

## Pennsylvania Member of Congress Tracking Report - 12/27/20

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 will be our last report of 2020, but not our last report of the 116th Congress (as we had hoped and planned). Since we are in the midst of some serious and unresolved legislative action, with a looming government shutdown and COVID programs lapsing as you read this, both houses of Congress will be called back to Washington for critical votes next week. Please expect a legislation-only report next week.

### 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
<a href="#">Senator Bob Casey (D)</a>	29.4%	+0.4%
<a href="#">Senator Pat Toomey (R)</a>	87.6%	-0.6%
<a href="#">PA-01 Rep. Brian Fitzpatrick (R)</a>	62.4%	+0.2%
<a href="#">PA-02 Rep. Brendan Boyle (D)</a>	13.8%	+0.5%
<a href="#">PA-03 Rep. Dwight Evans (D)</a>	11.7%	+0.5%
<a href="#">PA-04 Rep. Madeleine Dean (D)</a>	4.6%	+1.1%
<a href="#">PA-05 Rep. Mary Gay Scanlon (D)</a>	6.7%	+1.1%
<a href="#">PA-06 Rep. Chrissy Houlahan (D)</a>	5.7%	+1.0%
<a href="#">PA-07 Rep. Susan Wild (D)</a>	8.9%	+1.0%
<a href="#">PA-08 Rep. Matt Cartwright (D)</a>	19.2%	+0.4%
<a href="#">PA-09 Rep. Dan Meuser (R)</a>	96.4%	+0.1%
<a href="#">PA-10 Rep. Scott Perry (R)</a>	90.0%	-0.5%
<a href="#">PA-11 Rep. Lloyd Smucker (R)</a>	94.9%	0.0%
<a href="#">PA-12 Rep. Fred Keller (R)</a>	91.2%	-1.7%
<a href="#">PA-13 Rep. John Joyce (R)</a>	96.5%	0.0%
<a href="#">PA-14 Rep. Guy Reschenthaler (R)</a>	94.0%	0.0%
<a href="#">PA-15 Rep. Glenn W. Thompson (R)</a>	97.2%	0.0%
<a href="#">PA-16 Rep. Mike Kelly (R)</a>	96.1%	0.0%
<a href="#">PA-17 Rep. Conor Lamb (D)</a>	22.3%	+0.7%
<a href="#">PA-18 Rep. Mike Doyle (D)</a>	15.6%	+0.5%

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 to the vote of our legislators. The scoring this week is a bit peculiar, with hindsight coloring our perspective. The votes on the consolidated 2021 appropriations and COVID Relief package were scored. Those who voted for the negotiated package were marked as agreeing with President Trump (thus all of the Democrats had scores that rose). It was only after passage of the legislation that Trump changed his mind.

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## COVID Relief and 2021 Government Funding Drama Continues

As of the time we dropped our last report on the afternoon of December 20th, we had heard that Senate Majority Leader Mitch McConnell, Minority Leader Chuck Schumer and Speaker of the House Nancy Pelosi had worked out the framework of an agreement but had yet to schedule a vote.

### Part One: Congress misses its own deadline (for the 4th time)

- [House Vote](#) on [H.J.Res. 110](#): Extension of Continuing Appropriations Act, 2021
- Senate Unanimous Consent Motion on the same

The leaders of the two political parties in the Congress may have hammered out the framework of a deal last Saturday night, but when one is building a piece of legislation that is going to exceed 5,000 pages, it's hard to piece all of that text together in under 24 hours. Because of this, Congress voted themselves a 24-hour continuing resolution on Sunday night to give the Congressional staff time to piece together the final text of the combined funding bill and COVID relief package.

**Vote date: Sunday, December 20, 2020**

**Vote Tally: 329-65**

**Party Breakdown:** All 230 Democrats present voted YES along with 99 Republicans. The remaining 64 Republicans voted NO along with Libertarian Justin Amash.

