

Week ending 08/27/18 - 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 **30.3%** — (no change from last report)

Representative Brian Fitzpatrick — **83.3%** (no change from last report)

Senator Pat Toomey — **90.4%** (no change from last report)

Nate Silver's FiveThirtyEight website assesses the voting records of our MoCs to provide this index, by comparing any bills where President Trump has stated a position, and comparing the vote of the legislator to that opinion. There were no votes scored in either house this week.

Words From Our Founders

"...experience hath shewn, that even under the best forms, those entrusted with power have, in time, and by slow operations, perverted it into tyranny; and it is believed that the most effectual means of preventing this would be, to illuminate, as far as practicable, the minds of the people at large, and more especially to give them knowledge of those facts..."

— [Thomas Jefferson](#), 1779

Votes of Interest -

H.R. 6157: Department of Defense Appropriations Act, 2019

<https://www.govtrack.us/congress/votes/115-2018/s193>

Despite its name, this is actually a 2019 appropriations bill that covers the Defense, Labor, Education, and Health and Human Services departments. The House passed a version of this bill in June, but the version considered by the Senate included significant amendments, and has a price tag of \$857 billion. The bill, referred to a "minibus spending bill" covers about 60% of the government's discretionary spending for the coming year, including the first pay raise for the armed services since 2010. In a vote on August 23, 2018, this passed 85-7. **Casey voted YES** and **Toomey voted NO**.

This bill now goes to conference so that the House and the Senate can iron out their differences and get this bill back to both of their chambers for new votes. They have a firm deadline. The industry publication [Government Executive](#) explains the stakes, observing, "Both chambers of Congress must come to an agreement on the spending bill by Sept. 30 or there will be a partial government shutdown. House lawmakers are on recess this month, but they will return to Washington on Sept. 4."

[S.Amdt.3928 to S.Amdt.3695](#) - H.R. 6157

Last week Sen. Mark Warner said that he was going to introduce an effort to keep President Trump from [stripping security clearances](#) from former intelligence officials who were critical of his policies and behavior. He would do so by introducing an amendment to the then-pending minibus spending bill that would keep funds from being used to enact such a removal of clearances, thus using Congress's power of the purse to stop future executive orders from being enacted. On August 22, 2018, Senator Jeff Flake (R-Ariz.) joined onto this effort. [The Hill](#) reports that Flake said this effort would "ensure that the president is not misusing his executive power" by yanking a security clearance "for purely political reasons." That same article observed, however, that "the Warner-Flake proposal faces an uphill battle to getting attached to the Defense-Labor-Health and Human Services-Education funding bill currently being debated by the Senate. To bring up the amendment, the senators would need the consent of every senator or for Majority Leader Mitch McConnell (R-Ky.) to agree to force a vote." It would appear that Sens. Flake and Warner lost that battle, as this amendment was not brought up for a vote.

MoC Twitter Action

Senator Bob Casey hot topics: The senator was atypically quiet this week. He shared a defense of Robert Mueller and some commentary about the Trump Administration's decision to strip security clearance from former intelligence officials who have criticized the president. He closed the week with a tribute to Senator John McCain.

Casey tweets of the week, 08/21/18: "I commend these men and women who served our country honorably and continue to stand for what's right over politicization of the security clearance process."

— in response to an [MSNBC](#) tweet that reads "More than 175 former national security officials reportedly sign a new statement siding with former CIA Director John Brennan after Pres. Trump revoked his security clearance" and was accompanied by a video clip titled "[Trump is weaponizing security clearances](#)"

Representative Brian Fitzpatrick hot topics: The representative expressed his condolences after the passing of Sen. John McCain. He offered thoughts on three policy issues this week. The representative noted that he would only support a candidate for Speaker of the House (for next term) who would back a package of rules changes to cut gridlock. He then offered his comments on the Manafort and Cohen felonies, and lastly responded to the president's remarks about "flipping" criminals.

Fitzpatrick tweet of the week, 08/23/18: "@POTUS, flipping criminal subjects is what we as FBI Agents did successfully every day in order to keep America safe. Truthful cooperation with law enforcement must be encouraged."

