

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 1629) TO AMEND THE FEDERAL FOOD, DRUG, AND COSMETIC ACT WITH RESPECT TO LIMITATIONS ON EXCLUSIVE APPROVAL OR LICENSURE OF ORPHAN DRUGS, AND FOR OTHER PURPOSES; PROVIDING FOR CONSIDERATION OF THE RESOLUTION (H. RES. 275) CONDEMNING THE HORRIFIC SHOOTINGS IN ATLANTA, GEORGIA, ON MARCH 16, 2021, AND REAFFIRMING THE HOUSE OF REPRESENTATIVE'S COMMITMENT TO COMBATING HATE, BIGOTRY, AND VIOLENCE AGAINST THE ASIAN-AMERICAN AND PACIFIC ISLANDER COMMUNITY; AND FOR OTHER PURPOSES

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MAY 17, 2021.—Referred to the House Calendar and ordered to be printed

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Ms. SCANLON, from the Committee on Rules,  
submitted the following

## R E P O R T

[To accompany H. Res. 403]

The Committee on Rules, having had under consideration House Resolution 403, by a record vote of 9 to 4, report the same to the House with the recommendation that the resolution be adopted.

### SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 1629, the Fairness in Orphan Drug Exclusivity Act, under a closed rule. The resolution provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce or their designees. The resolution waives all points of order against consideration of the bill. The resolution provides that the bill shall be considered as read. The resolution waives all points of order against provisions in the bill. The resolution provides one motion to recommit. The resolution provides for consideration of H. Res. 275, Condemning the horrific shootings in Atlanta, Georgia, on March 16, 2021, and reaffirming the House of Representative's commitment to combating hate, bigotry, and violence against the Asian-American and Pacific Islander community, under a closed rule. The resolution provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Reform. The resolution waives all points of order against consideration of the resolution. The resolution provides that the resolution shall be considered as read. The resolution provides that House Resolution 398 is hereby adopted. The resolution provides that House Resolution 188, agreed

to March 8, 2021 (as amended by H. Res. 330, agreed to April 20, 2021) is amended by striking “May 20, 2021” each place it appears and inserting (in each instance) “July 1, 2021”. The resolution provides that at any time through the legislative day of Thursday, May 20, 2021, the Speaker may entertain motions offered by the Majority Leader or a designee that the House suspend the rules with respect to multiple measures that were the object of motions to suspend the rules on the legislative days of May 17 or 18, 2021, and on which the yeas and nays were ordered and further proceedings postponed. The Chair shall put the question on any such motion without debate or intervening motion, and the ordering of the yeas and nays on postponed motions to suspend the rules with respect to such measures is vacated.

#### EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of H.R. 1629 includes a waiver of clause 12 of rule XXI, which prohibits consideration of a bill or joint resolution pursuant to a special order of business reported by the Committee on Rules that has not been reported by a committee.

Although the rule waives all points of order against provisions in H.R. 1629, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against consideration of H. Res. 275, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

#### COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

##### *Rules Committee record vote No. 78*

Motion by Mr. Cole to strike from the rule the sections amending H. Res. 188 except for those pertaining to the Speaker’s approval of the journal, adjournment authority, and the Speaker’s authority to appoint members to perform the duties of the Chair. Defeated: 4–8

Majority Members	Vote	Minority Members	Vote
Mrs. Torres .....	.....	Mr. Cole .....	Yea
Mr. Perlmutter .....	Nay	Mr. Burgess .....	Yea
Mr. Raskin .....	Nay	Mr. Reschenthaler .....	Yea
Ms. Scanlon .....	Nay	Mrs. Fischbach .....	Yea
Mr. Morelle .....	Nay		
Mr. DeSaulnier .....	Nay		
Ms. Ross .....	Nay		
Mr. Neguse .....	Nay		
Mr. McGovern, Chairman .....	Nay		

##### *Rules Committee record vote No. 79*

Motion by Mr. Cole to add language to the rule that would eliminate the tolling of days for Resolutions of Inquiry. Defeated: 4–8

Majority Members	Vote	Minority Members	Vote
Mrs. Torres .....	.....	Mr. Cole .....	Yea

