

that we know is plaguing our Native communities across the country.

Despite unparalleled rates of violence, there is still no reliable way of knowing how many indigenous women go missing each year nor whose fate hangs in the balance of an unsolved murder case.

My congressional district in central Washington has been particularly affected by this crisis. Since the year 2013, there have been 13 cases of missing or murdered indigenous women on or around the Yakama Reservation alone.

This number accounts only for the land surrounding one of the 29 federally recognized Tribes in Washington State, let alone the hundreds of others across the country. This information is available only due to the efforts and activism of local communities.

Tribal and community leaders have held multiple marches, vigils, and community forums to raise awareness and demand action.

The diligent reporting of the Yakima Herald-Republic, our local newspaper, has highlighted the response and activism on the ground by creating an online hub to list open cases involving missing and murdered women and providing resources for the community to report such disappearances.

Recently passed State laws in Olympia have enhanced data collection and improved communication between Tribal leaders, law enforcement, and various State agencies.

These local leaders have given a voice to the crisis, and I am heartened to see that the Federal Government is finally taking action. For too long, indigenous women and Native communities have faced this crisis all alone and suffered in silence.

The Trump administration has worked to bring this crisis to light, creating an interagency task force between the Departments of Justice and the Interior called Operation Lady Justice.

I was proud to welcome Assistant Secretary for Indian Affairs Tara Sweeney to central Washington last December, where she highlighted the administration's effort to deliver justice to Native American communities. But Secretary Sweeney echoed the concerns of local leaders and myself by pointing out the need for congressional action.

By sending this bill to President Trump's desk, we are signaling that we have heard them and that they are no longer invisible.

As Congress takes long-overdue action to address the crisis of missing and murdered indigenous women, I urge my colleagues to join me in supporting the Not Invisible Act.

Mr. ARMSTRONG. Mr. Speaker, I don't think I could close any better than that, so I yield back the balance of my time.

Ms. SCANLON. Mr. Speaker, the Not Invisible Act does precisely what its title aims to do. It ensures that the

Federal Government dedicates proper attention and gives visibility to the crisis of violence and sexual violence committed against American Indian and Alaska Native men and women. Indeed, these communities have been subjected to invisibility and neglect for far too long.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Pennsylvania (Ms. SCANLON) that the House suspend the rules and pass the bill, S. 982.

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.

□ 1430

DEFENDING THE INTEGRITY OF VOTING SYSTEMS ACT

Ms. JACKSON LEE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1321) to amend title 18, United States Code, to prohibit interference with voting systems under the Computer Fraud and Abuse Act.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1321

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 "Defending the Integrity of Voting Systems Act".

SEC. 2. PROHIBITION ON INTERFERENCE WITH VOTING SYSTEMS.

Section 1030(e) of title 18, United States Code, is amended—

(1) in paragraph (2)—

(A) in subparagraph (A), by striking "or" at the end;

(B) in subparagraph (B), by adding "or" at the end; and

(C) by adding at the end the following:

"(C) that—

"(i) is part of a voting system; and

"(ii)(I) is used for the management, support, or administration of a Federal election; or

"(II) has moved in or otherwise affects interstate or foreign commerce;";

(2) in paragraph (11), by striking "and" at the end;

(3) in paragraph (12), by striking the period and inserting a semicolon; and

(4) by adding at the end the following:

"(13) the term 'Federal election' means any election (as defined in section 301(1) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101(1))) for Federal office (as defined in section 301(3) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101(3))); and

"(14) the term 'voting system' has the meaning given the term in section 301(b) of the Help America Vote Act of 2002 (52 U.S.C. 21081(b))."

The SPEAKER pro tempore (Mr. CUELLAR). Pursuant to the rule, the gentlewoman from Texas (Ms. JACKSON LEE) and the gentleman from North Dakota (Mr. ARMSTRONG) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

GENERAL LEAVE

Ms. JACKSON LEE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of S. 1321, the Defending the Integrity of Voting Systems Act.

We are on the verge of a significant, historic, and, really, life-or-death Presidential Federal election. This is an important legislative initiative. This important and timely legislation would strengthen Federal criminal laws related to interference with voting systems used in a Federal election.

All of us want a fair and just election system. Voting is an essential part of our democracy. We must ensure that our citizens have confidence in our electoral systems.

As we know too well from the last Presidential election and from evidence that we continue to learn, our adversaries, Russians and others, are conducting cyber operations to interfere with our elections. We are well aware of the Russian bots that interfered with the elections in 2016. We need to do all that we can to protect voting machines and the related infrastructure as we head to November.

The integrity and legitimacy of our elections is at stake. That is why this bill was developed: to ensure that our law concerning the unauthorized accessing of computer systems can also be used to prosecute those who hack into computer voting systems.

Led by Senator BLUMENTHAL and by our former colleague Mr. Ratcliffe in the House, this bipartisan legislation responds to a concerning report by the Justice Department's Cyber-Digital Task Force in 2018. The report concluded that current law is inadequate, given all the potential threats to our Nation's election security and voting systems. Specifically, the report identified a gap in current Federal criminal law relating to hacking of voting machines, especially when the machines are offline.

The Computer Fraud and Abuse Act is a key tool for the prosecution of computer crimes and the protection of property rights and computers, but the law is generally limited to certain devices connected to the internet. However, researchers have repeatedly demonstrated that ballot recording machines and other voting systems are susceptible to tampering based on physical or close access.

