

wounded in combat and awarded the Purple Heart, a symbol of the highest form of service and sacrifice to our country. The Purple Heart Memorial in Niagara County and the Purple Heart Municipalities along the United States Purple Heart Trail help ensure that their bravery is recognized and preserved for generations.

Today, I rise to advance these efforts by officially proclaiming New York's 24th Congressional District as a Purple Heart Congressional District. This designation will place New York-24 on the New York State Purple Heart Trail, preserving the legacy of Purple Heart recipients for generations. It is a tribute to the exceptional men and women who have sacrificed for our Nation and a reminder to never forget the true cost of freedom.

□ 0915

HONORING AND REMEMBERING LT. CMDR. LYNDSEY EVANS AND LT. SERENA WILEMAN

(Mr. LARSEN of Washington asked and was given permission to address the House for 1 minute.)

Mr. LARSEN of Washington. Mr. Speaker, today I rise to honor and remember Lieutenant Commander Lyndsay Evans and Lieutenant Serena "Dug" Wileman, two naval aviators who died during a routine training flight near Mount Rainier on October 15.

Lieutenant Commander Evans and Lieutenant Wileman were exemplary leaders who deeply believed in their country, their mission, and their fellow naval aviators. Both natives of California, Lieutenant Commander Evans and Lieutenant Wileman proudly served their country with the Electronic Attack Squadron, or VAQ-130, also known as the Zappers, which is based at Naval Air Station Whidbey Island in my district.

Both recently returned from a 9-month deployment at sea, distinguishing themselves in combat operations to defend U.S. and coalition forces and ensure freedom of navigation in the Red Sea and the Middle East.

In a tribute to Lieutenant Commander Evans and Lieutenant Wileman, Naval Air Station Whidbey Island wrote that beyond their names and ranks, they were role models, trailblazers, and women who influenced and touched countless people on the flight deck and well beyond.

My sympathies are with the families of Lieutenant Commander Evans and Lieutenant Wileman. On behalf of my constituents, I thank them for their service and sacrifice.

REMEMBERING TED OLSON

(Mr. TAKANO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAKANO. Mr. Speaker, I rise to remember a giant of the legal world, Ted Olson. It may seem odd that a Democrat would stand on the floor of the House of Representatives to honor this rock-ribbed Republican lawyer.

Remember, this is the man who successfully argued *Bush v. Gore*, and later represented the Bush administration before the Supreme Court. Mr. OLSON's conservative vision did not come at the expense of those who some of his peers sought to relegate to the margins.

He stood up for people like Dreamers and LGBTQ+ Americans because he understood that everyone had the right to pursue the American Dream.

I am personally grateful that he took up and won *Hollingsworth v. Perry*, the case that overturned California's Proposition 8 and restored marriage equality to my home State of California.

As we honor Mr. OLSON, I remain hopeful that my Republican friends will honor his vision for conservatism, one that brings people together and not divides them.

STOP TERROR-FINANCING AND TAX PENALTIES ON AMERICAN HOSTAGES ACT

Mr. SMITH of Missouri. Mr. Speaker, pursuant to House Resolution 1576, I call up the bill (H.R. 9495) to amend the Internal Revenue Code of 1986 to postpone tax deadlines and reimburse paid late fees for United States nationals who are unlawfully or wrongfully detained or held hostage abroad, to terminate the tax-exempt status of terrorist supporting organizations, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1576, the amendment in the nature of a substitute recommended by the Committee on Ways and Means, printed in the bill, is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 9495

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 "Stop Terror-Financing and Tax Penalties on American Hostages Act".

SEC. 2. POSTPONEMENT OF TAX DEADLINES FOR HOSTAGES AND INDIVIDUALS WRONGFULLY DETAINED ABROAD.

(a) *IN GENERAL.*—Chapter 77 of the Internal Revenue Code of 1986 is amended by inserting after section 7510 the following new section:

"SEC. 7511. TIME FOR PERFORMING CERTAIN ACTS POSTPONED FOR HOSTAGES AND INDIVIDUALS WRONGFULLY DETAINED ABROAD.

"(a) TIME TO BE DISREGARDED.—

"(1) IN GENERAL.—The period during which an applicable individual was unlawfully or wrongfully detained abroad, or held hostage abroad, shall be disregarded in determining, under the internal revenue laws, in respect of any tax liability of such individual—

"(A) whether any of the acts described in section 7508(a)(1) were performed within the time prescribed thereof (determined without regard to extension under any other provision of this subtitle for periods after the initial date (as determined by the Secretary) on which such individual was unlawfully or wrongfully detained abroad or held hostage abroad),

"(B) the amount of any interest, penalty, additional amount, or addition to the tax for periods after such date, and

"(C) the amount of any credit or refund.

"(2) APPLICATION TO SPOUSE.—The provisions of paragraph (1) shall apply to the spouse of any individual entitled to the benefits of such paragraph.

"(b) APPLICABLE INDIVIDUAL.—

"(1) IN GENERAL.—For purposes of this section, the term 'applicable individual' means any individual who is—

"(A) a United States national unlawfully or wrongfully detained abroad, as determined under section 302 of the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act (22 U.S.C. 1741), or

"(B) a United States national taken hostage abroad, as determined pursuant to the findings of the Hostage Recovery Fusion Cell (as described in section 304 of the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act (22 U.S.C. 1741b)).

"(2) INFORMATION PROVIDED TO TREASURY.—For purposes of identifying individuals described in paragraph (1), not later than January 1, 2025, and annually thereafter—

"(A) the Secretary of State shall provide the Secretary with a list of the individuals described in paragraph (1)(A), as well as any other information necessary to identify such individuals, and

"(B) the Attorney General, acting through the Hostage Recovery Fusion Cell, shall provide the Secretary with a list of the individuals described in paragraph (1)(B), as well as any other information necessary to identify such individuals.

"(c) MODIFICATION OF TREASURY DATABASES AND INFORMATION SYSTEMS.—The Secretary shall ensure that databases and information systems of the Department of the Treasury are updated as necessary to ensure that statute expiration dates, interest and penalty accrual, and collection activities are suspended consistent with the application of subsection (a).

"(d) REFUND AND ABATEMENT OF PENALTIES AND FINES IMPOSED PRIOR TO IDENTIFICATION AS APPLICABLE INDIVIDUAL.—In the case of any applicable individual—

"(1) for whom any interest, penalty, additional amount, or addition to the tax in respect to any tax liability for any taxable year ending during the period described in subsection (a)(1) was assessed or collected, and

"(2) who was, subsequent to such assessment or collection, determined to be an individual described in subparagraph (A) or (B) of subsection (b)(1), the Secretary shall abate any such assessment and refund any amount collected to such applicable individual in the same manner as any refund of an overpayment of tax under section 6402."

(b) CLERICAL AMENDMENT.—The table of sections for chapter 77 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 7510 the following new item:

"Sec. 7511. Time for performing certain acts postponed for hostages and individuals wrongfully detained abroad."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after the date of enactment of this Act.

SEC. 3. REFUND AND ABATEMENT OF PENALTIES AND FINES PAID BY ELIGIBLE INDIVIDUALS.

(a) IN GENERAL.—Section 7511 of the Internal Revenue Code of 1986, as added by section 2, is amended by adding at the end the following new subsection:

“(e) REFUND AND ABATEMENT OF PENALTIES AND FINES PAID BY ELIGIBLE INDIVIDUALS WITH RESPECT TO PERIODS PRIOR TO DATE OF ENACTMENT OF THIS SECTION.—

“(1) IN GENERAL.—

“(A) ESTABLISHMENT.—Not later than January 1, 2025, the Secretary (in consultation with the Secretary of State and the Attorney General) shall establish a program to allow any eligible individual (or the spouse or any dependent (as defined in section 152) of such individual) to apply for a refund or an abatement of any amount described in paragraph (2) (including interest) to the extent such amount was attributable to the applicable period.

“(B) IDENTIFICATION OF INDIVIDUALS.—Not later than January 1, 2025, the Secretary of State and the Attorney General, acting through the Hostage Recovery Fusion Cell (as described in section 304 of the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act (22 U.S.C. 1741b)), shall—

“(i) compile a list, based on such information as is available, of individuals who were applicable individuals during the applicable period, and

“(ii) provide the list described in clause (i) to the Secretary.

