

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.

There must be accountability, Mr. Speaker.

That means identifying, apprehending, and prosecuting the attackers to the fullest extent of the law.

One of the most important methods of investigating these crimes is through DNA analysis. However, in 2019, the Government Accountability Office found that backlogged DNA analysis requests at State and local crime labs increased by 85 percent over the last decade, and the most recent data estimates that 200,000 sexual assault kits across the country remain untested.

This is absolutely unacceptable, Mr. Speaker.

My bill, H.R. 1105, addresses this issue directly. H.R. 1105 is a straight reauthorization of the Debbie Smith DNA Backlog Grant Program through fiscal year 2029.

This vital program provides support for law enforcement in all 50 States to help police improve their procedures for collecting DNA evidence from rape kits and crime scenes; support the proper and timely analysis of this evidence with a specific priority placed on rape and sexual assault kits; audit untested DNA evidence from sexual assault cases; and it enhances the capacity of State and local prosecutors to bring these cases to court.

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This program has been incredibly effective since it was first established, Mr. Speaker. Funding from this program has directly resulted in nearly 1.8 million DNA cases analyzed and processed, including over 600,000 crime scenes and rape kits.

Because of these efforts, the Debbie Smith DNA Backlog Grant Program accounts for over half of all of the matches, or hits, in the Federal criminal DNA database. That is quite literally helping survivors reach the justice, the accountability, and the closure that they need.

Mr. Speaker, we must not let this program lapse at the end of this fiscal year.

I was proud to lead the previous iteration of this bill in 2019 with my dear friend Representative CAROLYN MALONEY. I am beyond thankful to the 85 bipartisan Members of Congress who have signed on in support of this legislation.

I also thank Majority Leader STEVE SCALISE and his team—you know who you are—for bringing this bill to the floor, Subcommittee Chairman ANDY BIGGS for his partnership in moving this bill through the proper legislative process, as well as Senators CORNYN, KLOBUCHAR, GRAHAM, and the Late Senator Dianne Feinstein for their leadership in the Senate.

Through our bicameral work, this bill has only gotten stronger. We have added an important provision to ensure that a portion of the funds from this program specifically are set aside for the auditing of untested rape kits. This

will support law enforcement's efforts to fully account for the rape kits in their possession so that they can be more efficiently analyzed, processed, and used to put rapists behind bars.

I thank Senator RAND PAUL for this legislative contribution, and I look forward to seeing an overwhelming bipartisan show of support for this bill and this program on the floor of the U.S. House of Representatives.

Mr. Speaker, I say to Debbie Smith: I have heard her calls to get this done, and I promise her this program will be reauthorized as soon as possible.

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

Mr. Speaker, H.R. 1105, the Debbie Smith Act of 2023, would reauthorize landmark legislation first enacted 19 years ago, in 2004, which has been instrumental in addressing a backlog of untested rape kits sitting in evidence rooms and crime labs across the country. Nearly 20 years ago, when I helped lead efforts to help enact the original version of this legislation, I said: "It is imperative that we eliminate the shameful backlog of untested rape kits."

Despite our best efforts, the backlog still exists, and my thoughts remain the same. It is imperative that we eliminate the rape kit backlog; full stop.

For every rape kit that is yet to be tested, there is a victim of an unspeakable crime who has yet to see justice or find closure. In some cases, there is an individual languishing in prison who does not belong there. It is for these reasons that we must continue the crucial mission of this legislation and ensure justice for survivors and for the wrongfully convicted.

Over the past two decades, the Debbie Smith DNA Backlog Grant Program has been vital in supporting the processing and analysis of rape kits, DNA evidence collection and analysis, and victim resources. Millions of dollars have been allocated to increase the capacity of forensic laboratories in countless jurisdictions, provide DNA training and education to thousands of law enforcement personnel, and provide support services to a multitude of victims. As a result of this legislation, thousands of cases have been solved, and countless survivors have finally received the justice they so rightfully deserve.

While we laud the numerous achievements made possible by this legislation, ultimately, we know that funding is vital to the success of this grant program. That is why I offered an amendment to similar legislation during the 107th Congress that would increase the authorization of funds to address the backlog to \$150 million.

Although the Debbie Smith program was authorized to provide up to \$151 million in grant funds during the following Congress, the full amount has never been appropriated, and it appears that the amounts appropriated are decreasing each year.

