

Pennsylvania Member of Congress Tracking Report - 12/08/19

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](#), [Pennsylvania Statewide Indivisible](#) and [Demcast](#) 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)	28.3%	+0.6%
Senator Pat Toomey (R)	88.0%	0.0%
PA-01 Rep. Brian Fitzpatrick (R)	66.4%	-0.5%

Nate Silver's [FiveThirtyEight website](#) assesses the voting records of our MoCs to provide this index, by comparing any legislation where President Trump has stated a position, and comparing the vote of each MoC to the President's opinion. There were two votes scored - the Senate's vote on the new Energy Secretary and the House vote on voting rights.

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 (as quoted by our current Senator)



Senator Bob Casey @SenBobCasey · Dec 4

G. Morris, 1787 Constitutional Convention: "No one would say that we ought to expose ourselves to the danger of seeing the first Magistrate in foreign pay, without being able to guard against it by displacing him... This Magistrate is not the King... The people are the King."



Senator Bob Casey @SenBobCasey · Oct 23

Our Constitution indicates that impeachment is for "treason, bribery, or other high Crimes and Misdemeanors." A failure by Congress to pursue impeachment in the face of grave offenses by the President is an insult to our Constitution and to our values.



— This quoted statement from the comments of Governour Morris was excerpted from the [notes that James Madison took during the Constitutional Convention](#), from the session held on July 20, 1787. Senator Casey cited that quote in a floor speech from October 22, 2019, a clip of which can be seen in [this tweet](#).

Votes of Interest -

Voting Rights Restoration in the House

[House Vote on H.R. 4: Voting Rights Advancement Act](#)

When the Voting Rights Act of 1965 was enacted, one of the key provisions was that some geographic areas including most of the south needed federal approval, known as "preclearance," before they could institute changes to their election laws. This meant that they had to justify to federal authorities that the planned changes would have no effect of discriminating against any voters on the basis of race or language.

Unfortunately, the 2013 Supreme Court decision in [Shelby County v. Holder](#) struck down the preclearance process for the states included in the 1965 bill. In a recap of the very long decision, Oyez (an amazing source for Supreme Court analysis) explains that the five judge majority found that "although the constraints... made sense in the 1960s and 1970s, they do not any longer and now represent an unconstitutional violation of the power to regulate elections that the Constitution reserves for the states." While the concept of pre-clearance was not deemed unconstitutional, the current usage of that process against states listed in 1965 is no longer permitted.

In the aftermath of the *Shelby County* SCOTUS decision, a number of legislatures in GOP-controlled states began passing new election laws that have adverse effects on minorities and economically disadvantaged populations. As examples of this, the [Brennan Center](#) cites stringent voter ID laws in Texas and North Carolina that had previously been struck down by lower courts. Other tactics that have since been passed that would have been struck down by preclearance include closing of polling locations, purges of inactive registered voters, and limiting early voting. Twenty five states have passed more stringent election laws since the decision in *Shelby County*.

Buried deep in the *Shelby* decision one can find an invitation to Congress in the writing of Supreme Court Chief Justice John Roberts. He [wrote](#), "Our country has changed, and while any racial discrimination in voting is too much, Congress must ensure that the legislation it passes to remedy that problem speaks to current conditions." One can interpret that to mean that a new formula for determining what areas need preclearance is acceptable. The Democratic-led 116th Congress is the first to take up the Chief Justice's invitation, by way of H.R. 4, the Voting Rights Advancement Act.

The [Atlanta Journal Constitution](#) explains that the bill would "create a new formula for the U.S. Department of Justice to use to determine which states with histories of voting discrimination would be required to pre-clear proposed election changes." The [New York Times](#) highlighted the contributions of the bill's sponsor, Rep. Terri A. Sewell (D-Ala.). During the floor debate she said, "Selma is still now! I know I'm not the only black and brown colleague of ours who owes their very presence in this chamber to the Voting Rights Act passed in 1965."

H.R. 4 got a floor vote on Friday, December 6, 2019 under the gavel of civil rights icon Rep. John Lewis (D-GA). The final tally was 228-187. The only lawmaker in the country to cross party lines was

● **PA-01's Rep. Brian Fitzpatrick**, who voted YES with the Democrats.

Two state solution resolution on Israel and Palestine

[House Vote on H.Res. 326: Expressing the sense of the House of Representatives regarding United States efforts to resolve the Israeli-Palestinian conflict through a negotiated two-state solution](#)

In a move that many media outlets have referred to as a "rebuke" of the Trump Administration's policies related to Israel and the Palestinians, the House approved a resolution calling for a two-state solution. From the [Washington Post](#):

The legislation declares that “only the outcome of a two-state solution ... can both ensure the state of Israel’s survival as a Jewish and democratic state and fulfill the legitimate aspirations of the Palestinian people for a state of their own.”

