

the NCFI to seek opportunities to coordinate with the Federal Law Enforcement Training Center (FLETC), including by helping to ensure that such training reflects timely, actionable, and relevant expertise in homeland security information related to cyber and electronic crime and related threats.

Lastly, it directs the Secret Service to expand its network of Electronic Crime Task Forces through the addition of task force officers, prosecutors, and judges educated and trained at the Institute, in addition to academia and private sector stakeholders.

For these reasons, I urge my colleagues to support this legislation.

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. 3490, 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.

OPEN BOOK ON EQUAL ACCESS TO JUSTICE ACT

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3279) to amend titles 5 and 28, United States Code, to require annual reports to Congress on, and the maintenance of databases on, awards of fees and other expenses to prevailing parties in certain administrative proceedings and court cases to which the United States is a party, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3279

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 "Open Book on Equal Access to Justice Act".

SEC. 2. MODIFICATION OF EQUAL ACCESS TO JUSTICE PROVISIONS.

(a) AGENCY PROCEEDINGS.—Section 504 of title 5, United States Code, is amended—

(1) in subsection (c)(1), by striking "United States Code";

(2) by redesignating subsection (f) as subsection (i); and

(3) by striking subsection (e) and inserting the following:

"(e)(1) The Chairman of the Administrative Conference of the United States, after consultation with the Chief Counsel for Advocacy of the Small Business Administration, shall report to the Congress, not later than March 31 of each year through the 6th calendar year beginning after the initial report under this subsection is submitted, on the amount of fees and other expenses awarded during the preceding fiscal year pursuant to this section. The report shall describe the number, nature, and amount of the awards, the claims involved in the controversy, and any other relevant information that may aid the Congress in evaluating the scope and impact of such awards. The report shall be made available to the public online.

"(2)(A) The report required by paragraph (1) shall account for all payments of fees and other expenses awarded under this section

that are made pursuant to a settlement agreement, regardless of whether the settlement agreement is sealed or otherwise subject to nondisclosure provisions.

"(B) The disclosure of fees and other expenses required under subparagraph (A) does not affect any other information that is subject to nondisclosure provisions in the settlement agreement.

"(f) The Chairman of the Administrative Conference shall create and maintain, during the period beginning on the date the initial report under subsection (e) is submitted and ending one year after the date on which the final report under that subsection is submitted, online a searchable database containing the following information with respect to each award of fees and other expenses under this section:

"(1) The case name and number of the adversary adjudication, if available.

"(2) The name of the agency involved in the adversary adjudication.

"(3) A description of the claims in the adversary adjudication.

"(4) The name of each party to whom the award was made, as such party is identified in the order or other agency document making the award.

"(5) The amount of the award.

"(6) The basis for the finding that the position of the agency concerned was not substantially justified.

"(g) The online searchable database described in subsection (f) may not reveal any information the disclosure of which is prohibited by law or court order.

"(h) The head of each agency shall provide to the Chairman of the Administrative Conference in a timely manner all information requested by the Chairman to comply with the requirements of subsections (e), (f), and (g)."

(b) COURT CASES.—Section 2412(d) of title 28, United States Code, is amended by adding at the end the following:

"(5)(A) The Chairman of the Administrative Conference of the United States shall submit to the Congress, not later than March 31 of each year through the 6th calendar year beginning after the initial report under this paragraph is submitted, a report on the amount of fees and other expenses awarded during the preceding fiscal year pursuant to this subsection. The report shall describe the number, nature, and amount of the awards, the claims involved in each controversy, and any other relevant information that may aid the Congress in evaluating the scope and impact of such awards. The report shall be made available to the public online.

"(B)(i) The report required by subparagraph (A) shall account for all payments of fees and other expenses awarded under this subsection that are made pursuant to a settlement agreement, regardless of whether the settlement agreement is sealed or otherwise subject to nondisclosure provisions.

"(ii) The disclosure of fees and other expenses required under clause (i) does not affect any other information that is subject to nondisclosure provisions in the settlement agreement.

"(C) The Chairman of the Administrative Conference shall include and clearly identify in the annual report under subparagraph (A), for each case in which an award of fees and other expenses is included in the report—

"(i) any amounts paid from section 1304 of title 31 for a judgment in the case;

"(ii) the amount of the award of fees and other expenses; and

"(iii) the statute under which the plaintiff filed suit.

