

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 1039) TO AMEND SECTION 3606 OF TITLE 18, UNITED STATES CODE, TO GRANT PROBATION OFFICERS AUTHORITY TO ARREST HOSTILE THIRD PARTIES WHO OBSTRUCT OR IMPEDE A PROBATION OFFICER IN THE PERFORMANCE OF OFFICIAL DUTIES

MAY 16, 2017.—Referred to the House Calendar and ordered to be printed

Mr. COLLINS of Georgia, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 324]

The Committee on Rules, having had under consideration House Resolution 324, 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. 1039, the Probation Officer Protection 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 the bill shall be considered as read. The resolution waives all points of order against provisions in the bill. The resolution makes in order only the amendment printed in 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 this report. The resolution provides one motion to recommit with or without instructions.

EXPLANATION OF WAIVERS

Although the resolution waives all points of order against consideration of the bill, 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 the bill, 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 printed in this report, 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. 56

Motion by Ms. Slaughter to make in order and provide the appropriate waivers to amendment #2, offered by Rep. Kennedy (MA), which reinstates the authority to appoint an independent counsel for the purpose of an independent investigation on the forced resignation of Michael Flynn, National Security Adviser by the President with regard to alleged collusion with Russia, as well as investigation on the President's alleged collusion with Russia in Presidential elections, potential private business ties, and potential conflict of interests as a result; and amendment #3 by Rep. Demings (FL), which states that the Director of the FBI may be removed only for inefficiency, neglect of duty, or malfeasance in office; and amendment #5 by Rep. Lieu (CA), which reinstates the authority to appoint an independent counsel for the purpose of an independent investigation on the firing of James Comey, the Director of the FBI, as well as an investigation on the President's alleged collusions with Russia in Presidential elections, potential business ties, and the potential conflict of interests as a result; and amendment #6 by Rep. Moulton (MA), which reinstates the authority to appoint an independent counsel for the purpose of an independent investigation on the firing of Sally Yates, the Deputy Attorney General, and the President's understanding of the Department of Justice legal order. Defeated: 4–8.

Majority Members	Vote	Minority Members	Vote
Mr. Cole	Nay	Ms. Slaughter	Yea
Mr. Woodall	Nay	Mr. McGovern	Yea
Mr. Burgess	Nay	Mr. Hastings of Florida	Yea
Mr. Collins	Nay	Mr. Polis	Yea
Mr. Byrne	Nay		
Mr. Newhouse			
Mr. Buck	Nay		
Ms. Cheney	Nay		
Mr. Sessions, Chairman	Nay		

SUMMARY OF THE AMENDMENT MADE IN ORDER

1. Jackson Lee (TX): Requests a comprehensive study on the new authority of probation officers and sunsets that authority 30 months later after enactment. (10 minutes)

TEXT OF AMENDMENT MADE IN ORDER

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

Add, at the end of the bill, the following:

**SEC. 3. COMPTROLLER GENERAL REPORT ON NEW AUTHORITY OF
PROBATION OFFICERS.**

Not later than 2 years after the effective date of this act, the Comptroller General of the United States shall complete a study, and report to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate on the results thereof, on the arrest authority provided to probation officers under subsection (b) of section 3606 of title 18, United States Code, as added by section 2 of this Act. Such study shall include information about—

(1) any instance of an abuse of power in the exercise of such arrest authority;

(2) any complaints filed about the exercise of such arrest authority; and

(3) any harm resulting from the exercise of such arrest authority, including any civil action alleging the violation of a civil right in the exercise of such arrest authority.

SEC. 4. SUNSET OF ARREST AUTHORITY.

(a) **IN GENERAL.**—Subject to subsection (b) of this section, section 3606 of title 18, United States Code, is amended by striking subsection (b).

(b) **EFFECTIVE DATE.**—Subsection (a) of this section shall take effect on the date that is 30 months after the effective date of this Act.