

PA-01 Member of Congress Tracking Report - 09/01/19

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. 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!

Congress is on recess through September 10th, so MoCTrack likes to use these weeks to look back at the work of our Members of Congress as best we can. This week we are going to focus on Congressional Town Halls, and on Rep. Brian Fitzpatrick of PA-01.

August Recess and Town Halls - a Short History

For nearly four decades, from 1971 through 2010, there has been a robust history of August as a time for Town Halls with Members of Congress. This is the result of reforms instituted in the Legislative Reorganization Act of 1970. Most of the reforms in that bill have little to do with scheduling. The US House of Representatives' [archive website](#) notes that the real reforms...

...made House and Senate processes more transparent by making all committee hearings (excluding national security meetings and Appropriations) public, as well as by permitting televised broadcasts of many of these committee hearings. The most extraordinary change to the House of Representatives was the addition of electronic voting to the House Chamber.

But one part of the reform package created a standard schedule in Congress, one that included a regularly scheduled time away from Washington, D.C. [Time Magazine](#) notes that "when the law passed, there were many younger lawmakers with children coming into Congress who wanted a more predictable legislative schedule and designated vacation times." The same article says that "junior members lobbied senior members to install a recess in the schedule." And that predictable 4 to 6 weeks of time where lawmakers expected to be in their home districts resulted in the tradition of scheduled town hall events when Congresspeople would gauge the feelings of their constituents and community members would question their representatives.

The New York Times, in a recent opinion piece titled "[The Tea Party Didn't Get What It Wanted, but It Did Unleash the Politics of Anger](#)," points to the birth of the Tea Party as the start of the decline in Congressional town halls. The author, Jeremy W. Peters, evokes the summer of 2009 when the forces opposed to President Barack Obama focused their rage into protests against the Affordable Care Act:

Lawmakers accustomed to scheduling town hall meetings where no one would show up suddenly faced shouting crowds of hundreds, some of whom brought a holstered pistol or a rifle slung over the shoulder. One demonstrator at a rally in Maryland hanged a member of Congress in effigy.

Combine that collection of awful images with the ubiquity of cell-phone cameras and social media, and the sum of that equation is a collection of lawmakers increasing leery of bad photo-ops. That, along with the inherent lack of control when dealing with unscripted questions from the public, explains these statistics about town hall prevalence, as reported in [Politico](#). In 2018...

Members [had] scheduled only about 180 in-person events this recess, a nearly 70 percent decrease from the same time [in 2017]... Lawmakers held nearly 550 in-person events in August 2014 and roughly 450 public meetings with constituents during the same period in 2016, according to Legistorm.

It's not all bad news, though. The [TownHall Project](#) reports that the spirit of activism that fueled the 2018 election season has sparked a new level of accessibility from Congress:

After a steep decline in 2018...we are heartened to see a positive trendline in town halls being held by members of Congress. Compared to the same period in 2018, the first third of 2019 saw 67% more federal town halls held. And even though last year was an election year, very few incumbent members of Congress were holding campaign town halls this early in 2018. Both parties have stepped up their public accessibility

Since August Recess of 2019 is not quite over, they don't have current numbers up for the town halls held by our current batch of lawmakers. Their [stats](#) only track the events held from January through April of this year. They show that 67% of all Democratic House members have held town halls (158 out of 235), as compared to 27% of Republicans in the House (54 out of 197). The numbers for the Senate are less heartening - 30% of Democrats and 11% of Republican Senators have held town halls in the first third of 2019.

Real town halls versus fake town halls

Many lawmakers claim to hold town halls, but in many cases there is a world of difference between what is marketed as an event of that name, and true town halls. The [Town Hall Project](#) defines the five qualities of a real town hall event in this infographic.

TOWN HALL PROJECT

TOWN HALL PROJECT CRITERIA

Event is free

Event is open to the public and press.

Member must take open questions.

Member must appear in person.

Event must be announced at least 24 hours in advance.

That an event be free and announced in advance are fairly obvious criteria. There must be no threshold for entry, and an interested attendee needs to have some ability to put the event into their schedule. Having an event that is both open to the public and press is critical. Media is what provides the accountability involved in having a lawmaker state their policy positions and make commitments for future action. An event where one selects those who attends is not a town hall, it is a pep rally. Taking open questions and having an in-person event go hand in hand as criteria. One can only tell if the questions are indeed unscripted when an event is in-person. And scripted or planted questions turn an interaction with constituents into nothing less than a live infomercial for a lawmaker's re-election.

Brian Fitzpatrick and "Telephony" town halls

Congressman Brian Fitzpatrick is one of many politicians who have fallen back on telephone "town halls" as their means of claiming they are interacting with the public. In reality, such events enable the filtering of questions in such a way that they only hit upon topics they wish to promote. After one of Fitzpatrick's first such events a concerned constituent wrote an [Op-Ed](#) in the *Bucks County Courier Times* that perfectly summarizes the flaws of these telephone events. Here is what Glenn Beasley had to say:

...I was disappointed that the pseudo town hall was over before I could ask a question. I am now doubly disappointed to learn that the questions are pre-screened so that our representative was in control of the topics. In addition, the format precludes being able to ask follow-up questions. So the pseudo town hall appears to boil down to: I will make it seem like I am interested in what my constituents have to say, when, in fact, I will decide

which questions to take so I can talk about the topics that I want to and give the messages that I want to deliver. Oh, yes, I will also avoid potentially tough discussions and situations that my colleagues have encountered when they have held real town halls (in person)...

If there had been a true town hall, I would have had the ability to listen to and participate in a real exchange between our representative and other constituents. I would have been able to not only hear his prepared text but have seen how he responds to difficult questions, not only what he says but how he reacts with his body language, an important part of communication that is missing in a tele town hall. Real town halls may be messy and uncomfortable, but the congressman will gain a better understanding of what is on the minds of those he represents than in a staged town hall.

Those complaints are just as valid today as they were when Mr. Beasley's piece was published in March 2017. On July 23, 2019 Rep. Fitzpatrick held the most recent of his telephone events, and I [live tweeted](#) it. Among the concerns I had were questions from callers that were so scripted-sounding that they actually used talking points from Fitzpatrick tweets and website statements. Another questioner's voice was startlingly similar to a Fitzpatrick staffer with whom I have spoken many times. That person asked the Congressman "to elaborate on what Congress is doing to address Lyme disease." Even if I were mistaken in my attribution of the voice to a staffer, it seems unlikely that the topic and phrasing of this question came unprompted from a constituent. More likely this was planted by the Congressman's office, as they had just that week introduced a Lyme Disease related bill, and Fitzpatrick was prepped with responses that were direct pulls from his website statement about the legislation.

Fitzpatrick's other fake town halls

Rep. Brian Fitzpatrick is one of those Congresspeople that uses the designation "town hall" indiscriminately, but in reality, none of his events have actually met all of those criteria listed above. Let's take a look at a handful of past August events he has claimed were town halls:

On August 27, 2018, Rep. Fitzpatrick shared photos of an event on [Facebook](#) and wrote, "**Great town hall** Q&A with the UBCC - Upper Bucks Chamber of Commerce. Thanks for all you do for our economy and our community!"

Why this wasn't a real town hall:

- **Free?** Yes.
- **Open to public and press?** No press, public was welcome to come but invitations were not publicly known or promoted outside of Chamber of Commerce circles.
- **Open questions?** Unknown.
- **In person?** Yes.
- **Announced 24 hours in advance?** Yes, but only to Chamber of Commerce members. This was not publicized to all constituents in any of Rep. Fitzpatrick's communication routes.

Interesting follow-up - if you look at the comments on the Facebook post, many of which were complaining that this was no town hall, the head of the local Chamber of Congress noted, "It's not a town hall meeting...I guess he messed that one up. He needs to be more careful about wording. It was the State of the Nation Address."

On August 7, 2019, Rep. Fitzpatrick [tweeted](#) a picture of himself with a group of students and wrote, "I hosted an informative student **town hall** in Montgomery County with @RepConorLamb this week. We covered a broad range of topics and found bipartisan consensus on many issues. Thank you to all participating students for your civic activism. #OnePA."

Why this wasn't a real town hall:

- **Free?** Yes.
- **Open to public and press?** No press, only students in the class could attend
- **Open questions?** Unknown.
- **In person?** Yes.

- **Announced 24 hours in advance?** No.

One constituent activist [replied](#) to this tweet, “That’s called a ‘private visit with students’, not a #TownHall, #BothSidesBrian.”

On August 30, 2019, Rep. Fitzpatrick shared a picture of himself in front of a few dozen senior citizens on [Facebook](#) and wrote, “*I had an excellent **town hall** meeting and expo with our senior community in #Perkasie. Whether securing VA benefits, clarifying Social Security issues, or navigating the IRS, our entire team can advocate for you with federal agencies.*”

Why this wasn’t a real town hall:

- **Free?** Yes.
- **Open to public and press?** No press, only senior citizens could attend.
- **Open questions?** Unknown.
- **In person?** Yes.
- **Announced 24 hours in advance?** Only to residents of the affluent community who hosted, as the event was held in their community center.

An Indivisible activist called out the Congressman for this event in the Facebook comments, observing “a town meeting is when all your constituents are invited, not just a chosen small audience.” Showing that dissatisfaction over the lack of real town halls is not limited to progressives, another constituent from the opposite side of the political spectrum said “when is your next Town Hall meeting scheduled? Oh, by the way, you’re always welcome to come to one of the Philadelphia Tea Party Patriots—Lower Bucks meetings that are held on the first Thursday of the month from 7 to 9 pm at the Middletown Township Municipal Building.”

The August 22, 2017 Fitzpatrick “Town Hall”

Congressman Brian Fitzpatrick has held one event that comes the closest to the definition of “town hall” as outlined by the Town Hall Project.

- **Free?** Yes.
- **Open to public and press?** Yes, but only a limited number of attendees were chosen by lottery. The facility picked by the MoC would only hold 120 constituents, plus security, his staff, and press. At the event, the moderator announced that the *Bucks County Courier Times* handled the lottery to choose attendees, not the Congressman. Media was present from multiple news outlets.
- **Open questions?** Not exactly. Attendees had to submit a question along with their request to attend the meeting. A moderator selected which questions would be asked. We have no way of knowing if the topics chosen were shared in advance to the congressman.
- **In person?** Yes.
- **Announced 24 hours in advance?** [Yes.](#)

Video of the entire town hall is available on [YouTube](#), shared by Rep. Fitzpatrick’s office. MoCTrack has taken the opportunity provided by this second anniversary of the closest thing to a town hall that has taken place in PA-01 since Rep. Fitzpatrick’s 2016 election victory to review some of the claims he made and answers he gave to look back and assess them. The quotes you see were transcribed by MoCTrack, to the best of our ability. Time designations appear with each quote, so that you may go and listen to the portion of the YouTube video for yourself.

Healthcare

Rep. Fitzpatrick said: “...it’s now the Problem Solvers Caucus that is going to, interestingly enough, be the solution to that problem, at least in the short term. We developed a five point plan and sent it to the Senate, which we think the Senate is going to embrace.” (7:29 - 7:42)

What has happened since: This press release from Rep. Fitzpatrick’s [website](#) shows the ‘five point plan’ that the Problem Solvers Caucus proposed. It was dead on arrival in the Senate. About four weeks after the Congressman described this plan, the Senate instead went with the [Graham-Cassidy](#) health care bill, which proposed changing the Medicaid subsidies received by the states into limited block grants. That bill was dramatically voted down when the late Senator John McCain cast the deciding thumbs-down vote.

