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 PROXY DURING PANDEMIC EMERGENCY.

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

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

(b) LENGTH OF COVERED PERIOD.—

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

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

(3) EARLY TERMINATION.—If, during a covered
period, the Speaker receives further notification by
the Sergeant-at-Arms, in consultation with the Attending Physician, that the pandemic emergency is no longer in effect, the Speaker or the Speaker’s designee shall terminate the covered period.

SEC. 2. PROCESS FOR DESIGNATION OF PROXIES.

(a) In General.—

(1) Designation by signed letter.—In order for a Member to designate another Member as a proxy for purposes of section 1, the Member shall submit to the Clerk a signed letter (including in electronic form) specifying by name the Member who is designated for such purposes.

(2) Alteration or revocation of designation.—

(A) In general.—At any time after submitting a letter to designate a proxy under paragraph (1), a Member may submit to the Clerk a signed letter (including in electronic form) altering or revoking the designation.

(B) Automatic revocation upon casting of vote or recording of presence.—If during a covered period described in section 1, a Member who has designated another Member as a proxy under this section casts the Member’s own vote or records the Member’s
own presence in the House, the Member shall be considered to have revoked the designation of any proxy under this subsection with respect to such covered period.

(3) Notification.—Upon receipt of a letter submitted by a Member pursuant to paragraphs (1) or (2), the Clerk shall notify the Speaker, the Majority Leader, the Minority Leader, and the other Member or Members involved of the authorization, alteration, or revocation.

(b) Maintenance and Availability of List of Designations.—The Clerk shall maintain an updated list of the designations, alterations, and revocations submitted or in effect under subsection (a), and shall make such list publicly available in electronic form and available during any vote conducted pursuant to section 3.

SEC. 3. PROCESS FOR VOTING DURING COVERED PERIODS.

(a) Recorded Votes Ordered.—

(1) In General.—Notwithstanding clause 6 of rule I, during a covered period under section 1, the yeas and nays shall be considered as ordered on any vote on which a recorded vote or the yeas and nays are requested, or which is objected to under clause 6 of rule XX.
(2) Indications of Proxy Status.—A Member who casts a vote or records a presence as a designated proxy for another Member under this resolution—

(A) in the case of a vote by electronic device, shall do so by ballot card, indicating on the ballot card that such vote is “by proxy”; or

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

(b) Determination of Quorum.—Any Member whose vote is cast or whose presence is recorded by a designated proxy under this resolution shall be counted for the purpose of establishing a quorum under the rules of the House.

c) Instructions From Member Authorizing Proxy.—

(1) Receiving instructions.—Prior to casting the vote or recording the presence of another Member as a designated proxy under this resolution, the Member shall obtain an exact instruction from the other Member with respect to such vote or quorum call, in accordance with the regulations referred to in section 6.
(2) FOLLOWING INSTRUCTIONS.—A Member casting the vote or recording the presence of another Member as a designated proxy under this resolution shall cast such vote or record such presence pursuant to the exact instruction received from the other Member under paragraph (1).

(d) LIMITATIONS.—

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

(A) any vote related to a measure designated by the Speaker or the Speaker’s designee, in consultation with the Minority Leader or the Minority Leader’s designee, as a response to the COVID–19 pandemic;

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

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

(D) a quorum call.

(2) NO APPEAL OF DETERMINATION.—A determination by the Chair under paragraph (1) shall not be subject to appeal.
SEC. 4. AUTHORIZING REMOTE PROCEEDINGS IN COMMITTEES.

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

(1) any committee may conduct proceedings remotely, and any proceedings conducted remotely shall be considered as official proceedings for all purposes in the House;

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

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

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

(5) witnesses may appear remotely, and any committee or chair thereof empowered to authorize and issue subpoenas may authorize and issue subpoenas for return at a hearing or deposition conducted remotely.

(b) RESOLUTION OF CONFLICTS.—In the event of any conflict between the rules of the House or the com-
mittee and the technology employed by the committee for remote participation, the chair of the committee, in consultation with the ranking minority member, shall determine how to proceed in a manner consistent, to the maximum extent practicable, with the rules of the House and the committee.

(c) Application to Select Committees and Subcommittees.—For purposes of this section, the term “committee” or “committees” includes a select committee and a subcommittee.

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

(a) Study.—The Committee on House Administration, in consultation with the Committee on Rules and the Clerk, shall study the feasibility of using technology to facilitate the remote participation of Members in the House of Representatives who are unable to physically attend the proceedings of the House of Representatives due to extraordinary circumstances such as a pandemic emergency. Such study shall include an assessment of the security and usability of such technology, an assessment of remote committee proceedings held pursuant to section 4 of this resolution, and an evaluation of remote legislative proceedings held at the State or international level.
(b) **PUBLIC AVAILABILITY.**—The chair of the Committee on House Administration, in consultation with the ranking minority member, shall make the results of the study publicly available on the Committee website.

**SEC. 6. REGULATIONS.**

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