

was approved by the House in the 109th Congress, and we urge its passage today.

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

Mr. PEARCE. Mr. Speaker, I rise to thank the majority, Mr. GRIJALVA, for his support of H.R. 1191, and I would yield such time as he may consume to the distinguished author of the bill, the gentleman from Arizona (Mr. RENZI), who has worked tirelessly for 4 years on this bill.

Mr. RENZI. Mr. Speaker, I want to thank my chairman and colleague from Arizona (Mr. GRIJALVA) and my neighbor from New Mexico (Mr. PEARCE) for their assistance and support in helping us find a solution finally today.

It has been 4 years in the making. I thank you, Mr. GRIJALVA and Mr. PEARCE, for being a part of pushing this across the finish line.

Our intention today is to provide legislation to fix a problem that affects almost 40 small business men and women throughout Arizona, Utah, New Mexico and the Southwest who are devastated by this unfortunate contract mismanagement that the National Park Service and Pacific General, Inc. were involved in.

I know, Mr. PEARCE, you remember from last Congress, in helping us finish on this, that many of these businesses are bankrupt today. Many of their sons and daughters aren't able to go to college because the Federal Government owes them money for work that they performed in the Grand Canyon. So today, we find a way to fix that with a technical correction in order for these subcontractors to get paid.

Mike Richardson, who is the owner of Southwest Water Works, located in Phoenix, Arizona, came before Congress, before your subcommittee last session. He testified, and he was able to bring this problem to the forefront. His dedicated assistance to bringing this matter before Congress should be commended.

After this time, the Washington Contracting and Procurement Office of the National Park Service performed an acquisition management review. In this review, the National Park Service discovered that the park had failed to ensure that PGI obtained the proper payments and performance bonds required by the National Park Service under the Miller Act. Then on February 6, 2004, the National Park Service suspended further payments to PGI, issued a suspension notice, and ceased activities with the contractor.

Unfortunately, as stated, the subcontractors were not paid for the work that they provided to the Federal Government. They fall into two categories. The first category consists of subcontractors that performed work on various projects where the National Park Service had already paid PGI for their work. Up to \$1.3 million PGI did not pay to subcontractors. I think, as Congressman GRIJALVA talked about, there were \$17 million paid overall to

the contractor; \$1.3 million never made its way down to these subcontractors.

The second category is composed of subcontractors who performed work on various projects where the National Park Service failed to pay PGI. The National Park Service has been unable to pay these contractors who performed the work at Grand Canyon because Federal law prohibits payments directly to subcontractors due to a lack of direct contractual relationship between the parties.

This bill today that Mr. GRIJALVA has championed, and Mr. PEARCE, fixes this grave inequity.

I thank you so very much for your leadership, Mr. GRIJALVA and Mr. PEARCE. I appreciate your service, and understanding these are small business men and women, Arizona, New Mexico and Utah, that will benefit from your leadership on this bill.

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

Mr. GRIJALVA. Mr. Speaker, again let me commend the gentleman from Arizona (Mr. RENZI) for this 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 Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, H.R. 1191, 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.

□ 1330

TAXPAYER PROTECTION ACT OF 2007

Mr. LEWIS of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1677) to amend the Internal Revenue Code of 1986 to enhance taxpayer protections and outreach, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1677

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

**SECTION 1. SHORT TITLE; ETC.**

(a) SHORT TITLE.—This Act may be cited as the “Taxpayer Protection Act of 2007”.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; etc.
- Sec. 2. Family business tax simplification.
- Sec. 3. Taxpayer notification of suspected identity theft.
- Sec. 4. Extension of time for return of property for wrongful levy.

Sec. 5. Individuals held harmless on wrongful levy, etc., on individual retirement plan.

Sec. 6. Clarification of IRS unclaimed refund authority.

Sec. 7. Prohibition on IRS debt indicators for predatory refund anticipation loans.

Sec. 8. Prohibition on misuse of Department of the Treasury names and symbols.

Sec. 9. EITC outreach.

Sec. 10. Modification of rules pertaining to FIRPTA nonforeign affidavits.

Sec. 11. Disclosure of prisoner return information to Federal Bureau of Prisons.

Sec. 12. Increase in penalty for bad checks and money orders.

**SEC. 2. FAMILY BUSINESS TAX SIMPLIFICATION.**

(a) IN GENERAL.—Section 761 (defining terms for purposes of partnerships) is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

“(f) QUALIFIED JOINT VENTURE.—

“(1) IN GENERAL.—In the case of a qualified joint venture conducted by a husband and wife who file a joint return for the taxable year, for purposes of this title—

“(A) such joint venture shall not be treated as a partnership,

“(B) all items of income, gain, loss, deduction, and credit shall be divided between the spouses in accordance with their respective interests in the venture, and

“(C) each spouse shall take into account such spouse’s respective share of such items as if they were attributable to a trade or business conducted by such spouse as a sole proprietor.

“(2) QUALIFIED JOINT VENTURE.—For purposes of paragraph (1), the term ‘qualified joint venture’ means any joint venture involving the conduct of a trade or business if—

“(A) the only members of such joint venture are a husband and wife,

“(B) both spouses materially participate (within the meaning of section 469(h) without regard to paragraph (5) thereof) in such trade or business, and

“(C) both spouses elect the application of this subsection.”.

(b) NET EARNINGS FROM SELF-EMPLOYMENT.—

(1) Subsection (a) of section 1402 (defining net earnings from self-employment) is amended by striking “, and” at the end of paragraph (15) and inserting a semicolon, by striking the period at the end of paragraph (16) and inserting “; and”, and by inserting after paragraph (16) the following new paragraph:

“(17) notwithstanding the preceding provisions of this subsection, each spouse’s share of income or loss from a qualified joint venture shall be taken into account as provided in section 761(f) in determining net earnings from self-employment of such spouse.”.