— though it was not cited in the representative's tweet, it is apparent he was responding to the president's quote "it's called flipping and it almost ought to be illegal" from an interview with [FoxNews](#). A clip of that portion of the interview can be found [here](#).

Senator Pat Toomey hot topics: The senator shared an extended thread expressing his thoughts on the passing of Sen. John McCain. His only policy-related tweet is quoted below, and deals with the impact of the Trump Administration's tariffs.

Toomey tweet of the week, 08/24/18: "POTUS's taxes on imported steel are hurting econ growth & job creation. That is why I sent another letter to the Admin listing 37 PA firms harmed by these unnecessary taxes. I will continue working w/ my colleagues to restore Congress's trade powers."

— shared with an article in [PennLive](#) titled "[U.S. Sen. Pat Toomey has growing concerns about impact of Trump's tariffs on Pa. companies](#)"

Honorable mention, lawmaker

From [@SenJohnMcCain](#) on 08/21/18: "Imp't step by [@USTreasury](#) to sanction Burmese officials under Global Magnitsky Act for their brutal campaign against the Rohingya people. With atrocities growing, the US must do more to hold accountable human rights abusers in #Burma & around the world."

— the last policy-related tweet from the senator, who passed on 08/25/18. It was shared with a link to a [Politico](#) article titled "[U.S. slaps sanctions on Myanmar for 'atrocities'](#)"

Honorable mention, media

From @baseballot, Nathaniel Rakich of FiveThirtyEight, on 08/25/18: "Today's Election Update: the 25 districts where the @FiveThirtyEight forecast differs the most from @InsideElections, @CookPolitical, and @Center4Politics."

— shared with a link to his article titled "[Election Update: Here Are 25 Districts Where Our Model And Other Experts Disagree](#)" which it highlights 3 big PA elections, including PA-01

Honorable mention, constituent response

From @EimaiTheaAthene on 08/26/18: "The best tribute you could grant him would be to follow his example, @SenToomey. Stand up for human decency. Force bullies to stand down. Cleanse the White House of its pollutants and stains. Put your constituents' interests above your own!"

— in response to one of Senator Toomey's [tweet](#) that read "And for more than thirty years, Senator McCain fought for Arizonans in the Senate. Most importantly, Senator McCain was not afraid to fight for what he thought was right, even when it was unpopular."

Casey in the News

Courtesy of contributor Kathy Sites

"The grand jury report was a chronicle of pure evil. Pure evil. There's no other way to say it. We should all be angry. You don't have to be a Catholic. You don't even have to be an American. Just as a human being, we should be angry..."

— from an article on [WTAE Pittsburgh's website](#) (including extensive video) titled "[US Sen. Bob Casey calls for strengthening child abuse reporting law, in wake of Pennsylvania grand jury report](#)"

"There is no reason why we should have to re-argue and re-litigate this issue. Why would any politician, why would any policy maker, be making the case that we should deny people this kind of protection?"

— from a healthcare round table discussion regarding pre-existing condition coverage, at Henry Cancer Center at Geisinger, Wyoming Valley, as quoted in the [Wilkes Barre Times Leader](#) article titled "[Our view: No reason to scrap coverage of pre-existing conditions](#)"

"Congress should have votes on measures to reduce gun violence, including universal background checks, a ban on military-style weapons and a prohibition of those on the terror watchlist from purchasing firearms. These measures can reduce the likelihood of a mass shooting and the members of Congress who set the agenda on the floors of the House and Senate should act."

— the senator's response to shooting at Majory Stoneman Douglas High School as reported in article from [PoliticsPA.com](#) titled "[PA Sen: Barletta Talks School Safety in 1st Ad](#)"

"This decision will severely undermine our nation's efforts to promote clean air and combat climate change. It will also put our workers at a competitive disadvantage when it comes to competing for good-paying, clean energy jobs. Children who have asthma or other diseases suffer when we fail to take aggressive action on clean air. And, as [reported](#) by the New York Times, the new rules could lead to as many as 1,400 premature deaths annually by 2030."