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

**Part Two: The House votes on a portion of the 2021 Appropriations Package**

• [House Vote](#) on Divisions B, C, E, and F of [H.R. 133](#): Consolidated Appropriations Act, 2021  
 The decision was made to split the massive bill into two separate votes in the House, as different parts of the bill have support from different segments of lawmakers. This vote pertained only to a portion of the 2021 funding, including the Commerce, Justice, Defense, Treasury, and Homeland Security Departments, and some programs related to the White House and the District of Columbia.

**Vote date:** Monday December 21, 2020 **Vote Tally:** 327-85

**Party Breakdown:** The party breakdown on this was atypical with the majority of votes in each party supporting the bill, but a significant minority voting NO. For the Democrats, 192 members voted YES and 41 votes NO. For the Republicans the split was 134 voted YES and 43 voted NO. Newly minted Independent Paul Mitchell of Michigan voted YES while Libertarian voted NO.

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

**Part Three: The House votes on the rest of the 2021 Appropriations Package and COVID Relief**

• [House Vote](#) on [H.R. 133](#): Consolidated Appropriations Act, 2021 (excluding Divisions B, C, E, and F)  
 This next vote covered the actual COVID Relief package (which likely accounts for why this measure received support from 32 additional MoCs as compared to the first half of the package), along with the remainder of the 2021 funding. This snippet from our friends at [GovTrack](#) expresses the difficulty that all of us who help folks understand what Congress does face when there are legislative packages like this one - "According to our analysis, this bill is the fifth longest bill to be passed by Congress in the history of the country. Consequently, a more detailed summary is not easily possible."

Among the many programs contained in the COVID Relief portion of the bill are:

- One-time \$600 per person payments
- Extension of the foreclosure and eviction moratorium
- Extension of federal unemployment payments
- Funding for vaccine distribution

**Vote date:** Monday December 21, 2020 **Vote Tally:** 359-53

**Party Breakdown:** On the Democratic side, all but two of the present party members voted YES (Tulsi Gabbard and Rashida Tlaib were the NO votes). The Republicans split, with 128 voting YES and 50 voting NO. Like last time, our lone Independent voted YES and the lone Libertarian voted NO.

Aye	R	<a href="#">Fitzpatrick, Brian</a>	PA 1st	No	R	<a href="#">Perry, Scott</a>	PA 10th
Aye	D	<a href="#">Boyle, Brendan</a>	PA 2nd	Aye	R	<a href="#">Smucker, Lloyd</a>	PA 11th
Aye	D	<a href="#">Evans, Dwight</a>	PA 3rd	No	R	<a href="#">Keller, Fred</a>	PA 12th
Aye	D	<a href="#">Dean, Madeleine</a>	PA 4th	Aye	R	<a href="#">Joyce, John</a>	PA 13th

Aye	D	<a href="#">Scanlon, Mary</a>	PA 5th	Aye	R	<a href="#">Reschenthaler, Guy</a>	PA 14th
Aye	D	<a href="#">Houlahan, Chrissy</a>	PA 6th	Aye	R	<a href="#">Thompson, Glenn</a>	PA 15th
Aye	D	<a href="#">Wild, Susan</a>	PA 7th	Aye	R	<a href="#">Kelly, Mike</a>	PA 16th
Aye	D	<a href="#">Cartwright, Matthew</a>	PA 8th	Aye	D	<a href="#">Lamb, Conor</a>	PA 17th
Aye	R	<a href="#">Meuser, Daniel</a>	PA 9th	Aye	D	<a href="#">Doyle, Mike</a>	PA 18th

#### Part Four: The Senate passes the Combined 2021 Funding and COVID Relief Package

- [Senate Vote](#) on [H.R. 133](#): Consolidated Appropriations Act, 2021

The Senate mashed together the two portions that the House voted on earlier in the evening, passing them together.

**Vote date: Monday December 21, 2020**

**Vote Tally: 92-6**

**Party Breakdown:** All Democrats present and the pair of Independents voted YES. All six of the NO votes came from Republicans, with the remaining 46 voting YES.