It also notes longtime U.S. opposition to “settlement expansion, moves toward unilateral annexation of territory, and efforts to achieve Palestinian statehood status outside the framework of negotiations with Israel” — an implicit critique of Trump’s moves to legitimize Israel’s increasingly assertive behavior in the West Bank and Golan Heights.

[The Hill](#) adds that this resolution was prompted by three recent actions from the Trump Administration: “...moving the U.S. Embassy to Jerusalem, recognizing Israel’s sovereignty over the Golan Heights and cutting the majority of U.S. aid to the Palestinians.” The measure was co-sponsored by 192 Democrats, including all of PA’s Democratic MoCs except  **PA-02’s Rep. Brendan Boyle**.

The vote on this resolution was taken on Friday, December 6, 2019 and it passed, 226-188. Five Republicans crossed party lines to vote YES with Democrats. The four members of the “squad” (Democratic Reps. Ocasio-Cortez, Omar, Pressley and Tlaib) voted NO. **Fitzpatrick voted NO**.

House vote spotlights which MoCs are with Trump on Russia

[House Vote on H. Res. 546](#): Disapproving the Russian Federation’s inclusion in future Group of Seven summits until it respects the territorial integrity of its neighbors and adheres to the standards of democratic societies.

Earlier this year [President Trump said](#) that he wanted Russia to be invited back into the G7. He said, “...a lot of the things we talk about have to do with Russia. I could certainly see it being the G-8 again, and if somebody would make that motion, I would certainly be disposed to think about it very favorably.” The resolution that the House voted on this week was their response to the president’s suggestion, making it clear that the majority of House members do not want President Putin’s Russia included in the G7 group.

The resolution was co-sponsored by 46 MoCs (45D, 1R) including  **PA-07’s Rep. Susan Wild**,  **PA-08’s Rep. Matt Cartwright**, and  **PA-18’s Rep. Mike Doyle**. After laying out the details of Russia’s occupation of Ukraine’s territory in Crimea, the resolution states:

The House of Representatives—

- (1) reiterates its unwavering support for the sovereignty and territorial integrity of Ukraine;
- (2) condemns Russia’s aggressive actions in Ukraine, including the illegal occupation of Crimea and ongoing destabilization of eastern Ukraine;
- (3) condemns the Kremlin’s assaults on democratic societies worldwide, including in the United States and other Group of Seven countries;
- (4) reaffirms its full support for the suspension of Russia from the Group of Eight;
- (5) calls on all leaders of the Group of Seven to oppose the readmission of Russia unless and until it has ended its occupation of all of Ukraine’s sovereign territory, including Crimea, and halts its attacks on democracies worldwide; and
- (6) disapproves of Russia’s inclusion in future Group of Seven summits until it respects the territorial integrity of its neighbors and adheres to the standards of democratic

While the co-sponsors were mostly Democrats, this measure did have a great deal of support amongst Republicans. [The Hill](#) quoted House Committee on Foreign Affairs Ranking Member Mike McCaul (R-Texas), who stated:

Russia should be not be readmitted to the Group of Seven until Putin respects the principles shared by the other members, relinquishes his chokehold over Crimea, and ceases his global attacks on democratic institutions. Maintaining the integrity of the Group of Seven is vital to the Group’s success, and Russia cannot be allowed to bully its way back in.

The vote on this resolution was taken on Tuesday, December 3, 2019 under a suspension of the rules, meaning that lengthy debate was cut off, but the measure would need a 2/3 supermajority to pass. The final vote was 339-71. All of the 71 NO votes were from Republicans. **Fitzpatrick voted YES.**

A few bright spots of bipartisan agreement in the House

There were a trio of bills that received votes this week that showed the House is capable of some nearly unanimous action.

- [House Vote on S. 151](#): Pallone-Thune TRACED Act - this is a bill that will add real penalties to the laws related to robocalls, and it “requires voice service providers to develop call authentication technologies” (per the Library of Congress [summary](#)). It passed 417-3 on December 4th. **Fitzpatrick voted YES.** For additional information on this bill, see this piece in [The Hill](#).
- [House Vote on H.R. 2534](#): Insider Trading Prohibition Act - this legislation prohibits individuals from exchanging non-public information, and it is the first federal law to actually define “insider trading.” This measure passed with a 410-13 vote on December 5th. **Fitzpatrick voted YES.** You can read more about this bill in this article from [Yahoo Finance](#).
- [House Vote on S. 178](#): Uyghur Human Rights Policy Act - this is a resolution that calls out China for human rights abuses against this Muslim minority. The measure introduces sanctions, and restricts trade on “certain items that provide a critical capability to the Government of the People’s Republic of China to suppress individual privacy, freedom, and other basic human rights” (from section 9 of the bill text). It passed 407-1 on December 3rd. **Fitzpatrick voted YES.** The House did make some changes to the text as it passed the Senate, so it will return to the upper house for a new vote. For additional information on this bill, see this article on the measure (and Chinese reaction) from [NPR](#).

