

## Week ending 10/08/17 - 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 - **80.9%** (+**0.5%** 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. The numbers for our Senators are static because there were no scored votes this week. Rep. Fitzpatrick's score moved further towards Trump because of his vote on the 20-week abortion ban (for more on this, see Votes of Interest).

### MoC Twitter Action

**Senator Bob Casey hot topics:** The Senator divided his attention between gun control efforts (in the wake of the Las Vegas shooting), the Trump Administration's ongoing efforts to sabotage the Affordable Care Act, and his efforts with the Senate Committee on Aging to prevent phone scams. On Friday, he had his first tweetstorm in some time, decrying the Trump Administration's order that would limit the ACA's birth control mandate.

Casey tweet of the week, 10/06/17: "An employer has no right to deny a woman access to birth control. This order is an insult to women."

**Representative Fitzpatrick hot topics:** With the exception of his response to the Las Vegas shooting, The Representative confined himself to tweeting about his own legislation this week. He promoted his "Road the Recovery" opioid treatment plan, the Right to Try Act that would give terminally ill patients more access to experimental treatment, and his Small Business Cybersecurity Enhancement Act that would give companies access to loans to fund cybersecurity improvements.

Fitzpatrick tweet of the week, 10/05/17: Retweet of Bucks County Courier Times article about his legislation, "We need to take action now to ensure we're protecting our nation's infrastructure and businesses."

**Senator Pat Toomey hot topics:** The majority of the Senator's tweets were in support of the Republican tax reform plan, touting the salutary effect he believes it will have upon the entire economy. He shared another one of his myth vs. fact memes on tax reform. The Senator also encouraged his fellow Senators to approve a bipartisan resolution he has co-sponsored condemning the 'honor killing' of gay Chechens.

Toomey tweet of the week, 10/05/17: "Stronger economic growth (more jobs + higher income) means fewer people must rely on safety net programs. #TaxReform @BudgetGOP"

### The Las Vegas Massacre - our Members of Congress respond

Senator Bob Casey, 10/02/17, via his website: "While we pray for the victims of this horrific attack and their families, it is not sufficient to just offer thoughts and prayers. The nation's security continues to be at risk because Congress refuses to take real, meaningful action to curb gun violence. Congress must engage in a robust debate about common sense ways to keep guns, particularly military-style weapons, out of the wrong hands. Congress should take up and vote on legislation to ban military-style weapons, limit the size and capacity of magazines, which contribute to deadly mass shootings, and put in place universal background checks. If Congress continues to fail its most basic obligation to keep America safe, then these mass shootings will continue to occur."

Representative Brian Fitzpatrick, 10/02/17, via Twitter: “My heart goes out to all those impacted by last night’s heinous act of violence in Las Vegas. We pray for the victims and their families, and the entire Las Vegas community at this moment, and offer our sincere gratitude for all first responders handling this tragedy.”

Senator Pat Toomey, 10/02/17, via his website: “What happened in Las Vegas last night was a tragedy and the work of a madman. Kris and I extend our deepest condolences and prayers to the victims, their families, their friends, and the city of Las Vegas. We are also grateful for the brave first responders and good Samaritans who acted swiftly and selflessly, charging towards danger to protect others. In the coming days, additional information regarding this heinous attack and the conditions of those who were wounded will be shared by law enforcement and medical professionals. This information is critical in determining the next steps needed to try and prevent future tragedies. My staff and I will continue to monitor all of these developments.”

**Casey in the News** - We are looking back at the past two weeks of news, as this section was not in last week’s MoCTrack report.