"(6) The Chairman of the Administrative Conference shall create and maintain, during the period beginning on the date the initial report under paragraph (5) is submitted and

ending one year after the date on which the final report under that paragraph is submitted, online a searchable database containing the following information with respect to each award of fees and other expenses under this subsection:

"(A) The case name and number.

"(B) The name of the agency involved in the case.

"(C) The name of each party to whom the award was made, as such party is identified in the order or other court document making the award.

"(D) A description of the claims in the case.

"(E) The amount of the award.

"(F) The basis for the finding that the position of the agency concerned was not substantially justified.

"(7) The online searchable database described in paragraph (6) may not reveal any information the disclosure of which is prohibited by law or court order.

"(8) The head of each agency (including the Attorney General of the United States) shall provide to the Chairman of the Administrative Conference of the United States in a timely manner all information requested by the Chairman to comply with the requirements of paragraphs (5), (6), and (7)."

(c) CLERICAL AMENDMENTS.—Section 2412 of title 28, United States Code, is amended—

(1) in subsection (d)(3), by striking "United States Code,"; and

(2) in subsection (e)—

(A) by striking "of section 2412 of title 28, United States Code," and inserting "of this section"; and

(B) by striking "of such title" and inserting "of this title".

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsections (a) and (b) shall first apply with respect to awards of fees and other expenses that are made on or after the date of the enactment of this Act.

(2) INITIAL REPORTS.—The first reports required by section 504(e) of title 5, United States Code, and section 2412(d)(5) of title 28, United States Code, shall be submitted not later than March 31 of the calendar year following the first calendar year in which a fiscal year begins after the date of the enactment of this Act.

(3) ONLINE DATABASES.—The online databases required by section 504(f) of title 5, United States Code, and section 2412(d)(6) of title 28, United States Code, shall be established as soon as practicable after the date of the enactment of this Act, but in no case later than the date on which the first reports under section 504(e) of title 5, United States Code, and section 2412(d)(5) of title 28, United States Code, are required to be submitted under paragraph (2) of this subsection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Puerto Rico (Mr. PIERLUISI) each will control 20 minutes. The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 3279 currently under consideration.

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

There was no objection.

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

I would like to begin by thanking Representative DOUG COLLINS and Constitution Ranking Member STEVE COHEN for introducing this important government transparency legislation.

Every year, pursuant to the Equal Access to Justice Act, the Federal Government, through settlement or court order, pays millions of dollars in legal fees and costs to parties to lawsuits and administrative adjudications that involve the Federal Government. However, despite the large amount of taxpayer dollars paid out each year, the Federal Government no longer comprehensively keeps track of the amount of fees and other expenses awarded pursuant to the Equal Access to Justice Act.

Nor does the government compile and report on why these fees and expenses were paid and to whom these costs were awarded. This is because, in 1995, Congress repealed the Department of Justice's reporting requirements and defunded the Administrative Conference of the United States, the agency charged with reporting this basic information to Congress.

The Administrative Conference was reestablished in 2010, but the requirements to report on fee and cost payments have not been reenacted. Accordingly, there has been no official governmentwide accounting of this information since fiscal year 1994—over 20 years ago.

This lack of transparency is troubling, given that the Equal Access to Justice Act is considered by many to be the most important Federal fee-shifting statute. Fundamentally, the act recognizes that there is an enormous disparity of resources between the Federal Government and individuals and small businesses who seek to challenge Federal actions.

Congress enacted the Equal Access to Justice Act to provide individuals, small businesses, and small nonprofit groups with financial incentives to challenge the Federal Government or defend themselves from lawsuits brought by the Federal Government. As the Supreme Court has noted, the act was adopted with the "specific purpose of eliminating for the average person the financial disincentive to challenge unreasonable governmental actions."

But how can we know if the act is working well toward this end if we have no data on the awards? Without the data this bill requires the Administrative Conference to compile and report, we have nothing more than anecdotal evidence as to whether the act is providing some measure of relief to the financial disincentive to seeking judicial and administrative redress against the Federal Government.

