

goes to file their tax return only to be told by the Internal Revenue Service that someone else has already filed their return and claimed their hard-earned tax refund.

□ 1615

Tax return identity theft wreaks emotional and financial havoc on hardworking taxpayers and costs the Federal Government billions of dollars.

According to a recent Treasury Department report, the number of stolen tax return refunds skyrocketed in just the last year—going from approximately 1.1 million stolen returns in 2011 to more than 1.8 million in 2012—a 69 percent increase. And the cost to the U.S. Treasury and the American taxpayers is staggering—nearly \$9 billion in just the last 2 years and \$21 billion in the last 5 years, Mr. Speaker.

We cannot allow billions of taxpayer dollars to be stolen from hardworking Americans and from our Treasury. This will only get worse unless we act.

We also must protect the thousands of taxpayers that fall victim to this crime, many of whom are vulnerable groups like seniors, veterans, and minors. Seniors in my south Florida community have been particularly hard-hit by this crime, and I simply couldn't stand by and let it continue.

Even though victims of tax return theft eventually are reimbursed by the U.S. Treasury, it can take many months and a lot of frustration to set things straight. Many of these victims rely on a timely tax return just to pay the bills.

These tax return identity thieves hide behind a veil of technology by stealing Social Security numbers and filing false electronic returns where the payoffs are almost instantaneous. Right now, more thieves and criminal organizations are turning to this lucrative crime because law enforcement lacks the kind of stiff criminal penalties afforded many other forms of identity theft. In this instance, technology has simply outstripped the enforcement tools currently on the books. The STOP Identity Theft Act brings together several measures to strengthen criminal penalties and increase the prosecution rate of tax return identity thieves.

First, this bill amends the identity theft statute to increase the maximum penalties for the crime of tax return identity theft. Right now, this crime is seen as low risk and high reward for would-be thieves. Toughening sentencing for tax return identity thieves will help deter this kind of crime.

The legislation also expands the definition of "identity theft victim" to include businesses and charitable organizations. Often, these organizations have their identities stolen and they are used in "phishing" schemes to extract the sensitive information from unsuspecting taxpayers used in tax return thefts. These thieves then use the harvested information to file thousands of fraudulent tax returns.

This amendment to the identity theft statutes will ensure that thieves who misappropriate the identities of any business, be it a small business or a nonprofit organization, can be prosecuted. The STOP Identity Theft Act also calls for better coordination between the Department of Justice and State and local law enforcement to make the most efficient use of the law and resources.

My own local law enforcement agencies in south Florida have been inundated with crime reports of tax return identity theft, and they need all the help we can provide.

This legislation is not the end-all, be-all to the congressional efforts to combat tax return identity theft, but it is a strong, bipartisan beginning. It is intended to provide targeted tools to law enforcement right away so that they are better prepared before next tax season rolls around.

Finally, the legislation also calls for DOJ to report back on trends in tax return identity theft, on progress in prosecuting these crimes, and recommendations for additional legal tools to combat it.

Information and data on trends about tax return identity theft can be valuable tools to detect and prevent future fraud, and it will inform Congress of additional legislative actions that will help in the effort.

I also send a big thank you to the various organizations that have supported and helped craft this legislation, including the National Conference of CPA Practitioners, the Committee for Efficient Government, the American Coalition for Taxpayer Rights, the Council for Citizens Against Government Waste, and the National Association of Counties.

Together, we all must ensure that Federal laws keep pace with emerging crimes such as tax return identity theft. It is time to make the prosecution of this crime a greater priority. The STOP Identity Theft Act is an important step towards this goal, and I urge my colleagues to support this legislation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 744, 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.

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 4 o'clock and 19 minutes p.m.), the House stood in recess.

□ 1730

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of New York) at 5 o'clock and 30 minutes p.m.

MIGRATORY BIRD TREATY ACT AMENDMENTS

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3109) to amend the Migratory Bird Treaty Act to exempt certain Alaskan Native articles from prohibitions against sale of items containing nonedible migratory bird parts, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3109

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

SECTION 1. EXEMPTION FROM PROHIBITIONS FOR ALASKAN NATIVE ARTICLES CONTAINING MIGRATORY BIRD PARTS.

Section 2 of the Migratory Bird Treaty Act (16 U.S.C. 703) is amended by adding at the end the following:

“(c) EXEMPTION FOR AUTHENTIC ALASKAN NATIVE ARTICLES OF HANDICRAFT OR CLOTHING.—

“(1) IN GENERAL.—Notwithstanding any other provisions of this Act, nothing in this Act prohibits possession, offering for sale, sale, offering to barter, barter, offering to purchase, purchase, delivery for shipment, shipment, causing to be shipped, delivered for transportation, transport or causing to be transported, carrying or causing to be carried, or receiving for shipment, transportation, or carriage, any authentic Alaskan Native article of handicraft or clothing on the basis that it contains a nonedible migratory bird part.

“(2) LIMITATION.—This subsection shall not apply with respect to any handicraft or clothing containing any part of a migratory bird that was taken in a wasteful manner.

“(3) DEFINITIONS.—In this subsection:

“(A) ALASKAN NATIVE.—The term ‘Alaskan Native’ means any Indian, Aleut, or Eskimo who resides in Alaska.

“(B) AUTHENTIC ALASKAN NATIVE ARTICLE OF HANDICRAFT OR CLOTHING.—The term ‘authentic Alaskan Native article of handicraft or clothing’—

“(i) means any item that is—

“(I) composed wholly or in some significant respect of natural materials; and

“(II) produced, decorated, or fashioned by an Alaskan Native, in the exercise of traditional Alaskan Native handicrafts, without the use of any pantograph or other mass copying device; and

“(ii) includes any weaving, carving, stitching, sewing, lacing, beading, drawing, or painting described in clause (i), or any combination thereof.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mr. LOWENTHAL) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska.

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members may 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 gentleman from Alaska?

There was no objection.

Mr. YOUNG of Alaska. I yield myself such time as I may consume.

Mr. Speaker, since 1918, the United States has signed four migratory bird treaties with Canada, Mexico, Japan, and Russia. In 1997, the Canada and Mexico treaties were revised to allow Alaska Natives to harvest for subsistence use protected migratory birds during the so-called closed season.

Unfortunately, when implementing the treaty language, Congress failed to clarify that the nonedible parts of the harvested migratory bird could be sold in commercial products. As a result, what we have today is a bizarre policy that allows Alaska Natives to hunt, kill, consume, and to also use non-edible parts in handicraft items, but prohibits them from selling those handicrafts.

However, the Fish and Wildlife Service has now decided to cite Alaska Native artists who use migratory bird feathers in a variety of items, including hats, fans, and hunting arrows. It is not illegal to simply throw away these nonedible migratory bird parts.

According to Ms. Jacqueline Pata, the vice chair of the Sealaska Corporation, there are less than 500 traditional artists and a much fewer number that use nonedible parts of migratory birds. In her testimony, she noted that this legislation parallels the existing exemption in the Marine Mammal Protection Act and that "all we are asking is to be able to begin helping ourselves in a very small way by providing a modest income to severely impoverished communities through a traditional means."

Mr. Speaker, the Fish and Wildlife Service could have revised their regulations, they could have worked with the Alaska Migratory Bird Co-Management Council, and they could have continued to utilize their law enforcement discretion. In each case, they chose not to; instead, they decided to penalize a Native Alaskan artist who used raven and flicker feathers gathered from road-killed animals.

This is a misguided and wrong policy. This is why I introduced this important legislation on behalf of my Native Alaskan constituents.

I urge an "aye" vote on H.R. 3109, and I reserve the balance of my time.

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

(Mr. LOWENTHAL asked and was given permission to revise and extend his remarks.)

Mr. LOWENTHAL. Mr. Speaker, this bill would provide an exemption to the

Migratory Bird Treaty Act, the MBTA, for the sale of Alaskan Native handicrafts that seems consistent with exemptions provided to Alaska Natives in other important conservation laws, like the Endangered Species Act and the Marine Mammal Protection Act.

However, the MBTA is distinct from these other laws because it actually implements four separate treaties between the United States and Canada, Mexico, Japan, and Russia; and it remains unclear if amending the MBTA, as proposed by Mr. YOUNG's bill, would violate our treaty obligations to the other implementing nations.

During our legislative hearing on this bill, the committee heard testimony from the Fish and Wildlife Service that the State Department should be consulted on any proposed amendments to the MBTA. However, we have not heard from the Fish and Wildlife Service or the State Department since that time.

I support the rights of Alaskan Natives to create and sell traditional handicrafts. So while I feel it is important that we consider the impact that this bill may have on other existing treaty obligations, I will support this bill.

With that, I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 3109.

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.

WILD AND SCENIC RIVERS ACT AMENDMENTS

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4283) to amend the Wild and Scenic Rivers Act to authorize the Secretary of the Interior to maintain or replace certain facilities and structures for commercial recreation services at Smith Gulch in Idaho, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4283

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

SECTION 1. MAINTENANCE OR REPLACEMENT OF FACILITIES AND STRUCTURES AT SMITH GULCH.

Section 3(a)(24)(D) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(24)(D)) is amended by adding at the end the following: "The Secretary shall also authorize or continue to authorize maintenance or replacement of facilities and structures listed in this subparagraph for commercial recreation services at Smith Gulch whose location is defined above. The facilities and structures referred to in this subparagraph are—

"(i) motorized landscaping equipment, such as lawnmowers and weed trimmers;

"(ii) chainsaws;

"(iii) gasoline-powered electrical generators and associated electrical transmission facilities;

"(iv) hydroelectric generators and associated electrical transmission facilities;

"(v) gasoline-powered water pumps for fire suppression;

"(vi) transition from propane to electrical lighting;

"(vii) solar energy systems; and

"(viii) 6-volt or 12-volt battery banks for power storage."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mr. LOWENTHAL) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska.

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. YOUNG of Alaska. I yield myself such time as I may consume.

Mr. Speaker, timely action on this bill will allow the Forest Service to implement an earlier congressional action intended to allow continued operation of certain commercial recreational services and facilities at Smith Gulch in the Frank Church-River of No Return Wilderness in Idaho.

Although Congress amended the Wild and Scenic Rivers Act in 2004 to direct the Forest Service to allow established uses and occupancy at Smith Gulch Lodge, the Forest Service believes it needs additional authority to allow the lodge to use power equipment, such as gas generators, mowers, and other equipment needed for routine maintenance and for improvements, such as an in-stream hydroelectric water wheel for renewable energy. H.R. 4283 would authorize limited use of such equipment for the general upkeep of the lodge.

Congressman SIMPSON should be commended for his attention to this matter, and I urge adoption of this commonsense bill.

I reserve the balance of my time.

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

(Mr. LOWENTHAL asked and was given permission to revise and extend his remarks.)

Mr. LOWENTHAL. Mr. Speaker, the lodge at Smith Gulch is located within the Frank Church-River of No Return Wilderness in the State of Idaho. It is a popular destination for visitors and offers recreational opportunities for people in a spectacular natural setting.

H.R. 4283 will allow the lodge owners to carry out very specific maintenance activities necessary to keep the lodge operating. I support this legislation.