

PA-01 Member of Congress Tracking Report - 01/27/19

This is a 100% volunteer effort brought to you by a handful of progressive Democrats and Independents who share a vision of an electorate that knows exactly what their elected officials are doing on their behalf, and who bring that knowledge with them to the polls each year. We want to offer a big thank you to the Pennsylvania Together and Pennsylvania Statewide Indivisible organizations who host our report and help us share it out to the residents of our Commonwealth!

Tracking Congress in the Age of Trump

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

Member of Congress	This week's score	Change from last report
Senator Bob Casey (D)	31.8%	-0.8%
Senator Pat Toomey (R)	89.4%	+0.2%
PA-01 Rep. Brian Fitzpatrick (R)	75.0%	-2.1%

Nate Silver's [FiveThirtyEight website](#) assesses the voting records of our MoCs to provide this index, by noting any bills where President Trump has stated a position, and comparing the vote of the legislator to that opinion. Five votes were scored this week. In the House there were a trio of funding bills, while in the Senate the two shutdown-related options were included in the index.

Want to see exactly what votes went into giving your MoC the numbers above? Click on the name of any legislator and you will be brought to their 538 webpage, where all of the positions that went into the index are listed in an easy-to-read format.

Words From Our Founders

"It is only from a redress of grievances and equitable regulations of commerce, with mild and reasonable measures of government, permitting and securing to those people the full enjoyment of their privileges, that we may hope to recover the affection and respect of that great and valuable part of our fellow subjects... Railing and reviling can answer no good end; it may make the breach wider; it can never heal it.

-- [Ben Franklin](#), 1768

How the Shutdown ended, told via seven votes

Hold onto your hats, because a lot of voting went into the process of reopening the government through February 15th. Traditional media has covered the end of the shutdown at length, so this is going to be a little different. This is the legislative process that went into getting our federal workers paid again.

VOTE #1 - HOUSE, 01/23/19 at 1:44 PM

[H.J.Res. 28](#): Further Additional Continuing Appropriations Act, 2019

PASSED 229-184

This first funding bill of the week, from Wednesday, would have covered funding for all agencies that were affected by the shutdown except for the Department of Homeland Security. When it first came before the House, it would have funded those departments through February 28, 2019. **Fitzpatrick voted YES.**

VOTE #2 - HOUSE, 01/23/19 at 3:54 PM

[H.R. 648](#): Consolidated Appropriations Act, 2019

PASSED 234-180

This bill would have opened ALL of the affected agencies (including DHS) and funded them through September 30, 2019. The same 10 Republican MoCs from around the country supported the Democrats' efforts to end the shutdown. One Democrat broke ranks - newly elected Rep. Alexandria Ocasio-Cortez (D-N.Y.), who [explained](#) "Most of our votes are pretty straightforward, but today was a tough/nuanced

call. We didn't vote with the party because one of the spending bills included ICE funding, and our community felt strongly about not funding that." **Fitzpatrick voted YES.**

VOTE #3 - HOUSE, 01/24/19 at 10:48 AM

[H.J.Res. 31](#): Making further continuing appropriations for the Department of Homeland Security
PASSED 231-180

This is the companion to VOTE #1, and funded the Department of Homeland Security through February 28, 2019 (as originally passed). Some pundits (mostly from conservative leaning outlets) have asked why the House was voting for different variations on funding bills, over and over again. The answer is simple - the Democratic leadership in the House, under the direction of Speaker Nancy Pelosi, was creating a wide variety of options for the Senate to choose from, should Senate Majority Leader Mitch McConnell decide to take up legislation to end the shutdown. The House passed a collection of bills that funded individual departments, and they passed resolutions that funded all of the unpaid agencies at once, so that as soon as the Senate decided to come to the table, they could pick the one they liked best and run with it, without having to bring the House back for another vote. **Fitzpatrick voted YES.**

VOTE #4 - SENATE, 01/24/19 at 2:42 PM

Motion Invoke Cloture on the [Shelby Amdt. No. 5](#), also known as the "president's plan"
CLOTURE FAILED, 50-47

Casey voted NO, Toomey voted YES

On Saturday, January 19th, the President made an offer to trade temporary protection for Dreamers for his wall... or so he presented it in his press conference. Upon reading the details, one would find that it was no compromise, and actually made damaging changes to immigration law, like eliminating automatic court hearings for juveniles who come to the United States and request asylum, and limiting the number of eligible DACA recipient covered by his deal to 700,000 when there are actually more than twice that number of Dreamers in the country (for more details, read this [Vox article](#)). But the only way that Senate Majority Leader Mitch McConnell would agree to hold a vote related to the shutdown was if the president's plan was offered alongside one of the Democrat's funding bills. The first vote taken by the Senate was to achieve cloture (meaning 60 votes were needed) for that plan from the president, and it failed, 50-47. It did not split entirely along party lines. Of the senators placing votes, all of the Democrats except for Joe Manchin (W.V.) voted against this offer. And all of the Republicans except for Tom Cotton (Ark.) and Mike Lee (Utah) voted for the president's plan. Senators James Risch (R-Idaho), Rand Paul (R-Ky.) and Jacky Rosen (Nev.) did not vote.

VOTE #5 - SENATE, 01/24/19 at 3:18 PM

Motion to Invoke Cloture on the [Schumer Amdt. No. 6](#), also known as the "Democrats' plan"
CLOTURE FAILED, 52-44

Casey voted YES, Toomey voted NO

Directly after the 'president's plan' vote, the Senate proceeded to a cloture vote for the Democrat's plan, which was almost exactly a copy of [H.R. 268](#), a funding bill plus disaster aid package that had passed the House back on January 16th. This vote also failed but far more Republicans defected to vote in favor of this package. All of the Democrats who placed votes did so on behalf of this proposal. While most Republicans voted against it, six voted for this package - Lamar Alexander (Tenn.), Susan Collins (Maine), Cory Gardner (Col.), John Isakson (Geo.), Lisa Murkowski (Alaska), and Mitt Romney (Utah). Four senators chose not to vote - Jacky Rosen (D-Nev.), James Risch (R-Idaho), Rand Paul (R-Ky.) and Richard Burr (N.C.).

Some pundits have suggested that this pair of votes was a dramatic example of "show-n-tell" staged by Mitch McConnell for the benefit of the president. It did an excellent job of showing that there were nine Republican senators who did not fully support the president's plan. And with the dramatic repercussions of the shutdown being reported upon in the media more heavily with each passing day, Republican willingness to continue to back the president's plan (which was reported to be preparing for pushing the shutdown into [March or April](#)) had reached the breaking point.

VOTE #6 - SENATE, 01/25/19 at 4:30 PM

[H.J.Res. 28](#): Further Additional Continuing Appropriations Act, 2019 Amended

Passed by unanimous Consent in the Senate, the House approved of changes, the President signed it into law.

After the President made his late morning announcement on Friday that the shutdown was temporarily over, the Senate rushed into session to make it so. The Senate took up the resolution that the House

passed that funded the government (except for Homeland Security), amended it so that its time frame concluded on February 15th, and passed it by unanimous consent. As a bonus, they also tacked on a reauthorization of the [Violence Against Women Act](#), which had run out of funding back in December.

VOTE #7 - SENATE, 01/25/19 at 4:35 PM

[H.J.Res. 31](#): Making further continuing appropriations for the Department of Homeland Security Amended Passed by unanimous Consent in the Senate, the House approved of changes, the President signed it into law.

This was the Homeland Security piece, and it was also amended so that its end date is February 15th. You can watch the swift proceedings for its passage [here](#), on C-SPAN.

And so ended the longest shutdown in United States history. Of course, we might be in for another round on February 15th, if we don't make it abundantly clear to all of our MoCs exactly where our feelings lie (presumably, no wall and keep the government workers paid!) The *Washington Post* said it best in an article titled "[By pursuing shutdown, Trump revealed how much America depends on government](#)" from January 26, 2019: "by leading the country through the longest government shutdown in American history, [President Trump] inadvertently revealed how intertwined the government is with millions of households, businesses and the entire U.S. economy."