“(C) NOTICE.—For purposes of carrying out the program described in subparagraph (A), the Secretary (in consultation with the Secretary of State and the Attorney General) shall, with respect to any individual identified under subparagraph (B), provide notice to such individual—

“(i) in the case of an individual who has been released on or before the date of enactment of this subsection, not later than 90 days after the date of enactment of this subsection, or

“(ii) in the case of an individual who is released after the date of enactment of this subsection, not later than 90 days after the date on which such individual is released,

that such individual may be eligible for a refund or an abatement of any amount described in paragraph (2) pursuant to the program described in subparagraph (A).

“(D) AUTHORIZATION.—

“(i) IN GENERAL.—Subject to clause (ii), in the case of any refund described in subparagraph (A), the Secretary shall issue such refund to the eligible individual in the same manner as any refund of an overpayment of tax.

“(ii) EXTENSION OF LIMITATION ON TIME FOR REFUND.—With respect to any refund under subparagraph (A)—

“(1) the 3-year period of limitation prescribed by section 6511(a) shall be extended until the end of the 1-year period beginning on the date that the notice described in subparagraph (C) is provided to the eligible individual, and

“(II) any limitation under section 6511(b)(2) shall not apply.

“(2) ELIGIBLE INDIVIDUAL.—For purposes of this subsection, the term ‘eligible individual’ means any applicable individual who, for any taxable year ending during the applicable period, paid or incurred any interest, penalty, additional amount, or addition to the tax in respect to any tax liability for such year of such individual based on a determination that an act described in section 7508(a)(1) which was not performed by the time prescribed therefor (with-out regard to any extensions).

“(3) APPLICABLE PERIOD.—For purposes of this subsection, the term ‘applicable period’ means the period—

“(A) beginning on January 1, 2021, and

“(B) ending on the date of enactment of this subsection.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years ending on or before the date of enactment of this Act.

SEC. 4. TERMINATION OF TAX-EXEMPT STATUS OF TERRORIST SUPPORTING ORGANIZATIONS.

(a) IN GENERAL.—Section 501(p) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(8) APPLICATION TO TERRORIST SUPPORTING ORGANIZATIONS.—

“(A) IN GENERAL.—For purposes of this subsection, in the case of any terrorist supporting organization—

“(i) such organization (and the designation of such organization under subparagraph (B)) shall be treated as described in paragraph (2), and

“(ii) the period of suspension described in paragraph (3) with respect to such organization shall be treated as beginning on the date that the Secretary designates such organization under subparagraph (B) and ending on the date that the Secretary rescinds such designation under subparagraph (D).

“(B) TERRORIST SUPPORTING ORGANIZATION.—For purposes of this paragraph, the term ‘terrorist supporting organization’ means any organization which is designated by the Secretary as having provided, during the 3-year period ending on the date of such designation, material support or resources (within the meaning of section 2339B of title 18, United States Code) to an organization described in paragraph (2) (determined after the application of this paragraph to such organization) in excess of a de minimis amount.

“(C) DESIGNATION PROCEDURE.—

“(i) NOTICE REQUIREMENT.—Prior to designating any organization as a terrorist supporting organization under subparagraph (B), the Secretary shall mail to the most recent mailing address provided by such organization on the organization’s annual return or notice under section 6033 (or subsequent form indicating a change of address) a written notice which includes—

“(I) a statement that the Secretary will designate such organization as a terrorist supporting organization unless the organization satisfies the requirements of subclause (I) or (II) of clause (ii),

“(II) the name of the organization or organizations with respect to which the Secretary has determined such organization provided material support or sources as described in subparagraph (B), and

“(III) a description of such material support or resources to the extent consistent with national security and law enforcement interests.

“(ii) OPPORTUNITY TO CURE.—In the case of any notice provided to an organization under clause (i), the Secretary shall, at the close of the 90-day period beginning on the date that such notice was sent, designate such organization as a terrorist supporting organization under subparagraph (B) if (and only if) such organization has not (during such period)—

“(I) demonstrated to the satisfaction of the Secretary that such organization did not provide the material support or resources referred to in subparagraph (B), or

“(II) made reasonable efforts to have such support or resources returned to such organization and certified in writing to the Secretary that such organization will not provide any further support or resources to organizations described in paragraph (2).

A certification under subclause (II) shall not be treated as valid if the organization making such certification has provided any other such certification during the preceding 5 years.

“(D) RESCISSION.—The Secretary shall rescind a designation under subparagraph (B) if (and only if)—

“(i) the Secretary determines that such designation was erroneous,

“(ii) after the Secretary receives a written certification from an organization that such organization did not receive the notice described in subparagraph (C)(i)—

“(I) the Secretary determines that it is reasonable to believe that such organization did not receive such notice, and

“(II) such organization satisfies the requirements of subclause (I) or (II) of subparagraph (C)(ii) (determined after taking into account the last sentence thereof), or

“(iii) the Secretary determines, with respect to all organizations to which the material support or resources referred to in subparagraph (B) were provided, the periods of suspension under paragraph (3) have ended.

A certification described in the matter preceding subclause (I) of clause (II) shall not be treated as valid if the organization making such certification has provided any other such certification during the preceding 5 years.

“(E) ADMINISTRATIVE REVIEW BY INTERNAL REVENUE SERVICE INDEPENDENT OFFICE OF APPEALS.—In the case of the designation of an organization by the Secretary as a terrorist supporting organization under subparagraph (B), a dispute regarding such designation shall be subject to resolution by the Internal Revenue Service Independent Office of Appeals under section 7803(e) in the same manner as if such designation were made by the Internal Revenue Service and paragraph (5) of this subsection did not apply.

“(F) JURISDICTION OF UNITED STATES COURTS.—Notwithstanding paragraph (5), the United States district courts shall have exclusive jurisdiction to review a final determination with respect to an organization’s designation as a terrorist supporting organization under subparagraph (B). In the case of any such determination which was based on classified information (as defined in section 1(a) of the Classified Information Procedures Act), such information may be submitted to the reviewing court *ex parte* and *in camera*. For purposes of this subparagraph, a determination with respect to an organization’s designation as a terrorist supporting organization shall not fail to be treated as a final determination merely because such organization fails to utilize the dispute resolution process of the Internal Revenue Service Independent Office of Appeals provided under subparagraph (E).”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to designations made after the date of the enactment of this Act in taxable years ending after such date.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means or their respective designees.

The gentleman from Missouri (Mr. SMITH) and the gentleman from Texas (Mr. DOGGETT) each will control 30 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. SMITH of Missouri. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which 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 Missouri?

There was no objection.

Mr. SMITH of Missouri. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 9495, the Stop Terror-Financing and Tax Penalties on American Hostages Act.

This legislation ends the flow of tax subsidies to any U.S. nonprofit that has clearly violated its tax-exempt status by providing material support to terrorist organizations.

At the same time, this bill ends the unfair treatment of Americans who are

held hostage by terrorist organizations or wrongfully detained by foreign governments by ensuring that when they return home, they are not dealing with penalties from the IRS for past-due taxes owed from the time that they were held in captivity.

To be clear, we were here just last week to consider this same piece of legislation. This piece of legislation received unanimous approval by the Committee on Ways and Means and contains provisions that already passed this House with overwhelming bipartisan support and received unanimous consent in the U.S. Senate.

Yet, despite that consistent showing of bipartisan support, the majority of our Democrat colleagues voted last week to block passage of this bill.

Why? Why did they block passage of this bill?

Because President Trump won the election.

Don't take my word for it. Our Democrat colleagues said it themselves on this very House floor. Nevertheless, we are back here today to consider this bill under a rule so that we can advance this commonsense policy despite the partisan antics we witnessed last week.

Those who opposed this legislation last week invented all sorts of excuses. We heard a number of fear-mongering scenarios under which they now believe the authorities in this bill might be abused. Every concern raised by Democrats has been addressed in this bill to ensure due process and to protect legitimate nonprofits.

Moreover, instead of engaging in the myths we hear from the other side, we have real-world examples that show why this bill is desperately needed to end the tax-exempt status of organizations that have provided material support to terrorists.

As I noted last week, we have evidence of a U.S.-based, tax-exempt entity that helped fund the hiring of a so-called journalist whose real day job was working for Hamas and holding Israeli hostages in his home.

There is also the U.S.-based, tax-exempt organization that financially sponsors a foreign entity that the Biden Treasury Department has designated a sham charity because of its support for terrorism.

Yet, both of those U.S.-based nonprofits still enjoy tax-exempt status under the Biden administration. In fact, this week I once again called on the IRS to revoke the tax-exempt status of the organization supporting that fake charity because the Biden administration has yet to do so.

