

United States—the principle of due process.

In this case, the IRS acted without proper notice and outside the intent of the law. They seized property and sold it without knowing its true cost or its value.

Civil asset forfeiture is a tool that the IRS and other law enforcement agencies use to go after ill-gotten funds from human traffickers, terrorists, and other serious criminal activity.

Sometimes it is a necessary mechanism. I think we all recognize that. But only when used correctly and fairly.

Seizing the goods of a small immigrant-owned business and selling them immediately at auction under the false premise that they were perishable goods is a clear example of how the law should not be used.

Passage of this measure will ensure that abuses like this never happen again. I urge swift passage of this bill to help us take at least some steps to address the abusive flaws in the civil asset forfeiture procedure and give at least this one company some modicum of justice.

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

Ms. JENKINS of Kansas. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. FERGUSON), one of the leaders on this issue.

Mr. FERGUSON. Mr. Speaker, I rise today in support of H.R. 5446. This commonsense legislation makes a targeted but important reform to protect American small businesses by ensuring that the rules for seizure of perishable goods are restricted only to goods that are, in fact, perishable.

The fact that we are having to even comment or debate on the fact that a small business in Texas was destroyed by the actions of an IRS agent that determined that bridal dresses were perishable is unconscionable, and it should not happen, and it should not have happened then; and I agree with my colleague from New York that it should never happen again, and this legislation will help ensure that.

Now, I don't think we have to explain to anybody that, since these bridal gowns are not perishable, why is this bill even necessary? But it is a shame that we have had agents use this particular piece of legislation to actually leave a family destitute because of their actions of selling bridal dresses under the guise that they were perishable.

This legislation tightens up the law to eliminate the language that the IRS agents in Dallas and others across the country have used to justify their overreaching use of same-day sale provisions. H.R. 5446 makes an important step to prevent the IRS from redefining these words to suit their own purposes, threatening the livelihoods of American small businesses.

Mr. Speaker, I am proud to sponsor this legislation to strength protections for small businesses and job creators, and I encourage my colleagues to vote "yes" and do the same.

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

Mr. Speaker, once again, let me thank Mr. FERGUSON, as well as Ms. JENKINS, for bringing this bill to the floor.

I don't want anyone who may be watching this on C-SPAN and may be just waking up, turning on the television, and looking at the incredible bipartisanship that is happening here today to think they died and have gone to bipartisan heaven.

Although much of the work that we are doing today is bipartisan in nature, it really is drastically different than the way in which the Committee on Ways and Means has conducted business in the most recent past in connection with the passage of the Republican tax bill. Democrats have called that a tax scam bill.

It had absolutely no input from the Democratic side of the aisle, certainly here in the House of Representatives, in the committee, or here on the floor. Not reflective of any of the Democratic principles or values in that bill and its passage.

And as much as we are working in a very bipartisan way, this is not a reflection of my good friend Ms. JENKINS, but more a reflection, I think, of the leadership of the Republican Conference in ramming a bill through the committee without proper hearings. Not having a single Democratic amendment in that process spoke very ill of the process itself.

Nobody cares about how sausage gets made. We know that. Nobody cares how legislation gets made. Nobody cares about how sausage gets made until they taste it and it doesn't taste good. And I think that is what is happening right now with the American people.

This tax bill is falling flat on its face. This tax scam bill is falling flat on its face because it is not helping the people it was purported to be helping in the first place. The greatest bait-and-switch probably in the history of our country went on in terms of what the President talked about, the people he was going to help, the middle class and hardworking people, and instead it all basically went to the wealthiest 1 percent and the wealthiest multinational corporations in the history of mankind.

They got permanent tax relief, and the middle class and working men and women in this country got bupkis. All right? And the reality is they know what happened here. They know that 83 percent of that bill went to the wealthiest 1 percent and 17 percent to working men and women and working poor people.

That is just obscene. That is not reflective of who we are as a nation or as a country or as a people, yet that is what happened, and in no small part because it was done in such a partisan way. The bill had not a single hearing within the committee and was brought to the floor all to meet a deadline of passing it before the Christmas and Ha-

nukkah break. That was the only goal, so that my Republican colleagues could say they had achieved something, even if it was ill conceived and passed with rushed judgment.

