

## Week ending 02/25/18 - 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 — **30.3%** (no change from last report)

Representative Brian Fitzpatrick — **83.6%** (no change from last report)

Senator Pat Toomey — **90.6%** (no change from last report)

Nate Silver's FiveThirtyEight website assesses the voting records of our MoCs to provide this index. As the Congress was out on recess this week, there were no votes to score.

### Words from our Founders

"A Government of Good Laws well administered should carry with them the fairest prospect of happiness to a community, as well as to individuals." - [Abigail Adams](#), 1776

### Votes of Interest

#### H.R. 3299: Protecting Consumers' Access to Credit Act of 2017

<https://www.govtrack.us/congress/bills/115/hr3299>

I missed this significant vote from last week, and I want to give a big "Thank You" to Steve Cickay of Fridays with(out) Fitzpatrick for bringing it to my attention. This bill was introduced in the House last July by Rep. Patrick McHenry (R-NC). The [Republicans](#) have presented this as a bill that will help address "market uncertainty" caused by a circuit court decision about lending rates. In reality, the bill "makes it easier for payday lenders and other nonbanks to use rent-a-bank arrangements to ignore state interest rate caps and make high-rate loans," notes a [letter](#) sent to Congress in opposition to this bill, signed by 152 state and national organizations, from groups as diverse as Habitat for Humanity to the National Consumer Law Center to the Philadelphia Unemployment Project. They argue that this bill makes it possible for lenders to ignore the maximum interest rate set by a state law by selling the loan to an out-of-state lender in whichever state has the most lenient banking laws.

This bill came up for a vote on the House floor on Feb. 14, 2018. It passed with a final vote of 245-181, and **Fitzpatrick voted YES**. The bill now moves on to the Senate, where it has already been assigned to the Senate Banking, Housing and Urban Affairs Committee. Our own Senator Pat Toomey will no doubt be integrally involved with this bill, as he is the Financial Institutions and Consumer Protection sub-chairperson of that committee. If the issue of payday loans and usurious interest rates or federal laws that bypass duly enacted state laws motivates you, perhaps Senator Toomey needs a call on this bill.

### MoC Twitter Action

**Senator Bob Casey hot topics:** The senator spread his attention around to a number of topics this week. He blasted the President for his plan to allow the introduction of healthcare plans that don't cover pre-existing conditions. Casey commended the students of Parkland, Fla., for their tenacity in pursuing common sense gun safety regulations. He shared articles about protecting US steelworkers and the vast profits being made by corporations via stock buybacks in the wake of the GOP tax bill. And he condemned the ongoing regulatory actions to end Net Neutrality.

**Casey tweet of the week, 02/22/18:** "If the GOP had adopted my amendment, workers would have seen a wage increase commensurate with any increase in executive compensation, stock buybacks and dividends payments."

**Representative Fitzpatrick hot topics:** Other than promotional images of visits he made this week, the representative only made three tweets that relate to policy issues. He had a multi-tweet response to the massacre of students in Parkland, Fla.

**Fitzpatrick tweet of the week, 02/21/18:** "All options must be on the table to include comprehensive background checks, bump stock ban, prohibiting the sale of military assault

weapons and full funding for gun violence research in a comprehensive manner that could have prevented the #Parkland tragedy. We must study this tragedy from beginning to end and plug all holes to prevent #Parkland from ever happening again. All options must be on the table. #ProtectOurKids”

**Senator Pat Toomey hot topics:** The senator only shared four tweets during this Congressional recess. Three related to his Feb. 25, 2018, appearance on *Meet the Press* with Chuck Todd, and the last was a statement to wish everyone a Happy Presidents Day.