Some lawmakers are still pursuing portions of the Problem Solvers' plan, such as the elimination of the Medical Device Tax.

Rep. Fitzpatrick said: "I think we really need cost transparency, transparency in the pharmaceutical industry, in the medical products industry, in the insurance industry. Transparency is the key." (31:18 - 31:29)

What has happened since: Rep. Fitzpatrick is not the only lawmaker to propose pricing transparency as a solution to the crisis of rising healthcare costs. [Senator Toomey](#) supports the measure as well, and on June 24, 2019 President Trump issued an [executive order](#) to make "meaningful price and quality information more broadly available to more Americans." This was supposed to include forcing pharmaceutical corporations to include prices in their advertisements. Two weeks after that executive order was made, a federal court declared that the administration [did not have the authority](#) to do that, and blocked its implementation.

Rep. Fitzpatrick said: "...guaranteeing coverage for pre-existing conditions. You have to have guarantees. There should never be anyone in this country who has to choose between paying for their living and paying for healthcare." (33:19 - 33:32)

What has happened since: The lawsuit [Texas v. United States](#) is making its way through the federal courts. Filed by a group of state attorneys general from Republican-governed states, the case argues that because the individual mandate was repealed via a provision of the GOP's Tax Reform bill of 2017, the ACA is unconstitutional. If this case is successful, all of the protections included in the bill (including coverage for people with pre-existing conditions) would vanish. The Trump Administration's Department of Justice has filed a [brief in support](#) of this lawsuit. Rep. Fitzpatrick has remained stubbornly and predictably silent on this issue, never making a public comment about the lawsuit, either for or against it.

The Economy and Tax Reform

Rep. Fitzpatrick said: "The fourth component is not having an economy that is stumbling along at 1.5/1.6% GDP. We need to get to 3% if not 4% to fund our government."

What has happened since: Our Congressman has spoken often about his plans for the economy, and this quote was part of a larger passage about what he calls '[An America that works](#).' That set of changes outlines what steps he thought was necessary to see a growing economy, including industry deregulation and tax reform. The 115th Congress was successful in passing dozens of bills that reduced or [eliminated industry regulation](#). As we all know, they also passed a tax reform package (more on that next). And since then, we have seen record [corporate stock buy-backs](#) and [declining real wages](#) for workers. And while both Rep. Fitzpatrick and Sen. Toomey could often be seen doing economy cheerleading when jobs and unemployment numbers were released each month, they've both grown quiet on that front lately, no doubt because this month the federal government had to revise downwards both the [GDP](#) and [jobs numbers](#).

Rep. Fitzpatrick said: "It [the Tax Reform bill] needs to go through regular order with full hearings and full transparency. And I believe at the end of the day we should have a bipartisan solution." (54:55 - 55:03)

What has happened since: There were no hearings in the lead up to the 2017 tax reform bill. [H.R. 1](#) took 5 votes to pass, three in the House and two in the Senate. It did not get a single Democrat or Independent vote in those 5 roll calls. The bill was so hastily slapped together that a number of mistakes were found in the months afterwards, some with quite awful repercussions (like this one that affected [Gold Star families](#)).

Principles

The Congressman made a few more claims about how he planned to behave as a representative of PA-01. These are not so easily proven or disproven, so it will be left to the judgment of the reader to determine if he lived up to what he claimed at the event:

- "I hope to do a lot more of all sorts of events." (5:10)
- "I'm gonna speak my mind and let the chips fall where they may." (12:23)
- "It's incumbent upon all of us to speak our mind. That's what I'm encouraging my colleagues to do. Stand by your principles! At some point we are all going to be former members of Congress,

every one of us. And my litmus test is, everybody sort of approaches these things differently, but I always put myself at the end of my life and I look back at points in time when I had the opportunity to show courage, did I show courage or didn't I? Because that's the key to growing old happy." (17:38)

On President Trump, instability and impeachment

There is an exchange between the moderator, the representative, the questioner and the audience that starts at 1:02:45 and runs through 1:06:30. [I would advise you to watch it.](#) It is too difficult to transcribe it all here. Rep. Fitzpatrick declines to express any real opinion, even when the questioner asks a follow-up and expresses how the president's instability scares her. He looked to the moderator to wrap up the issue when he declined to make additional comments.

