PA-01 Member of Congress Tracking Report - 01/05/20

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2019 in Review - Rep. Fitzpatrick's worst votes

The national press has spilled a lot of ink about Rep. Fitzpatrick's bipartisan votes this past year, but it is easy enough for him to place such votes when he knows that Senate Majority Leader Mitch McConnell is holding up all of the important bills that have passed the House. This allows Rep. Fitzpatrick to have his cake and eat it too - he gets to build on his self-promoted image as a moderate while knowing that those progressive measures that he has voted have no chance of being enacted into law. Those votes take his tactic of fence-sitting to the next level.

Instead of focusing on the bills that have already received ample attention, let's run down Rep. Fitzpatrick's worst votes of 2019, the ones that prove he supports the Trump Administration agenda, including blocking election security, allowing unfettered executive power and placing the needs of his party above the welfare of our country.

Election Reform and Security

H.R. 1: For the People Act of 2019

This is a signature legislative package of ethics/election reform measures, including changes to campaign finance and disclosure rules. It expands access to the ballot box by taking aim at institutional barriers to voting, such as cumbersome registration systems, limited voting hours and many other roadblocks. The bill creates automatic voter registration across the country, prohibits voter roll purges, ends partisan gerrymandering and enhances federal support for voting system security.

Instead of backing these goals that are critical to defending and strengthening our democratic processes, Rep. Fitzpatrick chose to introduce his own legislation. His bill is a watered-down, mish-mosh of ideas that serves only to allow him to provide messaging that says he supports election reform, while denying his vote to the actual bill that could fix our system. He has done nothing to promote his bill, as evidenced by its complete lack of co-sponsors. He offered this statement in response to the vote on H.R. 1. Part of that statement says that his bill wants to "promote single-issue legislation." But even as he said that, he stuffed his own version of election reform with disparate provisions related to imposing term limits on all Members of Congress, prohibiting Members of Congress from being paid during a government shutdown, and stopping Members of Congress from being paid unless they pass a budget… none of which have anything to do with election security.

The vote on H.R. 1 was taken on March 8, 2019, and it passed 234-193, in a pure party line vote. **Fitzpatrick voted NO.**

H.R. 2722: SAFE (Securing America's Federal Elections) Act

This is an election security bill, with new rules for more secure voting machines, and grant money for states to upgrade their systems to implement these changes. The Library of Congress summary of the bill notes that these improvements establish requirements for voting systems, mandating that they:

1. use individual, durable, voter-verified paper ballots;
2. make a voter's marked ballot available for inspection and verification by the voter before the vote is cast;

3. ensure that individuals with disabilities are given an equivalent opportunity to vote, including with privacy and independence, in a manner that produces a voter-verified paper ballot; and
4. be manufactured in the United States.

The vote on H.R. 2722 was taken on June 27, 2019, and it passed 225-184. One Republican (Rep. Brian Mast of Florida) joined with the Democrats in voting YES. **Fitzpatrick voted NO.** Rep. Fitzpatrick did not offer any official statements on his website, Twitter or Facebook explaining his vote on this bill.

H.R. 4617: SHIELD (Stopping Harmful Interference in Elections for a Lasting Democracy) Act

This bill is another set of election reform provisions, mandating disclosure of foreign contacts and banning foreign ads. *CBS News* recapped the contents of the bill:

> The SHIELD Act would require that candidates and political committees notify the FBI and other authorities if a foreign power offers campaign help. It also tightens restrictions on campaign spending by foreign nationals and requires more transparency in political ads on social media platforms such as Facebook and Twitter. And it would explicitly prohibit campaigns from exchanging campaign-related information with foreign governments and their agents....
>
> Democratic Rep. Zoe Lofgren, the bill's chief sponsor, said it would close loopholes that allow dishonest behavior, increase disclosure and transparency requirements, and ensure that anyone who engages with foreign actors to influence the outcome of an election will be held accountable by law.

The Hill observed that "the bill marks the third time this year the House has passed major legislation addressing various aspects of election security, with the For the People Act and the Securing America's Federal Elections Act both also passing along party lines."

The vote on H.R. 4617 was taken on October 23, 2019 and the measure passed 227-181. **Fitzpatrick voted NO.**

Putting Corporations before People

H.R. 1644: Save the Internet Act

This bill would restore Net Neutrality after Trump's FCC overturned President Obama's Open Internet Order. Per the NY Times, this "legislation would prohibit blocking and throttling web traffic and would categorize broadband as a service open to heavy regulation. Supporters say the regulation would prevent companies from blocking or slowing the delivery of content like videos."