In no circumstances, not one circumstance, should the U.S. taxpayer be asked to subsidize this activity by allowing such organizations to retain their tax-exempt preferential status. Unlike the made-up stories our colleagues told last week, and that they will no doubt continue to tell this week, this is the reality, and there is absolutely no excuse for it, Mr. Speaker.

Congress must act to stop the abuse of our tax code that is funding terrorism around the world. We must act to end the unfair tax treatment of Americans who have already suffered enough and whose families have suffered enough from being held hostage or wrongfully detained abroad.

This is the right thing to do, and I encourage my colleagues to do the right thing and support this legislation.

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

Mr. DOGGETT. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, this is a death penalty bill that we are considering today, a bill that empowers Donald Trump to extinguish the life of any nonprofit, of any civic society group, which happens to be on his enemies list.

Authoritarianism is not born overnight. It creeps in. It erodes our freedoms. A tyrant tightens his grip, not just by seizing power, but when he demands new powers and those who can stop him willingly cede and bend to his will.

Opposing terrorism and hostage taxation, truly those are not even issues this morning, but fascism is. Today we must show that we are more than a speed bump on the march to fascism.

Of course, we oppose terrorism and all who support terrorists. That is why it is already a Federal criminal offense to provide material support for terrorism or foreign entities who are engaging in terrorism. Tax-exempt organizations are already prohibited from engaging in illegal activity.

What current law does not prohibit, however, is the type of sweeping power advocated today to enact a revenge campaign and silence any nonprofit or public media outlet that may criticize Donald Trump, assist the many innocent people he demonizes, or those who simply don't offer enough support to satisfy him.

There are so many groups in America, almost 300, that have expressed their concern about this bill and their opposition to it. Nor does anyone here today oppose protection of American hostages from tax penalties.

The chairman is absolutely correct about one tiny thing: A part of this bill has been approved by unanimous consent in the United States Senate. That is the part that he won't let us consider today as a freestanding bill, which as late as Monday, we have tried again to have presented here because we could have unanimous consent here to protect those hostages.

No. What he is doing is holding the hostages' tax provision hostage to provide more power to Donald Trump. Chairman SMITH did not bother to disclose to this House that on October 1 of this year, the Internal Revenue Service renewed relief for taxpayers affected by terrorist attacks, postponing the hostages' tax filings and payment deadlines. Without our approving even the legislation we support, hostages would not face penalties or interest costs.

As to the over 290 groups that are opposing this legislation and calling for a "no" vote, they recognize the danger that it poses. Today I urge my colleagues to believe more in Donald Trump.

Believe what he says. Listen when he says the press is the "enemy of the people." Listen to him when he declares "I am your justice, I am your retribution." Listen to him when he says he will be a dictator "on day one."

Trump will not use this provision provided today as a shield to protect us from some foreign terrorism. He will use it as a sword against those he views as his political enemies. Today's vote is a chance for this House to take Trump at his word.

A "no" vote signals that we will not be accomplices in turning threats into reality. If this bill were to become law, we would hand him a bludgeon for a crusade against those who he deems the greatest danger to America, what he called the enemy within.

A unilateral designation by the President-elect through his Treasury Secretary would mean immediate—The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DOGGETT. Mr. Speaker, I yield myself an additional 1 minute.

Mr. Speaker, through the Treasury Secretary, he would be given the power to have immediate revocation of the tax-exempt status, an effective death penalty for the nonprofits.

An appeal after the tax-exempt status is taken away is no relief at all. The President would not be required to provide the reasons for the decision or the evidence upon which he relied.

It is not just Trump imposing a death sentence that should concern us, but it is his power to intimidate, to threaten to eliminate a hospital, to eliminate a community nonprofit press entity, to eliminate those who give aid to immigrants.

The fear of that death penalty, that intimidation, is what would do great damage to American civil society.

Clearly, the bill would have a chilling effect on any group that has the audacity to criticize his dark vision. Surely, the first rule of confronting a wannabe tyrant is not to provide him more tools to achieve that tyranny.

□ 0930

The SPEAKER pro tempore. The Chair would remind Members, despite the passion with which we might use to debate an important piece of legislation, that we are to refrain from engaging in personalities toward the President-elect.

Mr. SMITH of Missouri. Mr. Speaker, I yield myself such time as I may consume.

I will point out the reason why this Chamber cannot take up the bill that was passed by the United States Senate to make sure there are not penalties for hostages is because of a thing called the U.S. Constitution. It is called Article I, Section 7, that says all revenue

measures must come from the House of Representatives. That is why we are doing this piece of legislation.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Ms. TENNEY).

Ms. TENNEY. Mr. Speaker, I rise in support of my bill, H.R. 9495, the Stop-Terror Financing and Tax Penalties on American Hostages Act, which has been the subject of political hysteria since the election of President Trump on November 5.

I want to be clear to my Democratic colleagues, most of whom supported Congressman KUSTOFF's legislation last April, about what this bill actually does.

The bill does two things: It allows the IRS to waive penalties for late taxes on Americans held hostage abroad. While the IRS can waive penalties on the back end when the taxpayer returns home, this would allow them to do it on the front end to ensure that returning hostages and their families, who have endured unimaginable hardship, don't have the burden of having to deal with it upon return.

It directs the IRS to revoke the tax-exempt status of a nonprofit found to be providing financial support to a terrorist organization. Right now, an entity must be deemed a terrorist organization itself to lose its tax-exempt status. This bill says that if a nonprofit provides material support to a designated terrorist group, they will also lose that status. This bill and parts of this bill have received strong bipartisan support on multiple occasions from this Congress.

H.R. 9495 passed unanimously out of Ways and Means in September by a vote of 38-0, including and with the support of Ranking Member RICHARD NEAL, along with Mr. DOGGETT.

The portion of this bill to terminate the tax-exempt status of nonprofit organizations supporting terrorist groups, H.R. 6408, led by my fabulous colleague Representative KUSTOFF, also passed unanimously out of Ways and Means last year as a standalone bill by a vote of 41-0, and the House passed it overwhelmingly by a vote of 382-11. That is resounding, in my book.

Legislation preventing the IRS from imposing fines and tax penalties on Americans held hostage upon their return was approved by unanimous consent in the Senate. It is shameful that Democrats who supported this commonsense position are now opposing it and citing the election of President Trump as the reason and also manufacturing concerns about the targeting of nonprofits' tax-exempt status for unrelated purposes.

I want to clarify, Treasury can only revoke tax-exempt status under this legislation if the nonprofit in question is providing material support to terrorist groups designated under longstanding statutory standards. There are no changes to those standards or the executive branch's ability to make those designations. There is even an

opportunity to cure included in this bill where the organization can make reasonable efforts to recoup funds given to the terrorist organization—imagine that—given to a terrorist organization and certify in writing to Treasury that they will not provide any further support to said organization and they will not lose their nonprofit status.

Organizations abusing tax-exempt status to funnel money to terrorist organizations has been a pervasive issue, which was exposed by Chairman SMITH's ongoing investigation into various nonprofit groups' ties to foreign terrorist organizations.

This is a crucial time for Congress to act and to make it clear that we stand for our fellow citizens who have endured unthinkable circumstances abroad, like my constituent, Ryan Corbett of Dansville, New York. He is husband to Anna, and he and his wife are the parents of three children, Ketsia, Miriam, and Caleb. Today marks the 834th day since he has been wrongfully detained by the Taliban in a 9-by-9-foot cell. It is a tragic situation.

In closing, I urge my colleagues, especially my Democratic colleagues, not to put their hatred of President Trump and I daresay Trump derangement syndrome—by the way, there is no vaccine and no cure that we know of right now for that, which is obvious from what we are seeing on the other side—and let's not put the needs of terrorist adversaries ahead of helping American hostages and their families and stopping the flow of cash to terrorists that are actively working to harm the United States, by supporting H.R. 9495.

Mr. Speaker, I urge my colleagues to grab some common sense and allow this bill to pass and put some relief finally in the hands of the people who greatly need it, those in harm's way.

Mr. DOGGETT. Mr. Speaker, I yield myself 15 seconds to respond before calling on my colleague to speak.

The gentlewoman well knows that at that very hearing when we chose not to block her bill from coming to the floor, I raised the same concerns, as did Mr. BEYER, that we have today and asked them to amend it, to provide due process in this bill, the very thing they have refused to do.

Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. CHU), who is in the same position from the Ways and Means Committee.

Ms. CHU. Mr. Speaker, I rise in strong opposition to H.R. 9495, legislation that would grant dangerous new powers to allow the incoming administration to target its political enemies.

