

Week ending 09/16/18 - 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

"I hope I shall always possess firmness and virtue enough to maintain (what I consider the most enviable of all titles) the character of an honest man."

— [George Washington](#), excerpted from a 1788 letter to Alexander Hamilton

Votes of Interest -

On the Nomination PN1620: Charles P. Rettig, of California, to be Commissioner of Internal Revenue for the term expiring November 12, 2022

<https://www.govtrack.us/congress/votes/115-2018/s206>

One week we will report on a bureaucratic appointee who is accomplished, respected, and has served their lives fulfilling the mandate of the service they have been confirmed to lead. This is not that week. This week, Trump nominee Charles Rettig had his confirmation vote for a position leading the Internal Revenue Service. The [New York Times](#) outlined some of Mr. Rettig's applicable resume items for this new job:

Mr. Rettig has deep experience with disputes over the amount of taxes paid. He has defended clients against the I.R.S. in tax fraud investigations. He has twice led negotiations that resulted in settlements between the I.R.S. and Americans who had been improperly sheltering money overseas. Last year, he sued the I.R.S. on behalf of a California bank holding company over a \$1.5 million corporate tax bill that the company said was wrongly assessed. In 2014, he filed a similar suit on behalf of a California couple over \$644,000 in tax penalties and interest that the couple said the I.R.S. had wrongly assessed.

Yes, the Trump Administration has chosen to head the I.R.S. a man who has made a career of battling the I.R.S. in court.

During his confirmation hearings, many Democrats chose to question Mr. Rettig about his position on a newly announced I.R.S. policy that would lift donor disclosure requirements on many groups, allowing foreign cash and other sources of dark money to flood into our election process. Sen. Ron Wyden (D-Ore.) was quoted by [CBS News](#) discussing Mr. Rettig's reaction to that line of inquiry:

He wouldn't even acknowledge that there is a real problem here for the cause of transparency and openness in our democracy. So over the next two months, while political ads flood the airwaves, millions of Americans are going to wonder how much of this stuff is paid for by lawbreaking foreigners and special interests. Because of the new rule, the IRS and law enforcers are going to be in the dark, too. ... This is as corrupt as anything I know of before the United States Senate.

The Senate voted to confirm Mr. Rettig on September 12, 2018, 64-33. **Casey voted YES** and **Toomey voted YES**.

H.R. 5895: Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs Appropriations Act, 2019

<https://www.govtrack.us/congress/votes/115-2018/s207>

This is one of three “minibus” bills that needed to pass if we are to avoid a government shutdown on October 1, 2018. [The Hill](#) lays the groundwork for how this process works:

Congress must pass funding bills to cover 12 areas of spending each year, or pass a continuing resolution (CR) for those areas to keep current levels in place when the new fiscal year begins. Failure to do so results in a government shutdown. Congress hopes to pass the 9 bills in three minibus packages alongside a CR for the three remaining bills, which include controversial items such as President Donald Trump's proposed border wall.

The original version of this bill passed the House and Senate back in June, but the two groups of legislators passed different versions. They went to conference this week and decided on a final version that costs roughly \$147 billion. [CBS News](#) observed that “approval of the initial spending bill was so important to Republican leaders that they moved up a vote planned for Thursday, citing the threat of Hurricane Florence bearing down on the Southeast U.S. coast.”

The Senate took up an approval vote on the conference report first, on September 12, 2018. They voted to approval the bill 92-5. **Casey voted YES** and **Toomey voted YES**. The bill then went to the House on September 13, 2018, and it passed there 377-20. **Fitzpatrick voted YES**.

This bill has not completely averted the possibility of a government shutdown. There are still other funding bills that must pass, and the legislature still has to iron out the details of the nixed pay raise for 1.8 million federal workers that was announced by President Trump just before Labor Day. And there is still a chance of President Trump vetoing this bill, or any of the other funding efforts because they do not contain any money for his beloved wall. Stay tuned.

H.Res. 1017: Requesting the President, and directing the Secretary of State, to transmit to the House of Representatives copies of all documents, records, communications, transcripts, summaries, notes, memoranda, and read-aheads in their possession referring or relating to certain communications between President Donald Trump and President Vladimir Putin.

