

deserve from the IRS should they have their identity stolen.

Along with my personal story, I have heard from countless constituents and Ohioans who have been frustrated by the hoops that they often need to jump through to get their identity theft concerns addressed, all the while dealing with the fear and anxiety of having their identity stolen. This bipartisan legislation will provide relief by requiring a single point of contact within the IRS for victims of identity theft.

Again, I want to thank my colleague from Georgia (Mr. LEWIS) for his support.

Mr. Speaker, I urge all Members to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. RENACCI) that the House suspend the rules and pass the bill, H.R. 5439, 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 ELECTRONIC FILING OF ANNUAL RETURNS OF EXEMPT ORGANIZATIONS

Mr. KELLY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5443) to amend the Internal Revenue Code of 1986 to require electronic filing of the annual returns of exempt organizations and provide for making such returns available for public inspection, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5443

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

SECTION 1. MANDATORY ELECTRONIC FILING FOR ANNUAL RETURNS OF EXEMPT ORGANIZATIONS.

(a) IN GENERAL.—Section 6033 of the Internal Revenue Code of 1986 is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection (m) the following new subsection:

“(n) MANDATORY ELECTRONIC FILING.—Any organization required to file a return under this section shall file such return in electronic form.”.

(b) INSPECTION OF ELECTRONICALLY FILED ANNUAL RETURNS.—Section 6104(b) of such Code is amended by adding at the end the following: “Any annual return required to be filed electronically under section 6033(n) shall be made available by the Secretary to the public in machine readable format.”.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to returns filed for taxable years beginning after the date of the enactment of this Act.

(2) TRANSITIONAL RELIEF.—

(A) SMALL ORGANIZATIONS.—

(i) IN GENERAL.—In the case of any small organizations, or any other organizations for which the Secretary of the Treasury or the Secretary's delegate (hereafter referred to in this paragraph as the “Secretary”) deter-

mines the application of the amendments made by subsection (a) would cause undue burden without a delay, the Secretary may delay the application of such amendments, but not later than taxable years beginning 2 years after the date of the enactment of this Act.

(ii) SMALL ORGANIZATION.—For purposes of clause (i), the term “small organization” means any organization—

(I) the gross receipts of which for the taxable year are less than \$200,000, and

(II) the aggregate gross assets of which at the end of the taxable year are less than \$500,000.

(B) ORGANIZATIONS FILING FORM 990-T.—In the case of any organization described in section 511(a)(2) of the Internal Revenue Code of 1986 which is subject to the tax imposed by section 511(a)(1) of such Code on its unrelated business taxable income, or any organization required to file a return under section 6033 of such Code and include information under subsection (e) thereof, the Secretary may delay the application of the amendments made by this section, but not later than taxable years beginning 2 years after the date of the enactment of this Act.

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

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. KELLY of Pennsylvania. 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 material on H.R. 5443, currently under consideration.

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

There was no objection.

Mr. KELLY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 5443. This bill, in short, would ensure that all nonprofits file their tax forms electronically so that the charitable community can better assist those in need.

First, I want to thank Congresswoman STEPHANIE MURPHY today for cosponsoring this important legislation with me.

This provision is identical to one that my colleague on the Ways and Means Committee, Congressman BLUMENAUER, and I introduced in a larger tax package, the CHARITY Act, along with Senators THUNE and CASEY on the Senate Finance Committee in 2017.

□ 1430

Before I discuss this bill in greater detail, I want to look across the room to my great friend, Mr. JOHN LEWIS. It was in 2015 that Mr. LEWIS and I crossed the Edmund Pettus Bridge. It was at that time that Mr. LEWIS stopped and spent some time with my grandson George. And as we were walking across the bridge, George, who was 8 at the time, said: “Grandpa, we are actually going to do this. We are going to go across the Edmund Pettus Bridge with Mr. LEWIS.”

I said: “That’s right, George, we are.”

He said: “Well, Grandpa, this is the 50th anniversary.”

I said: “Yes, George, it is.”