Crucially, it is already illegal for anyone, including nonprofit organizations, to provide material support to foreign terrorist organizations, and prosecutors are already empowered to indict and convict individuals of terrorism charges based on evidence of wrongdoing. This bill would create a new tool that allows the Secretary of

the Treasury to mete out punishment for tax-exempt organizations based solely on accusations, even without evidence.

Keeping in mind the President-elect's long crusade of vengeance and grievance, along with his announced Cabinet nominations of his cronies and loyalists, many of my constituents have been contacting my office all week, and they and I are very uncomfortable with the creation of this new power.

There would be nothing to stop the incoming Trump administration from using this tool to cancel the tax-exempt status, and therefore, incapacitate any civil society or nonprofit organization with which the President disagrees. This could be an organization that provides legal support for immigrants facing mass deportations or clinics that provide lifesaving reproductive healthcare.

While the bill does lay out a process for organizations to appeal the accusations brought by the Secretary of the Treasury and retain their tax-exempt status, there is little consolation when the final determination lies within the same Secretary that made the accusations in the first place.

Unfortunately, these dangerous, nonsensical provisions have been attached to unrelated legislation that would accomplish the very, very worthy goal of providing relief to American hostages for unfair tax penalties they incur while wrongfully detained abroad.

The Senate has already passed this measure as a standalone bill unanimously. The House should follow suit by stripping the bill before us today of its controversial provisions to provide hostages and their families with the relief they deserve.

Mr. Speaker, in its current form, I will vote "no," and I urge my colleagues to do the same.

Mr. SMITH of Missouri. Mr. Speaker, I yield myself such time as I may consume.

I include in the RECORD a September 24, 2024, letter from the Committee on Ways and Means to the IRS that refers the Alliance for Global Justice to the IRS for revocation of its tax-exempt status.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,

Washington, DC, September 24, 2024.

Hon. DANIEL WERFEL,
Commissioner, Internal Revenue Service,
Washington, DC.

DEAR COMMISSIONER WERFEL: I write today to refer the Alliance for Global Justice, an Arizona-based 501(c)(3) tax-exempt organization, for investigation and ultimately revocation of its tax-exempt status. The Alliance for Global Justice, in conjunction with its fiscally sponsored project, Samidoun, has funded and supported conduct intended to incite violence and instill chaos and holds suspicious ties to designated terrorist organizations. This is despite receiving tax-exempt status as a charitable organization. This conduct is designed to sow chaos and discord in our society, has involved illegal activities, and certainly is not in furtherance of any tax-exempt purpose.

As you know, section 7803 of the Internal Revenue Code ("IRC") grants the Commissioner of the Internal Revenue Service

(“IRS”) the authority to execute and apply internal revenue laws, including section 501 of the IRC’s requirements and prohibitions. Pursuant to section 501(c)(3), tax-exempt organizations must be organized and operated exclusively for a tax-exempt purpose, which includes charitable, educational, literary, and other purposes. However, if a nonprofit organization conducts substantial activities that do not further its exempt purposes, such activity may result in the loss of the organization’s tax-exemption.

Tax-exempt organizations must meet other requirements to maintain their tax-exempt status. For example, under section 501(c)(3) of the IRC, organizations seeking to receive an exemption from federal taxes are prohibited from certain activity, including being involved in certain types of political activity. In addition to the prohibitions of section 501, the IRS has also noted that violations of the law are an “antithesis of the public good” and, as such, may be a bar to tax-exemption. Not only has the IRS found conducting illegal activities to be inconsistent with tax-exemption, but it has stated that the “planning and sponsoring of such activities are also incompatible with charity and social welfare.”

For example, while mass demonstrations and other confrontational activities are generally permissible under section 501, the IRS previously found that an organization that sponsored protests where members were pressed to commit acts of civil disobedience “did not qualify for IRC 501 (c)(3) or (4) exemption.” When determining whether these types of demonstrations are consistent with IRC section 501(c)(3), the IRS has historically implemented a three-part test which states that such activities are permissible if: (1) the organization’s tax-exempt purpose is charitable; (2) the activities are not illegal, contrary to established public policy, or in conflict with statutory restrictions; and (3) the activities further the organization’s exempt purpose and are reasonably related to the accomplishment of that purpose.

Additionally, under Section 501(p) of the Internal Revenue Code, organizations which have been designated as terrorist organizations cannot maintain tax-exempt status, and the IRS has revoked the tax-exempt status of terrorist organizations. Along with the prohibition on tax-exempt status for terrorist organizations themselves, the IRS also previously revoked the tax-exempt status of organizations that could not show that it directed funding exclusively for charitable purposes as required under the IRC.

Aside from restrictions on conducting illegal activity and acts supporting or promoting civil disobedience, Internal Revenue Manual (“IRM”) Part 7, Chapter 20, Section 6, asserts that “[c]ases involving grants or activities in foreign countries present a higher risk of terrorism, especially in countries where there is war and civil unrest. Given the language of the IRC, IRM, and previous IRS revenue rulings. I am referring the Alliance for Global Justice and its fiscally sponsored project, Samidoun, to the IRS based on the facts and reasons stated in the appendix attached below.

I ask that you use your authority to make this and similar referrals a top priority and make certain the IRS moves as quickly as possible to examine and revoke the tax-exempt status of the Alliance for Global Justice. Operating at the agency’s historically slow pace is not acceptable given what is occurring in our streets and on our college campuses. The IRS must act quickly to address these serious issues. Thank you in advance for your time, cooperation, and response. If you have any questions, please contact Ways and Means Majority staff.

Sincerely,

JASON SMITH,
Chairman, Committee on Ways and Means.

[Attachment 1—Appendix]

ALLIANCE FOR GLOBAL JUSTICE: RELEVANT
FACTS

INTRODUCTION

The Alliance for Global Justice (the “Alliance”) is an Arizona-based 501 (c)(3) organization that serves as a fiscal sponsor to over 130 “projects.” The Alliance is an offshoot of the Nicaragua Network, an organization that previously supported the socialist Sandinista regime in Nicaragua. According to their website, the Alliance envisions “societies which explore and implement alternatives to the unjust domination of governments, global financial institutions and multinational corporations” and their mission is to “achieve social change and economic justice by helping to build a stronger more unified grassroots movement.” According to the Alliance’s 2023 Form 990, its mission is to “achieve social change and economic justice by helping to build a stronger and more unified grassroots movement.”

To help bring these visions to life and fulfill its mission, the Alliance fiscally sponsors more than 130 projects. Samidoun is one of the Alliance’s fiscally sponsored projects, and describes itself as “an international network of organizers and activists working to build solidarity with Palestinian prisoners in their struggle for freedom.” However, Samidoun’s conduct and activity suggests more than activism in support of Palestine.

SAMIDOUN’S TIES TO A FOREIGN TERRORIST ORGANIZATION

For example, in February 2021, the National Bureau for Counter Terror Financing of Israel (“NBCTF”) designated Samidoun a terrorist organization and a “part of the Popular Front for the Liberation of Palestine (PFLP)” which “was founded by members of the PFLP in 2012.” The PFLP was designated as a foreign terrorist organization by the U.S. Department of State on October 8, 1997. According to the NBCTF, one of Samidoun’s leaders is part of the leadership of the PFLP, has been involved in the establishment of militant cells, and has motivated terrorist activity in “Judea & Samaria and abroad.”

ACTIONS TAKEN AGAINST SAMIDOUN BY PRIVATE COMPANIES AND FOREIGN GOVERNMENTS

In January 2023, it was reported that the Alliance and Samidoun were actively fundraising for a France-based organization which partners with the PFLP. Later in February 2023, the Alliance announced that it was unable to process credit card donations following reports that the group was fundraising for the PFLP, a U.S. designated foreign terror organization. Additionally in 2023, Germany outlawed Samidoun after determining that the group spread “anti-Israel and antisemitic propaganda under the guise of solidarity for Palestinian prisoners.” The ban of Samidoun in Germany came after the group’s leadership was deported from the country in 2019. Two of Samidoun’s leaders were also deported from the European Union in 2022.

In January 2020, Mastercard, Visa, and American Express began blocking direct donations to Samidoun. Discover, the credit card company, also cut ties with the Alliance a few months after Israel’s NBCTF designated Samidoun a terrorist organization.