(2) Subsection (a) of section 211 of the Social Security Act (defining net earnings from self-employment) is amended by striking “and” at the end of paragraph (14), by striking the period at the end of paragraph (15) and inserting “; and”, and by inserting after paragraph (15) the following new paragraph:

“(16) Notwithstanding the preceding provisions of this subsection, each spouse’s share of income or loss from a qualified joint venture shall be taken into account as provided in section 761(f) of the Internal Revenue Code of 1986 in determining net earnings from self-employment of such spouse.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

**SEC. 3. TAXPAYER NOTIFICATION OF SUSPECTED IDENTITY THEFT.**

(a) IN GENERAL.—Chapter 77 (relating to miscellaneous provisions) is amended by adding at the end the following new section:

**“SEC. 7529. NOTIFICATION OF SUSPECTED IDENTITY THEFT.**

“If, in the course of an investigation under section 7206 (relating to fraud and false statements) or 7207 (relating to fraudulent returns, statements, or other documents), the Secretary determines that there was or may have been an unauthorized use of the identity of the taxpayer or dependents, the Secretary shall—

“(1) as soon as practicable and without jeopardizing such investigation, notify the taxpayer of such determination, and

“(2) if any person is criminally charged by indictment or information under either of such sections, notify such taxpayer as soon as practicable of such charge.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 77 is amended by adding at the end the following new item:

“Sec. 7529. Notification of suspected identity theft.”.

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

**SEC. 4. EXTENSION OF TIME FOR RETURN OF PROPERTY FOR WRONGFUL LEVY.**

(a) EXTENSION OF TIME FOR RETURN OF PROPERTY SUBJECT TO LEVY.—Subsection (b) of section 6343 (relating to return of property) is amended by striking “9 months” and inserting “2 years”.

(b) PERIOD OF LIMITATION ON SUITS.—Subsection (c) of section 6532 (relating to suits by persons other than taxpayers) is amended—

(1) in paragraph (1) by striking “9 months” and inserting “2 years”, and

(2) in paragraph (2) by striking “9-month” and inserting “2-year”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) levies made after the date of the enactment of this Act, and

(2) levies made on or before such date if the 9-month period has not expired under section 6343(b) of the Internal Revenue Code of 1986 (without regard to this section) as of such date.

**SEC. 5. INDIVIDUALS HELD HARMLESS ON WRONGFUL LEVY, ETC., ON INDIVIDUAL RETIREMENT PLAN.**

(a) IN GENERAL.—Section 6343 (relating to authority to release levy and return property) is amended by adding at the end the following new subsection:

“(f) INDIVIDUALS HELD HARMLESS ON WRONGFUL LEVY, ETC. ON INDIVIDUAL RETIREMENT PLAN.—

“(1) IN GENERAL.—If the Secretary determines that an individual retirement plan has been levied upon in a case to which subsection (b) or (d)(2)(A) applies, an amount equal to the sum of—

“(A) the amount of money returned by the Secretary on account of such levy, and

“(B) interest paid under subsection (c) on such amount of money,

may be deposited into such individual retirement plan or any other individual retirement plan (other than an endowment contract) to which a rollover from the plan levied upon is permitted.

“(2) TREATMENT AS ROLLOVER.—If amounts are deposited into an individual retirement plan under paragraph (1) not later than the 60th day after the date on which the individual receives the amounts under paragraph (1)—

“(A) such deposit shall be treated as a rollover described in section 408(d)(3)(A)(i),

“(B) to the extent the deposit includes interest paid under subsection (c), such interest shall not be includible in gross income, and

“(C) such deposit shall not be taken into account under section 408(d)(3)(B).

For purposes of subparagraph (B), an amount shall be treated as interest only to the extent that the amount deposited exceeds the amount of the levy.

“(3) REFUND, ETC., OF INCOME TAX ON LEVY.—If any amount is includible in gross income for a taxable year by reason of a levy referred to in paragraph (1) and any portion of such amount is treated as a rollover under paragraph (2), any tax imposed by chapter 1 on such portion shall not be assessed, and if assessed shall be abated, and if collected shall be credited or refunded as an overpayment made on the due date for filing the return of tax for such taxable year.

“(4) INTEREST.—Notwithstanding subsection (d), interest shall be allowed under subsection (c) in a case in which the Secretary makes a determination described in subsection (d)(2)(A) with respect to a levy upon an individual retirement plan.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to amounts paid under subsections (b), (c), and (d)(2)(A) of section 6343 of the Internal Revenue Code of 1986 after the date of the enactment of this Act.

**SEC. 6. CLARIFICATION OF IRS UNCLAIMED REFUND AUTHORITY.**

Section 6103(m)(1) (relating to tax refunds) is amended by inserting “, and through any other means of mass communication,” after “media”.

**SEC. 7. PROHIBITION ON IRS DEBT INDICATORS FOR PREDATORY REFUND ANTICIPATION LOANS.**

(a) IN GENERAL.—Subsection (f) of section 6011 (relating to promotion of electronic filing) is amended by adding at the end the following new paragraph:

“(3) PROHIBITION ON IRS DEBT INDICATORS FOR PREDATORY REFUND ANTICIPATION LOANS.—

“(A) IN GENERAL.—In carrying out any program under this subsection, the Secretary shall not provide a debt indicator to any person with respect to any refund anticipation loan if the Secretary determines that the business practices of such person involve refund anticipation loans and related charges and fees that are predatory.

“(B) REFUND ANTICIPATION LOAN.—For purposes of this paragraph, the term ‘refund anticipation loan’ means a loan of money or of any other thing of value to a taxpayer secured by the taxpayer’s anticipated receipt of a Federal tax refund.