Editor’s note - with the Senate passing SO MANY Trump Administration judicial confirmations this week, we are keeping the recaps short, and linking to additional reading from [The Vetting Room](#) for those interested. If you prefer getting your judicial vote recaps in such a format, please let us know by emailing KierstynPZ@gmail.com, and putting “MoCTrack feedback” in the subject line. THANKS!

Senate Judicial Blitz, Part 1

[Senate Confirmation Vote](#) on Sherri A. Lydon to be United States District Judge in South Carolina
Lydon is a well respected lawyer with extensive criminal law experience. In 2018 she was confirmed as the chief U.S. Attorney for South Carolina. [The State](#), a local Carolina paper, notes, “as the state’s chief federal prosecutor, Lydon has overseen an office of some 140 employees at the headquarters Columbia office, along with satellite offices in Charleston, Greenville and Florence.” Her [Vetting Room](#) profile has no red flags. In a vote taken on Thursday, December 5, 2019, Lydon was confirmed 76-13. All of the NO votes were from Democrats. **Casey voted YES** and **Toomey voted YES.**

Senate Judicial Blitz, Part 2

[Senate Confirmation Vote](#) on Richard Ernest Myers II to be a US District Judge in North Carolina
[The Vetting Room](#) lays out the extraordinary background of this seat which has gone unfilled for FOURTEEN YEARS:

The U.S. District Court for the Eastern District of North Carolina is home to one of the longest vacancies in the country, having opened in December of 2005. Since then, conflicts between senators and the White House have kept this seat vacant through four presidential terms. Now, Richard Myers, a professor with the University of North Carolina, is the fifth nominee to fill this vacancy.

The Vetting Room research goes on to lay out the problems with those other nominees, including President Trump’s failed nomination of a lawyer tied to noted segregationist Sen. Jesse Helms. Perhaps that explains the nomination of this qualified person whose only red flag is a membership in the Federalist Society. . Myers has worked as a law professor at the University of North Carolina Law School for over a decade. Before that he held two postings in the U.S. Attorney’s offices in California

and North Carolina. He is also one of a very few Trump nominees who is a person of color. The vote on Myers was taken on Thursday, December 5, 2019. He was confirmed 68-21. All of the NO votes were from Democrats. **Casey voted YES and Toomey voted YES.**

Senate Judicial Blitz, Part 3

[Senate Confirmation Vote](#) on David B. Barlow to be United States District Judge in Utah

This is an uncontroversial nominee who had broad support from both parties. Barlow was nominated by the Obama Administration to serve as Utah's U.S. attorney, and according to the [Deseret News](#), he filled that position for three years. [The Vetting Room](#) notes that "as Barlow is a conservative Republican, his nomination speaks more to the Obama Administration's approach to appointments than to Trump's." In a vote taken on Wednesday, December 4, 2019, Barlow was confirmed 88-4. All of the NO votes were from Democrats. **Casey voted YES and Toomey voted YES.**

Senate Judicial Blitz, Part 4

[Senate Confirmation Vote](#) on R. Austin Huffaker to be United States District Judge in Alabama

This nominee has practiced law primarily in the private sector for the past 20 years. He had the support of both of his home state's senators. [Alabama.com](#) reports that Democrat Sen. Doug Jones said of the nominee, "Mr. Huffaker has an excellent reputation within the legal profession for his fairness, temperament and thoughtfulness. I believe he will serve with the utmost integrity on the bench and will represent Alabama with distinction." [The Vetting Room](#) adds that the nominee had been considered for a judicial position under the Obama Administration as well. The vote on Huffaker was taken on Wednesday, December 4, 2019. He was confirmed 89-4. All of the NO votes were from Democrats. **Casey voted YES and Toomey voted YES.**

Senate Judicial Blitz, Part 5

[Senate Confirmation Vote](#) on Douglas Russell Cole to be United States District Judge in Ohio

This nominee has worked extensively in the private sector, including at the law firm of Jones Day. He served as Ohio's Solicitor General and was a law professor at the Ohio State University Moritz School of Law. [The Vetting Room](#) calls him "a generous donor to Republicans." In a vote taken on Wednesday, December 4, 2019, Cole was confirmed 64-29. All of the NO votes were from Democrats. **Casey voted YES and Toomey voted YES.**

Senate Judicial Blitz, Part 6

[Senate Confirmation Vote](#) on Eric Ross Komitee to be United States District Judge in New York
Komitee has worked in both the public and private sector. [Law.com](#) reports that he "previously served for eight years as an assistant U.S. attorney for the Eastern District, where he eventually became chief of the business and securities fraud section." [The Vetting Room](#) notes that the nominee has "a relatively limited political history," but all his known donations are to Republican politicians (including two of the people voting on his nomination). The vote on Komitee was taken on Tuesday, December 3, 2019. He was confirmed 86-4. All of the NO votes were from Democrats. **Casey voted YES and Toomey voted YES.**

Senate Judicial Blitz, Part 7

[Senate Confirmation Vote](#) on John L. Sinatra, Jr. to be United States District Judge in New York

This nominee, another former employee of the law firm Jones Day, is not terribly controversial, but the circumstances surrounding the nomination are somewhat fraught. This is a seat that has been held open since the Obama Administration, with the previous judge announcing his intention to retire in 2014! Also at issue is the gender politics of this nomination [The Vetting Room](#) notes:

No woman has ever served as a federal judge in Buffalo. In fact, the entire Western District of New York got its first and only female judge in 2013, when Judge Elizabeth Wolford was appointed to a Rochester-based seat. The Buffalo-based vacancy on the court, which is the oldest judicial vacancy in New York, saw a tussle over two female candidates during the Obama Administration. Now, the Trump Administration has put forward a male attorney for the position: John Sinatra.

In a vote taken on Wednesday, December 4, 2019, Sinatra was confirmed 75-18. All of the NO votes were from Democrats. **Casey voted YES and Toomey voted YES.**

Senate Judicial Blitz, Part 8

[Senate Confirmation Vote](#) on Sarah E. Pitlyk to be United States District Judge in Missouri

This was the one truly controversial nominee from this week's glut of judicial confirmations. This Federalist Society member was rated "unqualified" by the American Bar Association. The chairman of that organization wrote a [letter](#) to lawmakers opposing this nomination, stating:

Ms. Pitlyk has never tried a case as lead or co-counsel, whether civil or criminal. She has never examined a witness. Though Ms. Pitlyk has argued one case in a court of appeals, she has not taken a deposition. She has not argued any motion in a state or federal trial court. She has never picked a jury. She has never participated at any stage of a criminal matter.

The [Alliance for Justice](#), a national association of over a hundred groups, "committed to progressive values and the creation of an equitable, just, and free society" also voiced their objections to this nominee, based on her avowed policy positions and past legal work. This from the precis of their [background report](#):

Pitlyk has devoted her career to attacking reproductive freedom, and it is clear that she will be a biased jurist. Like other Trump nominees, Pitlyk meets the President's litmus test of hostility to *Roe v. Wade* and the Affordable Care Act. But, her attacks on women's rights go far beyond mere opposition to abortion. She has fought against alternative reproductive technologies, like in vitro fertilization and surrogacy and has argued that frozen embryos are human beings. More alarmingly, Pitlyk fought a law that would have prevented landlords from evicting their tenants and employers from firing their employees for using birth control or becoming pregnant before marriage. She defended David Daleiden, who orchestrated the deceptively-edited videos which claimed to expose Planned Parenthood's illegal sale of fetal tissue, a debunked myth that Pitlyk continues to spread. She also defended the unconstitutional Iowa "Heartbeat Bill," which would have banned abortion once a fetal heartbeat is detected, when most women do not even realize they are pregnant yet.

The vote on Pitlyk was taken on Wednesday, December 4, 2019. She was confirmed 49-44. All of the All Democrats present voted NO, and they were joined by Maine's pair of senators, Republican Susan Collins and Independent Angus King. **Casey voted NO** and **Toomey voted YES**.

ERRATA, or MoCTrack prematurely predicted the confirmation of a new Secretary of Energy

In the 11/24/19, MoCTrack produced a section on a Senate vote on Secretary of Energy nominee Dan R. Brouillette. We mistakenly omitted that this was the cloture vote, and not the final confirmation vote. Our apologies for that error. The actual vote to confirm Mr. Brouillette was held this week.

We have a new Secretary of Energy

[Senate Confirmation Vote](#) on Dan R. Brouillette to be Secretary of Energy (for real this time)

With the departure of Rick Perry, President Trump now has a new Energy Secretary in Dan Brouillette. And it will be no surprise to anyone that he has deep ties to industries friendly to fossil fuel and extractive corporations. [Newsweek](#) reports that Mr. Brouillette was both a vice president of Ford Motor Company and the senior vice president and head of public policy for the United Services Automobile Association.

[Politico](#) provided information on Mr. Brouillette's past work in government and his experience at working with the legislative branch:

Brouillette has a reputation around Washington as a pragmatist who can break through policy log jams. During the Bush administration, he was a key figure in laying the groundwork for what became the 2005 Energy Policy Act. The law, which expanded DOE's research and development authority, first began to take shape while Brouillette was assistant secretary for congressional and intergovernmental affairs at DOE, a post he held from 2001 through 2003... Brouillette helped get the bill through a House-Senate

conference, and resulting bill passed in the House. [That] version failed in the Senate by two votes, but a similar bill passed the next year after both Tauzin and Brouillette left Congress.

As one would expect from a Trump nominee, Mr. Brouillette has recently supported an industry-friendly approach to giving corporations the right to exploit resources on government lands. [The Hill](#) reports "Brouillette on Thursday morning endorsed the idea of mining the Arctic to dig up minerals for electric batteries and touted the American emission reductions."