I was one of the lucky few attendees of what we in PA-01 now refer to as the "golden ticket town hall." The night of the event while my memory of it was still fresh, I wrote a recap for the Lower Bucks Indivisible website. After describing that last exchange, about the instability of the president, this is how I closed out my coverage:

For me, that moment was the most telling bit of the whole event, and was kind of like a metaphor for the fix our government finds itself in under President Trump. Mr. Fitzpatrick was pretty likeable. He had some good answers. He engaged with the audience effectively. But when presented with the problem of Trump, he just didn't know what to do. He stood there, tried to brush it off, and eventually let someone else deal with the problem. Except in real life, there isn't anyone else to deal with it. Only Congress is capable of fulfilling the intended role of checks and balances, and only Congress has the authority to address the mess that is our President. But there they stand – paralyzed and looking around frantically for someone to handle it for them. I think we just got a good look at the next three and a half years... unless we have the strength to make a change in 2018.

Kierstyn P. Zolfo

08/22/17 (about 4 hours after the town hall)

I'll leave it to you, reader, to judge if that still stands true today.

The Future of town halls in PA-01

It is possible for us to see a return of the Town Hall in our congressional district. All three Democrats who have entered the 2020 primaries have taken the Town Hall pledge this August.

Christina Finello posted an image of her pledge on [Facebook](#) and wrote:

"Two years ago today, Congressman Brian Fitzpatrick held a town hall meeting ☐— and he hasn't held one since. That's an incredible disservice to the people of our district, who elected him to represent us in Congress. Instead of making himself accessible to his constituents, he's been ducking and dodging their questions for two years.

When I get to Congress, I won't be afraid to face my constituents. I won't duck the tough questions. That's why today, I'm signing Town Hall Project's Town Hall Pledge and committing to hold at least 4 public town halls each year while representing PA-01 in Congress. Our district needs a leader who is responsive to the people she serves, not someone who ducks out on his job responsibilities when faced with questions he doesn't like."

Judi Reiss shared a [video](#) of herself signing the Town Hall pledge on Facebook, and she shared:

"Today I took the Town Hall Project Pledge, and committed to holding a minimum of 4 in-person town hall events each calendar year of my first term in Congress. Sounds like a no-brainer, right? Yet, in #PA01 it hasn't been.

I had the honor of asking Rep. Fitzpatrick the final question of his last open town hall... two years ago. As your next Congresswoman, I will hold as many open town halls as it takes to solve the problems facing our community. #flipthefirst"

Deb Wachspress also posted a [video](#) when she signed her Town Hall Pledge in front of a group of supporters. She wrote:

"Meeting face to face at live town halls is, simply put, part of the job description of serving in Congress. Tonight, I am pleased to take the #TownHallPledge, committing to hold at least 4 town halls every calendar year of my term in office.

I'm running for office to ensure the voices of PA-01 are heard loud and clear in Washington, and that starts with listening to the voices in Bucks and Montgomery Counties. I am eager to hear from you!

Please get in touch at WachspressforCongress.com.
#TownHallProject"

MoCTrack is delighted that all three Democratic primary candidates have taken the Town Hall Pledge! We hope that we will see the elections of 2020 usher in a new age of town halls here in PA-01.

This report brought to you by the MoCTrack team...

Elayne Baker
Gary Garb
Linda Houk
Kierstyn Piotrowski Zolfo

We are seeking additional assistance. Our Congresspeople are always busy and there is always more for us to cover — tasks big and small to fit any level of time commitment or experience. Can you help us out? Please email KierstynPZ@gmail.com and put "MoCTrack Help" in the subject. Thanks!