

House Calendar No. 1

117TH CONGRESS
1ST SESSION

H. RES. 38

[Report No. 117-1]

Providing for consideration of the resolution (H. Res. 21) calling on Vice President Michael R. Pence to convene and mobilize the principal officers of the executive departments of the Cabinet to activate section 4 of the 25th Amendment to declare President Donald J. Trump incapable of executing the duties of his office and to immediately exercise powers as acting President; and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 12, 2021

Ms. SCANLON, from the Committee on Rules, reported the following resolution; which was referred to the House Calendar and ordered to be printed

RESOLUTION

Providing for consideration of the resolution (H. Res. 21) calling on Vice President Michael R. Pence to convene and mobilize the principal officers of the executive departments of the Cabinet to activate section 4 of the 25th Amendment to declare President Donald J. Trump incapable of executing the duties of his office and to immediately exercise powers as acting President; and for other purposes.

1 *Resolved*, That upon adoption of this resolution it
2 shall be in order without intervention of any point of order
3 to consider in the House the resolution (H. Res. 21) call-
4 ing on Vice President Michael R. Pence to convene and
5 mobilize the principal officers of the executive departments
6 of the Cabinet to activate section 4 of the 25th Amend-
7 ment to declare President Donald J. Trump incapable of
8 executing the duties of his office and to immediately exer-
9 cise powers as acting President. The amendment to the
10 preamble printed in the report of the Committee on Rules
11 accompanying this resolution shall be considered as adopt-
12 ed. The resolution, as amended, shall be considered as
13 read. The previous question shall be considered as ordered
14 on the resolution and preamble, as amended, to adoption
15 without intervening motion or demand for division of the
16 question except one hour of debate equally divided and
17 controlled by the chair and ranking minority member of
18 the Committee on the Judiciary or their respective des-
19 ignees.

20 SEC. 2. The prohibition against personality in debate
21 shall not apply during consideration of measures specified
22 in section 3 of this resolution with respect to references
23 to the President.

24 SEC. 3. The measures referred to in section 2 of this
25 resolution are as follows:

1 (a) House Resolution 21.

2 (b) Any special order of business providing for the
3 consideration of House Resolution 24.

4 SEC. 4. (a) During a covered period designated pur-
5 suant to section 3(s) of House Resolution 8—

6 (1) the Sergeant-at-Arms is authorized and di-
7 rected to impose a fine against a Member, Delegate,
8 or the Resident Commissioner for the failure to wear
9 a mask in contravention of the Speaker's announced
10 policies of January 4, 2021; and

11 (2) a fine imposed pursuant to this section shall
12 be treated as though imposed under clause 3(g) of
13 rule II, and shall be administered as though pursu-
14 ant to clause 4(d) of rule II, except that—

15 (A) the time periods described in clause
16 3(g)(3)(C) of rule II shall not commence until
17 the Committee on Ethics has adopted written
18 rules, and the chair of the Committee on Ethics
19 shall notify all Members, Delegates, or the Resi-
20 dent Commissioner with pending appeals upon
21 such commencement; and

22 (B) a fine subject to appeal under clause
23 3(g)(3) of rule II shall proceed unless dismissed
24 within the time period provided under clause
25 3(g)(3)(C) of rule II.

- 1 (b) Subsection (a) establishes a standard of conduct
- 2 within the meaning of clause 3(a)(2) of rule XI.

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