**Senator Casey voted YES and Senator Toomey voted YES.**

#### Part Five: Congress passes a new Continuing Resolution, to reset the Shutdown Deadline

- [House & Senate Action](#) on [H.R. 1520](#): Further Extension of Continuing Appropriations Act, 2021

Our government was funded only through midnight on December 21st, based on the continuing resolution that had been passed the previous day (Part One of this report). We have no way of knowing if congressional leaders had an inkling that President Trump was not going to go along with this package, or if they had decided that since President Trump is a showman, he would be unlikely to sign such a massive bill by dark of night, but instead would need a few days to put together a signing ceremony with Trump levels of fanfare. Either way, they created a new bill that amended the continuing resolution and pushed the deadline for a government shutdown from December 21st to December 28th.

The method that was used to make this amendment was to take a bill that was already passed by the House some time previously and change the text so that it simply reads "That the Continuing Appropriations Act, 2021 is further amended by striking the date specified in section 106(3) and inserting December 28, 2020." To do this, both houses had to agree unanimously and pass it back and forth before sending the newly edited bill to the President for his signature. You can see in the excerpt below from [Congress.gov action](#) page how that was accomplished in a few hours on Monday, December 21st.

#### All Actions H.R.1520 — 116th Congress (2019-2020)

Date	Chamber	All Actions
12/21/2020-6:11pm	House	House agreed to the Senate amendment with an amendment pursuant to the provisions of <a href="#">H.Res. 1271</a> .
12/21/2020	Senate	Message on House action received in Senate and at desk: House amendment to Senate amendment.
12/21/2020	Senate	Senate agreed to the House amendment to the Senate amendment to <a href="#">H.R. 1520</a> by Voice Vote.
12/21/2020	Senate	Message on Senate action sent to the House.
12/21/2020	House	Presented to President.
12/22/2020		Signed by President.

### **Part Six: The President throws a monkey wrench into the process**

On Tuesday, December 22, 2020, President Trump took to [YouTube](#) and refused to sign the bill that took so long to negotiate. He demanded that the payments to Americans be increased from \$600 to \$2,000 per person. The president added, "I'm also asking Congress to immediately get rid of the wasteful and unnecessary items from this legislation, and to send me a suitable bill, or else the next administration will have to deliver a Covid relief package."

### **Part Seven: Trump Vetoes Defense Funding**

The following [message from the White House](#), the formal veto of [H.R. 6395: National Defense Authorization Act for Fiscal Year 2021](#), was read into the Congressional Record by the Clerk of the House of Representatives on the morning of Thursday, December 24, 2020. While this veto does not directly relate to the COVID Relief drama, this is one of the must-pass pieces of 2021 federal funding. It also adds to the stack of unresolved issues that the 116th Congress must handle before they adjourn and the newly elected 117th Congress comes to Washington on January 4, 2021.

TO THE HOUSE OF REPRESENTATIVES:

I am returning, without my approval, H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021 (the "Act"). My Administration recognizes the importance of the Act to our national security. Unfortunately, the Act fails to include critical national security measures, includes provisions that fail to respect our veterans and our military's history, and contradicts efforts by my Administration to put America first in our national security and foreign policy actions. It is a "gift" to China and Russia.

No one has worked harder, or approved more money for the military, than I have — over \$2 trillion. During my 4 years, with the support of many others, we have almost entirely rebuilt the United States military, which was totally depleted when I took office. Your failure to terminate the very dangerous national security risk of Section 230 will make our intelligence virtually impossible to conduct without everyone knowing what we are doing at every step.

The Act fails even to make any meaningful changes to Section 230 of the Communications Decency Act, despite bipartisan calls for repealing that provision. Section 230 facilitates the spread of foreign disinformation online, which is a serious threat to our national security and election integrity. It must be repealed.

Additionally, the Act includes language that would require the renaming of certain military installations. Over the course of United States history, these locations have taken on significance to the American story and those who have helped write it that far transcends their namesakes. My Administration respects the legacy of the millions of American servicemen and women who have served with honor at these military bases, and who, from these locations, have fought, bled, and died for their country. From these facilities, we have won two World Wars. I have been clear in my opposition to politically motivated attempts like this to wash away history and to dishonor the immense progress our country has fought for in realizing our founding principles.