The legislation we are considering today will end this lack of transparency and restore the reporting requirements that were repealed in 1995.

I want to once again thank Representatives COLLINS and COHEN for introducing this bill, and I urge my colleagues to support its passage.

I reserve the balance of my time.

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

I rise in support of H.R. 3279, the Open Book on Equal Access to Justice Act, as amended. I support this measure for several reasons.

To begin with, it strengthens the Equal Access to Justice Act, an important law that has helped senior citizens, veterans, the disabled, and nonprofit organizations vindicate their rights against unreasonable government action.

Under the so-called American rule, parties to adjudicative matters typically pay their own litigation costs, subject to certain statutory exceptions. One of these exceptions is the Equal Access to Justice Act, which allows a party to be reimbursed for litigation costs when he or she is victorious against the Federal Government under specified conditions.

For example, if the United States can show that its position was "substantially justified" or that "special circumstances" would make an award unjust, then the prevailing party is not entitled to be reimbursed for his litigation costs. In addition, only certain parties are eligible to be reimbursed for their litigation costs under the act, based on their net worth or exempt status, among other factors.

Whether these restrictions still make sense is an open question, as Congress simply does not have adequate information to assess the effectiveness of the act. This is because there has been no comprehensive Federal report on the total amount of fees awarded under the act since 1995, and, as a result, there has simply been conjecture.

Fortunately, H.R. 3279 addresses this shortcoming by requiring annual reports on the amount of fees paid under the act to prevailing litigants against the government. As a result of this legislation, Congress will know on an annual basis the agencies that have been required to reimburse parties for their litigation costs, the claims giving rise to the litigation, and the amount of the awards made under the act, as well as the basis for them. With this information, Congress will be in a much better position to assess the implementation of the act and the performance of the agencies as litigants.

Another reason why I support this bill is that it respects the privacy interests of the parties who are reimbursed for their litigation costs pursuant to the act. Unfortunately, prior versions of this legislation were unnecessarily intrusive. Organizations such as the National Organization of Social Security Claimants' Representatives and the Paralyzed Veterans of America expressed serious concerns that these earlier versions of the bill would "infringe the privacy of vulnerable people who have applied for social security and veterans' benefits."

These are real concerns, especially given the fact that the bill requires the information collected be made avail-

able to the public through the Internet. As currently drafted, however, H.R. 3279 strikes the right balance between encouraging transparency while respecting the legitimate privacy interests of parties.

Finally, I support this bill because it recognizes the important role that the Administrative Conference of the United States has historically played in helping Congress identify inefficiencies among the Federal agencies and ways to save taxpayer dollars.

In addition to requiring the Conference to prepare an annual report to Congress detailing the litigation costs reimbursed by the Federal Government to parties, the bill also requires the Conference to provide "any other relevant information that may aid Congress in evaluating the scope and impact of such awards."

Given the excellent work and scholarly analysis that have been hallmarks of the Conference, I expect its report and its attendant findings will be an invaluable aid to Congress.

As the Judiciary Committee is the authorizing committee for the Conference, I encourage our friends on the Appropriations Committee to ensure that the Conference has adequate funding to implement this important legislation.

In closing, I want to recognize my colleagues on both sides of the aisle for their diligence in helping to craft this bipartisan legislation.

The gentleman from Georgia, DOUG COLLINS, and the gentleman from Tennessee, STEVE COHEN, as well as the gentlewoman from Wyoming, CYNTHIA LUMMIS, have cooperatively worked to effectuate a commonsense bill that will improve the efficiency and accountability of the Federal Government.

Accordingly, I urge my colleagues to support H.R. 3279.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. COLLINS), a member of the Judiciary Committee and the chief sponsor of this legislation.

Mr. COLLINS of Georgia. Mr. Speaker, I thank the chairman for yielding and his work in bringing this to the floor, and I appreciate it.

Mr. Speaker, I rise today in support of H.R. 3279, the Open Book on Equal Access to Justice Act. I introduced this legislation with a bipartisan group of cosponsors to provide additional transparency and oversight of taxpayer dollars awarded under the Equal Access to Justice Act.