He said: “Well, can we come back for the 100th anniversary?”

I said: “George, we will do that together. You and I will come across the bridge at the 100th anniversary.”

He said: “Grandpa, how old are you right now?”

I said: “Well, George, I am 65.”

He said: “Grandpa, it may be hard for you to get across that bridge.”

I said: “Georgie, don’t worry. If I can’t walk, you can push me across.”

That was a great weekend for George. And for Mr. LEWIS, I have always felt he is such an iconic figure in this House for people who stood up for civil rights. That weekend was one of the most gracious weekends and best weekends with my son my grandson had. So I can’t tell you how much I appreciate being with you on the floor today.

When it comes to charity, the American people are truly unique. In fact, Americans are the most generous in the world according to the new Almanac of American Philanthropy. In a first-of-its-kind survey, the almanac found that Americans out-donate Britain and Canada 2-to-1 and nations like Italy and Germany 20-to-1. What is more, more than half of almost every single income level in America donates to charity. That is remarkable, and it makes me proud to be an American and proud of our Nation’s history of philanthropy.

In its earliest form, the word “philanthropy” comes from the Greek term “philanthropia,” which simply meant “love of mankind.” The meaning has evolved over time, but, from the earliest days of human civilization, we have depended upon kindness directed towards strangers and others. We define “philanthropy” today as the practice of organized, systematic giving to improve the quality of human life through the promotion of welfare and social change.

Throughout every age, American philanthropists have demonstrated the power of giving to create great and meaningful change. In my own congressional district in western Pennsylvania, we have many wonderful organizations that demonstrate the power of giving each and every day. In Erie, Pennsylvania, we have The Erie Community Foundation, the United Way of Erie, and the Black Family Foundation.

As a businessman and leader in the energy sector, Pat Black and his family started a small, private foundation in 1993. Here is one individual who took it upon himself to create a charitable organization to give back to his community. And we have many other good corporate citizens in Erie, as well, such as Erie Insurance. More than half a century ago, Erie Insurance’s founder, H.O. Hirt, had a lifelong concern for others who were less fortunate, and

today Erie Insurance and its employees follow Mr. Hirt's example and continue this tradition of giving of food and clothing and other drives that help out in the community.

And since it is tax filing week, all these charitable organizations must file their tax forms, called 990s, which brings us back to why we are here today on the floor considering H.R. 5443. Our bill would make it mandatory that 990s be filed electronically going forward. Electronic filing, or e-filing, is not only more efficient; it costs taxpayers less and the IRS less to administer. This requirement will boost transparency in the tax-exempt sector by requiring all nonprofits to file their returns electronically.

Today, approximately 60 percent of all 990s are filed electronically, but the remaining 40 percent are still paper filed and not released as open data. In addition to requiring e-filing of the 990 form be mandatory for tax-exempt organizations, the bill would make such returns available to the public in a machine-readable format.

So why is this important? Better 990 information, when searchable and available to the public, allows for better scrutiny and better transparency. Jacob Harold, president of GuideStar, which collects and disseminates information from nonprofits' returns, says: "The more easily people can access that data, the better."

A readable, searchable format that will help improve efficiency and accuracy and reduce fraud, e-filing has served as a highly effective tool in exposing scam charities, and it will make it easier to catch these few bad actors who are using tax donations for personal gain only.

For example, in 2015, the Federal Trade Commission, the District of Columbia, and all 50 States filed a lawsuit against four scam cancer charities calling themselves the Cancer Fund. Their owners had used over 95 percent of the \$187 million in charitable donations for their own personal benefit. This lawsuit took almost 4 years because of the difficulty of analyzing thousands and thousands of pages of data that were filed on paper.

Our bill will correct that. Hundreds of millions of dollars from generous Americans were wasted because their donations were going to a fraudster and not helping researchers to find a cure for cancer. To take money away from cancer patients is just plain wrong and immoral. Our bill wants to make sure this doesn't happen in the future.

Now, how would that happen? Changes could be brought sooner against these scam charities, in less than 1 year instead of 4, if the return information had been available electronically. There are countless examples that prove that this can be the case. The State of Michigan is a great model for just how valuable access to machine-readable data is. To date, Michigan has shut down the most num-

ber of scam nonprofits out of all 50 States. This is because of the Michigan attorney general's ability to manipulate and analyze researchable data.

This bipartisan bill would help expose these shams nationally by ensuring nonprofits are e-filing annual returns. Therefore, I urge my colleagues on both sides to support this important good-government, antifraud bill.

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, let me just thank my friend and colleague from Pennsylvania for those kind words. Say hello to your grandson George.

Mr. Speaker, I rise in strong support of H.R. 5443. Let me begin by thanking the gentleman from Pennsylvania and the gentlewoman from Florida for their work on this good and necessary bill.

Mr. Speaker, I hope all of our colleagues will support this simple bill, and I reserve the balance of my time.

Mr. KELLY of Pennsylvania. Mr. Speaker, having no other speakers, I reserve the balance of my time.

Mr. LEWIS of Georgia. Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Mrs. MURPHY), the lead Democratic cosponsor.

Mrs. MURPHY of Florida. Mr. Speaker, I am proud to be the lead Democrat on this bipartisan bill which would provide government officials with the timely information they need to prevent and punish fraud in connection with charitable solicitations and the use of charitable assets.

I want to thank my colleague and colead from Pennsylvania, Congressman MIKE KELLY, for his leadership on this issue. I also want to thank the chairman, ranking member, and the members of the Ways and Means Committee which unanimously approved this bill last week.

Our bill would require charities to annually file Internal Revenue Service form 990, the form used by tax-exempt organizations, in electronic as opposed to paper format. It would also require the IRS to make these electronic filings available to the public in machine-readable format. Our legislation has been endorsed by the National Association of State Charity Officials, or NASCO, which is an association of State agencies that oversees charitable organizations.

The purpose of our bill is threefold:

First, it would help law enforcement agencies and government regulators identify, shut down, and prosecute fraudulent charitable organizations that use financial contributions for their personal benefit rather than to help those in need.

Second, it would protect American taxpayers who make generous donations to charitable organizations and deserve to feel a sense of security that their hard-earned money is being used for its intended purpose.

And third, it would help reduce the often excessive and overlapping Fed-

eral and State filing requirements applicable to charitable organizations, on which these organizations spend considerable time, money, and resources complying every year. This would enable genuine tax-exempt organizations to focus more on their charitable mission, whether that is helping wounded warriors, sponsoring cancer research, assisting victims of gun violence, or other notable causes.

I would note that, in its letter of support for this legislation, NASCO states that having electronic data for all form 990 filers, as this bill mandates, would ensure that the States have the ability to identify and stop fraudulent activity that harms charities and donors more quickly and effectively. NASCO further states that the bill could result in returning to charitable organizations significant resources that these organizations must currently devote to compliance with unnecessary government filing requirements.

In closing, I respectfully ask my colleagues in this Chamber to support the bill, and I urge my colleagues in the Senate to quickly follow suit.

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

Mr. LEWIS of Georgia. Mr. Speaker, I have no further speakers and am prepared to close.

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

Mr. KELLY of Pennsylvania. Mr. Speaker, in closing, I yield myself such time as I may consume.

Yes, it is true, Americans are a charitable group. In fact, we are the most generous people in the world. Our Nation's history of philanthropy, charities, and loving people are the envy of the world. In 2016 alone, Americans gave \$390 billion, with 63 million Americans, 25 percent of the adult population, volunteering their time, their talent, their energy, and their dollars to make a difference.

As a recent commentator noted, Americans have it in their DNA to be philanthropic. Of all the countries, we are the most generous. Because I know my colleagues have it in their DNA to support our Nation's unique philanthropic history and charitable community, I urge them to vote in favor of this important legislation.

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 Pennsylvania (Mr. KELLY) that the House suspend the rules and pass the bill, H.R. 5443, 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.

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The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair