

PA-01 Member of Congress Tracking Report - 05/19/19

This is a 100% volunteer effort brought to you by a handful of progressive Democrats and Independents who share a vision of an informed electorate and a desire to make the process of getting legislative news easier! We want to offer thanks 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)	30.2%	0.0%
Senator Pat Toomey (R)	88.2%	0.0%
PA-01 Rep. Brian Fitzpatrick (R)	69.1%	-1.1%

Nate Silver's [FiveThirtyEight website](#) assesses the voting records of our MoCs to provide this index, by reviewing any bills where President Trump has stated a position, and comparing the vote of the legislator to that opinion. Only two House votes were scored this week - the bill to lower drug costs and the legislation affirming tribal rights in Massachusetts.

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

"...his integrity was most pure, his justice the most inflexible I have ever known, no motives of interest or consanguinity, of friendship or hatred, being able to bias his decision. He was indeed, in every sense of the words, a wise, a good, & a great man..."

— [Thomas Jefferson](#), describing George Washington in a 1814 letter

Votes of Interest -

The House passes bill to lower drug costs and bolster the ACA

[House vote](#) on [H.R. 987](#)

The House just passed legislation introduced by Rep. Jeanne Shaheen (D-N.H.) to strengthen the Affordable Care Act (ACA) and lower prescription drug prices. Most large legislative packages like the ACA require some modifications after they are rolled out, as few bills are ever perfect when implemented. But the GOP took control of the Congress shortly after the ACA went into effect, and far from being willing to improve the ACA, they were concentrating on repeal. So this is the first chance a Democrat-led legislative branch has had to both tweak the ACA and address some of the administrative sabotage that the Trump government has put into play in the last two years.

The health insurance industry newsletter [Insurance News Net](#) explains the contents of the package:

Shaheen's bill counteracts the Trump administration's sabotage efforts that have diverted funds and slashed health care enrollment advertising, marketing and education efforts by 90 percent since the President took office. The MORE Health Education Act requires the Trump administration to fully fund outreach, marketing and education efforts to promote health insurance coverage offered on the federal Health Insurance Marketplace established by the Affordable Care Act (ACA)... The House-passed health care package includes a number of pieces of legislation that would provide ACA stabilization in response to the President's relentless attacks to sabotage the health care law, and would

also address skyrocketing prescription drug prices through the inclusion of common-sense bipartisan legislation like the CREATES Act.

A Vox [explainer piece](#) outlines the three ways that the prescription portion of the legislation works.

1. The bill targets generic drug “parking” - when an approved generic option waits to take their drug to market, delaying other generics from offering their drugs for sale and keeping prices high
2. The bill bans “pay-for-delay” agreements - when pharmaceutical corporations pay a generic manufacturer to NOT offer their option for sale for a set period of time
3. The bill makes it easier for generic manufacturers to get the materials from drug makers

That same Vox article also observes that this bill is “a clever bit of legislating. The prescription drug provisions are generally bipartisan...”

The bill was voted upon on Thursday, May 16, 2019, and passed 234-183, with the support of all of the Democrats and five Republicans, including **Fitzpatrick, who voted YES..**

Rep. Fitzpatrick didn't have any comment about his vote on his website, Facebook presence or his Twitter feed. But other PA House members had to say about H.R. 987

☐ **PA-04's Rep. Madeleine Dean, [05/16/19](#):**

“Tonight, the House will passing legislation to help lower the cost of prescription drugs. It will:

- ☐ Remove barriers to allow more generic medication to enter the market.
- ☐ Accountability in drug pricing process.
- ☐ Create negotiation mechanism to help keep all prices low.”



☐ **PA-05's Rep. Mary Gay Scanlon, [05/16/19](#):**

“I just left the House floor, where I introduced an amendment to strengthen the ACA. This amendment passed. We need to know how many Americans rely on the vital programs within the ACA. #ProtectOurCare”

☐ **PA-06's Rep. Chrissy Houlahan, [05/16/19](#):**

“I just voted to pass H.R. 987 the Strengthening Health Care and Lower Prescription Drug Costs Act b/c it will:

- ☐ protect people with pre-existing conditions
- ☐ lower the high costs of prescription drugs
- ☐ take a crucial step toward bettering the lives of millions in Pennsylvania”

☐ **PA-07's Rep. Susan Wild, [05/16/19](#):**

“I'm proud to say, that today, we took yet another step in keeping our promise to protect and expand healthcare #ForthePeople. We voted to pass the largest healthcare package yet to lower the cost of healthcare & prescription drugs & protect people with pre-existing conditions.” *tweeted with an embedded video clip*

☐ **PA-08's Rep. Matt Cartwright, [05/16/19](#):**

"I'm voting for the Strengthening Health Care and Lowering Prescription Drug Costs Act today to ban junk plans, bring less-expensive generic prescription drugs to market more quickly, and expand access to health care for families across Pennsylvania. The prices of many drugs that have been on the market for decades are suddenly surging. @HouseDemocrats are working #ForThePeople to eliminate barriers that make it difficult for generics to come to market. #ProtectOurCare" *tweeted with an embedded link to a floor speech*



□ **PA-13's Rep. John Joyce, [05/17/19](#):**

"Through her actions the last two weeks, it's clear Nancy Pelosi would rather try to score political points than make health care more affordable and accessible for patients. This week she sabotaged three perfectly good pieces of prescription drug pricing legislation by pairing them with measures that will continue to perpetuate the failed health care system that is Obamacare. Even the Washington Post recognizes that Ms. Pelosi's politicized prescription drug package is dead on arrival in the Senate, and if she really cares about enacting realistic health care reforms she would bring up the three bipartisan bills separately so we can pass them. ->" *tweeted with a link to the [Congressman's press release](#)*

□ **PA-14's Rep. Guy Reschenthaler, [05/16/19](#):**

"While @GOP is working to lower prescription drug prices for Americans, even the Washington Post agrees Democrats are playing politics with hardworking Americans' healthcare." *tweeted with a link to a [Washington Post opinion piece](#)*

The Equality Act passes the House

[House vote](#) on [H.R. 5](#)

This is a bill "to prohibit discrimination on the basis of sex, gender identity, and sexual orientation, and for other purposes." It was introduced on March 13, 2019, into the House by Rep. David Cicilline (D-R.I.) The resolution makes a simple but important amendment to the Civil Rights Act of 1964 and all subsequent Acts addressing discrimination. It seeks to define sex discrimination to include discrimination on the basis of sexual orientation or gender identity, giving the LGBTQ community full protection. Presently, there is ambiguity as to whether sex discrimination is meant to include sexual orientation and gender identity.

Different circuits of the federal appellate courts disagree on whether sexual orientation and gender identity are covered by Title VII of the Civil Rights Act of 1964, which prohibits discrimination based on and individual's sex. The Second and Seventh Circuits have ruled in favor of this interpretation, while the Eleventh Circuit has ruled against this interpretation. The executive branch has issued conflicting opinions as well: In *Zarda v. Altitude Express*, the Equal Employment Opportunity Commission and the Department of Justice filed opposing amicus briefs, with the EEOC arguing in favor of Title VII covering sexual orientation and the DOJ arguing against. *[Editor's note - big thank you to Yardley Boro Council Vice-president David Bria for writing that description of the bill, and his previous work writing MoCTrack's call to action from March 24th to support this legislation]*

The Equality Act was brought to the floor for a vote on Friday, May 17, 2019 and it passed 236-173. The Democrats were unified in their support of the Equality Act, and they were joined by 8 Republicans, including **Fitzpatrick, who voted YES.**

As with the previous bill, Fitzpatrick had little to say after his vote... But other Pennsylvania lawmakers had a LOT to say about the Equality Act:

□ **Senator Bob Casey, [05/17/19](#):**

“Glad to see the House just passed the #EqualityAct! Proud to co-sponsor the Senate version and I urge the @SenateMajLdr to bring this up for vote.”



□ **PA-02’s Rep. Brendan Boyle, [05/17/19](#):**

“About 10 years ago, I was a founding member of LGBT Equality Caucus in the PA House. Today I was proud as a member of the US House to vote for the #EqualityAct. @PaHouseDems @LGBTQEqCaucus”

□ **PA-03’s Rep. Dwight Evans, [05/17/19](#):**

“Today, @HouseDemocrats passed the #EqualityAct for the FIRST time in U.S. history -- I’m proud to join my colleagues in voting yes because ALL Americans should be free from discrimination, regardless of who they are and who they love!” *tweeted with an embedded link of the Congressman speaking from his office about the Equality Act*

□ **PA-04’s Rep. Madeleine Dean, [05/15/19](#):**

“LGBTQ Americans still face discrimination in employment, housing, and other areas of life. We must set things right and pass the #EqualityAct. #HR5”



□ **PA-05’s Rep. Mary Gay Scanlon, [05/17/19](#):**

“This is a week that will be remembered in our history books. The House just passed the #EqualityAct. The #EqualityAct amends existing civil rights laws to provide protection from discrimination based on sexual orientation & gender identity in key areas of public life: employment, housing, credit, education,

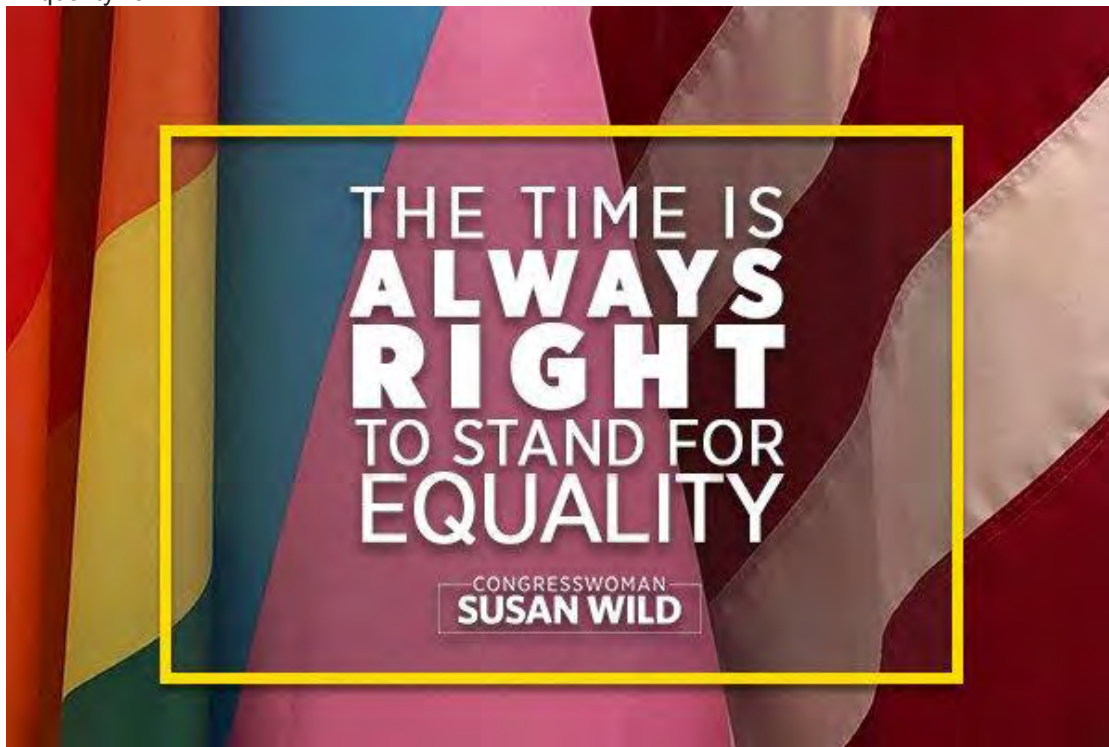
public spaces and services, federally funded programs & jury service. The journey to this final version of the #EqualityAct was led by a man who is a history maker in his own right, Co-Chair of the @LGBTEqCaucus and my colleague on the @HouseJudiciary Congressman @davidcicilline from RI. This is personal for me and has been since my baby sister came out to me over 30 years ago. Fairness & equality are central to who we are as Americans. The #EqualityAct now heads to the Senate. We must keep up the pressure to make this legislation the law of the land!"

□ **PA-06's Rep. Chrissy Houlahan, [05/17/19](#):**

"When I decided to run for Congress, I sat down with my daughter, my Molly. I asked her what she thought about sharing our family's stories with the public. I wasn't surprised when she told me 'yes.' Her bravery knows no limit. She explained to me I had to share her story of being a young gay woman because it had the power to reach someone out there, someone who was afraid because of whom they loved, was afraid of people's reactions to their gender identity, was afraid of being themselves. On that day, I made a promise to Molly: If elected, I would do everything I could to pass legislation that protected her community, the LGBTQ community. I would do everything I could to ensure that LGBTQ Americans were treated equally under the law. Today, I made good on my promise to my Molly. I voted to pass the #EqualityAct! □□□ I won't stop fighting until every #LGBTQ American receives equal protection under the law. To my Molly, my Pennsylvania, and my LGBTQ brothers & sisters across the country: today is for YOU."

□ **PA-07's Rep. Susan Wild, [05/17/19](#):**

"We just made history! Today, the House passed the #EqualityAct, another positive step in our nation's long journey towards justice for ALL – no matter who you are or who you love! #Onward #LGBTQ #EqualityForAll"



□ **PA-08's Rep. Matt Cartwright, [05/17/19](#):**

"Today we passed the #EqualityAct to make sure every American has equal protection under the law. I'm proud of my colleague @davidcicilline for his leadership on this legislation, and I join my #LGBTQ friends across Pennsylvania in celebrating this historic moment."



□ **PA-18's Rep. Mike Doyle, [05/17/19](#):**

"In 30 states, LGBTQ people can still be fired or evicted - just because of who they are. This is wrong and it must stop. This morning, the House passed the #EqualityAct to ensure that LGBTQ Americans are treated equally under the law. I voted yes for this critical bill!"



The House reaffirms tribal rights for the Mashpee Wampanoag

[House vote](#) on [H.R. 312](#)

This bill is a wonky bit of legislation that will affect whether a Massachusetts Native American tribe can build a casino. The ideas behind it, though, delve into the realities of tribal sovereignty and the never-ending clash between the legislative and executive branches.

At the crux of this bill is a previous piece of legislation, alternately known as the Wheeler-Howard Act and the Indian Reorganization Act (IRA) of 1934. According to [History Link](#), that law:

...reverses the U. S. policy favoring Indian assimilation and becomes the basis for United States policies that recognize the right of self-determination for Native Americans. The law curtails the land allotment system, permits tribes to establish formal governments with limited powers, and allows the formation of corporations to manage tribal resources. Funds are authorized for educational assistance and to assist tribes in purchasing tribal lands.

Under the rules set out in the IRA, the Mashpee Wampanoag tribe have established their own police department, natural resources agency, and language immersion school on their own land.

But last year the Trump Administration's Department of the Interior issued new guidance that de-recognized tribal status for the Mashpee Wampanoag. According to a Massachusetts [NBC News](#) affiliate, "the Interior Department said last year that the tribe doesn't qualify to place the land in trust because it wasn't under federal jurisdiction when the Indian Reorganization Act passed in 1934."

President Trump waded into the debate over the bill when he [tweeted](#), "Republicans shouldn't vote for H.R. 312, a special interest casino Bill, backed by Elizabeth (Pocahontas) Warren. It is unfair and doesn't treat Native Americans equally!" In response, tribal Chairman Cedric Cromwell made the following statement, as reported by the local public radio outlet, [WBUR](#):

The Mashpee Wampanoag have been working toward the return of our sovereign lands for nearly a half century. The bill is a deeply honorable legislative effort by both Republican and Democratic members of the House of Representatives to correct the significant wrongs that have been perpetrated against our Tribe over the years, and to ensure that our people have a chance to be self-sufficient.

Rep. Bill Keating (D-Mass.) spoke on the floor of the House to support the sovereignty of the tribe, which has lived in Massachusetts for thousands of years. [CapeCod.com](#) reported that the Congressman said, "To not have their land federally recognized simply is a disgrace. We've seen them in our history books, in historic paintings, and iconic murals. They are the tribe that welcomed the Pilgrims for the first Thanksgiving." The same article noted, "Keating contends that Trump opposes the bill because of 'his well-documented alliance' with a lobbyist for two Rhode Island casinos that would compete with the First Light Resort and Casino planned by the Mashpee Wampanoag."

The vote was taken on this bill on Wednesday, May 15, 2019 and it passed, 275-146. This bill saw a lot of unusual splits. The Democrats were mostly of one mind, with 228 voting YES and only 2 voting NO (both from Rhode Island, where existing casinos would be impacted). But Republicans were split with 47 voting YES and 144 voting NO. **Fitzpatrick voted YES.**

Senate confirms Trump pick to replace Rod Rosenstein at the DoJ

[Senate Confirmation Vote](#) on Jeffrey Rosen to be Deputy Attorney General

The Senate considered the position of Deputy Attorney General, to fill the seat of the departing Rod Rosenstein. And instead of picking an experienced Department of Justice staff member to fill the number two seat to Attorney General William Barr, the Trump Administration picked someone who has never worked at the DoJ before.

[Politico](#) provided a concise employment history for the nominee, Jeffrey Rosen:

Rosen is currently deputy Transportation secretary. He was general counsel at the Department of Transportation and at the Office of Management and Budget under President George W. Bush. He also worked at the law firm Kirkland & Ellis where he overlapped briefly with Barr.