<https://www.govtrack.us/congress/bills/115/hres1017>

Normally the MoCTrack Report does not track committee votes, but this event was too upsetting not to share. On September 13, 2018, the House Foreign Affairs Committee considered a resolution from Philadelphia-area Representative Brendan Boyle, to have all of the documents related to President Trump's closed-door meeting in Helsinki with Russian President Vladimir Putin released to Congress. You can watch the debate and committee speeches about the issue on this segment of [C-SPAN video](#). A YES vote would have sent this to the full House for consideration. A NO vote would table the measure, completely disregarding the Congressional duty of oversight. The committee voted along [party lines](#), 18-23, to defeat the measure. **Fitzpatrick voted NO**, and thus shielded President Trump, yet again, from any sort of Congressional scrutiny.

MoC Twitter Action

Senator Bob Casey hot topics: The senator was atypically quiet this week, sharing only four tweets. He promoted a legislative effort to make child care more affordable, and shared an article

about a gas explosion in Beaver County. He told his constituents that he would be attending a memorial in Shanksville, PA and shared his thoughts on the anniversary of 9/11. And in the wake of President Trump's inexplicable thread on the numbers of dead in Puerto Rico from Hurricane Maria, the senator offered a rebuttal to the president.

Casey tweet of the week, 09/13/18: "As another storm bears down on our Eastern Coast, @realDonaldTrump's attention should be on the safety and needs of those impacted rather than purposefully misleading tweets about death toll numbers of those this Administration failed during the last storm"

— made in response to [tweets](#) from President Trump that said "When Trump visited the island territory last October, OFFICIALS told him in a briefing 16 PEOPLE had died from Maria." The Washington Post. This was long AFTER the hurricane took place. Over many months it went to 64 PEOPLE. Then, like magic, "3000 PEOPLE KILLED." They hired GWU Research to tell them how many people had died in Puerto Rico (how would they not know this?). This method was never done with previous hurricanes because other jurisdictions know how many people were killed. FIFTY TIMES LAST ORIGINAL NUMBER - NO WAY!"

Representative Brian Fitzpatrick hot topics: Most of the representative's attention this week was focused on legislation he supports. He tweeted several times to promote the Land and Water Conservation Fund, and shared a video of his floor speech on the same topic. He also announced that he introduced a six month extension to the Violence Against Women Act, which expires on September 30th. Lastly, he retweeted a message from his [Cupid-on-the-Hill buddy](#) Rep. Kyrsten Sinema (D-Ariz.), who thanked him for bringing attention to the issue of veteran suicide.

Fitzpatrick tweet of the week, 09/13/18: "I introduced the Violence Against Women Extension Act with @RepStefanik. This 6-month extension will renew the Violence Against Women Act before it expires on 9/30. House Leadership must bring this bill up for a vote immediately. #VAWA Learn more:"

— shared with a link to Fitzpatrick's [press release](#)

Senator Pat Toomey hot topics: The senator is keeping his head low this week. He sent out a 9/11 memorial message and a tweet to honor the passing of a local radio host.

Toomey tweet of the week, 09/11/18: "Today, we honor and remember those we lost seventeen years ago. We must never forget that terrible day, nor the countless acts of selflessness and bravery that would come to represent our national resolve. God bless the memories of those who perished, and God bless America."

— shared with a "never forget" [meme](#)

Honorable mention, lawmaker

From @SenKamalaHarris (D-Calif.) on 09/12/18:

"It all boils down to this: in our system of justice, justice should be blind. Blind to how much money someone has, to what you look like or who you love. Every Supreme Court Justice must understand and uphold that ideal and I don't believe Brett Kavanaugh will."

— shared immediately preceding the publication of her Op-Ed in the *Washington Post* titled "[Brett Kavanaugh misled the Senate under oath. I cannot support his nomination.](#)"

Honorable mention, media

From @Eric Holthaus, Staff writer at *The Grist*, on 09/14/18:

“2,975 people died in Puerto Rico. It is the worst humanitarian disaster in modern American history. For the first time, here are the names of hundreds of the dead. And their stories, told by grieving family members. Bold, courageous reporting by @qz”

— shared with a link to a [Quartz](#) article titled “[Hurricane Maria was a manmade disaster. Hundreds of families told us what really happened](#)”

Honorable mention, constituent response

From @SharmaBum62 on 09/13/18:

“For Trump, people mean nothing. He is concerned with his image like any pathological narcissist.”

— made in response to Senator Casey’s [tweet of the week](#) about the President’s response to the official number of people who died in Puerto Rico after Hurricane Maria and the federal government’s inadequate response

Casey in the News

Courtesy of contributor Kathy Sites

“Republicans are discussing impeachment because they don’t want to talk about the tax giveaway to the big corporations that ran up something on the order of almost \$2 trillion in debt. Instead of prioritizing investigations into the president Democrats would be wiser to focus on raising the minimum wage or preventing cuts to Medicaid if the were to win majorities in congress. That is a pretty full agenda.”

