

This legislation will help ensure the safety of our citizens and the security of our Nation. S. 744, which the Senate passed by unanimous consent earlier this year, is identical to H.R. 1986, which the House Committee on the Judiciary recently approved by voice vote last month.

In 1990, Congress imposed criminal penalties with respect to the development, production, stockpiling, transfer, acquisition, retention, or possession of any biological agents, toxins, or delivery systems intended for use as a weapon.

Thereafter, Congress in 2001, added section 175b to title 18 of the U.S. Code, criminalizing the possession by unregistered individuals or restricted persons of certain biological agents, termed "select agents," as determined by the Secretary of Health and Human Services. A person found guilty under section 175b can be imprisoned for up to 10 years.

As originally enacted and thereafter in subsequent amendments thereto, section 175b referred to specific sections of the Code of Federal Regulations that listed various biological agents and toxins.

That provision was last amended in 2004, but subsequently, the Department of Health and Human Services reformatted some sections of the Code of Federal Regulations and inadvertently rendered the references in section 175b incomplete.

For example, one of the select agents inadvertently eliminated from the list of prohibited substances is ricin, a poison found in castor beans. Ricin is inexpensive, easy to make, and highly toxic.

This result, the consequence of a drafting error, is clearly not what Congress intended. Unfortunately, there have already been real-life consequences for this error.

Last September, for instance, the District Court for the Northern District of Georgia, dismissed the indictment of William Christopher Gibbs, a self-avowed white supremacist who was charged with the unregistered possession of ricin. In dismissing the Gibbs indictment, the court stated it:

Appreciates the potential dangers associated with individuals possessing potentially hazardous agents and toxins without permission to do so. Equally, though, the Court takes very seriously the principle that citizens ought to have fair and clear warning of the conduct for which they can be held criminal responsible. It falls to Congress to write criminal laws, or to amend them if they yield unfair or unwanted results. The role of the courts, on the other hand, is limited to fairly reading and applying the laws Congress writes; not to change them.

As we consider S. 744 today, it is important to recognize and commend the sponsor of the House companion bill, the gentleman from Texas and our Judiciary Committee colleague, Representative JOHN RATCLIFFE; and Judiciary Ranking Member DOUG COLLINS; as well as the gentlewoman from New York, Representative KATHLEEN RICE;

and the gentleman from Texas, Representative WILL HURD, for their bipartisan efforts to address this critical problem.

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

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I also rise in support of H.R. 1986 because it fixes a technical, but very important, error that occurred in the Code, and the gentlewoman from California, again, has done a wonderful job of explaining this.

She brought up an interesting case. She brought up the case out of the Northern Circuit of Georgia which is actually my circuit, and the judge in that case is actually a judge named Rick Story. And Rick Story is one of the best jurists we have in this country. His comment here is really, I think, telling for us that many times in Congress we need to take heed of when he says: "It falls to Congress to write criminal laws or to amend them if they yield unfair or unwanted results." And that is exactly what we are doing here today.

This needs to be added. It was a scrivener's error and a mistake that it was not there, and it needs to be corrected.

And with that, again, the gentlewoman from California has been a great help on this, and the gentleman from Texas (Mr. RATCLIFFE), and others for their work on this legislation.

As we go forward, I think this has been a good process. I am glad to see it coming to fruition, and I yield back the balance of my time.

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

Mr. Speaker, without question, Congress should do everything within its power to ensure the safety of all Americans. Clearly, the possession and distribution of ricin is dangerous and should be included among the various biological toxins prohibited under current law, as Congress had intended.

S. 744 corrects this technical error and addresses the serious consequences presented by this oversight. For these reasons, I urge my colleagues to join me in supporting S. 744, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Committees on the Judiciary and on Homeland Security, I rise in strong support of S. 744 the "Effective Prosecution of Biological Toxins and Agents," which amends 18 U.S.C. 175b to prohibit the possession, transport, or sale of biological agents and toxins by individuals.