OTHER Votes of Interest

The House supports NATO, but not all of PA's MoCs agree

[House vote on H.R. 676](#)

It has been known for a long time that Russian President [Vladimir Putin](#) would like to see the end of the North Atlantic Treaty Organization (NATO). As such, there is deep concern about how President Trump has [belittled our NATO allies](#) and called into question its utility. With that in mind, Rep. Jimmy Panetta (D-Calif.) introduced this bill, which has as its central principle, "the President shall not withdraw support from NATO." A vote was taken on January 22, 2019. It needed a $\frac{2}{3}$ majority to pass, as the vote was taken under a suspension of the rules. The final vote was 357-22, with 54 MoCs (that's 12% of the House, broken down to 26D and 28R) choosing to place no vote. **Fitzpatrick voted YES.**

The House supports government-sponsored hacking... of our own systems

[House vote on H.R. 328](#)

One of the best ways to test our government's computer systems for vulnerabilities is to enlist the assistance of white-hat hackers, who can check for problem areas and report them to appropriate partners in the government so that they can be fixed. This bill, introduced by Rep. Ted Lieu (D-Calif.) would incentivize that system by creating "a bug bounty program to identify and report vulnerabilities of internet-facing information technology of the Department of State." A vote was taken on January 22, 2019. It needed a $\frac{2}{3}$ majority to pass, as the vote was taken under a suspension of the rules. The final tally was 377-3, with only a trio of Republican Freedom Caucus members opposing this plan. **Fitzpatrick voted YES.**

Our MoCs respond to the end of the Trump Shutdown...

Senator Bob Casey, 01/25/19, via [Twitter](#): “President Trump has finally agreed to end the shutdown he created and that is a victory for federal workers and the American people. It should not have taken 36 days of pain to our Nation’s workers and families for President Trump to accept the same agreement that was on the table when the shutdown began. The fact that it took this long is a recognition of President Trump’s failed leadership. Now with the government about to reopen, Democrats and Republicans can discuss ways to effectively secure the border instead of building a wall that security experts say won’t work.”

Senator Pat Toomey, 01/25/19, via [Twitter](#): “I am glad the government is reopening and 800,000 federal employees are getting paid. Over the next three weeks, the president and Congress will have an opportunity to craft a workable solution. As I have said all along, the obvious, necessary resolution is a compromise that improves border security – including physical barriers where they make sense – and delivers on some Democrat priorities, too. I hope Democrats, who promised to negotiate in good faith if the government were open, will now compromise with the president so the country can put this frustrating episode behind us.”

PA-01 Rep. Brian Fitzpatrick, 01/25/19, via his [website](#): “Government shutdowns are costly and inefficient. This impasse—the longest in American history—has been detrimental to federal employees, disrupted the traveling public, and has led to damage in our national parks. While I appreciate that a tentative deal has been reached to reopen the federal government, this lengthy interruption of government services has been harmful to the American people and civil discourse. Over the next three weeks, it is imperative that Republicans and Democrats compromise on policies that fund the federal government and enforce border security to ensure such a stalemate does not reoccur.”

MoC Twitter Action

Editor’s note - ALL of the MoC Twitter action contained a LOT of shutdown talk. For the most part, this segment will highlight the content that did NOT revolve around the shutdown.

Senator Bob Casey hot topics: The senator opened the week with his extended thoughts on Martin Luther King Jr. Day, and the passing of Harris Wofford. He shared a tweet from his colleague Sen. Tammy Duckworth (D-Ill.) about joining with her to call for an investigation of the living conditions of detained migrant children. He tweeted out a [Washington Post](#) article about declining penalties for environmental polluters, and expressed his contempt for the agency decisions for the mercury rule to be gutted. The Senator offered a thread about disability advocate Ed Roberts (see below for his tweets of the week), and he offered his dismay at the Supreme Court’s decision to temporarily revive the Trump Administration’s policy banning transgendered people from serving in the military.

Casey tweets of the week, 01/23/19: “Today we honor the life of Ed Roberts - a pioneer in the independent living movement who challenged paradigms and pushed for community integration of people with disabilities. On his birthday, we honor the work of Ed Roberts, who inexhaustibly championed the rights and humanity of disabled Americans from his time as a student activist transforming UC Berkley into an accessible campus, to founding the World Institute on Disability. Ed Roberts revolutionized the independent living movement, crafting what we know it to be today. While much progress has been made, there is more to do and honoring his legacy means continuing to fight for #peoplewithdisabilities.”

— [tweeted with a link to the Smithsonian Magazine article titled “Ed Roberts’ Wheelchair Records a Story of Obstacles Overcome”](#)

Representative Brian Fitzpatrick hot topics: The representative shared a selection of images from an event he participated in to celebrate Martin Luther King Jr. Day. He also shared images and thoughts on his appointment as co-chair of the PFAS Task Force, along with a tweet from Pennsylvania State Representative Maria Collett thanking him for his work on water contamination..

