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House Passes “HEROES Act”, Remote Voting Resolution

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Today, the U.S. House of Representatives passed the Health and Economic Recovery Omnibus Emergency Solutions Act ([H.R. 6800](#)), or the “HEROES Act,” by a vote of 208-199. The HEROES Act was introduced earlier this week by House Democratic Leadership in an effort to start negotiations on the next relief effort to the COVID-19 pandemic. The HEROES Act is primarily intended as a statement of priorities for House Democrats in upcoming negotiations with the Senate and the White House on the next iteration of COVID-19 relief legislation. The Republican-led Senate is not expected to consider the bill.

In a separate vote, the House also passed a resolution ([H.Res. 965](#)) authorizing proxy voting and remote Committee work, which will enable the House of Representatives to continue conducting business while Members of Congress are away from Washington during the COVID-19 pandemic. The resolution, which does not require action by the Senate or the President, goes into effect immediately.

HEROES Act

Overview

The HEROES Act would greatly expand funding provided under the [Coronavirus Aid, Relief, and Economic Security \(CARES\) Act](#) and the [Paycheck Protection Program and Healthcare Enhancement Act](#). The 1,815-page legislation would provide over \$3 trillion in federal relief and institute new programs to combat COVID-19. These provisions represent an array of policies that are primarily focused on providing direct relief for state and local government, taxpayers, and frontline workers. Unlike the previous two legislative packages approved by Congress, no funding is included for the Paycheck Protection Program (PPP) that provides forgivable loans based on meeting certain criteria, to small businesses. It is also worth noting that the HEROES Act does not include any economy-wide stimulus or infrastructure provisions that were the subject of discussion during previous rounds of negotiation.

Legislative text for the HEROES Act can be found [here](#). For a one page summary of the draft bill provided by the House Appropriations Committee on May 12, click [here](#). A comprehensive section by section summary of the draft bill provided by various House Committees on May 12 can be found [here](#). For more information on prior COVID-19 relief bills enacted by Congress, please click [here](#).

Key Provisions in the HEROES Act

A non-exhaustive list of key provisions in the measure includes:

State and Local Government Relief

- Approximately \$1 trillion for state, local, and tribal governments, including:
 - \$500 billion for states
 - \$375 billion for local governments
 - \$20 billion for territories
 - \$20 billion for tribes
 - \$35 million for oversight by the Inspector General of the Department of the Treasury
 - \$755 million for the District of Columbia
- \$3.6 billion for grants to States for contingency planning, preparation, and resilience of Federal elections

Relief for Taxpayers and Workers

- Authorizes a second round of direct payments to taxpayers amounting to \$1,200 per person
- Provides \$10 billion for the Supplemental Nutrition Assistance Program (SNAP)

- Provides \$75 billion to states, territories, and tribes to provide direct assistance to homeowners for mortgage payments, property taxes, property insurance, utilities, and other housing-related costs
- Establishes a \$200 billion "Heroes' Fund" to ensure hazard pay for essential workers
- Requires that the Occupational Safety and Health Administration (OSHA) issue standards to require workplaces to develop and implement infection control plans consistent with CDC expertise and prevent retaliation against workers who report infection control problems

Healthcare

- Requires the Secretary of Health and Human Services (HHS) to update the COVID-19 strategic testing plan required under the Paycheck Protection Program (PPP) and Health Care Enhancement Act
- Requires the Centers for Disease Control (CDC) to lead and implement a national COVID-19 testing and contact tracing initiative

Energy

- Provides \$1.5 billion of additional funding for the Low Income Home Energy Assistance Program (LIHEAP)
- Requires states and utilities receiving federal emergency funding to adopt measures or continue to operate under policies that would prevent shutting off utilities
- Restricts debt collectors from disconnecting or terminating a utility service, including electricity, natural gas, telecommunications or broadband, water, or sewer for nonpayment and prevents debt collectors from threatening to take actions to disconnect access as a result of nonpayment

State of Play and Next Steps

Senate Republican Leadership has publicly stated that they will not consider the HEROES Act, as passed by the House today. As of the completion of this report, Senate Republicans and the White House have indicated that they will refrain from participating in formal negotiations on the next stage of COVID-19 relief in order to have time to evaluate the impact of funding under previous legislative packages ([CARES](#) and [CARES 1.5](#)). While Senate Leadership has not released their priorities, Senate Majority Leader Mitch McConnell stated that he will seek to include liability protections for businesses that choose to reopen in any future COVID-19-related legislation.

As Congressional Leaders and the White House focus on crafting the next relief bill, an economy-wide stimulus measure, should one emerge, is now likely to be a separate measure and unlikely to be considered before mid-to-late summer. With Congressional Republicans and the White House reluctant to commit to additional spending, the timeline for any stimulus bill is heavily dependent on the impact of these intermediate relief packages and the state of the economy. As we move later into the summer, 2020 elections may also influence the prospects for stimulus legislation.

Proxy Vote Resolution

In a separate vote, the House also passed H.Res 965, a resolution that allows for remote voting on the House floor as well as remote proceedings within House committees, by a vote of 217-189. This resolution is effective immediately upon passage. Members of the House of Representatives may designate another Member of the House as a proxy by submitting a signed letter to the Clerk. Any Member of the House whose vote is cast or whose presence is recorded by proxy will count towards determining whether there is a quorum to conduct business in the House. Representatives voting on behalf of other Members by proxy are required to follow exact instructions regarding votes.

Under this change in the House Rules, a Member of the House can serve as a proxy for up to ten House Members at a time. The resolution also allows for House committees to conduct business remotely. Committee Members who participate remotely will count for the purposes of determining a quorum to conduct committee business and will be allowed to cast their votes or record their presence remotely. Witnesses at committee hearings may also appear remotely. However, the resolution prohibits committees from conducting closed or executive sessions remotely.

The procedures outlined in the resolution would terminate within 45 days of notice by the Speaker of the House of Representatives. Should the need arise, the new rules may be extended by an additional 45 days if the public health emergency remains in effect. The Speaker may also terminate the 45-day period early at the advice of the House Sergeant-at-Arms and Attending Physician.

After initially engaging in negotiations on the details of remote voting with Democratic leadership, House Republicans ultimately opposed the final resolution, suggesting that House business could be conducted in person while following social distancing guidelines, and maintaining that the measure does not reflect bipartisan agreement on the matter. Democrats believe that remote voting will allow the House to effectively conduct its business without putting Members and staff at risk.

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