I want to thank all of the original cosponsors of this legislation for their support. In particular, my friend from Tennessee, STEVE COHEN, a member of the Judiciary Committee, but also a special thank you also to CYNTHIA LUMMIS from Wyoming, who has been an advocate of this legislation. I just want to thank her for her tireless work and leadership on this issue as we move forward.

H.R. 3279 passed the Judiciary Committee on a voice vote on October 27, 2015. Almost identical legislation passed both the Judiciary Committee and the full House on a voice vote last Congress.

The bill reinstates needed transparency and accountability measures to ensure that the Equal Access to Justice Act is helping individuals, retirees, veterans, and small businesses as intended.

Congress originally passed the Equal Access to Justice Act in 1980 to remove a barrier to justice for those with limited access to the resources it takes to sue the Federal Government and to recover attorneys' fees and costs that go along with such suits. The law was written to provide citizens with the opportunity to challenge or defend against unreasonable government actions where they otherwise might be deterred by large legal expenses.

To be eligible for payment under EAJA, an individual's net worth must be less than \$2 million and a business or organization must have a net worth of less than \$7 million, although the cap does not apply to certain tax-exempt organizations.

The Equal Access to Justice Act was intended to address the David and Goliath scenario where wronged citizens have to go to court and face the Federal Government's vast financial and legal resources. It is past time that we ensure this law is working for citizens in need and for taxpayers alike.

Payments of EAJA attorneys' fees come from the budget of the agency whose action gave rise to the claim. While the original Equal Access to Justice Act legislation included a requirement to track payments and report to Congress annually, Congress and the agencies halted tracking and reporting of payments made through the Equal Access to Justice Act in 1995.

A Government Accountability Office report indicated that without any direction to track payments, most agencies simply do not do it, and Congress and taxpayers are unable to exercise oversight over these funds. In fact, we only have anecdotal evidence about how much we are spending on attorneys' fees, the agencies paying out on these fees, and what types of claims are being covered.

This is simple, commonsense transparency.

Since 1995, there has been no comprehensive Federal report on the total amount of fees awarded under the Equal Access to Justice Act. We are sorely behind on our oversight responsibilities in this area, and H.R. 3279 takes steps to address that problem.

H.R. 3279 requires the Administrative Conference of the United States to annually report to Congress on the "number, nature, and amount of the awards, claims involved in the controversy, and any other relevant information that may aid the Congress in evaluating the scope and impact of such awards." This report covers both agency adjudications and court proceedings.

H.R. 3279 also requires the Administrative Conference to develop and implement an online searchable database to facilitate public and congressional oversight. Agencies would be required to provide information requested by the ACUS for the development of the database and reports, but, importantly, the ACUS would be required to withhold information from the database if disclosure is prohibited by law or court order.

The Open Book on Equal Access to Justice Act ensures that agencies are operating under a watchful public eye and that taxpayer dollars are being spent properly.

Our Federal Government is too big, and I believe it needs to be downsized; but until we can make that happen, transparency should be a minimum requirement. That is why H.R. 3279 is important. It is common sense, plain and simple. Where the Federal Government is spending money, Congress needs to exercise oversight to ensure it is being done the way the law requires.

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For most people who are facing a suit against the Federal Government, it is a once-in-a-lifetime challenge and a daunting suit to undertake even if they are completely in the right. We need to make sure the law is working for them. Allowing plaintiffs to recoup legal costs when they sue the Federal Government for reparations they deserve is only fair.

Many Americans do not have the resources to take on our vast and sprawling bureaucracy, but the Equal Access to Justice Act gave them the power to do so by removing a barrier to justice for those with limited access to resources. However, since the original reporting requirements were halted by Congress, information on these payments made under the law is severely lacking.

Tracking and reporting payments will help preserve the integrity of this law and will help Congress make sure that the law is working effectively for the people it was intended to help.

It is past time that we shine a light on this issue. We owe transparency to the taxpayers who are financing the law, and we owe it to the citizens—the small businesses, the veterans, and the Social Security claimants—who rely on the law.

H.R. 3279 represents a bipartisan agreement that transparency over payments made under the Equal Access to Justice Act needs to be restored. The Open Book on Equal Access to Justice Act will help to ensure that taxpayer dollars are being spent as intended under this law.

