

PA-01 Member of Congress Tracking Report - 12/20/20

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 Demcast and Pennsylvania Indivisible organizations who host our report and help us share it out to the residents of our Commonwealth!

This is our last full report of the year. We are likely to have a short report next week to cover any last-minute lame duck legislative action, but not our full coverage. In light of that, MoCTrack wishes you a safe holiday season, and a Happy New Year full of hope as we look towards Inauguration Day. Don't forget to put a bit of effort towards the Georgia Special Elections! And THANK YOU VERY MUCH for keeping up with the votes and quotes of our twenty Pennsylvania Members of Congress with MoCTrack!

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)	28.8%	0
Senator Pat Toomey (R)	87.5%	0
PA-01 Rep. Brian Fitzpatrick (R)	62.2%	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. No bills were scored this week, as President Trump has mostly stopped talking about any pending legislation while the election he lost consumes most of his attention.

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The drama surrounding COVID Relief and the Looming Government Shutdown

Last week the Congress passed [a short-term continuing resolution](#) to keep our government open for seven days while our lawmakers hammered out the COVID relief deal alongside a 2021 spending package to fund the government. Let's see what our MoCs have been up to since then...

Part One: Congress misses the deadline but votes for a 48-hour extension

[House Vote](#) on [H.J.Res.107](#) - Making further continuing appropriations for fiscal year 2021

[Senate Voice Vote](#) on H.J. Res. 107

All week long our Congresspeople have been negotiating a COVID relief package under the umbrella of also seeking a deal to fund the government for 2021. These two objectives do not necessarily need to be tied together (see the first three successful COVID relief bills passed by Congress earlier this year as evidence that this is the case), but some unknown DC leader decided that since Washington works best when under a holiday deadline, they should link the government funding and COVID packages together. And all of the negotiating is around the relief package, not the 2021 budget.

What were the big sticking points for the majority of the week?

- Corporate liability - The GOP was insisting that corporations should be shielded from lawsuits brought by workers or consumers exposed through their inadequate disease spread mitigation practices, but this seems to have been dropped from the package
- State and local government relief funding - Democrats support extra funding for state and local government, who are struggling with the increased costs for emergency services as their tax revenues drop. State and local governments cannot run deficits and must balance their budgets, so any shortfalls are going to be made off through layoffs of teachers, law enforcement, fire-fighters and local service staffers, which will compound the unemployment crisis and economic downturn. The GOP does not want funding to go towards this, so it seems to have been dropped out of negotiations along with the corporate liability (like a tit for tat).
- Survival payments - Republicans like our own [Senator Toomey](#) are opposed to payments to individuals and families, but lawmakers from throughout the political spectrum support these payments. Liberal Bernie Sanders to populist GOP Senator Josh Hawley both advocated for checks to be sent to individuals, and the number being discussed is \$600 per person.

As Friday approached with negotiations still in full swing, a new point of contention popped up courtesy of our own Senator Toomey (more on that in a moment). In response to this new hurdle, both houses of Congress passed a short two-day continuing resolution to keep the government open throughout the weekend while COVID relief talks continued.

Vote date: Friday, December 18, 2020

Vote Tally: 320-60

Party Breakdown: All Democrats present voted YES, along with 94 Republicans. The 60 NO votes came from Libertarian Justin Amash and 59 Republicans.

Additional Reading:

- [“‘This is ridiculous’: Congress avoids shutdown but deadlocks on stimulus,”](#) from *Politico*
- [“Congress averts shutdown; fight continues over pandemic aid,”](#) from *Federal News Network*
- [“Trump signs two-day funding bill as Congress rushes to finalize spending, Covid relief deal,”](#) from *CNBC*

Representative Fitzpatrick voted YES.

As this was a voice vote in the Senate, one can assume that it had the support of both Senator Casey and Senator Toomey.

Part Two: Senator Toomey Torpedoes COVID Relief Negotiations

The [rumblings](#) started on Thursday night and broke into [media reports](#) on Friday morning that a Republican senator was holding up the COVID relief negotiations. Then Senators started talking about it online. From [Senator Brian Schatz](#) of Hawaii:



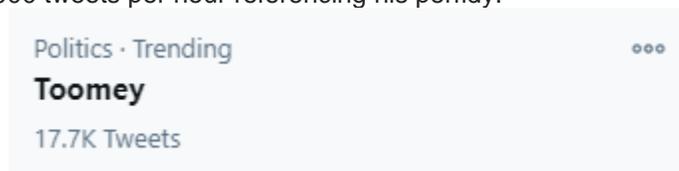
Brian Schatz ✓
@brianschatz



We are so close. There's just literally one last thing, from one member.

