



Congressional Voting: Proxy Voting vs. Remote Voting

Overview

As the novel coronavirus (COVID-19) continues to spread in the United States, both the House of Representatives and the Senate have passed essential economic relief bills. Recently, many Members of Congress have proposed different measures to vote on legislation without all Members being physically present in the Capitol in order to prevent the spread of the coronavirus. Two of the most popular methods are proxy voting and remote voting.

Currently, the four forms of voting in the House of Representatives include: voice vote, division vote, yea or nay (roll call) vote, and recorded vote. Specifically, the House rules for voting state “every Member shall be present within the Hall of the House during its sittings, unless excused or necessarily prevented.” According to these rules, if a majority of the Members are not present, the House can currently only pass laws and resolutions remotely over a roll call vote. The three methods of voting in the Senate include: roll call vote, voice vote, and division vote. This basic will explore how Congress is trying to find a temporary and safe solution to voting during the current pandemic and explain the differences between proxy voting and remote voting.

Proxy Voting

Proxy voting allows Members of Congress to cast votes on behalf of those who cannot be there in person. In late April, the Democratic led House Rules Committee released a remote voting-by-proxy resolution to plan for future votes that may be affected by the coronavirus. Many Republicans opposed this plan because the minority was not consulted when writing it, it would limit Members’ input in the legislative process, and it would undercut congressional tradition. Ultimately, the resolution failed, and many Members returned to the Capitol on May 15th to vote in-person.

On May 15th, the House passed a \$3 trillion pandemic relief package that includes a resolution to allow Members to vote by proxy during the pandemic and allow for official committee proceedings to be conducted remotely. This plan will only last 45 days before it can be renewed and will not extend past the 116th Congress. In this plan, proxy voting would begin when the sergeant-at-arms and the attending physician notify Speaker Pelosi that a public health emergency due to coronavirus is in effect. In order to vote remotely, absent lawmakers will electronically send a letter to the House clerk to designate a colleague to vote on matters on their behalf and would instruct them how to vote on each question on the floor. According to this plan, a Member is limited to serving as a designated proxy for a maximum of 10 Members. Additionally, House committees could hold virtual hearings, markups, and dispositions using approved software platforms or in a hearing room with some lawmakers on-site and others participating remotely.

In order to safely conduct proxy voting and hold virtual hearings, the Rules Committee and the Administration Committee will develop necessary regulations and examine how to use secure technology. Democrats included many Republican proposals in the revised proxy voting and committee action resolution such as barring committees from conducting secret or executive sessions remotely, due to concerns about security.

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In order to meet our challenges we need to put aside the partisan bickering that has gridlocked Washington and come together to find common sense solutions.

For more information, please visit www.center-forward.org

Remote Voting

Many Members have proposed remote voting during the coronavirus pandemic. Some lawmakers argue that remote voting would keep Members safe by adhering to social distancing guidelines and allow for continued committee work, while other lawmakers argue that there are constitutional, technological, and security concerns. Currently, Reps. McCarthy and Hoyer are leading a bipartisan task force with top lawmakers on the Rules and Administration Committees to study remote voting options. The House's vote on May 15 also paved the way for House Members to cast votes remotely using technology in the future, but only after a feasibility study is conducted to ensure a system could operate securely.

In a Washington Post op-ed, Senators Dirk Durbin and Rob Portman discussed their bipartisan resolution that would grant McConnell and Senate Minority Leader Schumer joint authority to declare the need for a 30-day period of remote voting during a national crisis. The Senate would have to vote to renew remote voting after every 30-day period afterwards.

Conclusion

Deciding whether to vote in person, remotely, or by proxy has been a contentious issue in Congress during the past two months. Many Members believe that the House of Representatives' proxy voting plan is necessary to protect their health and safety and to also prepare for a possible resurgence of the coronavirus in the fall. While both remote and proxy voting cannot make up for the in-person committee hearings and deliberations on the House and Senate floors, some sort of a voting plan must be enacted so that Members can safely continue their jobs during this crisis.

Links to Other Resources

- Congressional Research Service – [House Voting Procedures: Forms and Requirements](#)
- The Hill – [House Republicans push back against proxy voting](#)
- House Committee on Rules – [Dear Colleague: Resolution to Implement Temporary Remote Voting and Virtual Committee Proceedings During Coronavirus Pandemic](#)
- Roll Call – [House Democrats ready proxy voting rules change](#)
- Roll Call – [House to vote Friday on coronavirus relief, proxy voting rule](#)
- U.S. House of Representatives Rules – [Rule III](#)
- U.S. House of Representatives Rules Democrats – [H. Res.](#)
- U.S. Senate – [Yea or Nay? Voting in the Senate](#)
- Washington Post – [Senators must be allowed to vote remotely during a crisis like this one](#)
- The New York Times – [House Democrats Retreat on Remote Voting as Republicans Clamor to Reopen](#)
- The New York Times – [House Passes \\$3 Trillion Relief Bill Seen as Democrat's Opening Bid](#)