

Congress of the United States

Washington, DC 20515

March 26, 2025

The Honorable Mike Johnson
Speaker
H-232, The Capitol
Washington, D.C. 20515

Speaker Johnson:

We are writing to bring to your attention an alleged violation of the rules of the House of Representatives by Members of the Republican Conference related to the casting of record votes, and to inquire as to any steps you are taking to address the issue. We thank you in advance for your attention to this matter.

First, we want to begin by reiterating that proxy voting is against the rules of the House of Representatives. You are aware of this fact as it was you, and your predecessor, who refused to work with Democrats – and even some Republicans – to establish remote voting by proxy procedures either during this Congress or the last. After the previous Democratic Majority proved that the House could utilize remote voting by proxy as a safe and effective tool to operate the institution during the COVID-19 global health crisis, it was our hope that the Republican Majority would take the lessons learned, work with us, and perhaps apply some limited remote voting procedures in some form during their control of the House. One new proposal which has been stonewalled by Republican leadership, despite being co-led by a Republican Member, would allow limited remote voting by proxy for Members who are new parents. Disappointingly, Republican leadership has refused to work with Democrats or Republicans on this issue. As such, proxy voting in any form remains against House rules. Period. We begin with this background to illustrate our frustration, and the hypocrisy of the incident described below.

On February 7, 2025, Representative Byron Donalds (R-FL) was recorded as voting on roll call votes 34 and 35 regarding H.R. 26, the Protecting American Energy Production Act. However, there is clear and convincing evidence to support the allegation that Mr. Donalds was in fact not present in the House to take these votes, but rather was on the other side of the country in Los Angeles to tape an episode of a political talk show.¹ According to reports, Representative Kat Cammack (R-FL) conspired to facilitate Mr. Donalds' fraud, using his voting card to register his votes despite his being roughly 2,600 miles from the House Chamber.²

As explained, proxy voting is currently against House rules. A Member absent from the Chamber may not have a present Member cast their vote for them. Known as “absentee” or “ghost” voting, this practice is a violation of clause 2 of rule III and is strictly prohibited. This rule was adopted in 1981, a few years after the House adopted electronic voting.³ Even before this addition, however, ghost voting was considered “unethical.”⁴ For your edification, we have enclosed the pertinent language from the rules of the House.

Ironically, we are only aware of Mr. Donalds' alleged fraudulent votes because it appears Ms. Cammack voted incorrectly for him, casting his vote in favor of the *Democratic* motion to recommit, thus garnering

¹<https://www.hbo.com/real-time-with-bill-maher/season-23/4-february-7-2025-chris-hayes-rep-byron-donalds-tara-palmeri>; @Byron Donalds posted Feb. 7, 2025: “Pre-Show at @HBO @RealTimers” https://x.com/byrondonalds/status/188807181663746465?s=51&t=1kWw3rpD_INEk0Px3jR-bg.

² https://x.com/bresreports/status/1889452292375519622?s=51&t=1kWw3rpD_INEk0Px3jR-bg.

³ H. Res. 5, Jan. 5, 1981.

⁴ Cannon's Precedents, VII, Sec. 1014; Congressional Record Dec. 18, 1987, p. 36274.

suspicion into the circumstances surrounding his vote. These members not only conspired to break the rules of the House – they did so incompetently.

This is an important fact as it begs the question, how many other times have Mr. Donalds, or any other Republican Members, had other Members vote for them in their absence? Republicans currently hold the slimmest majority in a century. Members breaking the rules so egregiously by having other Members vote for them when they are thousands of miles from the Capitol is not simply an innocuous faux pas. It has real implications that could affect the outcome of votes in the House.

As mentioned above, if the Republican Majority wishes to establish procedures to allow Members to vote by proxy that is their prerogative. But it has not, and the current rules strictly prohibit it. Democrats support efforts to modernize the House of Representatives, including in some cases facilitating secure and accurate remote voting by proxy – though perhaps not to allow Members to jet off to Hollywood to sit for interviews instead of voting.

We understand that your personal record on proxy voting as a Member has admittedly been convoluted. As you know, you were once a plaintiff on a lawsuit calling the COVID-era proxy voting procedures unconstitutional and seeking to have a court prevent its use, but you then subsequently removed yourself from that lawsuit, and then proceeded to vote 39 times by proxy yourself.⁵ It was our hope that now as Speaker, you would address this incident with the seriousness and care for the institution bestowed on you by the constitutional office you hold. However, to date, it seems that hope was misplaced, and your silence on this incident has been disappointing.

