

PA-01 Member of Congress Tracking Report - 05.31.20

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!

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)	29.8%	0.0%
Senator Pat Toomey (R)	87.9%	0.0%
PA-01 Rep. Brian Fitzpatrick (R)	64.7%	0.0%

Nate Silver's [FiveThirtyEight website](#) assesses the voting records of our MoCs to provide this index, by comparing any bills where President Trump has stated a position, and comparing the vote of the legislator to that opinion. There were only House votes this week, and none of them were scored.

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 Tweaks Aid Program for Small Businesses, part one

[House Vote](#) on [H.R. 7010](#): Paycheck Protection Program Flexibility Act

After the onslaught of implementation complaints about the Paycheck Protection Act (PPP), Congress passed this measure to fix some of the issues and extend its usefulness. According to [Rep. Dean Phillips](#) (D-MN), the measure's primary sponsor, this legislation will create more flexibility by:

- Extending the expense forgiveness period from eight weeks to twenty-four weeks
- Reducing the 75 percent payroll ratio requirement
- Eliminating 2-year loan repayment restrictions for future borrowers
- Allowing payroll tax deferment for PPP recipients
- Extending the June 30 rehiring deadline

The bill has a [large coalition](#) of organizations supporting it, including the US Chamber of Commerce, the Small Business Roundtable, the National Retail Federation, the Real Estate Roundtable, the National Restaurant Association and all of its 50 state subsidiaries, and the National Association of Professional Employer Organizations.

Vote date: Thursday, May 28, 2020

Vote Tally: 417-1

Party Breakdown: The only NO vote was from Freedom Caucus member Rep. Thomas Massie (R-KY).

Additional Reading:

- ["House approves changes to small business pandemic aid program,"](#) from *CNN Politics*
- ["House to vote on stand-alone small-business loan program fixes,"](#) from *Roll Call*
- ["Rep. Chip Roy's Bipartisan Legislation Aimed at Reforming PPP Loan Provisions Passes House in Near-Unanimous Vote,"](#) from *The Texan*

Rep. Fitzpatrick voted YES.

The House Tweaks Aid Program for Small Businesses, part two

[House Vote](#) on [H.R. 6782](#): TRUTH (Transparency and Reporting for the Underbanked and Taxpayers at Home) Act

As with the first bill to adjust and add flexibility to the coronavirus response packages, this measure was also introduced by Rep. Dean Phillips (D-MN). But unlike its companion bill, this did not receive near unanimous support. This measure is designed to create transparency and accountability in how the funds designated for small business rescue are spent. And some GOP House members are staunchly devoted to providing cover for the President, and they refused to sign on.

Rep. Phillips was the author of the portion of the original Phase Two response bill that created a Special Inspector General for Pandemic Recovery (SIGPR) to audit spending under the relief program and a congressional oversight panel. And since President Trump announced in his signing statement that he would not abide by such a plan, this bill was introduced to remedy that. It would make public all public spending on the coronavirus response, including business recipients and funds received.

Vote date: Thursday, May 28, 2020

Vote Tally: 269-147 (failed)

Party Breakdown: This vote was taken under a suspension of the rules, so it needed to achieve a 2/3 supermajority to pass, instead of the standard simple majority. This bill was just short of the votes it needed, getting 65% of our MoCs voting YES. All the Democrats present voted YES, along with 38 Republicans. 146 Republicans and the 1 Independent voted NO.

Additional Reading:

- ["House to consider two PPP improvement bills this week,"](#) from *Credit Union National Association*
- ["Rep. Dean Phillips authored a measure to oversee spending under the \\$2 trillion coronavirus relief package. Trump has pledged to sidestep it."](#) from *MinnPost*
- ["COVID-19: US Developments, Implementation and Oversight of CARES Act,"](#) from *National Law Review*

Rep. Fitzpatrick voted YES.

China Human Rights Policy gets a House Vote

[House Vote](#) on [S. 3744](#): Uyghur Human Rights Policy Act

This is a bill that passed the Senate by unanimous consent two weeks ago. The bill calls on the executive branch to submit a report to Congress within 180 days to identify human rights violations like torture, abduction, indefinite detention without trial, and other offenses against the Uyghur minority in China. People identified in such a report would be subject to sanction.

