to have each other's back. We got stand up and fight for each other. That is not a democratic idea. That's who we are as Americans."

Topic Five: Child Care bill

Senator Casey was one of the speakers at an event where Democratic senators introduced a bill to help middle class families afford child care. The 09/15/17 Bradford Era reports that the Senator said "Affordable, high-quality child care is no longer a luxury — it's a necessity." Unfortunately, many working families have been priced out of these services that we know help children excel. This legislation works to level the playing field so that all children can begin on the right foot, regardless of income." The paper goes on to describe the new bill as follows, "The Child Care for Working Families Act would create a federal-state partnership to ensure families making less than 150 percent of their state's median income do not pay more than seven percent of their income on child care. The bill also supports access to high-quality preschool programs for low- and moderate-income 3- and 4-year olds." Newsweek covered this bill announcement in a 09/15/17 piece called "Ivanka Trump is a Failure at the White House and now Democrats are Stepping in the Save her Child Care Plan." That piece quotes Senator Casey as observing, "Policies that allow women with children to thrive should not be novelties, they should be the norm."

Fitzpatrick in the News

Topic One: LEGISLATION

Law 360, specialty online publication, 09/11/17, "Reps. Float Bill to Give Tax Credit for Apprenticeships." A bipartisan group of U.S. representatives, including Brian Fitzpatrick, have introduced the Apprenticeship and Jobs Training Act of 2017, intended to close the skills gap in high-growth by providing tax credits to employers who hire workers enrolled in registered apprenticeship programs.

The Hill, online political blog, 09/13/17, "Working together to defeat the opioid epidemic," op-ed by Rep. Fitzpatrick in his role as vice chair of the Bipartisan Heroin Task Force. Discusses the opioid addiction crisis and the "bold legislative agenda" of the task force, including the INTERDICT Act, to provide resources to intercept synthetic opioids and the Road to Recovery Act to expand access to treatment for Medicaid enrollees who are substance abusers.

Intelligencer, 09/14/17, "Rep. Brian Fitzpatrick bill creates attack preparedness workshop." The Joint Counterterrorism Awareness Workshop Series Act of 2017, authored by Rep. Fitzpatrick, passed the U.S. House by a vote of 398-4. The bill authorizes the expansion of a national counterterrorism program. Rep. Fitzpatrick's involvement with the JCAWSA was also cited in news articles in two Florida newspapers, as one of the co-introducers of the bill, Rep. Stephanie Murphy, is a Florida Democrat. "Anti-terrorism bill co-introduced by Stephanie Murphy passes House ran in the Florida Politics blog 9/15/17, and "Brian Fitzpatrick's, Stephanie Murphy's Bill to Help Train First Responders on Terrorist Attacks Clears House" in the Sunshine State News, 9/15/17.

Legal Reader online legal newsletter, 09/14/17, "Medical Device Safety Act Aims to Restore Rights to Patients Harmed." The Medical Device Safety Act, which would allow patients injured by certain medical devices to sue the manufacturers in state court, was introduced in the U.S. House in April by Rep. Fitzpatrick. Advocacy groups have scheduled a rally in support of the bill Sept.25 on Capitol Hill.

Topic Two: THE 2018 ELECTION

The News and Observer newspaper of Raleigh, NC, 09/13/17, "Trump loyalty test will shape GOP's 2018 House races." Conservative Republicans and those who fund them are ginning up primary challenges to GOP incumbents deemed insufficiently loyal to the Trump agenda, among them a potential challenger to Brian Fitzpatrick, who has formed an exploratory committee. An article in the online political blog PoliticsPA on 09/11/17 had identified the challenger as former Bucks Assistant District Attorney Dean Malik. State Rep. Justin Simmons (R-Lehigh) had announced a primary challenge to Rep. Charlie Dent before his recently announced retirement.

Daily Kos, progressive online political blog, 09/13/17, "Morning Digest: Michigan Attorney General Bill Schuette joins the GOP primary for governor in 2018." This roundup article on the 2018 elections includes an account of a potential Fitzpatrick-Malik matchup. "Rep. Brian Fitzpatrick has so far been on cruise control in his bid for a second term....However, he may have to worry about his right flank after former Bucks County Prosecutor Dean Malik formed an exploratory committee....Beating an incumbent with steadfast establishment support won't be an easy task, but Fitzpatrick's effort to portray himself as a moderate could risk angering the GOP base after he voted against Trumpcare in the House and opposed Trump in the general election, both of which Malik cited as his main reasons for potentially running."

Topic Three: LOCAL INTEREST

Bucks Local News, online newspaper, 09/11/17,"Potential Inc. cuts the ribbon on new Autism-friendly playground in Newtown Township." Rep. Brian Fitzpatrick among the dignitaries at the groundbreaking for special-needs playground on-site at a local nonprofit.