Fitzpatrick tweet of the week, 01/23/19 “I was proud to introduce the PFAS Task Force this afternoon and to serve as Co-Chair with @RepDanKildee. I look forward to working in a bipartisan manner to ensure that all Americans have access to safe, clean drinking water.”

— shared with an [image](#) from his speech at the announcement ceremony

Senator Pat Toomey hot topics: The only Twitter content from the senator this week that did not relate to the shutdown were his comments upon the passing of Harris Wofford, his thoughts on Martin Luther King Jr. Day, Holocaust Remembrance Day, and his congratulations to Montgomery County students named as finalists in the Regeneron Science Talent Search.

Toomey tweets of the week, 01/22/19: “Senator Harris Wofford served his country honorably in the armed forces, as a member of Congress, and as a civil rights leader. My condolences go out to Senator Wofford’s family and friends.”

— shared with an [obituary](#) from Pittsburgh’s *WTAE*

Honorable mention, lawmaker

From @RepJoeKennedy (D-Mass.) on 01/23/19:

“With my friend @HurdOnTheHill serving meals to federal workers at @WCKitchen #ChefsForFeds. Grateful for the incredible effort of @chefjoseandres but it should never have come to this. These families deserve better from the government they serve.”

— shared along with a number of pictures from an event organized by Chef Jose Andres, where politicians were told they could only come and help serve if they arrived with a member of the opposite party. Go search [#ChefsForFeds](#) to read more about the work done by Chef Andres and his organization, and to have your faith in humanity (and bipartisanship?) restored

Honorable mention, media

From @lpolgreen, Lydia Polgreen, Editor in Chief at the *Huffington Post*, on 01/26/19:

“1,000 journalists lost their jobs last week. Ordinary people with rent to pay, families to support, student loan bills coming due. They are workers like any other who do not deserve this cruelty.”

— shared in response to President Trump’s [tweet](#), which read: “Ax falls quickly at BuzzFeed and Huffpost!” [Headline, New York Post](#). Fake News and bad journalism have caused a big downturn. Sadly, many others will follow. The people want the Truth!”

Honorable mention, constituent response

Dominic Sisti, a fellow Pennsylvania resident, was kind enough to share a letter he received from Sen. Toomey, and included his comments upon various sections of the correspondence. With his permission, I have included the full thread here. From @domsisti on 01/25/19:

1/ Let's take 5 minutes to carefully read the response I just received from @SenToomey regarding the national calamity he & his colleagues, under the direction of his party's maniacal standard bearer, have caused.

2/ Here is where the Senator acknowledges that he--just like the President-- condones using the following groups as political bargaining chips: DACA recipients, women who were or may become victims of violent abuse, and victims of natural disasters.

On January 24, 2019, the Senate voted on two proposals: one supported by President Trump and one supported by Senate Democrats. The President's proposal to reopen the government, which included \$5.7 billion to enhance security at the southern border, including physical barriers for locations identified and requested by Customs and Border Protection, was reasonable and I supported it. The President's plan also had top legislative priorities of House Speaker Nancy Pelosi and the Democrats. It included part of the bipartisan BRIDGE Act, which was introduced by Senators Lindsey Graham (R-SC) and Dick Durbin (D-IL). Their bill provides legal status to enrollees of the Deferred Action for Childhood Arrivals (DACA) program. The President's offer also granted legal status to Temporary Protected Status recipients for three years, extended the Violence Against Women Act, and gave more than \$12 billion in disaster relief funding. Although the President's proposal received a majority of votes in the Senate, including my own, it failed to obtain the 60 votes required to end debate. The Senate Democrat-backed spending bill, which also failed to get the requisite 60 votes, contained no commitment for enhanced border security and would have lasted only two weeks, which is why I voted against it.

3/ Here is the part where the Senator forgets he voted for a 'wall-less' CR about a month ago. He also seems to forget that his party's standard bearer - Donald Trump- promised repeatedly "Mexico would pay" for the wall.

As I have said all along, the obvious, necessary resolution is a compromise. There is a deal to be had here that improves border security - including physical barriers where they make sense - and delivers on some Democrat priorities, too. Unfortunately, Speaker Pelosi has, thus far, refused to negotiate and has said she will not provide a single dollar to protect the border with physical barriers, even though Democrats have repeatedly voted to do so in recent years. I hope the failed votes on January 24th now bring Speaker Pelosi and Democrats to the table so that an agreement can be reached that reopens the government, secures the border, and allows federal employees to return to work with pay.