6:31 PM · Dec 18, 2020 · Twitter for iPhone

Senator Schatz is talking about our own junior senator, Pat Toomey. And he's not alone if pointing out that Pat Toomey is single-handedly setting fire to the negotiations over a COVID relief compromise. The name "Toomey" has been trending for about 24 hours (as of Saturday evening), seeing anywhere between 10,000 to 20,000 tweets per hour referencing his perfidy.



It's gotten so bad that someone bought and set up the website (excuse the language) www.FuckYouPatToomey.com on Saturday just to make it easier for constituents to send emails to our junior senator. So what has our Patsy so hung up that he's willing to ignore millions of people lining up at food banks and millions more facing evictions and foreclosure when the moratoriums run out? If you guessed something obscure and financially related, you win!

Back in November, Sen. Toomey [tweeted](#) out a seemingly innocuous comment, "I appreciate Federal Reserve Chairman Jerome Powell agreeing to return unused CARES Act funds as part of the statutorily prescribed wind down of the emergency lending facilities." He's referring to a previous in the Phase Three COVID relief bill, signed into law on March 27, 2020, that created a Federal Reserve lending program to support businesses and some government agencies during the pandemic. The language in the CARES Act called for that program to wrap up by the end of 2020.

But think back to March of this year... When the end-date of that program was set into legislation, was anyone imagining that we would be seeing the worst of the pandemic still upon us in December 2020, with potentially still worse to come in 2021 while we all wait to get vaccinated? Don't businesses and government agencies still need those lending programs? The issue here isn't the lending itself - because we know that Senator Toomey values our business community and wants them to receive support. The real issue for our senator is that he was fine when those funds were controlled by Trump's Treasury Secretary Steve Mnuchin, and that [Toomey does not want Biden's choice, Janet Yellin, to be able to control that money](#) and that program. Nor does he want any future bill to be able to recreate that lending program with broad discretionary powers under the Biden Administration's Treasury Department.

From the [Philadelphia Inquirer](#): "Toomey was aiming to insert language that would halt Federal Reserve lending programs established in March, with Congress' approval, to support businesses and some government agencies during the pandemic. His plan would also prevent the central bank from recreating them in similar fashion."

Additional Reading:

- ["Pennsylvania Sen. Pat Toomey is at the center of a last-minute dispute over Congress' coronavirus relief bill,"](#) from the *Philadelphia Inquirer*

- [“COVID-19 stimulus talks hit an unexpected setback when a GOP senator insisted on extra rules to throttle lending by the Federal Reserve,”](#) from *Business Insider*
- [“Toomey Fed demand rocks coronavirus relief bill talks,”](#) from *Roll Call*
- [“Sen. Toomey stands firm on provisions to limit Fed’s emergency lending powers,”](#) from *TribLIVE*

Part Three: Toomey is appeased, but we are all still waiting for a vote...

On Sunday morning it appears that a deal has been hammered out that will appease our junior senator. Senator Mitt Romney appeared on a 9:00 AM [CNN program](#) on Sunday morning with Jake Tapper and said that the “big sticking point” was “resolved.” But he also went on to add that the timeframe for getting a deal done would be by Christmas.

In an [11:00 AM article from NPR](#), the assessment of the negotiated settlement on Toomey’s demands were described by the two sides:

Toomey's office said in a statement Sunday morning that the "tentative agreement is an unqualified victory for taxpayers," adding that the deal "will preserve Fed independence and prevent Democrats from hijacking these programs for political and social policy purposes." [A] Democratic aide said that "Toomey has agreed to drop the broad language in his proposal that would have prevented the Fed Chair from establishing similar facilities in the future to the ones created [by the CARES Act] in March."

And at 11:30 AM, [Roll Call](#) reported that late Sunday night voting on a package is expected. The article added that “the House is on track to pass a mammoth omnibus package later on Sunday containing \$1.4 trillion worth of appropriations funds for the current fiscal year, a coronavirus relief bill in the \$900 billion ballpark and much more.”

As this MoCTrack Report is due to go out Sunday evening, it is possible that if you are reading this on Monday morning, you will know more about the state of COVID Relief than your MoCTrack team does as this report drops. Details on any final vote that occurs on Sunday night will be available on our Facebook presence at [Pennsylvania Indivisible](#), or on our Twitter presence using the [#MoCTrack](#) hashtag.

Additional Reading:

- [“Congress again facing shutdown deadline amid last-ditch effort to secure Covid relief,”](#) from *CNN Politics*
- [“Deal Nears on COVID Relief After Senators Clear Major Hurdle,”](#) from *NPR*
- [“House vote set for Sunday on mega spending package with coronavirus relief,”](#) from *Roll Call*

Suspension of the Rules Votes in the House

All of the other votes taken in the House were expected to pass by wide margins and were considered under a [suspension of the rules](#), requiring a 2/3 supermajority to pass. The lame duck session is often used to consider this sort of legislation. Since these bills are uncontroversial, we will only note those lawmakers from Pennsylvania who voted NO.

The House Creates Oversight for Emergency Services Contractors

[House Vote](#) on [S. 979](#): Federal Advance Contracts Enhancement Act

This legislation orders the creation of new reporting on contractors who provide goods and services to the Federal Emergency Management Agency (FEMA). The [Library of Congress](#) bill description adds that “the report must include (1) information required in the initial report on recurring disaster response requirements; and (2) an updated strategy that defines the objectives of advance contracts, how such contracts contribute to FEMA disaster response operations, how to maximize the award of advance contracts to small business concerns, and whether and how such contracts should be prioritized in relation to new post-disaster contract awards.” And the measure also includes communication requirements for these FEMA contractors.

Vote date: Friday, December 18, 2020 **Vote Tally:** 386-1

Party Breakdown: The only lawmaker to vote NO was Republican Thomas Massie of Kentucky.
Representative Fitzpatrick voted YES.

Congress celebrates early 20th century Businessman and Philanthropist

[House Vote](#) on [H.R. 3250](#): Julius Rosenwald and the Rosenwald Schools Act

This bill directs the Department of the Interior to review sites where Julius Rosenwald, a part owner and President of Sears, Roebuck and Company, built and opened schools in southern states for the purposes of designating the sites as part of the National Park System. An educational center will also be created in or near Chicago.

Vote date: Thursday, December 17, 2020 **Vote Tally:** 387-5

Party Breakdown: Four House Freedom Caucus Republicans and Libertarian Justin Amash voted NO on this bill.

Representative Fitzpatrick voted YES.

McConnell's Lame Duck Judicial Confirmation EXTRAVAGANZA - PART FIVE

For the past several weeks we have been tracking the Senate Republicans taking this last opportunity to pack the courts with young, conservative and sometimes unqualified judges in these last weeks of the Trump Administration. The first two judges were confirmed in the week ending [November 15th](#), and judges three through seven were confirmed in the week ending [November 22nd](#). After a week off for Thanksgiving, the judicial confirmation blitz continued with judges eight through eleven getting confirmed in the week ending [December 6th](#). Things slowed up with only one new judge in the week ending [December 13th](#) (because they had to spend their time packing the Federal Elections Commission), but they picked up again this week with five new judges. For an overview on this judicial action, see the Politico article, "[Republicans seek to stymie Biden with final Trump nominees](#)." We'll leave the last word on these lame duck confirmations with the esteemed [Leadership Conference on Civil and Human Rights](#):

It is troubling that Senate Judiciary Committee Chairman Lindsey Graham is focused on rushing through this nomination after Trump decisively lost reelection and while the COVID-19 pandemic continues to rage on across the country. Let's be clear: During the lame duck session, the Senate should only be taking up the most important priorities we have — not irresponsibly prioritizing their desire to stack our courts, which has reverberations for generations. There hasn't been a circuit court confirmation in a lame duck Senate in decades, let alone during a time when the nation needs our leaders to focus on saving lives.

The Senate should be using this time to address the growing concerns of a nation confronting increasing death and illness, severely high unemployment, rampant hunger, insufficient access to health care, and long-term economic uncertainty. The Senate majority cannot be so reckless and negligent as to fail to pass COVID relief, funding the government, and addressing systemic racism and state-sanctioned violence against Black and Brown people.

Lame Duck Judicial Confirmation #13 - 7th Circuit Court of Appeals

[Senate Confirmation Vote](#) on Thomas L. Kirsch II to be United States Circuit Judge for the Seventh Circuit

The confirmation of Amy Coney Barrett to the Supreme Court left a vacancy in the Seventh Circuit Court of Appeals. The Senate may have written the book on shoving through a judicial nominee when they confirmed her, but the epilogue to that story is certainly their decision to confirm a judge to the position she left, which also flouts tradition by filling such an important seat as part of the lame duck period.

Thomas Kirsch was the Trump Administration's choice to lead the United States Attorney's office in the Northern District of Indiana, a position he has held since 2017. He has never served in a judicial capacity, though he did clerk for a judge in the district court level for one year in 1999. So he is

leapfrogging over all of the underlying judicial roles and has landed in the second highest level of courts in our nation for a lifetime appointment.

Vote date: Tuesday, December 15, 2020 **Vote Tally:** 51-44

Party Breakdown: All Republicans present voted YES, along with three Democrats - Mark Kelly and Kyrsten Sinema of Arizona and Joe Machin of West Virginia. Forty-two Democrats and two Independents voted NO.