— excerpted from the [NBC-2.com](#) piece titled “[Trump, Republicans Using impeachment threat as tool to motivate their base](#)”

“You care about your country and you know we are not going in the right direction. We have a lot of battles to fight. We’re not going to negotiate how to cut health care. We have to be united on that, not as Democrats versus Republicans, but as Americans. Those battles include preserving health care provisions under the Affordable Care Act. 7,034 Indiana County residents obtained coverage through ACA, with 70 percent or 4,900 getting it through Medicaid expansion. It was a good day when the United States Senate said no to the horrific repeal bill.”

— from the [Indiana Gazette](#) article titled “[Casey talks on county health care](#)”

“This campaign is going to be about protecting Medicare, Medicaid, and Social Security. They are basic middle-class issues. If you are a middle class family, I don’t think you should have to worry because a group of Republican politicians in Washington want to please their hard-right corporate benefactors that we are going to have Medicare and Medicaid ripped away from people and Social Security undermined. We are ready for that fight. 68% of the roughly 5,700 got their health care through Medicaid expansion. We must make sure we protect that.”

“Armstrong County is like a lot of communities in southwest Pennsylvania. Part of the challenge is to retain an industrial base to keep young people in this county. Lack of wage growth is a problem in a lot of these communities. We have to figure out a way to lift wages. One of the best ways is to have a tax policy that doesn’t give the top one-percent tens of billions of dollars this year, which

is what the tax bill the Republicans passed will do. We must give a much greater share of the tax breaks to the middle class. That what (the Republicans) failed to do in the tax bill they rammed through in 2017.”

“To jumpstart the economy in southwest Pennsylvania is to pass an infrastructure bill to rebuild roads and bridges. In this county alone, you have more than 40 bridges that are structurally deficient. You have roads that need repaired. You have rural folks that are without broadband services in parts of the county. We should be investing in a major infrastructure bill. In a county like this, we need a strategy that is going to grow wages, jobs and economic opportunity.”

— excerpted from a speech given to community leaders in Armstrong County, as reported in the *Kittanning Paper* article titled [“Senator Bob Casey Visits Armstrong County”](#)

Fitzpatrick in the News

“There’s always the matter of some fire being put out that leap frogs the issues that were normally scheduled. Unfortunately the reality down there is that people tend to wait until the last minute.”

— the representative’s comments on gridlock holding up the reauthorization of the Land and Water Conservation Fund, from the *Bucks County Courier Times* article titled [“Congressman Brian Fitzpatrick pushes for renewal of federal conservation fund”](#)

“... purely partisan solutions are never going to work, because you’re never going to get the votes you need to pass. Carlos and I are trying to be that voice inside the GOP caucus to advance common-sense, bipartisan solutions to what he and I believe is a very significant threat.”

— the representative discusses a bill introduced by Rep. Carlos Curbelo (R-Fla.) from an article in *Grist* titled [“It’s Monday, September 10, and this congressional Republican has grown a spine when it comes to climate change”](#)

“I had to stave off a challenge from the right in the primary, because they claim I was not supportive enough of the president. I get objection from the right and from the left because I’m a centrist. And when you get pushback from both sides in a district like Bucks County, you know that you’re exactly where you need to be.”

— from a *WHYY* article titled [“Fitzpatrick running as moderate, trying to hold onto Bucks seat for GOP”](#)

Toomey in the News

Courtesy of contributor Elayne Baker

“I made a promise to Pennsylvanians that I would fight to lower taxes, eliminate government waste, and cut unnecessary red tape. From passing the pro-growth Tax Cuts and Jobs Act, to rolling back erroneous and overbearing regulations, Congress is finally heading in the right direction. I thank the NTU for recognizing and supporting my efforts on behalf of Pennsylvania taxpayers.”

— the senator’s comments upon receiving an award from the National Taxpayers Union, a Koch brothers funded conservative organization, as reported in the *MyChesCo.com* article titled [“Toomey Recognized With Taxpayers’ Friend Award”](#)

"What the administration submitted to Congress in setting up the opportunity to use TPA, and the expedited process that TPA allows, contemplated a revision to a tri-party agreement. So it's my understanding that this has to be a tri-party agreement."

— [the senator explains how the Trade Promotion Authority would not apply to the President's agreement with Mexico if it excludes Canada, from a *Weekly Standard* article titled "Democrats Fire Back at Trump's Dubious NAFTA Plan"](#)

"Since its creation over a decade ago, the RFS has failed to accomplish the originally envisioned goals of tangible environmental benefits and improved energy independence. Moreover, the RFS has imposed financial harm on motorists, the broader transportation sector and domestic oil refiners. The RFS picks winners and losers amongst sources of energy and has named merchant refiners, particularly those in the Philadelphia region, the losers."

— [the senator's complaints about an environmental protection measure, the Renewable Fuel Standard, as quoted in a *Delaware County Times* article titled "Toomey calls on EPA boss to visit refineries in light of renewable fuel situation"](#)

Legislation of Interest:

S. 3438: A bill to require the Director of the Government Publishing Office to establish and maintain a website accessible to the public that allows the public to obtain electronic copies of all congressionally mandated reports in one place

<https://www.govtrack.us/congress/bills/115/s3438>

This bill was introduced by Sen. Rob Portman (R-Ohio) on September 12, 2018. It is pending in the Senate Homeland Security and Governmental Affairs Committee, and it has one co-sponsor, Minnesota Democrat Sen. Amy Klobuchar. The formal name of this bill is self-explanatory - if passed, this would create a central online site where ALL government mandated congressional reporting could be found.

[Editor's note - please excuse the personal appeal here.] Speaking as a person who spends much of her free time researching and reporting on the Congress, I cannot tell you what a time-saver this would be, and what a boon for government accountability. Right now, you'd think that expenses like taxpayer funded official printing costs and campaign-funded printing costs for the same legislator might be searchable in the same place... but you would be wrong. Because even though the output is the same thing (printed items with a Congressperson's name on it), different government agencies monitor, track and save those reports. The Federal Elections Commission that tracks campaign printing costs keeps a searchable database, whereas the House of Representatives stores their own franking expenses, and that is just a giant list of 4,000+ page PDFs for each quarter with no indexing by legislator. To have a central location where everything is kept in a uniform format would enable all citizens to easily locate data about their Member of Congress's time in office. It would bring sunlight to the legislature in a way that it has never existed before. If we want an informed electorate, we need this bill to pass. **Please contact our Senators and ask them to co-sponsor this legislation.**

S. 3427: A bill to effectively staff the public elementary schools and secondary schools of the United States with school-based mental health services providers

<https://www.govtrack.us/congress/bills/115/s3427>

This bill was introduced by Sen. Jeff Merkley (D-Ore.) on September 12, 2018. It is pending in the Senate Health, Education, Labor, and Pensions (HELP) Committee, and it has 5 co-sponsors (4D, 1I). This bill feels like a follow-up to the [legislation](#) passed by the House in the month after

the Parkland school shooting. That bill was mostly about grants for improving school security. This bill is about addressing mental health issues in school students. Sen. Merkley explains in a [statement](#), “Mental health care is essential health care, full stop. But right now in our schools, we’re treating it like an optional afterthought. That’s unacceptable, and it puts our students’ lives at risk. This National Suicide Prevention Week, let’s commit to ensuring that every child in America has access to the mental health care they need.” Merkley’s statement goes on to explain that best practices suggest having a student-to-counselor ratio of 250-1. In the United States, we are currently at a 482-1 ratio and the number rises each year. This bill would fund grants to allow school systems to hire staffing to provide more robust mental health services. Senator Casey is on the Senate HELP Committee. Please consider calling him to request that he co-sponsor this legislation.

H.R. 6768: To re-establish certain hydraulic fracturing chemical disclosure rules, standards for well construction, and waste management rules

<https://www.govtrack.us/congress/bills/115/hr6768>

This bill was introduced by Rep. Darren Soto (D-Fla.) on September 10, 2018. It is pending in several House groups, including the Energy and Commerce, the Natural Resources, and the Transportation and Infrastructure Committees. There are 7 co-sponsors of this bill, all Democrats. This is a topic of particular interest to our area, with the all of the fracking that occurs in our immediate region, and the additional fuel extraction done in other states, but within the Delaware River watershed. In 2005, Congress passed a bill called the Energy Policy Act. Contained in that legislation was a snippet now referred to as the “[Halliburton Loophole](#)” - a carveout that exempts hydraulic fracturing chemicals from disclosures mandated in the Safe Drinking Water Act. Rep. Soto has attempted to pass other fracking regulation in the past, unsuccessfully. This new effort would overturn the Halliburton Loophole, and put into place a number of other safety provisions related to the fracking process itself, and the treatment and disposal of wastewater, itself a huge problem.

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