#### Topic One: Gun control/Las Vegas

In the wake of the horrible events in Las Vegas, Senator Casey called for action in Congress to enact tougher gun control measures. On 10/02/17 Politico carried an article about measures introduced by Senator Chris Murphy of Connecticut, noting that “other Democrats, including Sens. Bob Casey of Pennsylvania and Dick Durbin of Illinois, spoke on the Senate floor to chastise Congress for its inaction on gun policy.” On the same day, The Hill carried a similar piece that referenced Senator Casey’s floor speech, but did not quote it. The Philadelphia Inquirer quoted Senator Casey’s post-shooting statement (see above section on MoC responses to Las Vegas) but added no additional context. On 10/04/17 Erie News Now (which carried both CBS and NBC pieces) linked to a video of the Senator, and observed that he was supporting a number of pieces of legislation that have been introduced to change the process and scope of background checks and limit availability of certain types of gun-related hardware (large magazines and bump stocks). Of these efforts Casey said “It’s a long menu of reasonable measures that could be passed we hope in a bipartisan manner. Even one of them passing would be a significant measure of progress.” That same day the Guardian carried an article that highlighted Senator Casey’s evolving philosophy as it relates to the Second Amendment. They observed, “Senator Bob Casey, a Democrat of Pennsylvania, cited himself as an example of how one incident can change hearts and minds. Before the 2012 massacre of 26 young children and teachers in Newtown, Connecticut, Casey opposed additional gun restrictions. He said he realised then that opposing the slate of gun control measures brought forward that session meant accepting that nothing could change. He said: ‘I think we have to ask ourselves the same question again. Is there nothing that we can do? No law? Nothing that we can do? ... I don’t think that’s acceptable.’” On 10/05/17 many news providers (Philly Voice, PennLive, Bucks County Courier Times, Pittsburgh Post Gazette) reported on Senator Casey’s decision to cosponsor legislation to ban the sale of bump stocks, the item used by the Las Vegas shooter which made his gun have the capabilities of an automatic weapon.

#### Topic Two: Tax reform

In the wake of their most recent health care failure, the Republicans are moving forward with a tax reform plan. On 09/28/17 Real Clear Politics carried a piece titled ‘Trump aims to pressure Democrats on Taxes.’ The article notes that “...Other incumbents, however, were a bit more direct in their criticism. Sen. Bob Casey of Pennsylvania said he didn’t think Republicans were focused on the middle class, and the proposal didn’t appear to be something he could support.” On the same day the Bradford Era had a direct quote on the tax reform package from the Senator, who said “The document released by the administration and congressional Republicans contains massive tax cuts for the super-rich, big corporations and Washington special interests, which won’t create jobs or grow incomes for middle class families. In order to finance tax cuts for the super-rich and big corporations, this proposal from

Republicans in Washington would add \$1.5 trillion to our deficit, which could lead to cuts to Social Security, Medicare and Medicaid.”

#### Topic Three: Banning Robocalls

On 10/04/17 the Wilkes Barre Times-Leader carried a piece that reported on Senator Casey’s partnership with PA Attorney General Josh Shapiro in requesting that the FCC allow people to block robocalls to their phones. The article noted “...In the letter to the FCC, Shapiro and Casey said the agency should be doing everything it could as quickly as possible to ensure that older Americans do not lose one more penny to “thieves pretending to be the IRS or a grandchild in need of rescue.” They said making it harder for con artists to appear as though they are calling from a government agency or legitimate business, as the FCC proposed rule would do, will go a long way.” Central PA’s Fox 43 site observed that that AG Shapiro was testifying before the Senate’s Committee on Aging, where Senator Casey is the ranking member, at the Senator’s request. On 10/07/17 the Scranton Times-Tribune carried a piece from the paper’s editorial board supporting this initiative. To support their position, they noted “Sen. Bob Casey has recounted the story of an older Montgomery County woman who lost \$800,000 while believing she had won an international lottery.”

#### Topic Four: Casey’s position on Trump’s federal court nominees

(NOTE - please see the Learning about Legislation section to find out more about the “blue slip” judicial approval process in the Senate) The 09/28/17 Philadelphia Inquirer reports that “Sen. Bob Casey has cleared the way for a Trump nominee to take a seat on a key federal court — a nod to bipartisanship as tensions have again risen in the toxic fights over judicial nominees.” Via the blue slip process, Senator Casey has removed an obstacle that would prevent President Trump’s pick, University of Pennsylvania law professor Stephanos Bibas, from filling a seat on the Third Circuit Court of Appeals (the federal court level just under the Supreme Court). The Morning Call noted on that same day that “...under former President Obama, Republicans, including Pennsylvania’s Pat Toomey, held back blue slips and slowed judicial nominations. Toomey blocked Rebecca Ross Haywood, who was nominated last year to the same seat that could now be filled by Bibas.”

