

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 185) TO TERMINATE THE REQUIREMENT IMPOSED BY THE DIRECTOR OF THE CENTERS FOR DISEASE CONTROL AND PREVENTION FOR PROOF OF COVID-19 VACCINATION FOR FOREIGN TRAVELERS, AND FOR OTHER PURPOSES; PROVIDING FOR CONSIDERATION OF THE JOINT RESOLUTION (H.J. RES. 24) DISAPPROVING THE ACTION OF THE DISTRICT OF COLUMBIA COUNCIL IN APPROVING THE LOCAL RESIDENT VOTING RIGHTS AMENDMENT ACT OF 2022; AND PROVIDING FOR CONSIDERATION OF THE JOINT RESOLUTION (H.J. RES. 26) DISAPPROVING THE ACTION OF THE DISTRICT OF COLUMBIA COUNCIL IN APPROVING THE REVISED CRIMINAL CODE ACT OF 2022

FEBRUARY 7, 2023.—Referred to the House Calendar and ordered to be printed

Mr. LANGWORTHY, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 97]

The Committee on Rules, having had under consideration House Resolution 97, by a record vote of 9 to 3, 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. 185, the To terminate the requirement imposed by the Director of the Centers for Disease Control and Prevention for proof of COVID-19 vaccination for foreign travelers, and for other purposes, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce or their respective designees. The resolution waives all points of order against consideration of H.R. 185. The resolution provides that H.R. 185 shall be considered as read. The resolution waives all points of order against provisions in H.R. 185. The resolution further makes in order only those amendments printed in this report. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the

Committee of the Whole. All points of order against the amendments are waived. The resolution provides for one motion to recommit. The resolution further provides for consideration of H.J. Res. 24, disapproving the action of the District of Columbia Council in approving the Local Resident Voting Rights Amendment Act of 2022, under a closed rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Accountability or their respective designees. The resolution waives all points of order against consideration of the joint resolution. The resolution provides that the joint resolution shall be considered as read. The resolution waives all points of order against provisions in H.J. Res. 24. The resolution provides that pursuant to section 604(h) of the Home Rule Act, a motion to recommit is not in order to the joint resolution if under consideration while the act of the D.C. Council is within the congressional review period prescribed in section 602 of such Act. The resolution further provides for consideration of H.J. Res. 26, disapproving the action of the District of Columbia Council in approving the Revised Criminal Code Act of 2022, under a closed rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Accountability or their respective designees. The resolution waives all points of order against consideration of H.J. Res. 26. The resolution provides that H.J. Res. 26 shall be considered as read. The resolution waives all points of order against provisions in H.J. Res. 26. The resolution provides that pursuant to section 604(h) of the Home Rule Act, a motion to recommit is not in order to the joint resolution if under consideration while the act of the D.C. Council is within the congressional review period prescribed in section 602 of such Act.

EXPLANATION OF WAIVERS

Although the resolution waives all points of order against consideration of H.R. 185, 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 provisions in H.R. 185, 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 the amendments printed in this report, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

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Although the resolution waives all points of order against consideration of H.J. Res. 26, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

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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. 13

Motion by Mr. Langworthy to report the rule. Adopted: 9–3

Majority Members	Vote	Minority Members	Vote
Mr. Burgess	Yea	Mr. McGovern	Nay
Mr. Resenthaler	Yea	Ms. Scanlon	Nay
Mrs. Fischbach	Yea	Mr. Neguse
Mr. Massie	Yea	Ms. Leger Fernandez	Nay
Mr. Norman	Yea		
Mr. Roy	Yea		
Mrs. Houchin	Yea		
Mr. Langworthy	Yea		
Mr. Cole, Chairman	Yea		

SUMMARY OF THE AMENDMENTS TO H.R. 185 MADE IN ORDER

1. McGovern (MA): Clarifies that this legislation will not affect the authority of the Centers for Disease Control and Prevention to mandate vaccination requirements against any other disease in the future for noncitizens who are nonimmigrants entering the U.S. (10 minutes)

2. Boebert (CO): Requires CDC to produce a report to Congress on the number of visitors denied entry under this policy. (10 minutes)

3. Perez (WA), Golden (ME): Eliminates the prohibition on future rulemaking. (10 minutes)

4. Rose (TN): Clarifies that nothing in the underlying bill impacts the CDC order requiring a pre-departure COVID–19 test for people traveling from the People’s Republic of China. (10 minutes)

5. Torres (CA): Requires the Secretary of the Department of Health and Human Services to certify that such provision will not result in an increase in hospitalizations due to COVID–19 prior to the provisions of section 1 taking effect. (10 minutes)

TEXT OF AMENDMENTS TO H.R. 185 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCGOVERN OF MASSACHUSETTS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 2, after line 22, add the following:

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the authority of the Centers for Disease Control and Prevention to mandate vaccination requirements against any other disease for noncitizens who are nonimmigrants seeking to enter the United States by air travel for the sake of public health.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BOEBERT OF COLORADO OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 2, after line 22, add the following:

SEC. 2. REPORT.

Not later than 90 days after the date of the enactment of this Act, the Director of the Centers for Disease Control and Prevention shall submit a report to Congress on the number of visitors denied entry under the order specified in subsection (c)(1) during the period beginning on April 7, 2022, and ending on the date of the enactment of this Act.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PEREZ OF WASHINGTON OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 2, line 8, strike “specified in—” and all that follows through “(1) the order” line 9 and insert “specified in the order”.

Page 2, line 17, strike “; or” and insert a period.

Page 2, strike line 18 and all that follows through line 22.

Page 2, after line 22, add the following:

(d) NONAPPLICABILITY TO SUBSEQUENT ORDERS.—Subsections (a) and (b) shall not apply to any successor or subsequent order of the Centers for Disease Control and Prevention to that specified in subsection (c) which requires foreign persons traveling by air to show proof of COVID–19 vaccination as a condition on entering the United States.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROSE OF TENNESSEE OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following new section:

SEC. 2. RULE OF CONSTRUCTION.

Nothing in this Act may be construed to suggest that the provisions of section 1 shall effect the order issued by the Director of the Centers for Disease Control and Prevention entitled “Requirements for Negative Pre-Departure COVID–19 Test Results or Documentation of Recovery from COVID–19 for Aircraft Passengers Traveling to the United States From the People’s Republic of China” and published in the Federal Register on January 5, 2023 (88 Fed. Reg. 864) for proof of negative pre-departure COVID–19 test results or documentation of recovery from COVID–19 for aircraft passengers traveling to the United States from the People’s Republic of China or departing from a designated airport if such passenger has been in the People’s Republic of China within the 10 days prior to departure for the United States.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TORRES OF CALIFORNIA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following new section:

SEC. 2. EFFECTIVE DATE.

The provisions of section 1 shall not take effect until the date on which the Secretary of Health and Human Services submits to Congress a certification that such provisions will not result in an increase in hospitalizations due to COVID–19.