

Modernizing the House of Representatives

Adaptations during the pandemic

Abstract

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On May 13th, 2020 the Honorable House of Representatives of the Argentine Nation (HCDN, by its Spanish acronym) held its first remote session ever. The approval of protocols for its remote operation was a milestone. The main actors of the political ecosystem —legislators, political leaders, House authorities, and technical teams— overcame pre-existing differences and agreed on how to legislate during the mandatory and preventive lockdown, between March and November 2020. They agreed that the Congress should actively participate in public policy making and monitoring during the health emergency.

Since then, 18 hybrid sessions have been held and 1787 bills, 1853 draft resolutions, and 966 draft declarations have been introduced by e-mail. During the 138th session, which lasted from March 1st, 2020 to February 28th, 2021, 70 bills were passed. To this end, an IT system was developed to introduce bills and to sign committee reports remotely with digital signature (Parliamentary Document Management System, GPD, by its Spanish acronym), as well as a digital platform to hold sessions, committee meetings, and voting on a remote basis. Recognition technology based on biometric data was also introduced to identify representatives.

In this document we analyze the process of technology adoption and implementation, on the basis of the legitimacy, integrity, accessibility, and transparency of the legislative process, as well as its impact on the lawmaking, scrutiny, and representation tasks. The introduction of technology in the HCDN may offer an opportunity to rethink legislative work from a comprehensive viewpoint and to pursue reforms to modernize its management. In the future, the key will be to preserve that which can improve and promote greater participation of Congress in public policy making and scrutiny, and to enhance its relationship with citizens.

To this end, we recommend publishing updated information regarding the use and operation of new work methodologies. We also suggest moving towards a consensus-based reform of the HCDN Rules in order to establish the circumstances under which remote work will be allowed. In case a hybrid methodology is maintained, we recommend integrating virtual with in-person participation in order to enhance the integrity of the whole process.

As regards accessibility, we recommend adopting a gender perspective in every aspect of digital transformation as well as evaluating the infrastructure and technological resources of users to guarantee access to the necessary equipment to work remotely. We also recommend incorporating an initial training process for new members after each election and continuous training for all users. Finally, promoting and escalating the use of tools such as the digital signature and the GPD will facilitate the traceability and agility of legislative formalities, and reduce paper use.



The use of non-discriminatory language that does not reproduce sexist stereotypes and helps make all genders visible is a concern of the authors of this publication. Although English pronouns are mostly gender neutral, these stereotypes arise when using the masculine form by default or by associating certain social roles to a specific gender. In this publication three criteria were taken into account in order to make it more gender-inclusive: 1) use non-discriminatory language, 2) make gender visible when it is necessary for communication, and 3) do not make gender visible when it is not relevant.

Introduction

The COVID-19 pandemic posed a big dilemma to legislatures around the world: the need to become involved in the public policy making process without breaching the mandatory lockdown rules established in most countries to prevent the spread of the virus.

Parliaments around the world took different measures in response to this situation. While a minority continued to hold sittings as usual, others interrupted their sessions, reduced their operation to the bare minimum, or introduced remote work technology. For instance, the Mexican Congress suspended its session in mid-March 2020: the majority parties interpreted that the Constitution did not allow plenary sittings other than in-person. On April 1st, 2020 it went into recess, and resumed its in-person sessions on July 29th, in the form of a special sitting. In other cases, initial decisions were replaced by other solutions as time went by. Such was the case of Panama, where in-person sessions continued until April 11th, when a legislative reform allowed virtual sittings, which were initially authorized for a limited term. Finally, some parliaments decided to introduce technology at once. Such was the case of Brazil, where both Houses amended their rules to allow remote plenary sessions and committee meetings without limiting the agenda to the pandemic (Abdala, Scherlis, and Tchintian, 2020).

The decision on how to act depended on applicable law, political agreements, and technical capabilities. A survey of the official websites of 68 legislatures since the beginning of the pandemic revealed that more than half of parliaments implemented technology to hold committee meetings, plenary sittings, and/or to vote remotely.¹

The Honorable House of Representatives of the Argentine Nation (HCDN, by its Spanish acronym) held its first remote session on May 13th, 2020. Approving the protocols for the remote operation of the House was a milestone in the history of the country. The main actors of the political ecosystem —legislators, political leaders, House authorities, and technical teams— overcame their pre-existing differences and agreed on how they would legislate during the Mandatory and Preventive Lockdown (ASPO, by its Spanish acronym). They shared common concerns and understood that —after two months without plenary sessions— the Congress had to actively participate in public policy making and scrutiny during the public health emergency.

Once this first political challenge was addressed, the question was how to carry out the sessions. Much like the rest of the world, there were no rules or protocols providing for virtuality at the beginning of the pandemic in Argentina.

Problems of technical and political nature promptly arose as a result of the need to guarantee the integrity and legitimacy of the legislative process and to establish in which activities and for how long remote work would be allowed. The changes brought by virtual sessions included holding videoconference meetings, and also modifying the introduction of bills, signing methods, quorum mechanisms, and many other aspects of the management of legislative work. The possibility of working remotely entails a radical transformation for institutions whose traditions date back to the 19th century.

How did the Argentine House of Representative operate remotely? Which were the effects of introducing technology in parliamentary work? Have these changes affected the behavior of legislators or the logic of representation? Which of the reforms implemented during 2020 can or should be preserved after the pandemic? And if preserved, which goals should be pursued?

This document assesses the Argentine experience and its contributions to the generation of digital capabilities for legislative policy and parliamentary management. It discusses the main changes that were introduced and analyzes their results and interactions with

the main principles that must be followed in the different stages of the legislative process: legitimacy of the processes aimed at establishing the new methods of operation; integrity of the process as a whole; equal access to information, resources, and newly implemented mechanisms; and transparency and publicity of all actions taken. It also analyzes the effects of the digital adaptation of the House on the work of legislators and their legislation, scrutiny, and representation capacities.

To this end, four sources of information were used: (i) a collection of official data about legislative activity provided by the HCDN; (ii) data provided by the Directorate of Modernization of the House of Representatives on the remote operation of the House; (iii) two surveys conducted after the first virtual committee meeting² and the first remote plenary session³ respectively, about legislators' perceptions of the remote operation of the House⁴; and (iv) interviews with legislators, advisors, and technical teams of the House to further explore perceptions regarding the digital adaptation process and future challenges.

Finally, we put forward some recommendations to continue the modernization process at the House. The starting point is that, regardless of the context, the introduction of technology in parliaments is an opportunity to rethink how they are managed. This includes considering reforms to reduce paper use and to modernize their work, thus promoting more transparency, faster responses, and strengthening the relationship between representatives and citizens.

The world scenario in 2020: the reaction of parliaments in the wake of the pandemic

The decision on whether or not and how to continue working amidst a pandemic depended on applicable law, political agreements, and the technical capabilities of each parliament (Tchintian, Abdala, and Seira, 2020a). According to a review of the official websites of 68 legislatures carried out between March and October 24th, 2020, after the onset of the pandemic 36 parliaments implemented technology at some point in 2020 to hold committee meetings, 27 authorized virtual plenary sessions, and 24 allowed remote voting.⁵ Some legislatures adopted technology in only one of these three cases, and others in two or in all three of them.

2 Survey conducted from April 3rd to April 30th, 2020; 38 responses (21 men, 17 women). Average age: 52. Party composition: 21 responses from *Frente de Todos*, 15 from *Juntos por el Cambio*, and 2 from other parties.