Meanwhile, in a piece titled "[Rod Rosenstein's Replacement Isn't Ready for the Job](#)," a *Politico* analyst explained that Mr. Rosen has zero prosecutorial experience, yet his new job required that he oversee:

...day-to-day operations and policies of the entire DOJ, a sprawling institution of more than 107,000 employees and an annual budget of approximately \$28 billion. The department includes the litigating divisions such as the Civil Rights Division, Criminal Division, Antitrust Division, National Security Division, Civil Division, and the Environmental and Natural Resources Division. The deputy supervises all 93 United States attorneys and their work around the country, as well as immigration judges. DOJ also includes the FBI, Drug Enforcement Administration, Bureau of Alcohol, Tobacco, Firearms and Explosives, United States Marshals Service and Bureau of Prisons. For someone completely new to DOJ, managing all that will require a steep learning curve.

That piece concludes with the assessment "While Rosen may be capable and smart, placing someone with no institutional knowledge and without the experience related to DOJ's core mission, represents yet another assault on the Justice Department as an institution."

Mr. Rosen's confirmation vote was held on Thursday, May 16, 2019. He was confirmed in a party line vote, 52-45. **Casey voted NO** and **Toomey voted YES**. *[Editor's note - I can't be alone in feeling that the GOP hopes that Democrats will think twice before considering new contempt actions against AG William Barr, if someone as inexperienced as Jeffrey Rosen would be catapulted into the leadership of the Department of Justice, should Barr be removed.]*

First of the trio of awful judicial confirmations

[Senate Confirmation Vote](#) on Kenneth Lee to the Ninth Circuit Court of Appeals

In this first confirmation of the week, we find Kenneth Lee nominated to the Ninth Circuit Court of Appeals (the level of courts just under the Supreme Court) without [blue slip](#) approval from either senator from his home state, a roadblock that once would have halted the process in its entirety. [The Hill](#), who wrote that this is the fifth appeals court judge this year to be confirmed without blue slips, quoted California's Sen. Dianne Feinstein, who said, "Lee repeatedly failed to turn over more than 75 controversial writings and submitted many only after we identified them. Lee took controversial positions in these writings on race, civil rights and voting rights. His lack of candor with the committee should concern all senators."

Lambda Legal, one of the nation's foremost organizations representing the legal interests of LGBTQ people, were at the front lines of the opposition to Mr. Lee's confirmation. In a [letter](#) to Senate Judiciary Chair Lindsay Graham and Ranking Member Dianne Feinstein, they wrote:

In addition to his apparently intentional concealment of inflammatory material, Mr. Lee has demonstrated through a series of writings disparaging the LGBT community that he is ill-suited to serve as an impartial administrator of justice. Mr. Lee demonstrated his biases and inability to provide equal justice under the law for LGBT people and people living with HIV in an article responding to the then-decade old HIV epidemic. In 1994, Mr. Lee published an article entitled AIDS at RPU, in which he lambasted a Cornell University HIV awareness campaign warning students about the realities of HIV transmission. In the article, he dismissed as "patently false" the obvious public health facts that HIV can be acquired by anyone and that condom use is recommended.⁸ Mr. Lee then argued that since a cure "will likely never be discovered," the efforts should go—not into research—but into teaching "values and responsibility." After repeating derogatory canards about gay people, he concluded by saying, "To avoid AIDS, one has to only abstain from drug-use and promiscuity. So simple, yet so hard to grasp." His argument that the appropriate response to HIV is just exercising "personal responsibility" disregarded the then-well-known realities of transmission, and the pervasive mistreatment of those living with HIV. Mr. Lee's callous remarks demonstrate deep hostility towards people living with HIV and gay, lesbian and bisexual people, and again demonstrate that he would be unable to move from being an antagonistic advocate to the role of an impartial administrator of justice for LGB litigants... For all of the above reasons, we do not believe Kenneth Lee is capable of serving on the Ninth Circuit U.S. Court of Appeals with the impartiality required by that office.

Over these well-founded objections, Mr. Lee's nomination came up for a vote on Wednesday, May 15, 2019. He was confirmed, 52-45. This was a party line vote. **Casey voted NO** and **Toomey voted YES**.

Second of the trio of awful judicial confirmations

[Senate Confirmation Vote](#) on Wendy Vitter to the federal court in Louisiana

The Republican assaults on reproductive freedom were not only confined to state laws this week. They also came in the form of judicial nominees like this one. Wendy Vitter, a former general counsel for the Roman Catholic Archdiocese of New Orleans, was nominated to the US District Court seat in New Orleans. And in 2013 she made a speech where she claimed "Planned Parenthood says they promote women's health. It is the saddest of ironies that [they kill over 150,000 females a year](#)."

[Planned Parenthood](#) compiled a thorough accounting of Mrs. Vitter's anti-choice advocacy work. Part of that recap included:

She hasn't just talked about her anti-abortion ideology — she's taken her extremism to the streets. Or, more accurately, to Planned Parenthood. In 2013, Vitter spoke out against the construction of a Planned Parenthood health center in New Orleans that expanded access to life-saving preventive care to thousands of women. She led anti-abortion panels, spoke at anti-abortion rallies, and represented organizations that were attempting to undermine access to basic health care.

Vitter is also dishonest. She withheld over 95 pages of documents from the Senate she should have given them as part of her nomination. That includes the documents that demonstrate her extreme anti-abortion record. In the past, some judicial nominees who left out important information like that were dropped from consideration. But that's not stopping the Trump administration or partisan senators who are willing to greenlight these extreme nominees.

Other groups that support reproductive health and freedom shared their own sentiments about Mrs. Vitter, like this statement from [NARAL Pro-Choice America](#):

Wendy Vitter doesn't even try to hide her true agenda, having spent her career spreading disinformation to fuel myths about abortion. Her record leaves no doubt that she'll use junk science to chip away at reproductive freedom, and her confirmation should sound the alarm bells for anyone who believes in an unbiased and just judiciary... Trump and anti-choice Republicans are stacking the courts with extremists, hoping to create a pipeline to overturn or gut *Roe v. Wade*, and Wendy Vitter's confirmation is proof.

Despite this vivid evidence that the nominee has a demonstrated political agenda unfit for the judiciary, her confirmation vote was held on Thursday, May 16, 2019. Mrs. Vitter was confirmed, 52-45. Republican Sen. Susan Collins of Maine was the only senator to cross party lines. **Casey voted NO** and **Toomey voted YES**.

Last of the trio of awful judicial confirmations

[Senate Confirmation Vote](#) on Michael Truncale to the federal court in Texas

The final nomination we are reviewing this week is that of Michael Truncale, who was nominated to fill a seat on the the U.S. District Court for the Eastern District of Texas. Mr. Truncale ran for Congress as a Republican in 2012, and as such we know quite a bit about his political views. Here are some quotes from the nominee himself, as provided by the [Vetting Room](#):

- "I don't think we should be funding Planned Parenthood. I'm pro-life."
- "Once you start chiseling away at the Second Amendment rights, once you start chiseling away the First Amendment rights, with regard to religion, then all of our liberties are at risk."
- "[Obamacare] is unconstitutional. There is no right in the Constitution for the government to tell you what kind of insurance to buy."

When Mr. Truncale's nomination was scheduled for the full Senate vote, the [People for the American Way](#) issued a release in opposition to the nominee. Their senior legislative counsel opined:

His legal views are also hostile to LGBTQ+ equality, reproductive rights, and a federal government constitutionally empowered to impose reasonable regulations on powerful corporate interests. Truncale's record is one of opposition to the constitutional values of equality and justice, a record that does not warrant a lifetime appointment to the United States judiciary.

The same statement was deeply concerned that the nominee refused to share with senators whether he believed *Brown v. Board of Education*, the decision that ended school segregation, was correctly decided.

Additionally, the nominee held and spoke publicly that he believed that President Obama was not born in the United States. This view lost him the support of Republican Senator Mitt Romney. According to [Politico](#), Mr. Romney told the outlet, "[Mr. Truncale] made particularly disparaging comments about

President Obama. And as the Republican nominee for president, I just couldn't subscribe to that in a federal judge. This was not a matter of qualifications or politics. This was something specifically to that issue as a former nominee of our party."

The confirmation vote took place on Tuesday, May 14, 2019. Mr. Truncale was confirmed 49-46. Sen. Romney was the only senator to cross party lines. **Casey voted NO and Toomey voted YES.**

Our two PA Senators each take on Presidential overreach

These two press releases are on very different topics on their face. But each of them represents a legislator attempting to reassert congressional power over an area designated to the legislative branch by the Constitution, but one where the executive branch is usurping that power. It is always interesting to see our pair of senators attempting to achieve the same goal.

□ Senator Bob Casey, 05/17/19, via his [website](#)

This is an excerpt from his press release titled *Casey Backs Bipartisan Bill To Prevent War with Iran*:

"As the Trump administration continues to escalate tensions with Iran, U.S. Senator Bob Casey (D-PA) has joined a bipartisan group of his colleagues in pushing for the Prevention of Unconstitutional War with Iran Act. Specifically, the measure would prohibit the United States from expending funds which could lead to war with Iran without express approval from Congress, as required by the Constitution.

"Iran is and has been the leading state sponsor of terrorism and we must continue to work in a bipartisan way to confront Iran and hold it accountable for its malign activity and actions in the Middle East," said Senator Casey. "I have a long record of working to fight against Iranian aggression and the Prevention of Unconstitutional War with Iran Act ensures that Congress plays an active, Constitutionally-prescribed role in ensuring the United States' approach to Iran puts American interests of peace and stability first."

"The Prevention of Unconstitutional War with Iran Act of 2019 underscores that Article 1, Section 8 of the Constitution of the United States grants Congress the sole power to declare war, and makes it clear that a preemptive attack against Iran is illegal under both the War Powers Act and the United States Constitution. The bill also affirms the United States' ability to respond to an imminent military threat from Iran and defend U.S. citizens who may come under threat of physical harm."

□ Senator Pat Toomey, 05/17/19, via his [website](#)

This is an excerpt from his press release titled *Toomey Statement on Auto Tariffs*:

"The American economy has dodged a bullet with the president's proclamation that tariffs on imported cars will not go into effect immediately. However, the danger remains that these tariffs, pursuant to a Cold War-era trade law known as section 232, will be levied in six months.

"The president's proclamation relies on a Commerce Department report - which has yet to be made available for public scrutiny despite federal law requiring it - that finds foreign cars are threatening the national security of the United States. Toyota Corollas and Volkswagen Beetles do not pose a national security threat.... The threat of the further misuse of section 232 tariffs makes it clear that Congress must act now and pass my bipartisan legislation reasserting the legislature's constitutional responsibility on trade and national security tariffs."

Twitter Action

This area of MoCTrack breaks out topics that received a lot of Twitter attention from our legislators this week.

Twitter Action - Police Week

□ **Senator Bob Casey, [05/15/19](#):**

“Let us take a moment today to honor all the law enforcement officials who have been killed or disabled in the line of duty. These brave men and women put their life on the line in the best interest of their nation. #PeaceOfficersMemorialDay”

□ **Senator Pat Toomey, [05/13/19](#):**

“Each day, law enforcement officers across the state and nation selflessly put themselves in harm’s way. This week, we give thanks to all of those who bravely protect and serve our communities. #PoliceWeek2019”



Twitter action - promoted legislation

□ **Senator Bob Casey, [05/14/19](#):**

“Glad to see my House colleagues reintroduced the Pregnant Workers Fairness Act today. I am looking forward to working with them on this in the Senate. The #PregnantWorkersFairnessAct would protect pregnant workers from workplace discrimination and ensure that they are treated fairly on the job. Women should not live in fear of losing their jobs or being forced on leave because they are pregnant and this legislation will ensure women are offered real protection in the fight against pregnancy discrimination.”