The (actual) vote to confirm Mr. Brouillette was held on Monday, December 2, 2019. He was confirmed in a 70-15 vote. All of the NO votes were placed by Democrats. **Casey voted YES** and **Toomey did not vote**. The [Pennsylvania Capital-Star](#) reports, "Toomey missed the vote because of a pre-existing 'family commitment,' his office said in a statement. But the Lehigh Valley Republican 'supports Secretary Brouillette and voted to advance his nomination just before Thanksgiving.'"

Unanimously passed legislation

The following bills were passed through unanimous consent or voice vote (which presumes unanimity, as any member can object to the voice vote and ask for a roll call). This list excludes bills related to post offices, stamps, memorials, awareness weeks and other ceremonial activities.

- [H.R.1138](#) - To reauthorize the West Valley demonstration project
- [S.Res.318](#) - A resolution to support the Global Fund to fight AIDS, Tuberculosis and Malaria, and the Sixth Replenishment
- [H.R.565](#) - AMIGOS Act, To include Portugal in the list of foreign states whose nationals are eligible for admission into the United States as E1 and E2 nonimmigrants if United States nationals are treated similarly by the Government of Portugal
- [H.R.3460](#) - End Neglected Tropical Diseases Act
- [H.R.4018](#) - To provide that the amount of time that an elderly offender must serve before being eligible for placement in home detention is to be reduced by the amount of good time credits earned by the prisoner
- [H.R.4803](#) - Citizenship for Children of Military Members and Civil Servants Act
- [H.R.5277](#) - To amend section 442 of title 18, United States Code, to exempt certain interests in mutual funds, unit investment trusts, employee benefit plans, and retirement plans from conflict of interest limitations for the Government Publishing Office
- [H.Res.517](#) - Supporting the Global Fund to fight AIDS, tuberculosis (TB), malaria, and its Sixth Replenishment
- [H.Res.585](#) - Reaffirming support for the Good Friday Agreement and other agreements to ensure a lasting peace in Northern Ireland
- [S.760](#) - Support for Veterans in Effective Apprenticeships Act
- [H.R.2486](#) - FUTURE Act, to reauthorize mandatory funding programs for historically Black colleges and universities and other minority-serving institutions

MoC Twitter Action

Courtesy of contributor @ElastigirlVotes

Twitter Action - two tweets, two part priorities

🌐 Senator Bob Casey, @SenBobCasey, [12/06/19](#):

"A new report from @BrookingsInst shows 44% of U.S. workers are employed in low-wage jobs with median annual earnings of just \$18k. This is not how our economy should work. Many of these workers rely on programs like SNAP because the wages they earn don't cover the cost of living. America has a job-quality problem. It's clear we can't fix these challenges by simply by adding jobs. We need to create good jobs that pay decent wages, have predictable hours and provide real benefits so all Americans are able to support themselves and their families." *Tweet Quotes CBS News [tweet](#).*

- **Senator Pat Toomey, @SenToomey, [12/06/19](#):**
“Tremendous news for American workers in this morning’s jobs report. These numbers are further proof that tax and regulatory reforms are working.” *Tweet includes [link](#) to USA Today article.*

Twitter Action - Healthcare

- **Senator Bob Casey, @SenBobCasey, [12/06/19](#):**
“Despite Trump’s sabotage, the Affordable Care Act continues to save lives. Thank you @Ipackard for stopping in Pennsylvania this past summer to advocate for affordable health care. Reminder: <http://HealthCare.Gov> open enrollment ends December 15. Don’t wait – #GetCovered” *Tweet quotes Now This [tweet](#).*

- **PA-01’s Rep. Brian Fitzpatrick, @RepBrianFitz, [12/05/19](#):**
“Proud to join @JimLangevin and @RepDavidTrone on this letter to the @FAANews. I’m glad to see that several airlines have begun carrying naloxone on commercial flights, and I hope to see others soon follow.”

Twitter Action - Promoted legislation

- **Senator Bob Casey, @SenBobCasey, [12/03/19](#):**
“As individuals with disabilities continue to face unique struggles around the world, I’m proud to introduce a bicameral resolution recognizing International Day of Persons with Disabilities (IDPD) on December 3. Persons with disabilities are more likely to experience poverty, discrimination, social stigmatization and lack of access to vital resources. The inclusion of people with disabilities is a fundamental part of democracy and essential to the full realization of human rights.