3 Survey conducted from May 15th to June 3rd, 2020. For the survey conducted after the first sitting 78 responses were received, out of which 16 were given by representatives who were on the floor and 62 by representatives who were participating remotely. The percentage of responses given by representatives who were participating in-person (21%) and remotely is similar to the percentage of legislators who were on the floor (18% of the House) and those who were participating remotely. Out of the 78 responses, 61% were given by women; this figure exceeds the number of female legislators in the House, which presently accounts for 40% of House members. The 48 female legislators who responded account for 44% of all female legislators in the House, whereas the 30 male legislators who responded account for 20% of all male legislators. The average age was 52, similar to the average age of all House members, which is 51. As regards party composition, 36% (28) of responses were given by the multiparty group *Juntos por el Cambio*, whereas 59% (46) were given by *Frente de Todos*. The remaining 5% of responses (4) were given by other parties.

4 As regards the results of both surveys, it is worth noting that, over time, and with the technical adjustments and the iteration of virtual sessions and meetings, legislators may have changed their perception of remote legislative work.

5 The 36 parliaments that incorporated technology sometime in 2020 for committee meetings were those from Argentina, Bahrain, Belgium, Bolivia, Brazil, Canada, Cape Verde, Chile, Colombia, Croatia, Czech Republic, Denmark, Ecuador, El Salvador, European Parliament, France, Guatemala, Honduras, Italy, Jamaica, Luxembourg, Mexico, Moldova, New Zealand, Norway, Paraguay, Peru, Romania, South Africa, Spain, Switzerland, Tunisia, Ukraine, United Arab Emirates, United Kingdom, Uruguay. The 27 legislatures that incorporated technology sometime in 2020 for plenary sittings were those from Argentina, Belgium, Bolivia, Brazil, Canada, Chile, Colombia, Ecuador, Estonia, European Parliament, Finland, Honduras, Latvia, Luxembourg, Maldives, Mongolia, Panama, Paraguay, Peru, Poland, Romania, Spain, South Africa, Tanzania, Tunisia, United Arab Emirates, United Kingdom. The 24 legislatures that allowed remote voting sometime in 2020 were those from Argentina, Belgium, Bolivia, Brazil, Canada, Chile, Colombia, Ecuador, European Parliament, Honduras, Latvia, Luxembourg, Maldives, Mongolia, Panama, Paraguay, Peru, Poland, Romania, South Africa, Spain, Tanzania, Tunisia, United Kingdom. Finally, the legislatures that did not incorporate technology in any of the three activities during the surveyed period were those from Afghanistan, Andorra, Austria, Bulgaria, China, Costa Rica, Dominican Republic, Egypt, Gabon, Germany, Hungary, Indonesia, Ireland, Israel, Japan, Korea, Lithuania, Moldova, Myanmar, Nicaragua, Qatar, San Marino, Sierra Leone, Slovenia, Sweden.

This, however, is constantly changing. With the evolution of the COVID-19 outbreak and health restrictions, several countries modified the operation of their parliaments once again. While some went back to in-person work, others still work remotely: by November 2020, at least 22 parliaments were still holding remote committee meetings, 15 were holding remote sessions, and 10 were still using telematic voting.

In Latin America, 14 out of 18 national legislatures introduced technology to hold committee meetings, and 10 did so to hold plenary sessions and vote on bills. Brazil and Chile were among the first to introduce technology. In Brazil, the first virtual sitting of the Senate took place on March 20th, 2020. This was possible due to an amendment of the rules of both houses which authorized remote plenary sessions and committee meetings.

In Chile, a constitutional amendment was passed on March 24th establishing that in exceptional situations arising from public health concerns, and with the agreement of two thirds of the members of each house, the Congress could remain in full operation, with all its powers, through technological means, for one year.

Table 1 summarizes the situation in Latin America by August 2020, several months after the outbreak of the pandemic, a reasonable period of time to observe the modifications introduced by legislatures to adapt to the extraordinary context. With some exceptions, such as the Dominican Republic, almost all countries used remote work tools, either for committee meetings, plenary sessions, or voting.

Country	Committee Meetings	Sessions	Voting
Argentina	Virtual	Mixed	Mixed
Bolivia	Virtual	Mixed	Mixed
Brazil	Virtual	Virtual	Virtual
Chile	Mixed	Mixed	Mixed
Colombia	Mixed	Mixed	Mixed
Costa Rica	Remote work groups established to analyze bills	On-site. Limited sessions	On-site
Dominican Republic	On-site	On-site. Limited sessions	On-site
Ecuador	Virtual	Virtual	Virtual
El Salvador	Virtual	On-site	On-site
Guatemala	Virtual	On-site	On-site
Honduras	Virtual	Virtual	Virtual
Jamaica	Special Public Health Committee met virtually	On-site	On-site
Mexico	Virtual for the work groups of each committee	On-site. Limited sessions. Adjourned until July 29th	On-site
Nicaragua	On-site	On-site	On-site
Panama	On-site	Virtual. Attended by Board of Directors	Virtual
Paraguay	Virtual	Virtual. Attended by the Presidency	Virtual
Peru	On-site	Mixed, decentralized	On-site
Uruguay	On-site. Only a few virtual briefings	On-site. Limited sessions	On-site

Source: Abdala, Scherlis, and Tchintian (2020). Updated to August 8th, 2020.

In Argentina, the Congress approved virtual committee meetings and hybrid sessions that combined in-person and remote work. Since then, 18 sessions have been held⁶; and 1787 bills, 1853 draft resolutions, and 966 draft declarations have been introduced via e-mail by legislators.⁷

Legitimacy: the road to virtual Congress

The legitimacy of the processes through which new legislative work methods are established is a prerequisite to avoid objections concerning other values of the system, such as the integrity or transparency of processes. Consensus-based decisions and majority support are fundamental for gaining acceptance of the intended changes. The first decisions that had to be taken referred to which rules needed amendment, which stages of the legislative process would incorporate technology, which topics could be discussed virtually, and under which circumstances technology should be used.

In Argentina, the executive order that established the Mandatory and Preventive Lockdown as of March 20th, 2020 restricted the Congress' capacity to carry out its activities in the traditional way. Faced with this situation, the House of Representatives promoted several adaptations through presidential resolutions that released House staff from the duty to work in-person and authorized the introduction of digital tools in different activities of legislative work. These activities included committee briefings with ministers or secretaries of the Executive via videoconference⁸; and the introduction of bills, draft resolutions, and draft declarations related to the COVID-19 pandemic via e-mail, with digital signature.⁹

This innovation removed the need to introduce bills and drafts in-person, in paper format, via reception desks, which reduces paper use in the House and makes the legislative process more agile. Furthermore, it could make legislative work more federal since it can improve access to parliamentary information and offer legislators the possibility of introducing bills from anywhere in the country. The digital signature was available before 2020, but the new needs resulting from the pandemic made its use grow exponentially: according to data from the interviews with the technical teams of the House, while in 2019 only 4 legislators had digital signature, more than 250 legislators currently have it.