**Toomey tweet of the week, 02/25/18:** “Thank you @chucktodd for having me on this morning. ICYMI, watch my segment on @MeetThePress. We discussed my and @Sen\_JoeManchin’s bill to tighten background checks to ensure those who shouldn’t have guns can’t get them.” (shared with a link to the [NBCNews clip](#), titled *Full Toomey: ‘Very skeptical’ over raising age for gun purchases*)

#### **Honorable mention, lawmaker**

From @SenWarren, Senator Elizabeth Warren (D-MA), 02/23/18: “My motives are clear – if @MickMulvaneyOMB is interested, he can watch my speech explaining why I supported the @CFPB’s rule limiting forced arbitration. But he still hasn’t explained why he’s been protecting the interests of payday lenders who financed his political campaigns.” (shared with a [clip](#) of her Senate floor speech, titled *Only bank lobbyists want to reverse the CFPB’s arbitration rule*)

#### **Honorable mention, journalist**

From @JohnAravois, currently an editor of @AmericanBLOG, formerly a reporter with *The Economist*, 02/24/18: “1) So the House GOP Intelligence committee has finally released the Democratic memo about Trump’s collusion with Russia, Carter Page, and the Steele (aka Pee Pee) memo. Let’s pull out some of the good stuff... 13) Bottom line: Four Republican federal judges found sufficient evidence that former top Trump campaign foreign policy aide Carter Page was acting as a Russian agent, to issue a FISA warrant permitting the FBI to spy on him. And, they received useful info during that spying.” (**Editor’s Note:** I would highly recommend reading Mr. Aravois’s [entire thread](#) on the topic of the Democratic response to the Nunes memo. It is the most concise and digestible assessment I have seen thus far, with illustrative visuals from the document itself.)

#### **Honorable mention, activist**

From @ToomeyMemes, 02/15/18: “@SenToomey received \$79,908 from @NRA in 2016 reelection campaign. There have been 83 #SchoolShootings alone since he began his second term, so abt \$963/shooting. #Parkland #stonemanshooting #FloridaSchoolShooting #EndGunViolence #GunControlNow Source: <https://everytownresearch.org/school-shootings/>”

### **Casey in the News**

Instead multiple quotes from Senator Casey this week on gun control, you will find below a full copy of his Feb. 23, 2018, [Medium](#) opinion piece, titled *This Must Change*:

“The recent school shooting in Parkland, Florida has left 17 families without their loved ones and many others dealing with physical and mental injuries. While we pray for the victims and their families, those of us in public office have an obligation to act.

Gun violence is an epidemic in our nation. On average, over 33,000 people around the country die from firearms each year. This includes an average of 2,647 children under the age of 18 who die by gunshot. An additional 14,365 children are injured. In 2016, there were 555 gun deaths and 1,219 injuries in Pennsylvania alone.

This must change.

The students of Parkland are committed to changing the way our nation and those of us in public office approach the issue of gun violence. Their advocacy can make a difference. I would know. The massacre at Sandy Hook Elementary, in which a gunman

murdered twenty children and six adults, fundamentally changed the way I approached the issue and since that tragedy, I've come out in support of commonsense measures to reduce gun violence. The United States is the most powerful nation in the world, and I refuse to believe that there's nothing we can do to stop both mass shootings and the daily scourge of gun violence in our communities.

That's why I am calling on Congress to have a sustained debate on guns, and I am asking my colleagues from across the political spectrum to join this conversation with an open mind. Congress should vote on legislation to institute universal background checks, ban military-style assault weapons, limit the magazines that allow the killing of so many people in rapid succession, and prevent those on the terror watchlist from owning firearms. I have supported these measures in the past and believe they should already be law.

The majority party in the House and the Senate has stood in the way of these commonsense reforms, including my own legislation, the Disarm Hate Act, which would prevent anyone convicted of a violent hate crime from owning a firearm.

The Speaker of the House, Representative Paul Ryan, and the Senate Majority Leader, Senator Mitch McConnell—the leaders who control the legislative calendar—should bring these measures up for a vote. I call on my colleagues to act to save lives and support these and other measures that have the potential to reduce gun violence and decrease the likelihood of mass shootings.

The students of Parkland have inspired Americans to call for commonsense reforms. It's time for politicians in Washington to show a small measure of the same courage that these students have shown and finally act on gun violence. The time is now."

## **Fitzpatrick in the News**

*Provided by contributor Gail Friedman*

"We need to look at every single piece of the puzzle, and we cannot be afraid of the legislative piece. That's what a lot of people fear, because of the slippery slope. This is not the time to worry about the slippery slope, this is the time to worry about protecting our kids and protecting our community. Anything that can be done legislatively or otherwise to prevent something like this from happening again, sign me up. I'm in," said Rep. Brian Fitzpatrick. When asked if would support a ban on so-called assault weapons, he said, "We have to be willing to stand up and be willing to have the courage and say that if prohibiting the sale of these military-style assault weapons will solve the problem, we need to get on board with it," adding, " Any proposal that would prevent a situation like Parkland from occurring again, I'm on board with. This cannot be the new normal. We cannot allow that to happen." — excerpted from a [Courier Times](#) article on the speech made by Rep. Fitzpatrick at the Feb. 23 breakfast meeting of the Central Bucks Chamber of Commerce

"I've seen my community change throughout the years. The one constant, however, has always been the presence of Stone Meadows Farm. I stand ready to work with any government official, and our citizens like members of the Save Stone Meadows Farm movement, who share this goal to preserve our quality of life and the character of our community." — from a [Bucks County Herald](#) article on Rep. Fitzpatrick's testimony on the floor of Congress regarding the preservation of Stone Meadows Farm, which could be replaced by houses.

"Mr. Speaker, I rise today to recognize a company in my district that is making a huge impact by giving back to our community. Kanga Roof, a company that's been providing roofing in Bucks County for over 30 years, celebrated its 10th Holiday Roof Giveaway this past December. Every year for the past 10 years, Kanga Roof has held a contest to provide a new roof to a deserving family in our community." — excerpted from the [Digital Journal](#), from Rep. Fitzpatrick's comments on the House floor honoring Kanga Roof, a Bristol construction firm

## Toomey in the News

"It's a big question. When you've got the answer, let me know." — Sen. Patrick Toomey's response to a question about why there was no legislative action on gun background checks, despite overwhelming public support, taken from a [Penn Live](#) article titled *Divided Congress unable to act on guns, immigration despite public pressure*

"It does feel like we have a shot at getting a little bit of momentum on background checks. We're going to take a swing at that and I'm hoping we'll be able to do it." from a piece in the [Washington Post](#) titled *Toomey, sensing 'momentum,' plans revival of bill to expand background checks*

"What the Supreme Court has done, they've decided that they'll go through the political exercise, instead of the people who were hired by Pennsylvanians to do that... And they've decided to take on a political role that they were not elected to." — the senator directed harsh comments at the Pennsylvania's Supreme Court decision to redraw the gerrymandered congressional districts, in a [CBS Philly](#) interview titled *Toomey Criticizes Pa. Supreme Court For Redistricting Ruling*

"Look, I think it's inevitable that that conversation's going to take place. I think state House members and state senators are going to be speaking amongst themselves and their constituents, and the fundamental question is does this blatant, unconstitutional, partisan power grab that undermines our electoral process, does that rise to the level of impeachment?" — from a report in [The Hill](#) on press conference where Toomey discussed impeaching the five Pennsylvania Supreme Court justices as a way to stop the redistricting process

## Congressional Recess Special Section

Since our legislators were out on a break in-district this week, there is not much new legislation to review. The Legislation of Interest and Learning about Legislation sections of MoCTrack are going to join our MoCs on break, and instead we are going to review some old votes and some pending bills.

On Friday, Feb. 23, a day-long protest event called "Enough is Enough" was held outside of Representative Fitzpatrick's Langhorne office. Different hours of the event were dedicated to different topics: Immigration and DACA; mental health and opioid addiction; reproductive health and rights; environmental issues; common-sense gun safety regulations; and the Mueller investigation and election integrity. What you will find below are, for each topic, one or more awful bills that have already passed through the House on each topic, as well as one or more good bills that deserve our support to move forward.

### Immigration and DACA

- **BAD VOTE** - [H.R. 3003](#), No Sanctuary for Criminals Act: This piece of legislation is an attack on the concept of "sanctuary cities." The crux of the bill is that if states or municipalities do not comply with Immigrations and Customs Enforcement (ICE) and/or Border Enforcement queries and rules about detaining people, they can have grant money for law enforcement stripped. This bill passed 228-195 on 06/29/17, and **Fitzpatrick voted YES**.
- **BAD VOTE** - [H.R. 3004](#), Kate's Law: This law came to the House floor as part of the "tough on immigration" bill package promoted by President Trump. From early in his campaign, Mr. Trump highlighted the plight of families who lost loved ones to crimes committed by undocumented people in the United States. This bill would provide much stiffer prison sentences for people who were deported but then returned to the US and committed crimes. What amplified the awfulness of this bill is that the event for which this bill was named and so heavily promoted did not occur the way it had been represented by the GOP. The man charged with the murder of Kate Steinle was acquitted. This bill passed 257-167 on June 29, 2017, and **Fitzpatrick voted YES**.
- **GOOD BILL** - [H.R. 4796](#), USA Act of 2018: This is a bipartisan immigration solution in the House, co-sponsored by Rep. Bryan Fitzpatrick. It enshrines into law a version of the DACA program. It protects those enrollees, noting that the Department of Homeland Security "may not disclose or use information provided in applications filed under this title or in requests for DACA for the purpose of immigration enforcement." It calls for better border security, but not a wall. It calls for "local community groups, including human rights organizations...tribal government officials..." and

other stakeholders to be involved in the decision-making process related to creating reforms to “address the factors driving migration.”

### **Mental Health and Opioid Addiction**

- **BAD VOTE** - [H.R. 3354](#), Department of the Interior, Environment, and Related Agencies Appropriations Act, 2018: This bill called for over \$300 million to be cut from the Substance Abuse Mental Health Services Administration (SAMHSA). It came up for a vote on 09/14/17 and passed 211-198. **Fitzpatrick voted YES.**
- **GOOD BILL** - H.R. 4733, Opioids and STOP Pain Initiative Act: This is a bipartisan bill pending in the House. It calls for “clinical research of the National Institutes of Health with respect to opioid abuse, the understanding of pain, and the discovery and development of safer and more effective treatments and preventive interventions for pain.” If passed, this bill would appropriate \$5 billion to help reach these goals. Congress is already working to stop the influx of opioids into the country, but to deal with the root causes of opioid abuse, we need to find better solutions for pain management, and this bill allocates funds for that aim.

### **Reproductive Health and Rights**

- **BAD VOTE** - [H.R. 7](#), No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act of 2017: This bill would permanently ban the use of federal money from being used to perform abortions. While each session of congress has always passed a temporary action to that effect (the Hyde Amendment), this bill would make that temporary ban permanent. It passed in a 283-183 vote on 01/24/17 and **Fitzpatrick voted YES.**
- **BAD VOTE** - [H.R. 36](#), Pain-Capable Unborn Child Protection Act: This bill is a full ban on all abortions after the 20th week, regardless of fetal viability or the health of the mother. It passed in a 287-189 vote on 10/03/17 and **Fitzpatrick voted YES.**
- **GOOD BILL** - [H.R. 771](#), Equal Access to Abortion Coverage in Health Insurance (EACH Woman) Act of 2017: When this bill was introduced, the [sponsors](#) explained its purpose succinctly, noting “this legislation would end the discriminatory Hyde Amendment, which disproportionately affects low-income women and women of color. The EACH Woman Act would ensure that all women, regardless of income, insurance or zip code, can make personal reproductive health care decisions without interference from politicians.”

### **Environmental issues**

- **BAD VOTE** - [H.R. 1](#), The GOP Tax Bill: Tucked into this immense bill that shovels benefits to GOP donors and the wealthiest Americans was a tiny subsection called Sec. 20001, subsection b(1) that says “Section 1003 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3143) shall not apply to the Coastal Plain.” With that change in designation, the bill now opens 19 million acres of federal lands in the arctic to energy exploitation. This bill came to the floor of the House on three separate occasions (due to changes in text) during December 2017. Despite the fact that he is a cosponsor of a bill to protect those same lands as wilderness, **Fitzpatrick voted YES** all three times.
- **GOOD BILL** - [H.R. 4114](#), Environmental Justice Act of 2017: The aim of this bill is “to require Federal agencies to address and eliminate the disproportionate environmental and human health impacts on communities of color, indigenous communities, and low-income communities.” It would create an Interagency Federal Working Group on Environmental Justice that would have many cabinet-level members and could direct the Environmental Protection Agency (EPA) to implement changes that ensure all communities are treated equally in terms of environmental justice. Co-sponsors of the bill are all Democrats thus far, including Reps. Ro Khanna (CA 17) and Pramila Jayapal (CA 20).

### **Common-sense gun safety regulations**

- **BAD VOTE** - [H.J.Res. 40](#), Providing for congressional disapproval...: Under the Obama Administration, a new law was passed that restricted gun ownership for some mentally ill people. Specifically, if someone receiving Social Security Disability benefits had mental issues to the point where they could not handle their own finances (and thus a representative payee had to be assigned by the administration), they should not be permitted to purchase a firearm. Under the Trump Administration, Congress moved to repeal this new bill. On Feb. 2, 2017, the repeal bill passed 235 - 180, and **Fitzpatrick voted YES.**



- **BAD VOTE** - [H.R. 1181](#), Veterans 2nd Amendment Protection Act: In the course of assessing veterans for benefits, the Department of Veterans Affairs (VA) may find a person “mentally incapacitated or deemed mentally incompetent.” This bill would prevent the VA from passing along that information to the national background check system for firearm purchasing. In effect, it allows mentally ill veterans to continue purchasing guns, even if there is evidence of mental instability in the VA files. This passed 240-175 on Mar. 16, 2017, and **Fitzpatrick voted YES**.
- **GOOD BILL** - [H.R. 4344](#), End Purchase of Firearms by Dangerous Individuals Act of 2017: Many proposals are currently under discussion in the wake of the massacre of high school students and teachers in Parkland, Fla. Most of those ideas have not yet been introduced as bills...yet. This bill from November 2017 would change rules to allow mental health professional to report potentially dangerous individuals and make states create a system to enable such reporting. This would keep potentially unstable people from being able to purchase firearms while their mental state was being assessed and adjudicated. Right now, the ban from purchasing firearms only occurs after such adjudication.
- **GOOD BILL** - [H.R. 4052](#), Keep Americans Safe Act: This bill was introduced in the weeks after the Las Vegas concert mass shooting. It prohibits the sale or distribution of large-size magazines, specifically those capable of holding more than 10 bullets. This bill has 96 co-sponsors, all Democrats.

### **The Mueller Investigation and Election Integrity**

This is a difficult topic for which to find “bad votes,” as the GOP controls legislative scheduling, and they are not allowing any votes to come to the floor on bills that relate directly to Russian election interference. One could say that every day where the Congress allows the President to maintain the fiction that the Russians didn’t have anything to do with his victory is an abrogation of their oaths of office. There are, however, bills pending that could address the issue.

- **GOOD BILL** - [H.R. 4669](#), Special Counsel Integrity Act: This bill would protect the Mueller investigation, and future Special Counsel investigations, by limiting the causes for removal of the head of an investigation. As described by [GovTrack](#), it requires that a Special Counsel “(1) may only be removed for misconduct, dereliction of duty, incapacity, conflict of interest, or other good cause, including violation of DOJ policies; (2) must be informed in writing of the specific reason for the removal; and (3) may file an action for judicial review of the removal.”
- **GOOD BILL** - [H.R. 3654](#), Special Counsel Independence Protection Act: This bill goes one step further, and says that a Special Counsel can only be removed if a court finds that there has been “misconduct, dereliction of duty, incapacity, conflict of interest, or other good cause, including violation of policies of the Department of Justice.” Thus, there is no way for a president to pressure anyone to fire the Special Counsel, because no one in the executive branch would have that power.
- **GOOD BILL** - [H.R. 3623](#), Securing and Heightening the Integrity of our Elections and Lawful Democracy Act: This bill would, per [GovTrack](#), “develop a program to update computer security at political campaign committees, share information on cybersecurity risks with such committees, provide guest lecturer programs in which professional computer security experts instruct campaign professionals on how best to defend against cybersecurity risks, and establish an Election Security Board of Advisors to make recommendations about securing elections against cybersecurity risks.” It would require the Department of Homeland Security to work on infrastructure protection to keep the election system and communications related to those systems secure from interference.

If you are interested in following all of the voting action in Congress, a number of phone apps come in handy. One of the Lower Bucks Indivisible leaders 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- than 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 to track the action of any Member of Congress, 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 or experience. Can you help us out? Please email [KierstynPZ@gmail.com](mailto:KierstynPZ@gmail.com) and put "MoCTrack Help" in the subject. Thanks!