And now we know about all the problems with the bill and all the fixes that have to take place; things that maybe could have been worked out had there been a more open process and more deliberative process and the inclusion of Democrats in that process. Just maybe.

So I don't want anyone, again, to be watching C-SPAN or maybe turning on the news tonight and learning about all the bipartisanship that is happening here on the House floor—and it is good; these are good bills that we are working on together—and say: Did I die and something happened? Has the world been righted? Am I missing something?

I want them to know: No. You are not missing anything.

□ 1400

That tax scam bill did pass, and it did go toward helping the wealthiest 1 percent and the richest multinational corporations in the history of the world, and the little guy is not getting very much at all. That is still the case. That hasn't changed. And it is sad, but it is true.

I, once again, want to thank the gentlewoman for her efforts in bringing this bipartisan bill to the floor. But let it be known that this is more of an aberration and not the norm in terms of how the committee has been conducting business, nor has the House of Representatives been conducting business in the most recent past.

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

Ms. JENKINS of Kansas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to again thank Congressman DREW FERGUSON and Congressman JOE CROWLEY for their leadership on this issue.

H.R. 5446 further strengthens the safeguards in place to ensure that goods being sold immediately are limited to those that are likely to go bad.

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 Kansas (Ms. JENKINS) that the House suspend the rules and pass the bill, H.R. 5446, 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.

ALLOWING OFFICERS AND EMPLOYEES OF DEPARTMENT OF THE TREASURY TO PROVIDE TAXPAYERS INFORMATION REGARDING LOW-INCOME TAXPAYER CLINICS

Mr. HOLDING. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 5438) to amend the Internal Revenue Code of 1986 to allow officers and employees of the Department of the Treasury to provide to taxpayers information regarding low-income taxpayer clinics, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5438

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

**SECTION 1. PROVISION OF INFORMATION REGARDING LOW-INCOME TAXPAYER CLINICS.**

(a) IN GENERAL.—Section 7526(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(6) PROVISION OF INFORMATION REGARDING QUALIFIED LOW-INCOME TAXPAYER CLINICS.—Notwithstanding any other provision of law, officers and employees of the Department of the Treasury may—

“(A) advise taxpayers of the availability of, and eligibility requirements for receiving, advice and assistance from qualified low-income taxpayer clinics receiving funding under this section, and

“(B) provide information regarding the location of, and contact information for, such clinics.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. HOLDING) and the gentleman from Georgia (Mr. LEWIS) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. HOLDING. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 5438, currently under consideration.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 5438, and encourage my colleagues to back this commonsense bill.

Mr. Speaker, this is a short and sweet bill. It allows the IRS employees to provide taxpayers with information on low income taxpayer clinics. Specifically, IRS employees would be permitted to provide program details, including the eligibility requirements to receive assistance from a low income taxpayer clinic, also where the centers are located, and how to contact them.

As many of my colleagues know, the low income taxpayer clinic program provides matching grants to organizations that assist low-income taxpayers as well as those who speak English as a second language. These clinics primarily work with taxpayers on dispute resolution issues with the IRS. They provide representation for audits, appeals, collection matters, and Federal tax litigation.

These clinics are operated by non-profit organizations or academic insti-

tutions, and services are provided for free or for a very small fee.

My district in North Carolina is served by one of the clinics that is operated by North Carolina Central University School of Law, a fine institution just to the west of my house.

North Carolina Central's motto is: “Truth and Service.” And this clinic allows individuals to come and get tax assistance from law school students who work under the supervision of the staff attorney there at the law school. I appreciate the hard work that those volunteers are doing in my community.

This legislation before us today would allow the IRS to notify our various constituents of these clinics and their services. These clinics play an important role by helping taxpayers, and I am pleased to see this legislation move forward and see the help that it will give to our constituents by making them aware of the tools available in their own communities. This is a practical proposal that will improve taxpayers experience with the IRS.

Mr. Speaker, I would like to thank Congressman LEWIS from Georgia, my colleague on the Ways and Means Committee, my friend, for partnering with me on this bill. This bill was approved with unanimous bipartisan support by the House Ways and Means Committee, and I urge my colleagues in the House to support this legislation.

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

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

Mr. Speaker, I rise in strong support of H.R. 5438. And I am proud to join my friend, the gentleman from North Carolina (Mr. HOLDING), in sponsoring this bill. Our bill is very simple. It helps taxpayers receive the support and guidance they need.

Low income taxpayer clinics offer a free, low-cost service for taxpayers across our country. These clinics help taxpayers resolve disputes with the IRS.

H.R. 5438 would allow the IRS to share information about low income taxpayer clinics for those who might be eligible.

Last December, the Oversight Subcommittee held a hearing on the taxpayers experience. It was one of many bipartisan meetings to improve tax administration. During the hearing, we heard testimony from Ms. Tameka R. Lester. Ms. Lester serves as the social director of the Philip C. Cook Low-Income Taxpayer Clinic at the Georgia State University College of Law.

This outstanding institution is located in my congressional district. Ms. Lester and other witnesses shared their experiences and offered many great suggestions.

H.R. 5438 responds to one of the many issues raised in our discussion. Going forward, I hope that our committee and the full House of Representatives will continue to develop bipartisan responses to their concerns and suggestions.

Again, Mr. Speaker, I hope all of our colleagues will support our bill, and I yield back the balance of my time.

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

Mr. Speaker, I thank my colleague for his support, and I urge all Members of the House to support this commonsense legislation.

Mr. Speaker, the IRS is long overdue for an update, and today's bills mark a significant step in providing a reform that the agency needs and the American people deserve.

Late last year, House and Senate Republicans ushered through a new and improved Tax Code which allows individuals to keep more of their hard-earned tax dollars. Along with the new Tax Code, we need a new and improved IRS. The multiple bills we are taking up today accomplish that goal to some degree.

The taxpayer needs to come first. I am glad that Republicans and Democrats in the Ways and Means Committee have come together to work and make this a reality.

The bills before the House today are centered on improving the functionality and the taxpayers experience with the IRS. From directing the IRS to develop a customer service strategy, to codifying the Free File program, we are reforming the IRS into an agency that works for the American people.

It puts the American people first. These bills will improve the ease and efficiency of filing taxes and retrieving information.

We also established an independent Office of Appeals to ensure that taxpayers receive a fair and impartial review of any disputes that may arise. But most of all, we guarantee that customer service goals are set by the IRS and that we assure the IRS is accountable for meeting them.

That is not all. Mr. Speaker, in today's world, the value of privacy cannot be understated. The IRS continues to face serious cyber threats that are becoming more and more advanced. It is necessary that the IRS stay ahead of these threats.

Mr. Speaker, today we are faced with an incredible opportunity to modernize the IRS and put the American taxpayer first. So I urge my colleagues to support this bill, H.R. 5438, and other bills that are before the House.

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

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). The question is on the motion offered by the gentleman from North Carolina (Mr. HOLDING) that the House suspend the rules and pass the bill, H.R. 5438, 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.

# REQUIRING SECRETARY OF THE TREASURY TO ESTABLISH A PROGRAM FOR THE ISSUANCE OF IDENTITY PROTECTION PERSONAL IDENTIFICATION NUMBERS

Mr. PAULSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5437) to require the Secretary of the Treasury to establish a program for the issuance of identity protection personal identification numbers, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5437

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

## SECTION 1. IDENTITY PROTECTION PERSONAL IDENTIFICATION NUMBERS.

Not later than 5 years after the date of the enactment of this Act, the Secretary of the Treasury or the Secretary's delegate (hereafter referred to in this section as the "Secretary") shall establish a program to issue, upon the request of any individual, a number which may be used in connection with such individual's social security number (or other identifying information with respect to such individual as determined by the Secretary) to assist the Secretary in verifying such individual's identity.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. PAULSEN) and the gentlewoman from Washington (Ms. DELBENE) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

### GENERAL LEAVE

Mr. PAULSEN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 5437, currently under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 5437, legislation that I am coauthoring with my colleague, Congresswoman DELBENE from Washington State, that will tackle identity theft.

Each year the IRS processes over 240 million tax returns and issues more than \$400 billion in refunds. This makes tax season a prime target for identity thieves who steal billions of dollars from hardworking taxpayers by filing false returns. It is all too common.

More than 1.8 million people, including more than 13,000 Minnesotans were victims of tax identity theft in 2015, and in just the first 2 months of 2016, the filing season, the IRS identified more than 31,000 fraudulent returns with thousands more surely slipping through the cracks.

A Government Accountability Office report last year found that scammers attempted to claim \$14.5 billion in fraudulent tax returns in the 2015 tax season alone. For a criminal, the scam is simple and straightforward. You

steal a taxpayer's Social Security number; you file a fraudulent return in their name; and then you collect the refund.

While this is a tremendous theft of taxpayer dollars, it is also a nightmare for victims who then have to work to clear their name with multiple government agencies and wait longer to receive their own tax refund.

Our seniors, in particular, are very vulnerable to identity theft, as they then have to struggle to navigate a bureaucratic maze to clear their name and then file an authentic return. There is one tool available though to some taxpayers that makes this scam a lot harder to pull this off. It is called an identity protection PIN, or an IP PIN. It is a 6-digit number that is issued by the IRS to help the IRS then authenticate a tax return and validate the identity of the person who is filing it.

□ 1415

Today, IP PINs are available only in a couple of States and the District of Columbia, as well as to certain taxpayers who might be at high risk of identity theft.

This legislation today which we are taking up would expand this program by giving all taxpayers access and the option of signing up for an IP PIN over the course of the next 5 years as they phase this in. This will give all taxpayers peace of mind by allowing them to proactively protect their own identity from tax scammers, and it will save taxpayer dollars by preventing fraud that puts refunds into the wrong hands.

Mr. Speaker, I ask my colleagues to join us in supporting this bipartisan bill, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 5437, and I want to thank my colleague, Mr. PAULSEN, for all of his work to help advance this important measure. This is a pretty straightforward bill with a straightforward mission: protecting taxpayers from tax identity theft and fraud.

I am sure everyone is familiar with a scheme that some enterprising criminals came up with to file fraudulent tax returns so that they could collect money that didn't belong to them. I am sure it is safe to say constituents in every one of our districts went to file their taxes only to find that they had been filed already, and someone else had claimed their return and their identity.

In response, the IRS instituted a smart, commonsense program to assign PIN numbers to affected taxpayers, without which they could not file their taxes. These six-digit numbers would be reassigned each year, and electronic returns would not be accepted without them.

According to the American Coalition for Taxpayer Rights, it appears that

this program has helped protect taxpayers and reduce fraudulent returns. The number of tax returns with confirmed identity theft dropped 32 percent from 2016 to 2017, alone, and 57 percent during the 2015 to 2017 period. Yet tax identity thieves are still claiming millions of dollars in fraudulently obtained refunds.

By broadening the IP PIN program to all taxpayers instead of only making it available to identity theft victims and individuals in pilot project States, we can be proactive about keeping taxpayers' personal information and hard-earned dollars safe, and we can make further progress in reducing the instances of fraud during filing season.

While we can and must do more to outwit cybercriminals and perpetrators of fraud, this program is a no-brainer that gives a better level of protection than exists today. I look forward to seeing this instituted for all of our constituents and hope we can build on this progress to bring additional security measures and 21st century technology improvements to the IRS.

Mr. Speaker, in closing, again, this is a straightforward and simple bill that will protect taxpayers across the country, and I urge my colleagues to support it.

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

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

Mr. Speaker, as a reminder, next year, taxpayers will enjoy a very simplified and streamlined tax filing process that allows all hardworking Americans to keep more of their own hard-earned dollars. However, there is still a lot that needs to be done to help protect taxpayers by cracking down on identity theft, which is becoming more and more prevalent. This is a very commonsense, straightforward bill that will help tackle identity theft.

I want to thank not only Chairman BRADY for his leadership on some of the IRS reform efforts, but also my colleague Congresswoman DELBENE for partnering up on this issue as well.

It is very common sense; it is bipartisan. By giving taxpayers who are at risk of identity theft the opportunity to request that PIN number, it will allow them to make sure that their tax return is safe, secure, and authentic.

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

Mr. LEWIS of Georgia. Mr. Speaker, I rise in strong support of H.R. 5437.

This bill addresses one of the most popular issues raised during our Subcommittee's comment period.

H.R. 5437 is very simple. It would require the Treasury Secretary to establish a program that would issue identity protection personal identification numbers (IP PINs) to taxpayers.

An IP PIN helps prevent tax-related identity theft and tax refund fraud. The IRS currently makes IP PINs available to a limited group of taxpayers. If an IP PIN is not included for this group, the IRS system will automatically reject an electronically filed tax return. It is an additional layer of protection for these taxpayers.