Between April 3rd and April 30th, 2020, before the protocol was approved and remote sessions and voting were implemented, a survey was conducted among legislators to explore their opinion about remote committee briefings. 38 responses were received. Although these opinions are not representative and may have changed over time, the assessment of these committee meetings by respondents was mostly positive. When asked about the efficiency of work, 16 respondents (42.11%) said it remained the same, while 6 respondents (15.79%) believed it had improved in comparison with in-person meetings.¹⁰ In response to the question about access to the required information for the discussion, 19 respondents (50%) did not observe any changes in comparison with in-person sittings, 8 respondents (21.05%) considered that virtuality improved access, and only 6 respondents (15.79%) thought that it made it worse.¹¹

In spite of this progress, holding sessions with social distancing was not easy. The Rules of the House of Representatives did not provide for virtuality as an alternative for legislative work. Although the Rules do allow sittings to take place outside the premises of the Congress for reasons of force majeure, the situations included in this exception and

6 Data updated to December 12th, 2020, the latest date for which there are data published on the website of the HCDN.

7 These data include information on bills introduced by legislators since the Congress began to operate remotely (May 13th, 2020) until February 28th, 2021, according to the bill search engine of the HCDN website, available at <https://www.hcdn.gob.ar/proyectos/index.html>

8 See Executive Resolution No. 0611/20 dated March 17th.

9 See Executive Resolution No. 0660/20 dated March 27th, available at: <https://www4.hcdn.gob.ar/gestion/dadministrativas/RP/2020/>

10 This question was worded as follows: "Do you believe that the following aspects: have improved, remain the same, or have worsened in comparison with on-site meetings?" [Work efficiency]

11 This question was worded as follows: "Do you believe that the following aspects: have improved, remain the same, or have worsened in comparison with on-site meetings?" [Access to information that is necessary for the discussion]

the possibility of working remotely are open to interpretation (section 14, Rules of the HCDN).¹² Consequently, the implementation of technology in the legislative process posed questions about its lawfulness and the decisions that had to be made.

The generation of a forum for debate and for searching consensus, as well as the formal approval of rules and tools to carry out legislative work boosted to a large extent the legitimacy of the measures taken to adapt the activities of the House. The Modernization Committee was created on an ad hoc and remote basis to assess the alternatives and design a protocol with rules for the operation of the House during the pandemic.¹³

The starting point and the main consensus was the need to guarantee that the House would continue to be in session during the pandemic. This was followed by an agreement on the form, that is to say, on the possibility of working remotely and on the activities of the legislative process that would incorporate technology to achieve this goal. Consequently, standing and special committees were authorized to meet remotely, and the holding of hybrid plenary sessions was allowed, through a digital platform of the HCDN that could identify participating members in order to constitute a quorum, debate, and vote.

Contrariwise, conflict arose regarding the topics that could be discussed virtually, the duration of the reform, and the circumstances under which the use of technology would be allowed. On this front, alternatives included establishing specific terms which could be extended, as in Chile, or continuing to work on a virtual basis for as long as the health emergency lasted, as in Brazil (Tchintian, Abdala, and Seira, 2020b). Even if it seemed far-fetched, some legislators were already considering the possibility of keeping some tools after the pandemic.

Eventually, a decision was made to limit the effectiveness of the protocol to the duration of the Mandatory and Preventive Lockdown in all or part of the national territory, and to allow agreement renewals every 30 days (item C of the protocol) by the Committee on the House's Legislative Agenda.¹⁴

As regards the matters that could be discussed in virtual sessions, the protocol established that bills on any matter could be introduced, thus removing the initial restriction to matters related to COVID-19 and taking a different path from the Senate.¹⁵ The only matter that could not be discussed remotely was a constitutional amendment.

Along these lines, the survey conducted after the first remote session of the HCDN included a question on the context in which legislators deemed it appropriate to use virtual platforms. The survey was conducted among all the House members who attended the first remote session of the HCDN on May 13th. Out of the 78 responses to this survey, 16 were given by members who were present in person, and 62 by members who participated remotely.

According to the results, 30 legislators (38.4%) believed that during the pandemic only matters related to the lockdown should be discussed, whereas 45 respondents (57.8%) deemed it correct to consider any matter virtually. Specifically, among the respondents from the opposition coalition *Juntos por el Cambio*, 7 out of the 28 respondents from this multiparty group (25%) stated that any matter should be considered in remote sittings, whereas this figure rose to 74% among respondents from the governing party, *Frente de Todos* (34 out of the 46 respondents from this party).

12 The current Rules of the House of Representatives establish, in Section 14, that "representatives may not hold sittings outside the House floor, save for reasons of force majeure".

13 Committee authorities as of February 9th, 2021 are as follows: Daniela Marina Vilar (chair), Danilo Adrián Flores (secretary), Flavia Morales (second secretary), Dolores Martínez (third secretary), Silvia Gabriela Lospennato (first vice-chair), and Graciela Camaño (second vice-chair).

14 <https://www4.hcdn.gob.ar/dependencias/dsecretaria/Periodo2020/BAT2020/PDF/1680-D-2020.pdf> and <http://www.saij.gob.ar/confirman-validez-prorroga-sesiones-remotas-camara-diputados-nacion-nv27511-2020-12-04/123456789-0abc-115-72ti-lps-sedadevon?&o=7&f=Total%7CFecha%7CEstado%20de%20Vigencia%5B5%2C1%5D%7CTema%5B5%2C1%5D%7COrganismo%5B5%2C1%5D%7CAutor%5B5%2C1%5D%7CJuridicci%F3n/Federal%7CTribunal%5B5%2C1%5D%7CPublicaci%F3n%5B5%2C1%5D%7CColec-ci%F3n%20tem%Etica%5B5%2C1%5D%7CTipo%20de%20Documento/Jurisprudencia&t=171921>

15 In the Senate, the protocol establishes that the matters that can be considered are only those related to or arising from the declaration of the state of exception due to the catastrophe or health situation prevailing in the country, and matters dealing with their effects.

Regarding the possibility of using some of these tools after the pandemic, 35 out of the 78 respondents reckoned that virtual platforms should be kept after the emergency. Out of these 35 responses, 26 were given by *Frente de Todos* (74.3%) and only 8 by *Juntos por el Cambio*. At the same time, 35 respondents asserted that only some tools should be kept or only under certain circumstances (13 responses correspond to *Juntos por el Cambio*, 17 to *Frente de Todos*, and 5 to other parties).

This situation replicated what happened in most of Latin America. Most congresses ended up including other items of the legislative agenda, voting, and passing laws on different matters in the context of the new work methodology. According to a survey conducted between August and July 2020 among 55 legislators from 9 Latin American countries (Argentina, Brazil, Chile, Colombia, Ecuador, Mexico, Paraguay, Peru, and Uruguay), 75.47% of respondents believed this decision was the most appropriate, while 15.9% of them considered that it would be better to restrict virtual sittings exclusively to matters related to the exceptional circumstances (Abdala, Scherlis, and Tchintian, 2020).

On April 29, 2020 the Protocol on Remote Parliamentary Operation was unanimously approved by the Modernization Committee and by the Committee on Powers, Petitions, and Rules of the House. On May 13th, 2020, during the first hybrid session of the HCDN, a resolution of the House approved the Protocol. On this occasion, out of the 250 members who participated either in-person or remotely, 248 voted affirmatively and only 2 voted negatively on the Protocol.¹⁶

Integrity: security in the legislative process

The incorporation of technology in legislative work should guarantee the integrity of the process as a whole. To this end, it is crucial to avoid external interference, that users' (in this case, legislators') identities are safeguarded, and that contingency plans are developed in case the tools in use fail.

In Argentina, two crucial measures were taken in order to protect the legislative process from external interference and to guarantee its integrity. Firstly, an identity verification system was created following an agreement with the National Registry of Persons (ReNaPer, by its Spanish acronym) and based on biometric data control: the application requires users to take three photographs of themselves, so that they can be identified and allowed access to the meetings or the voting module.¹⁷ The Automated Biometric Identification System (ABIS) establishes whether the photographed person coincides with who the allege to be, a crucial process at the time of voting (User's Manual for Remote Parliamentary Operation, 2020).

Secondly, an agreement was signed with ARSAT (Argentine Firm of Satellite Solutions) with the aim of ensuring security in the remote process by making assessments to rule out interferences in the system and by developing an encryption system.¹⁸ It was also established that data would be stored in two data centers, one belonging to the Congress and another one located at ARSAT (as part of a contingency plan), in order to guarantee the continuity of remote work in case of incidents.