□ **Senator Pat Toomey, [05/16/19](#):**

“Given the life-threatening dangers police officers face every day, we have an obligation to send a message to criminals: if you kill or target a cop, expect the death penalty. My Thin Blue Line Act does just that: <http://bit.ly/2VHg1AO> “

□ **PA-01’s Rep. Brian Fitzpatrick, [05/17/19](#):**

“American heroes affected by Agent Orange deserve to know the government recognizes the link between their exposure to Agent Orange and illnesses. Proud to introduce the Keeping our Promises Act which will ensure our veterans get the care they’ve earned.” *tweeted with a link to an [article](#) on War History Online*

Twitter action - assorted awesomeness

□ **Senator Bob Casey, [05/15/19](#):**

The Senator retweeted content from the Pittsburgh Post-Gazette that reads, “There is no stronger advocate for Western Pennsylvania’s Medicare beneficiaries than @SenBobCasey.” The tweet links to this [opinion piece](#) from their paper.

□ **Senator Pat Toomey, [05/13/19](#):**

“Good news. Glad to see the President revised his original budget proposal to fight for restoration of our Great Lakes and the communities that rely upon them.”

□ **PA-01’s Rep. Brian Fitzpatrick, [05/15/19](#):**

“Thank you to @BucksPowa, @ConservationPA, @PennEnvironment for showing us what can happen when members of our community get involved in our democratic process. Thank you for your advocacy for our community!” *tweeted with a link to an [article](#) in the Bucks County Courier Times*

Casey in the News

Courtesy of contributor Kathy Sites

"They're doing work that is life-sustaining and in some cases lifesaving."

— from an article on [PAHomepage.com](#) titled "[Senator Casey delivers Meals on Wheels](#)"

"She has virtually no federal trial court experience."

— the Senator's assessment of Wendy Vitter, from an article in [The Advocate](#) titled "[Wendy Vitter, abortion foe, confirmed for lifetime federal judicial seat based in New Orleans](#)"

"If we can provide more opportunities for quality, affordable care not only will the child be better off, but also the parents -- many of whom need child care because they're working. In some cases more than one parent is working; sometimes it's a single mom. But in both circumstances the cost of care is way up.

"So we obviously have a problem with making sure there's a combination of affordability and quality, but we also have very much a patchwork across the country -- in some states or some communities the support is there to achieve both quality and affordability but in a lot of places you don't have that. So it has to be in my judgement, more of a national priority. And if we say we care about children and families and working parents, we've got to do this."

"We always say we value our kids and our seniors and vulnerable members of our community and yet sometimes we ask the people to provide most of that care, in the case of children, it's educating, and yet the people doing that work are paid among the lowest rates of any workforce in the world. So we got to pay the workers a lot more."

— from a [Lehigh Valley Live](#) article titled "[Local YMCA hears Sen. Casey's pitch for bills cutting child care costs and boosting tax credits](#)"

Fitzpatrick in the News

"The kind of gravitational pull when I went to school was that everyone moved on to a regular high school. Kudos to all of you for being smart enough at such a young age to know that this was the right decision for you."

— from an article in the [Doylestown Intelligencer](#) titled "[Fitzpatrick, New York colleague tour Bucks County Technical High School](#)"

"In communities across the country, PFAS chemicals have poisoned the drinking water of countless Americans and we must act swiftly to stop the spread of these dangerous chemicals and hold those responsible for this crisis accountable... Our constituents have a right to clean drinking water," said Rep. Fitzpatrick. "The more we learn about these chemicals, the clearer the danger becomes which is why the American people deserve to know where these toxins are used."

— from a blog post on the [Ripon Advance](#) titled "[Fitzpatrick's bipartisan bill would require PFAS be recorded as toxic on EPA list](#)"

"Every single avenue that is a possibility, we're going to pursue every single one of them. It's my top environmental priority right now."

— from an article in [Bloomberg Environment](#) titled "[Lawmakers, 13 Bills Seek Answers to Nonstick Chemical Pollution](#)"

Toomey in the News

Courtesy of contributor Elayne Baker

"I think at a macro level – statewide and nationally – the economic numbers are fantastic. And anecdotally, the idea that people are spending money advertising not for customers, but for employees. That speaks volumes. I think the last two years, between tax reform, regulatory relief, and normalizing monetary policy has proven that we do not have to settle for two percent growth. We can have three percent growth and this can continue for a while."

— from an article in the [Wayne Independent](#) titled "[Toomey Hosts Forum in Honesdale](#)"

"The goal is to put the maximum economic pressure on the Kim regime of North Korea. I think this is a very dangerous despot... We've seen no progress, no real progress. In fact, maybe some backsliding now. I think it is absolutely the time to ratchet up the pressure."

— from a [Fox News](#) article titled "[Otto Warmbier's dad calls Kim Jong Un a 'thug,' pushes for stronger NK sanctions in honor of son](#)"

"We would look back and say, 'OK, this pain was worth it because we ended up with a really good agreement and much better Chinese behavior.' That's what we can still hope for with respect to China. But with respect to the 232 tariffs that we've seen on steel and aluminum against our allies and nearest neighbors and closest friends, I'm afraid we can't make that case at all."

— from an article on [WRAL.com](#) (out of Raleigh, N.C.) titled "[Republicans stick with Trump on China as White House prepares to punt on car tariffs](#)"

"It's a very bad policy. Think about what we're doing. We're inviting this retaliation that denies our farmers, the most productive farmers on the planet, the opportunity to sell their products overseas and then we say, 'Don't worry, we'll have taxpayers send you some checks and make it OK.' That's a very bad approach."