— the senator's response to the Administration's proposal to gut the Clean Power Plan, as reported in an article in [MyChesCo](#) titled "[the Administration's proposal to gut the Clean Power Plan](#)"

Fitzpatrick in the News

“Josh and I were part of a bipartisan delegation that went to Israel a year ago, this month, in August. By far, it was the most impactful trip I’ve ever taken...If we can grow our numbers to 60 or so, you’ll see the Problem Solvers become the new governing body in Congress. The reason we are doing this is to fix that brokenness and to have common sense solutions.”

— speaking about working with Rep. Josh Gottheimer (D-N.J.), a fellow member of the Problem Solvers Caucus, from a *Jewish Exponent* article titled [“Fitzpatrick Hosts Bipartisan Roundtable on Israel”](#)

“Israel and the United States share a special relationship, cultivated and reaffirmed in word and action. Our dialogue regarding U.S.-Israel foreign policy was both constructive and informative... As one of our closest partners, Israel will always have our unwavering support. Together we will continue to strengthen our relationship and promote peace and stability throughout the region.”

— from a *Ripon Advance* blog post titled [“Fitzpatrick continues bipartisan efforts to reaffirm U.S. support for Israel”](#)

“I commend my former colleagues for conducting a thorough investigation and upholding the rule of law resulting in the jury verdict and guilty plea in the Manafort and Cohen matters today.”

— a portion of a tweet from the representative, as quoted in a *Lancaster Online* article titled [“On Politics: Pennsylvania candidates silent on Cohen plea”](#)

Toomey in the News

Courtesy of contributor Elayne Baker

“I continue to enthusiastically support Judge Brett Kavanaugh’s nomination to the Supreme Court. During our meeting Judge Kavanaugh expressed that absolutely no one is above the law and that includes a president of the United States...Despite Michael Cohen’s accusation, it is not at all clear President Trump violated any law. I’ve said repeatedly, Special Counsel Robert Mueller, law enforcement agencies, and congressional committees should continue their investigations and present their findings — which will hopefully happen soon.”

— from *The Cumberland Sentinel* article titled [“Toomey sticks with Kavanaugh support despite Trump’s perilous position”](#)

“We’ve got entitlement spending that is not sustainable. These big spending programs that are growing faster than the economy. You can’t tax your way out of that problem. You’ve got to make some curbs.”

— from a *Think Progress* article titled [“Republicans admit they’ll slash Medicare, Social Security to pay for their tax cuts”](#)

“It is not a tax increase if a person decides they don’t want to buy an Obamacare plan and as a result we don’t send a payment to an insurance company. That’s a tax increase? It’s actually a tax cut.”

— from a piece in *Public Integrity* titled [“How Trump’s tax cuts favor whites over minorities”](#)

"I urge the Department to increase the pace at which it reviews Section 232 exclusion petitions, as well as to take additional steps to streamline the process...[it is] vital that (Trump's administration) remove counterproductive taxes on important steel and aluminum so that U.S. manufacturers and producers can compete with foreign companies and provide well-paying jobs for American families."

— an excerpt from Senator Toomey's letter to the Trump Administration objecting to their tariff policy, as reported in *The Beaver Times* articles titled "[Toomey: Shell project could be delayed because of tariff exemption delays](#)"

Legislation of Interest:

S. 3381: A bill to encourage Federal agencies to expeditiously enter into or amend cooperative agreements with States for removal and remedial actions to address PFAS contamination in drinking, surface, and ground water and land surface and subsurface strata

<https://www.govtrack.us/congress/bills/115/s3381>

This is a bill that was introduced by Sen. Debbie Stabenow (D-Mich.) on August 23, 2018. It is pending in the Senate Environment and Public Works Committee and it has 7 co-sponsors (6D, 1R). If passed, this bill would provide a \$45 million grant to the U.S. Geological Survey (USGS) so that they can develop new technology to detect PFAS, and it would require the USGS to do nationwide water sampling to seek out contamination. Sen. Stabenow explained her reasons for introducing this bill, [noting](#) "People across Michigan exposed to PFAS-contaminated water and soil are living with incredible uncertainty about the impact of these chemicals on the health and wellbeing of their families. There is so much we do not know, and it is imperative that we get answers soon." This is a topic of considerable concern to people throughout Pennsylvania, as several townships have tested positive for this contamination, in many cases caused by fire-fighting foams used by the armed services on nearby military bases. The *Bucks County Courier Times* has covered this topic extensively in a series called "[Unwell Water](#)."