Vote date: Wednesday, May 27, 2020

Vote Tally: 413-1

Party Breakdown: The only NO vote was from Freedom Caucus member Rep. Thomas Massie (R-KY).

Additional Reading:

- ["House sends Uyghur human rights bill to Trump's desk,"](#) from *CNN Politics*
- ["Congress passes Uyghur Human Rights Policy Act,"](#) from *the Catholic News Agency*
- ["Trump's China press conference could mark the end of his cautious approach to Beijing,"](#) from *CNBC*

Rep. Fitzpatrick voted YES.

The House wants to Negotiate on FISA Reform

[House Vote](#) on Motion to Disagree to the Senate Amendments and Request a Conference on the legislation [H.R. 6172](#): USA FREEDOM Reauthorization Act

Instead of bringing up the FISA reform bill that the Senate negotiated and passed (all within their own house) up for a vote, the House of Representatives instead voted to request a conference committee. This would permit the House and Senate to assign negotiators and work together to create a bill amenable to both parties and both houses.

Vote date: Thursday, May 28, 2020

Vote Tally: 284-122

Party Breakdown: Like most FISA related votes, this did not break down along party lines in a predictable manner. Of the Democrats present, 211 voted YES and 21 voted NO, with many of the NO votes coming from members of the Progressive Caucus. Of the Republicans, 73 voted YES and 100 voted NO. And despite the ability to vote by proxy, 24 Republicans chose not to vote at all.

Additional Reading:

- [“House Democrats pull FISA reauthorization bill,”](#) from *Axios*
- [“A Key Part of Surveillance Reform Is Now in Jeopardy,”](#) from *Slate*

Rep. Fitzpatrick 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.6168](#) - Veterans' Compensation Cost-of-Living Adjustment Act
- [S.3084](#) - A bill to amend title 38, United States Code, to modify the limitation on pay for certain high-level employees and officers of the Department of Veterans Affairs
- [S.3414](#) - Major Medical Facility Authorization Act
- [H.R.6509](#) - Public Safety Officer Pandemic Response Act
- [S.2746](#) - Law Enforcement Suicide Data Collection Act

MoCs reactions to the murder of George Floyd and the aftermath

● **Senator Bob Casey, @SenBobCasey, [05/31/20](#):**

“Pennsylvanians and people across our Nation are angry, sad, tired and desperate for change. As leaders, we must recognize this pain. As a Commonwealth & country, we must raise our voices and call for justice in a system that has, for too long, turned a blind eye to the injustice.

We can and we must reform these systems and hold those accountable who abuse them.

As Pennsylvanians protest not only for the murder of George Floyd, but the decades of injustice and oppression that came before it, I urge all involved to be peaceful and to keep each other safe. We should not let these demonstrations eclipse their purpose.

I see you. I hear you. And I stand with you, side-by-side, in our shared values of making our Commonwealth and our country a more just and equal system for all.”

● **Senator Pat Toomey has no comments on this topic on his official website, Facebook or Twitter as of 1pm on Sunday, May 31, 2020.**

● **PA-01’s Rep. Brian Fitzpatrick, via Facebook, [05/31/20](#):**

“Last July, I called on the Justice Department to designate Antifa as a domestic terrorist organization. They are now showing our nation and the world why they must be designated accordingly. Violence, vandalism, and arson is not peaceful protest, it is criminal and terroristic behavior and must be enforced accordingly. The mayors and governors responsible for these areas

must demonstrate leadership, designate full authority to the National Guard to assist law enforcement, and save these cities now. We are a nation of the rule of law, not mob rule.”

Tweet of the Week

● **Senator Bob Casey, @SenBobCasey, [05/29/20](#):**

“We have a moral obligation to teach about and learn from the Holocaust so that it never happens again. That’s why I’m a proud co-sponsor of the bipartisan Never Again Education Act – now signed into law – to strengthen Holocaust education in America. #NeverAgain”

● **Senator Pat Toomey has not tweeted since Memorial Day**

● **PA-01’s Rep. Brian Fitzpatrick, @RepBrianFitz, [05/29/20](#):**

“May is #NationalMilitaryAppreciationMonth. Our military is vital for the safety of every American, and we need to make sure they receive the support that they need and deserve, every day.”



