

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 1973) TO PREVENT THE SEXUAL ABUSE OF MINORS AND AMATEUR ATHLETES BY REQUIRING THE PROMPT REPORTING OF SEXUAL ABUSE TO LAW ENFORCEMENT AUTHORITIES, AND FOR OTHER PURPOSES; PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 1761) TO AMEND TITLE 18, UNITED STATES CODE, TO CRIMINALIZE THE KNOWING CONSENT OF THE VISUAL DEPICTION, OR LIVE TRANSMISSION, OF A MINOR ENGAGED IN SEXUALLY EXPLICIT CONDUCT, AND FOR OTHER PURPOSES; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM MAY 26, 2017, THROUGH JUNE 5, 2017

MAY 23, 2017.—Referred to the House Calendar and ordered to be printed

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

R E P O R T

[To accompany H. Res. 352]

The Committee on Rules, having had under consideration House Resolution 352, by a nonrecord vote, 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. 1973, the Protecting Young Victims from Sexual Abuse Act of 2017, 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 the Judiciary. The resolution waives all points of order against consideration of the bill. The resolution makes in order as original text for purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-20 and provides that it shall be considered as read. The resolution waives all points of order against that amendment in the nature of a substitute. The resolution makes in order only those further amendments printed in part A of 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. The resolution

waives all points of order against the amendments printed in part A of this report. The resolution provides one motion to recommit with or without instructions.

Section 2 of the resolution provides for consideration of H.R. 1761, the Protecting Against Child Exploitation Act of 2017, under a structured rule. The resolution provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. The resolution waives all points of order against consideration of the bill. The resolution provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–19 shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points provisions in the bill, as amended. The resolution makes in order only the further amendment printed in part B of this report, if offered by the Member designated in this report, which 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. The resolution waives all points of order against the amendment printed in part B of this report. The resolution provides one motion to recommit with or without instructions.

Section 3 of the resolution provides that on any legislative day during the period from May 26, 2017, through June 5, 2017: the Journal of the proceedings of the previous day shall be considered as approved; and the Chair may at any time declare the House adjourned to meet at a date and time to be announced by the Chair in declaring the adjournment.

Section 4 of the resolution provides that the Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 3 of the resolution as though under clause 8(a) of rule I.

EXPLANATION OF WAIVERS

Although the resolution waives all points of order against consideration of H.R. 1973, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

The waiver of all points of order against the amendment in the nature of a substitute to H.R. 1973 made in order as original text includes a waiver of clause 7 of rule XVI, which requires that no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment. It is important to note that while the waiver is necessary, Rules Committee Print 115–20 contains the text of H.R. 1973 as reported by the Committee on the Judiciary.

Although the resolution waives all points of order against amendments to H.R. 1973 printed in part A of this report, 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.R. 1761, 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. 1761, as amended, 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 amendment to H.R. 1761 printed in part B of this report, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

SUMMARY OF THE AMENDMENTS TO H.R. 1973 IN PART A MADE IN ORDER

1. Goodlatte (VA): MANAGER'S Harmonizes language in the bill with language in the underlying statute. Additionally, it clarifies duties of national governing bodies with respect to implementing procedures pertaining to interactions between young athletes and adults. Finally, it makes small technical and conforming changes. (10 minutes)

2. Costa (CA): Strikes the word "reasonably" from HR 1973 to make the Senate statute of limitations apply rather than the House statute. (10 minutes)

3. O'Halleran (AZ), Sinema (AZ), Biggs (AZ): Requires national governing bodies to clearly list dedicated information and resources, which may include sexual assault hotlines and victim support resources, on their official websites. (10 minutes)

SUMMARY OF AMENDMENT TO H.R. 1761 IN PART B MADE IN ORDER

1. Jackson Lee (TX): Ensures minors are not punished as sex offenders. (10 minutes)

PART A—TEXT OF AMENDMENTS TO H.R. 1973 MADE IN ORDER

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

Page 2, strike line 16, and all that follows through line 3 on page 3, and insert the following:

"(9) the term 'covered individual' means an adult who is authorized by a national governing body or a member of a national governing body to interact with a minor or amateur athlete at an amateur sports organization facility or at any event sanctioned by a national governing body or a member of a national governing body;

"(10) the term 'event' includes travel, practice, competition, and health or medical treatment; and

"(11) the terms 'amateur athlete', 'amateur sports organization', and 'national governing body' have the meanings given such terms in section 220501(b) of title 36, United States Code."

Page 4, line 19, strike "file" and insert "filed".

Page 7, strike line 16 and all that follows through line 25, and insert the following:

"(C) reasonable procedures designed to avoid one-on-one interactions between an amateur athlete who is a minor and an adult (who is not the minor's legal guardian) at an amateur sports organization facility, at any event sanctioned by a national governing body, or any event sanctioned by a member of a national governing body, without

being observable or interruptible by another adult, except where the safety and welfare of the minor requires; and”.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COSTA OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 4, line 21, strike “reasonably”.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE O’HALLERAN OF ARIZONA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 7, line 25, strike “and” at the end.

Page 8, insert after line 10 the following:

“(E) requiring dedicated information and resources, which may include sexual assault hotlines and victims’ support resources, to be clearly listed on the national governing body’s official website; and”.

PART B—TEXT OF AMENDMENT TO H.R. 1761 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON LEE OF TEXAS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 5, line 3, insert after “section 2258B.” the following:

“(h) Notwithstanding subsection (e), a person who violates paragraph (2) or (3) of subsection (a) and is 19 years of age or younger at the time the violation occurred may, in the alternative, be punished for a violation of this section by imprisonment for not more than 1 year or a fine under this title, or both, if—

“(1) the minor is 15 years of age or older and not more than 4 years younger than the person who committed the violation, at the time the sexually explicit conduct occurred; and

“(2) the sexually explicit conduct that occurred was consensual.”