Tariffs are not in and of themselves a good thing. Tariffs at best can be a tool that might produce good results. But they are themselves dangerous and a painful tool that hits both the country against which the tariffs are being imposed and the country that is doing the imposition. I think the recent developments with China are illustrating this. It's certainly true that tariffs on Chinese products can be painful for parts of China, although, oddly, so far Chinese imports to the U.S. have not declined, American exports to China have declined and our trade deficit with China has worsened despite these tariffs... The president doesn't agree with my macro view on trade, it's fair to say."

— from an article in [National Review](#) titled "[Toomey Calls Trump's Aid to Farmers 'Very Bad Policy'](#)"

"America's law-enforcement officers put themselves in harm's way every day to keep our communities safe. They deserve our gratitude... We remember the sacrifice our fallen officers and their families have made and show all law enforcement that we support them and are grateful for their service."

— from an article in [The Beaver Times](#) titled "[U.S. Sen. Pat Toomey offers death-penalty bill for cop killers](#)"

Committee Corner

In this section we provide snippets from some of the most interesting hearings of the week. For all of this week's hearings, no transcriptions were provided by Congress or Committee, so they were performed by our MoCTrack team. Accordingly, we only provide a snippet from the hearing, with some of the best (or worst) moments from our Pennsylvania MoCs. Time markers and links are provided, so that you can see and hear the full exchanges from which these quotes are pulled, at your convenience. **Sorry - it was another week where Rep. Fitzpatrick was not present in any of the hearings I reviewed. But take a peek at what some other PA MoCs were up to...**

[The House Ways and Means Committee hearing on "The Economic and Health Consequences of Climate Change" - from Wednesday, May 15, 2019](#)

Please visit the House Ways and Means Committee's [website](#) for full information on witnesses present at this hearing. The press release announcing this hearing is available [here](#).

□ **PA-16's Rep. Mike Kelly** - "The idea, I don't think, is to make traditional energy more expensive, to force people to go to another type of energy. The idea is to innovate and use what we already have, what God's given us, to its best use." *Full video of the hearing is available on [Youtube](#). These remarks start at 1:26:20.*

□ **PA-03's Rep. Dwight Evans** - "Mr. Wright, you raised an issue about the poor housing quality and that it is worsening. And in your testimony you discussed the strategy to build safer and stronger homes and businesses to improve safety and prevent losses. Can you please elaborate on this and does this include public housing? The reason I bring that to your attention is just yesterday I was at a location in my district, an organization called Project HOME, which is trying to address the issue of homelessness. And they have a quote - 'No one has a home until everyone has a home.' So I am interested in you elaborating." *Full video of the hearing is available on [Youtube](#). These remarks start at 3:12:02.*

The House Committee on Energy and Commerce hearing on "Accountability and Oversight of the Federal Communications Commission" - from Wednesday, May 15, 2019

Please visit the House Committee on Energy and Commerce's [website](#) for full information on witnesses present at this hearing.

□ **PA-18's Rep. Mike Doyle** - "It's been nine months since this committee's last oversight hearing. And while a lot has happened in that time, a lot of issues that were a concern then remain unresolved today. At our last oversight hearing I expressed concerns about revelations that mobile carriers were selling location data. I expressed concerns about the Mobility Fund Two proceeding, competition policy, and US spectrum policy. At that time I expressed serious concern, Chairman Pai, that mobile wireless carriers were sharing individuals' real time location data with third parties. Chairman Pai, you told us that you were investigating this issue. Today we still don't have assurances that these practices have stopped. And since we first heard about this problem, new, even more troubling revelations have emerged, namely that this data was being sold to bounty hunters and God knows who else. Americans don't know who had access to this data, who sold the data, or whether anyone is going to be held accountable. Because we've heard nothing about it yet from the FCC." *Full video of the hearing is available on the [committee's website](#). These remarks start at 11:20 as Rep. Doyle is the subcommittee chair who ran the meeting.*

The House Natural Resources Committee hearing on "U.S. Department of the Interior Budget and Policy Priorities for FY 2020" - from Wednesday, May 15, 2019

Please visit the House Natural Resources Committee's [website](#) for full information on witnesses present at this hearing.

□ **PA-08's Rep. Matt Cartwright** - "I was reading the newspaper this week and it hit the headlines two days ago that carbon dioxide levels hit 415 parts per million, which is the highest in human history, the highest in 800,000 years. Did you happen to see that. Mr. Secretary? <paused for 'no' answer> Well, that was on the front page of USA Today. And so my question for you - this is a numbers question, I'm looking for a number, Mr. Secretary. On a scale of 1 to 10, how concerned are you about that?" The answer from President Trump's Secretary of the Interior was "I haven't lost any sleep over it." *Full video of the hearing is available on the [committee's website](#). These remarks start at 2:39:35*

The House Foreign Affairs Committee hearing on "The Dangers of Reporting on Human Rights" - from Thursday, May 16, 2019

Hatice Cengiz, the fiancée of the late Saudi journalist Jamal Khashoggi, testified on human rights reporting and the protection of journalists before a House Foreign Affairs subcommittee on Africa, Global Health, Global Human Rights and International Organizations. Please visit the House Foreign Affairs Committee's [website](#) for full information on other witnesses present at this hearing.

□ **PA-07's Rep. Susan Wild** - "I hope that what you hear today does not sound like empty words. I feel as though so many people have let you down, and let Jamal down. And I want you to know that what we are saying today is spoken from a place deep within us and that we care deeply. Your fiance, Jamal, dedicated himself to the fundamental tenets of a free press and the notion that the pursuit of truth is an obligation owed to the public. And I feel as though we have let you down, let Jamal down, and in so doing have let down people all over the world who seek to be free." *Full video of the hearing is available on [Youtube](#). These remarks start at 1:17:05*

□ **PA-06's Rep. Chrissy Houlahan** - "In my home state of Pennsylvania, we suffered recently a loss of a journalist, as well. His passion was particular to South Sudan, and he was shot and killed by South Sudanese government forces two years ago. If it's okay, I'd like to enter this recent article about him into the record, because I know his family is grieving as well. And we grieve for him and his family the same way we grieve for you." *Full video of the hearing is available on [Youtube](#). These remarks start at 1:34:55.*

The House Ways and Means Committee hearing on "Overcoming Racial Disparities and Social Determinants in the Maternal Mortality Crisis" - from Thursday, May 16, 2019

Please visit the House Ways and Means Committee's [website](#) for full information on witnesses present at this hearing. The press release announcing this hearing is available [here](#).

□ **PA-16's Rep. Mike Kelly** - "What I'm puzzled with, though, is in your case, it wasn't a matter of not having proper care, it wasn't a matter of not being in great shape, it wasn't a matter of so many different things and yet you encountered this... it just puzzles me and I'm trying to understand. You had the best care you could possibly have. You were aware of everything in your life - what you ate, what vitamins you were taking, everything to getting ready to give birth, and yet you still had this problem. It just puzzles me. What else can we do?" *Full video of the hearing is available on [Youtube](#). These remarks start at 1:27:15*

□ **PA-03's Rep. Dwight Evans** - "The importance of addressing this mortality crisis and the disparity is something that we all are truly concerned about. Can you please describe, Dr. Robinson, the risk factors and complications for mothers and children as a result of weathering?" *Full video of the hearing is available on [Youtube](#). These remarks start at 3:55:30. "Weathering" is the physical consequence of cumulative socioeconomic disadvantage.*

Learning about Legislation - H.R. 9: the Climate Action Now Act

This explainer on the Climate Action Now Act comes courtesy of our environmental contributor, Andrea Wittchen, a partner at [iSpring](#).

H.R. 9, the Climate Action Now Act, passed the House on May 2, 2019, by a vote of 231 to 190. All Democrats and 3 Republicans supported the measure. The bill had been introduced on March 27, 2019, by Kathy Castor (D-FL14) and attracted 224 co-sponsors (all Democrats) including the following PA representatives:

- **PA-01's Rep. Brian Fitzpatrick**
- **PA-02's Rep. Brendan Boyle**
- **PA-03's Rep. Dwight Evans**
- **PA-04's Rep. Madeleine Dean**
- **PA-05's Rep. Mary Gay Scanlon**
- **PA-06's Rep. Chrissy Houlahan**
- **PA-07's Rep. Susan Wild**
- **PA-08's Rep. Matt Cartwright**
- **PA-18's Rep. Mike Doyle**

The bill has now been placed on the calendar of the Senate as of May 7, 2019, although its future looks doubtful based on highly negative comments by Senate Majority Leader Mitch McConnell.

The purpose of H.R. 9 is to require the President to develop a plan for the United States to meet its “nationally determined contribution under the Paris Agreement.” The bill recites in great detail the content of the Paris Agreement and the commitments the United States made to the Agreement in 2015. In light of the current administration’s intention to withdraw from the Agreement at the first opportunity (November 2020), the bill prohibits the use of any funds to advance that withdrawal.

The Plan further requires that the President, within 120 days of the enactment of H.R. 9, shall create a plan for how the U.S. will meet its nationally determined contribution under the Paris Agreement. As a refresher, that commitment was for a 26 to 28 percent reduction of greenhouse gas emissions below its 2005 level by 2025. The plan must be simultaneously made available to the Congress and the public. The instructions from the Congress include consideration of a number of the mechanisms in the Paris Agreement that would encourage and assist other partners to meet those targets as well as consideration of the plan’s impact on various sectors of the American economy and population.

The President is also instructed to update the plan on an annual basis. There is a further call for education and communication with the public on climate change, training, public awareness and public participation and access.

An important component of the Plan is the requirement that successive updates to the plan must be made available to the public for a period of 90 days of public comment and those comments must be incorporated into the publication on regulations.gov.

A significant amendment that was passed as part of the Plan is the requirement that nothing in the Act “may be construed to require or prohibit the inclusion of a specific energy technology or technologies in the plan”. This means that no particular “solution” gets preference over any other and unleashes the full creativity of American industry to come up with the most effective, efficient and profitable solutions.

The act requires 3 additional reports: after 6 months, a report on the effect of the Paris Agreement on clean energy job development in rural communities; after 6 months, a report on the potential impacts of a withdrawal by the U.S. from the Paris Agreement on the global economic competitiveness of the U.S. and on workers, and, after 1 year, a report by the Comptroller General on the impact of the plan on U.S. territories.

The bill is clear, direct and straightforward on why the U.S. needs to remain as a partner in the Paris Agreement. It puts the burden on the President to create a plan to make sure that we achieve its goals. Passage by the Senate and implementation would go a long way toward restoring our position as one of the global leaders in finding solutions to the climate crisis. It’s definitely worth a call to Senator Casey’s office to encourage him to support H.R. 9, although he has already expressed his support for our continuing engagement with the Paris Agreement. Senator Toomey is, of course, opposed to the Paris Agreement. Realistically, there seems to be little chance that this bill will even be considered by the Senate and, even if it would pass, would undoubtedly face veto by the President with a highly unlikely chance of override.

Call to Action -

GET TO THE POLLS!

Tuesday, May 21st is an election day here in Pennsylvania! There are primary choices to be made for statewide judges, countywide judges, countywide administrators and MANY local positions like school board seats.

And some of those you’ll need to deal with the weird Pennsylvania practice of cross filing. Make sure you understand how cross-filing works, so you can describe it to families and friends!

cross-filing:

when candidates from both parties
appear on BOTH sides of the ballot

Pennsylvania primary ballots allow
candidates to cross file for positions
like judges and school boards



This was NOT produced by or for the candidates, a political party or any PAC

So do your research in advance to make sure you are picking the candidates that best represent your views! Or grab a goldenrod/sample ballot from the party poll worker you trust most to find out who your party endorsed!

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 - 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
Andrea Wittchen
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!