- **Senator Pat Toomey, @SenToomey, [12/02/19](#):**
Mexican cartels are flooding Western PA w/ knock-off Oxy that’s laced w/illicit fentanyl. Govts that let this happen must be held to account. @DougJones & I have intro’d Blocking Deadly Fentanyl Imports Act. Imposes tough penalties on complicit countries.” *tweeted with a link to a TRIBLive article titled [“Look-alike Oxycodone pill laced with fentanyl worries officials”](#)*

- **PA-01’s Rep. Brian Fitzpatrick, @RepBrianFitz, [12/05/19](#):**
“Every year in the U.S., thousands of children and adults are diagnosed with digestive or inherited metabolic disorders that prevent their bodies from digesting or metabolizing the food they need. Medically necessary food is often not covered through health insurance, and without it, these patients suffer. That is why I co-sponsored @RepMcGovern’s Medical Nutrition Equity Act to provide coverage for individuals like Owen so they can live to their full potential.” *tweeted with a link to a KUTV article titled [“Utah mother of son with PKU works to get Medical Nutrition Equity Act passed”](#)*

Tweet of the Week

- **Senator Bob Casey, @SenBobCasey, [12/02/19](#):**
“In #Philadelphia alone, 1,352 have been shot this year. This past weekend’s 16-year old victim marked the 106th child shot.
The @SenateGOP? Silent.
When will @senatemajldr treat gun violence for what it is: A public health epidemic?
#GunLawsSaveLives” *tweeted with a link to a Philadelphia Inquirer article titled [“Philadelphia has a gun violence epidemic. What if it were treated like any other contagious disease?”](#)*

- **Senator Pat Toomey, @SenToomey, [12/03/19](#):**
“VWs & Toyotas don’t pose a nat. security threat. The window to levy 232 tariffs on foreign autos is closed. If @CommerceGov wants to impose punitive taxes on Americans who buy foreign cars, they must launch a new investigation. Congress should reassert authority over 232 tariffs.” *tweeted*

in response to [content](#) from the host of NPR's Marketplace noting that Commerce Secretary Wilbur Ross says the Trump Administration "has not ruled out future tariffs on imported autos"

● **PA-01's Rep. Brian Fitzpatrick, @RepBrianFitz, 11/30/19:**

"Today is #SmallBusinessSaturday. Please remember to patronize small businesses today and everyday. Small businesses are the backbone of our communities, creating jobs and boosting our local economy."

Casey in the News

"They're plotting and planning and every day. [Republicans are] using raw power to take people's health care away. Why aren't we telling the American people about that?"

"Do I want to vote for protecting my pre-existing conditions, or do I want to vote Republican? If we make the choice that basic — and it is that basic — we'll do a lot better."

— from a [WTF](#) article titled "[Casey urges Democratic candidates to blast Trump, not one another, on health care](#)"

"The work of this coalition has never been more important, has never been more significant... The work that this coalition does to give voice to the voiceless, to give voice to people who are struggling and striving and sacrificing for a better life for themselves, their families and their communities... is so central to our nation's future."

— from an article in [AI Dia](#) titled "[Marking 50 years of driving change in the Greater Philadelphia region through collaboration](#)"

"[I] will ask Medicare to grant seniors who've had problems a second chance to sign up...It's obviously an effort that needs a lot more work to meet the legitimate expectations of seniors. Especially when you launch something new, (it) can go awry. People steered in the wrong direction should get a measure of fairness."

— from an article on [My Healthy Click](#) titled "[Medicare's Revamped Online Prescription Plan Finder Could Be Expensive](#)"

Fitzpatrick in the News

"We stand unified behind that relationship [with Ukraine]. We will make it grow, we will make it stronger and it's got bipartisan support. And I think it is very, very important that everybody understands that loud and clear."

— from a [Radio Free Europe](#) article titled "[Amid Contentious Impeachment Hearing, Lawmakers Express Bilateral Support For Ukraine](#)"

"Since the beginning of our country's history, thousands of Americans have put their lives on the line in the name of furthering our nation's diplomatic mission and hundreds have made the ultimate sacrifice. This caucus will provide a stronger voice for them within Congress and help to make the challenges they and their families face a little bit easier."

— from an article in [Foreign Policy](#) titled "[With State Department Under Fire, Lawmakers Form a Diplomacy Caucus](#)"

"Gridlock on major issues must not be rewarded. Members of Congress need a reality check, not a raise."

— from a [CNBC](#) article titled "[How a 26-year-old congressional aide earning \\$45,000 spends his money in Washington, DC](#)"

"Following years of devastating hurricanes, the infrastructure of Puerto Rico is in critical condition. The damage to power lines, water pipes and roads has many families in my district concerned about the

wellbeing of our fellow Americans. The people of Puerto Rico deserve the unwavering support of their government and its lawmakers. I look forward to returning to the island to visit with first responders, officials, and residents to review and discuss the recovery effort.”

— from a [Bucks Local News](#) article titled [“Bucks County Congressman spending Thanksgiving inspecting reconstruction efforts in Puerto Rico”](#)

“Naloxone is a critical, life-saving drug. Flight crews should be equipped to handle any medical emergency. Carrying naloxone is an easy way for airlines to ensure the safety of their passengers. I'm glad to see that several airlines have begun carrying naloxone on commercial flights, and I hope to see others soon follow.”