IRS GUIDANCE ON FISCAL SPONSORSHIPS

Although fiscal sponsorship is not defined in statute and the IRS has not provided comprehensive guidance regarding fiscal sponsorships, Revenue Ruling 68-489 provides insight into the IRS’s policy regarding fiscal

sponsorships. Revenue Ruling 68-489 states that 501 (c)(3) tax-exempt organizations may accept tax-deductible funds on behalf of an entity that is not tax-exempt under 501(c)(3) if the following three conditions are satisfied: (i) the 501 (c)(3) organization ensures that funds are used for exempt purposes “by limiting distributions to specific projects that are in furtherance of its own exempt purposes;” (ii) the 501 (c)(3) organization “retains control and discretion as to the use of the funds;” and (iii) the 501(c)(3) organization “maintains records establishing that the funds were used for section 501 (c)(3) purposes.

CONCLUSION

Samidoun’s designation as a terrorist organization associated with the PFLP does not further the Alliance’s stated tax-exempt purpose. The European Union, Israel, and major credit card companies have recognized Samidoun and the Alliance for what they are, yet tax-exempt dollars continue to flow to the Alliance and ultimately to Samidoun. This must stop. The IRS should revoke the Alliance’s tax-exempt status. Please see the exhibits below for numerous examples of activity that fails to advance any tax-exempt purpose.

Mr. SMITH of Missouri. Mr. Speaker, the Alliance of Global Justice, an Arizona-based, tax-exempt organization currently fiscally sponsors Samidoun, a group which was recently designated as a sham charity in financial support of terrorists—by what? The Biden Department of the Treasury.

Despite this letter to the IRS, the Alliance still maintains its tax-exempt status in the United States. This letter, coupled with their recent designation as a financial supporter of terrorist organizations, demonstrates the need for H.R. 9495 and the risk of not passing this legislation.

I would also point out that, as the prior speaker said that we should rip out the controversial legislation within this bill, that controversial piece of legislation passed this body by a vote of 382-11. It doesn’t sound too controversial to me.

Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. KUSTOFF).

Mr. KUSTOFF. Mr. Speaker, I rise today in strong support of H.R. 9495, the bill titled the Stop Terror-Financing and Tax Penalties on American Hostages Act. I am proud that it is a bipartisan bill. In my opinion, it will make much needed improvements to our tax code.

I also thank my colleagues, Representatives CLAUDIA TENNEY from New York, BRAD SCHNEIDER from Illinois, and DINA TITUS from Nevada, for joining me in introducing this legislation. I thank Chairman JASON SMITH for his strong support and leadership with this bill.

Mr. Speaker, today, right now, there are American citizens being held captive by terrorist groups and foreign adversaries.

Under our current law, Americans who have been detained illegally abroad may be subject to certain tax penalties and IRS fees. It is our responsibility to bring these Americans home and, frankly, to fix this unacceptable

flaw in the Federal tax code. The last thing that Americans should have to deal with is more government red tape and bureaucracy.

H.R. 9495 also works to prevent tax abuse in our tax code. Since the horrific attack on Israel by Hamas, the Ways and Means Committee has investigated terror groups and bad actors that threaten the U.S. and our allies.

One finding, Mr. Speaker, which should enrage all of us, is that there are tax-exempt nonprofits operating in the United States despite being suspected of providing support to terrorist groups such as Hamas.

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More recently, and I am using this term in quotes, a “journalist” working for a publication called “The Palestine Chronicle,” which is part of a 501(c)(3) tax-exempt organization based in the U.S., was discovered holding Israeli hostages in his Gaza home.

This is unacceptable. The financing of terrorism and extremism should not have preferential treatment under the U.S. tax code. I think this should be a no-brainer.

This legislation would revoke the tax-exempt status of any organization found to have provided—and here are the key words—material support or resources to a designated terrorist group within the past 3 years.

I do want to note that this part of the bill was originally considered on this floor on April 15 of this year under H.R. 6408. The language in H.R. 6408 affecting these tax-exempt groups is the same language in the legislation that we are considering today. It did pass by a vote of 382 in favor to 11 against, which I think in the current political atmosphere is pretty remarkable.

I also appreciate that there are a number of people who are speaking against this bill today who voted in favor of the former bill, H.R. 6408, on April 15 of this year. Obviously, a vote of 382 in favor and 11 against shows the resounding support of this body. If there are any due process concerns, which we have been hearing about this morning, they existed in that bill on April 15, yet there were only 11 people who voted “no.”

I was glad to see this commonsense legislation unanimously pass out of the Ways and Means Committee. Chairman SMITH, in his remarks, termed it as commonsense, and that is exactly what it is.

Mr. Speaker, for all of these reasons, I strongly urge my colleagues to support this important piece of legislation today.

Mr. DOGGETT. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Virginia (Mr. BEYER), who serves on the Ways and Means Committee.

Mr. BEYER. Mr. Speaker, I also stand in opposition to this bill, which would provide the administration sweeping, unilateral authority to designate nonprofits as terror-supporting

organizations and strip them of their tax-exempt status with no due process and without sufficient evidence.

The authorities provided in this bill are unnecessary and dangerous in the wrong hands. The legislation would do nothing to improve our ability to combat terrorism, as there are already numerous legal mechanisms which effectively monitor and penalize nonprofits that provide support for terrorist organizations.

No one serving in this institution wants a single dollar to find its way into the hands of a terrorist group, and it is inappropriate to suggest otherwise, but in the hands of a responsible government, the powers provided in this bill are merely redundant. However, Mr. Speaker, history is uncertain. Democracies, even ours, can wax and wane. Sometimes we have great Presidents, and sometimes we do not.

Under the leadership of an unscrupulous authoritarian, it is not hard to imagine how an administration could use the powers in this bill to hinder or dismantle organizations that its leader does not like.

Mr. Speaker, some 15 years ago, before I was here, there was a huge controversy over the IRS under Barack Obama investigating nonprofit organizations that may not have actually been nonprofits, that they were political organizations and campaign organizations promoting ideologies doing nothing to help the American people.

It turns out there were as many on the left doing this perhaps as on the right. However, my Republican friends were apoplectic about this because they said that a President could unscrupulously cross out and take away the tax-exempt status of these NGOs that are their rightful thing. It is fair right now to consider that Democratic Presidents and Republican Presidents could misuse this power.

I voted for it with concerns a couple of weeks ago, but that was before organization after organization met with me, called my office, and sent letters. Community foundations across this region, hardly terrorist-supporting organizations, are terrified that their nonprofit status will be taken away from them unjustly and inappropriately.

It is deeply unfortunate that this was matched with a very good, commonsense legislation that Congresswomen DINA TITUS, CLAUDIA TENNEY, and I are co-leading on postponing fines and fees on taxpayers who have been unlawfully detained as hostages. This is what passed the Senate overwhelmingly. In pairing this deeply controversial legislation, we have all woken up to that potential, not just because of Donald Trump, but because the nonprofits could be affected by it and are aware of its impact. It happened immediately after it came out of the Ways and Means Committee.

For this reason, Mr. Speaker, I urge my colleagues to oppose H.R. 9495, and I hope that we can find a path forward to provide desperately needed relief for

the Americans who have been wrongfully detained overseas.

Mr. SMITH of Missouri. Mr. Speaker, only in Washington is a bill that passed 382-11 considered deeply controversial, a bill that says that U.S. tax dollars should not subsidize terrorist organizations.

The other side views that as deeply controversial. That is the statement you just heard from the prior speaker. That is very, very unfortunate. That is why the American public is so upset with Washington. It is because they are completely out of touch with reality.

Mr. Speaker, I yield such time as he may consume to the gentleman from Kansas (Mr. ESTES).

Mr. ESTES. Mr. Speaker, I rise today in strong support of a commonsense bill that should receive unanimous support in the Chamber today, H.R. 9495, the Stop Terror-Financing and Tax Penalties on American Hostages Act.

Our discussion today is against the backdrop of the atrocious attacks on Israel by Hamas terrorists more than 1 year ago, and while nearly 6,000 miles away from our Nation’s Capital, seven Americans, three of whom are presumed dead, are still held captive by Hamas.

Mr. Speaker, I know this bill won’t bring them home, but it does two critical things to prevent support of terrorists and to provide some relief when our brothers and sisters do arrive back on U.S. soil.

First, it ends the tax-exempt status of organizations that support terrorist groups like Hamas. This is a no-brainer. We shouldn’t reward organizations that provide resources to terrorists or other terrorist-supporting organizations. It is unconscionable to think that organizations supporting the savages who are holding Americans hostage would be in the same tax category as the Red Cross, the Salvation Army, and local churches throughout Kansas.

The United States shouldn’t be giving any incentive for organizations to be helpful to terrorists, period.