The User's Manual for Remote Parliamentary Operation (2020) establishes the use of the following tools:

¹⁶ In order to respect distancing and health measures, a maximum of only 47 legislators was allowed to be present on the floor.

¹⁷ The agreement is available at <https://www4.hcdn.gob.ar/modernizacion/p-remoto/20201%20CONVENIO%20UNICO%20DE%20CON-FRONTA%20DE%20DATOS%20PERSONALES%20ENTRE%20EL%20RENAPER%20Y%20LA%20HCDN.PDF>

¹⁸ The agreement is available at <https://www4.hcdn.gob.ar/modernizacion/p-remoto/20202%20CONVENIO%20MARCO%20DE%20COLAB%20Y%20ASIST%20ENTRE%20HCDN%20Y%20ARSAT.PDF>

- **Virtual private network (VPN).** A VPN allows one or more devices to be connected to a private network through the Internet. All interactions, committee meetings, and virtual sessions are held through a VPN, using each legislator's user and password, a biometric check with ReNaPer, and password-protected access to the videoconference.
- **Parliamentary Document Management System (GPD, by its Spanish acronym).** This tool created by the House during the pandemic allows actors involved in parliamentary work (committee secretaries, legislators, etc.) to virtually manage and sign reports and other relevant documents.¹⁹ The system, which requires a VPN connection, allows improved traceability of documents by generating a log for each document in the platform, thus enhancing transparency.
- **Digital platform of the HCDN.** This platform identifies legislators and enables them to vote. The Webex platform also makes it possible to hold debates remotely.
- **Biometric review to verify identity.** This is done by taking three photographs of users: with a neutral face, with the face making a gesture as prompted by the system (smile, wink, or other), and with eyes closed. Credentials and passwords to join video conference meetings are provided through the application (link, ID, and password).

In addition to these technical measures, the use of two devices is recommended to join telematic sessions: a cell phone to enter the virtual session in order to establish a quorum and vote (this only requires having a mobile network), and a computer connected to the Internet to participate in the debate. Specifically, legislators must: (i) connect their selected electronic devices to the VPN network; (ii) log in to recinto.hcdn.gob.ar with their username and password; and (iii) carry out the instant biometric review required by the system and validated with the ReNaPer. Once these steps are completed, legislators can see their personal data, the agenda, access voting and the virtual floor on the platform. After connecting to the VPN, entering their network username and password and certifying their identity with the biometric data system of the ReNaPer, legislators can access the credentials to join the video conference meeting (link, ID, and password) (User's Manual for Remote Parliamentary Operation, 2020).

To determine the presence of a quorum, the attendance registration also requires participants to be present on the platform with their video camera turned on. To vote, the Protocol requires a new identity verification (by taking a new photograph) in order to verify the identity of the person casting the vote. The HCDN exclusive platform has a section with options to cast a negative or affirmative vote, or to abstain from voting. Those who are connected and establishing a quorum but did not vote through the system are called by the Speaker in order to cast a voice vote.

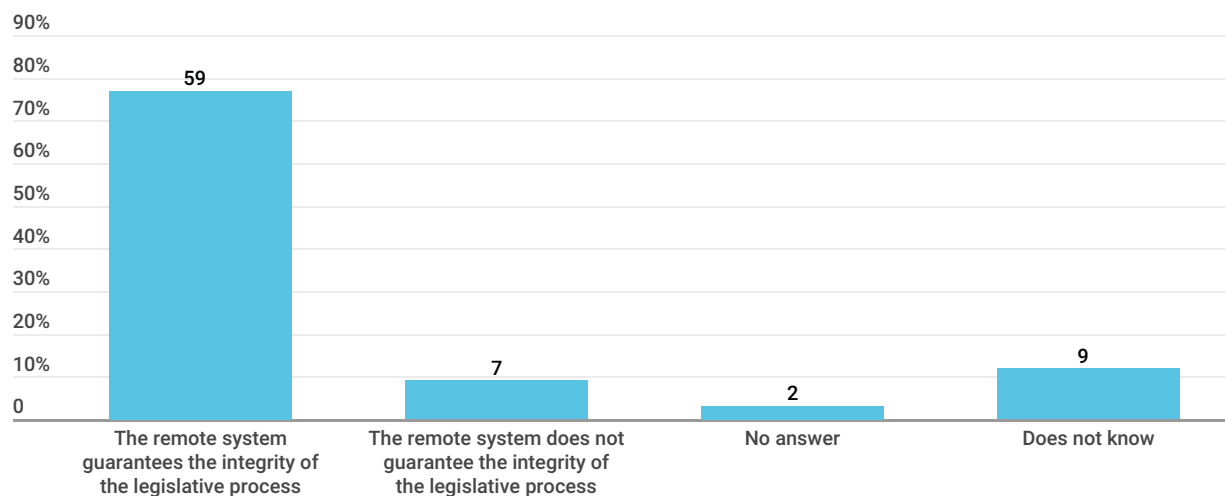
The week before May 13th, the date of the plenary session that approved the House's telematic operation protocol, a hybrid sitting was held to test the remote floor by delivering a training course on gender violence under *Ley Micaela* (Micaela Act No. 27,499). This exercise was a practice for legislators and allowed technical teams to identify difficulties and potential problems in the implementation.

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The system was developed by the House of Representatives, taking into account the peculiarities of the Argentine legislative process, and it is being implemented in stages. Training courses on the use of the GPD were delivered between June 8th and July 3rd, 2020.

FIGURE 1

Representatives' perception of the integrity of the process after the first remote session of the HCDN, May 13th, 2020.



Source: prepared by the authors based on the survey conducted among national representatives on May 15th, 2020. These responses were given to the following question: "Do you consider that the system guarantees the integrity of the legislative process?"

According to information provided by the Directorate of Modernization, one of the main problems concerned computer audio systems. Some participants wore headphones that produced feedback and this was solved through the integration with the House's audio system so that representatives could speak using the House's microphone instead of their own microphone. There was also a problem with the VPN capacity which was later solved. Finally, there were reports of potential hackings which led to reinforce the system's security. To this end, a requirement was introduced whereby representatives could only log in to the system by using their official e-mail addresses.

Legislators were asked about their perception of the integrity of the virtual legislative process. Out of all respondents, 76.6% stated that the mechanism guaranteed legislative integrity (**Figure 1**). Only seven legislators did not believe that the system guaranteed the integrity of the legislative process, six of which belong to the multiparty group *Juntos por el Cambio*. Nine other legislators said that they did not know whether the system guaranteed the integrity of the legislative process, eight of which belong to the same multiparty group.

Accessibility: equal access and usability

Changes in the operation of the House during the pandemic as a result of the incorporation of technology also had to ensure that the new tools respected the principle of equal access. That is to say, that legislators working remotely had access to all the information needed for their work, for activities in committees and during sessions.

To this end, the Directorate of Modernization of the HCDN designed a manual that describes the remote operation of the House. This manual includes images and step-by-step instructions to facilitate the installation and configuration of the VPN on different operating systems (macOS, Windows, iOS, and Android).

In addition, a series of training courses were delivered to legislators, legislative advisors, and technical teams on the use of the new digital tools. Their aim was to ensure that everyone involved understood how to use the system and to build confidence in the process as a whole.

According to information provided by the Directorate of Modernization of the HCDN, more than 240 legislators were trained to use the remote system during 12 meetings.

Each one included 28 voting simulations and about 22 hours of simulation exercises. Also, 30 training courses were delivered to representatives and advisors on how to use the Parliamentary Document Management System.