— from a [Yardley Patch](#) article titled [“Fitzpatrick Urges Airlines To Carry Anti-Overdose Drug”](#)

“Fentanyl is a manufactured opioid which, — especially in its illicit versions — is extremely dangerous and illegal imports of these synthetic opioids has spiked in the past three years. Our nation’s drug epidemic is a complicated issue and our response must be multi-faceted. The DEA needs to keep fighting these substances on the frontlines and the Extend Act will maintain a valuable tool for them to utilize.”

— from a [Pennsylvania Capital-Star](#) article titled [“Pa.’s Fitzpatrick rolls out bipartisan bill aimed at fighting fentanyl trafficking”](#)

“I am proud to re-introduce the Road to Recovery Act with Reps. Kuster and Murphy. This bipartisan, commonsense legislation would remove the IMD exclusion for substance use disorder and help states expand access to inpatient addiction services for Medicaid enrollees in a fiscally responsible manner while not intruding on a state’s flexibility to implement care. The ‘IMD exclusion’ blocks access for the most vulnerable in our society. Pennsylvania has been overwhelmed by the opioid epidemic, and an important part of combatting this epidemic is by ensuring that more Americans can receive life-saving care. Our constituents need treatment for addiction, and they need it now.”

— from an article in the [Orlando Political Observer](#) titled [“Murphy, Fitzpatrick, Kuster Reintroduce Bipartisan Bill to Improve Addiction Treatment Options”](#)

“I’m a close sponsor of the [statehood] bill. Anything Jenniffer needs me for, I’m here for—anything that can support the people of Puerto Rico, because I am very close to the Puerto Rican community in my home state, in my home district, and I made a commitment after Maria that we were going to make sure that Puerto Rico is taken care of...”

“There’s a couple of issues there. Number one, the infrastructure is very old. Many of the components in the infrastructure—both power and water—were installed a generation ago. That’s a big challenge. And secondly, when the hurricane came through it thwarted a lot of the infrastructure, so it was a big challenge to get that back up and running.”

— from an article in [The Weekly Journal](#) titled [“Congressman Fitzpatrick: ‘We Stand by Puerto Rico’”](#)

“Following years of devastating hurricanes, the infrastructure of Puerto Rico is in critical condition. The damage to power lines, water pipes and roads has many families in my district concerned about the well-being of our fellow Americans. The people of Puerto Rico deserve the unwavering support of their government and its lawmakers. I look forward to returning to the island to visit with first responders, officials, and residents to review and discuss the recovery effort.”

— from a [Levittown Now](#) article titled [“Congressman Fitzpatrick Will Spend Thanksgiving Inspecting Puerto Rico Reconstruction”](#)

Toomey in the News

Courtesy of contributor Elayne Baker

“As you watch these proceedings in the House, there’s one question that keeps coming up in my mind. And that is, where is the crime?”

“I think they’re going to make their case by the end of the year and send it over to our chamber. And we will deal with it. I don’t want to go too far on a limb, but you probably won’t be surprised by the disposition of this issue.”

— from an article in the *Philadelphia Inquirer* titled [“Pat Toomey defends Trump on impeachment: ‘Where is the crime?’”](#)

“With robust economic growth, record low unemployment, and millions of available jobs, the administration is right to ask able-bodied, working-aged childless adults who want taxpayer-funded food stamps to seek part-time work.”

— from an article on the *NBC Philadelphia* website titled [“Strain on Our System: Thousands of Pennsylvanians to Lose SNAP Benefits Under Trump Administration Policy Change”](#)

“[Trump] is justifying these tariffs by citing Section 232 of the Trade Expansion Act. This provision is exclusively meant for national security threats. Yet, the president has acknowledged the real purpose of this action is to combat currency manipulation -- which does not pose a national security threat.”

— from an article in the *Beaver Times* titled [“Shell: New steel tariffs would have ‘little-to-no’ impact on Beaver County cracker plant”](#)

Committee Corner

We’re very sorry that the Committee Corner has been hiatus for the last few reports. If you know anyone who might be interested in watching some hearings and transcribing some of our Pennsylvanian MoC comments, MoCTrack would love the assistance!

Volunteer [@CFreya1008](#) helped out this week by reviewing two hearings (THANKS, FREYA!!) She was inspired to do so because ● **PA-01’s Rep. Brian Fitzpatrick** has been telling constituents who call in to his office that he was not attending the impeachment hearings because he is too busy doing his legislative responsibilities, like attending hearings and bill markups. His office made a similar statement in [this article](#) in the *Pennsylvania Capital-Star*. The two hearings Freya watched were the only two hearings held this week for the committees/subcommittees on which Rep. Fitzpatrick sits.

This first of the hearings that Freya checked out was held by the House Foreign Affairs Committee on Wednesday, December 4, 2019 and was titled [“The Importance of the New START Treaty.”](#) That hearing revolved around diplomacy, Russia and denuclearization, and had witnesses from NATO as well as Former Chairman of the Joint Chiefs of Staff Admiral Michael G. Mullen. Rep. Fitzpatrick did not ask any questions in the hearing, and he did not appear in the [hearing video](#).

