

## Week ending 12/10/17 - PA-08 MoCTrack Report

With the holiday season upon us, some segments of MoCTrack are going on hiatus until the new year. We'll pick up with more bits of Learning about Legislation and Legislation of Interest in 2018. Please expect a similarly abbreviated report next week while I get ready for our year-end gift to you all. I'm in the midst of compiling year-in-review legislation recap for Fitzpatrick, Casey and Toomey. You don't want to start the new year without taking a look at all the votes your elected officials have made on your behalf in 2017.

## 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 - **29.6%** (+1.3 from last week)

Representative Brian Fitzpatrick - **78.6%** (-2.5% from last week)

Senator Pat Toomey - **90.4%** (no change from last week)

Nate Silver's FiveThirtyEight website assesses the voting records of our MoCs to provide this index assessment. They scored four votes this week. In the House they reviewed the articles of Impeachment, the concealed carry reciprocity act, and the short term government funding bill. In the Senate, they only scored that same funding measure.

## Votes of Interest

### H.R. 38: Concealed Carry Reciprocity Act of 2017

<https://www.govtrack.us/congress/votes/115-2017/h663>

This bill was introduced by Rep. Richard Hudson (R-NC) and it had 213 cosponsors (201R, 3D). Right now states have differing rules about how one might get a license to carry a concealed firearm in public. Some states require little more than a simple request and payment, other states give out few permits and make one participate in training. Most of the states with tough restrictions do not currently recognize the concealed-carry permits of states with loose regulation. This bill would force every state to recognize every other state's permit recipients. In the days before this came up for a vote, the Rules committee agreed that this bill should be combined with another pair of bills; one that would have tightened up the national background check system, and another that would allow for research into bump stocks. This was a really devious bit of work - a person could not vote for better background checks without allowing domestic abusers and stalkers (who are allowed concealed carry permits in some states, but forbidden in other states by laws passed in state legislatures) free reign to concealed carry throughout the entire country. The bill came up for a vote on 12/06/17, and it passed 231-198. **Fitzpatrick voted NO**, along with other suburban PA Reps. Meehan and Costello.

### H.J.Res.123: Making further continuing appropriations for fiscal year 2018

<https://www.govtrack.us/congress/bills/115/hjres123>

Back in September President Trump came to an agreement with Sen. Chuck Schumer (D-NY) and Rep. Nancy Pelosi (D-CA) on a short term funding measure to keep the government open for three months. That money ran out on 12/08/17. Instead of haggling over the issue again while they were in the middle of the conference for the GOP tax plan (for more on that read below), the House voted on 12/07/17 to approve an extra 2 weeks' worth of funding. It passed in a 235-193 vote, and **Fitzpatrick voted YES**. The bill went to the Senate on the same day, and passed in an 81-14 vote. **Casey voted Yes** and **Toomey did not vote**. The President signed this short term spending bill on 12/08/17. Be prepared for this topic to come up again by Christmas.

### H. Con. Res. 90: Condemning ethnic cleansing of the Rohingya and calling for an end to the attacks in and an immediate restoration of humanitarian access to the state of Rakhine in Burma

<https://www.govtrack.us/congress/votes/115-2017/h664>

This resolution was introduced by Rep. Joseph Crowley (D-NY), and it has 31 cosponsors (20D, 11R) includes Rep. Fitzpatrick and many other members of the Foreign Affairs committee. The title of the resolution is fairly self-explanatory. The one piece of the resolution that is particularly interesting is that it "calls on the President of the United States to impose sanctions on members of the Burmese military and security forces who are responsible for human rights abuses." This is significant in that the President has

made it clear in the international community that he is not interested in pursuing the agenda of robust protection of human rights (as did all of his predecessors, regardless of party). This is a nearly unanimous assertion on behalf of the legislative branch that they feel it is his responsibility to return to a stance of defending human rights.