Rep. Fitzpatrick does not make any mention of the topic of Net Neutrality anywhere on his official website or social media presences. The vote on H.R. 1644 was taken on April 10, 2019 and it passed 232-190. Only one representative in the entire House crossed party lines - Florida GOP Rep. Bill Posey, who voted YES with the Democrats. **Fitzpatrick voted NO.**

H.R. 1423: Forced Arbitration Injustice Repeal Act

This bill would make mandatory-arbitration clauses unenforceable in federal employment, consumer, antitrust and civil rights disputes. It gives consumers a choice, allowing them to opt for arbitration if they want it, but it stops the practice of blocking their access to our legal system for recourse.

Rep. Fitzpatrick does not make any mention of the topic of forced arbitration anywhere on his official website or social media presences. The vote on H.R. 1423 was taken on September 20, 2019, and it passed 225-186. **Fitzpatrick voted NO.**

Finance/Budget

H.R. 1500: Consumers First Act

This is a bill to stop the Trump assault on the Consumer Financial Protection Bureau (CFPB). It restores a number of expert advisory panels disbanded by the Trump Administration, restores a public database of complaints against banks and lenders that had been shut down, and puts restrictions on the political appointees that the current administration has stuffed into the CFPB's ranks.

While Rep. Fitzpatrick did not release any statements about his vote on this bill, he has made clear his antipathy towards the Consumer Financial Protection Bureau in 2017. During that GOP-controlled Congress, he voted for H.R. 10 (115th), Financial CHOICE Act, a bill that would have defunded and drastically limited the authority and autonomy of the CFPB. He framed his support for slashing the CFPB as a part of his agenda of deregulation, and said in an official website statement that "by passing the REINS Act and the Financial CHOICE Act, this Congress has already shown its commitment to reducing regulatory burdens…"

The vote on H.R. 1500 was taken on May 22, 2019, and it passed 231-191 in a pure party line vote. **Fitzpatrick voted NO.**

H.R. 3624: Outsourcing Accountability Act

This bill mandates that corporations disclose information about their outsourcing practices. The bill's sponsor, Rep. Cynthia Axne (D-Iowa), explained the measure in a letter to her colleagues:

> Companies frequently go to great lengths to hide when they cut American jobs to save money in other countries, since the only information they are required to report is their total number of employees. H.R. 3624 would address this informational barrier and help investors, the public, and policymakers understand the true magnitude of the problem of outsourcing by requiring public companies to include in their public, annual reports the number of employees they and their subsidiaries have in each state and country.

The industry periodical *HR Policy* noted that opposition to this effort from the Republicans could be summed up in the statement of Rep. Bill Huizenga (R - Mich.), who questioned the value to shareholders and the public, adding that this is "another reporting requirement to an already vast list of information public companies must disclose." Knowing how our own Rep. Fitzpatrick feels about "reducing regulatory burdens," it is not hard to infer that his sentiments echo those of Rep. Huizenga.

The vote on H.R. 3624 took place on October 18, 2019. The legislation passed 226-184. All Democrats present voted in favor of the measure, and they were joined by two Republicans (Chris Smith of N.J. and David McKinley of W.V.) **Fitzpatrick voted NO.**

Budget Votes

In June and July, Representative Fitzpatrick voted NO on four of the omnibus spending bills that fund the government through 2020, standing with his party to oppose these bills:

- H.R. 2740 - This was a 2020 budget bill covering the Departments of Labor, Health and Human Services, and Education and all of their dependent organizations. According to the *New York Times*, the bill contained $983 billion in budgeted spending. The vote on H.R. 2740 took place on June 19, 2019 and it passed 226-203. **Fitzpatrick voted NO** along with every other Republican**.**

[x] [H.R. 3055](#) - This bill covered the Department of Commerce, the Department of Justice (DOJ), science agencies, including the National Aeronautics and Space Administration (NASA) and the National Science Foundation (NSF). Other smaller, related agencies also included in the bill are the Bureau of the Census, the National Oceanic and Atmospheric Administration, the Office on Violence Against Women, the Equal Employment Opportunity Commission, the Federal Bureau of Investigation, the Drug Enforcement Administration, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and the Federal Prison System. The *Washington Business Journal* notes that this appropriations package also includes material from another bill proposed after the shutdown, which will pay federal contractors for the time the government was closed. The vote on H.R. 3055 took place on June 25, 2019 and it passed 227-194. **Fitzpatrick voted NO** along with every other Republican**.**