S. 744 also prohibits the transport, possession, or shipment of any biological agent or toxin in interstate or foreign commerce.

Biological agents and toxins disseminate disease-causing organisms or toxins to harm or kill humans, animals or plants.

In addition to strategic or tactical military applications, biological weapons can be used to infect livestock or agricultural produce to cause food shortages and economic loss, cre-

ate environmental catastrophes, and introduce pandemics.

Biological agents can also be deployed in missiles, bombs, hand grenades, and rockets to deliver death and destruction.

Mr. Speaker, there have also been documented efforts to develop delivery devices for assassinations or sabotage operations, including a variety of sprays, brushes, and injection systems as well as means for contaminating food and clothing.

It should concern us all that recent technological advances increase the likelihood that these weapons could be acquired or produced by non-state actors, including terrorist organizations and mentally unstable individuals.

This is a major threat to our national security as well as the safety of all American citizens.

Mr. Speaker, I urge my colleagues to join me in supporting S. 744.

In doing so we provide an added measure of security for our homeland by prohibiting the creation and proliferation of biological weapons as well as the sale of such weapons.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. BASS) that the House suspend the rules and pass the bill, S. 744.

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.

21ST CENTURY PRESIDENT ACT

Ms. BASS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 677) 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. 677

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 gentlewoman from California (Ms. BASS) and the gentleman from Georgia (Mr. COLLINS) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, there will be a time in this country when the President of the United States will have a husband and not a wife. In preparation for that day, I urge the House to suspend the rules and pass H.R. 677, the 21st Century President Act, which removes gender terms from current law criminalizing threats against former Presidents and their families.

Currently, we have a law that makes it unlawful to threaten to kill, kidnap, or inflict bodily harm upon a former President, President-elect, Vice President-elect, or a major candidate for President, or Vice President, or their immediate family member.

The statute, however, defines immediate family with terms such as: "wife," "her," and "widow," which makes presumptions that will not stand the test of the future of this country.

At present, one member of the LGBTQ community and six women have declared themselves to be candidates for the Presidency. Whether or not any of these candidates is nominated or elected, it is clear that the terminology in our law is outdated and should be changed to refer to the spouse of a former President.

The words we use shape the world in which we live. We should act accordingly. I support H.R. 677, and I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I appreciate this. I think the bill is a good bill. It does exactly what it needs to do, and it clarifies for the future. I encourage everyone to vote "yes," and I yield back the balance of my time.

Ms. BASS. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. POCAN).

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Mr. POCAN. Mr. Speaker, I thank the Representative for the time.

The current field of Presidential candidates looks more like American society than ever before, and we are closer than ever to the possibility that a woman or LGBT person could hold the country's highest office.

We have decades of activism by women and the LGBT community to thank for this fact, and the least Congress can do is to ensure the law recognizes the progress our country has made.

We have come a long way from 1872 when Victoria Woodhull became the first woman to seek the Presidency, decades before women won the right to vote. Today, six women, more than ever before, are running for President.

Almost 100 years after the passage of the 19th Amendment, and thanks to trailblazers like Victoria Woodhull, Shirley Chisholm, and Hillary Clinton, we are closer than ever before to having a woman in the Oval Office.

In 2012, Fred Karger, a Republican, was the first openly LGBT candidate for President, and the 2020 Democratic Presidential field includes one openly LGBT candidate.

The landmark 2015 Supreme Court decision making gay marriage legal in all 50 States means that a future President may have a spouse of the same sex.

Unfortunately, current Federal law is outdated and does not reflect the reality that we could have a female or gay President as soon as 2021.

Today's bill updates Federal law to reflect the possibility of a female or LGBT President by replacing gendered terms like "wife" and "widow" with "spouse." It also replaces gender-specific pronouns when referring to the President and their spouse with gender-neutral terms.

Without this change, the law that makes it a crime to threaten to kill, kidnap, or inflict bodily harm upon the President or the President's family would fail to include a future female or gay President.

The words we use matter, and it is critically important that the law recognizes that soon we will have a President who is not a straight man.

I thank the chairman, the ranking member, and all the members of the committee for their support of this important bipartisan bill.

Mr. Speaker, I urge my colleagues to support the 21st Century President Act.

Ms. BASS. Mr. Speaker, I yield 5 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, let me thank the gentlewoman for yielding and let me thank the sponsor of the legislation, the 21st Century President Act.

I wanted to affirm Congressman POCAN for the leadership that he has given to an issue that many might not pay attention to, and the term is appropriate, the 21st Century President Act, which deals with criminalizing threats against former Presidents and their families as well as providing security for those individuals who may be impacted.

For example, section 879 of title 18, enacted in 1982 after the assassination attempt on then-President Ronald Reagan, makes it unlawful to threaten to kill, kidnap, or inflict bodily harm upon a former President, President-elect, or Vice President-elect or major candidate for President or Vice President or an immediate family member. In the terminology, as has been indicated, the terms are defined as "wife," "her," and "widow," which presumes that the President of the United States will always be a man and his spouse will always be a woman.

We are very fortunate to have any number of wonderful Americans running who will have the opportunity to serve. Many women are running. Certainly, individuals from our LGBTQ community will be in the future mix for President of the United States.

I thank the gentleman from Wisconsin for bringing us into the 21st century, being enthusiastic about recognizing the importance of ensuring the safety and security of those who may be running as candidates, those who may be serving who come from the wide, vast diversity of America.

It is clear that the time has come for the language to change to a neutral term of "spouse" to refer to the partner of the President of the United States.

It is also important that we update our laws to welcome enthusiastically the idea that America, excitingly, will have an opportunity to elect a unique and different person to the Presidency of the United States, competent, qualified, and able to serve.

I rise to support the 21st Century President Act. The language speaks to the idea of the new and exciting opportunity for this great country.

Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I rise today in strong support of H.R. 677, the "21st Century President Act," introduced by my good friend, the gentleman from Wisconsin, Congressman MARK POCAN.

I support this legislation, which updates the current statutory provision set forth in 18 U.S.C. 879 criminalizing threats against former presidents and their families.

It does this by removing the gendered terms from the statute.

Section 879 of title 18, enacted in 1982 after the assassination attempt on then-President Ronald Reagan, makes it unlawful to threaten to kill, kidnap or inflict bodily harm upon a former President, President-elect, or Vice President-elect, or a major candidate for President or Vice President, or [an] "immediate family" member.

"Immediate family," however is defined with terms such as 'wife,' 'her,' and 'widow'—which presumes the president will always be a man and his spouse will always be a woman.

H.R. 677, the 21st Century President Act makes an important contribution in recognition of the historic progress we have made in our country.

In 2016, the Democratic party, one of America's two major political parties, nominated a woman to be its standard bearer and nominee of President of the United States.

The change that will be made by enacting the 21st Century President Act is particularly appropriate at this moment.

Competing for the 2020 presidential nomination of their party are six women candidates and a member of the LGBTQ community.

It is clear that the time has come for the language to change to a neutral term of "spouse" to refer to the partner of the president.

Under current law, it is assumed that the President of the United States is male, and the spouse is female.

This accords with America's past, but does not reflect its future.

It is time for Congress to change the law.

Equality is a principle that we must always embrace and affirm, and a principle that we must always keep working to advance and secure for every American.

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 677 to amend federal law to recognize that persons other than men

can and will be President, and presidential spouses will not always be female.

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

Mr. Speaker, it is essential that we update our statutes when necessary. H.R. 677 does exactly that. It simply amends current law so that it is more inclusive and reflective of our society.

I thank the gentleman from Wisconsin, Representative MARK POCAN, for identifying this problem in the law and for introducing this bill to rectify it. H.R. 677 will indeed take this law into the 21st century, as the title suggests.

Mr. Speaker, I urge my colleagues to support this commonsense measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. BASS) that the House suspend the rules and pass the bill, H.R. 677.

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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 476 and the amendment thereto;

Adopting the amendment to House Resolution 476, if ordered;

Adopting House Resolution 476, if ordered; and

Motion to suspend the rules and pass H.R. 1044.

The first electronic vote will be conducted as a 15-minute vote. Pursuant to clause 9 of rule XX, remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 2500, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2020, AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on ordering the previous question on the resolution (H. Res. 476) and the amendment thereto providing for consideration of the bill (H.R. 2500) to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, and providing for consideration of motions to suspend the rules, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 232, nays 197, not voting 3, as follows:

[Roll No. 434]

YEAS—232

Adams	Garcia (TX)	Norcross
Aguilar	Golden	O'Halleran
Allred	Gomez	Ocasio-Cortez
Axne	Gonzalez (TX)	Omar
Barragán	Gottheimer	Pallone
Bass	Green, Al (TX)	Panetta
Beatty	Grijalva	Pappas
Bera	Haaland	Pascrell
Beyer	Harder (CA)	Payne
Bishop (GA)	Hastings	Perlmutter
Blumenauer	Hayes	Peters
Blunt Rochester	Heck	Peterson
Bonamici	Higgins (NY)	Phillips
Boyle, Brendan F.	Hill (CA)	Pingree
Brindisi	Himes	Pocan
Brown (MD)	Horn, Kendra S.	Pressley
Brownley (CA)	Horsford	Price (NC)
Bustos	Houlahan	Quigley
Butterfield	Hoyer	Raskin
Carbajal	Huffman	Rice (NY)
Cárdenas	Jackson Lee	Richmond
Carson (IN)	Jayapal	Rose (NY)
Cartwright	Jeffries	Rouda
Case	Johnson (GA)	Roybal-Allard
Casten (IL)	Johnson (TX)	Ruiz
Castor (FL)	Kaptur	Ruppersberger
Castro (TX)	Keating	Rush
Chu, Judy	Kelly (IL)	Ryan
Ciilline	Kennedy	Sánchez
Cisneros	Khanna	Sarbanes
Clark (MA)	Kildee	Scanlon
Clarke (NY)	Kilmer	Schakowsky
Clay	Kim	Schiff
Cleaver	Kind	Schneider
Clyburn	Kirkpatrick	Schrader
Cohen	Krishnamoorthi	Schrier
Connolly	Kuster (NH)	Scott (VA)
Cooper	Lamb	Scott, David
Correa	Langevin	Serrano
Costa	Larsen (WA)	Sewell (AL)
Courtney	Larson (CT)	Shalala
Cox (CA)	Lawrence	Sherman
Craig	Lawson (FL)	Sherrill
Crist	Lee (CA)	Sires
Crow	Lee (NV)	Slotkin
Cuellar	Levin (CA)	Smith (WA)
Cummings	Levin (MI)	Soto
Cunningham	Lewis	Spanberger
Davids (KS)	Lieu, Ted	Speier
Davis (CA)	Lipinski	Stanton
Davis, Danny K.	Loeb sack	Stevens
Dean	Lofgren	Suozzi
DeFazio	Lowenthal	Swalwell (CA)
DeGette	Lowe y	Takano
DeLauro	Luján	Thompson (CA)
DelBene	Luria	Thompson (MS)
Delgado	Lynch	Titus
Demings	Malinowski	Tlaib
DeSaulnier	Maloney,	Tonko
Deutch	Carolyn B.	Torres (CA)
Dingell	Maloney, Sean	Torres Small
Doggett	Matsui	(NM)
Doyle, Michael F.	McAdams	Trahan
Engel	McBath	Trone
Escobar	McCollum	Underwood
Eshoo	McEachin	Van Drew
Españat	McGovern	Vargas
Evans	McNerney	Veasey
Finkenaue r	Meeks	Vela
Fletcher	Meng	Velázquez
Foster	Moore	Visclosky
Frankel	Morelle	Wasserman
Fudge	Moulton	Schultz
Gabbard	Mucarsel-Powell	Waters
Gallego	Murphy	Watson Coleman
Garamendi	Nadler	Welch
García (IL)	Napolitano	Wexton
	Neal	Wilson (FL)
	Neguse	Yarmuth

NAYS—197

Abraham	Babin	Biggs
Aderholt	Bacon	Billrakis
Allen	Baird	Bishop (UT)
Amash	Balderson	Bost
Amodei	Banks	Brady
Armstrong	Barr	Brooks (AL)
Arrington	Bergman	Brooks (IN)

Buchanan	Herrera Beutler	Reed
Buck	Hice (GA)	Reschenthaler
Bucshon	Higgins (LA)	Rice (SC)
Budd	Hill (AR)	Riggleman
Burchett	Holding	Roby
Burgess	Hollingsworth	Rodgers (WA)
Byrne	Hudson	Roe, David P.
Calvert	Huizenga	Rogers (AL)
Carter (GA)	Hunter	Rogers (KY)
Carter (TX)	Hurd (TX)	Rooney (FL)
Chabot	Johnson (LA)	Rose, John W.
Cheney	Johnson (OH)	Rouzer
Cline	Johnson (SD)	Roy
Cloud	Jordan	Rutherford
Cole	Joyce (OH)	Scalise
Collins (GA)	Joyce (PA)	Schweikert
Collins (NY)	Katko	Scott, Austin
Comer	Keller	Sensenbrenner
Conaway	Kelly (MS)	Shimkus
Cook	Kelly (PA)	Simpson
Crawford	King (IA)	Smith (MO)
Crenshaw	King (NY)	Smith (NE)
Curtis	Kinzing er	Smith (NJ)
Davidson (OH)	Kustoff (TN)	Smucker
Davis, Rodney	LaHood	Spano
DesJarlais	LaMalfa	Stauber
Diaz-Balart	Lamborn	Stefanik
Duncan	Latta	Steil
Dunn	Lesko	Steube
Emmer	Long	Stewart
Estes	Loudermilk	Stivers
Ferguson	Lucas	Taylor
Fitzpatrick	Luetkemeyer	Thompson (PA)
Fleischmann	Marchant	Thornberry
Flores	Marshall	Timmons
Fortenberry	Massie	Tipton
Fox (NC)	Mast	Turner
Fulcher	McCarthy	Upton
Gaetz	McCa ul	Wagner
Gallagher	McClintock	Walberg
Gianforte	McHenry	Walden
Gibbs	McKinley	Walker
Gohmert	Meadows	Walorski
Gonzalez (OH)	Meuser	Waltz
Gooden	Miller	Watkins
Gosar	Mitchell	Weber (TX)
Granger	Moolenaar	Webster (FL)
Graves (GA)	Mooney (WV)	Wenstrup
Graves (LA)	Mullin	Westerman
Graves (MO)	Newhouse	Williams
Green (TN)	Norman	Wilson (SC)
Griffith	Nunes	Wittman
Grothman	Olson	Womack
Guest	Palazzo	Woodall
Guthrie	Palmer	Wright
Hagedorn	Pence	Yoho
Harris	Perry	Young
Hartzler	Posey	Zeldin
Hern, Kevin	Ratcliffe	

NOT VOTING—3

Duffy Porter Wild

□ 1631

Messrs. KINZINGER, SMUCKER, and KATKO changed their vote from “yea” to “nay.”

Ms. ADAMS changed her vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Ms. PORTER. Madam Speaker, I was present and attempted to vote “yea” by electronic means. My card did not register and I was unable to record my vote. Had I been present, I would have voted “yea” on rollcall No. 434.

The SPEAKER pro tempore (Ms. STEVENS). The question is on the amendment offered by the gentleman from Massachusetts (Mr. MCGOVERN).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. WOODALL. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.