Second, the bill addresses a lingering issue for survivors and their families when they do return home: harassment from the IRS. The Americans held hostage in Gaza and elsewhere throughout the globe have suffered enough and don’t need their own government pursuing back taxes and fines upon their homecoming. Current law prevents the IRS from having the authority to extend relief beyond a single year. This is insufficient.

The policies in this bill are commonsense and bring some measure of relief to our fellow Americans who are suffering under terrorist restraint, and I urge all Members to vote in favor of this bill.

Mr. DOGGETT. Mr. Speaker, I would reiterate that on October 1, the IRS, once again, extended for another year the protection that the gentleman says he wants. I am as opposed to Hamas as he is, but this has nothing to do with that. It has everything to do with what happens within this country.

Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Maryland (Mr. RASKIN) for further explanation of that and to tell us a little bit about what due process means.

Mr. RASKIN. Mr. Speaker, I thank the distinguished gentleman from Texas for yielding.

Mr. Speaker, I had a law professor who once asked the class: What are the two most beautiful words in the English language? He said due process. I thought the answer might be free speech, but all four of these words are ravaged and devoured by H.R. 9495, which is truly a werewolf in sheep's clothing.

Mr. Speaker, it is a Federal felony crime today to provide any material support to terrorist groups. If your not-for-profit does that, then you are going to prison for at least 10 years and maybe for the rest of your life. Losing your 501(c)(3) tax-exempt status is the least of your worries.

If rendering support to terrorists is already a felony crime, then what is this all about?

Americans have an absolute First Amendment right to give money to support political groups that don't engage in terrorism, like the ACLU, Amnesty International, Razom for Ukraine, and the International Rescue Committee, but this bill would give the new administration unilateral power to designate any of them a terrorist-supporting group and strip them of their tax-exempt status while capsizing and inverting the Constitution's guaranty of due process.

In *Freedman v. Maryland* in 1965, the Supreme Court found that the government can only impose a prior restraint on speech, which is what this is, if there is first a judicial determination in an adversary proceeding in which the party being targeted can hear all the evidence against them, provide rebutting evidence of their own, and obtain an independent adjudication of the charge by a neutral judge. That is what due process is.

This sloppy bill thrown before us today contains everything condemned by the Supreme Court. The Treasury Department will be able to unilaterally affix the terrorist-supporting label on a not-for-profit group without going to court, without offering any legal proof, without meeting any legal standard, and without giving the target an opportunity even to know the evidence against them.

Although the Treasury Secretary must notify the group that it will be designated a terrorist-supporting organization in 90 days unless the Secretary is satisfied with the group's answer, it remains completely up to the Secretary to make a "final agency determination" without meeting any standard of proof.

Once this scarlet letter and the infamy of being designated a terrorist-supporting group are firmly affixed on the organization, the stigmatized then can finally go to a judge. Incredibly,

the legal burden is explicitly put on them to prove they are not a terrorist-supporting group, completely reversing the burden of due process, which properly belongs to the government. A sixth grader would know this is unconstitutional.

This is an unlawful power to vest in any President and a dangerous power to vest in a President who shows no qualms about leveling threats of retribution and revenge against his enemies. The President-elect has said that Special Counsel Jack Smith should be arrested, former Congresswoman Liz Cheney, the former head of the Republican Conference, should be jailed, and the Chairman of the Joint Chiefs of Staff Mark Milley should be court-martialed.

Mr. Speaker, you can imagine what they would do to a human rights group that dares to criticize Vladimir Putin or another of the beloved autocrats around the world.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DOGGETT. Mr. Speaker, I yield an additional 1 minute to the gentleman from Maryland.

Mr. RASKIN. Mr. Speaker, American civil society and the not-for-profit sector must be protected against political censorship and government vendetta.

To get America to bite on this toxic sandwich, they have tucked the rotten unconstitutional meat in with language clarifying that Americans held hostage are not subject to IRS penalties for failing to pay their taxes on time. The Senate already passed this fine legislation, and we could do that unanimously today. Instead, they want us to vote to give the President Orwellian powers and the American not-for-profit sector Kafkaesque nightmares.

I voted against this bill last week, and I will vote against it today, tomorrow, next week, for the next 4 years, and beyond.

Mr. SMITH of Missouri. Mr. Speaker, we just heard that a sixth grader could see that this is unconstitutional. However, a Harvard lawyer thought this was okay in April when it passed with only 11 dissenting votes, so to me, I believe that argument does not hold water.

Tax-exempt status, Mr. Speaker, is not a constitutional right. It is not a constitutional right, but there is still robust due process protection in this bill that we worked out with our Democratic colleagues before passage in the Ways and Means Committee.

That didn't stop, though, the gentleman from Maryland from voting in favor of these same exact identical provisions earlier this year.

Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. SMUCKER).

Mr. SMUCKER. Mr. Speaker, what we are witnessing on the floor today is, I believe, one of the most bizarre arguments against a bill that I have seen since I have been here in my 8 years in Congress.

In fact, look over there and see how they are contorting themselves to say they are against this bill.

Mr. Speaker, remember that old game we used to play as kids, Twister? It looks like a game of Twister over on that side today.

First, about the facts in this bill, today, it is 411 days since Hamas terrorists captured and continue to hold men, women, and children, including seven American citizens, hostage in the Gaza Strip.

In the wake of those attacks, nefarious groups have leveraged their status as nonprofits under section 501(c)(3) of the tax code to provide material and financial support to Hamas.

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We have examples. One is the Alliance for Global Justice, which is linked to the Popular Front for the Liberation of Palestine, which the State Department has designated as a terrorist organization.

Another example is the Popular Media Project, which employed a Hamas spokesperson who held three Israelis hostage at his home in Gaza.

Mr. Speaker, we don't negotiate with terrorists, so why should we allow tax-advantaged groups to fund them?

Why should taxpayers be on the hook to subsidize organizations aiding Hamas terrorists and continuing to hold American citizens hostage?

Why did our colleagues on the other side of the aisle, along with Mr. DOGGETT, vote for this bill unanimously in the Ways and Means Committee on September 11?

Why was it okay to prevent the funding of terrorists by nonprofits then, but it is not okay to do so now?

Why did our colleagues on the floor of the House vote for this, but not now?

My colleagues on the other side of the aisle say it is because suddenly we have Donald Trump as our President. You are saying, folks, this would have been okay if President HARRIS had been elected, but not with Donald Trump?

Maybe it makes sense because, under Democratic Presidents, the IRS did target conservative groups. Where was your outrage at that when the IRS was targeting conservative groups?

Do you know that President Trump won the election by a wide margin? He has a mandate by the American people. He won the popular vote. He won 312 electoral votes.

The American people believe that Donald Trump will save this country and will put this country on the right path. They don't believe that he is a fascist. They don't believe that he is the kind of dictator that you think he will be.

Talk about election denialism. When are you going to accept that President Trump won this election and that President Trump will do what is right for the American people?

Mr. Speaker, this is the most bizarre argument that I have heard on this bill. It is the most bizarre argument I

have heard since I have been in Congress. They have completely reversed their vote in just a few months. It is unbelievable, Mr. Speaker. It is sad.

This is a bill that has parameters around the bill. They say now, suddenly, it doesn't have parameters.

It simply says, if a nonprofit is supporting a terrorist organization, their tax status should be revoked. It is a commonsense bill. Do not believe what they are saying today.

Mr. Speaker, I ask my colleagues to support this bill.

The SPEAKER pro tempore. The Chair would remind Members to direct their comments to the Chair, and to refrain from engaging in personalities toward the President-elect.

Mr. DOGGETT. Mr. Speaker, the gentleman is trying to turn the world upside down. We are the ones who accept election results. We are not the ones who stormed the Capitol. We are not the ones who still deny the results of the last election. We believe in democracy and the will of the people and the responsibility of the Members of this body to stand up and exercise effective checks and balances.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. TAKANO), the distinguished ranking member of the Veterans' Affairs Committee, who was here with me last week to oppose this very bad bill.

Mr. TAKANO. Mr. Speaker, I rise in strong opposition to H.R. 9495. As Members of Congress, it is our duty to stand against terrorism and stand up for our common values, but this bill does neither.

What does it do?

What it does is grant sweeping draconian powers to the executive branch to essentially shut down any nonprofit.

On what basis would future administrations, Democratic or Republican, be able to exercise such power?

On a mere accusation.

I repeat, an accusation.

All nonprofits could be under scrutiny. These are decent people who are advocating on issues from religious freedom to animal welfare.

Mr. Speaker, why would conservatives, the very same people who gnashed their teeth at executive overreach, support such a measure?

Why would they suddenly about-face and sacrifice the values they claim to stand for?

It is because this is a gift to the President-elect, Mr. Trump, wrapped up in a bow right before the holidays.

On the campaign trail, he has made no secret of who he would seek to go after. This is bigger than the President-elect because now every President who would be king would be free to seek vengeance on their political opponents for every perceived slight.

I caution my colleagues to consider how far-reaching the consequences of this bill would be. This bill would apply to all future Presidents.

At a time when we should be strengthening our checks and balances

and shoring up our guardrails, this legislation would do the opposite.

Mr. Speaker, in the strongest possible terms, I urge my colleagues to vote against this executive branch power grab.

Mr. SMITH of Missouri. Mr. Speaker, one of the speakers on the other side who had previously voted in support of this bill said last week, when explaining his new opposition: "With Trump's election, the conditions have changed."

We just heard that from the prior speaker, as well. If the minority thought Ms. HARRIS would have been the President-elect, my colleagues would still be supporting this bill.

Terrorism exists regardless of who the President of the United States is, and we as Members of Congress have the duty to make sure that taxpayers are not subsidizing terrorism. It is very, very simple.

Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. BEAN).

Mr. BEAN of Florida. Mr. Speaker, common sense will tell Members that an American held hostage overseas probably is not going to get a chance to file their taxes. Common sense, Mr. Speaker, will tell my colleagues that they probably won't even get a chance to file an extension.

Mr. Speaker, one would think that that American being held hostage overseas should not be subject to penalties and interest on taxes that went unpaid during their captivity. Mr. Speaker, that is not the case in crazy town.

Mr. Speaker, one would also think that American tax dollars should not be used to subsidize groups supporting terrorist activities but remember that this is crazy town.

Mr. Speaker, it is time to bring common sense back to crazy town, and that is why we need H.R. 9495, the Stop Terror-Financing and Tax Penalties on American Hostages Act. The bill would bring common sense and allow the IRS to waive penalties for late taxes for Americans being held hostage overseas and would direct the IRS to revoke the tax-exempt status of a nonprofit found providing financial support to a terrorist organization.

Mr. Speaker, it is just common sense.

Mr. DOGGETT. Mr. Speaker, I yield 1 minute to the gentlewoman from Michigan (Ms. TLAIB).

Ms. TLAIB. Mr. Speaker, this is going to be my third time voting against this bill because I don't care who the President of the United States is. This is a dangerous and unconstitutional bill that would allow unchecked power to target nonprofit organizations as political enemies and shut them down without due process.

If Members really truly cared about the hostages or Americans being held captive, the Stop Tax Penalties on American Hostages Act is already here as a standalone bill that passed out of the Senate. Let's not make it about that.

This legislation is part of a broader assault on our civil liberties, including

our right to dissent in our country. It aims to criminalize the very social justice movements fighting for justice and peace here at home, as well as abroad.

Make no mistake, and I constantly have said this to my colleagues. This is not just about Palestinian human rights advocacy organizations. This is about the NAACP, the ACLU, Planned Parenthood, organizations that have been trying to make it safe for our kids to go to school, away from gun crises and violence.

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

Mr. DOGGETT. Mr. Speaker, may I inquire as to how much time is remaining.

The SPEAKER pro tempore. The gentleman from Texas has 10½ minutes remaining. The gentleman from Missouri has 3 minutes remaining.

Mr. DOGGETT. Mr. Speaker, I yield 1 minute to the gentlewoman from Washington (Ms. JAYAPAL), the chair of the Progressive Caucus within our Democratic Party.

Ms. JAYAPAL. Mr. Speaker, I rise in strong opposition to this bill, which would give Donald Trump, and any future President, unfettered power to punish civil society groups, news outlets, hospitals, and universities with zero due process.

This bill is an authoritarian play by Republicans to expand the sweeping powers of the executive branch, to go after political enemies, and to stifle political dissent. It allows Republicans to empower Donald Trump to go after enemies at will, to put hospitals that provide reproductive care to women out of business, to label environmental advocates as ecoterrorists, to target humanitarian organizations or the foundations that support them, to punish news organizations and think tanks that put out research or policies that contradict Donald Trump, and to obliterate civil liberties groups who seek to protect those very liberties from authoritarianism.

Mr. Speaker, Americans want checks and balances, not a blank check for a President to label anyone as a terrorist.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. DOGGETT. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from Washington.

Ms. JAYAPAL. Mr. Speaker, Americans want checks and balances, not a blank check for any President to label anyone as a terrorist without evidence.

Providing material support to terrorist groups is already a crime and can be criminally prosecuted, but this bill removes all due process protections.

That is exactly why the same bill failed on the House floor last week, but instead of moving on and taking on the real economic issues that are facing Americans today or working simply to fund the government, Republicans are fixated on giving unchecked powers to the Trump administration.

Weaponizing the government is the foundation of Trump's Project 2025. It is step one of Trump's project in action.

With this bill, the only guardrail against authoritarian abuse toward any voice of dissent to his agenda will be Trump's imagination.

Mr. Speaker, I urge my colleagues to vote "no" on abusive, unchecked Presidential powers. I did last week, and I will this week, and at any other time it comes up.

Mr. SMITH of Missouri. Mr. Speaker, I point out that the prior speaker voted in April for the exact language that she was railing against, for due process. The only thing that has changed for the majority of the people changing their votes over there is Donald Trump was elected President. That is unfortunate.

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

Mr. DOGGETT. Mr. Speaker, I yield 1 minute to the gentlewoman from Missouri (Ms. BUSH).

Ms. BUSH. Mr. Speaker, St. Louis and I rise in opposition to H.R. 9495.

Mr. Speaker, what we are witnessing today is straight out of a comic book, the part where the villain's origin story turns into a revenge plot. After years of stewing, Trump is ready to enact his plan, and H.R. 9495 is one of his weapons of choice.

With Trump, we face an administration obsessed with silencing dissent and with punishing those who Trump deems as his enemies. Every day, we watch unqualified TV personalities and accused sexual abusers walk into what would be his Cabinet.

Why? It is because loyalty to Trump is the only qualification that matters.

H.R. 9495 takes that demand for loyalty even farther. It hands Trump unchecked power to crush his opposition. This bill is about control. It is about revenge and stifling free expression.

News flash: America doesn't bow to wannabe dictators. We will fight your petty revenge plots at every turn. We will not stop fighting. You work for us, and we do not work for you. This bill is an affront to democracy.

Mr. Speaker, I urge my colleagues to vote "no" on this bill.

The SPEAKER pro tempore. The time of the gentlewoman has expired. The gentlewoman will suspend.

The Chair would remind Members to direct their comments to the Chair.

Mr. SMITH of Missouri. Mr. Speaker, I disagree with everything the gentlewoman from Missouri (Ms. BUSH) said.

What I will say is that at least she is consistent. She was 1 of the 11 that voted against the bill in April. Unfortunately, we have seen a lot of other people flip-flop, and that is what is unacceptable.

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

□ 1015

Mr. DOGGETT. Mr. Speaker, I yield myself the balance of my time for closing.

Mr. Speaker, let me reiterate what is not at stake today, and that is tax relief for the hostages. The IRS issued an order on October 1 as it had issued an order previously. If we pass no legislation, they have protection. That has never been denied here.

Indeed, we offered other protection. The Constitution was used as an argument against our approving that very relief. Mr. BEYER and others have a bill that could easily have been taken up here in the House, but no. They want to hold the hostage tax bill itself hostage for their other unfortunate purposes.

The second thing that is not at stake is our opposition to terrorism. Everyone, Republican and Democrat, oppose terrorists and we want to do all that we can to prevent terrorists from affecting this country, affecting Israel, the Middle East, and any other part of the world. We have laws on the books today to do just that.

They have been used against terrorist organizations. They have been used against those who support terrorist organizations, but they have been used with regard to due process. The only reason they have this bill up here is to empower future Presidents to ignore those two vital words of "due process."

Let's talk a little about what is at stake here. Mr. SMITH presented to this body a letter that he sent the IRS on September 24.

I have that letter here. It was one of nine letters he sent to the IRS on the 24th, and he is complaining that less than 2 months later, they have not acted on all nine of his letters. He says that he is only interested in protecting legitimate nonprofits, not any illegitimate nonprofits.

Well, if we look at his letters as I have, we find out what he considers to be "material support to terrorism" that he wants to prohibit, and it is the very kind of thing that is at stake in this bill that a future President, our President-elect, could use to undermine civic organizations all over this country.