4/ Here is where the Senator tries to minimize the shutdown as "partial", but also tries to have it both ways and acknowledge this is a devastating calamity for thousands of people. But it is a 'partial shutdown' so not to worry, I guess.

While some federal agencies are closed during this impasse, the vast majority of the federal government, about 75 percent of the government's discretionary budget, is funded and operational. Although this is a partial government shutdown, there are very serious concerns about its impact on the federal workforce. A prolonged shutdown is devastating for federal employees and their families who face the adverse effects of not being paid. To provide relief from this detrimental situation, I am a cosponsor of the Shutdown Fairness

5/ Here is where the Senator blames the other side for not entertaining his ingenious workaround to continue to enable the madman in the Oval Office.

roughly 720,000 federal employees - including Coast Guard personnel and federal law enforcement officers - who are working without pay during the shutdown. Contractors supporting federal agencies in the category of essential personnel would be paid as well. Unfortunately, my Democratic colleagues went so far as to block S. 113 and efforts to pay Coast Guard members and other federal employees who have been working without pay.

6/ Here the Senator asserts he wants to prevent all shutdowns in the future, while he continues to be complicit and enable the current, most disastrous, shut down.

Moving forward, I want to see a permanent end to government shutdowns. That is why I have once again cosponsored the End Government Shutdowns Act (S. 104) introduced by Senator Rob Portman (R-OH). In the event Congress could not agree on an appropriations measure, affected federal agencies would continue to be funded at current levels, but over time, their allocations would be reduced to incentivize Congress to pass a full-year appropriations act.

7/ And here is where he pretends to give a shit about his constituents in the Commonwealth of Pennsylvania.

Thank you again for your correspondence. Please do not hesitate to contact me in the future if I can be of assistance.

Sincerely,



Pat Toomey
U.S. Senator, Pennsylvania

A big thanks to Mr. Sisti for sharing both the letter from Sen. Toomey and his analysis with Twitter and with MoCTrack readers!

Editor's note - much of the "in the news" content from all of our lawmakers revolved around the shutdown, and repeated their talking points from the past four weeks. With the shutdown over, we have only included those quotes from media sources that did not solely revolve around calls to end the shutdown.

Casey in the News

Courtesy of contributor Kathy Sites

"When I think of Martin Luther King, the one word I think of is justice. By commemorating his legacy; by fighting for justice every day of the year — not just on MLK Day — you pay tribute to his legacy for fighting for justice. The Martin Luther King Jr. Association for Nonviolence could not hold its annual

ceremonial ringing of the Liberty Bell because the bell (is) closed due to the government shutdown. This shutdown could end tomorrow morning when I go back to Washington. We can talk for a long time after the government's open, about border security or anything else. The House did its job and acted responsibly."

— from the [Philadelphia Tribune](#) article titled "[Annual MLK Day luncheon honors those fighting for justice, voting rights](#)"

"It's only fitting that Harris passed away on Monday, Jan 21, the federal holiday to honor King and the national day of service he helped to bring into existence. Senator Wofford was a champion of justice and a man of uncommon courage who dedicated his life to service."

— the senator's comments on the passing of former PA senator and civil rights activist Harris Wofford at the age of 92, from the [Philadelphia Tribune](#) article titled "[Mourning the loss of a distinct champion of justice](#)"

Fitzpatrick in the News

"What this task force will do is allow us to collectively speak, with one voice. [PFAS contamination is] a big problem. It's very pervasive."

— from the [Bucks County Courier Times](#) article titled "[House launches PFAS task force; Rep. Fitzpatrick to co-chair](#)"

"We're all going to collectively put the pressure on the EPA to make a decision."

— from a [Philadelphia Inquirer](#) article titled "[Members of Congress will 'put pressure on the EPA' to address PFAS-contaminated water](#)"

"Rather than dealing with these things individually when it comes to (funding and remediation)... we figured it was a good idea to get all the members of Congress who are dealing with similar issues in their communities together in one task force, so we can kind of speak with one voice and get the problem addressed... [EPA involvement is] a way to avoid the patchwork of different standards and have one uniform standard."