Past support for this legislation demonstrates a consensus that we need to address this issue and that Americans deserve to know what their government is doing.

I urge my colleagues to support H.R. 3279.

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

Mr. GOODLATTE. Mr. Speaker, I urge my colleagues to support this legislation.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 3279, the "Open Book on Equal Access to Justice Act," a bill to amend titles 5 and 28 of the United States Code to direct the Administrative Conference of the United States (ACUS) to prepare an annual report to Congress on fees and other expenses awarded to prevailing parties under the Equal Access to Justice Act.

As a senior member of the Judiciary Committee, former municipal judge and staunch believer and advocate for equal justice, I support this bill because it will provide Congress with valuable insight and comprehensive data needed to assess the actual effectiveness of the Equal Access to Justice Act (EAJA).

Specifically, H.R. 3279 will amend the EAJA and the federal judicial code to require the Chairman of the Administrative Conference of the United States to report to Congress annually on the amount of fees and other expenses awarded to prevailing parties other than the United States in certain administrative proceedings and civil action court cases (excluding tort cases) to which the United States is a party, including settlement agreements.

Pursuant to the EAJA, these litigation fees include the reasonable expenses of expert witnesses, the reasonable cost of any study, analysis, engineering report, test, or project which is found by the agency to be necessary for the preparation of the party's case, and reasonable attorney or agent fees.

If enacted, H.R. 3279 will require the ACUS to provide the number, nature, and amount of awards, the claims involved in the controversy, as well as any other relevant information that may assist Congress in assessing the scope and impact of such fees awarded.

H.R. 3279 further directs that such information be made available by establishing an online searchable database including the name of the agency involved, the name of each party to whom the award was made, the amount of the award, and the basis for finding that the position of the agency concerned was not substantially justified.

In collecting and providing this data, this bill addresses concerns about the implementation of EAJA and whether Congress needs to intervene and amend it.

For more than three decades, however, the EAJA has served as an important vehicle to enhance parties' ability to hold government agencies accountable for their actions and inactions.

Simply speaking, the EAJA was designed to help the underdog or those with limited resources stand up against government transgressions.

EAJA allows individuals, small businesses and nonprofits to recover critical litigation costs and attorney fees from the federal government in cases that may otherwise be financially intimidating or restrictive.

The EAJA is used to vindicate a variety of federal rights, including access to Veterans Affairs and Social Security disability benefits, as well as to secure statutory environmental protections.

The EAJA is an important tool that promotes public involvement in laws that have a significant impact on the public health and safety, such as the National Environmental Policy Act, Clean Air Act and Clean Water Act.

EAJA also helps deter government inaction or erroneous conduct and encourages all parties, not just those with resources to hire legal counsel, to assert their rights.

Generally, it has been concluded by policy experts that EAJA has been cost-effective, applies only to meritorious litigation and that existing legal safeguards and the independent discretion of federal judges will continue to ensure its prudent application.

Nonetheless, the good intentions that brought the EAJA into law have been overshadowed by re-occurring accounts of misuse by a small percentage of large environmental groups.

A 2011 GAO study (requested by House Republicans) of cases brought against EPA found: 1. most environment lawsuits (48%) were brought by trade associations and private companies; 2. attorney fees were awarded only about eight percent of the time; 3. among environmental plaintiffs, the majority of cases were brought by local groups rather than national groups; and 4. the average award under the EAJA was only about \$100,000.

Thus, while claims of misuse and abuse are largely misplaced, I urge my colleagues to support this request for further review and analysis, so that we may gain a better understanding and congressional clarity on the functional benefits and necessary workings of the EAJA.

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. 3279, 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.

IMPROVING CONGRESSIONAL CHARTER OF THE DISABLED AMERICAN VETERANS

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1755) to amend title 36, United States Code, to make certain improvements in the congressional charter of the Disabled American Veterans, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1755

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

SECTION 1. CONGRESSIONAL CHARTER OF DISABLED AMERICAN VETERANS.

(a) PURPOSES.—Section 50302 of title 36, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking “The purposes of the corporation are—” and inserting “The corporation is organized exclusively for charitable and educational purposes. The purposes of the corporation shall include—”;

(2) in paragraph (6), by striking “and” at the end;

(3) by redesignating paragraph (7) as paragraph (9); and

(4) by inserting after paragraph (6) the following new paragraphs:

“(7) to educate the public about the sacrifices and needs of disabled veterans;

“(8) to educate disabled veterans about the benefits and resources available to them; and”.

(b) DISSOLUTION.—Chapter 503 of such title is amended by adding at the end the following new section:

“§ 50309. Dissolution

“On dissolution or final liquidation of the corporation, any assets remaining after the discharge or satisfactory provision for the discharge of all liabilities shall be transferred to the Secretary of Veterans Affairs for the care of disabled veterans.”.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 503 of such title is amended by inserting after the item relating to section 50308 the following: “50309. Dissolution.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Puerto Rico (Mr. PIERLUISI) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous materials on H.R. 1755, currently under consideration.

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

There was no objection.

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

Since 1920, Disabled American Veterans has been serving American veterans who were wounded in the line of duty. It provides free assistance to veterans and their families in obtaining Federal benefits and services earned through military service.

It represents the interests of disabled veterans, their families, their widowed spouses, and their orphans before the Federal, State, and local governments. And it provides a structure through which disabled veterans can express their compassion for their fellow veterans through a variety of volunteer programs.

The organization received a Federal charter in 1932. DAV is seeking the enactment of H.R. 1755, which will amend its charter to help clarify DAV's charitable mission, explain the educational component of its mission, and mandate the assignment of its assets to the Department of Veterans Affairs in the event of its dissolution. These changes will aid DAV in its transition to a 501(c)(3) organization.

As the organization explains:

For decades, DAV has been exempt from Federal taxation under section 501(c)(4) of the Internal Revenue Code . . . Donations to most 501(c)(4) organizations are not deductible for income or estate tax purposes. DAV is a rare exception, as it qualifies to receive deductible contributions as a “war veterans” organization.

Many donors, even sophisticated donors, believe incorrectly that charitable deduc-

tions are available only for gifts made to a 501(c)(3) organization, more commonly known as a “public charity.” We believe that this misconception has been limiting DAV's opportunities to gain corporate support and major gifts, including bequests.

There is no doubt that DAV's activities of service to wounded and disabled veterans would enable it to qualify as a public charity, exempt from taxation under section 501(c)(3) of the Internal Revenue Code.

To achieve that designation, the organization needs to make application to the Internal Revenue Service. The application requires that certain language be included in the “organizing document,” which, in our case, is the Federal charter.

We can help DAV carry out its vital mission through this legislation. I commend Representative MILLER for introducing the bill, and I urge my colleagues to support it.

I reserve the balance of my time.

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

I rise in support of H.R. 1755, which makes a small but important change to the Federal charter of the Disabled American Veterans. Once this bill becomes law, that Federal charter will better describe the mission and actual practice of the organization today.

In response to the thousands of veterans who returned home after having made considerable sacrifices during World War I, the Disabled American Veterans was established in 1920. Currently, the organization serves our disabled veterans by helping them access all of the benefits available to them, by fighting for their interests in Washington, D.C., and by educating the public about the sacrifices they made.

This organization remains today every bit as important as it was at the time of its founding 95 years ago. H.R. 1755 simply makes clear that the mission of the Disabled American Veterans is exclusively a charitable one.

I urge my colleagues to support H.R. 1755, which amends the Disabled American Veterans' charter.

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

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

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 1755, a bill which modifies the congressional charter for the Disabled American Veterans (DAV) to expand the purposes of the organization to include educating the public about the sacrifices and needs of disabled veterans, as well as educating disabled veterans about the benefits and resources available to them.

If enacted into law, H.R. 1755 modifies the DAV charter to make explicit that the organization is organized exclusively for charitable and educational purposes, a change that would allow the DAV to qualify as a “public charity” under the Internal Revenue Code.

The legislation also provides that upon dissolution or final liquidation of the Disabled American Veterans, any assets remaining would be transferred to the Department of Veterans Affairs for the care of disabled veterans.

Since its founding in 1920, the Disabled American Veterans has been dedicated to a single purpose: empowering disabled veterans to lead high-quality lives with respect and dignity.