Additional Reading:

- [“Thomas Kirsch – Nominee to the U.S. Court of Appeals for the Seventh Circuit,”](#) from *The Vetting Room*
- [“Senate confirms Thomas Kirsch as Amy Coney Barrett’s replacement on federal appeals court in Chicago,”](#) from *The Chicago Tribune*
- [“Newest judge sworn in to 7th Circuit Court seat left open by Amy Coney Barrett,”](#) from *The Indianapolis Star*

Senator Casey voted NO and Senator Toomey voted YES.

Lame Duck Judicial Confirmation #14 - South Carolina

[Senate Confirmation Vote](#) on Joseph Dawson III to be United States District Judge for the District of South Carolina

Joseph Dawson III just became the first African American federal judge in South Carolina appointed by a Republican president. Dawson received his degrees from schools in South Carolina and has spent his entire professional career there. He clerked in the Charleston County Attorney’s Office as a law student and was hired there after he graduated in 1997. In 2000 he was promoted to Deputy County Attorney and the year after that he was promoted again to the County Attorney role.

The Vetting Room outlines one of the few marks against Dawson - a scandal related to his pay. They explain, “Dawson’s tenure as County Attorney has not been without some controversy. In 2011, Dawson drew criticism for drawing an income of over \$300,000 a year from the County, significantly more than other County Attorneys across the state. Dawson’s contract maintained a fixed salary of \$172,500 but permitted compensation for additional legal services, which allowed for the greater income.”

Vote date: Wednesday, December 16, 2020 **Vote Tally:** 56-39

Party Breakdown: All Republicans present voted YES, along with seven Democrats and one Independent. Thirty-eight Democrats and one Independent voted NO.

Additional Reading:

- [“Joseph Dawson – Nominee to the U.S. District Court for the District of South Carolina,”](#) from *The Vetting Room*
- [“Former Charleston County Attorney Joseph Dawson confirmed as U.S. district court judge,”](#) from the *NBC News* affiliate in Charleston South Carolina
- [“Senate confirms two more Trump judicial nominees,”](#) from *The Hill*

Senator Casey voted NO and Senator Toomey voted YES.

Lame Duck Judicial Confirmation #15 - Tennessee, part 1

[Senate Confirmation Vote](#) on Katherine A. Crytzer to be United States District Judge for the Eastern District of Tennessee

At 36, Katherine Crytzer joins the ranks of the young conservatives that the Trump Administration has picked for lifetime judicial seats. She was ranked unqualified by the American Bar Association as she has not been an attorney for the required dozen years to receive that body’s approval.

After working in private practice for a handful of years, Crytzer transitioned to public service, where she quickly rose through the ranks. Since 2014 she has held positions as a federal prosecutor in the Eastern District of Kentucky, an employee of the Office of Legal Policy at the Department of Justice, and most recently the Principal Deputy Assistant Attorney General in that same office. She was nominated earlier this year to the position of Inspector General for the Tennessee Valley Authority, but that nomination never came up for a full Senate vote.

To cap off all that, Crytzer “[had an ‘influential role’ in the Trump administration’s selecting of federal judicial nominees and helped ‘shepherd’ Kavanaugh through his tumultuous Senate confirmation hearings.](#)”

Vote date: **Wednesday, December 16, 2020** **Vote Tally:** **48-47**

Party Breakdown: This was a pure party line vote. All Republicans present voted YES, with all Democrats and Independents voted NO.

Additional Reading:

- “[Katherine Crytzer – Nominee to the U.S. District Court for the Eastern District of Tennessee](#),” from *The Vetting Room*
- “[New Judge Confirmed to Tennessee’s Eastern District](#),” from *US News & World Report*
- “[Senate Confirms Another Trump Nominee, 36, to Lifetime Judgeship During Lame Duck Session](#),” from *Law and Crime*

Senator Casey voted NO and Senator Toomey voted YES.

Lame Duck Judicial Confirmation #16 - Tennessee, part 2

[Senate Confirmation Vote](#) on Charles Edward Atchley, Jr. to be United States District Judge for the Eastern District of Tennessee

Charles Atchley Jr. has spent most of his life and all of his professional career in Tennessee. He worked entirely in the public sector, first as an attorney in state roles, and then transitioning to the federal side as a prosecutor at the U.S. Attorney’s Office for the Eastern District of Tennessee in 2001 where he has worked ever since. *The Vetting Room* observed that “as a relatively apolitical career prosecutor, Atchley’s nomination is likely to be fairly uncontroversial, except for its timing.”

Vote date: **Thursday, December 17, 2020** **Vote Tally:** **54-41**

Party Breakdown: All Republicans present voted YES, along with six Democrats. Thirty-nine Democrats and the two Independents voted NO.

Additional Reading:

- “[Charles Atchley – Nominee to the U.S. District Court for the Eastern District of Tennessee](#),” from *The Vetting Room*
- “[Trump’s legacy on courts still building in waning days of presidency](#),” from *Fox News*
- “[2 more federal judges are confirmed amid COVID-19 relief package negotiations](#),” from *American Bar Association Journal*

Senator Casey voted NO and Senator Toomey voted YES.

