

**118th Congress**  
**2d Session**

**H. Res. \_\_**

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**H. Res. 863 - Impeaching Alejandro Nicholas Mayorkas, Secretary of Homeland Security, for high crimes and misdemeanors.**

**H.R. 485 - Protecting Health Care for All Patients Act of 2023**

1. Closed rule for H. Res. 863.
2. Provides that upon adoption of this resolution, it shall be in order without intervention of any point of order, to consider H. Res. 863.
3. Provides that the amendment in the nature of a substitute recommended by the Committee on Homeland Security now printed in the resolution shall be considered as adopted.
4. Provides two hours of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Homeland Security or their respective designees.
5. Provides that upon adoption of H. Res. 863, H. Res. 995 is hereby adopted; and further, that no other resolution incidental to impeachment relating to H. Res. 863 shall be privileged during the remainder of the 118th Congress.
6. Structured rule for H.R. 485.
7. Waives all points of order against consideration of the bill.
8. 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.
9. Provides that the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill, modified by the amendment printed in part A of the Rules Committee report, shall be considered as adopted and the bill, as amended, shall be considered as read.
10. Waives all points of order against provisions in the bill, as amended.
11. Makes in order only those amendments printed in part B of the Rules Committee report. Each amendment shall be considered only in the order printed in the report, may be offered only by a Member designated in the

report, shall be considered as read, shall be debatable for the time specified in the 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.

12. Waives all points of order against the amendments printed in part B of the Rules Committee report.
13. Provides one motion to recommit.

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## RESOLUTION

*Resolved*, That upon adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H.Res. 863) impeaching Alejandro Nicholas Mayorkas, Secretary of Homeland Security, for high crimes and misdemeanors. The amendment in the nature of a substitute recommended by the Committee on Homeland Security now printed in the resolution shall be considered as adopted. The previous question shall be considered as ordered on the resolution, as amended, to adoption without intervening motion or demand for division of the question except two hours of debate equally divided and controlled by the chair and ranking minority member of the Committee on Homeland Security or their respective designees.

Sec. 2. Upon adoption of House Resolution 863—

(a) House Resolution 995 is hereby adopted; and

(b) no other resolution incidental to impeachment relating to House Resolution 863 shall be privileged during the remainder of the One Hundred Eighteenth Congress.

Sec. 3. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 485) to amend title XI of the Social Security Act to prohibit the use of quality-adjusted life years and similar measures in coverage and payment determinations under Federal health care programs. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this section and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment in the

nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the 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 such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except one motion to recommit.

**SUMMARY OF AMENDMENT TO H.R. 485 IN PART A PROPOSED TO BE CONSIDERED AS ADOPTED**

| <b>Sponsor</b>         | <b># Description</b>   |
|------------------------|--|
| <b>1. Rodgers (WA)</b> | <b>#1 (MANAGER’S)</b> Reduces the funding authorized to be appropriated to the Prevention and Public Health Fund for each fiscal year, ranging from 2024 through 2029. |

**SUMMARY OF AMENDMENTS TO H.R. 485 IN PART B PROPOSED TO BE MADE IN ORDER**

(summaries derived from information provided by sponsors)

| <b>Sponsor</b> | <b># Description</b> | <b>Debate</b> |
|----------------|----------------------|---------------|
|----------------|----------------------|---------------|

|                         |  | <b>Time</b>  |
|-------------------------|--|--------------|
| <b>1. Molinaro (NY)</b> | <b>#2</b> Requires a study on how the quality-adjusted life year measure negatively impacts individuals with intellectual and developmental disabilities and their access to care.   | (10 minutes) |
| <b>2. Ogles (TN)</b>    | <b>#3 (REVISED)</b> Provides rule of construction that nothing in this act impact that which is allowable under current law such that it is not relying on the utilization of a dollars-per-quality adjusted life year or similar measure in a manner that violates section 2. (I.e., it clarifies the restrictions in this act do not apply to otherwise lawful use of metrics that do not discriminate on the basis of disability status, age, terminal illness, etc.) | (10 minutes) |