

## Week ending 04/08/18 - PA-08 MoCTrack Report

### Tracking Congress in the Age of Trump

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

Senator Bob Casey — **29.5%** (no change from last report)

Representative Brian Fitzpatrick — **82.8%** (no change from last report)

Senator Pat Toomey — **91.5%** (no change from last report)

Nate Silver's FiveThirtyEight website assesses the voting records of our MoCs to provide this index. No votes were scored this week, as Congress has been on recess.

Some readers commented on Facebook recently that these Index numbers would have more meaning if they were put into context by comparing them to other members of Congress. Here is some perspective:

**The House:** The best way to give those numbers greater context is to compare them to the ratings given to some of the more well-known members of the Democratic caucus. Rep. Keith Ellison (Minn.) is at 8.6% and Rep. John Lewis (Ga.) is at 8.7%, while Reps. Pramila Jayapal (Wash.) and Rep. Maxine Waters (Calif.) are both at 10%. As for the Democratic House leadership, Minority Leader Nancy Pelosi is at 19.7% and Minority Whip Steny Hoyer is at 17.1%.

In contrast, as of the start of April the 237 Republican representatives had Index scores ranging from 52.5% to 100%. The Republicans with the lowest scores are from the so-called "Freedom Caucus." Rep. Walter Jones (N.C.) is at 52.5% and Rep. Justin Amash (Mich.) is at 55.7%. Retiring Rep. Ileana Ros-Lehtinen (Fla.), who is considered by many to be the most moderate Republican Congressperson, is at 68.3%. Of all of the Republican representatives, 17 have index ratings the same as or lower than our Rep. Fitzpatrick, while 219 have voted more in alignment with the Trump agenda.

**The Senate:** The Senate takes fewer votes, so the numbers are more clustered. The Senators fall roughly into three large groups:

- In the most oppositional group, Sen. Bernie Sanders (Independent - Vt.) and the Blue state Democrats mostly have ratings between 7.4% and 35%.
- Sen. Angus King (Independent - Maine) and the Trump State Democrats, including those up for re-election this year, have ratings between 22% and 60%. Of the 10 Democrats in states that Trump won who face re-election battles this year, Sen. Casey ranks third in his defiance to the Trump agenda. The two who beat him are Sen. Tammy Baldwin (Wis.) at 22.4%, and Sen. Sherrod Brown (Ohio) at 29.4%. At the other end of that group of Democrats up for re-election in Red states are Sen. Joe Donnelly (Ind.) at 55.2% and Sen. Joe Manchin (W.Va.) at 60.3%.
- Other than the Libertarian-leaning Sen. Rand Paul (Kentucky), who is at 73.9%, all of the Republican senators have ratings between 80% and 100%. Yes, that includes even the pair of female Republican senators who are often lauded by the left, Sen. Susan Collins (Maine) at 80.9% and Sen. Lisa Murkowski (Alaska) at 83.6%. As for Sen. Toomey, his rating puts him in the statistical center of his party (if one excludes the aforementioned Rand Paul). Toomey's 90.8% lands him almost perfectly in the middle of that 80%–100% range.

### Words from our Founders

"Learning is not attained by chance, it must be sought for with ardour and attended to with diligence."

— [Abigail Adams](#) to John Quincy Adams, 1780

### MoC Twitter Action

**Senator Bob Casey hot topics:** Early in the week the senator discussed the President's Committee for People with Intellectual Disabilities and a Pennsylvanian who had been appointed to that committee,

urging the President to actually meet with with this constituency. Casey shared several images of visits to local businesses, including the opening of the Lockheed Martin F-35 facility in Cambria County. He shared several articles about the Environmental Protection Administration's leader, Scott Pruitt, and his ethical shortcomings.

**Casey tweet of the week, 04/05/18:** "In addition to working day and night to weaken environmental protections, Scott Pruitt is also deep in the Washington swamp."  
(Shared with a [Huffington Post](#) article titled "EPA Reportedly Approved Pipeline Project Linked To Lobbyist Renting Room To Pruitt")

**Representative Fitzpatrick hot topics:** The representative started off the week by sharing a link to his *Intelligencer* opinion piece titled "How to Fight the War on Opioids." He shared an image from a visit he made to the University of Pennsylvania to talk foreign policy with their student chapter of the American Israel Public Affairs Committee. The majority of his week's Twitter output consisted of images of events he held with local first responders to celebrate his Children of Fallen Heroes Act being signed into law.