[x] [H.R. 3351](#) - GovTrack explained that this omnibus bill covers spending on "the Department of the Treasury, the Executive Office of the President, the judiciary, the District of Columbia, and several independent agencies." Some of those dependent agencies include the Election Assistance Commission, the Federal Communications Commission, and the Federal Election Commission. An industry blog, *Meritalk* (self-described as 'improving outcomes of Government IT') reports that this bill "provides $24.55 billion in discretionary funding – an increase of $1.44 billion from the FY2019 allocation and $355.5 million more than the White House budget request." The package also includes $18 million to Treasury Department efforts to boost enhanced cybersecurity, and $35 million for the Technology Modernization Fund. The vote on H.R. 3351 took place on June 26, 2019 and it passed 224-196. **Fitzpatrick voted NO** along with every other Republican**.**

[x] [H.R. 2500](#) - This is the National Defense Authorization Act for Fiscal Year 2020. *Reuters* outlined some of the differences between the House version of this bill and the one that passed the Senate, nothing "the version of the bill passed by the Democratic-controlled House has several provisions that angered Republican Trump, including providing $17 billion less for the military than he wanted and denying funds he wants to fulfill his campaign promise to build a wall on the border with Mexico." The bill also included a 3.1% pay raise for service members, $11.5 billion for military construction and family housing and $121 million to clean up chemicals in drinking water on or near bases (the PFAS water issue that Fitzpatrick often speaks about). The vote on H.R 2500 took place on July 12, 2019 and it passed, 220-197. **Fitzpatrick voted NO** along with every other Republican**.**

Border Crisis/Migrant Detainment

[x] **[H.R. 3239 - Humanitarian Standards for Individuals in Customs & Border Protection Custody Act](#)**
This bill sets new minimum standard of care for children, migrants and asylum-seekers detained by the government. It requires a health screening be made within 3-12 hours of detainment; establishes prioritization for children, infants, elderly, pregnant or diabled individuals; and creates standards for water, hygiene and sanitation. To ensure that these minimum standards are met, it permits unannounced, regular inspections of all CBP and ICE facilities where detainees are kept.

Across the past year, Rep. Fitzpatrick has made a number of statements to minimize the detainee crisis at the border. In a telephone call to constituents from July 23, 2019 he said reports coming up from the border, many of which were being made by his House colleagues, are "hearsay" and the reports might even be "overblown." And after a trip to a facility, Fitzpatrick reported seeing "incredible overcrowding, but not mistreatment," missing the critical point that overcrowding IS mistreatment. Fitzpatrick has also been citing ridiculously inflated statistics about DNA testing of people at the border, claiming that large numbers of "non-organic" families are crossing, stoking fears of human trafficking. This got so bad that in August, *Newsradio 1080* first modified an article on this topic, noting "a previous version of this story contained a

statistic KYW Newsradio has been unable to independently verify. While we work to gather more information, the statistic in question has been removed." Since then, the full interview was removed.

The vote on H.R. 3239 was taken on Wednesday, July 24, 2019, and it passed, 233-195. It is not surprising, in light of his past statements, that **Fitzpatrick voted NO.**

Backing his Party and Protecting President Trump

Motion to Table H. Res. 304: Raising a question of the privileges of the House

The Republicans in Congress attempted to refer Michael Cohen to the Justice Department for lying to Congress. It is somewhat surreal that on May 1, 2019, when the rest of the country was flabbergasted at the spectacle of our nation's Attorney General lying before Congress, the GOP members of the House were trying to force a vote on the unprovable issue of whether or not Michael Cohen - in his heart of hearts - wanted a pardon.

As this is a motion to table, a YES vote is to throw this resolution into the trash, and a NO vote is in support of the action. The vote on the motion to table H. Res. 304 was taken on May 1, 2019 and it passed, 226-183. Then-Republican Rep. Justin Amash voted with Democrats to table this bill, but since then he was kicked out of his party, in part for votes like this. **Fitzpatrick voted NO.**

H. Res. 497: Recommending that the House of Representatives find William P. Barr, Attorney General of the United States, and Wilbur L. Ross, Jr., Secretary of Commerce, in contempt of Congress for refusal to comply with subpoenas...

This vote is a small part of the ongoing battle between the House and the Trump Administration over the manner in which the Legislative and Executive branches are permitted to interact. This was a measure to put AG Barr and Commerce Secretary Wilbur Ross in contempt of Congress for refusing to provide documents to Congress. In the week just before this vote, the Trump Administration stated in court that it is their legal position that Congress has no right at all to provide oversight on the president's actions, so any vote placed was done so in the context of that assertion of uncheckable executive power.

The vote on H. Res. 497 was taken on Wednesday, July 17, 2019 and the measure passed, 230-198. **Fitzpatrick voted NO** along with every other Republican.

S.J. Res. 36, S.J. Res. 37 and S.J.Res. 38: Joint resolutions providing for congressional disapproval of the proposed export… of certain defense articles and services

These were votes to block arms sales to Saudi Arabia after the murder of Jamal Khashoggi. The President declared a fake emergency to try to bypass Congress to sell these arms, and this was an attempt to stop these billions of dollars of arms from being sold into the volatile situation in the Middle East. This was also a rejection of the president's attempt to bypass normal order to sell these weapons. *The New York Times* reports that House Foreign Affairs Chairman Elliot Engel (D-N.Y.) said, "If the administration wants to sell these weapons, they should follow the law — not misuse it — and come to Congress."

The votes on the three resolutions took place on July 17, 2019, and each passed. The vote on the first two resolutions were 238-190; while the third had one fewer YES vote, as one Democrat had left the chamber. **Fitzpatrick voted NO on all three resolutions.**

🖼️**[H. Res. 755: Impeaching Donald John Trump, President of the United States, for high crimes and misdemeanors](#)**

In the run up to the impeachment votes, Rep. Fitzpatrick made any number of nonsensical statements about why he refused to support the impeachment process.

In a *Doylestown Intelligencer* article from 11/22/19, "[Warwick seniors question Fitzpatrick on impeachment, immigration, Social Security](#)." Rep. Fitzpatrick says "an impeachment is like pushing a nuclear button on the Constitution.

The Levittown Now's 11/24/19 article"[Congressman Fitzpatrick Says Not Enough At This Point To Impeach.](#)" mostly contains content recapping the Representative's positions. The only real direct quotes are Fitzpatrick referring to Trump's actions as "troubling" and then him asserting, "There's no reason we can't refer this to law enforcement." (*aside, which is a ridiculous assertion, since law enforcement had their chance to deal with the whistleblower complaint, and Attorney General Barr quashed the investigation. But whatever - wouldn't want to let logic get in the way of a partisan*
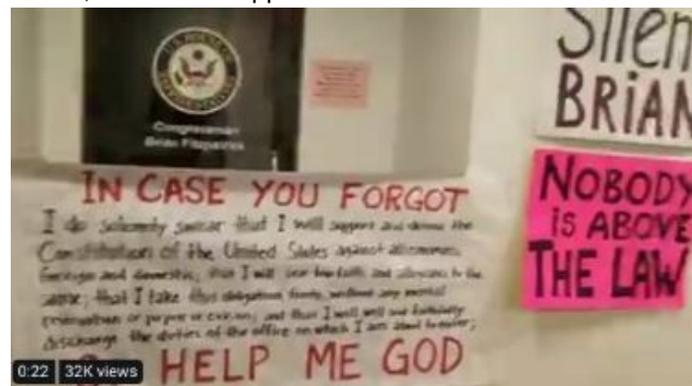
Then, in his [final statement](#) before the impeachment votes, Rep. Fitzpatrick said this:
> This impeachment inquiry has violated every investigative principle, has violated Speaker Pelosi and Chairman Nadler's own impeachment standard, has been entirely partisan, and has been wholly divisive. From the very start it was never designed by House leadership to be a genuine fact-finding mission. By pursuing an entirely partisan path with an artificial timeline and a predetermined outcome, and with the issue at hand being as serious as the overturning of the results of an election, House leadership has set a very dangerous precedent for our nation, and one which I will not support.

The impeachment votes were taken on December 18, 2019 and the measures passed. The vote on [Article I](#) was 230-197 and the vote on [Article II](#) was 229-198. **Fitzpatrick voted NO on both articles.**

Conclusions

Representative Brian Fitzpatrick has shown that he is committed to protecting President Trump, and he broke his oath of office to do so. He has sided with the Republican party on their attempts to back the president's assertion of unchecked executive power. He has continued to thwart efforts to protect consumers from corporations, and he has opposed all of the votes on election security.

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