### **On Motion to go to Conference: H.R. 1: Tax Cuts and Jobs Act**

<https://www.govtrack.us/congress/votes/115-2017/h653>

The House took the step of voting to go to a conference with the Senate to iron out the differences between the two versions of the GOP tax bill. The conferees for the House will be Reps. Kevin Brady (R-TX), Devin Nunes (R-CA), Peter Roskam (R-IL), Diane Black (R-TN), Kristi Noem (R-SD), Rob Bishop (R-UT), Don Young (R-AK), Greg Walden (R-OR), John Shimkus (R-IL), Richard Neal (D-MA), Sander Levin (D-MI), Lloyd Doggett (D-TX), Raúl Grijalva (D-AZ) and Kathy Castor (D-FL). The vote to agree to a conference took place on 12/04/17, and it passed 222-192. **Fitzpatrick voted YES.** This came up for a vote on 12/06/17, and it passed 423-3. Fitzpatrick voted YES. [CNN](#) described what comes next for the tax bill:

Republicans have a big job ahead of them as major differences remain between the Senate and House tax bills. For one, the Senate bill repeals the individual mandate, which requires individuals to buy health insurance or face a fine. The House bill did not repeal it. The Senate bill also kept intact the alternative minimum tax, which the House repealed. The Senate also sunset tax cuts for individuals, something the House bill kept permanent... The broad contours of the two bills remain the same, but the regional differences that complicated the tax bill as it moved through the House and Senate are also likely to pop up again in conference. For example, northeast and California Republicans have advocated to restore more state and local tax deductions than are currently in the two chambers' bills. And Republicans in both the House and Senate have argued that larger tax breaks should be given to so-called pass through businesses.

### **On Motion to Table: H RES 646 (one of the introduced articles of impeachment)**

<https://www.govtrack.us/congress/votes/115-2017/h658>

This is a vote to table, or set aside, one version of the articles of impeachment against President Trump. This version was introduced by Rep. Al Green (D-TX) - it is not the same set that was reviewed in depth in a previous MoCTrack report. [GovTrack](#) describes the charges brought in this set of articles, which include "bringing disrepute, contempt, ridicule and disgrace on the Presidency; associating ... the presidency with causes rooted in white supremacy, bigotry, racism, anti-Semitism, white nationalism; and inciting hate and hostility ... on the basis of race, national origin, religion, gender, and sexual orientation." When Rep. Green brought this to the floor he announced, "Donald John Trump, by causing such harm to the society of the United States is unfit to be president and warrants impeachment, trial and removal from office." [Politico](#) reports that Democratic leader Nancy Pelosi and Minority Whip Steny Hoyer released a joint statement which read in part, "Now is not the time to consider articles of impeachment." I feel that it is likely that they want to wait for the release of the Mueller investigation findings before taking any impeachment actions. This vote was taken on 12/06/17 - a vote of YES is a vote to NOT move ahead with impeachment. The motion passed with a 364-58 result, and **Fitzpatrick voted YES.**

### **On the Nomination PN1095: Kirstjen Nielsen, of Virginia, to be Secretary of Homeland Security**

<https://www.govtrack.us/congress/votes/115-2017/s305>

Kirstjen Nielsen is the Trump Administration pick to replace General John Kelly (not Trump's Chief of Staff) as Secretary of Homeland Security. [CNN](#) reports, "Nielsen was Kelly's chief of staff at DHS and went with him to the White House before Trump nominated her." While Ms. Nielsen has experience in the field, her reputation is not entirely clean. The [Washington Post](#) indicated "Last month, a watchdog group filed an ethics complaint against Nielsen after she used a private consultant who represents clients with millions of dollars in DHS contracts to help her navigate the confirmation process." The [New York Times](#) reported that a number of former Homeland Security officials including Tom Ridge and Michael Chertoff, who both served as DHS Secretary, endorsed Ms. Nielsen. But after the confirmation process Sen. Maggie Hassan (D-NH) observed, "Throughout her confirmation process, Ms. Nielsen failed to demonstrate that she would provide the steady experienced leadership — free from political interference

from the White House — that the department needs.” In a vote taken on 12/05/17, Ms. Nielsen’s nomination was confirmed 62-37. **Casey voted NO** and **Toomey votes YES**.

### **MoC Twitter Action**

**Senator Bob Casey hot topics:** On 12/06/17 Senator Casey called on his colleague, Senator Franken, to resign. The rest of his tweets this week were spread between support for funding the CHIP program, and denunciations of the GOP tax plan. He shared multiple articles that all focused on different ways the tax bill would negatively affect his constituents. The Senator also tweeted a picture of a naval dispatch from 1941, informing the US government “AIR RAID ON PEARL HARBOR X THIS IS NOT A DRILL”

Casey tweet of the week, 12/07/17: “Cost of GOP tax bill = \$1.446 trillion (over 10 years)

Cost of 5-years of health insurance for 9 million kids = \$8.5 billion

$1446/8.5 = 170.1 * 5 = 850$  years

You could fund CHIP at current levels for 850 years for the cost of the GOP tax bill.

**Representative Fitzpatrick hot topics:** the only tweet Rep. Fitzpatrick made in his own words pertained to a remembrance of Pearl Harbor. He also shared articles from two news sources (Ripon Advance and the Intell/Courier) on a pair of bills (his co-sponsorship of the anti-harassment initiative and a bill to make college costs more transparent).

Fitzpatrick tweet of the week, 12/05/17: “from the Ripon Advance, “Bucks County Rep. @RepBrianFitz has bipartisan plan to make data on college cost and post-graduate success and earnings available to students & families.”

**Senator Pat Toomey hot topics:** With the exception of one message commemorating Pearl Harbor Day, Senator Toomey confined his tweets solely to supporting the GOP tax bill. He shared links to media appearances he made in support of the bill, and put out more “Myth v. Fact” memes.

Toomey tweet of the week, 12/08/17: “When the Tax Cuts and Jobs Act is enacted, it will mean big changes for small businesses: Less money to Uncle Sam, more money to invest in growing American businesses!”

### **Honorable mention, lawmaker**

From Rep. Will Hurd (R-TX): “That’s why we need a #CyberNationalGuard” (shared with [article](#) titled ‘The Government’s Struggle to Hire Young Tech Talent is Worse than You Thought’)

### **Honorable mention, journalist**

From Bloomberg reporter Steven Dennis: “Senate GOP still hasn’t produced 1 analysis backing up their assertions their tax cut won’t add to the deficit. If you see one, please ping me.”

### **Casey in the News**

Brought to you by MoCTrack contributor Clair Oaks

#### Topic One: GOP Tax Plan

An article in [The Alliance Review](#) discussed the unanimous Democratic Senate opposition to the GOP’s tax plan. Democratic Senators are working hard to help their constituents understand what this bill will actually mean for them. Republicans, including the President claim the plan will bring relief to middle class families. Democrats counter that the plan will actually greatly increase the country’s deficit and while giving modest, short term relief to the middle class, large corporations and the wealthy will receive proportionally much greater benefits from the plan. Senator Bob Casey called the GOP tax plan, “an insult” to middle-class families in Pennsylvania who will pay more in taxes “while the super-rich and big corporations get a windfall. It’s obscene.” On 12/03/17 [WHYY](#) covered a Sen. Bernie Sanders (D-VT) rally in Reading PA, against the GOP tax bill. “Sanders described an alliance with Pennsylvania’s Democratic U.S. Sen. Bob Casey in rejecting the bill, which was supported by the state’s Republican U.S. Sen. Pat Toomey who called it a win for American families and businesses.” In an article in [The Citizen’s Voice](#) the sharply different views by Republicans and Democratic Congress people on the GOP Tax Bills. Casey

called the reform bills “a giveaway to the super-rich and big corporations.” The article recapped Casey’s argument, reporting “with corporate profits at an all-time high as a percentage of gross domestic product since 1929, and wages at a 15-year low, aiding corporations this much at the expense of the middle class makes no sense.” They further observed that Casey prefers and even larger increase in the child tax credit than the House’s \$1,600 per child and Senate’s \$2,000. It’s \$1,000 now. “Give the middle class the biggest tax cut possible,” Casey said. The [Philly Voice](#) reported on the Senator’s objections to the process. Casey was quoted “As I’ve said before, Senate Republicans engaged in a rushed and rigged process to jam through a tax scheme that will raise taxes on many in the middle class while lavishing the wealthy and biggest corporations with massive giveaways. The first time I saw the tax bill, which moves around upwards of \$10 trillion in our economy, was late on a Thursday night, the legislation was passed out the Finance Committee the following Thursday and the Senate two weeks later – to say this process was irresponsibly rushed is an understatement.” Lastly, [WNPV AM radio blog](#) observed that the Senator refuted some of President Trump’s claims as it relates to the benefits the middle class will see from the tax plan. Casey said “A lot of corporations have already announced that they’re going to give this back in terms of dividends to shareholders and or stock buybacks or God help us even executive increases or bonuses. But at least they are willing to admit on the record that this will go to dividends and stock buybacks and not to wages.” Casey also said the child tax credit and the earned income tax credit need to be improved.”

Topic Two: Casey’s work for continued funding for National Institutes of Health

[Business Wire](#) ran an article titled: *NDRI to Honor NIH Director Dr. Francis Collins and U.S. Senator Bob Casey at 2018 Service to Science Awards Dinner* NDRI (National Disease Research Interchange) President and CEO, Bill Leinweber will present the award. The article states that NDRI wants to thank Casey for his “strong and effective advocacy that allows NDRI to partner with scientists throughout the world to expand the horizons of medical knowledge and find answers to today’s most pressing biomedical challenges.” In a co-authored letter, Senator Casey said: “If we are to continue improving the health of Americans and the quality of their lives, we must continue to invest in biomedical research that has the potential to save money in the future, improve the lives of Americans and offer an economic return for our Nation. Investing in research today will yield cures and therapies for patients tomorrow.”

Topic Three: Sexual harassment by Members of Congress

[The Inquirer](#) ran a story about Representative Tom Marino (R- 10 Cogan Station) who introduce a bill, H.R. 4540 that, quoting the article, “would require the repayment of taxpayer dollars used in sexual harassment settlements against a Member of Congress, including interest. H.R. 4540 “would also require the Office of Compliance to publish a report listing all past and future awards and settlements against a member of Congress relating to sexual harassment, including the identity of the Congressman or Senator while protecting the identity of the victim. On Tuesday, Senator Bob Casey’s spokeswoman, Jacklin Rhoads, said the Senator had not reviewed the bill yet, but that he “is committed to supporting policies that hold anyone engaged in sexual harassment or assault fully accountable.” An article in [Time](#) magazine discusses the tipping point that has occurred in the US Senate, regarding sexual assault and the standards we are setting for our elected officials (in Congress anyway)...with lawmakers from both parties announcing resignations after sexual harassment allegations were made against them. Senator Bob Casey is quoted as saying “I don’t know how you could be a public official in either party and support a nominee that has as many disturbing allegations as the candidate in Alabama has,” and “If he (Roy Moore) is elected, it’s going to be a fundamental decision: Is he elected and retained in the Senate, or is he not?” [Penn Live](#) reported that Senator Bob Casey joined 7 of his colleagues (all women) in saying Senator Al Franken should resign from the US Senate, after a new allegation of sexual harassment. The article quoted Senator Casey from his Tweet, “I agree with my colleagues who have stepped forward today and called on Senator Franken to resign. We can’t just believe women when it’s convenient.”

### **Fitzpatrick in the News**

Brought to you by MoCTrack contributor Gail Friedman

Topic One: Civility

In articles in [The Hill](#) and [Roll Call](#), online political blogs, freshman representatives, including Brian Fitzpatrick discussed the civility pledge they've signed, and praised their collegial relationships. The new legislators named their best friends of the opposite party in The Hill, except for Fitzpatrick, who said, "It's impossible (to name one)."

#### Topic Two: College Costs

Rep. Fitzpatrick has introduced a bill to improve information available to college students and their families on college outcomes, such as student earnings, graduation rates, debt load, and employment, to be made available through the U.S. Department of Education ([Ripon Advance](#), centrist Republican news daily, [OpposingViews.com](#) blog).

#### Topic Three: DACA

Rep. Fitzpatrick was among 34 House Republicans who have signed a letter telling Speaker Paul Ryan to find a solution to the DACA issue before the holidays ([Washington Examiner](#) online political news publication, [PJ Media.com](#) online political news publication). The [ThinkProgress](#) progressive online news publication pointed out that it would only take 22 more Republican signatures to bring the Dream Act of 2017 to the House floor for a vote in a pending procedure known as a "discharge petition." Fitzpatrick has not signed the discharge petition, nor have most of the other House Republicans.

#### Topic Four: Environment

As reported earlier by several publications, Rep. Fitzpatrick and Rep. Ryan Costello were among the 12 House Republicans who signed a letter against the provision included in the Senate version of the tax overhaul plan that would allow leasing of portions of the Arctic National Wildlife Reserve for oil and gas drilling ([Auburnpub.com](#), upstate New York news blog).

#### Topic Five: Federal pay

Rep. Fitzpatrick was among a dozen members of Congress who signed a letter asking the president to raise military employees' pay in 2018 slightly beyond what he has proposed (to 2.4 percent instead of 2.1 percent), and to extend equal pay raises to civilian federal employees, who have been slated for 1.9 percent raise ([FCW](#), federal online technology blog, [Federal NewsRadio.com](#), and [GovExec.com](#) Federal business blog).

#### Topic Six: Foreign Affairs

With Rep. Brendan Boyle (D-PA 13), Rep. Fitzpatrick penned an editorial for the [Irish Times](#) expressing bipartisan support in the U.S. Congress for keeping the "soft" border established between Northern Ireland and the Republic of Ireland in the face of Brexit. Northern Ireland is part of the United Kingdom, which has voted to secede from the European Union, but the Republic is not, which could create customs and other economic and administrative issues when Brexit occurs.

#### Topic Seven: Hate crimes

Continuing coverage of the delegation of students and teachers who traveled to Washington, D.C., at Rep. Fitzpatrick's behest to testify on the vacant House floor about hate crimes in their communities. The testimony was entered into the Congressional Record ([Bucks Local News](#)).

#### Topic Eight: Politics

An op-ed by Peg Dissinger of Newtown Township, "Brian Fitzpatrick is not our 'independent voice' in Congress," takes the representative to task for the inconsistencies and "flip flops" of his legislative agenda ([Bucks County Courier Times](#), Burlington County Times).

#### Topic Nine: Sexual Harassment

After calling Rep. Fitzpatrick has called on the House Ethics Committee to investigate cases of public funds being used to settle Congressional sexual harassment claims, Rep. Fitzpatrick has co-sponsored two bills intended to change the way harassment suits are settled. The STOP Act (Settlement Tax Deductions are Over for Predators) would bar taking tax deductions for harassment claims in the private sector as a business expense. The Congressional Accountability and Hush Fund Elimination Act would

expose secret settlements and bar the use of public funds to settle harassment suits [Ellwood City Ledger](#) (Western PA), [GoErie.com news blog](#), [Burlington County Times](#) (NJ).

#### Topic Ten: Taxes

Some 300 protesters swarmed the offices of Republican House members who voted for the tax overhaul package and are perceived as vulnerable in the 2018 election. From Pennsylvania, Reps. Fitzpatrick, Dent and Costello were targeted ([ThinkProgress](#), progressive blog, [Morning Call](#), Allentown). The [Bucks County Courier Times](#) published an op-ed by Democratic House candidate Rachel Reddick, in which she excoriated Rep. Fitzpatrick for his vote in favor of a tax overhaul proposal she said will hurt working families, cut essential human services, and must be defeated. Continuing coverage of the labor-led PAC, Save Our Care, which has launched multi-media attack ads aimed at four Southeastern Pennsylvania Republican Congressmen—Brian Fitzpatrick, Charlie Dent, Ryan Costello and Pat Meehan—who voted for the tax overhaul plan ([WHYY](#) public media, [City and State Pennsylvania](#) online political news publication, [PoliticsPa](#) online political news).