The HCDN also established a support service to answer inquiries on the spot.²⁰ According to data provided by the Directorate of Modernization the most frequent inquiries were: forgetting, changing, and regenerating passwords; problems setting up personal devices; connectivity problems in specific areas; issues taking the photographs requested by the biometric verification system; and requests for Tokens.

The results of the survey about the first remote session of the Honorable House of Representatives show that representatives seem to be satisfied with the accessibility and usability conditions of the tools implemented during the first virtual sitting. Only 15% (12 out of 78 respondents to the survey) indicated that they had experienced an inconvenience during the sitting. The 12 representatives who said they had experienced an inconvenience participated in the sitting remotely. The reported difficulties -mainly related to connectivity, access to platforms, and sound- were solved during the session. These results were supported by information gathered from the interviews with users and members of the House's technical team. Connectivity issues, in particular, seem to have affected users very unequally depending on their geographic location.

Although few inconveniences were reported, almost 60% of the survey respondents (46) had to ask for help to use the system. In addition, the general perception arising from the interviews was satisfactory with regard to the operation of the support service: many actors, both from the ruling party and the opposition, pointed out that the technical team had been helpful and diligent in responding to their inquiries and solving the technical problems that arose when using the systems.

A majority of respondents (66) stated that they had previously participated in virtual meetings, and only 12 stated that they had never done so. Lack of experience, however, is not related to a higher propensity to have problems: only one of the representatives who experienced difficulties during the session had not used a similar tool before.

Moreover, age is not significantly associated with the probability of having inconveniences. The average age of those who experienced a problem using the platform (51 years old) is only one point below the average age of the 78 respondents to the survey (52 years old).

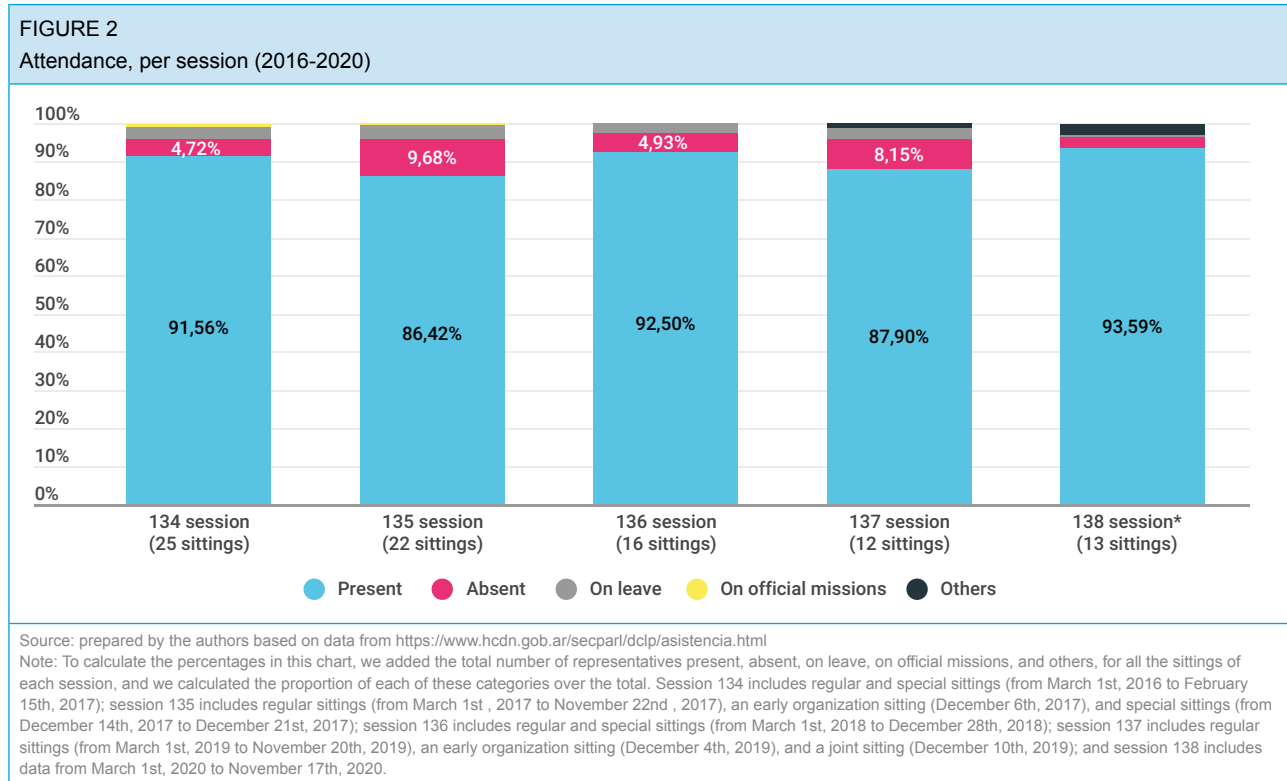
Representatives were also asked about the usability of the system. In general, they claimed that the platform was easy to use. They were asked about the degree of difficulty they experienced in completing 5 specific actions: using the system, listening, speaking, following arguments and discussions, and voting. Out of all respondents, only 19 reported having faced some degree of difficulty in any of these actions (6%).

Additionally, respondents were asked to compare the remote experience with in-person sessions. Out of all respondents, 53% considered that access to the session had not changed, whereas 24% it had improved, and almost 17% that it had worsened. An even higher percentage (68%) of respondents indicated that access to information remained the same, and 19% that it was even better.

Differences in perceptions about the circumstances for speaking were less significant when comparing telematic with in-person sessions. Also, in the survey conducted after the first remote sitting, 37% of respondents answered that remote sessions worsened the circumstances for speaking compared to traditional sittings, whereas 40% considered that there was no difference between both.

20

The Remote Parliamentary Operation Protocol of the HCDN establishes that the Support Service is made up of the Directorate of Parliamentary Modernization, Innovation, Transparency, and Democratic Strengthening; the General Directorate of Information Technology and Systems; and the General Directorate of Parliamentary Information Technology Liaison.



Attendance levels remained relatively constant: in remote sittings figures were only 4 percentage points above the average figures observed for the previous periods (89.60%). As shown in **Figure 2**, the most significant changes happen in category “others”. In session 137, this category (0.92%) included representatives with resignations pending approval and representatives not yet sworn in (during the Early Organization Sitting and the Joint Sitting). However, in session 138, the percentage of “others” (2.78%) included the resignation of 3 representatives and 90 cases from sessions in which representatives attended remotely but were considered absent because they had not registered in the VPN. Hence, this difference is caused by a significant change in the calculation of attendance to sittings since the introduction of digital tools.

Gender differences were also observed. Out of all survey respondents, 60% either agreed or strongly agreed with the idea that remote work implies a heavier burden for women because it adds to their care and domestic work.²¹

According to data provided by the Technical Advisory Office of the Directorate of Committees, between March 1st, 2020 (the beginning of the 138th session) and February 10th, 2021, 235 committee meetings were held. Out of these meetings, 39.57% were meetings to process files, 35.32% were committee briefings, 21.70% were meetings both to process files and receive guests, and the remaining 3.40% were organization meetings.²² Reports were issued at 52 of these meetings.²³

Moreover, at these 83 committee briefings and the 51 meetings held to process files and receive guests, more than 530 presentations were made by representatives of civil society organizations and unions, and more than 170 presentations were made by government officials.