Failure to fully fund this program limits the capacity to address the backlog, which often numbers in the thousands and has worsened largely due to the pandemic. If we really want to solve this problem, we will appropriate \$151 million, the full amount of the authorization, in this year's budget. Delays in testing undermine public safety, allowing dangerous criminals to evade apprehension and potentially commit additional crimes. It is my hope that the appropriators will fully fund this critical program going forward.

Reauthorizing the Debbie Smith program makes our communities safer. By investing in DNA testing and forensic technology, this legislation ensures law enforcement agencies are empowered to identify perpetrators more efficiently and to link them to other unsolved cases. These identifications and connections not only bring closure to victims and their families, but they also prevent future crimes by removing serial offenders from our streets. Above all, reauthorizing the Debbie Smith program sends a clear message to survivors of sexual assault, domestic violence, and other crimes that we stand with them.

While Congress has recognized the urgency of addressing the backlog and disbursed millions of dollars in grant funds through the Debbie Smith program and other grant programs in response to this problem, we must be certain that these funds are put to good use. That is why H.R. 1105 would also reauthorize for 5 years the allocation of grants for State and local governments that receive funding under the Debbie Smith program to conduct an audit of sexual assault evidence that is in their possession and awaiting testing.

This particular provision promotes the collection of data to help us better understand the nature and extent of the backlog and why it persists, while providing grantees with the resources they need to perform the audit and comply with other conditions and requirements set forth in the statute without reducing the total funds available to carry out the primary purposes of the Debbie Smith program.

The Debbie Smith Act of 2023 is an important measure that ensures our continued support of State and local governments in reducing the nationwide backlog of untested rape kits, protecting victims, closing cases, preventing crime, exonerating the wrongfully accused and convicted, and holding perpetrators of crime accountable, while promoting the thoughtful allocation and use of Federal funds.

Again, I emphasize that this will not work as well as it should. We will not protect as many victims as we should; we will not exonerate as many wrongfully convicted people as we should if we don't fully fund the program and if we don't convince the appropriators to appropriate the \$151 million authorized in this bill.

I thank Representative ANN WAGNER for introducing this legislation along with Representatives SHEILA JACKSON LEE, STEVE COHEN, WESLEY HUNT, and BEN CLINE. I encourage my colleagues to join me and a broad, bipartisan coalition of cosponsors in support of H.R. 1105.

Mr. Speaker, the Debbie Smith DNA Backlog Grant Program has proven to be a bipartisan beacon of hope, shining a light on justice sometimes long denied. This legislation would reauthorize this crucial program and other safeguards and emphasize our commitment not only to public safety but also to survivor support and crime prevention. I urge my colleagues on both sides of the aisle to do the same.

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

Mr. ISSA. Mr. Speaker, I yield myself the balance of my time for closing.

Mr. Speaker, much has been said, but I am going to close with just two important items. One is that there is no question at all but that this has been a good reauthorization because it calls for the accountability and the audit to find out why the backlog persists and to find ways to eliminate it. Second is its original purpose. Its original purpose, more than anything else, is very simple. There are hundreds of rapists out there, and they will continue to perpetrate their crimes until they are caught. This DNA evidence, in fact, takes rapists off the street that otherwise will be committing these crimes, violating other persons, until they are stopped. For that reason, we must reauthorize and appropriate for this legislation. It is critical that we take these evil people off the street. This is the way to do it.

Mr. Speaker, I urge support, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H.R. 1105, the "Debbie Smith Act of 2023," a bill that would reauthorize critical grant funding aimed at ending the rape kit backlog.

As the Ranking Member of the House Judiciary Subcommittee on Crime and Federal Government Surveillance, I am proud to be one of four original cosponsors of this bipartisan legislation, and I am proud to stand with Representative STEVE COHEN and Representative WESLEY HUNT.

And I am encouraged by the number of cosponsors—Republicans and Democrats—who have joined us, including Judiciary Ranking Member NADLER, Crime Subcommittee Chairman BIGGS, and many other members of the Judiciary Committee.

This bill was introduced by Representative ANN WAGNER, who I have worked with on many occasions to ensure that victims of crime receive justice. And this is one such measure.

H.R. 1105 reauthorizes legislation that provides resources to state and local law enforcement agencies and prosecutors to reduce the national backlog of DNA evidence, most notably, rape kits.

Although DNA evidence has proven critical to solving crimes and delivering justice, particularly in crimes of sexual violence, there are

still challenges to holding offenders accountable using such evidence.

Law enforcement agencies and prosecutors increasingly collect and rely on DNA evidence, such as rape kits, to investigate and solve crimes.