One of the organizations that he wants to deny, wants to terminate their nonprofit status, the material support that they provided to terrorism was that they had a protest and they engaged in civic disobedience.

Surprisingly, I would say, the same organization he complains about has protested one of my speeches. I believe America is stronger when we provide and permit dissent in all its forms, as long as it is done in a proper way.

Let's think a little bit about civil disobedience. There are today 151 Members of this Congress who are women. Does anyone think they would be here if the suffragettes had not had the willingness to engage in civic disobedience and be taken to jail from out in front of the White House?

We have 64 African-American Members in this Congress today. Does anyone think that had it not been for the

Freedom Riders, for those who put their lives on the line to protect the right to vote, who engaged in civil disobedience and did not obey the laws of Mississippi, Alabama, and Texas, does anyone think we would have moved our country as far as it has despite its many successes, its many shortcomings?

We have made some progress, and those who are willing to put their lives on the line and, yes, engage in civil disobedience, they have contributed on the whole to this being a fairer and more just country, and to deny, to terminate the life of a civic organization because they choose to engage and face the penalties of civil disobedience, but not the elimination of their right to exist as a nonprofit organization.

Protests are inconvenient. The one I had was inconvenient. Sometimes they are misconceived. They get out of hand, but over our Nation's history, nonviolent protests and acts of civil disobedience have made this a more equal country.

We all live in a better Nation today because people and civic organizations have stood up for our democratic values and our fundamental freedoms, even when we found their conduct to be most disagreeable.

Now, there has been much made in this debate of the fact that some of us have switched our positions. We have been called flip-floppers. I voted for this part of this legislation three times, including the times in committee, though, I did ask in committee that it be amended to address the very concerns I am raising today. But what is the answer to those who may change their vote today, as many will, and vote "no"?

The answer is, we listened to our constituents, and the Republicans who support this bill, they were listening also, but as you can tell from the frequent flyer miles they have been earning going back and forth to Mar-a-Lago, they were listening to one person. We were listening to constituents from all over this country.

Now almost 300 organizations expressed concern and fear about what will happen in the next 4 years under a vengeful President against these organizations who this chairman says are not legitimate because they protest. They sometimes engage in civic disobedience.

Let me tell you a little bit about who those organizations are and how they cover and involve so many people across this country.

The American Civil Liberties Union has its work cut out over the next 4 years with regard to what is already happening. The American Public Health Association may not agree with destroying ObamaCare and denying and making people who are poor who rely on Medicaid pay for tax cuts for the rich. The Brennan Center is another

voice for civil society and civil liberties in our country. Planned Parenthood has been attacked by one extremist group as a terrorist organization because it recognizes that abortion care is healthcare. The AFL-CIO, the Service Employees Union, the United Auto Workers, the American Federation of Teachers, the National Education Association, these are the kind of employee groups and professionals that serve our country whose voice is being heard, who many of my colleagues who, like I, once voted for this bill, have listened to them and the impact that they think this bill under the incoming President will have on their ability to function and defend working people.

The League of Conservation Voters and the Sierra Club are attacked by extremists as being eco-terrorists sometimes when they don't automatically approve every mine that gets opened, every destruction of native lands that occurs, and stand up and speak up for the environment.

The SPEAKER pro tempore. The gentleman's time has expired.

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

The SPEAKER pro tempore. Again, the Chair reminds Members not to engage in personalities toward a President-elect.

Mr. SMITH of Missouri. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I am extremely grateful that the American people have been able to watch the debate of this piece of legislation today because they have seen with their own eyes the differences between the House Republicans and the House Democrats, and the insanity that just in April, 382 individuals in this Chamber voted for and 11 voted against.

The provisions are the same. The only thing that has changed, Mr. Speaker, according to their quotes on the floor, is Donald Trump was elected President. That is the only thing that has changed.

This bill is very simple. If a nonprofit organization is funding terrorism, you lose your tax-exempt status. If we are truly against terrorism, our actions will speak louder and we will vote for this legislation, but we will see. We will see who is brave on the other side, who wants to stand with real America and not woke policies.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1576, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

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

Mr. SMITH of Missouri. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 15-minute vote on passage of H.R. 9495 will be followed by a 5-minute vote on:

The motion to suspend the rules and agree to H. Res. 915.

The vote was taken by electronic device, and there were—yeas 219, nays 184, not voting 30, as follows:

[Roll No. 477]

YEAS—219

Aderholt
Alford
Allen
Allred
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bean (FL)
Bentz
Bergman
Bice
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brecheen
Buchanan
Bucshon
Burchett
Burgess
Burlison
Calvert
Cammack
Caraveo
Carey
Carl
Carter (TX)
Case
Ciscomani
Cline
Cloud
Clyde
Cole
Collins
Comer
Crane
Crawford
Crenshaw
Cuellar
Curtis
D'Esposito
Davidson
Davis (NC)
De La Cruz
Diaz-Balart
Donalds
Duarte
Dunn (FL)
Edwards
Ellzey
Emmer
Estes
Ezell
Fallon
Feenstra
Finstad
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Flood
Fong
Foxy
Franklin, Scott
Fry
Fulcher
Garcia, Mike

Gimenez
Golden (ME)
Gonzales, Tony
Gonzalez, V.
Good (VA)
Gooden (TX)
Gosar
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hageman
Harris
Harshbarger
Hern
Higgins (LA)
Hill
Hinson
Houchin
Hudson
Huizenga
Hunt
Issa
Jackson (TX)
James
Johnson (LA)
Johnson (SD)
Jordan
Joyce (PA)
Kean (NJ)
Kelly (MS)
Kelly (PA)
Kiggans (VA)
Kiley
Kim (CA)
Kustoff
LaHood
LaLota
LaMalfa
Lamborn
Langworthy
Latta
LaTurner
Lawler
Lee (FL)
Lee (NV)
Lesko
Letlow
Lopez
Loudermilk
Lucas
Luetkemeyer
Luna
Luttrell
Mace
Malliotakis
Maloy
Mann
Mast
McCaul
McClain
McClintock
McCormick
McHenry
Meuser
Miller (IL)
Miller (OH)
Miller (WV)
Miller-Meeks
Mills
Molinaro

NAYS—184

Adams
Aguilar
Amo
Auchincloss
Balint
Barragan
Beatty
Bera
Beyer

Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bowman
Brown
Budzinski
Bush
Carbajal
Cárdenas
Carson
Carter (LA)
Cartwright
Casar
Casten
Castor (FL)
Castro (TX)
Cherfilus-
McCormick
Chu
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Correa
Costa
Courtney
Craig
Crockett
Crow
Davids (KS)
Davis (IL)
Dean (PA)
DeGette
DeLauro
DelBene
Deluzio
DeSaulnier
Dingell
Doggett
Escobar
Eshoo
Espallat
Fletcher
Foster
Frost
Garamendi
Garcia (IL)
Garcia (TX)
Garcia, Robert
Goldman (NY)
Gomez
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Himes
Horsford

Houlahan
Hoyer
Hoyle (OR)
Huffman
Ivey
Jackson (IL)
Jacobs
Jayapal
Jeffries
Johnson (GA)
Kamlager-Dove
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim (NJ)
Krishnamoorthi
Kuster
Landsman
Larsen (WA)
Larson (CT)
Lee (CA)
Lee (PA)
Lee Carter
Leger Fernandez
Levin
Lieu
Lofgren
Lynch
Magaziner
Manning
Massie
Matsui
McBath
McClellan
McCollum
McGarvey
McGovern
McIver
Meeks
Menendez
Meng
Mfume
Moore (WI)
Morelle
Moulton
Mrvan
Mullin
Nadler
Napolitano
Neal
Neguse
Nickel
Norcross
Ocasio-Cortez
Omar

NOT VOTING—30

Boyle (PA)
Brownley
Carter (GA)
Chavez-DeRemer
Connolly
DesJarlais
Duncan
Evans
Ferguson
Foushee
Frankel, Lois
Gallego
Garbarino
Gottheimer
Granger
Greene (GA)
Jackson (NC)
Joyce (OH)
Murphy
Nehls
Newhouse
Norman
Phillips
Porter
Salazar
Scott, David
Smith (WA)
Torres (NY)
Waltz
Wexton

□ 1047

Mr. BLUMENAUER changed his vote from "yea" to "nay."

Mr. PALMER changed his vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

URGING THE GOVERNMENT OF UKRAINE TO REVIEW AND MODIFY ITS DECISION TO SUSPEND ADOPTION BY FOREIGN NATIONALS WITH A VIEW TO RESUMING SUCH ADOPTIONS

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and agree to