21 This question was worded as follows: “In homes, household tasks are mainly carried out by women. Therefore, under this remote work methodology, the burden is heavier for female. representatives. To what extent do you agree with this statement?”
 22 It is worth mentioning that several committee meetings were held before the beginning of the period under analysis (that is to say, from December 2019, when some House members were renewed, until March 1st, 2020). In particular, at least 5 organization committee meetings were held before March.
 23 To count these meetings, we considered meetings held to process files (with and without guests), as well as briefings and organization meetings. Additionally, adjourned meetings were considered as separate meetings because they were held on different days. Joint committee meetings were excluded from this survey.

The results of the survey about the operation of remote committee briefings, conducted in April 2020, indicate that only 9 out of the 38 respondents reported having experienced some problem, and 37 respondents described the system as “easy” or “very easy” to use. However, 14 participants had to ask for assistance from the House’s technical staff, acquaintances, or colleagues to use the system.

Virtual committee meetings were set at three scheduled times, with some exceptions. Although more than three meetings were held simultaneously in the traditional scheme of in-person meetings, more days became available for committee meetings with the introduction of technology. Representatives usually travelled to and from their districts on Mondays and Fridays which made it difficult to arrange meetings on those days, while they are now available for remote work.

Virtuality allowed representatives to be present from anywhere, which might have a positive impact on attendance. According to the information provided by the Data Systematization Department of the HCDN, the rate of attendance at committee meetings during 2020 was 83%. This figure is significantly higher than the one recorded in the only year for which we have this information, which is 2019 (43%). It should be noted that these two years are difficult to compare. On the one hand, 2019 was an election year and consequently, a decrease in legislative activity is usually expected. On the other hand, while the information provided for 2020 does not show any scheduled meetings which were cancelled due to lack of a quorum, in 2019, 13% of the 258 convened committee meetings belonged to this category. The report does not break down attendance data by meeting. Hence, this factor reduces the attendance figures for that year.²⁴

Having more days available might benefit legislators who usually face the problem of being assigned to a large number of committees. In 2018, the number of committees doubled the amount of 1983, and the average number of committees in which representatives participated increased from 2 to 5 —with some of them participating in up to 10 committees (Bonvecchi, Cherny & Cella, 2018). While the increase in the number of days does not solve problems such as the rise in the number of veto points or the need to specialize in multiple topics, it may have a positive effect in reducing the likelihood of having to be simultaneously present at more than one meeting.

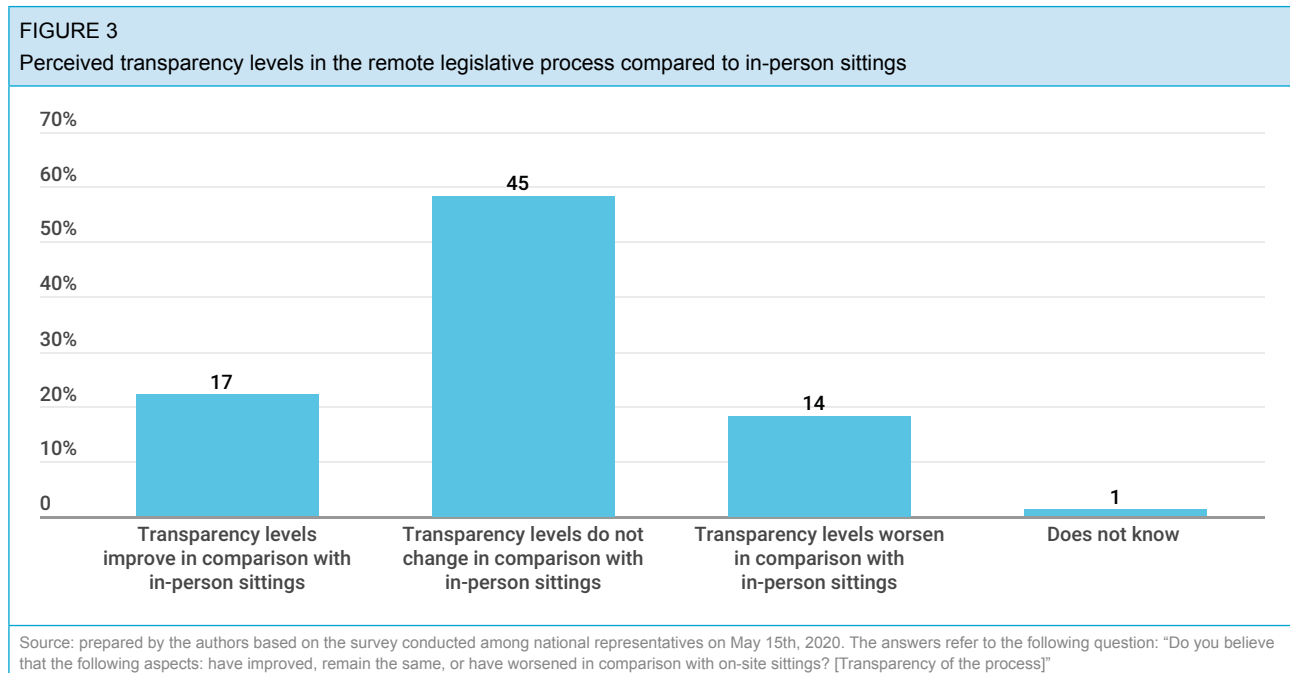
Transparency: control and accountability

As with any other change in parliamentary management, the use of technology must guarantee the principle of transparency. New tools and processes should be examined and analyzed by citizens and by the actors involved (such as legislators and the House’s staff). In this case, the House of Representatives made a section available on its website with information related to the telematic operation of the Congress (protocol, tools, resolutions, etc.).

In line with this, the telematic operation Protocol of the HCDN established the obligation to publicize the activities of the House. It states that remote committee meetings and sittings are public and, thus, must be transmitted live. Likewise, recordings must be made available on the institutional channels of the House, such as the platform Diputados TV and the YouTube channel of the House of Representatives. The links and routes to this information must also be shared through the official social networks of the House.

24

The data refer to the attendance rate for the 46 standing committees of the House of Representatives. To determine the attendance rate, we calculated the ratio between the total number of representatives present, and the total number of representatives present, absent, and on leave for all committee meetings in 2019 and 2020.



Technology integration is not a strategy to reconnect parliaments with citizens by itself (Lusoli et al., 2006). However, technology can strengthen aspects such as transparency, accessibility, and citizen control over legislative work. For this reason, publicizing actions and meetings through networks can bring parliamentary work closer to the general population.

After the first remote session, 58% of the survey respondents believed that transparency had remained the same as in on-site sittings, 22% considered that it had improved, and 18% that it had worsened (**Figure 3**).