But delays in processing rape kits and other DNA evidence can result in delays in apprehending or prosecuting violent or serial offenders. It can also result in the wrongfully convicted serving time in prison for crimes they did not commit.

For every rape kit or DNA sample that languishes on a shelf, untested, in a crime lab or police department somewhere in America, there is at least one victim—possibly living in fear and most certainly searching for an end to their nightmare.

That is why, as Ranking Member NADLER said, it is imperative that we end the rape kit backlog.

Since passage of the Debbie Smith Act in 2004, as the first piece of legislation aimed at ending the backlog of untested and unanalyzed DNA evidence—more than 860,000 DNA cases have been processed with over 376,000 DNA profiles uploaded to the Combined DNA Index System, commonly referred to as CODIS, and nearly 200,000 DNA samples have been matched.

Research has shown that testing backlogged kits can lead to CODIS hits as well as arrests and convictions.

One study of 491 untested kits in the possession of the Houston Police Department yielded 104 CODIS hits after testing, and 16 of those hits led to an arrest.

Debbie Smith grants have helped reduce the backlog in jurisdictions in every corner of the country.

For instance, the New York Times reported that my home state of Texas had a backlog of approximately 20,000 untested kits in 2013.

According to a report by the Dallas Morning News, that number was reduced to just over 6,000 by 2021.

Unfortunately, a measure of the progress made in reducing the national backlog was lost due to the COVID-19 pandemic.

However, recognizing the accomplishments made since the Debbie Smith Act first became law, I am confident that we will once again reduce the number of untested samples and rape kits and eventually end the backlog.

The Debbie Smith DNA Backlog Grant Program provides grants to state and local governments for nine major purposes that include (1) conducting analyses of DNA samples; (2) increasing the capacity of state and local laboratories to carry out DNA analyses; and (3) ensuring that the testing and analysis of DNA samples from crimes, including sexual assault and violent crime are carried out in a timely manner.

The program also provides funds to process offender DNA samples to ensure evidence from unsolved crimes can be matched to the databases of known offenders as in the case of the woman for which this bill was named.

The perpetrator who kidnapped and raped Debbie Smith was identified using a DNA sample collected from him while he was serving 161 years in prison for robbing and abducting two women.

The "hit" connecting this individual to her rape was not made until the DNA evidence was analyzed and uploaded to CODIS six and a half years later.

In an op-ed written in 2019, Mrs. Smith said, "For six and a half years, I lived in the fear that he would return or, even worse, that he would take out his revenge on my children or my husband. That fear held me so tightly that it choked out any joy of life."

Her fears and thoughts of suicide—simply to find peace—changed when the results of her rape kit analysis identified her rapist.

I am grateful that Mrs. Smith brought this issue to Congress and advocated for victims like herself.

It is now up to Congress to make certain that every victim and every survivor experiences the relief she felt knowing that her rapist could no longer do harm to her, her loved ones, or her community.

That is why I will do all that I can to ensure that every rape kit is tested, and every sample is analyzed so that no survivor's voice is silenced and no victim's cry for justice goes unanswered, and that no criminal goes free because of a failure to act.

That includes supporting this bill and encouraging my colleagues to do the same.

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. 1105, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mrs. WAGNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

MAKING TECHNICAL AMENDMENTS TO UPDATE STATUTORY REFERENCES TO CERTAIN PROVISIONS WHICH WERE FORMERLY CLASSIFIED TO CHAPTERS 14 AND 19 OF TITLE 25, UNITED STATES CODE, AND CORRECTING RELATED TECHNICAL ERRORS

Mr. CLINE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3496) to make technical amendments to update statutory references to certain provisions which were formerly classified to chapters 14 and 19 of title 25, United States Code, and to correct related technical errors.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3496

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

SECTION 1. TITLE 2, UNITED STATES CODE.

Section 3(15)(D) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602(15)(D)) is amended by striking "(25 U.S.C. 450b(e))" and inserting "(25 U.S.C. 5304(e))".

SEC. 2. TITLE 5, UNITED STATES CODE.

(1) Section 320 of the Department of the Interior and Related Agencies Appropriations Act, 1985 (Public Law 98-473, title I, section 101(c), 5 U.S.C. 5911 note) is amended by striking "(25 U.S.C. 450 et seq.)" and inserting "(25 U.S.C. 5321 et seq.)".

(2) Section 8336(j) of title 5, United States Code, is amended as follows: