

Pennsylvania Member of Congress Tracking Report - 12/15/19

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%	0.0%
Senator Pat Toomey (R)	88.0%	0.0%
PA-01 Rep. Brian Fitzpatrick (R)	66.0%	-0.4%
PA-02 Rep. Brendan Boyle (D)	13.2%	-0.1%
PA-03 Rep. Dwight Evans (D)	12.0%	-0.1%
PA-04 Rep. Madeleine Dean (D)	1.8%	0.0%
PA-05 Rep. Mary Gay Scanlon (D)	5.0%	-0.1%
PA-06 Rep. Chrissy Houlahan (D)	3.5%	-0.1%
PA-07 Rep. Susan Wild (D)	6.7%	-0.1%
PA-08 Rep. Matt Cartwright (D)	21.1%	-0.1%
PA-09 Rep. Dan Meuser (R)	98.2%	+0.1%
PA-10 Rep. Scott Perry (R)	88.7%	0.0%
PA-11 Rep. Lloyd Smucker (R)	95.3%	0.0%
PA-12 Rep. Fred Keller (R)	92.6%	+0.3%
PA-13 Rep. John Joyce (R)	98.2%	0.0%
PA-14 Rep. Guy Reschenthaler (R)	94.5%	+0.1%
PA-15 Rep. Glenn W. Thompson (R)	98.0%	0.0%
PA-16 Rep. Mike Kelly (R)	96.0%	0.0%
PA-17 Rep. Conor Lamb (D)	34.4%	-0.3%
PA-18 Rep. Mike Doyle (D)	15.3%	-0.1%

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. One House vote was scored this week, on prescription drug prices.

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.

Votes of Interest

The House takes on the price of prescriptions

[House Vote](#) on [H.R. 3](#): Elijah E. Cummings Lower Drug Costs Now Act

As is evidenced by its low number (bills numbered one through ten are by tradition reserved for the Speaker of the House to assign to signature pieces of legislation), this bill to lower prescription drug costs is a key piece of House Speaker Pelosi's "For the People" agenda. MoCTrack has covered this bill several times in the past by way of our [Learning about Legislation](#) and [Call to Action](#) segments, but for a refresher, here is an explainer from the [press release](#) of bill sponsor, Chair of the House Committee on Energy and Commerce Rep. Frank Pallone (D-N.J.):

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.

The bill's name was changed to honor the late Congressman Elijah Cummings, who was a long time advocate for this issue. There is little chance, though, that this bill will emerge from the Senate, where so many other House-passed bills are lingering. From [Vox](#):

For now, while the legislation enables Democrats to send a message on this issue, the Senate's disinterest means that it won't become law anytime soon. Although this outcome was an anticipated one, House Democrats had initially attempted to navigate the issue with President Donald Trump, who said that reducing prescription drug prices was a priority for him. Trump, however, has been less than reliable on this — and on many other fronts — ultimately coming out against the bill.

H.R. 3 came to the floor for a vote on Thursday, December 12, 2019. It passed 230-192. This was close to a party line vote, with all Democrats voting YES, and only 2 Republicans MoCs joining them. This is how the Pennsylvania delegation voted:

Aye	R	Fitzpatrick, Brian	PA 1st	No	R	Perry, Scott	PA 10th
Aye	D	Boyle, Brendan	PA 2nd	No	R	Smucker, Lloyd	PA 11th
Aye	D	Evans, Dwight	PA 3rd	No	R	Keller, Fred	PA 12th
Aye	D	Dean, Madeleine	PA 4th	No	R	Joyce, John	PA 13th
Aye	D	Scanlon, Mary	PA 5th	No	R	Reschenthaler, Guy	PA 14th
Aye	D	Houlahan, Chrissy	PA 6th	No	R	Thompson, Glenn	PA 15th
Aye	D	Wild, Susan	PA 7th	No	R	Kelly, Mike	PA 16th
Aye	D	Cartwright, Matthew	PA 8th	Aye	D	Lamb, Conor	PA 17th
No	R	Meuser, Daniel	PA 9th	Aye	D	Doyle, Mike	PA 18th

Part of the 2020 Budget passes the House

[House Vote](#) on [S. 1790](#): National Defense Authorization Act for Fiscal Year 2020

This is the second time this bill has come to the floor of the House. The differing Senate and House versions had to be reconciled in a conference committee before a compromise version returned to a full vote in both chambers for approval. The results of this conference included highly publicized talking points that each side could cite as triumphs, with the GOP trumpeting border security increases, Trump claiming victory on his “Space Force,” Democrats getting 12 weeks paid family leave for members of the military, and everyone using the military pay raises to their own benefit. But at the heart of this bill are an increased military budget and the removal of many progressive provisions that were included in the original bill that passed the House. From [The Hill](#):

The original House bill would have blocked Trump from dipping into Pentagon funds for the wall after he tapped \$6.1 billion from the department for his signature project. Ultimately, negotiators decided to leave out wall-related provisions, kicking the issue to the ongoing appropriations process.

The final bill also dropped a slew of other Democratic priorities that were in the House bill, including language to reverse Trump’s transgender military ban, block Trump from taking military action against Iran, end all U.S. support for the Saudi-led war in Yemen, force the cleanup of cancer-linked “forever chemicals” called PFAS, block the deployment of the low-yield nuclear warhead and ban new transfers to the Guantánamo Bay detention center.

This vote was taken on Wednesday, December 11, 2019. It passed 377-48. The majority of both parties voted YES. The NO votes came from 41 Democrats, 6 Republicans and lone Independent Justin Amash. Our PA MoCs voted as follows:

Aye	R	Fitzpatrick, Brian	PA 1st	Aye	R	Perry, Scott	PA 10th
Aye	D	Boyle, Brendan	PA 2nd	Aye	R	Smucker, Lloyd	PA 11th
Aye	D	Evans, Dwight	PA 3rd	Aye	R	Keller, Fred	PA 12th
Aye	D	Dean, Madeleine	PA 4th	Aye	R	Joyce, John	PA 13th
Aye	D	Scanlon, Mary	PA 5th	Aye	R	Reschenthaler, Guy	PA 14th
Aye	D	Houlahan, Chrissy	PA 6th	Aye	R	Thompson, Glenn	PA 15th
Aye	D	Wild, Susan	PA 7th	Aye	R	Kelly, Mike	PA 16th
Aye	D	Cartwright, Matthew	PA 8th	Aye	D	Lamb, Conor	PA 17th
Aye	R	Meuser, Daniel	PA 9th	No	D	Doyle, Mike	PA 18th

The House creates a pathway to citizenship for temporary agricultural workers

[House Vote](#) on [H.R. 5038](#): Farm Workforce Modernization Act

This week the House passed a measure to change our immigration system as it applies to temporary agricultural workers. This bill is of particular note because the number of GOP MoCs who came onboard to support it (as you’ll see when you review the votes of our PA lawmakers). [The New Food Economy](#) explains the contents of the bill and their importance:

The act allows undocumented immigrants currently residing in the U.S. to apply to become “certified agricultural workers,” a temporary legal status, if they have worked in farming for at least 180 days in the past two years and pass background checks.

This new status, which also covers spouses and children, can be renewed indefinitely, as long as the worker stays in farming for at least 100 days per year. Certified agricultural workers can apply for a green card after paying a \$1,000 fine for violating immigration law, and agreeing to work in agriculture for another four or eight years, depending on how long they've already been in fields.

The bill requires mandatory E-Verify for all farm employers. The online system, which checks work forms against a federal security database, is already required in many states, and would phase in after the reforms are implemented.

A [CNN](#) article about the bill adds to the context that prompted the scheduling of this legislation, reminding readers of the fraught climate that this bill hopes to resolve. That piece recounts the details from various raids from the summer, including the ones that resulted in over 700 arrests from food processing facilities across Mississippi. *CNN* adds that over 300 agriculture groups sent a letter to House Speaker Nancy Pelosi and Minority Leader Kevin McCarthy, imploring them "to address the labor crisis facing American agriculture."

H.R. 5038 came to the floor for a vote on Wednesday, December 11, 2019. It passed 260-165. Most Democrats voted YES, but three voted NO and one voted Present. The breakdown for the GOP MoCs was 34 voting YES and 161 voting NO. This is how the Pennsylvania delegation voted:

Aye	R	Fitzpatrick, Brian	PA 1st	No	R	Perry, Scott	PA 10th
Aye	D	Boyle, Brendan	PA 2nd	Aye	R	Smucker, Lloyd	PA 11th
Aye	D	Evans, Dwight	PA 3rd	No	R	Keller, Fred	PA 12th
Aye	D	Dean, Madeleine	PA 4th	No	R	Joyce, John	PA 13th
Aye	D	Scanlon, Mary	PA 5th	No	R	Reschenthaler, Guy	PA 14th
Aye	D	Houlahan, Chrissy	PA 6th	Aye	R	Thompson, Glenn	PA 15th
Aye	D	Wild, Susan	PA 7th	No	R	Kelly, Mike	PA 16th
Aye	D	Cartwright, Matthew	PA 8th	Aye	D	Lamb, Conor	PA 17th
No	R	Meuser, Daniel	PA 9th	Aye	D	Doyle, Mike	PA 18th

Judicial Confirmation #1

[Senate Confirmation Vote](#) on Patrick J. Bumatay to be United States Circuit Judge for the Ninth Circuit

Mr. Bumatay is the first openly LGBTQ circuit judge on the Court of Appeals. Most of his credentials, including his clerkships, experience in private practice and in the U.S. Attorney's Office in the Southern District of California, place him into the well qualified realm... especially for Trump Administration nominees.

There are, however, two red flags in his past writings and experience. Mr. Bumatay is a fierce opponent of affirmative action. [The Vetting Room](#) cites writing from his college days, when he said "...all men are created equal — unless they are Asian or white." And one of Bumatay's first jobs was as an intern at a company run by Kellyanne Conway.

The vote on Mr. Bumatay was taken on Tuesday, December 10, 2019. He was confirmed in a 53-40 vote, along pure party lines. **Casey voted NO** and **Toomey voted YES**.

Judicial Confirmation #2

Senate Confirmation Vote on Lawrence VanDyke to be United States Circuit Judge for the Ninth Circuit

Another judge rating “not qualified” by the American Bar Association has made his way into the federal judiciary, this time into the Court of Appeals (the court level one step below the Supreme Court). The [Las Vegas Review-Journal](#) reports that among the unfavorable comments in his ABA report, Mr. VanDyke was called “arrogant” and “lazy” by former colleagues. [The Vetting Room](#) expands upon that quote, adding that interviewees described VanDyke as “arrogant, lazy, an ideologue, and lacking in knowledge of the day-to-day practice.”

The Vetting Room goes on to report that Mr. VanDyke has writings that support intelligent design and oppose gay marriage. Additionally, he is a gun rights activist who, when running in a past judicial election, told the NRA that the only reason he had never joined their organization was “in order to avoid recusal issues in his office.”

Mr. VanDyke was confirmed in a 51-44 vote on Wednesday, December 11, 2019. All Democrats and Independents present voters NO, and they were joined by Republican Susan Collins of Maine. **Casey voted NO and Toomey voted YES.**

We have a new Ambassador to Russia

[Senate Confirmation Vote](#) on John Joseph Sullivan to be Ambassador to the Russian Federation

The Senate voted to put Secretary of State Mike Pompeo’s second in command into the post as Ambassador to Russia. The previous ambassador, Jon Huntsman, stepped down in August to run for governor of Utah. If John Sullivan’s name sounds familiar to you, it is likely because of the recent impeachment hearings. [NBC News](#) explains that “Sullivan was the official who delivered the news to former U.S. Ambassador to Ukraine Marie Yovanovitch that Trump had lost confidence in her and that she was being recalled early from the post.”

[The New York Times](#) notes that issues surrounding the impeachment inquiry made their way into Mr. Sullivan’s confirmation process:

Senate Democrats also asked Mr. Sullivan about Mr. Trump’s request that the government of Ukraine look into former Vice President Joseph R. Biden Jr., a leading Democratic candidate for president, and his son Hunter Biden. Asked if he believed it was appropriate for the president to demand investigations into domestic political opponents, Mr. Sullivan said, “I don’t think that would be in accord with our values.”

The nomination of Mr. Sullivan was voted upon on Thursday, December 12, 2019. Mr. Sullivan was confirmed, 70-22. All of the Republicans voted YES. All 22 NO votes came from Democrats. **Casey voted NO and Toomey voted YES.**

We have a new person in charge of Wildlife and Endangered Species

[Senate Confirmation Vote](#) on Aurelia Skipwith as Director of the United States Fish and Wildlife Service

The Director of United States Fish and Wildlife Service is responsible for not just the health of lakes and fisheries, but also management of the endangered species rules. For that role, President Trump chose a former Monsanto employee who made a \$5,600 donation to the Trump presidential campaign in the days after her nomination (after a decade of making no political contributions).

That information was from an article in [The Guardian](#), who also quoted Jayson O’Neill, deputy director of the Western Values Project. He declared:

[Her] résumé is surprisingly scant for someone that would be charged with managing America’s fish and wildlife... Like so many other Trump political appointees, Skipwith has already rubbed elbows with oil and gas interests and is poised to continue to curry favors

for special interests at the expense of our public lands, fish and wildlife if she is confirmed.

A coalition of dozens of wildlife protection and environmental groups submitted a [joint letter](#) to senators where they asked lawmakers to vote no on Skipwith's nomination. The correspondence stated, in part, that in her previous work as the interior department's deputy assistant secretary of fish, wildlife and parks, she "...undermined scientific integrity and the work of career scientists at the Service and circumvented the Endangered Species Act at the behest of the coal industry, putting numerous species at risk of extinction."

The Senate voted on Ms. Skipwith's nomination on Thursday, December 12, 2019. She was confirmed, 52-39. All Republicans present voted YES. They were joined by three Democrats - Alabama's Doug Jones, Arizona's Kyrsten Sinema, and West Virginia's Joe Manchin. **Casey voted NO and Toomey voted YES.**

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. 2051](#) - Sustainable Chemistry Research and Development Act
- [H.R. 3318](#) - Emerging Transportation Security Threats Act
- [H.R. 3469](#) - Covert Testing and Risk Mitigation Improvement Act
- [H.R. 3669](#) - Weatherizing Infrastructure in the North and Terrorism Emergency Readiness Act
- [H.R. 4355](#) - Identifying Outputs of Generative Adversarial Networks Act
- [H.R. 4372](#) - MSI STEM Achievement Act
- [H.R. 4373](#) - Engineering Biology Research and Development Act
- [H.R. 4402](#) - Inland Waters Security Review Act
- [H.R. 4566](#) - Virginia Beach Strong Act
- [H.R. 4727](#) - Department of Homeland Security Mentor-Protege Program Act
- [H.R. 4739](#) - Synthetic Opioid Exposure Prevention and Training Act
- [S. 256](#) - Esther Martinez Native American Languages Programs Reauthorization Act
- [S. 737](#) - Building Blocks of STEM Act
- [H.R. 5035](#) - Television Viewer Protection Act
- [H.R. 5363](#) - Fostering Undergraduate Talent by Unlocking Resources for Education Act
- [H.R. 2333](#) - Support for Suicide Prevention Coordinators Act
- [S. Res. 150](#) - A resolution expressing the sense of the Senate that it is the policy of the United States to commemorate the Armenian Genocide through official recognition and remembrance
- [H.R. 4713](#) - Department of Homeland Security Office of Civil Rights and Civil Liberties Authorization Act

Call to Action

Attend an [Impeach.org](#) - MoveOn - Indivisible Event on Tuesday, December 17th!

This Friday the national leadership of several coordinated activist groups decided to break the glass and pull the alarm. There will be over 400 rallies to support impeachment around the country on December 17th. Most events are to be held at 5:30 PM, but check the website below to confirm the details for the event nearest you. Several members of your MoCTrack team are involved in the organizing and planning of the Rapid Response events, which explains why this week's report is a votes-only affair.

PLEASE prioritize turning out to an event near you. You can find the event closest to you at:

▶▶ <https://www.impeach.org/event/impeach-and-remove-attend/search/> ◀◀

And a special plea to those of you in South Eastern Pennsylvania - if you are capable of doing so, please join us in front of Representative Brian Fitzpatrick's office in Langhorne, PA. Fitzpatrick is the last Republican in SEPA, and he is one of the most vulnerable GOP MoCs in Congress. As he is a former FBI agent, there is some small hope to believe he might vote YES on the Obstruction of Congress charge... BUT ONLY IF WE CAN PUT ON ENOUGH PRESSURE.

ALL of these rallies are important to show the wide support for impeachment - every single one. But... if you want to turn out to a rally where your presence has a chance to have an appreciable effect on the vote, we'd love to have you with us in [Bucks County](#).



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

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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!