“(C) IRS DEBT INDICATOR.—For purposes of this paragraph, the term ‘debt indicator’ means a notification provided through a tax return’s acknowledgment file that a refund will be offset to repay debts for delinquent Federal or State taxes, student loans, child support, or other Federal agency debt.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to determinations after the date of the enactment of this Act.

**SEC. 8. PROHIBITION ON MISUSE OF DEPARTMENT OF THE TREASURY NAMES AND SYMBOLS.**

(a) IN GENERAL.—Subsection (a) of section 333 of title 31, United States Code, is amended by inserting “internet domain address,” after “solicitation,” both places it appears.

(b) PENALTY FOR MISUSE BY ELECTRONIC MEANS.—Subsections (c)(2) and (d)(1) of section 333 of such Code are each amended by inserting “or any other mass communications by electronic means,” after “telemast,”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations occurring after the date of the enactment of this Act.

**SEC. 9. EITC OUTREACH.**

(a) IN GENERAL.—Section 32 (relating to earned income) is amended by adding at the end the following new subsection:

“(n) NOTIFICATION OF POTENTIAL ELIGIBILITY FOR CREDIT AND REFUND.—

“(1) IN GENERAL.—To the extent possible and on an annual basis, the Secretary shall provide to each taxpayer who—

“(A) for any preceding taxable year for which credit or refund is not precluded by section 6511, and

“(B) did not claim the credit under subsection (a) but may be allowed such credit for any such taxable year based on return or return information (as defined in section 6103(b)) available to the Secretary,

notice that such taxpayer may be eligible to claim such credit and a refund for such taxable year.

“(2) NOTICE.—Notice provided under paragraph (1) shall be in writing and sent to the last known address of the taxpayer.”.

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

**SEC. 10. MODIFICATION OF RULES PERTAINING TO FIRPTA NONFOREIGN AFFIDAVITS.**

(a) IN GENERAL.—Subsection (b) of section 1445 (relating to exemptions) is amended by adding at the end the following:

“(9) ALTERNATIVE PROCEDURE FOR FURNISHING NONFOREIGN AFFIDAVIT.—For purposes of paragraphs (2) and (7)—

“(A) IN GENERAL.—Paragraph (2) shall be treated as applying to a transaction if, in connection with a disposition of a United States real property interest—

“(i) the affidavit specified in paragraph (2) is furnished to a qualified substitute, and

“(ii) the qualified substitute furnishes a statement to the transferee stating, under penalty of perjury, that the qualified substitute has such affidavit in his possession.

“(B) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out this paragraph.”.

(b) QUALIFIED SUBSTITUTE.—Subsection (f) of section 1445 (relating to definitions) is amended by adding at the end the following new paragraph:

“(6) QUALIFIED SUBSTITUTE.—The term ‘qualified substitute’ means, with respect to a disposition of a United States real property interest—

“(A) the person (including any attorney or title company) responsible for closing the transaction, other than the transferor’s agent, and

“(B) the transferee’s agent.”.

(c) EXEMPTION NOT TO APPLY IF KNOWLEDGE OR NOTICE THAT AFFIDAVIT OR STATEMENT IS FALSE.—

(1) IN GENERAL.—Paragraph (7) of section 1445(b) (relating to special rules for paragraphs (2) and (3)) is amended to read as follows:

“(7) SPECIAL RULES FOR PARAGRAPHS (2), (3), AND (9).—Paragraph (2), (3), or (9) (as the case may be) shall not apply to any disposition—

“(A) if—

“(i) the transferee or qualified substitute has actual knowledge that the affidavit referred to in such paragraph, or the statement referred to in paragraph (9)(A)(ii), is false, or

“(ii) the transferee or qualified substitute receives a notice (as described in subsection (d)) from a transferor’s agent, transferee’s agent, or qualified substitute that such affidavit or statement is false, or

“(B) if the Secretary by regulations requires the transferee or qualified substitute

to furnish a copy of such affidavit or statement to the Secretary and the transferee or qualified substitute fails to furnish a copy of such affidavit or statement to the Secretary at such time and in such manner as required by such regulations.”.

(2) LIABILITY.—

(A) NOTICE.—Paragraph (1) of section 1445(d) (relating to notice of false affidavit; foreign corporations) is amended to read as follows:

“(1) NOTICE OF FALSE AFFIDAVIT; FOREIGN CORPORATIONS.—If—

“(A) the transferor furnishes the transferee or qualified substitute an affidavit described in paragraph (2) of subsection (b) or a domestic corporation furnishes the transferee an affidavit described in paragraph (3) of subsection (b), and

“(B) in the case of—

“(i) any transferor’s agent—

“(I) such agent has actual knowledge that such affidavit is false, or

“(II) in the case of an affidavit described in subsection (b)(2) furnished by a corporation, such corporation is a foreign corporation, or

“(ii) any transferee’s agent or qualified substitute, such agent or substitute has actual knowledge that such affidavit is false, such agent or qualified substitute shall so notify the transferee at such time and in such manner as the Secretary shall require by regulations.”.

(B) FAILURE TO FURNISH NOTICE.—Paragraph (2) of section 1445(d) (relating to failure to furnish notice) is amended to read as follows:

“(2) FAILURE TO FURNISH NOTICE.—

“(A) IN GENERAL.—If any transferor’s agent, transferee’s agent, or qualified substitute is required by paragraph (1) to furnish notice, but fails to furnish such notice at such time or times and in such manner as may be required by regulations, such agent or substitute shall have the same duty to deduct and withhold that the transferee would have had if such agent or substitute had complied with paragraph (1).

“(B) LIABILITY LIMITED TO AMOUNT OF COMPENSATION.—An agent’s or substitute’s liability under subparagraph (A) shall be limited to the amount of compensation the agent or substitute derives from the transaction.”.

(C) CONFORMING AMENDMENT.—The heading for section 1445(d) is amended by striking “OR TRANSFEREE’S AGENTS” and inserting “, TRANSFEREE’S AGENTS, OR QUALIFIED SUBSTITUTES”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to dispositions of United States real property interests after the date of the enactment of this Act.