**Fitzpatrick tweet of the week, 04/05/18:** "Joined community #FirstResponders at the Langhorne-Middletown Fire Co. to highlight my 'Children of Fallen Heroes Act' - #bipartisan legislation recently signed into law. <http://bit.ly/2En6C3x>"

**Senator Pat Toomey hot topics:** The senator tweeted five times this week. Two tweets were in support of sporting events and two were historical memorials. The only policy-related output is quoted below as his tweet of the week.

**Toomey tweet of the week, 04/03/18:** "There is more that we can and must do to protect animals. Thank you to the @YorkCoSPCA for hosting me today to discuss my #PACTAct, which helps prevent the heinous act of "animal crushing." Learn more about my bill here: <http://bit.ly/2Jh2Lcf> "

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

From @RepDonBeyer (D-Va.) on 04/06/18: "Today @davidcicilline and I led 64 Representatives calling for the immediate resignation or firing of Scott Pruitt. Pruitt's unethical behavior, wasteful use of taxpayer money, and numerous actions contravening the EPA's mission cannot stand. He must go."  
(Shared with an image of the letter to President Trump and a [link to a press release](#) with the full contents of said letter)

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

From @DanRather on 04/06/18: "President Trump and his allies seem to relish using the word 'illegal' to describe many immigrants to this country, but somehow that word is conspicuously absent when they are discussing the many scandals facing members of the Administration, or the President himself."

#### **Honorable mention, Shameless self-promotion**

From @MoveOn: "What's going to happen if Trump fires Robert Mueller? We take to the streets: Over 275,000 of us at over 800 rallies across all 50 states. To sign up for rally updates, text PROTEST to 668366." Includes a link to a [video](#) that has a clip featuring one of your MoCTrack writers.

#### **Casey in the News**

"By the end of year, Medicaid was not decimated like I thought it would have been if some of those bills had passed. But the fight's not over... One thing we should agree on as a country, no matter what, is that we're going to take care of our seniors."

— From a [Herald-Standard](#) article titled "Casey outlines legislative priorities in Washington Township visit." Senator Casey visited Washington Township and visited with members of the community and

representatives from Southwestern Pennsylvania Human Services in a forum coordinated by Southwestern Pennsylvania Area Agency on Aging.

Senator Casey sat down for an hour-long interview with the editorial board of the [Greensburg Tribune](#). Their article on that interview covers a variety of topics, and includes a video clip from the exchange. Below are some of the Senator's quotes from the piece:

- “We try not to poke each other in the eye.” — on working with Senator Toomey
- “(Trump) could have claimed victory on border security. ... It was a real compromise. In the days leading up to it, the president was 100 percent unhelpful.” — on the President's role in undermining the compromise solution for the Dreamers
- “What moved me to say vote for common sense gun measures was Sandy Hook, Newtown...I'm hoping we'll get a vote on (background checks) in the next couple of weeks. Then we'll see where we are.”
- “We neglected a lot of issues when were fighting health care and taxes. We neglected infrastructure, which would have created a helluva lot of jobs if we'd started in 2017.” — on the priorities of the GOP-led Congress
- “the best poverty reducer we've ever seen is the earned income tax credit and the child tax credit. ...We could have taken that powerful tax incentive and turbocharged it to lift 10 million children out of poverty.” — on how he would have tackled tax reform

## **Fitzpatrick in the News**

*(courtesy of contributor Gail Friedman)*

“While we can never repay those who laid down their lives in the line of duty, we can make it our priority to support their families and their children.” — from an [Intelligencer](#) article titled “Fitzpatrick bill eases education grant eligibility for children of fallen first responders.” A similar article in the [LevittownNow](#) covered a news conference that Rep. Fitzpatrick held at the Langhorne-Middletown Fire Company to highlight a bill that became law as part of the recently signed federal spending agreement. The Children of Fallen Heroes Act waives contributions toward Pell Act scholarships for children of fallen emergency services personnel and maximizes the amount of financial aid. It had been introduced in the House by Fitzpatrick and Rep. Brendan Boyle (D-13), and had the support of Sen. Casey and Sen. Toomey.

“As your representative in Congress, I'm working every day to combat the crisis by focusing on each of its many aspects.” - the [Intelligencer](#) carried an opinion piece authored by our representative titled “How to fight the war on opioids.”

## **Toomey in the News**

“This year, I don't expect any big landmark bills like the tax reform. There is some possibility of an infrastructure bill, but I think that's not likely this year.” — from a [Cumberland Sentinel](#) article titled “Toomey, Carlisle business owners talk tax law benefits.”