Lame Duck Judicial Confirmation #17 - Federal Claims Court

[Senate Confirmation Vote](#) on Zachary N. Somers to be a Judge of the United States Court of Federal Claims for a term of fifteen years

The Federal Claims Court is a special segment of the judiciary that deals with “complex factual and statutory construction issues in tax law,” according to their website. They also handle bid and contract law disputes and “intellectual property, Indian tribe, and various statutory claims against the United States.” Unlike many other judicial positions, confirmed judges do not get lifetime appointments, but instead serve for 15 years. [The Vetting Room](#) outlined the problems facing this special court, observing

“The CFC is intended to have sixteen judgeships but is down six vacancies with two more scheduled to open in the coming months. There are multiple reasons behind the high number of vacancies, primary among which are the obstruction of nominees under President Obama. Furthermore, the Trump Administration has been slow to nominate judges to the CFC, and the Senate has moved comparatively slowly on their nominations.”

Zachary Somers is a senate staffer who has worked on Capitol Hill for a dozen years. While he does have some legal experience that relates to this court, having clerked for Judge Victor Wolski on the U.S. Court of Federal Claims, he has spent much of his time since then in politically tied roles.

Somers was hired as Counsel at the House Committee on the Judiciary, where he served for a decade. Then, during the Trump Administration, Chairman Lindsey Graham hired Somers to be his Chief Investigative Counsel for the Senate Judiciary Committee. In that position, he led the Senate Judiciary Committee’s investigations of the Roger Stone arrest, as well as the overly-drawn-out and unnecessary investigation into Secretary of State Hillary Clinton’s use of private email servers.

Vote date: Thursday, December 17, 2020 **Vote Tally:** 52-43

Party Breakdown: All Republicans present voted YES and they were joined by four Democrats - Mark Kelly and Kyrsten Sinema of Arizona, Jon Tester of Montana and Sheldon Whitehouse of Rhode Island. Forty-on Democrats and two Independents voted NO.

Additional Reading:

- [“Zachary Somers – Nominee to the U.S. Court of Federal Claims,”](#) from *The Vetting Room*
- [“Two Federal Judges Confirmed as Senators Scramble to Reach Funding Deals,”](#) from *Courthouse News Service*
- [“Trump judicial nominees getting committee approval this week might be his last,”](#) from *Roll Call*

Senator Casey voted NO and Senator 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.4704](#) - Advancing Research to Prevent Suicide Act
- [S.1636](#) - Ensuring Innovation Act
- [S.2597](#) - Learning Excellence and Good Examples from New Developers Act
- [H.R.4356](#) - Protecting Families of Fallen Servicemembers Act
- [H.R.6100](#) - STOP FGM (Female Genital Mutilation) Act
- [H.R.7259](#) - Patents for Humanity Program Improvement Act
- [H.R.8354](#) - Servicemembers and Veterans Initiative Act
- [S.2032](#) - Cannabidiol and Marihuana Research Expansion Act
- [S.3152](#) - Data Mapping to Save Moms' Lives Act
- [H.R.221](#) - Special Envoy to Monitor and Combat Anti-Semitism Act
- [H.R.8810](#) - National Landslide Preparedness Act
- [S.1387](#) - Consider Teachers Act
- [S.1694](#) - To require the National Aeronautics and Space Administration to add recommendations and inform other relevant agencies of information relating to the principle of due regard and the limitation of harmful interference with Apollo landing site artifacts
- [S.2174](#) - To the extent provided in advance in appropriations Act, the Attorney General is authorized to use funds appropriated for the operationalization, maintenance, and expansion of the National Missing and Unidentified Persons System (NamUs) for the purpose of carrying out this Act
- [S.2216](#) - TEAM (Transparency and Effective Accountability Measures) Veteran Caregivers Act
- [S.2472](#) - Neil A. Armstrong Test Facility Act
- [S.2513](#) - Reporting Efficiently to Proper Officials in Response to Terrorism Act
- [S.3287](#) - CFO (Chief Financial Officer) Vision Act

- [S.3312](#) - Crisis Stabilization and Community Reentry Act
- [S.5036](#) - Secret Service Overtime Pay Extension Act
- [H.R.1923](#) - Circulating Collectible Coin Redesign Act
- [H.R.2468](#) - School-Based Allergies and Asthma Management Program Act
- [H.R.2610](#) - Fraud and Scam Reduction Act
- [H.R.5852](#) - Weir Farm National Historical Park Redesignation Act
- [H.R.6192](#) - 1921 Silver Dollar Coin Anniversary Act
- [H.R.6435](#) - Combating Pandemic Scams Act
- [H.R.6535](#) - To deem an urban Indian organization and employees thereof to be a part of the Public Health Service for the purposes of certain claims for personal injury
- [H.R.7460](#) - Peace Corps Commemorative Work Extension Act
- [S.481](#) - Nicholas and Zachary Burt Memorial Carbon Monoxide Poisoning Prevention Act
- [S.1681](#) - Advancing Education on Biosimilars Act
- [S.1782](#) - Improving Mental Health Access for Students Act
- [S.2165](#) - Safeguard Tribal Objects of Patrimony Act
- [S.3248](#) - United States Anti-Doping Agency Reauthorization Act
- [S.3989](#) - United States Semiquincentennial Commission Amendments Act
- [S.Res.805](#) - A resolution providing for staff transition for a Senator if the results of the election for an additional term of office of the Senator have not been certified (*text not yet available*)
- [H.R.6237](#) - PRC (Proper and Reimbursed Care) for Native Veterans Act
- [H.R.8906](#) - Lifespan Respite Care Reauthorization Act
- [S.2353](#) - Protecting Firefighters from Adverse Substances Act
- [S.2730](#) - Drone Advisory Committee for the 21st Century Act
- [S.2800](#) - National Aeronautics and Space Administration Authorization Act
- [S.3418](#) - STORM (Safeguarding Tomorrow through Ongoing Risk Mitigation) Act
- [S.4079](#) - A bill to authorize the Seminole Tribe of Florida to lease or transfer certain land
- [S.4222](#) - GAO Database Modernization Act
- [S.5036](#) - Secret Service Overtime Pay Extension Act
- [H.R.1966](#) - Henrietta Lacks Enhancing Cancer Research Act

A note regarding that last listed bill - this is the final bill from the late civil rights advocate and congressman Elijah Cummings. The legislation will create programs designed to help build trust with populations underrepresented in medical research. Building that relationship between people of color and the medical research community after centuries of abuse is a monumental task, but Rep. Cummings knew that doing so is a cornerstone of improving the long-term health and addressing health disparities amongst communities of color. This bill has now passed both houses of Congress unanimously and goes to President Trump for a signature. If you would like to read more about this legislation, please see this article from Baltimore's local *ABD* affiliate, titled "[U.S. Senate passes the Henrietta Lacks Enhancing Cancer Research Act.](#)"

MoC Twitter Action

Courtesy of contributor Susan Vogel

Twitter Action - COVID relief

● **Senator Bob Casey, @SenBobCasey, 12/16/20:**

"I am encouraged by the news that congressional leadership is nearing a deal on a \$900 billion COVID relief bill, which would deliver much-needed support to workers, families and businesses. As I have said before, this is an interim relief bill to get Americans through the winter.

There's no question that state and local governments need significant amounts of money as well, which would prevent firefighters, teachers and other first responders from losing their jobs. Unfortunately, some in the Senate are saying that the only way you can help teachers and firefighters is by granting a broad corporate immunity that would put American workers in danger. That's a false choice.

We must work together to provide state and local governments the resources that everyone acknowledges they need without poison pills.”

● **Senator Pat Toomey, @SenToomey, [12/14/20](#):**

“Getting a safe and effective vaccine out to the American public this year is a testament to the dedication and perseverance of all who were involved in its development. I am hopeful a brighter spring awaits.” *tweeted along with video of the first delivery of the COVID vaccine to a hospital*

● **PA-01’s Rep. Brian Fitzpatrick, @RepBrianFitz, [12/16/20](#):**

“It would be a mistake for #restaurant relief to be left out of a #COVID19 relief package. Independent #restaurants have been hurting for months, so many have closed their doors for good, and without immediate relief, many will lose their livelihoods this winter. #RestaurantsAct”

Tweets of the Week

● **Senator Bob Casey, @SenBobCasey, [12/17/20](#):**

“We must do more to help Americans with low-level, nonviolent criminal records get back on their feet after paying their debt to society. That’s why I’m intro’ing the bipartisan Clean Slate Act with @SenJoniErnst, a companion to the House bill intro’ed by @RepLBR & @GReschenthaler.

In 2018, @GovernorTomWolf signed the first automated criminal record-clearing law in the Nation after receiving tremendous bipartisan support in the Pennsylvania General Assembly. I am pleased to expand on Pennsylvania’s historic work with this legislation.

More than 1 in 3 adults have some form of a criminal record, keeping them from participating in many facets of everyday life as nearly nine in ten employers, four in five landlords and three in five colleges utilize background checks to screen applicants.

The Clean Slate Act of 2020 would provide much needed relief to millions of Americans by establishing an automatic sealing process for individuals who have successfully completed their sentences after being convicted of low-level federal drug offenses.

Clean Slate is an important step to ensuring that millions of Americans, and their families, aren’t unfairly burdened by minor criminal records and that these individuals have a second chance to fully participate in society.” *tweeted with a link to his [official website statement](#)*

● **Senator Pat Toomey, @SenToomey, [12/14/20](#):**

“Attorney General Bill Barr has served the American people and the Department of Justice with distinction under two separate administrations – Presidents Donald Trump and George H.W. Bush.

Unfazed by political pressure from either side of the aisle, Attorney General Barr proved time and again that he understood his ultimate obligations were to serve as the nation’s top law enforcement officer and to uphold the Constitution.

I particularly appreciated Attorney General Barr’s work to end sanctuary city policies, keep guns away from felons and the dangerously mentally ill, and support law enforcement officers. I wish Attorney General Barr well in any future endeavors.”

● **PA-01’s Rep. Brian Fitzpatrick, @RepBrianFitz, [12/15/20](#):**

“Thank you to the Monroe Foundation for Youth for your outstanding commitment to our community by providing services to at-risk youth and youth on the autism spectrum. The needs of our children are more important than ever as our nation battles with the COVID-19 pandemic.”

Casey in the News

Courtesy of contributor Linda Houk

“We still are in the worst part of the pandemic, and it’s likely to get even worse in the next couple of weeks. So Congress has to act.”

“This is very much an interim agreement... This should not be the last word on COVID-19.”

— from an article in *90.5 WESA*, titled [“Pennsylvania Senators Support COVID-19 Relief Compromise”](#)

“We must do more to understand why certain infants and young children have died unexpectedly, and to learn what is causing these deaths.”

—from an article in the *Pittsburgh Post-Gazette*, titled [“ approves bill, inspired by Bethel Park family, to investigate unexplained deaths in children”](#)

“The families of Walter Wallace, Jr., Ricardo Munoz and Osaze Osagie needed mental health crisis support and they didn’t get it...’

“We must take action to ensure that someone’s ethnicity or mental ability does not preclude them from receiving protection and fair treatment. My LEAD initiative aims to protect the promise of liberty and justice for all by reforming our emergency systems so that people and police are connected with the resources they need.”

— from an article in *the Main Line*, titled [“Village View: Sen. Casey’s bills to aid people with disabilities”](#)

"I think we need to do at least two key things.

First, having more funding for state and local governments to distribute the vaccine and conduct mass vaccination campaigns on a scale that is unprecedented. So they're going to need help doing that.

We need also to instill confidence in the vaccine among the public.”

— from an article in *the Republic*, titled [“US Senate Dems Seek More Vaccine Distribution Funding”](#)

Fitzpatrick in the News

Research courtesy of CC

Brian Fitzpatrick had a huge presence in the *Philadelphia Inquirer* article titled [“‘Ticket-splitting’ voters in Bucks County show it’s the most competitive Philly suburb.”](#) First up is his actual acknowledgement - by name instead of in a vague form - of the victory of Joe Biden in the presidential election.



Fitzpatrick, who didn't join the brief, is one of just a couple dozen Republican members of Congress who have publicly acknowledged Biden as president-elect.

“We have a president-elect in Joe Biden. And we have a president and a campaign that are utilizing their legal access and rights to the courts,” Fitzpatrick said.. “...I think the alternative — if litigation were deep-sixed and short-circuited — there’s going to be lingering questions in the minds of too many people.”

In addition to that critical acknowledgement, Congressman Fitzpatrick was quoted several other times in the article:

- “We’ve always been a ticket-splitting district. The overwhelming majority of people in our community are very pragmatic. They’re independent thinkers like I am.”
- “They really do value people who take the same approach to government as we all do to our personal relationship. You listen more than you lecture and don’t allow the perfect to be the enemy of the good when it comes to legislation.”
- “I think that’s [*empowerment of centrist lawmakers*] what the American people are starving for. They’re so tired of the polarization. It just results in gridlock.”

“We have no higher responsibility than to protect our children. Cyber-stalking is a serious crime that needs to be met with stricter penalties and more cooperation among law enforcement agencies. Sitting with the Zizzo family, I saw the pain in their eyes. After hearing of the disturbing story of cyberstalking endured by this young girl and her family for years, I knew something needed to be done. The Combat Online Predators Act is the first step in making the internet a safer environment for all users, especially the most vulnerable among us. I am incredibly proud to see our legislation pass both chambers and head to the President’s desk to become law.”

— from a [NorthCentral PA](#) article titled “[Law increasing punishment for stalkers who target children awaits presidential approval](#)”

“[We] can come together on areas that we agree.”

— the Congressman was referring to background checks, in a [Long Island Herald](#) article titled “[Northwell hosts 2nd Gun Violence Prevention Forum](#)”

“I am thrilled to see our bipartisan and bicameral Global Child Thrive Act in this year’s NDAA. One of my greatest concerns has always been the welfare of children, not just children in the United States but children across the globe.”

— from a blog post in the [Ripon Advance](#) titled “[Blunt, Fitzpatrick commend passage of bipartisan, bicameral early childhood development bill](#)”

“We thank you for your careful consideration of this urgent request and understand the delicate nature of on-going negotiations. However, we believe this represents our last best hope in seeing these museums become a reality for millions of Americans who lack historical and cultural representation within the Smithsonian.”

— statement from the Congressman and seven of his colleagues in a letter to the party leaders of both houses of Congress, as reported in a

[Ripon Advance](#) blog post titled [“Collins, Hurd, Fitzpatrick seek inclusion of new museums bills in omnibus funding bill”](#)

“Hyper-partisanship is the single biggest threat facing our nation. Bipartisanship is the only remedy that will save and heal our nation.

The Problem Solvers Caucus has consistently and successfully worked to increase bipartisanship and unity in Congress. I look forward to continuing to work with my bipartisan colleagues to break the gridlock, forge consensus on critical issues, and bring an end to the era of hyper-partisanship in Washington.”

— from a [Bucks County Courier Times](#) article titled [“Fitzpatrick: Hyper-partisanship ‘single biggest threat’ to America”](#)

Toomey in the News

The MoCTrack team wants to share our most sincere thanks to contributor Elayne Baker, who is moving on from covering Senator Toomey. She’s run through ALL the Toomey press coverage for years now, so she deserves a break. Thanks for all your hard work, Elayne!

Please note that all coverage of Senator Toomey’s effort to derail the COVID relief negotiations are covered earlier in this report, and residual press coverage of his quotes from last week about the President’s attempts to influence the votes of the electors here in Pennsylvania have been excluded from this week’s report.

“I congratulated him on his win and I went through [some topics] where we could work together. We had a very pleasant conversation.”

“I strongly disagree with Joe Biden on the vast majority of policy positions. That’s why I voted for Donald Trump. So I’m going to be constructive and cooperative, but I’m a conservative and Joe Biden’s not, so we just have to see.”

— from a [Philadelphia Inquirer](#) article titled [“Pat Toomey is ready to work with Joe Biden. A little.”](#)

“The final rule should be crafted to prevent such misuse of supervisory guidance, which can unduly and unfairly burden the financial institution under your supervision.”

— from an article in the [Credit Union Times](#) titled [“Toomey Says to Strengthen Agency Guidance Plan”](#)

“[Stimulus checks are] about the least efficient way you can help people and help the economy... That is not in and of itself a complete deal killer for me. But it definitely is an inefficient, impractical way to deal with this problem because so much money is going to go to people who don’t need it.

There’s people who are out of work, there’s people who are definitely in bad financial circumstances,” Toomey said. “But someone who’s – a double income family who never had the slightest interruption of their income? Why are we sending them \$1,200?”

Hotels, the travel industry entertainment venues, everybody in all of those categories – almost everybody in all of those categories – is in desperate shape.

The highest immediate priority is to make sure the distribution of the vaccine, the COVID vaccine, goes out smoothly without any hiccups, without any interruptions. We have already funded the first distribution, that’s why you saw trucks hitting the road literally within hours of the FDA approval that’s because the funding was all there, the logistics were all in place.”

— from an article on Philadelphia’s [NBC 10](#) website, titled [“Toomey Calls Stimulus Checks Inefficient But Not a Deal Killer for Relief Bill”](#)

Call to Action - Georgia!

Having you been doing all you can to ensure that we win those two senate runoff elections in Georgia? That pair of outcomes will determine if the Biden Administration has a legislative partner focused on solutions in the Senate or if he will be faced with years of McConnell-flavored obstructionism.

We are now getting to the point where unless you already have postcards in hand it is getting to be too late to use that as an effort to reach voters. So help from out of state needs to come either via [donations](#) or via phone banking.

And speaking of phone-banking, Indivisible is hosting a National Call A Thon for the Georgia Runoff with Alyssa Milano!

DATE: Jan 4, 2021

TIME: 06:00 PM in Eastern Time (US and Canada)

Participants need to have access to a phone line, a computer, and internet access. We will be calling Georgia voters in the final hours before the election, making sure they have plans to get out and vote on Election Day, January 5th.

[Sign up HERE](#)



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

CC

Gary Garb

Linda Houk

Susan Vogel

Kierstyn Piotrowski Zolfo

We can always use extra help. 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. Would you be willing to listen to a committee hearing and transcribe a few quotes from Pennsylvania lawmakers? Or are you a topic specialist on an issue of concern to activists, and would you like to contribute an occasional column? Please email KierstynPZ@gmail.com and put "MoCTrack Help" in the subject. Thanks!