—from a blog entry on [Task and Purpose](#) titled "[Toxic Chemicals Poisoned The Drinking Water At Military Bases. Now Congress Is Doing Something About It](#)"

"We write to request that you adhere to the deadline for awarding the \$275 million already appropriated by Congress to fund urgent rail projects along the Northeast Corridor (NEC). Our constituents are a significant part of the 780,000 commuter trips and 40,000 intercity trips that the NEC supports every single day. They are disadvantaged by the unacceptable delay in the disbursement of these funds to improve the safety and reliability of our vital rail system. Any delay or any deferred decision by the Department of Transportation (DOT) on NEC infrastructure investment means a hard-working parent not making it home to see his or her family on time."

— an excerpt from a letter signed by the representative (along with 13 other members of the House Transportation and Infrastructure Committee) addressed to Secretary of Transportation Elaine Chao, as reported in the [Tap into Sparta](#) article "[Bipartisan Group of Members to Secretary Chao: Award NEC Rail Project Funds](#)"

Toomey in the News

Courtesy of contributor Elayne Baker

"The best version of the political argument inside [the Fed] is, there's some level of the balance sheet that we want to get to that's the apolitical, technical smart place to be ... but boy let's not talk about that until we have to. If Congress were to turn their sights on the Fed and say, 'Hey, why do you still have such a big balance sheet?' They would be able to say, 'Totally understand what you're saying. It's shrinking.' And that way you put off any time of reckoning until you're really ready to make the decision."

— from the [Politico](#) article titled "[Why Trump's fight with the Fed might soon be over](#)"

"I'm a big believer in the Second Amendment. I'm a gun owner. I think the Second Amendment is a very, very important individual right. My view has always been that that is not in conflict with my equally strongly held view that it is reasonable for us to do background checks on purchases, certainly commercial gun sales, because some people in our society don't have the right to the Second Amendment. Specifically, violent criminals who have demonstrated they don't deserve to have that right, people who are dangerously mentally ill -- it is completely reasonable for us to prevent those people from having firearms. We need to have a mechanism for determining whether a person is in one of those two categories. The background check is the mechanism we've used, but there are loopholes, there are gaping holes in it ... [I]f there's commercial sales involved, there ought to be a background check. That's the legislation that I introduced with Sen. [Joe] Manchin [of West Virginia].

What are the prospects in 2019? The prospects have changed, perhaps, because the House has switched control. I'm not happy about the fact that the House has changed control. I'm a Republican, I prefer Republican control. But the silver lining in that cloud, from my point of view, is that now we have a House that can pass broader background-check legislation. I think they will do that. I think they will send it to the Senate, and if we can get a few more Republicans to take my view, which is that expanding background checks does not infringe on the rights of law-abiding citizens, then maybe we've got a shot at doing something here."

— the senator's comments on common sense gun reform from the [WESA article titled "Sen. Pat Toomey On The Shutdown, Gun Control Legislation, Steel Tariffs"](#)

"The President's purpose in this was to pressure other countries – specifically Canada and Mexico – to negotiate a new trade agreement. Well, for better or for worse the Canadians and the Mexicans have done that, they've agreed to a new trade agreement and the administration was supposed to lift these tariffs when an agreement was reached. It has been reached and they still haven't lifted the tariffs. So it's frustrating to me, and it's harmful. It's simply a factual matter that a tariff is a tax on American consumers. The President likes to brag about how many billions of dollars are coming into the treasury. Well, they're all coming out of American wallets... I think [the Trump] administration didn't handle that situation well. "

— the senator's comments on trade from that same [WESA article titled "Sen. Pat Toomey On The Shutdown, Gun Control Legislation, Steel Tariffs"](#)

Learning about Legislation - some Committee assignments (finally!)

Committee assignments are made official when a resolution is introduced into the record by the Conference Chair for each party. For this 116th Congress, that is Hakeem Jeffries (N.Y.) for the Democrats and Liz Cheney (Wy.) for the Republicans. Those resolutions list the members of each committee. Thus far there have been seven large resolution drops with multiple members of many committees. Representative Fitzpatrick has shown up in two of those resolutions:

Committee on Foreign Affairs

PA-01's Rep. Brian Fitzpatrick (via [H. Res. 68](#)), along with fellow Pennsylvanians...

PA-06's Rep. Chrissy Houlahan (via [H. Res. 57](#))

PA-14's Rep. Guy Reschenthaler (via [H. Res. 68](#))

Committee on Transportation and Infrastructure

PA-01's Rep. Brian Fitzpatrick (via [H. Res. 68](#)) along with fellow Pennsylvanians...