“This is a not terribly surprising — but nevertheless disturbing — development. We had to expect retaliation, and the worry always is that this spirals down into a series of reciprocating actions that do a lot of harm to our economy.” — from a [Washington Post](#) article titled “Republican senators denounce escalating trade spat, weigh options to respond.”

## **Learning about Legislation - The Congressional Calendar**

With both Houses of Congress out on a two-week break, it seems appropriate to discuss the Congressional calendar. The leaders of each house set the calendar in December for the coming calendar year. In this year's calendar, the Senate is scheduled to be in session for 54 more days than the House. This reflects the fact that it is an election year, and while one-third of the Senate is up for

re-election, the entire house faces a campaign season. Let's take a look at the planned [schedule](#), month by month:



# 2018 Congressional Calendar



Both chambers in session  
 Senate only in session

## January

Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
	1 New Year's Day	2	3	4	5	6
7	8	9	10	11	12	13
14	15 MLK Day	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30 State of the Union	31			

## February

Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19 Presidents Day	20	21	22	23	24
25	26	27	28			

## March

Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17 St. Patrick's Day
18	19	20	21	22	23	24
25	26	27	28	29	30 Good Fri. Passover (begins)	31

## April

Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
1 Easter Sunday	2	3	4	5	6	7
8 Orthodox Easter	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

## May

Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
		1	2	3	4	5
6	7	8	9	10	11	12
13 Mother's Day	14	15	16 Ramadan (begins)	17	18	19
20	21	22	23	24	25	26
27	28 Memorial Day	29 Vesak	30	31		

## June

Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15 Eid al-Fitr	16
17 Father's Day	18	19	20	21	22	23
24	25	26	27	28	29	30

## July

Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
1	2	3	4 Independence Day	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

## August

Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15 Eid al-Adha	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

## September

Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
						1
2	3 Labor Day	4	5	6	7	8
9 Rosh Hashana (begins)	10	11	12	13	14	15
16	17	18 Yom Kippur (begins)	19	20	21	22
23	24	25	26	27	28	29
30						

## October

Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
	1 YITP (begins)	2	3	4	5	6
7	8 Columbus Day	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

## November

Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
				1	2	3
4	5	6 Election Day	7 Diwali	8	9	10
11	12 Veterans' Day (observed)	13	14	15	16	17
18	19	20	21	22 Thanksgiving Day	23	24
25	26	27	28	29	30	

## December

Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
						1
2 Hanukkah (begins)	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25 Christmas Day	26	27	28	29
30	31					

This calendar is key for planning events where one hopes to involve lawmakers. For House members, prime times are the week after Memorial Day, the entire month of August, and the third week of September. Keep this in mind for upcoming activism work!

## Legislation of Interest

Since the Congress has not been in session the past two weeks, the flow of newly submitted legislation has decreased. That gives us the opportunity to catch up on some really interesting bills that were introduced last month, bringing the report fully up to date.

### **S. 2591: Arbitration Fairness Act of 2018**

<https://www.govtrack.us/congress/bills/115/s2591/text>

This bill was introduced on Mar. 22, 2018, by Sen. Richard Blumenthal (D-Conn.). It is pending in the Senate Judiciary Committee and it has 27 cosponsors (26D, 1I), including our own Senator Casey. The [Library of Congress](#) has provided a succinct description of the bill, noting that it “prohibits a predispute arbitration agreement from being valid or enforceable if it requires arbitration of an employment dispute, consumer dispute, antitrust dispute, or civil rights dispute.” Such a legislative action would have massive implications. It would impact the #MeToo movement, as it would eliminate arbitration agreements forced on employees, preventing cases against harassers. It would prevent corporations from forcing arbitration on consumers, an action the Consumer Financial Protection Bureau tried to introduce for companies under their jurisdiction, but which the GOP-controlled Congress quashed. This bill would ensure that corporations could not block access to judicial system remedies for the average person. If you find this issue compelling, please contact Senator Casey to thank him for sponsoring it. Senator Toomey is the Finance Committee sub-chairperson for Consumer Protection and Financial Institutions, so you might consider letting him know of your support for this measure, which would certainly protect consumers. Perhaps it would help remind him of his neglected responsibilities in that realm, since he takes one part of the committee’s title more seriously than the other.

### **S. 2580: Every Person Counts Act**

<https://www.govtrack.us/congress/bills/115/s2580/text>

This bill was introduced on Mar. 20, 2018, by Sen. Bob Menendez (D-N.J.). It is pending in the Senate Homeland Security and Governmental Affairs Committee and it has 14 cosponsors (all D). This bill was inspired by the recent indication that the 2020 census would include a question about citizenship, an action that many experts believe will depress the response rate and create inaccurate results. This plan has been [challenged in the courts](#). That battle might be rendered moot if this bill were to pass. It mandates that “no information regarding United States citizenship or immigration status may be elicited in any such census.” If an accurate census is important to you (and as it closely impacts representation, services and resource allotment, it should be), consider calling Senator Casey and asking him to co-sponsor this legislation.