**SEC. 11. DISCLOSURE OF PRISONER RETURN INFORMATION TO FEDERAL BUREAU OF PRISONS.**

(a) IN GENERAL.—Subsection (k) of section 6103 (relating to disclosure of certain return and return information for tax administration purposes) is amended by adding at the end the following new paragraph:

“(10) DISCLOSURE OF CERTAIN RETURN INFORMATION OF PRISONERS TO FEDERAL BUREAU OF PRISONS.—

“(A) IN GENERAL.—Under such procedures as the Secretary may prescribe, the Secretary may disclose to the head of the Federal Bureau of Prisons any return information with respect to individuals incarcerated in Federal prison whom the Secretary has determined may have filed or facilitated the filing of a false return to the extent that the Secretary determines that such disclosure is necessary to permit effective Federal tax administration.

“(B) RESTRICTION ON REDISCLOSURE.—Notwithstanding subsection (n), the head of the Federal Bureau of Prisons may not disclose

any information obtained under subparagraph (A) to any person other than an officer or employee of such Bureau.

“(C) RESTRICTION ON USE OF DISCLOSED INFORMATION.—Return information received under this paragraph shall be used only for purposes of and to the extent necessary in taking administrative action to prevent the filing of false and fraudulent returns, including administrative actions to address possible violations of administrative rules and regulations of the prison facility.

“(D) ANNUAL REPORT.—In each of the calendar years 2007 through 2010, the Secretary shall submit to Congress and make publicly available a report on the filing of false and fraudulent returns by individuals incarcerated in Federal and State prisons. Such report shall include statistics on the number of false and fraudulent returns associated with each Federal and State prison.

“(E) TERMINATION.—No disclosure may be made under this paragraph after December 31, 2010.”.

(b) RECORDKEEPING.—Paragraph (4) of section 6103(p) is amended by striking “(k)(8)” both places it appears and inserting “(k)(8) or (10)”.

(c) EVALUATION BY TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION.—Paragraph (3) of section 7803(d) is amended by striking “and” at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting “; and”, and by adding at the end the following new subparagraph:

“(C) not later than December 31, 2009, submit a written report to Congress on the implementation of section 6103(k)(10).”.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to disclosures made after December 31, 2007.

(2) ANNUAL REPORT.—Section 6103(k)(10)(D) of the Internal Revenue Code of 1986 (relating to annual reports), as added by this section, shall apply to reports submitted after the date of the enactment of this Act.

**SEC. 12. INCREASE IN PENALTY FOR BAD CHECKS AND MONEY ORDERS.**

(a) IN GENERAL.—Section 6657 (relating to bad checks) is amended—

(1) by striking “\$750” and inserting “\$1,250”, and

(2) by striking “\$15” and inserting “\$25”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to checks or money orders received after the date of the enactment of this Act.

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

The Chair recognizes the gentleman from Georgia.

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

I rise in strong support of H.R. 1677 and am pleased to be a lead co-sponsor of this bill with Chairman RANGEL.

Today is the due date for Americans to file their tax returns. On this day, it is wise for the House to consider a bill to increase taxpayer protection and expand outreach efforts to millions of Americans.

Mr. Speaker, this is an important bill; this is a timely bill. The Taxpayer Protection Act is a result of a hearing held by the Oversight Subcommittee that I chair. H.R. 1677 is an important

first step in standing up, really standing up for the American taxpayer. It is a shame that people use fraudulent tax schemes to steal Social Security numbers and financial information from Americans.

This legislation protects taxpayers from misleading Web sites and identity theft. H.R. 1677 provides higher penalties for persons who use either Web site names that may be confused with the official IRS Web site or mass e-mails that appear to be from the IRS. This bill requires the IRS to notify you if your identity is stolen in a tax scam.

You should not become more vulnerable for being a responsible citizen. The Taxpayer Protection Act prohibits the IRS from providing certain information to businesses that the IRS believes make predatory loans based on tax refunds. These short-term loans often charge interest rates sometimes above 100 percent that victimize low-income workers.

H.R. 1677 will also assist with efforts to reach millions of working Americans who are eligible to claim the earned income tax credit. These taxpayers often do not take advantage of the EITC. They have a right to know of all benefits available to them. Under this bill, the IRS will expand its current outreach program to help more low-income Americans receive this tax credit, a credit which lifts millions of families out of poverty each year.

This bipartisan legislation moves us in the right direction to make tax issues simpler and clearer for the average person. We must fight poverty, fight fraud, and provide these basic protections for all Americans.

Mr. Speaker, I fully support the Taxpayer Protection Act, and I urge all of my colleagues on both sides of the aisle to vote “yes” for H.R. 1677.

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

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

Mr. Speaker, I strongly support the Taxpayer Protection Act. This legislation is a package of commonsense reforms that passed the Ways and Means Committee by a voice vote with broad bipartisan support, and I want to take this opportunity to thank Chairman RANGEL of the full Ways and Means Committee, as well as Chairman LEWIS, the chairman of our Oversight Subcommittee, for working in a bipartisan, pragmatic and commonsense way on this legislation, and for working in a bipartisan way thus far generally in the committee. I also want to thank Ranking Member MCCREY for his leadership.

Mr. Speaker, true to its name, this bill will protect taxpayers and expand their rights. One important reform will prevent Internet domains from using the Treasury Department’s name or symbol, which is usually done to trick people into giving out sensitive personal or financial information. Clearly, this should not be allowed and should be outlawed, as this bill provides. It

prohibits phishing, and by that I mean phishing with a "P-H," not the kind that Minnesota is famous for. We are referring here to mass e-mail communications falsely claiming to be from the IRS that can lead to identity theft and have victimized too many Americans.