Bucks County Courier Times, 09/12/17, "New Home Found for Heroes Banners." Rep. Fitzpatrick to be among the speakers at a ceremony in Doylestown Sept. 23 to hang new banners honoring armed service members killed since 9/11, following a controversy about removing the memorial banners from the county administration building.

Toomey in the News

Topic One: Tax reform

ABC News (national) carried a long analytical piece on 09/12/17 titled "Senate GOP struggles with deficit in work on budget, taxes." It points out that in the wake of the health care failures, the Republican congress is now focusing on tax reform, but without the savings that a reduced health care system would have given them, there are difficulties finding areas of agreement. The ABC News article notes that Senator Toomey was one of six senators to be invited to a dinner at the White House to discuss the tax reform project. On 09/13/17 a number of outlets (Fox News, Reuters, Pittsburgh Post-Gazette, CNN, Newsday) covered the dinner, but it was the event itself that was the news, not any content from the meeting. Only Reuters had additional information, noting that "Pennsylvania Republican Senator Pat Toomey, one of the attendees, said on a conference call later that Trump talked about competitive business taxes, ending taxation of U.S. corporations' foreign profits, and a middle-class tax cut."

Topic Two: Medicare for All

In the wake of Senator Sanders' bill introducing single-payer health care, Senator Toomey was sought for comment. The Tribune-Leader was unable to get Senator Toomey directly, but his spokesman indicated "Senator Sanders' plan to allow the government to completely take over health care in this country will cost Americans \$32 trillion. Senator Toomey does not support this."

Topic Three: Bipartisan water safety action

As indicated above, Senator Toomey is working with Senator Casey to deal with water safety/contamination issues. The Intelligencer article quotes the Senator as he describes the scope of the issue, "Following initial findings of contaminants in the drinking water in Bucks and Montgomery counties, there were federal efforts to tackle this problem. But these actions have fallen short of what is really needed to protect the health of Pennsylvanians." Philly.com also quotes Senator Toomey, who said "It is time for the CDC to ensure that appropriate exposure assessments related to any possible contamination in drinking water are completed." The Times-Leader adds that the Senator said "addressing this issue has been a priority of mine."

Topic Four: Tuesdays with Toomey

The 09/13/17 Pittsburgh City Paper carried a piece titled "Sen. Pat Toomey's reluctance to address his protesters appears to be fueling a progressive wave." The article covers the efforts of the Tuesdays with Toomey organization and the PA Together coalition and how they are responding to the Senator. The article notes that "Toomey's reluctance to consider the requests of his protesting constituents is not only energizing opposition to his agenda, it appears to be increasing opposition against other Republicans in Pennsylvania."

Learning about Legislation: Happy Constitution Day!

Today (September 17th) 230 years ago the Constitution of the United States was signed in Philadelphia. Back in 1987, to celebrate the bicentennial of the signing of the Constitution, a program was created where freshmen in high school could participate in a Constitutional competition. Teams of students would be faced with both factual and philosophical questions, and would compete in essay-writing challenges and debates. I still have my workbook from this event, and I thought I would share some content about participatory government.

"All American citizens, with very few exceptions, possess the right to participate in the political life of the country. Voting for candidates and running for public office are two examples which are most obvious. But are there other ways of participating? What about working on the campaign of a candidate you think should be elected? If you contribute money to a candidate you are certainly participating. Writing letters to public officials, reading newspapers, talking about public issues with your friends, and going to meetings where political questions are discussed, are all ways in which the citizens participate in the political life of their country..."

"But how much time should we spend participating? If it seems that everything is going as we think it should, we will probably decide that we don't have to spend too much time checking up on the people we hire to do things for us, although we would probably be foolish to ignore them completely. And so it is with the government and the people who work there: the president,

senators, representative, and judges, as well as the many civil servants who are part of the bureaucracy of the government. As long as we are more or less satisfied with way they are doing their job, we probably will not wish to spend too much time checking up on them, although we will want to keep an eye on them...

"...If we have reason to suppose that instead of protecting our rights it is violating them, we are only doing the sensible thing to keep a closer eye on our government. If we believe that the government is not providing the security we think it is supposed to provide, we will want to find out why and find ways to improve the situation. This may involve hiring different people to work in the government. For example, we may elect different people to represent us and make the laws on our behalf. If the matter is very important and we are seriously dissatisfied with the performance of those who are working for us in the government, we may want to do more than simply vote. We may want to donate money to a political campaign, or work for a candidate who will do a better job."

-"We, the People," Center for Civic Education, 1987, pp. 124-125

Legislation updates

Now that we are well into the legislative calendar, some of the bills that we are tracking are moving along and/or getting attention. This section will address older bills of note that may not be up for a vote, but nonetheless merit your attention. These pair of bills is of interest because they are serving to increase our first-term Representative's reputation in the House.