### **H.R. 5321: TL; DR Act of 2018**

<https://www.govtrack.us/congress/bills/115/hr5321/text>

This bill was introduced on Mar. 15, 2018, by Rep. Seth Moulton (D-Mass.). It is pending in the House Oversight and Government Reform Committee and it has three cosponsors (2R, 1D). As the internet-savvy reader might recognize, “TL;DR” is online shorthand for “too long; didn’t read.” This bill would instruct departments to reformat any letters that require the recipient to take action to include a short summary at the top of the letter that gives information on actions needed and deadlines for response.

***EDITOR’S NOTE:** This action is 100-percent necessary. I work with a federal agency in my “real world” employment, and its letters are over-long and often unclear even to professionals used to government correspondence and familiar with the regulations or procedures in question. Such summaries would help the average recipient immensely.*

### **H.R. 5388: Data Accountability and Trust Act**

<https://www.govtrack.us/congress/bills/115/hr5388/text>

This bill was introduced on Mar. 22, 2018, by Rep. Bobby Rush (D-Ill.). It is pending in the House Energy and Commerce Committee and it does not yet have any cosponsors. The bill sets standards for business



actions in case of a data breach. It mandates specific consumer disclosure rules and sets civil penalties for failure to adhere to these new rules. These new rules include a company's responsibility to provide credit reports and monitoring services to affected consumers for up to five years after the data breach. This bill was clearly influenced by revelations about last year's hack of Equifax and the company's attempts to hide the breach, and then limit liability and make money off consumers by selling services and forcing consumers to sign arbitration agreements. This bill would make unlawful all of those behavior, and generally mandate corporate responsibility if lax security led to consumer data breaches.

#### **H.R. 5351: NDA Act**

<https://www.govtrack.us/congress/bills/115/hr5351/text>

This bill was introduced on Mar. 20, 2018, by Rep. Raja Krishnamoorthi (D-Ill.). It is pending in the House Oversight and Government Reform Committee, and it has one cosponsor, a Democrat. This bill was introduced in reaction to the [news](#) that President Trump forced White House staffers to sign non-disclosure agreements (NDAs). This bill is very short. It simply would mandate that such NDAs are unenforceable if a staff member was disclosing information that would be covered under whistleblower laws. The bill would be retroactive, and thus would nullify provisions of the Trump NDAs, making sure that any staffer who leaks information about illegal activities in the White House could not be sued for such disclosures.

#### **H.Res. 801: READ IT Resolution**

<https://www.govtrack.us/congress/bills/115/hres801/text>

This bill was introduced on Mar. 22, 2018, by Rep. Thomas Garrett (R-Va.). It is pending in the House Rules Committee and does not yet have any cosponsors. The bill would change the official House rules so that a vote cannot be taken on legislation until the text to be voted upon has been publicly available for a length of time equalling two minutes for every page in length. The bill was clearly introduced in reaction to the 2,200+ page omnibus funding bill from several weeks ago that came up for a vote a mere 18 hours after being compiled.

#### **H.J.Res. 131: Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Restoring Internet Freedom"**

<https://www.govtrack.us/congress/bills/115/hjres131/text>

This bill was introduced on Mar. 29, 2018, by Rep. Michael Doyle (D-Penn.). It is pending in the House Energy and Commerce Committee and it does not yet have any cosponsors. Last year a lot of the bills reversing Obama era regulations were passed through a process using the Congressional Review Act. This bill seeks to use the same process to restore Net Neutrality by reversing the FCC's unpopular decision on that topic. The [Library of Congress](#) explains that this resolution "...nullifies the rule submitted by the Federal Communications Commission entitled "Restoring Internet Freedom." The FCC rule published on Feb. 22, 2018: (1) restores the classification of broadband Internet access service as a lightly-regulated "information service"; (2) reinstates private mobile service classification of mobile broadband Internet access service; (3) requires Internet service providers to disclose information about their network management practices, performance characteristics, and commercial terms of service; and (4) eliminates the Internet Conduct Standard and the bright-line rules." If Net Neutrality is of concern to you, you may want to contact Representative Fitzpatrick about this bill. He has yet to make any statement on this topic, despite its importance and its presence in the news some months ago.

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!