#### Topic Five: renaming 30th Street Station in Philadelphia

On 09/27/17 the Philadelphia Sun(day) announced an upcoming press conference with Senator Casey about the renaming of 30th Street Station. The article reports that “In the summer of 2014, the U.S. Congress, in commemoration of Congressman Gray’s lifelong service and commitment to Philadelphia, unanimously approved H.R. 4838, renaming the Amtrak railroad station located at 30th Street, as the ‘William H. Gray III 30th Street Station.’ That resolution was signed into law by the president in August 2014.” But three years later, there has been no effort to officially rename the station. The event was held on 09/29/17, and our local CBS station covered the event (with text and video), where the Senator asked “Why are we here in 2017, when this was passed in 2014?” On 10/05/17 Amtrak finally announced its intention to move ahead with the name change. In the 10/06/17 Philadelphia Voice article on this decision, they quote Senator Casey, who said “I was encouraged by my recent meeting with Amtrak leadership about Philadelphia’s 30th Street Station. For the first time, Amtrak has committed to implementing the 2014 federal law renaming the station in honor of the late Congressman William H. Gray, III. While there is still a long way to go, I look forward to working with Amtrak and the broader Philadelphia community to appropriately honor Bill Gray’s legacy.”

#### Topic Six: the failed Graham-Cassidy ‘repeal and replace’ effort

On 09/26/17 the local PBS stations showed live coverage of the Senate’s hearings related to the most recent efforts to repeal and replace the Affordable Care Act. They also carried a 20+ minute clip of the Senator’s news conference about the bill, which he felt would “move us backwards” as a nation. That same day, the Allentown Morning Call ran a piece that covered PA official’s position on the proposed healthcare bill. While discussing the Medicaid expansion, the Senator was quoted asking “What is the big problem with 11 million people getting health care? Why is that a problem?” When the Graham-Cassidy effort was defeated and pulled from consideration, the 09/27/17 Delaware County Times carried a piece in which Senator Casey said “I am a ‘no’ and was always a ‘no’ on this irresponsible scheme. It’s time for

Republicans in Washington to end this obsession with repeal, and engage in bipartisan discussions to improve our health care system.”

## **Fitzpatrick in the News**

Topic One: Issues and Legislation

### **Corruption**

Syracuse (NY) New Times newsblog, 10/04/17, “Making Sure Corrupt Politicians Do Time for Their Crimes.” Continuing coverage of the COAL Act, which would change the definition of “official act” to close a loophole that allowed the conviction of two former New York legislators to be overturned. Rep. Fitzpatrick is one of four legislators who introduced the bill in the House. Also, theislandnow (Nassau County, NY) newsblog, 10/04/17, “Editorial: Dean Skelos and justice in Nassau,” notes Fitzpatrick as a co-sponsor of the act.

### **DACA**

Daily Local News, 10/07/17, “Chesco mayors urge lawmakers to protect ‘Dreamers’.” “ Chester County mayors urge Reps. Fitzpatrick and Ryan Costello to support the Dream Act.

### **The Economy**

Ripon Advance political newsblog, 10/03/17, “Fitzpatrick introduces bill to establish standardized ‘Made in America’ product labeling.” Continuing coverage of the proposed bill that would create an “America Star” labeling program, based on a news release issued by Fitzpatrick’s office. The blog is published by the Ripon Society, which leans toward the Republican center.

Ripon Advance political newsblog, 10/05/17, “state, local infrastructure projects to get financial jumpstart under Walorski bill,” Rep. Fitzpatrick joined two Democrats and another Republican in introducing the Move America Act, a House bill that would expand the use of private bonds and tax credits to generate “billions of dollars’ in private funding for infrastructure.