This is not a partisan political issue; this is about the integrity of votes in the House of Representatives and there is precedent to hold Members accountable for engaging in this kind of behavior. In 1987, a Democratic House Majority passed a resolution by an overwhelming bipartisan vote to reprimand a Democratic Member for engaging in the exact same conduct Mr. Donalds and Ms. Cammack have been accused of.⁶

What makes the actions of these Members more insulting to the other Members of this body is that just a few weeks ago, Representative Brittany Pettersen (D-CO), despite recently giving birth, arrived in Washington, D.C., with her newborn son, to cast her vote against the harmful Republican budget resolution that seeks to cut Medicaid to give billionaires a tax cut. Ms. Pettersen showed the courage to show up to do her job under difficult circumstances. She made a choice to follow the rules. It is a shame that Mr. Donalds felt he was privileged enough to make a different choice.

Given the seriousness of this violation and questions about the integrity of House vote totals, your delay in addressing actions by Members of your own conference is unacceptable. It has been over a month since this incident took place without any action — or even a statement from you. However, we know you are able to act quickly on matters of Member discipline; it took you less than 36 hours to censure a Democratic Member for breach of decorum. Therefore, we are writing to you to seek clarification on the following questions, and ask for your swift reply:

⁵ Roll Call Vote numbers 407–417, 451–454, 513–517 and 531–549 (117th Congress, 2nd Session).

⁶ Deschler-Brown Precedents, Ch. 30 Sec. 3, pg. 11462.

- Do you support Mr. Donalds and Ms. Cammack violating House rules to vote by proxy?
- If you do not support these Members' actions, what do you plan to do, if anything, to admonish their behavior and discourage future such incidents?
- Are you aware of any other incidents involving fraudulent Republican votes in the House?
- To your knowledge, have any votes in the House been decided by fraudulent votes in violation of clause 2 of rule III?

Once again, thank you for your attention to this matter, and we await your reply.

Sincerely,



James P. McGovern
Member of Congress
Ranking Member, Committee on
Rules



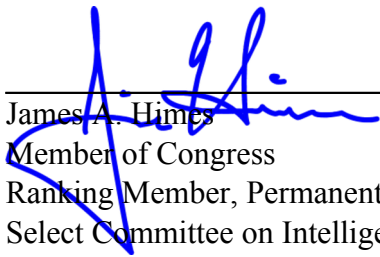
Brendan F. Boyle
Member of Congress
Ranking Member, Committee on
the Budget



Gerald E. Connolly
Member of Congress
Ranking Member, Committee on
Oversight and Government
Reform



Rosa L. DeLauro
Member of Congress
Ranking Member, Committee on
Appropriations



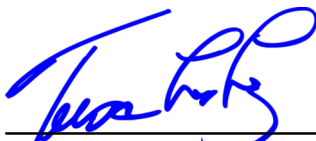
James A. Himes
Member of Congress
Ranking Member, Permanent
Select Committee on Intelligence



Jared Huffman
Member of Congress
Ranking Member, Committee on
Natural Resources



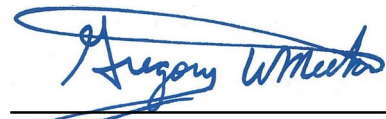
Rick Larsen
Member of Congress
Ranking Member, Committee on
Transportation and Infrastructure



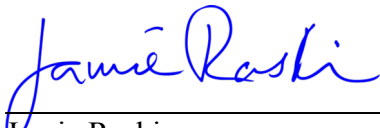
Teresa Leger Fernandez
Member of Congress
Member, Committee on Rules



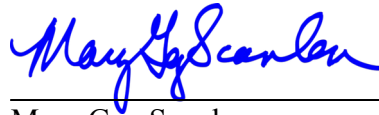
Zoe Lofgren
Member of Congress
Ranking Member, Committee on
Science, Space, and Technology



Gregory W. Meeks
Member of Congress
Ranking Member, Committee on
Foreign Affairs



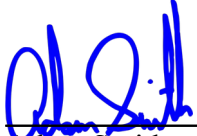
Jamie Raskin
Member of Congress
Ranking Member, Committee on
the Judiciary



Mary Gay Scanlon
Member of Congress
Member, Committee on Rules



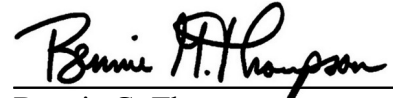
Robert C. "Bobby" Scott
Member of Congress
Ranking Member, Committee on
Education and Workforce



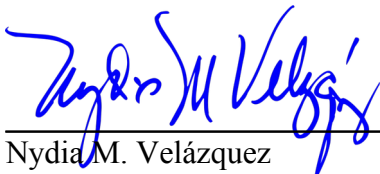
Adam Smith
Member of Congress
Ranking Member, Committee on
Armed Services



Mark Takano
Member of Congress
Ranking Member, Committee on
Veterans' Affairs



Bennie G. Thompson
Member of Congress
Ranking Member, Committee on
Homeland Security



Nydia M. Velázquez
Member of Congress
Ranking Member, Committee on
Small Business



Maxine Waters
Member of Congress
Ranking Member, Committee on
Financial Services