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(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. RES.

Authorizing remote voting by proxy in the House of Representatives and providing for official remote committee proceedings during a designated pandemic emergency, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. MCGOVERN submitted the following resolution; which was referred to the Committee on _____

RESOLUTION

Authorizing remote voting by proxy in the House of Representatives and providing for official remote committee proceedings during a designated pandemic emergency, and for other purposes.

1 *Resolved,*

2 **SECTION 1. AUTHORIZATION OF REMOTE VOTING BY**
3 **PROXY DURING PANDEMIC EMERGENCY.**

4 (a) AUTHORIZATION.—Notwithstanding rule III, at
5 any time after the Speaker or the Speaker’s designee is
6 notified by the Sergeant-at-Arms, in consultation with the
7 Attending Physician, that a pandemic emergency is in ef-

1 fect, the Speaker or the Speaker’s designee, in consulta-
2 tion with the Minority Leader or the Minority Leader’s
3 designee, may designate a period (hereafter in this resolu-
4 tion referred to as a “covered period”) during which a
5 Member who is designated by another Member as a proxy
6 in accordance with section 2 may cast the vote of such
7 other Member or record the presence of such other Mem-
8 ber in the House.

9 (b) LENGTH OF COVERED PERIOD.—

10 (1) IN GENERAL.—Except as provided in para-
11 graphs (2) and (3), a covered period designated by
12 the Speaker or the Speaker’s designee under sub-
13 section (a) shall terminate 60 days after the Speaker
14 or the Speaker’s designee designates such period.

15 (2) EXTENSION.—If, during a covered period,
16 the Speaker or the Speaker’s designee receives fur-
17 ther notification from the Sergeant-at-Arms, in con-
18 sultation with the Attending Physician, that the
19 pandemic emergency involved remains in effect, the
20 Speaker or the Speaker’s designee, in consultation
21 with the Minority Leader or the Minority Leader’s
22 designee, may extend the covered period for an addi-
23 tional 60 days.

24 (3) EARLY TERMINATION.—If, during a covered
25 period, the Speaker receives further notification by

1 the Sergeant-at-Arms, in consultation with the At-
2 tending Physician, that the pandemic emergency is
3 no longer in effect, the Speaker or the Speaker's
4 designee shall terminate the covered period.

5 **SEC. 2. PROCESS FOR DESIGNATION OF PROXIES.**

6 (a) IN GENERAL.—

7 (1) DESIGNATION BY SIGNED LETTER.—In
8 order for a Member to designate another Member as
9 a proxy for purposes of section 1, the Member shall
10 submit to the Clerk a signed letter (including in
11 electronic form) specifying by name the Member who
12 is designated for such purposes.

13 (2) ALTERATION OR REVOCATION OF DESIGNA-
14 TION.—

15 (A) IN GENERAL.—At any time after sub-
16 mitting a letter to designate a proxy under
17 paragraph (1), a Member may submit to the
18 Clerk a signed letter (including in electronic
19 form) altering or revoking the designation.

20 (B) AUTOMATIC REVOCATION UPON CAST-
21 ING OF VOTE OR RECORDING OF PRESENCE.—

22 If during a covered period described in section
23 1, a Member who has designated another Mem-
24 ber as a proxy under this section casts the
25 Member's own vote or records the Member's

1 own presence in the House, the Member shall
2 be considered to have revoked the designation
3 of any proxy under this subsection with respect
4 to such covered period.

5 (3) NOTIFICATION.—Upon receipt of a letter
6 submitted by a Member pursuant to paragraphs (1)
7 or (2), the Clerk shall notify the Speaker, the Major-
8 ity Leader, the Minority Leader, and the other
9 Member or Members involved of the authorization,
10 alteration, or revocation.

11 (b) MAINTENANCE AND AVAILABILITY OF LIST OF
12 DESIGNATIONS.—The Clerk shall maintain an updated
13 list of the designations, alterations, and revocations sub-
14 mitted or in effect under subsection (a), and shall make
15 such list publicly available in electronic form and available
16 during any vote conducted pursuant to section 3.

17 **SEC. 3. PROCESS FOR VOTING DURING COVERED PERIODS.**

18 (a) RECORDED VOTES ORDERED.—

19 (1) IN GENERAL.—Notwithstanding clause 6 of
20 rule I, during a covered period under section 1, the
21 yeas and nays shall be considered as ordered on any
22 vote on which a recorded vote or the yeas and nays
23 are requested, or which is objected to under clause
24 6 of rule XX.

1 (2) INDICATIONS OF PROXY STATUS.—A Mem-
2 ber who casts a vote or records a presence as a des-
3 ignated proxy for another Member under this resolu-
4 tion—

5 (A) in the case of a vote by electronic de-
6 vice, shall do so by ballot card, indicating on
7 the ballot card that such vote is “by proxy”; or

8 (B) in the case of a vote conducted by call
9 of the roll, shall indicate when responding to
10 the call of the roll that the vote is “by proxy”.

