

The NDO Fairness Act would do away with that rubber stamp by ensuring that courts apply a strict scrutiny standard to government requests with a written determination explaining their reasoning. By time-limiting non-disclosure orders, raising the standard of review, and ensuring that service providers have standing when they object, H.R. 7072 inserts transparency, reason, and balance into a system that for too long has been a free-for-all for government prosecutors simply by virtue of it being too easy to overuse.

If history and recent reporting has taught us anything, it is that we cannot trust the Department of Justice—under any administration—to police itself. It is imperative that the House of Representatives fulfill its role and ensure our laws are keeping pace with rapidly changing technology.

Madam Speaker, I thank Chairman NADLER and Congressman FITZGERALD for their leadership on this bill and our friends, Senator LEAHY and Senator LEE, for their leadership in the Senate.

Madam Speaker, I urge my colleagues to vote “yes” on the bill, and I reserve the balance of my time.

Mr. JORDAN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the NDO Fairness Act is a significant step in addressing the government’s overreach and abuse of nondisclosure orders, also known as gag orders.

All too often, the government obtains a court order to secretly demand the communications of American citizens from third-party tech companies like Apple, Google, Microsoft, and Verizon. Through these orders, the government blocks these companies from alerting their customers or users that the government is looking through their emails and phone records. In other words, you don’t get to know.

The frequency with which the government uses these orders to demand information is shocking. One company received 2,400 to 3,500 orders every year between 2016 and 2021. That is 7 to 10 orders every day—every single day. Some of those orders do not contain an expiration. That means the government is authorized to spy on Americans’ private information indefinitely.

Think about that, Madam Speaker. You may never know that the government accessed and snooped on your most intimate information.

More astoundingly, these nondisclosure orders are often approved by a rubberstamp process for routine investigations without any real showing of the need for secrecy.

This bipartisan bill ensures that our rights enshrined in the Constitution are protected from government overreach. The bill requires courts to issue written decisions as to why orders are necessary. It sets a 60-day limit for such orders and allows providers to challenge unjustified orders in a court of law.

Madam Speaker, I reserve the balance of my time.

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Mr. CICILLINE. Madam Speaker, I have no further speakers. I reserve the balance of my time.

Mr. JORDAN. Madam Speaker, I urge a “yes” vote, and I yield back the balance of my time.

Mr. CICILLINE. Madam Speaker, I yield myself the balance of my time.

H.R. 7072 will insert due process protections into a system too often abused by Federal prosecutors.

Under the Stored Communications Act, the government often has no obligation to tell you that they have requested access to your email records. It can prohibit your service provider from informing you of the search, even if your contract with the provider requires such notice.

The NDO Fairness Act will require that the government show a need for a gag order. It installs commonsense protections to ensure that any such orders are time-limited and subject to scrutiny for renewal.

Madam Speaker, I encourage my colleagues to vote “yes” and pass this important legislation today, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Rhode Island (Mr. CICILLINE) that the House suspend the rules and pass the bill, H.R. 7072, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### 21ST CENTURY PRESIDENT ACT

Mr. CICILLINE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3285) to amend gendered terms in Federal law relating to the President and the President’s spouse.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3285

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “21st Century President Act”.

#### SEC. 2. MODERNIZATION OF TERMS RELATING TO THE PRESIDENT AND THE SPOUSE OF A PRESIDENT.

Section 879(b)(1)(A) of title 18, United States Code, is amended by striking “the wife of a former President during his lifetime, the widow of a former President until her death or remarriage” and inserting “the spouse of a former President during a former President’s lifetime, the surviving spouse of a former President until the surviving spouse’s death or remarriage”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Rhode Island (Mr. CICILLINE) and the gentleman from Ohio (Mr. JORDAN) each will control 20 minutes.

The Chair recognizes the gentleman from Rhode Island.

GENERAL LEAVE

Mr. CICILLINE. Madam Speaker, I ask unanimous consent that all Mem-

bers have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 3285.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. CICILLINE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of H.R. 3285, the 21st Century President Act.

A century ago, women in this country had only barely won the right to vote. Today, we have the first female Vice President, a female Speaker of the House, and record numbers of women running for Federal office. Although we still have a long way to go both in equality and representation, our country’s government is growing closer to finally representing our Nation’s brilliant diversity.

Our laws must reflect the fact that a President and their spouse can be of any gender. That concept may have seemed impossible a few decades ago, but today it is, thankfully, a true and real possibility.

Currently, our criminal code defines a spouse in the “immediate family” of a President as “the wife of a former President during his lifetime” and “the widow of a former President until her death,” implying that the spouse must be female and the President must be male in order for a threat against a former President’s family to be treated as a crime.

This completely disregards the fact that a President may be female and the President’s spouse may not be. This does not reflect the progress we have made in this country.

I am proud to vote “yes” for this bill, which passed out of this Chamber by a voice vote last Congress, and I encourage all of my colleagues to vote for its passage to support equality in our highest branch.

Madam Speaker, I again thank my colleague and friend, Congressman POCAN, for introducing this bill and being such a strong advocate for it. I look forward to seeing it made law.

Madam Speaker, I reserve the balance of my time.

Mr. JORDAN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the bill is simple. Under current law, it is a crime to issue threats against former Presidents’ immediate family and certain other persons.

Specifically, this bill replaces the words “wife” and “widow” with “spouse” and “surviving spouse.” Both major parties have had women run for President, and this change makes sense.

But while we are dedicating floor time to consider this minor technical change, President Biden’s inflation has hit a 40-year high; his border crisis has left our Nation woefully unsecure; and leftwing defund the police actions have

contributed to a crime wave that is plaguing our cities.

Of course, this bill makes sense. It should be a crime to threaten the President or First Family. No one disagrees with that. But this body needs to get its priorities straight. Where is the legislation to address the crisis at the border, or address the crime wave, or to do anything meaningful about inflation or the price at the pump?

The bill is fine, but I hope that House Democrats will spend some time addressing the real issues that face the American people.

Madam Speaker, I reserve the balance of my time.

Mr. CICILLINE. Madam Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. POCAN), the author of this legislation.

Mr. POCAN. Madam Speaker, I rise today in support of the 21st Century President Act, a bipartisan bill that I am glad to have authored and introduced.

Federal law hasn't caught up to where progress in this country is, specifically when it comes to who a future President can be.

This bill would change Federal law that refers to a President's spouse. Sections that currently refer to a President's "wife" or "widow" would be changed to "spouse" in recognition of the fact that, in the 21st century, the President could either be a woman or a person from the LGBTQ community.

Without this change to the U.S. Code, for example, the law that makes it a crime to threaten, kill, kidnap, or inflict bodily harm upon the President or the President's family would fail to include a future female or gay President and their potential spouse.

This change is long overdue. Someday, there could be a President KAMALA HARRIS, or ELIZABETH WARREN, or AMY KLOBUCHAR, or TAMMY BALDWIN, or Pete Buttigieg, or a President Nikki Haley, or Kristi Noem, or LIZ CHENEY.

The words in law matter. It is critically important that Federal law recognizes that we could one day have a President who is not a man, or even a straight man, and that they and their families deserve equal protection under the law.

I am glad that this bill passed the House by voice vote last Congress and that it has now been voted out of the Judiciary Committee twice on a voice vote.

I personally thank Chairman NADLER and the Judiciary Committee for their support of this important bipartisan bill, and I urge all of my colleagues to, once again, support the 21st Century President Act.

Mr. JORDAN. Madam Speaker, I yield back the balance of my time.

Mr. CICILLINE. Madam Speaker, H.R. 3285, the 21st Century President Act, does indeed take our criminal code into the 21st century by removing gender terms and assumptions about who can be President from our criminal code.

It passed, as I said, on a voice vote last Congress. I ask my colleagues to again stand with me in supporting this legislation.

Madam Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Madam Speaker, I rise in support of H.R. 3285, the "21st Century President Act"—an insightful, common-sense measure, of which I am an original cosponsor.

In considering this bill, I think back to 1970 when Representative Shirley Chisolm, speaking on the need to ratify the Equal Rights Amendment, asked: "Why is it acceptable for women to be secretaries, librarians, and teachers, but totally unacceptable for them to be managers, administrators, doctors, lawyers, and Members of Congress?" At that time, it was almost unthinkable that a woman could be elected President of the United States.

Although we have yet to ratify the ERA, our country has made great strides in the struggle for gender equality since then—from the groundbreaking presidential primary campaign of Representative Chisolm in 1972; to the first-of-its-kind vice presidential nomination of Geraldine Ferraro; to the 18 million cracks in the glass ceiling made by Hillary Clinton; and the historic election of President Joe Biden and Vice President Kamala Harris, which began with a field that included six women and one member of the LGBTQ community.

Given the diversity of candidates for the presidency in recent years and the more inclusive times in which we live, our laws should evolve to reflect this societal progress.

That is why H.R. 3285 amends section 879 of title 18 to do away with the assumption that the president is male and his spouse female by removing gendered terms such as "wife" or "widow."

I hope we can all agree that "immediate family" means much more today than the 1982 law provides and that the spouse of our President should be protected regardless of gender.

Indeed, we have come very far in the pursuit of gender equality since this statute was enacted. Yet H.R. 3285 makes clear there is still much work to be done.

As we approach the 50th anniversary of the enactment of Title IX, women's rights are once again under threat and the push for genuine gender equality has been renewed.

Each of us must remain vigilant and ensure that equality of rights under the law are neither denied nor abridged by the United States or by any state on account of gender in any manner.

I thank the gentleman from Wisconsin, Representative MARK POCAN, for his efforts to bring us into the 21st century and for recognizing the importance of ensuring the safety and security of those who may come from the wide, vast diversity of America to serve as President.

I urge my colleagues to join me in support of this bill and hope we can pass it by voice vote as we did in the 116th Congress.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Rhode Island (Mr. CICILLINE) that the House suspend the rules and pass the bill, H.R. 3285.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

## ACTIVE SHOOTER ALERT ACT OF 2022

Mr. CICILLINE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 6538) to create an Active Shooter Alert Communications Network, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6538

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Active Shooter Alert Act of 2022".*

### SEC. 2. DEFINITIONS.

*In this Act:*

(1) **ACTIVE SHOOTER.**—The term "active shooter" means an individual who is engaged in killing or attempting to kill persons with a firearm in a populated area and who is determined to pose an active, imminent threat to people in that populated area.

(2) **ADMINISTRATOR OF FEMA.**—The term "Administrator of FEMA" means the Administrator of the Federal Emergency Management Agency.

(3) **CHAIRMAN OF THE FCC.**—The term "Chairman of the FCC" means the Chairman of the Federal Communications Commission.

(4) **COORDINATOR.**—The term "Coordinator" means the Active Shooter Alert Coordinator of the Department of Justice designated under section 3(a).

(5) **NETWORK.**—The term "Network" means the Active Shooter Alert Communications Network, an interconnected system of Federal, State, Tribal, and local governments that is organized to provide information to the public, within geographically relevant areas, on active shooter situations.

(6) **POPULATED AREA.**—The term "populated area" means a location where one or more persons other than the active shooter are present.

(7) **STATE.**—The term "State" means any of the 50 States, the District of Columbia, American Samoa, Guam, Puerto Rico, the Northern Mariana Islands, the Virgin Islands of the United States, and any other territory of the United States.

### SEC. 3. NATIONAL COORDINATION OF ACTIVE SHOOTER ALERT COMMUNICATIONS NETWORK.

(a) **COORDINATION WITHIN DEPARTMENT OF JUSTICE.**—The Attorney General shall assign an officer of the Department of Justice to act as the national coordinator of the Active Shooter Alert Communications Network regarding an emergency involving an active shooter. The officer so designated shall be known as the Active Shooter Alert Coordinator of the Department of Justice.

(b) **DUTIES.**—The Coordinator shall—

(1) encourage Federal, State, Tribal, and local government agencies to establish procedures to respond to an active shooter, including active shooter procedures relating to interstate or interjurisdictional travel (including airports and border crossing areas and checkpoints), and focus on governments that have not yet established such procedures; and

(2) work with State, Tribal, and local governments to encourage appropriate regional and interjurisdictional coordination of various elements of the Network.

(c) **GOALS.**—The Coordinator shall encourage the adoption of best practices established under section 4(a) in State, Tribal, and local governments for—

(1) the development of policies and procedures to guide the use of mass alert systems, changeable message signs, or other information systems