Casey in the News

Courtesy of contributor Linda Houk

“On Wednesday afternoon, I received the results of a COVID-19 ELISA IgG Antibody Test, which were positive. This positive test means that I likely had COVID-19 at some point over the last several months and have since developed an antibody response to the virus.

Earlier this spring, I experienced a low-grade fever and some mild flu-like symptoms for a number of days. I consulted my physician over the phone, who suggested that I quarantine at home in Scranton for a period of two weeks. Fortunately, I was easily able to isolate myself. My wife was out of town at the time to be with our eldest daughter and son-in-law, who were expecting their first child. In consultation with my doctor, I chose not to seek medical care because my symptoms were relatively mild and manageable. My fever went away on its own by mid-April, and it was never recommended that I be tested for the virus. I was able to work during my illness, remotely engaging with constituents and staff and keeping a full schedule.

Last week, I consulted Dr. Brian Monahan, the Capitol’s Attending Physician, and received the COVID-19 ELISA IgG Antibody Test to determine whether my earlier symptoms may have been the result of the virus, and if I might be a candidate to donate blood plasma. The results of this test revealed substantial levels of COVID-19 antibody in my blood, significantly more than the amount required to qualify me as a plasma donor. In an effort to help others fighting this virus, I will be making my first donation today in

Taylor, Pennsylvania. I encourage others who have recovered from COVID-19 to consult with their own physician to see if they may also be eligible to donate.

I will continue to follow the guidance of public health experts by wearing a mask in public and observing social distancing practices, and I hope that others will do the same to help slow the spread of this virus.”

— from [Senator Casey's official website](#), dated 05/29/20; many press outlets quoted portions of this statement, so it seemed best to provide it in full

"Tens of thousands of people are dying in nursing homes without an action plan, which has to start at the federal level — the administration and Congress doing more to combat this problem."

—from an article in *Axios*, titled "[Pennsylvania Sen. Casey calls for action plan to contain coronavirus infections in nursing homes](#)"

Fitzpatrick in the News

Courtesy of the research work of contributor CC

"Our American heroes who have been dealing with brutal health consequences as a result of saving people's lives on 9/11, to include our firefighters, our police, and our medics, must be taken care of."

— the representative's statement about the passage of the 9/11 fund, from a *Levittown Patch* article titled "[PA-01 Congress Primaries Will Set Ballot For November](#)"

"While unfortunate, postponing the April 25, 2020 National Drug Takeback Day was necessary given the COVID-19 pandemic and related physical distancing orders," the lawmakers, led by Democratic Reps. Annie Kuster of New Hampshire and Brian Fitzpatrick of Pennsylvania, wrote in a letter to the DEA. "As such, many Americans will simply not be able to reach authorized collection sites to dispose of unused and unwanted products in the interim. That said, we share the administration's concern about the risks opioid misuse poses to Americans during this public health emergency..."

...This increase [in people struggling with depression, anxiety, trauma, and grief amid the global health crisis] will also have dire consequences for our already strained public health and public safety resources. To ensure federal takeback efforts continue while Americans deal with COVID-19 and its economic fallout, we encourage the administration to partner with stakeholders to distribute at-home drug deactivation and disposal kits this spring so that the risk of diversion does not increase unnecessarily."

— an excerpt from a letter sent by fourteen members of the Bipartisan Opioid Task Force, including Representative Fitzpatrick, to the DEA, as quoted in the *Washington Examiner* article titled "[With Drug Take Back Day postponed, lawmakers want people to dispose of drugs at home](#)"

"Leaders lower the volume. Leaders bridge gaps. We are stronger united than we are divided."

— from a *Bucks County Courier Times* article titled "[Fitzpatrick, Meehan face off in GOP race for 1st District nomination](#)"

Fitzpatrick Fact Check ALERT!!!