In order to reduce the risk of attack, more jurisdictions are adopting important and recommended measures to

keep these voting systems off the internet. Therefore, S. 1321, this Senate bill, would expand the definition of the term “protected computer” under the Computer Fraud and Abuse Act to include computers, even if offline, that are a part of any voting system used in a Federal election.

It is so crucial that the American people know that we have taken this action today to protect them and to ensure the sanctity of the process of voting and democracy. By expanding the definition of computers that are protected under current law, we will enhance the ability of law enforcement and prosecutors to bring appropriate charges in instances in which computer voting systems are hacked.

The Senate passed this legislation with unanimous support, and it is now our turn to join our colleagues to adopt this important bill so that it may become law as quickly as possible. Therefore, Mr. Speaker, I ask all of my colleagues today to join me in this bipartisan, crucial legislation which upholds democracy and assures the sanctity of one vote, one person.

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

Mr. ARMSTRONG. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise in support of S. 1321, the Defending the Integrity of Voting Systems Act.

This bill will protect our Nation’s most sacred democratic process by making it a Federal crime to hack any voting system used in a Federal election.

Protecting our Nation’s election process from bad actors must be a top priority of Congress.

In 2018, the Department of Justice’s Cyber-Digital Task Force issued a report finding that election systems were not adequately protected by Federal law. This bill is a bipartisan response to address the problems identified by the task force.

Bad actors who attempt to interfere in our elections must be punished for their actions. As someone who spends a lot of time here talking about where crimes fit in the State and Federal place, and oftentimes I think we overreact as a Federal Government and interfere in things that I believe should be left to the States, I think this is the opposite of that. An election in North Dakota can have consequences across the country. An election in Texas can have consequences across the country.

This is written in a way that it deals with Federal elections and any machines used in those. It is a good piece of legislation. It is a bipartisan piece of legislation. It is based off of task force findings. It is narrow, and it does what we need it to do.

Mr. Speaker, I urge my colleagues to join me in supporting this bill, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I thank the gentleman from the Judiciary Committee and on

the Crime, Terrorism, and Homeland Security Subcommittee for his leadership, and I thank the sponsors for their leadership. I thank our chairman and ranking member for the bipartisanship of this legislation.

Again, Mr. Speaker, let me remind my colleagues how important this change is. It doesn’t speak to mistakes or innocent mistakes, but what it does is it makes sure that a computer that is offline is subject to the laws of hacking that may occur when a computer is online or active.

We know how creative those who want to undermine and distract from a fair, just election are. They may not just have an inclination to hack an active computer. So under the Computer Fraud and Abuse Act, this is to include computers, even if they are offline, that are part of a voting system used in a Federal election.

Again, we understand how many people are engaged in making sure we have a secure and just election, and we know that this legislation focuses on the bad actors, and that is what we want to do.

The integrity, Mr. Speaker, of the upcoming elections is essential to the foundation of our democracy. The right to vote is the most fundamental right of citizenship in our democracy, and this issue touches every voter in every community across America.

We know that people are now voting as we stand here on the floor of the House. We know that mail balloting will continue or start in many jurisdictions. Some have already started. We know many States are engaged in early voting, where millions of people will be voting. This is an important initiative that needs to be signed immediately into law.

We need to do all that we can to address current threats and to ensure public confidence in our elections. This legislation will help advance that goal. That is why I ask all of my colleagues to join me in supporting passage of S. 1321 today.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. JACKSON LEE) that the House suspend the rules and pass the bill, S. 1321.

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.

DUE PROCESS PROTECTIONS ACT

Ms. JACKSON LEE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1380) to amend the Federal Rules of Criminal Procedure to remind prosecutors of their obligations under Supreme Court case law.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1380

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 “Due Process Protections Act”.

SEC. 2. REMINDER OF PROSECUTORIAL OBLIGATIONS.

Rule 5 of the Federal Rules of Criminal Procedure is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following:

“(f) REMINDER OF PROSECUTORIAL OBLIGATION.—

“(1) IN GENERAL.—In all criminal proceedings, on the first scheduled court date when both prosecutor and defense counsel are present, the judge shall issue an oral and written order to prosecution and defense counsel that confirms the disclosure obligation of the prosecutor under *Brady v. Maryland*, 373 U.S. 83 (1963) and its progeny, and the possible consequences of violating such order under applicable law.

“(2) FORMATION OF ORDER.—Each judicial council in which a district court is located shall promulgate a model order for the purpose of paragraph (1) that the court may use as it determines is appropriate.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Texas (Ms. JACKSON LEE) and the gentleman from North Dakota (Mr. ARMSTRONG) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

GENERAL LEAVE

Ms. JACKSON LEE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

S. 1380, the Due Process Protection Act, introduced by Senators DAN SULLIVAN and DICK DURBIN and passed by unanimous consent in the Senate this past May, is a narrowly tailored, bipartisan bill that would reinforce the government’s already existing constitutional obligation to disclose exculpatory evidence. Sometimes, of course, that evidence can be the difference between innocence and conviction and fairness to both the government and the defendant.

The Due Process Clause of the United States Constitution requires that prosecutors disclose to the accused all favorable evidence that is material. Unfortunately, at this time, there are inadequate safeguards in Federal law to ensure that this practice is followed across the country.

According to the National Registry of Exonerations, from 1989 to 2017, prosecutors concealed exculpatory evidence at trial in half of all murder exonerations. Although this statistic includes State prosecutions, we know that exculpatory evidence is concealed in Federal cases as well.

Mr. Speaker, I have been involved in criminal justice reform for a very long time, and I have seen the damage that