

and lead the House in the Pledge of Allegiance.

Mr. SELF led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. SELF) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 9, 2023.

Hon. MIKE JOHNSON,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 9, 2023, at 2:05 p.m.

That the Senate agreed to S.J. Res. 38.

That the Senate passed S. 41.

That the Senate passed S. 311.

That the Senate passed S. 670.

That the Senate passed S. 749.

With best wishes, I am,

Sincerely,

KEVIN F. MCCUMBER,
Acting Clerk.

COMMUNICATION FROM CHIEF OF STAFF, THE HONORABLE NANCY PELOSI, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Daniel Bernal, Chief of Staff, the Honorable NANCY PELOSI, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, November 9, 2023.

Hon. MIKE JOHNSON,
Speaker, House of Representatives,
Washington, DC.

DEAR MISTER SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I, Daniel Bernal, San Francisco Chief of Staff for the Honorable Nancy Pelosi, Speaker Emerita and U.S. Representative for the 11th Congressional District of California, have been served with a subpoena from the defendant to testify in United States of America v. DePape in the United States District Court for the Northern District of California.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House to the extent it requires testimony about non-privileged information.

Sincerely,

DANIEL BERNAL.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 4 minutes p.m.), the House stood in recess.

□ 1631

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. FULCHER) at 4 o'clock and 31 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered.

The House will resume proceedings on postponed questions at a later time.

NO STOLEN TRADEMARKS HONORED IN AMERICA ACT OF 2023

Mr. ISSA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1505) to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1505

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 "No Stolen Trademarks Honored in America Act of 2023".

SEC. 2. MODIFICATION OF PROHIBITION.

Section 211 of the Department of Commerce and Related Agencies Appropriations Act, 1999 (as contained in section 101(b) of division A of Public Law 105-277; 112 Stat. 2681-88) is amended—

(1) in subsection (a)(2)—

(A) by inserting "or entity of the executive branch" after "U.S. court";

(B) by striking "by a designated national";

and

(C) by inserting before the period "that was used in connection with a business or assets that were confiscated unless the original owner of the mark, trade name, or commercial name, or the bonafide successor-in-interest has expressly consented";

(2) in subsection (b)—

(A) by inserting "or entity of the executive branch" after "U.S. court"; and

(B) by striking "by a designated national or its successor-in-interest";

(3) by redesignating subsection (d) as subsection (e);

(4) by inserting after subsection (c) the following:

"(d) Subsections (a)(2) and (b) of this section shall apply only if the person or entity asserting the rights knew or had reason to know at the time when the person or entity acquired the rights asserted that the mark, trade name, or commercial name was the same as or substantially similar to a mark, trade name, or commercial name that was used in connection with a business or assets that were confiscated."; and

(5) in subsection (e), as so redesignated, by striking "In this section:" and all that follows through "(2) The term" and inserting "In this section, the term".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from New York (Mr. NADLER) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on H.R. 1505.

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

There was no objection.

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

Mr. Speaker, it is hard for the American people to believe, but it is true that foreign actors—foreign countries—have, in fact, stolen trademarks, absconded with the actual factories and the ability to produce various items and then had the gall to, in fact, use American law to sell America products that they in reality had already stolen.

This is no more truer than in the case of the communist nation of Cuba.

Under Fidel Castro, Cuba took everything. They took Coca-Cola. They took every possible item they could take, and then they took trade names. In some cases, like Coca-Cola, Coke continued to be produced in the United States, so it had no rights.

In the case of Bacardi, Bacardi moved to Puerto Rico and began making it there and selling it in the United States. In the case of, for example, Havana Club, they found themselves without any factories, so they worked together with other producers to continue their brand. While their brand was, in fact, being produced in America, the Castro regime—and now the Cuban Government—continued to apply year after year until eventually, due to what we would consider to be a wrongful act by the United States Patent and Trademark Office, awarded this country, who had stolen and still to this day uses the factories and the lands belonging to the family that produced Havana Club, they continue to sell Havana Club.

Now, to make matters worse, we are only talking about the United States because most of the world, in fact, took that brand name and was able to sell it in other countries. So the family that owned worldwide rights lost all but the United States, and if not for this piece of legislation, they and others would lose even their right here.

I am delighted to join with my colleague, Ms. WASSERMAN SCHULTZ of Florida, to introduce this bill. It has 17 cosponsors, and it passed through the Judiciary Committee on a bipartisan basis.

We all agree that the U.S. Government should not award those who steal and exploit trademarks or any other intellectual property from its legitimate owners to then benefit from U.S. law. Allowing Cuba to propagate its misappropriations would be and is currently a travesty.

Mr. Speaker, I urge my colleagues to support this bipartisan legislation, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 1505, the No Stolen Trademarks Honored in America Act.

H.R. 1505 would build on existing law to ensure that executive agencies do not recognize, enforce, or otherwise validate the assertion of trademark rights used in connection with a business whose assets were confiscated by the Cuban regime unless the original owner expressly consented to the transfer of that mark. It also makes technical amendments to ensure that we are in compliance with certain international obligations.

This legislation largely involves a long-running dispute over the rightful ownership of a specific trademark that has played out over the course of many decades. It is a tale with more twists and turns than a John Grisham novel.

This bill is really about a much larger principle—that we stand with the Cuban people whose property was seized by the Castro regime, and we will not give the protection and benefits of the U.S. trademark system to the holders of stolen property. Our trademark system must not be allowed to be a vehicle for the perpetrators of stolen property to profit from their theft.

I thank the gentleman from California (Mr. ISSA) and the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) for bringing this legislation forward.

Mr. Speaker, I urge all Members to support it, and I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), the cosponsor of this legislation.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I thank the gentleman for yielding and for his longstanding support of this important legislation that really reflects the values that we stand for here in the United States of America.

I particularly thank the gentleman from California (Mr. ISSA) for the back and forth—depending on who is in the majority in our Chamber in each successive Congress—as we sort of trade responsibility for who leads this bill.

In addition, I have also previously coled this legislation with our former colleague, Congresswoman Ileana Ros-Lehtinen, and Mr. DIAZ-BALART also joins us, as well. There is really broad bipartisan support for this bill, and I am so proud to lead this legislation on the Democratic side of the aisle.

This legislation would ensure that our government is never complicit in theft and expropriation ordered by autocracies.

By prohibiting U.S. recognition of illegally confiscated trademarks, this

bill stands strongly against attempts by the Cuban regime to profit from hijacked intellectual property.

Representing a diaspora community as I do, I have heard countless constituents recount how their home countries stripped them of hard-earned wealth.

Many Cuban families had to start from scratch when they arrived. They had property and their businesses confiscated.

Our Nation has benefited immeasurably from their cultural contributions and entrepreneurial spirit.

We are not just a nation of immigrants. We are a nation of innovators. We should always reward creativity and punish piracy.

Our most fundamental responsibility is protecting Americans and those living in our country from being victimized by our adversaries.

Our failure to do so would only embolden global despots who seek to target their exiles.

I hope my colleagues join us in refusing to tolerate trademarks being held hostage, as this one is in particular, and the many others that are held hostage by the Cuban regime and other regimes, as well. I am hopeful that our friends on the other side of the Capitol, once we send this bill to them, will send it to the President of the United States for his signature.

Mr. ISSA. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, this legislation makes a minor clarification to our trademark laws while serving notice to corrupt regimes across the world that America's intellectual property system must not be used to further their efforts to steal property from their own people.

Mr. Speaker, I urge all Members to support this bill, and I yield back the balance of my time.

Mr. ISSA. Mr. Speaker, in closing, I will make it very clear, if this product's trademark becomes available to its rightful owners again, the well-known company Bacardi will, in fact, have this product on the shelves again. If it is not passed, Cuba will not be able to sell under this name. In fact, these products would be prohibited if they came from Cuba.

The only purpose of Cuba trying to take this was to deny Cuban Americans the ability to sell a product that they owned before it was taken from the country.

There was an injustice that occurred before many in this room were born. We can only cure that injustice now by, in fact, passing this legislation.

I join with the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) in urging all to vote for this bill as they have in this body, and then we will work on the people across the dome.

Mr. Speaker, I urge passage of this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the bill, H.R. 1505, 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.

DEBBIE SMITH ACT OF 2023

Mr. ISSA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1105) to amend the DNA Analysis Backlog Elimination Act of 2000 to reauthorize the Debbie Smith DNA Backlog Grant Program, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1105

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 “Debbie Smith Act of 2023”.

SEC. 2. REAUTHORIZATION.

Section 2(j) of the DNA Analysis Backlog Elimination Act of 2000 (34 U.S.C. 40701(j)) is amended by striking “fiscal years 2019 through 2024” and inserting “fiscal years 2024 through 2029”.

SEC. 3. AUDITS TO PROTECT INTEGRITY OF GRANT AWARDS.

Section 2(c)(4) of the DNA Analysis Backlog Elimination Act of 2000 (34 U.S.C. 40701(c)(4)) is amended by striking “2022” and inserting “2029”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from New York (Mr. NADLER) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on H.R. 1105.

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

There was no objection.

Mr. ISSA. Mr. Speaker, I yield 5 minutes to the gentlewoman from Missouri (Mrs. WAGNER).

Mrs. WAGNER. Mr. Speaker, I thank Chairman ISSA for yielding. I thank the chairman of the full Committee on the Judiciary, JIM JORDAN, for his leadership and collaboration with my office in ushering this bill through the Judiciary Committee under thorough regular order.

Mr. Speaker, I rise today in strong support of my bipartisan and bicameral bill, H.R. 1105, the Debbie Smith Act of 2023.

No woman should ever have to experience the trauma and the pain of a rape or sexual assault. Yet tragically, these crimes are far too common, and approximately one in four women will experience this horrific crime.