Majority Members	Vote	Minority Members	Vote
Mr. Perlmutter .....	Nay	Mr. Burgess .....	Yea
Mr. Raskin .....	Nay	Mr. Reschenthaler .....	Yea
Ms. Scanlon .....	Nay	Mrs. Fischbach .....	Yea
Mr. Morelle .....	Nay		
Mr. DeSaulnier .....	Nay		
Ms. Ross .....	Nay		
Mr. Neguse .....	Nay		
Mr. McGovern, Chairman .....	Nay		

*Rules Committee record vote No. 80*

Motion by Mr. Cole to strike the section of the rule amending H. Res. 188 which extends martial law. Defeated: 4–8

Majority Members	Vote	Minority Members	Vote
Mrs. Torres .....		Mr. Cole .....	Yea
Mr. Perlmutter .....	Nay	Mr. Burgess .....	Yea
Mr. Raskin .....	Nay	Mr. Reschenthaler .....	Yea
Ms. Scanlon .....	Nay	Mrs. Fischbach .....	Yea
Mr. Morelle .....	Nay		
Mr. DeSaulnier .....	Nay		
Ms. Ross .....	Nay		
Mr. Neguse .....	Nay		
Mr. McGovern, Chairman .....	Nay		

*Rules Committee record vote No. 81*

Motion by Mr. Burgess to strike the section of the rule amending H. Res. 188 regarding the Speaker's authority to schedule suspensions on special days. Defeated: 4–8

Majority Members	Vote	Minority Members	Vote
Mrs. Torres .....		Mr. Cole .....	Yea
Mr. Perlmutter .....	Nay	Mr. Burgess .....	Yea
Mr. Raskin .....	Nay	Mr. Reschenthaler .....	Yea
Ms. Scanlon .....	Nay	Mrs. Fischbach .....	Yea
Mr. Morelle .....	Nay		
Mr. DeSaulnier .....	Nay		
Ms. Ross .....	Nay		
Mr. Neguse .....	Nay		
Mr. McGovern, Chairman .....	Nay		

*Rules Committee record vote No. 82*

Motion by Mr. Reschenthaler to add language to the rule that would eliminate the tolling of days for Section 7 of the War Powers Resolution. Defeated: 4–9

Majority Members	Vote	Minority Members	Vote
Mrs. Torres .....	Nay	Mr. Cole .....	Yea
Mr. Perlmutter .....	Nay	Mr. Burgess .....	Yea
Mr. Raskin .....	Nay	Mr. Reschenthaler .....	Yea
Ms. Scanlon .....	Nay	Mrs. Fischbach .....	Yea
Mr. Morelle .....	Nay		
Mr. DeSaulnier .....	Nay		
Ms. Ross .....	Nay		
Mr. Neguse .....	Nay		
Mr. McGovern, Chairman .....	Nay		

*Rules Committee record vote No. 83*

Motion by Mrs. Fischbach to add language to the rule that would eliminate the tolling of days regarding instructing Conference Committees. Defeated: 4–9

Majority Members	Vote	Minority Members	Vote
Mrs. Torres .....	Nay	Mr. Cole .....	Yea
Mr. Perlmutter .....	Nay	Mr. Burgess .....	Yea
Mr. Raskin .....	Nay	Mr. Resenthaler .....	Yea
Ms. Scanlon .....	Nay	Mrs. Fischbach .....	Yea
Mr. Morelle .....	Nay		
Mr. DeSaulnier .....	Nay		
Ms. Ross .....	Nay		
Mr. Neguse .....	Nay		
Mr. McGovern, Chairman .....	Nay		

*Rules Committee record vote No. 84*

Motion by Ms. Scanlon to report the rule. Adopted: 9–4

Majority Members	Vote	Minority Members	Vote
Mrs. Torres .....	Yea	Mr. Cole .....	Nay
Mr. Perlmutter .....	Yea	Mr. Burgess .....	Nay
Mr. Raskin .....	Yea	Mr. Resenthaler .....	Nay
Ms. Scanlon .....	Yea	Mrs. Fischbach .....	Nay
Mr. Morelle .....	Yea		
Mr. DeSaulnier .....	Yea		
Ms. Ross .....	Yea		
Mr. Neguse .....	Yea		
Mr. McGovern, Chairman .....	Yea		