H.R. 2142: INTERDICT Act

<https://www.govtrack.us/congress/bills/115/hr2142/text>

This is a bill that was introduced by Rep. Niki Tsongas (D-MA) but it was co-authored by her and PA-08's own Representative Fitzpatrick. The bill would introduce the use of chemical 'sniffer' technology into use at our borders to help stop the flow of synthetic opioids like fentanyl from entering the country. This bill was approved in the Homeland Security Committee by voice vote, and will now go to the entire House for consideration.

H.R. 3284: Joint Counterterrorism Awareness Workshop Series Act of 2017

<https://www.govtrack.us/congress/bills/115/hr3284/text>

This bill, introduced by Rep. Fitzpatrick, passed the House with a 398-4 vote on 09/14/17. It would establish a series of training sessions for first responders from local, state and federal departments, with an eye towards improving initial response to terrorism events.

Votes of Interest

H.R. 3354: Dep't of the Interior, Environment, and Related Agencies Appropriations Act, 2018

<https://www.govtrack.us/congress/bills/115/hr3354/text>

This is the Budget bill for which we discussed a number of amendments in last week's report. It would provide funding for the government through September 2018. This bill provides drastic cuts to a number of social safety net, environmental and science related programs. [Countable](#) includes the following data points (and I drew some conclusions from that):

- The Department of Labor will get a cut of \$1.3 billion (more than 10%) which will affect programs like Employment Training Administration, Job Corps, and the Veterans Employment and Training Service
- The Center for Disease Control will get a cut of about \$200 million (about 3%), which will affect pandemic preparedness, and will hamper efforts to address the arrival of the Zika virus in the US
- The Substance Abuse Mental Health Administration will get a cut of about \$300 million (about 8%), which will have significant effects on attempts to address the opioid crisis.
- The Department of Education is getting a \$2.4 billion cut (over 3%), but the portion that is set aside from charter schools is to go from \$28 million to \$370 million
- The Department of Justice is getting an increase of \$349 million (about 1%)
- The National Oceanic and Atmospheric Administration is getting a massive cut of \$710 million (14%), and since they are one of the major sources of climate change data, this is going to have terrible effects on climate science

- The State Department will be cut by \$2.6 billion (about 16%), though embassy security will stay the same, which means our diplomatic presence around the world will drop considerably, but they will be better protected
- Immigration and Customs Enforcement will get an increase of \$620 million (about 9%), some of which is expressly earmarked for more enforcement agents and support staff
- The Environmental Protection Agency's budget will be reduced by \$528 million (about 7%)
- The Department of Defense budget will be raised by \$68 billion (over 10%)

The vote for this budget occurred around noon on Thursday, September 14th. It passed 211-198, and **Fitzpatrick voted YES**. It now moves to the Senate.

Legislation of Interest

The Graham-Cassidy proposal, a.k.a. Repeal and Replace Take ∞

Republican Senators Lindsay Graham (SC), Bill Cassidy (LA), Dean Heller (AZ) and Ron Johnson (WI) have come together to create a [new plan to repeal and replace the ACA](#). Forbes.com says that the plan is very similar to the Better Care Reconciliation Act (that's the one the 13 male senators disappeared behind closed doors to create in secret). The biggest difference is that instead of giving out subsidies to users based on their income, the Graham-Cassidy plan will just give a bunch of block grants to states, and then the states can design the healthcare system of their choice.

This could potentially enable blue states to put together single payer systems or public options. But it could also allow red states to create who-knows-what kind of systems that could strip millions of people of their insurance. And block granting means that funding that goes from the federal government to the states is capped, whereas under the ACA it was doled out based on the number of participants. So to cover the number of people who are insured today by ACA programs and Medicaid, states would potentially have to raise taxes.

There are some procedural wrinkles to this plan. The only way that this could get through the Senate is if they use that "reconciliation" process, which allows them to pass items with 50 votes +1, instead of having to pull together support of the filibuster-proof magic number, 60. The Senate parliamentarian (kind of like a rules referee, and a topic ripe for a future Learning about Legislation, perhaps?) has ruled that the reconciliation process can only be used until the end of the fiscal year, and that is September 30th. That means the Senate would have to move on this with alacrity, which is not the usual pace for the "deliberative body."

Indivisible National has produced a guide supplement for how to talk about Graham-Cassidy with our Senators. For Toomey, visit [here](#) and scroll down to about mid-page for the sample call script. For Casey, use [this script](#) to make sure he knows you want him to be a part of "withholding consent on amendments, placing holds on nominations, and objecting to all unanimous consent requests until the reconciliation instructions expire." The Senate Democrats can stop this if they are willing to be obstructionists until the end of the month. Once we reach October, the danger of the Senate passing any form of repeal and replace with a mere 50 votes (plus Vice President Pence) is over.

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 and put "MoCTrack Help" in the subject. Thanks!