The Act also restricts the President's ability to preserve our Nation's security by arbitrarily limiting the amount of military construction funds that can be used to respond to a national emergency. In a time when adversaries have the means to directly attack the homeland, the President must be able to safeguard the American people without having to wait for congressional authorization. The Act also contains an amendment that would slow down the rollout of nationwide 5G, especially in rural areas.

Numerous provisions of the Act directly contradict my Administration's foreign policy, particularly my efforts to bring our troops home. I oppose endless wars, as does the American public. Over bipartisan objections, however, this Act purports to restrict the President's ability to withdraw troops from Afghanistan, Germany, and South Korea. Not only is this bad policy, but it is

unconstitutional. Article II of the Constitution makes the President the Commander in Chief of the Army and Navy of the United States and vests in him the executive power. Therefore, the decision regarding how many troops to deploy and where, including in Afghanistan, Germany, and South Korea, rests with him. The Congress may not arrogate this authority to itself directly or indirectly as purported spending restrictions.

For all of these reasons, I cannot support this bill. My Administration has taken strong actions to help keep our Nation safe and support our service members. I will not approve this bill, which would put the interests of the Washington, D.C. establishment over those of the American people. It is my duty to return H.R. 6395 to the House of Representatives without my approval.

DONALD J. TRUMP

THE WHITE HOUSE,  
December 23, 2020.

### **Part Eight: Democrats try to get us \$2,000 payments, are thwarted by one GOP MoC**

Not five minutes after the President's veto message was read into the Congressional record, another bit of [legislative drama](#) occurred. House Majority Leader Steny Hoyer was recognized by the Speaker Pro Tempore (Rep. Debbie Dingell) and asked for a new bill, H.R. 9047, to be passed by [unanimous consent](#).

[H.R. 9047](#) is so new that the text of the bill is not yet available on any of the congressional tracking websites. But we get an inkling of the content, as the name of the bill says it will "increase recovery rebate amounts to \$2,000 for individuals."

For something to pass by unanimous consent, there must be no one present to object to the motion. That was not the case this week. Congressman Rob Wittman (R-VA) was present in the House, and he objected. To be more specific, he asked for "immediate consideration in the House." In response to this, the Speaker Pro Tempore confirmed that "we do not have unanimous consent," so the first bill with the \$2,000 payments failed to pass the House.

### **Part Nine: Where Things Stand Now**

1. Without new action, the government will shut down at midnight on Monday, December 28, 2020.
2. Federal unemployment programs ended for the week of December 26, 2020.
3. The federal eviction and foreclosure moratoriums end on Thursday, December 31, 2020.
4. Congress must deal with the veto of H.R. 6395: National Defense Authorization Act for Fiscal Year 2021.
5. The House is [planning a Monday vote](#) on the newly introduced [Caring for Americans with Supplemental Help \(CASH\) Act of 2020](#), to provide \$2,000 COVID payments to Americans.

### **McConnell's Lame Duck Judicial Confirmation EXTRAVAGANZA - PART SIX**

*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 in the week ending [December 20th](#), with five new judges. And that weekend a handful of new judges and bureaucrats were confirmed in the Senate while the parties were called back to Washington to deal with COVID relief. For an overview on this judicial action, see the Politico article, ["Republicans seek to stymie Biden with final Trump nominees."](#)*

### **Lame Duck Judicial Confirmation #18 - California**

[Senate Confirmation Vote](#) on Fernando L. Aenlle-Rocha to be United States District Judge for the Central District of California

**Vote date:** Sunday, December 20, 2020

**Vote Tally:** 80-8

**Party Breakdown:** The split on this vote was irregular, particularly for the Senate. The pair of Independents were evenly split. For the Republicans, 39 voted YES and 4 voted NO. And for the Democrats, 40 voted YES and 3 voted NO.

**Senator Casey voted YES and Senator Toomey voted YES.**

### **Lame Duck Judicial Confirmation #19 - Federal Claims**

[Senate Confirmation Vote](#) on Thompson Michael Dietz to be a Judge of the United States Court of Federal Claims for a term of fifteen years

**Vote date:** Saturday, December 19, 2020

**Vote Tally:** 51-36

**Party Breakdown:** All 40 Republicans present voted YES, along with 10 Democrats and 1 Independent. The NO votes came from 35 Democrats and 1 Independent.