### **Gerrymandering**

Allentown Morning Call newspaper, 10/03/17, “5 things to know as the Supreme Court takes up redistricting.” A recap of opening arguments in the Wisconsin gerrymandering case now before the U.S. Supreme Court, along with background information. Locally, Rep. Fitzpatrick and Democratic Reps. Brendan Boyle and Daylin Leach have signed on to the brief seeking a limit on extreme partisan gerrymandering.

### **Gun Control**

CBS Philly, online news site, 10/02/17, “Local Congress Members Express Horror Over Las Vegas Mass Shooting.” Rep. Brendan Boyle of Philadelphia and Sen. Casey called for changes in gun laws. Calls to Reps. Fitzpatrick and Meehan and to the NRA “were not immediately returned.”

Washington Examiner newspaper, 10/07/17, “Republicans say Second Amendment, not NRA, drives their stance on guns after Las Vegas.” Congressional Republicans are reaffirming their commitment to gun rights following the massacre, the paper reported. It quotes T.J. Rooney, the former Pennsylvania Democratic chairman as saying there are districts in the state his party could win if Democrats weren’t identified as opposed to gun rights, including those held by Reps. Fitzpatrick, Charlie Dent and Ryan Costello.

### **Health Care**

Burlington County Times, 10/02/17, “NJ attorney general joins group advocating for lifting Medicaid drug treatment rule.” New Jersey’s attorney general was one of 39 who have signed on to a letter spearheaded by Attorneys General Josh Shapiro of Pennsylvania and Mike DeWeese of Ohio and sent to congressional leaders, expressing support for the “Road to Recovery Act.” The act, introduced in the

House by Rep. Fitzpatrick, would expand access to treatment by overturning a rule that prevents larger drug treatment centers from billing Medicaid for residential treatment services. Similarly, Bucks County Courier Times, 10/03/17, "PA, NJ AGs join group advocating for lifting Medicaid drug treatment rule," based on news release from Fitzpatrick's office.

CBS Philly news blog, 10/02/17, "Bucks County Congressman Wants to Provide More Options for Terminally Ill Patients." Continuing coverage of Rep. Fitzpatrick's proposed legislation to expand access to investigational drugs and experimental treatments for the terminally ill. The law would keep the feds from interfering with right-to-try laws on the books in several dozen states. "Our area does not have them," the blog notes.

Ripon Advance, 10/05/17, "Burgess leads committee review of patient access to investigative therapies." Committee review of legislation including the Right to Try Act championed by Fitzpatrick, in the centrist Republican newsblog.

#### Topic Two: National Security

Homeland Preparedness News specialty news blog, 10/07/17, "Bipartisan bill to help secure electric grid introduced in House." Rep. Fitzpatrick was among the four legislators, two from each party, who introduced the bill, which would require federal security and intelligence agencies to collaborate on a report to outline security risks to the nation's electric grid. Fitzpatrick called the bill a crucial step in defending against state actors from North Korea and Russia, hacktivist and terror groups.

Bucks County Courier Times, 10/05/17, "Brian Fitzpatrick floats cybersecurity loans for small businesses." Rep. Fitzpatrick has introduced what he describes as a bipartisan program to establish a loan program for small businesses to buy cybersecurity technology.

The Hill political blog, 09/29/17, "Bill would require Pentagon to assess security risks to electric grid." "A bill introduced by a bipartisan group of House lawmakers this week would require the Pentagon to report to Congress on significant security risks to the U.S. electric grid and their impact on the U.S. military. Rep. Fitzpatrick was one of three co-sponsors of the bill. A companion bill has been introduced in the Senate.

WFMZ Allentown, 10/06/17, "Pennsylvania congressman plays part in passing border security bill." Rep. Fitzpatrick "played a part" in passing the Border Security for America Act, which provides funding to secure points of entry.

