

# **Legislating in the House of Representatives During Coronavirus: Questions & Answers on Remote Voting & Virtual Committee Proceedings**

## **What is the Democratic Majority proposing?**

House Democrats are proposing temporary changes to allow for remote voting on the House Floor and virtual committee proceedings during the coronavirus pandemic. The changes would enable Congress to continue legislating by:

- Allowing remote committee hearings
- Allowing remote committee markups
- Allowing for remote voting by proxy on the House Floor
- Providing for remote voting through technology during the pandemic after a system is developed & certified

The temporary changes would allow Members to vote remotely on the House Floor and enable committees to engage in fully virtual hearings and markups in order to conduct essential oversight and advance legislation as our nation confronts the health and economic crises posed by the COVID-19 pandemic. These changes are temporary and can only be used during this coronavirus pandemic.

## **Has this worked anywhere else in the world?**

Yes. Legislators around the world have successfully implemented remote procedures and have continued to operate effectively during this pandemic. So far, [countries like Brazil, Canada, Chile and the United Kingdom](#) are using technology to legislate remotely. In addition, state legislatures in Arizona, California, Connecticut, New Hampshire, Pennsylvania, Oklahoma, Massachusetts, Oregon, New Jersey, Rhode Island, South Dakota, and Utah have moved to allow [remote voting](#)

Lastly, the Supreme Court, one of the oldest institutions in the United States, [has begun hearing oral arguments](#) by way of teleconferences.

## **What would remote Committee work look like, and how do we know it's possible?**

Under the temporary changes proposed by House Democrats, committees would be allowed to hold virtual hearings, markups, and depositions so Members can continue performing oversight, fact-finding, and preparing legislation for the House Floor.

Already, we have seen a number of committees hold virtual forums using videoconference technology. For example:

- The Veterans Affairs Committee held a full committee, bipartisan virtual forum on homelessness among veterans.
- The Small Business Committee held a full committee, bipartisan virtual forum on the implementation of the CARES Act.
- The Foreign Affairs Committee held a full committee, bipartisan virtual briefing on authoritarianism, disinformation, and good governance with former Secretary of State Madeleine Albright and other experts.
- The Education and Labor Committee held a full committee, bipartisan virtual Member forum on responding to the pandemic.
- The Homeland Security Committee has held seven virtual forums to hear from a range of experts, including former FEMA Administrator Craig Fugate and former Homeland Security Secretary Jeh Johnson.

- The Natural Resources Committee has livestreamed four forums on the coronavirus pandemic, including the impact on longstanding environmental and economic inequalities in our country and the federal response to coronavirus in the U.S. territories.

Allowing committees to hold hearings and mark-up bills will help ensure that legislation can move through regular order before being considered on the Floor.

### **What about the security concerns when it comes to technology?**

Cybersecurity concerns are ever-present with all online activities, and the House of Representatives has unique security concerns due to the institution's high profile. The proposed changes require committees to use software platforms approved by the Chief Administrative Officer (CAO) for remote participation. The CAO has a dedicated team of cybersecurity experts who have been testing videoconference technology. House Committees have also been testing these platforms along with support from CAO's technical and cybersecurity staff, and support staff from the video conferencing companies.

The proposed resolution also includes emergency recess powers for Committee Chairs in the unlikely event of a cyber disruption—or a technical failure—during a virtual hearing, so the committee could work through any problems that may occur and then proceed whenever they are resolved.

### **Why can't we do remote hearings now and worry about markups later?**

During this pandemic, it is important for committees to be able to fully operate and work on legislative product. Markups would require Members to sit for long hours in close proximity, making it nearly impossible to practice CDC social distancing guidelines, and requiring Member and Committee staff, press, Capitol Police, and non-partisan support staff to be physically present within the Capitol complex at a time when coronavirus cases are still rising in the National Capital Region.

This resolution would allow for committees to hold fully virtual markups; they can also use a hybrid approach, as some committees in the Senate have done, to allow some members to participate in person and others to participate virtually.

### **Is this the first time Congress is making changes like this?**

No, the House has a long history of adapting to technology. Notably, in the 1970s, the House of Representatives acted on a bipartisan basis and passed a major [reform bill](#) allowing Floor debates to be broadcast on television and radio. As part of this package, the House also agreed to develop an electronic voting system, which was used for the first time on January 23, 1973.

### **Are these changes permanent?**

No. This resolution authorizes the Speaker, in consultation with the Minority Leader, to temporarily implement remote committee proceedings and remote voting in the House when she has been notified by the Sergeant-at-Arms, in consultation with the Attending Physician, of a public health emergency due to the coronavirus. The authority lasts for 45 days and can be extended or renewed if the public health emergency persists or there is a resurgence.