**Senator Casey voted NO and Senator Toomey voted YES.**

### **Lame Duck Bureaucratic Confirmation - Tennessee Valley Authority #1**

[Senate Confirmation Vote](#) on Beth Harwell to be a Member of the Board of Directors of the Tennessee Valley Authority

**Vote date:** Saturday, December 19, 2020

**Vote Tally:** 59-25

**Party Breakdown:** All 39 Republicans present voted YES, as did 19 Democrats and 1 Independent. The NO votes were placed by 24 Democrats and the remaining Independent.

**Senator Casey voted NO and Senator Toomey voted YES.**

### **Lame Duck Bureaucratic Confirmation - Tennessee Valley Authority #2**

[Senate Confirmation Vote](#) on Brian Noland to be a Member of the Board of Directors of the Tennessee Valley Authority

**Vote date:** Sunday, December 20, 2020

**Vote Tally:** 84-5

**Party Breakdown:** All the Republicans, 41 Democrats and 1 Independent voted YES. Four Democrats and 1 Independent accounted for the NO votes.

**Senator Casey voted YES and Senator Toomey voted YES.**

### **Lame Duck Bureaucratic Confirmation - Transportation Inspector General**

[Senate Confirmation Vote](#) on Eric J. Soskin to be Inspector General, Department of Transportation

**Vote date:** Monday, December 21, 2020

**Vote Tally:** 48-47

**Party Breakdown:** This was a pure party line vote. The Republicans voted YES, while the Democrats and Independents voted NO.

**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.5459](#) - Rocky Mountain National Park Ownership Correction Act
- [H.R.7898](#) - To amend the Health Information Technology for Economic and Clinical Health Act to require the Secretary of Health and Human Services to consider certain recognized security practices of covered entities and business associates when making certain determinations
- [S.2204](#) - DART (Data Analytics Robocall Technology) Act
- [S.Res.458](#) - A resolution calling for the global repeal of blasphemy, heresy, and apostasy laws

- [H.R.1240](#) - Young Fishermen's Development Act
- [H.R.4031](#) - Great Lakes Restoration Initiative Act
- [H.R.5852](#) - Weir Farm National Historical Park Redesignation 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.2346](#) - Fishery Failures: Urgently Needed Disaster Declarations Act
- [S.2716](#) - A bill to amend the Grand Ronde Reservation Act
- [S.2827](#) - African American Burial Grounds Study Act
- [S.3099](#) - Southeast Alaska Regional Health Consortium Land Transfer Act
- [S.3100](#) - Alaska Native Tribal Health Consortium Land Transfer Act
- [S.3948](#) - A bill to amend the Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act to extend the deadline for a report
- [S.3952](#) - Protecting American Intellectual Property Act
- [S.4556](#) - A bill to authorize the Secretary of Health and Human Services, acting through the Director of the Indian Health Service, to acquire private land to facilitate access to the Desert Sage Youth Wellness Center in Hemet, California
- [S.5076](#) - A bill to authorize the Sergeant at Arms and Doorkeeper of the Senate to delegate authority to approve payroll and personnel actions
- [H.R.3250](#) - Julius Rosenwald and the Rosenwald Schools Act
- [H.R.5126](#) - DESCEND (Direct Enhancement of Snapper Conservation and the Economy through Novel Devices) Act
- [H.R.5472](#) - Jimmy Carter National Historical Park Redesignation Act
- [S.371](#) - BUILD (Building Up Independent Lives and Dreams) Act
- [S.2429](#) - Restoring Resilient Reefs Act
- [S.4996](#) - Bankruptcy Administration Improvement Act
- [H.R.1418](#) - Competitive Health Insurance Reform Act
- [H.R.1492](#) - Yucca House National Monument Expansion Act
- [H.R.2502](#) - Transparency in Federal Buildings Projects Act
- [H.R.3153](#) - EFFORT (Expanding Findings for Federal Opioid Research and Treatment ) Act

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

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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](mailto:KierstynPZ@gmail.com) and put "MoCTrack Help" in the subject. Thanks!