#### Topic Three: Politics

NBC 10 Philadelphia news blog, 10/03/17, "Northeast Philadelphia Man on Washington DC List of 30 Under 30." Joe Picozzi, 22, a Congressional staffer from Philadelphia, made the list of young achievers, sponsored by the conservative website Red Alert. "Elected the youngest chairman of the D. C. Federation of College Republicans, Joe successfully organized a campaign deployment to Bucks County, Pennsylvania, to help elect President Trump, Senator Pat Toomey and Congressman Brian Fitzpatrick."

PoliticsPA political blog, 10/05/17, "Center-Right Group Launches Ads Thanking Two Pa Congressmen." The American Action Network, a "Right-leaning group," according to the article, has launched ads thanking Republican Reps. Fitzpatrick and Costello for supporting tax reform.

Meridian-Star (Meridian, MS) newspaper, 10/05/17, "Cokie & Steven V. Roberts: Closing a 'cavernous divide,' " syndicated op-ed by two liberal commentators. A piece on the "tribal feud on Capitol Hill" that quotes Rep. Fitzpatrick's comments in a New York Times interview regarding the extreme partisanship in Congress. Same op-ed appeared in the 10/4/17 Courier-Express (DuBois, PA).

#### Topic Four: Local Interest

Bucks County Courier Times, 10/2/17, "Smiles, flags as 34 become citizens." "Our community welcomes you," Rep. Fitzpatrick told 34 newly naturalized U.S. citizens at a ceremony at the Pearl Buck House in Hilltown.

**Toomey in the News** - We are looking back at the past two weeks of news, as this section was not in last week's MoCTrack report.

Topic One: Tax Reform

The majority of news coverage relating to Senator Toomey these past two weeks have revolved around the tax reform/tax cut plan that he is spearheading and heavily promoting. The 09/27/17 Philadelphia Inquirer ran a piece that provided ample details about the 'Unified Framework For Fixing Our Broken Tax Code' plan. However, they observe that it "...leaves many key questions unanswered. In it, the White House and Republican congressional leaders do not identify the numerous tax breaks they say will be removed to offset some of the trillions of dollars in revenue lost by cutting tax rates." That Inquirer article quoted the Senator, who asked, "We've definitely identified the items that can get us there. The question is, will we have the political will to do it?" On the same day, the Morning Call carried an article that quoted heavily from an interview they had with the Senator about the tax plan. He said to them, "...the biggest thing that people are going to see is a tax reduction for themselves, a simplification in terms of their filing, and I think they're going to see a stronger economy. They're going to see more job opportunities, upward pressure on wages, bigger job gains, fewer unemployed people. I think those are the things that the average family in Allentown is going to see." The piece reported that the Senator said the plan would reduce the deficit, but the article went on to observe, "...Some outside experts and Democrats, however, have been skeptical of how much faster the U.S. economy would grow under the proposed tax cuts." The Washington Examiner had a 09/27/17 article concerned with the timing of the tax reform plan. In it, Senator Toomey said "I really hope we get this done this year before the end of the year, get this signed into law. We're going to have a budget mark-up next week, and so if a budget comes out of committee, that'll be a big important milestone. I think within probably the following week we'll be on the Senate floor with a budget." On 09/29/17 Politico reported on the more detailed 89 page plan the Republicans released the previous day. Politico describes it by noting "...Under the budget proposal, Republican tax writers can add up to \$1.5 trillion to the deficit over 10 years, giving lawmakers more flexibility as they attempt a once-in-a-generation revamp of the U.S. tax code. With more wiggle room to slash revenue, GOP legislators hope they will be able to go even lower on tax rates for individuals and corporations."

Topic Two: the future of Dodd-Frank and the Tax Reform plan

The Morning Consult (a nonpartisan digital media and survey research company) ran a 09/28/17 article titled 'GOP Lawmakers Weighing Whether to Use Tax Bill to Dismantle Dodd-Frank.' The article observes that "...in a December 2016 Senate floor speech, Toomey said that there's precedent for rolling back regulations through reconciliation. By sending the Banking Committee reconciliation instructions, Toomey said at the time, lawmakers can alter the financial regulatory agencies' funding streams that Dodd-Frank established." The 09/29/17 Politico piece on the 89 page budget plan notes "...in recent months, Senate budget writers had also mulled reforms for Dodd-Frank financial rules and student aid programs, according to multiple sources. But the budget document does not include instructions for either the Senate Banking Committee or the Senate Health, Education, Labor and Pension Committee." But on 10/02/17 Breitbart News reported that Senator Ted Cruz and Senator Toomey were still working to repeal parts of Dodd-Frank, noting "Cruz and Toomey hope to include their banking repeal provision in tax reform. Republicans plan to use budgetary reconciliation to allow Congress to pass a tax reform package through the Senate with only a simple majority."

Topic Three: Trump's Wall

Steve Bannon's Breitbart News ran a piece titled 'Majority of Congressional Republicans Dodge on Support for Border Wall Funding.' In the segment about Senator Toomey, Breitbart reported "that despite multiple rounds of questions sent to Republican offices, most declined to participate while others gave "general positions" about the importance of border security. Sen. Pat Toomey, (R-PA) trotted out the talking point that the U.S. immigration system is 'fundamentally broken...Our borders are not secure, and

our immigration laws are being broken by employers trying to skirt the rules and those who seek to come here illegally.’ “

Topic Four: Football players and the national anthem

On 09/27/17 CNBC carried video (and text) related to the Senator’s position on the NFL/national anthem issue. When asked if football players should stand during the anthem, he responded “...they have every right to protest as they see fit. But I think it's totally inappropriate. What they ought to do is show their respect for the people who helped secure the country that they have... I think they ought to be standing.”

Topic Five: Gun control

In the wake of the Las Vegas mass shooting, many national outlets reported on gun control efforts, past and present. Dozens of articles cited Senator Toomey’s bipartisan work with Senator Joe Manchin to expand background checks after the Sandy Hook school shooting, an effort that failed in 2013. On 10/03/17 US News and World Report carried an article titled ‘Republican Leaders Shun Talk of Gun Control Measures.’ In it, they observe that while Senate Leader McConnell and House Speaker Ryan were not interested in advancing gun control measures, “...one of the few Republicans to support tougher gun laws in the past, Senator Pat Toomey, said he was still interested.” On that same day the UK’s Daily Mail reported that “...Toomey told reporters he would be willing to reintroduce his background check bill. But the Senate has grown more conservative since the measure failed in 2013, and he acknowledged it presently did not have the votes to pass.”

Topic Six: the failed Graham-Cassidy ‘repeal and replace’ effort

At the start of the past week (09/25/17-09/26/17), multiple outlets cited Senator Toomey’s unwillingness to state a position on the Graham-Cassidy bill. Among those outlets who simply quoted the Senator’s spokesman were Philadelphia’s WPVI ABC station, the Pittsburgh Post-Gazette and the Delaware County Times. Pittsburgh’s WPXI, the Wilkes Barre Times-Leader, Fox 43, and Central PA’s WTAJ were among the outlets that reported on 09/25/17 rallies outside of many of the Senator’s offices in opposition to the health care proposal. Once the bill was pulled from consideration, Politico reported that the Senator stated that we should “focus on taxes right now.” The Philadelphia Inquirer concurred, and quoted the Senator, who said “I still support the policy in that legislation and I’ll continue to be looking for opportunities to move forward with it.” On 10/05/17 the Inquirer went on to report that major gun safety groups no longer support the Manchin-Toomey compromise bill from 2013. They observed that “...ns for Responsible Solutions are seeking a more comprehensive measure that in their view would have fewer loopholes and ‘giveaways to the NRA.’ They hope Toomey, one of the few Republicans to support some tightening of gun laws, will give a bipartisan stamp to legislation being crafted by Sen. Chris Murphy (D., Conn.).”

## **Learning about Legislation - the “Blue Slip” process**

Around the time of the Neil Gorsuch Supreme Court nomination there was a lot of the talk of the judicial nomination process in general. Some of the reporting at that time revolved around the Republican vote to end the filibuster for judicial appointments, a vote which not only paved the way for Gorsuch himself, but also will widen the spectrum of all future judicial appointments, since a judge no longer has to receive bipartisan approval to be seated in the federal judiciary. But the filibuster is not the only way the minority party in the Senate can have a say in judicial nominations.