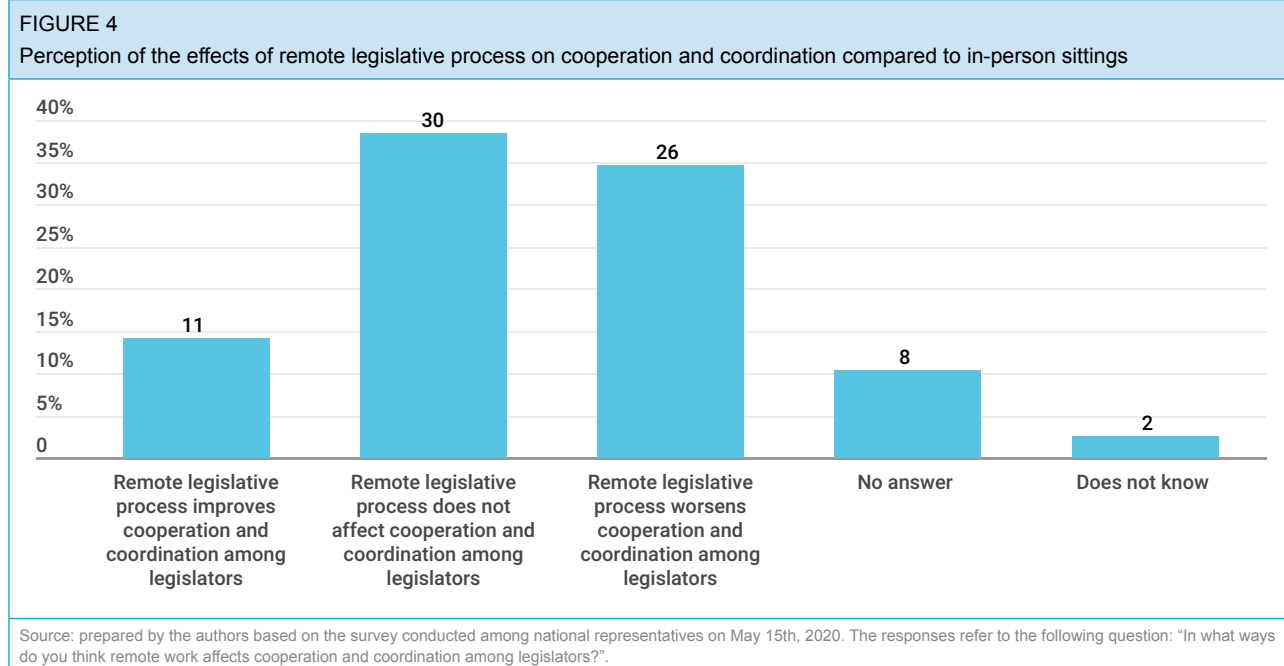
Legislative policy: lawmaking, scrutiny, and representation

Changes in the work dynamics of the House as a result of the introduction of digital tools and remote work could affect legislative work and the three core functions of the Legislative Branch: lawmaking, scrutiny, and representation. Assessing which aspects of these changes affect the activities that allow these functions to be performed is essential. Does the way of interacting, negotiating, and coordinating within the House change? Can these tools alter the performance and dynamics of the House? Can they change the relationship between representatives and citizens? These questions are relevant when it comes to think about whether it is advisable to keep some of these changes in the future and to what extent.

Effects on lawmaking

Lawmaking was directly affected by the innovations that were introduced. Legislators had to adapt to the use of new tools in order to introduce bills, discuss them in committees, and issue reports, and to debate and vote on these bills in hybrid plenary sessions.

Similarly, the possibility of working remotely reduced the need for legislators to travel to and from their districts and the Congress, thus increasing the number of days available for committee work. According to our interviews, virtuality allowed meetings to be held on Mondays and Fridays on a more regular basis compared to what happened previously.



Coordination and cooperation among representatives are key issues in the negotiation processes that legislative work entails. Responses to the survey conducted among representatives after the first remote session indicated that 39% of legislators perceived that remote work does not affect cooperation, 14% believed that it favored it, and 34% believed that it worsened it (**Figure 4**).²⁵ This last group was mostly comprised of representatives of *Juntos por el Cambio*: 16 responses belonged to that multiparty group (57% out of the total number of respondents from that political party), 8 belonged to *Frente de Todos* (17% out of the total number of respondents from that multiparty group), 1 to *Frente de Izquierda*, and 1 to *Consenso Federal*. Thus, there is more disagreement on this issue than on the previous ones.

Effects on checks and balances

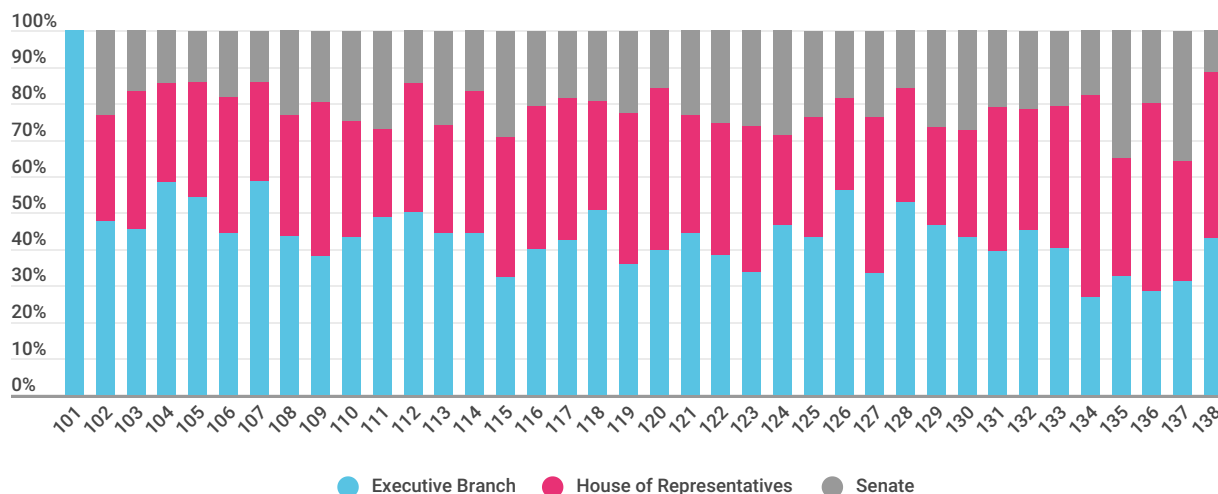
In addition to lawmaking, under the division of powers, Congress is responsible for checking and balancing the Executive, a crucial guarantee for the democratic operation of the political system (Evans, 2007). One way in which this task is carried out is through the duty assigned by the National Constitution to the Chief of the Ministerial Cabinet to report to Congress at least once a month (Section 101, National Constitution).²⁶ Given that the Houses of Congress hold sittings between March 1st and November 30th, the Chief of the Ministerial Cabinet is expected to attend both Houses at least 9 times a year. Nevertheless, between 1995 and 2018 only 38% of the briefings that should have taken place were held (Aquilino, Arena, Rubio and Scolari, 2019). In other words, the Chief of the Ministerial Cabinet's rate of compliance with this constitutional mandate is low. During 2020, the Chief of the Ministerial Cabinet, Santiago Cafiero, complied with the aforementioned requirement on three occasions. This represents a compliance rate of 30%, that is to say, 8 percentage points below the average for the 1995-2020 period. However, since Congress did not hold sittings in March and April 2020 the number of visits rises to 43% from May to November.

A second aspect of this issue is related to the control of the legislative agenda. This depends to a large extent on how political forces are organized in the Houses of Congress. When

²⁵ It is important to highlight that it is not known whether the opinion of legislators on cooperation in Congress is positive or negative. So, the perceived lack of change refers to the replication of practices that occur when working on-site, regardless of whether they are perceived as positive or negative.

²⁶ Section 101 of the National Constitution provides that: "The Chief of the Ministerial Cabinet shall attend Congress at least once a month, alternating between each House, to report on the progress of government, notwithstanding the provisions of section 71. The Chief of the Ministerial Cabinet may be interpellated for the purpose of considering a vote of censure, with the vote of the absolute majority of all the members of either House, and he/she may be removed by the vote of the absolute majority of the members of each House."

FIGURE 5
Percentage of bills passed on the initiative of the Executive Branch , the House of Representatives, and the Senate, over the total number of laws passed, by session (1983-2020)



Source: prepared by the authors based on data from the Parliamentary Secretariat of the HCDN.
 Note: session 101 includes information from December 10th, 1983 to April 30th, 1984. Sessions 102 to 111 include information from May 1st to April 30th of each year between 1984 and 1994. Session 112 includes information from May 1st, 1994 to February 28th, 1995. Sessions 113 to 138 include information from March 1st to the last day of February of the following year (depending on whether it is a leap year or not) between 1995 and 2021.

the majority of seats are occupied by legislators from the same party, this party controls the agenda both in committees and in plenary sessions (Calvo, 2014). On the contrary, when the ruling legislative party holds a strong first minority, the agenda results from a consensus between the majority party and the other parties. There have been few variations in these patterns (Bonvecchi and Zelaznik, 2012), but an exceptional situation such as the health emergency and the changes in the way parliamentary debate is administered may influence these mechanisms.

Figure 5 shows the percentage of laws passed according to their origin (on the initiative of the Executive, the House of Representatives, or the Senate). During the 138th session (2020), 30 laws introduced by the Executive were passed (42.86%). This represents an increase of about 14 percentage points compared to session 136 (2018), the previous non-electoral period, and an increase of about 16 percentage points compared to session 134 (2016), that is to say, the first year of the previous administration. This increase could be due, in part, to the needs imposed by the pandemic and to the health crisis context, in which the role of the Executive necessarily takes on more relevance.

Out of the laws passed during the 138th legislative session, 45.71% were originated in the House of Representatives, about 10 percentage points above the average since 1983. This proportion is lower than that of the last two sessions held during non-election years, in which, as in 2020, the ruling party did not have a majority in the House of Representatives: 51.52% and 55.45% (2018 and 2016, respectively). Nonetheless, the proportion of laws originated in the House of Representatives in 2020 was considerably higher than the figure for previous even-numbered years. For example, the percentage of laws passed which originated in the HCDN during session 132 (2014) and session 130 (2012) was 33.50% and 29.25%, respectively.

Effects on representation

Virtuality may also be expected to affect the relationship between representatives and citizens. In committee meetings, for example, the use of technology allows more experts, citizens, and members of the civil society to participate, since they can get involved in the discussion of bills from anywhere in the country. Based on some of the perceptions gathered in the interviews, in 2020 this situation also allowed discussions in committees to become

more federal scope than in the past. For example, many professionals and environmental experts from all over the country attended one of the briefings of the Committee on Natural Resources and Human Environment Conservation. Some of them were members of the Argentine Forestry Association from the Delta and Pampas region, and of the JAHAV Community (Guaraní people from Corrientes), among others.

The use of technology may also have an impact on the relationship between representatives and citizens by enabling the latter to access what happens in the House from anywhere, thanks to the transmission of all meetings (both committee and plenary meetings) through the official channels of the House (YouTube and *DiputadosTV*). This allows representatives' positions regarding different matters on the agenda to be disseminated, and their messages to reach a larger audience.

Remote work may also bring citizens closer to their representatives since, by reducing the need to be present in the Autonomous City of Buenos Aires, they can spend more time in their districts. Hence, they can work on a more local basis which can benefit representation. This point has been consistently emphasized throughout the interviews conducted among House representatives.

Since the level of citizen confidence in Congress is measured periodically, in the near future it will be possible to observe whether changes in the practices of the House of Representatives have had any impact on this indicator.

Conclusions and Recommendations

Congress is an essential component of representative democracies. The extraordinary context derived from the COVID-19 pandemic forced the Argentine Congress –as many other legislatures in the world– to continue working under the conditions imposed by the health emergency. Technology made it possible to reformulate legislative processes. But, most importantly, it may have had a more profound effect in transforming some of these processes. In the future, the key will be to preserve that which can improve and promote greater participation of Congress in public policy making and scrutiny, and to enhance the relationship with citizens.

Some legislators consider that remote sittings make them lose the benefits of face-to-face interaction and hinder some key aspects of legislative work such as coordination and cooperation between legislators and other teams of the House. However, this experience may give rise to positive expectations regarding the possibility of introducing changes to the operation of Congress and establishing an agenda of potential reforms for continued improvement.

The experience of virtual work suggests, for example, that this methodology could be kept in committee work. Virtual committee meetings eliminate the barrier of distance and budget restrictions, thus facilitating the participation of more experts who may be interested in discussing certain topics. Thus, legislators have new tools that allow them to access more information and a plurality of voices to nurture their legislative work. The usability of systems and the implementation of tools to file, sign, and follow bills digitally was also positively valued.

Regardless of the context, the different tools analyzed so far have already been adopted in the Argentine Congress and have overcome the first political and technical difficulties. Now, the challenge is to identify which adaptations may be kept in the future. The following proposals seek to identify opportunities in this respect and to explore some of the changes already introduced with a view to ensuring more transparency and openness of parliamentary work and a closer relationship between representatives and citizens.

Legitimacy

- **To move towards a consensus-based reform of the HCDN Rules** in order to clearly establish the circumstances under which remote work and technology will be allowed, which topics may be discussed, which tasks can be carried out virtually, and how this process will be implemented. To this end, it is essential for political parties to reach a broad consensus on the road ahead.
- **To implement a clear communication program for every change introduced in the process.** Publishing changes as they are made builds up citizens' confidence in the adopted processes and tools.

Integrity

- **To integrate virtual with on-site participants.** In case a hybrid methodology is maintained, with legislators working on-site or remotely, integrating virtual with in-person participants will facilitate the establishment of a quorum, thus enhancing the agility and operation of the system as a whole.

Accessibility

- **To think comprehensively and systematically about the reforms that introduce technology** so as to avoid new access inequalities among representatives and among citizens.
- **To guarantee a gender perspective in technology adoption and other transformations in parliamentary work.** Taking into account the unequal distribution of the domestic workload can potentially avoid creating new gender inequalities. In this respect, we recommend including the Gender Office to any modification to the legislative process

and on the introduction of new tools of parliamentary work.

- To evaluate the technological infrastructure and resources of legislators after each election with the aim of systematizing information about key aspects of the process, such as connectivity. Thus, it will be possible to allocate resources more efficiently and to take appropriate action regarding training and other aspects of remote work.
- To guarantee access to the necessary equipment for remote work, with especially designed technology and resources for each legislative task.
- To institutionalize an initial training program for new legislators, together with continuing training for workers and users. In particular, we recommend delivering comprehensive training on remote legislative work every two years, that is to say, after each legislative election. We also recommend ensuring that all new legislators have access to the necessary tools and devices for legislative work, such as applications and the digital signature.
- To keep the option of remote work for specific cases, such as family and medical leaves, regardless of the evolution of the pandemic and epidemiological situation. This would help avoid inequalities in the access to legislative work and would facilitate the participation of as many representatives as possible.

Transparency

- To continue publicizing and strengthening the transparency of the processes involved in the introduction of technology. In this respect, we recommend guaranteeing the availability of information about the problems and incidents of the system. Although the general perception of those involved is that the main difficulties are related user's problems (such as their connectivity), sharing this information would enhance the perception of the integrity of the process, and increase legislators' and citizens' confidence in the implemented tools.
- To publish committee meeting requests and schedules. This would also have a positive impact on the House's transparency standards.

Legislative Work

- To continue to hold virtual committee meetings after the pandemic. Survey respondents agreed on the idea that remote committee meetings are an opportunity for more experts and actors from all over the country to participate in the legislative process. Besides, virtuality increases the number of days in which these meetings may be held. Therefore, keeping this practice may help make the work of committee meetings increasingly federal, collaborative, and co-creative.
- To promote and escalate the use of tools such as digital signature and the GPD, so as to enhance the agility of processes in the House and to reduce paper use in legislative work. The GPD seeks to unify the different parts of the legislative process and has the potential to make this process completely digital. This includes, among other processes, uploading and signing reports, making committee referrals, and sending bills for floor consideration, as well as other processes involving the Senate and the Executive. This innovation has a positive impact on the traceability of processes and on the intelligent search of parliamentary information.

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