

## insights

TYPES NOT MAPPED YET May 04, 2020 | TTR not mapped yet | Christopher T. Murray

# Proxy Voting

**Proxy Voting: When an absent member of Congress authorizes a present member to vote on his or her behalf.**

### Sit Down You're Rocking The Vote

Congress has unique (and often arcane) rules and procedures for its operations, and voting is no exception. In both chambers, final floor votes on legislation require the member to be physically present in order to vote.

On the Senate floor, there are [three ways](#) to vote: by voice vote; by division vote, which records the individual yeas and nays of the voice vote; or by roll call. In a roll call vote, the main requirement is the clerk must understand what the Senator is trying to communicate. A few senators have developed their own particular flair in how they communicate their vote to the clerk. On the [House](#) floor, members can similarly vote by voice vote or recorded vote. Representatives cast recorded votes via electronic voting cards, which have been used since 1973.

### Lean On Me

For certain types of congressional business, in-person voting is not required, and members can vote by proxy. Voting by proxy allows one member to specifically designate another member to cast a vote on their behalf.

In the Senate, committees generally [allow](#) proxy voting. When the committee votes to report a measure or nomination to the full Senate, however, proxies may not be used to determine whether a quorum is present. The House is far more [restrictive](#) and only allows proxy voting in limited circumstances. These limitations came into effect under then-Speaker Gingrich in 1995. Prior to that time, voting by proxy was allowed for certain committee business.

### Don't Stand So Close To Me

As COVID-19 continues to upend almost every conceivable form of human activity, the legislative process itself and Congress's predilection for in-person business has come into question. On the night before passage of the \$2.2 trillion [CARES Act](#) in late March, House members rushed back to Washington because a single member threatened to block unanimous consent and ask for a recorded vote.

In the House, the centrist [New Democratic Coalition](#) urged leadership to vote on a [resolution](#) that would allow for proxy voting and virtual committee proceedings. Speaker Pelosi initially [declined](#) to vote on the measure due to push-back from Republicans, choosing instead to set up a bipartisan task force to study the issue further. But she has since suggested that the House will consider changes to the rules when they are back in session.

There are emerging signs of additional flexibility in the Senate as well. Last week, the Senate Homeland Security Committee held a [roundtable](#) to collect input from experts on changing Senate rules to allow for more flexible voting processes, including a secure, encrypted, and verifiable remote voting option.



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