When the president selects a nominee for a judicial seat, notice is sent to both of the Senators from the home state of the judge. Those Senators get a “blue slip” in which they will note whether their opinion of the judicial nominee is favorable or unfavorable. While the Senate Judiciary committee may *technically* move ahead with a nominee without receiving the approval of both home state Senators (there have been six rule changes relating to this in the past 100 years), they usually do not bring a nominee to the floor without two approving blue slips. And a Senator does not need to object to stall a nomination - some Senators have simply not returned a blue slip at all to delay the process.

This “blue slip” process is always complained about by the party in the majority, and leaned upon by the party in the minority. Right now there are any number of articles like a [July piece](#) in the Washington Times titled “Senate Democrats hold blue slips, delay Trump’s federal judicial nominees.” But if you go back a few years, you can find just as many pieces touting the Republican efforts to hold up President Obama’s nominations, like this 2013 Talking Points Memo [article](#) titled “How Republicans Can Still Block Obama’s Judges: Blue Slips.”

If this topic interests you and you would like to read a scholarly treatment of the history of the Blue Slip process, William and Mary Law school has a fascinating article [here](#) titled ‘The “Blue Slip”: Enforcing the Norms of the Judicial Confirmation Process’ by Professor Brannon P. Denning.

## Votes of Interest

### **H.R. 36: Pain-Capable Unborn Child Protection Act**

<https://www.govtrack.us/congress/bills/115/hr36/text>

This bill was introduced by Rep. Trent Franks (R-AZ) and has 182 cosponsors (180R, 2D). This bill would criminalize abortions performed after the 20th weeks of pregnancy. Exceptions are in place for cases of rape, incest, or to protect the life of the mother. GovTrack notes that the bill “...passed the House in both of the past two sessions of Congress, but now with complete Republican control of Congress and the presidency, the bill’s odds of passage seem higher than ever.” The bill passed 237-189, and **Fitzpatrick voted YES.**

### **H.Con.Res. 71: Establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027**

<https://www.govtrack.us/congress/bills/115/hconres71/text>

Several weeks ago the House passed a budget. This concurrent resolution is different - it sets budget recommendations for coming years. It also creates budget enforcement procedures and establishes reserve funds for legislation relating the commercialization of air traffic control, investments in national infrastructure, comprehensive tax reform, and the State Children’s Health Insurance Program (CHIP). The resolution passed 219-206, and **Fitzpatrick voted NO.** He joined a group of 18 Republicans who voted against the bill, including area Republican Congressmen Costello (PA-06), Meehan (PA-07) and Dent (PA-15). Representative Fitzpatrick did not have anything on his website or on Twitter in regards to his No vote. However a 10/04/17 [Politico piece](#) on the legislation notes that it includes cuts to entitlement programs that Fitzpatrick has supported, as well as anti-environmental actions (like “seeking \$1 billion in additional revenues from energy sources like opening up oil drilling in the Arctic”) that could explain Fitzpatrick’s lack of support.

### **On the Nomination PN89: Ajit Varadaraj Pai, of Kansas, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2016**

<https://www.govtrack.us/congress/votes/115-2017/s209>

Ajit Pai is a highly controversial pick for the FCC Chairman. The short version of why is that he basically wants to scrap net neutrality, the concept that everyone gets the same access to the web and internet service providers can’t throttle service or get paid to give companies faster or better access. Instead of getting deep into it, I’ll refer you to [this John Oliver clip](#) where he explains why this issue is critical to the just about every aspect of our lives, even if we don’t realize it. The Senate voted 52-41 to confirm Mr. Pai in his position. **Casey voted NO** and **Toomey DID NOT VOTE.**

### **On the Nomination PN352: Lee Francis Cissna, of Maryland, to be Director of United States Citizenship and Immigration Services, Department of Homeland Security**

<https://www.govtrack.us/congress/votes/115-2017/s215>



Lee Francis Cissna is a former staffer for Senator Chuck Grassley, having been detailed to his staff by Homeland Security. While there is not much about him in the news, ProPublica assessed the letters he provided to the Obama Administration, and observed that this soon-to-be-Director of Citizenship and Immigration Services holds some policy positions that are controversial. They note that “while there, he drafted dozens of letters under the senator’s name to Homeland Security officials, helping Grassley, an Iowa Republican, to intensify his oversight of immigration and creating a blueprint for dismantling President Obama’s initiatives.” Among the policies he criticized are DACA, an emergency program for Central American children to reunite with parents in the United States, and a program allowing undocumented immigrants who are victims of crime to stay in the U.S. even if there are no visa slots available. The Senate voted 54-43 to confirm Mr. Pai in his position. **Casey voted NO and Toomey voted YES.**

## Legislation of Interest

### **S. 1880/H.R. 3848: We the People Democracy Reform Act of 2017**

<https://www.govtrack.us/congress/bills/115/s1880/text>

This bill was introduced in the Senate by Sen. Tom Udall (D-NM) and it has 14 cosponsors (13D, 1I). An identical bill was introduced in the House by Rep. David Price (D-NC), but that does not have any cosponsors yet. The subtitle of the legislation is “a bill to reform our government, reduce the grip of special interest, and return our democracy to the American people by increasing transparency and oversight of our elections and government, reforming public financing for Presidential and Congressional elections, and requiring States to conduct Congressional redistricting through independent commissions.” It is lengthy, but contains a number of improvements that would reduce the ability for money contributed to be “dark” and would eliminate gerrymandering in Congressional elections by mandating the use of independent redistricting commissions. If these are goals you support, I would recommend that Our MoCs be contacted on this bill, especially Representative Fitzpatrick.

### **H.Res. 549: Supporting the understanding that climate change is real**

<https://www.govtrack.us/congress/bills/115/hres549/text>

This resolution was introduced by Rep. Adriano Espaillat (D-NY) and it has 12 Democrat cosponsors. It is pending in the House Foreign Affairs Committee, where Rep. Fitzpatrick is a member. Unlike other climate change related resolutions that Rep. Fitzpatrick has cosponsored, this is more unequivocal in its conclusions and ties more directly to current events. It states that “changes in the Earth’s climate present real and immediate dangers to the United States of America and countries around the world” and “recent catastrophic weather events, like Hurricanes Harvey, Irma, Jose, and Maria, were clearly more intense and devastating as a result of global warming.” It also observes that “the Nicaraguan government will be joining the Paris Climate Accord, making Syria the only nation not to be a part of the deal, and the United States the only nation determined to pull out of it.” Amongst the list of conclusions, it states that it “strongly supports the United States of America’s reentry into the Paris Climate Accord.” If you support the Paris Climate Accord, you should contact Representative Fitzpatrick and ask that he cosponsor this resolution.

### **H.R. 3876: SWAMP FLYERS Act - Stop Waste And Misuse by Presidential Flyers Landing Yet Evading Rules and Standards Act, to prohibit the use of Federal funds for the official travel of any senior political appointee on private aircraft**

<https://www.govtrack.us/congress/bills/115/hr3876/text>

### **H.R. 3879: Taxpayers DIME Act of 2017 - Taxpayers Don’t Incur Meaningless Expenses, to limit the use of Federal funds for the use of the travel expenses of senior Federal officials in contravention of certain regulations**

<https://www.govtrack.us/congress/bills/115/hr3879/text>

In light of the recent scandals related to travel expenses of Trump appointees, a pair of new bills were introduced last week that would address the egregious waste of taxpayer money on unnecessarily lavish

travel accommodations for government officials. I have no doubt this scandal will die down in the coming days as some new affront will surely replace it, but these two bills (and particularly H.R. 3876) have entered my list of bills to be commended for clever names, along with the COVFEFE Act (H.R. 2884) and the MAR-A-LAGO Act (H.R. 1711).

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](http://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](http://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...

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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!