S. 3357: Anti-Corruption and Public Integrity Act

<https://www.govtrack.us/congress/bills/115/s3357/text>

This bill was introduced by Sen. Elizabeth Warren (D-Mass.) on August 21, 2018. It is pending in Senate Finance Committee (where both Senators Casey and Toomey are members) and it does not yet have any co-sponsors. Senator Warren helpfully provided a [summary](#) of her work, which is quoted below:

The legislation contains six big ideas:

- 1. Padlock the Revolving Door and Increase Public Integrity** by eliminating both the appearance and the potential for financial conflicts of interest; banning Members of Congress, cabinet secretaries, federal judges, and other senior government officials from owning and trading individual stock; locking the government-to-lobbying revolving door; and eliminating "golden parachutes".
- 2. End Lobbying as We Know It** by exposing all influence-peddling in Washington; banning foreign lobbying; banning lobbyists from donating to candidates and Members of Congress; strengthening congressional independence from lobbyists; and instituting a lifetime ban on lobbying by former Members of Congress, Presidents, and agency heads.
- 3. End Corporate Capture of Public Interest Rules** by requiring disclosure of funding or editorial conflicts of interest in rulemaking comments and studies; closing loopholes corporations exploit to tilt the rules in their favor and against the public interest; protecting agencies from corporate capture; establishing a new Office of Public Advocate to advocate for the public interest in the rulemaking process; and giving agencies the tools to implement strong rules that protect the public.
- 4. Improve Judicial Integrity and Defend Access to Justice for All Americans** by enhancing the integrity of the judicial branch; requiring the Supreme Court follow the ethics rules for all other federal judges; boosting the transparency of federal appellate

courts through livestreaming audio of proceedings; and encouraging diversity on the federal bench.

5. Strengthen Enforcement of Anti-Corruption, Ethics, and Public Integrity Laws by creating a new, independent anti-corruption agency dedicated to enforcing federal ethics laws and by expanding an independent and empowered Congressional ethics office insulated from Congressional politics.

6. Boost Transparency in Government and Fix Federal Open Records Laws by requiring elected officials and candidates for federal office to disclose more financial and tax information; increasing disclosure of corporate money behind Washington lobbying; closing loopholes in federal open records laws; making federal contractors - including private prisons and immigration detention centers - comply with federal open records laws; and making Congress more transparent.

To watch Sen. Warren's speech introducing and explaining her bill, video can be found [here](#). Of all of the challenges presented by the Trump Administration, none is more damaging than its encouraging attitude towards corruption. This bill is a comprehensive solution that addresses a variety of areas where corruption has flourished, not just in the past two years, but for decades. Please consider calling both of our senators and asking them to support this legislation in committee.

H.Res. 1043: Amending the Rules of the House of Representatives to prohibit with limited exceptions the participation of any Member, Delegate, Resident Commissioner, officer, or employee of the House on the board of any publicly held or publicly regulated corporation, financial institution, or business entity

<https://www.govtrack.us/congress/bills/115/hres1043>

This resolution was introduced by Rep. Kathleen Rice (D-N.Y.) on August 21, 2018. It is pending in the House Rules Committee, and it has one co-sponsor (N.Y. GOP Rep. Tom Reed). The resolution calls for a change in the conflict of interest rules in the House. It was clearly composed in response to the recent [indictment](#) of New York Rep. Chris Collins. Rep. Rice said the following about her bill:

There is no reason why Members of Congress should ever be allowed to serve on the boards of publicly-traded companies. If we want to maintain the public's trust in Congress, then we need to change our rules and close gaping ethics loopholes like this one. Our constituents should never have a doubt in their mind that their Representative could be corrupted, incriminated or conflicted because of their financial interests or their position in a private company.

Since Rep. Fitzpatrick makes such an issue of his belief in "clean government" we should consider calling him to test that stance by asking him to support this effort.

This report brought to you by the PA-08 MoCTrack team...

Elayne Baker

Gary Garb

Kathy Sikes

Kierstyn Piotrowski Zolfo

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