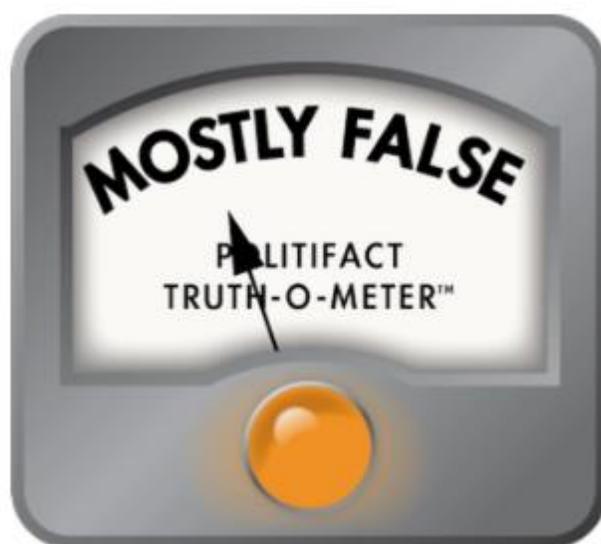
A few months back, the new fact checker from Politifact who is embedded at the Philadelphia Inquirer took on a Fitzpatrick statement that the coronavirus disease trajectory was following the South Korea model and not the Italy model, and he was rated "[Half True](#)." The Inquirer has taken on another Fitzpatrick statement, and against his lack of veracity has been called out, in the piece, "[Fitzpatrick criticism of WHO is too severe: The organization was slow off the mark in some areas — but not as widely as congressman says](#)."

The statement in question: “For the World Health Organization, the international entity whose sole responsibility it is to alert the world of global pandemics, to miss this, is a huge problem,” Fitzpatrick told radio host Jimmy Failla.

The ruling of the fact-checker: “Experts argue that the WHO was slow to acknowledge human to-human transmission, declare the coronavirus a “public health emergency of international concern,” and label it a pandemic.

But the agency was actively gathering and disseminating information about the virus in the weeks prior to the official pandemic declaration, and it’s possible to interpret public statements made during this time as cautious, not reckless. Saying the WHO missed the pandemic altogether goes too far. Also, Fitzpatrick’s claim doesn’t acknowledge the WHO’s broad mandate to promote public health in parts of the world with limited access to health care.

For these reasons, we rate Fitzpatrick’s claim Mostly False.”



Toomey in the News

Courtesy of contributor Elayne Baker

Mr. Toomey described the banking sanctions as a way to heap political pressure on China. “When business interests and financial interests realize this tool can be deployed, I think there’s going to be a whole new pressure on the government not to trigger this kind of response. So my hope is it will increase the likelihood that the worst potential behavior from Beijing is averted for the sake of the people of Hong Kong.”

— from a [Pittsburgh Post-Gazette](#) article titled “[Toomey, Van Hollen call for sanctions on Chinese banks that violate Hong Kong autonomy](#)”

“It’s really the acceleration and increasingly aggressive steps that the Communist Party of China has been taking to increasingly, systematically, deny the people of Hong Kong the fundamental freedoms they were promised.”

— from an article in [Erie News Now](#) titled “[Toomey urges sanctions bill to protect Hong Kong autonomy](#)”

Call to Action!!

Please join MoCTrack in welcoming Pennsylvania's new Indivisible organizer, Becca Litt. Becca comes to us by way of the Warren campaign and has a background in social work. When Becca was asked her choice in lifting a particular issue for this week's Call to Action, she replied that she wanted to provide this content about the murder of George Floyd, the resulting unrest around the country, and how best to respond to this situation to best promote social justice.

Thanks for this content, Becca - and for those of you who would like to contact Becca, she can be reached at becca@indivisible.com.

TAKING ACTION IN SOLIDARITY WITH MINNEAPOLIS - from Indivisible

On May 25, George Floyd, a 46-year-old Black man, was murdered by Derek Chauvin, a white Minneapolis police officer. Chauvin knelt on Floyd's neck for seven minutes, suffocating him as Floyd pleaded repeatedly that he couldn't breathe. Videos of the murder went viral with many noting the devastating similarities between Floyd's killing and that of Eric Garner in 2014. In response, Minneapolitans took to the streets to protest both Floyd's death and the long legacy of anti-Black racism and police violence in the city and in our nation.

While the four officers responsible for Floyd's death were fired, we know justice has not yet been achieved.

The protests have persisted, despite being met with increasing violence from the Minneapolis Police Department. Protestors have been tear-gassed and met with disproportionate use of force.

George Floyd's death is horrific, but not unique. America's police and criminal justice systems are the legacies of our country's white supremacist, slave-owning history. Structural racism persists across every facet of American life and is perhaps most evident in the way that law enforcement interacts with communities of color. All across the country, Black people are more likely to be harassed, arrested, and killed by police than their white counterparts.

We have a national crisis of white supremacist violence against Black people in this country. In the past 10 years alone, we witnessed the deaths of thousands of Black people at the hands of police. Breonna Taylor, Michael Brown, Eric Garner, Sandra Bland, and Philando Castile are just some of the names of those we've lost to racialized police violence.

What you can do right now to help

At Indivisible, we believe Black Lives Matter without qualifications, asterisks, or add-ons. We also believe in the right for communities to protest and protect themselves against state-sanctioned violence.

To support Black Minneapolitans fighting for their community, we recommend donating and supporting these local organizations:

- [Black Visions Collective](#): Supporting Black activists on the ground
- [Minnesota Freedom Fund](#): Bail fund for activists
- [Reclaim the Block](#): Community fund
- [Northstar Health Collective](#): Medical donations
- [Unicorn Riot](#): On-the-ground independent & radical media coverage
- [George Floyd Family/Memorial Fund](#)

In addition, we encourage Indivisibles to pursue their own anti-racist education. Here are a few resources we found helpful:

- [Anti-Racism Resources for White People](#)
- [White Privilege: Unpacking the Invisible Knapsack](#) by Peggy McIntosh
- [Qualified Immunity: Explained](#)

A note for social media: You'll notice [we didn't link to video of any of these horrific incidents](#). That's on purpose. Out of respect for those affected by these acts of violence, we urge readers not to continue sharing these traumatic videos and instead focus on lifting up the right voices, taking the right actions, and supporting the right organizations.

What can Congress and candidates do?

We need transformative change in our country—and there's no silver bullet. But here are a few things that elected officials and candidates can do right now:

Ask your representative to co-sponsor the Omar-Pressley resolution. Reps. Ilhan Omar (MN-5) and Ayanna Pressley (MA-7) [have introduced](#) a resolution in the House of Representatives condemning police violence. Call your representative and demand that they co-sponsor the resolution and speak out publicly about the need for the House to pass it without delay.

MoCTrack would like to add that this resolution is so new that it does not yet have an identifying number as of the time of the report (the clerk's office often runs a few days behind the introduction of materials, and can take even longer in these coronavirus times). We will provide the number as soon as it is available. But here is what we do know about the resolution, from [Rep. Pressley's statement](#):

In addition to calling on the House of Representatives to condemn all acts of police brutality, racial profiling and excessive use of force, the resolution calls for the adoption of reforms and policies at all levels of government to end these injustices including:

1. Efforts to improve oversight and independent investigations to hold individual law enforcement officers and police departments accountable,
2. Calling on the Department of Justice to reassert its statutory authority to investigate individual instances of racial profiling, police brutality and violence and investigate and litigate individual law enforcement officers and police departments routinely violating civil rights;
3. Supporting efforts to establishing all-civilian review boards with the authority to investigate incidents of police misconduct to ensure community-level oversight, accountability, and disciplinary action of police officers; and
4. The adoption of sound and unbiased law enforcement policies at all levels of government that reduce the disparate impact of police brutality, racial profiling and use of force on Black and Brown people and other historically marginalized communities.

Rep. Ilhan Omar, who represents the district where the murder of George Floyd took place, said the following in her own [statement](#):

From slavery to lynching to Jim Crow, Black people in this country have been brutalized and dehumanized for centuries. The war on drugs, mass criminalization, and increasingly militarized police forces have led to the targeting, torture and murder of countless Americans, disproportionately black and brown. The murder of George Floyd in my district is not a one-off event. We cannot fully right these wrongs until we admit we have a problem. As the People's House, the House of Representatives must acknowledge these historical injustices and call for a comprehensive solution. There are many steps on the path to justice, but we must begin to take them.

Please consider calling Representative Fitzpatrick and ask him to support Representative Pressley's new resolution about police violence against people of color and the steps that must be taken to address police brutality, racial profiling and excessive use of force.

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

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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!