

117TH CONGRESS
2D SESSION

H. R. 6472

To amend title 18, United States Code, to provide for video teleconferencing for certain criminal proceedings, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 2022

Mr. MORELLE (for himself, Mrs. FISCHBACH, and Mr. BACON) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to provide for video teleconferencing for certain criminal proceedings, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Courtroom
5 Videoconferencing Act of 2022”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

8 (1) it is important to modernize Federal courts
9 to allow for videoconferencing in certain criminal
10 proceedings, which flexibility Congress authorized

1 under the CARES Act, which provided for such an
2 option at the discretion of the chief judge of a dis-
3 trict court during the national emergency associated
4 with the COVID–19 pandemic;

5 (2) the efficiency and expediency gained from
6 the flexibility authorized under the CARES Act
7 should be made permanent; and

8 (3) such an option should not impede constitu-
9 tional rights, but expand and protect them during
10 times when meeting together may be difficult and in-
11 efficient.

12 **SEC. 3. VIDEO TELECONFERENCING FOR CERTAIN CRIMI-**
13 **NAL PROCEEDINGS.**

14 (a) IN GENERAL.—Chapter 201 of title 18, United
15 States Code, is amended by inserting after section 3014
16 the following new section:

17 **“§ 3015. Video teleconferencing for certain criminal**
18 **proceedings**

19 “(a) IN GENERAL.—The chief judge of a district
20 court may authorize the use of video teleconferencing, or
21 telephone conferencing if video teleconferencing is not rea-
22 sonably available, for the following events:

23 “(1) Detention hearings under section 3142 of
24 title 18, United States Code.

1 “(2) Initial appearances under Rule 5 of the
2 Federal Rules of Criminal Procedure.

3 “(3) Preliminary hearings under Rule 5.1 of
4 the Federal Rules of Criminal Procedure.

5 “(4) Waivers of indictment under Rule 7(b) of
6 the Federal Rules of Criminal Procedure.

7 “(5) Arraignments under Rule 10 of the Fed-
8 eral Rules of Criminal Procedure.

9 “(6) Probation and supervised release revoca-
10 tion proceedings under Rule 32.1 of the Federal
11 Rules of Criminal Procedure.

12 “(7) Pretrial release revocation proceedings
13 under section 3148.

14 “(8) Appearances under Rule 40 of the Federal
15 Rules of Criminal Procedure.

16 “(9) Misdemeanor pleas and sentencings as de-
17 scribed in Rule 43(b)(2) of the Federal Rules of
18 Criminal Procedure.

19 “(10) Proceedings under chapter 403 (com-
20 monly known as the ‘Federal Juvenile Delinquency
21 Act’), except for contested transfer hearings and ju-
22 venile delinquency adjudication or trial proceedings.

23 “(b) CONSENT.—Video conferencing or telephone
24 conferencing authorized under subsection (a) may only

1 take place with the consent of the defendant, or the juve-
 2 nile, after consultation with counsel.

3 “(c) ACCESS TO COUNSEL.—Video teleconferencing
 4 or telephone teleconferencing authorized under subsection
 5 (a) shall provide the defendant the ability to privately con-
 6 sult with counsel if requested.”.

7 (b) CLERICAL AMENDMENT.—The table of sections
 8 for chapter 201 of title 18, United States Code, is amend-
 9 ed by inserting after the item relating to 3014 the fol-
 10 lowing new item:

“3015. Video teleconferencing for certain criminal proceedings.”.

11 **SEC. 4. RULE OF CONSTRUCTION.**

12 Nothing in this Act, or the amendments made by this
 13 Act, shall obviate a defendant’s right to counsel under the
 14 Sixth Amendment to the Constitution of the United
 15 States, any Federal statute, or the Federal Rules of Crimi-
 16 nal Procedure.

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