PA-10 Rep. Scott Perry (via [H. Res. 68](#))

PA-11's Rep. Lloyd Smucker (via [H. Res. 68](#))

You will notice that this is a change from his previous committee assignments in the 115th Congress, which included the controversial House Homeland Security Committee and the lucrative House Small Business Committee. Resolutions have come out with the assignments of Republicans to those committees ([H. Res. 68](#) and [H. Res. 74](#)) and our Rep. Fitzpatrick was listed with either group.

Call to Action - Support this Bill!

[S. 200/ H.R. 669](#) - To prohibit the conduct of a first-use nuclear strike absent a declaration of war by Congress

The Constitution gives the power to declare war to the Congress. Amidst a long list of Congressional responsibilities, Article I, Section 8 of the Constitution says “The Congress shall have power...to declare war.” But it also says, in Article II, Section 2, “the President shall be commander in chief of the Army and Navy of the United States.” This check and balance was meant to protect the population by ensuring that any war was well-debated and supported by the majority of those elected to represent the people of the United States. But it was, obviously, planned by our nation’s founders long before the advent of nuclear weapons.

In April of 2017, President Trump made the following [threat](#):

North Korea best not make any more threats to the United States. They will be met with fire and fury like the world has never seen. He has been very threatening — beyond a normal statement — and as I said, they will be met with fire, fury and, frankly, power the likes of which the world has never seen before.

He followed that in January 2018 with another [tweet](#) that reads “North Korean Leader Kim Jong Un just stated that the ‘Nuclear Button is on his desk at all times.’ Will someone from his depleted and food starved regime please inform him that I too have a Nuclear Button, but it is a much bigger & more powerful one than his, and my Button works!”

How do we resolve the issue of a President having sole control over the nuclear arsenal, but Congress having the sole authority to declare war? What kind of position does that put our military in, as they are supposed to obey their Commander-in-Chief... but what if he commands them to do something that is unconstitutional and demands that they deploy our nuclear arsenal in a first strike offensive against a nation upon which we have NOT lawfully declared war? And consider how that problem is magnified when one has a president that does not seem constrained by rule of law?

Senator Ed Markey (D-Mass.) and Representative Ted Lieu (D-Calif) have just re-introduced legislation that they had first submitted in the 115th Congress. That bill would free the military from their current quandary, by expressly forbidding first strike usage of nuclear weapons, regardless of an order from the president. The bill states, “it is the policy of the United States that no first-use nuclear strike should be conducted absent a declaration of war by Congress.” And in its conclusion it adds, “the President may not use the Armed Forces of the United States to conduct a first-use nuclear strike unless such strike is conducted pursuant to a declaration of war by Congress that expressly authorizes such strike.”

Please visit [this link](#) to see a one minute statement from Rep. Lieu about why he has introduced, and now re-introduced this bill. And please call your MoCs to ask them to support this initiative. If you are looking for a manner in which to frame it, you could try “this bill preserves the right of Congress to be the sole authority when it comes to declaring war, and it fixes a loophole that was included in our system with the advent of nuclear weapons. It does nothing to lessen the strength or defense of our nation, but protects us from an unconstitutional and irreversible action.”

A reminder of other Call to Action bills from previous MoCTrack Reports:

- [The Democrats’ signature ethics reform package, H.R. 1](#)
- [A bill to create more IT/Cybersecurity infrastructure and oversight](#)
- [A bill to provide back pay to low-wage contractor employees](#)

Thanks for reading up on what our Pennsylvania Members of Congress have been doing this past week. We’re delighted to have you as a reader. If you liked what you read here and think others need to keep up with our MoCs, please share our website - <http://www.patogether.org/congress.html> Or you can head over to Twitter and search for #MoCTrack and retweet what you see there.

This report brought to you by the PA-01 MoCTrack team...

Elayne Baker

Gary Garb

Kathy Sikes

Kierstyn Piotrowski Zolfo

Are you an introvert activist looking for ways to help a progressive effort that don't involve phone calls, door knocking, or leaving your house? We are always seeking additional assistance. Our Congresspeople are always busy and there is always more for us to cover — tasks big (example - what traditional media is saying about your MoC) and small (example - what's your MoC tweeting about) 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!