The second item that Freya viewed was the House Transportation and Infrastructure hearing from Thursday, December 5, 2019 titled [“Where’s My Stuff? Examining the Economic, Environmental, and Societal Impacts of Freight Transportation.”](#) Much of the content in that hearing centered around the issue succinctly laid out by hearing witness Erin Aleman, a board member from the Coalition for America’s Gateways and Trade Corridors. She noted in her [testimony](#), “As national freight demands grow, so too does the stress on our regional infrastructure.” This is another hearing where Rep. Fitzpatrick did not ask any questions, nor did he appear in the hearing video.

So it was quite peculiar when Rep. Fitzpatrick [tweeted](#) this:



Brian Fitzpatrick  @RepBrianFitz · Dec 5

Excellent joint subcommittee hearing today at [@TransportGOP](#) to discuss the environmental and economic impacts of freight transportation. I appreciated our witnesses taking the time to voice their concerns and ideas to reform our rail and surface transportation systems.



Congressman Troy Balderson and T&I Committee Republicans

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He posted something similar on [Facebook](#) as well. It sure makes it sound like he participated in the hearings, doesn't it? So Freya and I both went back to review the [hearing video](#) again, and we could not find him asking a single question, making a statement, or even showing up in a frame of the film. We would encourage MoCTrack readers of PA-01 to check this out for themselves. And then ask... what else is Rep. Fitzpatrick misrepresenting to his constituents?

Learning about Legislation

We are revisiting this segment from earlier this year, because there is news that this bill is going to come to the floor for a vote next week. All sorts of interests - both industry and political - are running [advertisements](#) against the bill. They are calling it all sorts of ridiculous names (socialism!) and misrepresenting its contents. Why not read up on what's ACTUALLY in the bill...

H.R. 3: Lower Drug Costs Now Act of 2019

Our friends at the [Pennsylvania Health Action Network](#) sent over some excellent information on the Democrats' new plan to address skyrocketing prescription drug prices. They shared this recap of the newly announced bill:

H.R. 3, the Lower Drug Costs Now Act, would finally require prescription drug companies to negotiate with Medicare for lower prices on a range of drugs. The benefits of those negotiations would help not only people who are covered by Medicare, but also those covered by private insurance plans. This bill is transformative and long overdue.

The bill also penalizes drug companies for price gouging and stops them from charging Americans many times more than what people in other countries pay for the same drug. These are commonsense solutions that will help not only our seniors, but also millions of other Americans.

If you are interested in more of the specifics in the bill, you can find additional details in the *Washington Post* article titled "[Pelosi rolls out long-awaited bill to lower prescription drug costs.](#)" The sponsor of the

bill, Rep. Frank Pallone (D-N.J.) the Chair of the House Committee on Energy and Commerce, included even more information in a [press release](#) on his website:

The Lower Drug Costs Now Act would level the playing field for American patients and taxpayers by:

- Ending the ban on Medicare negotiating directly with drug companies, and creating powerful new tools to force drug companies to the table to agree to real price reductions.
- Giving all Americans access to lower drug prices negotiated by the federal government.
- Stopping drug companies from ripping off Americans while charging other countries less for the same drugs by limiting the maximum price for any negotiated drug to be in line with the average price in countries like ours.
- Creating a new, \$2,000 out-of-pocket limit on prescription drug costs for Medicare beneficiaries and reversing years of unfair price hikes above inflation across thousands of drugs in Medicare.
- Reinvesting in innovation and the search for new cures and treatments. Pallone hopes to use the anticipated cost-savings from lowering drug prices to reinvest in the search for new breakthrough treatments and cures at the National Institutes of Health, as well as investing in our nation's health care including improvements to Medicare.

This is an issue that directly affects most Americans. Please consider taking the next step and calling your MoCs if you feel Congress should pass this excellent new bill!

Call to Action - Support this Bill!

[H.R. 3: Lower Drug Costs Now Act of 2019](#)

As with the recap from our Learning about Legislation section, our allies at the [Pennsylvania Health Action Network](#) provided the scripting in support of H.R. 3. They suggest that this script can be used with any Member of Congress, regardless of their party:

"I'm calling today to encourage Rep. _____ to support H.R. 3, the Lower Drug Costs Now Act. Since the addition of Part D to Medicare, the federal government has been squandering its purchasing power by not allowing Medicare to negotiate for lower prices. Seniors have been paying too-high prices for too long. For the sake of America's seniors and the rest of us who will also benefit from Medicare's negotiations for lower drug prices, please support the Lower Drug Costs Now Act."

PHAN also adds that if you have any experience with high, increasing or unstable prescription drug pricing, you should include information about your lived experience when you make your call. Please do put some time this week into calling your Representative in the House to let them know that **you support H.R. 3!**

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

Elayne Baker

Gary Garb

Helen a.k.a. @ElastigirlVotes

Linda Houk

Kierstyn Piotrowski Zolfo

We can always use 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!