#### Toomey in the News

Topic One: the Senate passes the GOP tax bill

Senator Toomey spoke about the tax bill from his Center City Philadelphia office on Monday, 12/04/17. [NBC 10](#) reported that the Senator said the bill was a “tremendous legislative accomplishment” that will benefit “virtually all lower- and middle-income taxpayers.” [WFMZ Channel 69](#) out of Allentown carried a video clip of the Senator’s speech. Toomey stated, “America is going to be the best place in the world to invest new money, to expand an existing business, and to open up a new business.” He added, “It definitely lowers the tax burden on low income and middle income families. We fundamentally restructured the business tax code so American businesses can compete in a global economy so we can attract investment.”

Topic Two: Toomey chosen as a Senate Conferee for Tax bill

The [Washington Times](#) reported on the eight legislators chosen by Senate Majority Leader Mitch McConnell to negotiate with House members for a final version of the tax bill. “The conferees include: Finance Committee Chairman Orrin G. Hatch of Utah, Budget Committee Chairman Mike Enzi of Wyoming, and Energy and Natural Resources Committee Chairwoman Lisa Murkowski of Alaska. The other five conferees are all members of the tax-writing Finance Committee: Sens. John Cornyn of Texas, John Thune of South Dakota, Rob Portman of Ohio, Tim Scott of South Carolina, and Pat Toomey of Pennsylvania.” The [Allentown Morning Call](#) reported that in making this choice, McConnell referred to Toomey as one of the “core four” (along with Portman, Scott and Thune). [CBS 1060](#) carried audio covering this topic. To them, Toomey noted “All differences that can be resolved. The big tools to achieve the goals are the same.”

Topic Three: Local opposition to the Tax Bill

Both the Pittsburgh Post-Gazette and [WPXI Channel 11](#) in Pittsburgh reported on two women who chained themselves to Toomey’s local office to protest the tax bill. Chelsey Engel, one of the protestors observed of the bill, it “rammed through Congress irresponsibly and hastily by Toomey and his fellow Republicans.” She added that the move to block the entrance to the office building “is nothing compared to the havoc Republicans have just decided to unleash on the economy.” Anti-Toomey sentiments also ran hot in Reading, where Senator Bernie Sander (I-VT) spoke to over 1600 attendees at an anti-tax plan rally. The [Reading Eagle](#) carried a full 48 minute video of Sanders’ speech. Sanders exclaimed, “we have to do everything we can to defeat this horrific piece of legislation.” [WHYY](#), the Philadelphia NPR station, also quoted from Sanders’ speech, when he asked “Why in God’s name would anybody support legislation that provides 62 percent of the benefits to the top one percent? That is a question you might want to ask Senator Toomey, one of the leading advocates.”

Topic Four: The Alabama Senate election and Roy Moore

Senator Toomey is standing by his mid-November statement that Alabama Senate candidate Roy Moore should step down as a candidate. Brian Hickey, of the [Philly Voice](#) reports, “I reached out to Toomey spokesman Steve Kelly on Tuesday morning to see whether his boss would hop aboard the support-

Moore train. He had a quick, simple answer for me. 'The senator stands by what he said on Meet The Press that Roy Moore should step aside,' Kelly said." [Politico](#) confirms this in their reporting, with Toomey having recently said, "I suggested that he should step aside. I still think that would have been the best outcome. But at this point it's in the hands of the people of Alabama." Politico followed up by asking whether Moore would be a problem for Republicans. Toomey said, "I don't think so."

Topic Five: CHIP funding

[NBC's Johnstown affiliate](#) reported that "nearly 180,000 children in Pennsylvania rely on the Children's Health Insurance Program, or CHIP, which is in danger of running out of money early next year." They reported that Toomey was unconcerned, and said "we'll restore CHIP sometime soon. I think in most states the clock runs out in January sometime. I think it'll probably happen in December." The Bradford Era carried an article on a conversation they had with the Senator's spokesperson. They reported, "Steve Kelly, press secretary for U.S. Sen. Pat Toomey, said that no one is anticipating deficits or delays in CHIP funding for Pennsylvania or elsewhere in the United States. He said a bill re-authorizing CHIP was approved by the Senate Finance Committee in November, but has yet to be approved by the full Senate. Last month, the House passed the CHIP re-authorization."

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 the Lower Bucks Indivisible 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!