11 (b) DETERMINATION OF QUORUM.—Any Member
12 whose vote is cast or whose presence is recorded by a des-
13 ignated proxy under this resolution shall be counted for
14 the purpose of establishing a quorum under the rules of
15 the House.

16 (c) INSTRUCTIONS FROM MEMBER AUTHORIZING
17 PROXY.—

18 (1) RECEIVING INSTRUCTIONS.—Prior to east-
19 ing the vote or recording the presence of another
20 Member as a designated proxy under this resolution,
21 the Member shall obtain an exact instruction from
22 the other Member with respect to such vote or
23 quorum call, in accordance with the regulations re-
24 ferred to in section 6.

1 (2) FOLLOWING INSTRUCTIONS.—A Member
2 casting the vote or recording the presence of another
3 Member as a designated proxy under this resolution
4 shall cast such vote or record such presence pursu-
5 ant to the exact instruction received from the other
6 Member under paragraph (1).

7 (d) LIMITATIONS.—

8 (1) MEASURES FOR WHICH VOTES MAY BE
9 CAST OR PRESENCE RECORDED.—A Member may
10 only cast the vote or record the presence of another
11 Member as a designated proxy under this resolution
12 with respect to—

13 (A) any vote related to a measure des-
14 ignated by the Speaker or the Speaker's des-
15 ignee, in consultation with the Minority Leader
16 or the Minority Leader's designee, as a re-
17 sponse to the COVID-19 pandemic;

18 (B) any vote related to a question of the
19 privileges of the House under rule IX;

20 (C) any vote on a question unrelated to a
21 specific measure or matter; or

22 (D) a quorum call.

23 (2) NO APPEAL OF DETERMINATION.—A deter-
24 mination by the Chair under paragraph (1) shall not
25 be subject to appeal.

1 **SEC. 4. AUTHORIZING REMOTE PROCEEDINGS IN COMMIT-**
2 **TEES.**

3 (a) AUTHORIZATION.—During any covered period
4 designated by the Speaker or the Speaker’s designee under
5 section 1(a), and notwithstanding any rule of the House
6 or its committees—

7 (1) any committee may conduct proceedings re-
8 motely, and any proceedings conducted remotely
9 shall be considered as official proceedings for all
10 purposes in the House;

11 (2) any committee conducting proceedings shall,
12 to the greatest extent practicable, ensure the ability
13 of members to participate remotely;

14 (3) committee members participating remotely
15 pursuant to this subsection shall be counted for the
16 purpose of establishing a quorum under the rules of
17 the House or the committee;

18 (4) committee members may cast a vote or
19 record their presence remotely; and

20 (5) witnesses may appear remotely, and any
21 committee or chair thereof empowered to authorize
22 and issue subpoenas may authorize and issue sub-
23 poenas for return at a hearing or deposition con-
24 ducted remotely.

25 (b) RESOLUTION OF CONFLICTS.—In the event of
26 any conflict between the rules of the House or the com-

1 mittee and the technology employed by the committee for
2 remote participation, the chair of the committee, in con-
3 sultation with the ranking minority member, shall deter-
4 mine how to proceed in a manner consistent, to the max-
5 imum extent practicable, with the rules of the House and
6 the committee.

7 (c) APPLICATION TO SELECT COMMITTEES AND SUB-
8 COMMITTEES.—For purposes of this section, the term
9 “committee” or “committees” includes a select committee
10 and a subcommittee.

11 **SEC. 5. STUDY OF USE OF TECHNOLOGY TO FACILITATE**
12 **ABILITY OF MEMBERS TO WORK REMOTELY.**

13 (a) STUDY.—The Committee on House Administra-
14 tion, in consultation with the Committee on Rules and the
15 Clerk, shall study the feasibility of using technology to fa-
16 cilitate the remote participation of Members in the House
17 of Representatives who are unable to physically attend the
18 proceedings of the House of Representatives due to ex-
19 traordinary circumstances such as a pandemic emergency.
20 Such study shall include an assessment of the security and
21 usability of such technology, an assessment of remote com-
22 mittee proceedings held pursuant to section 4 of this reso-
23 lution, and an evaluation of remote legislative proceedings
24 held at the State or international level.

1 (b) PUBLIC AVAILABILITY.—The chair of the Com-
2 mittee on House Administration, in consultation with the
3 ranking minority member, shall make the results of the
4 study publicly available on the Committee website.

5 **SEC. 6. REGULATIONS.**

6 To the greatest extent practicable, sections 1, 2, and
7 3 of this resolution shall be carried out in accordance with
8 regulations submitted for printing in the Congressional
9 Record by the chair of the Committee on Rules.