The bill also requires the IRS to notify taxpayers when there is an unauthorized use of the taxpayer's identity. This will help taxpayers take steps to clear their names quickly if and when their identity is stolen.

Another commonsense provision of this bill allows the IRS to return funds directly to a taxpayer's retirement account if the IRS improperly levied fines from that account.

One provision, Mr. Speaker, that received considerable attention in the committee deals with refund anticipation loans. I mentioned in the committee that while I certainly understand the motivation behind the provision and the belief that the IRS should not be a facilitator for predatory loans, I am concerned because the bill does not define "predatory"; but I trust, Mr. Speaker, that will be clarified in the conference.

I also hope we are not inadvertently making this problem worse by denying lenders information on "debt indicators" so that the provision increases the risk that a lender will not be reimbursed by the taxpayer's refund. This could cause lenders to increase fees and interest rates even further, making taxpayers pay even more for early access to their refunds. While I am not opposed to the provision, this should be addressed in the conference.

I strongly support another provision in the bill which would encourage the IRS to do more to ensure that taxpayers entitled to receive earned income credit refunds actually receive them.

Mr. Speaker, as we all know, the earned income credit is one of our most effective antipoverty tools for working families. This provision certainly deserves our strong support.

Mr. Speaker, I am also very pleased that the committee adopted my amendment to prevent tax fraud by prison inmates. This amendment is based on legislation that Chairman LEWIS and I introduced in the last Congress in response to a hearing we held in 2005. This hearing revealed massive tax fraud going on within the walls of our Nation's prisons. In fact, the IRS testified that 15 percent of all tax fraud in the United States is committed by prison inmates while in prison. Tax fraud in any form is obviously unacceptable and illegal; but it is particularly outrageous and egregious when it is committed by prison inmates who are supposed to be paying their debt to society, not bilking taxpayers.

For example, we heard testimony, Mr. Speaker, from one inmate who had swindled taxpayers to the tune of \$3.5 million in false tax return claims, and this was not an isolated incident.

While the IRS is able to detect some inmate tax fraud, far too much of it falls through the cracks. And, unfortunately, the IRS is prohibited by current law from sharing information with prison officials that would allow those officials to punish and stop this fraud.

My amendment, and I appreciate the chairman's support of this amendment, my amendment would allow the IRS to disclose information to Federal prison officials to help them stop the tax fraud that is occurring right under their noses within the walls of Federal prisons. I hope in time this commonsense provision can also be extended to include State prisons.

Mr. Speaker, it is truly fitting that in a bill entitled the Taxpayer Protection Act we protect honest taxpayers from such blatant, outrageous fraud that is being committed by some prison inmates.

Mr. Speaker, I urge my colleagues to protect taxpayers and support this legislation.

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

Mr. LEWIS of Georgia. Mr. Speaker, I thank my friend, my colleague, the ranking member, for all of his help and support in bringing this legislation before us today.

#### GENERAL LEAVE

Mr. LEWIS of Georgia. Mr. Speaker, I ask unanimous consent to give Members 5 legislative days to revise and extend their remarks on the bill, H.R. 1677.

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

There was no objection.

Mr. LEWIS of Georgia. Mr. Speaker, I yield 3 minutes to the gentleman from North Dakota (Mr. POMEROY), a member of the committee.

Mr. POMEROY. Mr. Speaker, I want to commend my friend, the chairman of the Oversight Subcommittee, the former chairman, now ranking member of the Oversight Subcommittee, for bringing this bipartisan bill to the floor.

There are a couple of features I wish to speak to: one, we prohibit use of misleading Internet names. I want to show you why I think that is important.

This is Departmentofthetreasury.com. You pull it up and it looks like an official Web page of the Federal Government. However, the second page on this same domain name shows Departmentofthetreasury.com is for sale. Basically, departmentofthetreasury.gov is the protected government name, and dot-com is a private name that preys upon the public believing they are communicating with the Federal Government, and they are not.

Now, I think we ought to take some exception to the marketing "Departmentofthetreasury.com is for sale." That is a public name. It is owned by the American people. You can't sell something you don't own,

and that is a name appropriately reserved reflecting the Department of Treasury of this country, and nobody should be allowed to make a plug nickel on it.

Here is some body of information showing just how lucrative it might be for those who want to prey upon the public using Federal names. There is a domain site called IRS.com, and inconceivably to me, they rang the bell as some prized business concern in the American Stock Exchange this morning. Well, I think a business that preys upon the public with misleading domain names is no business you want to celebrate in ringing the bell of a great stock exchange.

In fact, public reports, as reported in the New York Times today, show that their revenues jumped from \$17.5 in 2005 to \$25.6 million after IRS.com paid \$12.9 million for that domain name. I have pulled up IRS.com. Some would say there is clear disclosure; this is not a public site. IRS.com has IRS. It has tax information, and in little tiny, flyspeck language it has the disclosure. It is deliberately built to deceive, and in fact one survey showed that 40 percent of those accessing the site thought it was a Federal site. And even after seeing it, one-third thought it was a Federal site. But they use this site to market information to taxpayers.

Just to conclude, the business plan of these enterprises to get people to the site, they then have other services offered on the site. The domain holder, IRS.com, is paid for each link accessed by a member of the public. Some of the things sold on that site represent very low value: refund anticipation loans or expensive tax preparation services. This is a fraud on the public, and we ought to put an end to it.

I also appreciate what we are doing, turning up the heat on these refund anticipation loans, or RALs. To me, they represent an exceedingly poor value to the American public. In fact, such a poor value that I can't believe people are accessing them if they knew the facts and knew the costs. The commissioner has identified some of the practices as predatory lending in testimony to the committee. I like giving the Treasury Department authority to deal with people engaged in predatory lending practices. I urge passage of the bill.

□ 1345

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

Mr. LEWIS of Georgia. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. CARNEY).

Mr. CARNEY. Mr. Speaker, I thank Mr. LEWIS for his leadership on this very important bill that we are discussing today.

I rise today in support of the Taxpayer Protection Act of 2007. I have spent the last 2 weeks in northeast and central Pennsylvania hearing from families in my district about matters

that concern them, and one thing was consistent. Our middle-class families deserve a tax cut and tax protection.

It is time to start protecting our taxpayers, Mr. Speaker. This bipartisan legislation will do just that. This legislation requires the IRS to notify taxpayers if there has been an unauthorized use of their identity. This is a serious issue, and the IRS must be actively contacting those individuals who may have fallen victim to identity theft.

This bill protects those who would receive a tax break, also. It requires the IRS to notify those who would be eligible for a tax break. For example, it requires the IRS to conduct additional earned income tax credit outreach, including notifying those who are eligible about how to apply for it.

The Taxpayer Protection Act supports small, family-owned businesses and allows for spouses of the family-owned business to pay Social Security and Medicare taxes as a sole proprietorship rather than as a partnership. This will save our small businesses money, promoting investment and growth in our communities.

I came to Congress to stand up for working families, both in my State, Pennsylvania, and this country. This bipartisan bill protects taxpayers, protects families and protects individuals; and I am proud to support it today.

Mr. Speaker, I just want to mention our condolences for those at Virginia Tech University. I think today everybody in this country is a Hokie.

Mr. RAMSTAD. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. HERGER), a distinguished member of the Ways and Means Committee and ranking member of the Trade Subcommittee.

Mr. HERGER. Mr. Speaker, in 2001 President Bush and Congress worked to enact the most important tax relief since Ronald Reagan in the 1980s.

For individuals and families, we reduced marginal tax rates on personal income, doubled the child tax credit, reduced the unfair marriage tax penalty, phased out the onerous death tax, and significantly lessened the impact of the alternative minimum tax. We also provided essential tax relief on investment income.

Far from taxpayer protection, as this bill's title suggests, we are now hearing proposals from the other side that would do away with the tax relief of the last 6 years. Contrary to the naysayers, tax relief has played a critical role in revitalizing our Nation's economy.

Over 7.5 million new jobs have been created since 2003. The national unemployment rate has fallen to a very low 4.4 percent. Economic growth has been steady and strong. Our investment markets are no longer bursting; they are booming.

American families and small businesses did not just sit on the \$1.1 trillion that we returned to them. They put much of it back into our economy through investment and consumption.

The result: Tax revenues are up 35 percent and deficits are much lower than CBO anticipated.

Mr. Speaker, as we observe tax day, to truly protect taxpayers, Congress should talk about ways to make the tax relief we have permanent. Regrettably, the majority party and its budget anticipate the opposite.

Mr. LEWIS of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Speaker, I rise today in strong support of the Taxpayer Protection Act of 2007.

I would like to commend Chairman RANGEL and Ranking Member MCCRERY for bringing this bill to the floor and for working to simplify our tax policies.

Today's Tax Code has become so complex that it takes more than 25 hours to complete an itemized tax return. That is about 10 hours longer than in 1988.

Small business owners will also benefit significantly from this legislation by streamlining the process that married couples use to file returns.

Our reliance on technology and the openness of the Internet is greater than ever, and we should improve security to defend American taxpayers from identity theft.

I am pleased that provisions in the Taxpayer Protection Act increase online security for individuals and allow them to have better recourse in the event of a crime.

Mr. Speaker, I urge my colleagues to support H.R. 1677.

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

Mr. LEWIS of Georgia. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. CROWLEY), my colleague on the Ways and Means Committee.

Mr. CROWLEY. Mr. Speaker, thank you for giving me the time.

I also just want to express briefly the support of my constituents in Queens and The Bronx in New York. Their hearts and prayers are today in Virginia with the students and faculty and parents of Virginia Tech students.

Mr. Speaker, I rise in strong support of the Taxpayer Protection Act, a bill that will work to protect and empower taxpayers.

I want to specifically recognize and thank Chairman RANGEL not only for crafting a solid, bipartisan bill, but also for continuing the comity that has, this year, become the hallmark of our committee.

I would also like to express my gratitude to you, as well as to Oversight Subcommittee Chairman LEWIS and Ranking Member RAMSTAD for including important new provisions dealing with the earned income tax credit. The EITC has been a great benefit to my constituents, with almost 114,000 of them claiming this credit, bringing home to Queens and The Bronx \$270 million. While impressive, I still have almost 23,000 constituents in my dis-

trict who are eligible, but do not seek this credit, thereby missing out on an estimated \$54 million in revenue, money these people need for everyday living and money that can be turned back into our communities.

During both the oversight hearing on EITC and, later, the full committee hearing with IRS Commissioner Everson, I highlighted the need for the IRS to work with those who qualify for the EITC to make the process of restating past returns easier. This bill does that.

Additionally, during private and, later, under committee questioning, I asked Commissioner Everson about ways to outreach EITC to more people, including those who may not file returns.

Again, the sponsors heard the concerns of many of us on this committee and crafted a bill today that also mandates the IRS undertake this outing by using IRS' existing resources and data to dig deeper and find these eligible people.

The people who qualify and receive the earned income tax credit, the people I am talking about, are the working poor, again poor people who work, and they need our help. This bill provides them an important helping hand. I thank the sponsors for putting working people first in this legislation.

I also want to thank many of the not-for-profit groups that are helping our constituents access EITC. Just yesterday, I met with the leadership in New York City of ACORN, and they are starting a program to help our mutual constituents reach out so that they can make access of the EITC, the earned income tax credit.

I once again thank the sponsors of this legislation. I welcome this new direction in Congress and in America.

Mr. RAMSTAD. Mr. Speaker, I continue to reserve the balance of my time.

Mr. LEWIS of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. SHULER).

Mr. SHULER. I thank the gentleman for yielding.

Mr. Speaker, before I begin, I would like to offer my thoughts and prayers to the family of those who died yesterday at Virginia Tech and all those affected by this senseless tragedy.

Mr. Speaker, I rise today in support of this legislation, H.R. 1677, the Taxpayer Protection Act of 2007.

As we mark the deadline for Federal income taxes today, this bill takes important steps to simplify the tax process for family-owned small businesses, which are the backbone of our country and our economy.

Mr. Speaker, this bill will allow both spouses in a family-owned business to pay Social Security and Medicare taxes as a sole proprietorship, not as a partnership.

Mr. Speaker, when a husband and wife owns a business together, they are really collecting only one paycheck. They should only have to pay taxes once.

Mr. RAMSTAD. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. PRICE), a champion of the taxpayer.

(Mr. PRICE of Georgia asked and was given permission to revise and extend his remarks.)

Mr. PRICE of Georgia. I appreciate the gentleman for yielding, and I appreciate the leadership on both sides of the aisle for this issue.

I am heartened by the stated enthusiasm of the members of the majority party for the Taxpayer Protection Act. I am remarkably encouraged.

Today being tax day, it is appropriate that we speak about this issue, and it is mostly good work. I would commend the individuals who worked on this. It is mostly good work, but I would suggest, Mr. Speaker, that real protection requires real reform, and the real solution to the challenges that we face as Americans, all of us in our tax system, is that we need fundamental reform.

This is an appropriate bill and kind of tinkers with the margins of our tax system, and I think those modifications are, as I mentioned, appropriate and a step in the right direction; but our current system is extremely regressive and extremely unfair.

So, to talk about the earned income tax credit, it's an appropriate thing to notify people who don't know that they are eligible for that. However, there are embedded taxes in everything that we purchase that make our system right now much more regressive than it ought be.

There is legislation available that would, in fact, promote fundamental reform. It would capture all of the underground economy that is fully a third of our current economy, nearly \$1 trillion. It would reward those kinds of things that we say that we want, like hard work and success and entrepreneurship and vision and all those wonderful American ideals.

That bill is H.R. 25. It is the fair tax, the national retail sales tax. It would bring about true fundamental reform and would bring about true protection for the American taxpayer.

So I commend the individuals who brought forward H.R. 1677, and I would suggest, Mr. Speaker, that this is a small step in the right direction. However, real reform requires real change. Fundamental reform to our tax system is what is needed, and I am hopeful that in relatively short order we will be able to embrace each other with real fundamental reform to our entire tax system on the floor of this House.

Mr. LEWIS of Georgia. Madam Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER), a member of the Ways and Means Committee.

Mr. BLUMENAUER. Madam Speaker, I appreciate my colleague from Georgia, the distinguished chairman of the Oversight Committee, for permitting me to speak on this bill, and I commend his hard work.

I find no small amount of irony hearing one of our friends from the other side of the aisle talk about how it might be time now for tax reform. The other side of the aisle was in charge for 12 years, and it is interesting that in the last 6 years, when they controlled the White House and Congress and had three major tax bills before us, the words in the Tax Code increased 1.5 million; 1.5 million extra words, special-interest provisions, while ignoring opportunities to simplify the code and to deal meaningfully with the tax tsunami that is coming at us, the alternative minimum tax.

□ 1400

I appreciate the hard work that the subcommittee has done, dealing with provisions like this that have no argument against them. These are things that are long overdue. I am glad we are moving forward. I commend the subcommittee Chair, and our Chair, Mr. RANGEL, for looking at other provisions that would level the playing field, that would deal with simplification, deal with fairness, deal with some of the problems that lower-income citizens have in terms of trying to cope with the complexity, and being able to equip the Internal Revenue Service to make sure that we deal with hundreds of billions of dollars that is uncollected revenue that shifts the burden on the vast majority of Americans who are hard working, who report their income, who pay their taxes fairly and on time.

It isn't the fault of the worker who has got the W-2 that we have this vast amount of uncollected income. We have the complexity. I appreciate what this bill represents, a true effort at bipartisan cooperation to establish a foundation. We can move forward to have an Internal Revenue Code that is fair and effective for all.

Mr. RAMSTAD. Madam Speaker, may I just inquire as to how many speakers the other side may have.

Mr. LEWIS of Georgia. That was my last speaker, Mr. Ranking Member.

Mr. RAMSTAD. Madam Speaker, before yielding back, I too want to express my deepest sympathy to the entire Virginia Tech community. Like every other Member of this body, my thoughts and prayers are with all those affected by the tragic and senseless loss of lives.

Having no further speakers, I urge a strong "yes" vote for this taxpayer protection.

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

Mr. LEWIS of Georgia. Madam Speaker, I too, before I close this debate on this bill, join with my colleagues and others to mourn for the victims of this unspeakable, unbelievable, senseless act of violence at Virginia Tech. We mourn, we pray for the victims and for their families.

I also want to thank my colleague, my friend, the ranking member, Mr. RAMSTAD, for all of his help in bringing this piece of legislation, as I stated before, before us today.

Madam Speaker, I fully support H.R. 1677, the Taxpayer Protection Act of 2007. We must do more for Americans. We must protect taxpayers from being victims of fraudulent tax schemes, misleading Web sites and predatory refund loans.

H.R. 1677 does this. It provides higher penalties for deceptive Web sites and mass e-mails. It requires the IRS to notify you if your identity is stolen in a tax scam. It reduces predatory refund loans.

H.R. 1677 expands IRS outreach programs to millions of taxpayers eligible for the earned income tax credit who have not claimed it. This credit lifts millions of working Americans out of poverty each year.

Madam Speaker, this is a good bill. This is an important bill. This is a necessary bill. On this tax day we must do more for taxpayers. I urge my colleagues, all of my colleagues on both sides of the aisle to vote "yes" for H.R. 1677.

Mr. MARKEY. Madam Speaker, I rise in strong support of H.R. 1677, the "Taxpayer Protection Act of 2007."

I would like to focus my remarks on Section 8 of this bill, which clarifies the intent of the Congress that the existing legal prohibitions on the misuse of Department of the Treasury names and symbols also extend to misuse over the Internet. I support this provision, which addresses a very real problem that currently exists with potentially misleading commercial websites that taxpayers may mistakenly believe to be affiliated with the IRS.

In February, the Subcommittee on Telecommunications and the Internet, which I chair, became aware of three commercial websites operating under domain names which may confuse the public into believing them to be official IRS websites: IRS.com, IRS.net and IRS.org. In response to this situation, I wrote to the Federal Trade Commission Chairman Majoras, Secretary of the Treasury Paulson, and Internal Revenue Service Commissioner Everson to express my concerns that consumers who visited these sites might provide the operators with personally identifiable information and tax return information, enabling the operators to either market or sell this information to others, or to sell and market all manner of products and services to these taxpayers.

A consumer survey and study presented to the IRS and FTC in early January of this year by the Computer and Communications Industry Association suggested that a significant proportion of consumers misinterpreted these three non-governmental Websites as being sites hosted by the IRS. The survey showed, for example, that before viewing the website IRS.com, 47 percent of those surveyed believed the site represented the Internet address of the Internal Revenue Service. Even after viewing the site, 1/3 of those surveyed still believed the site was the IRS website.

Now, the IRS.com website bears a remarkable resemblance to the official IRS.gov site. Both websites have the same color blue banner at the very top, a grey search bar right below, and a white background with various links and search features covering the bulk of the page. Back in February, the IRS.com site even had an actual image of the U.S. Treasury headquarters building on the top of the

page. At the time, there was only a fine-print disclaimer at the bottom of these sites stating that that it was a non-governmental site. This disclaimer was so far down on the webpage that few consumers were likely to view it.

I continue to be concerned about the potential for unfair or deceptive trade practices associated with these commercial websites, and I believe that we need to do more to ensure that the public does not continue to be exposed to these potentially misleading or confusing websites. There is no relationship between a citizen and our government more sensitive, nor information more private, than that involving individual taxes and the annual voluntary compliance obligation. The federal government has a duty to protect taxpayers from predatory behaviors as they seek to meet their obligation to pay taxes.

I am hopeful that, by clarifying the intent of the Congress that the existing legal prohibitions on misuse of Treasury Department and IRS names and symbols are and should be applied to commercial activity on the Internet, this bill will better protect the public from this kind of operation in the future.

I urge adoption of the bill.

Mr. EMANUEL. Madam Speaker, I rise today in support of H.R. 1677, the Taxpayer Protection Act of 2007. Too often, middle-class taxpayers find themselves confused and frustrated by the complexity of the tax code. Over 60 percent of taxpayers now use a paid preparer to file their tax return, costing them hundreds or thousands of dollars that they could have used for college, health care, or retirement.

This legislation provides overdue relief for taxpayers that will protect them from fraud, require the IRS to do a better job of communicating which tax credits a taxpayer can qualify for, and hold tax cheats accountable for their actions. Today is Tax Day, and this legislation sends a message to taxpayers that help is on the way.

Hearings held by Chairman JOHN LEWIS provided ample evidence that taxpayers are too often exposed to identify theft or unaware of potential benefits. The Taxpayer Protection Act will require the IRS to notify taxpayers involved in tax fraud investigations that there may have been an unauthorized use of their identities, will provide filers with a longer period of time to seek restitution from the IRS for a wrongful penalty, punish predatory lenders, and require the IRS to promote the Earned Income Tax Credit so that more Americans can take care of a tax benefit they have earned but have not been notified.

Madam Speaker, Tax Day can be a difficult day for many Americans. Let us do our part to make common-sense reforms that put the government back on the side of the average taxpayer.

I thank Mr. RANGEL, the Chairman of the Ways and Means Committee, for his leadership on this issue, and I urge my colleagues to join me in voting for H.R. 1677, the Taxpayer Protection Act of 2007.

Mr. LEVIN. Madam Speaker, I rise today in strong support of H.R. 1677, the Taxpayer Protection Act.

I would note that its consideration today is particularly timely as millions of hardworking Americans file their tax returns. Those workers and families deserve to know that their government is taking every step to protect the

sensitive data contained in those returns and to enhance taxpayer rights.

Identity theft is a large and growing problem in our society, and unfortunately, a lack of vigilance on the part of the IRS has contributed to that problem. One criminal who testified before the Senate Finance Committee last week detailed how he stole \$1.1 million from the Treasury by using stolen identities to claim fraudulent refunds. While this individual is rightly serving time in prison, we must act to prevent such crimes in the future.

This legislation contains a number of common sense provisions to accomplish just that, including a requirement that the IRS notify a taxpayer if it discovers that there may have been an unauthorized use of the taxpayer's identity during the course of a tax fraud investigation and the authority for the IRS to notify taxpayers on the Internet about unclaimed tax refunds. It also increases penalties on misleading websites that use government names and symbols to engage in the fraudulent practice known as "phishing."

I am also pleased that it enhances Earned Income Tax Credit outreach so that every taxpayer who is eligible for this credit realizes its benefits.

Madam Speaker, I urge my colleagues to support the legislation.

Mr. MARKEY. Madam Speaker, I rise in strong support of H.R. 1677, the "Taxpayer Protection Act of 2007."

I would like to focus my remarks on Section 8 of this bill, which clarifies the intent of the Congress that the existing legal prohibitions on the misuse of Department of Treasury names and symbols extend to misuse over the Internet. I support this provision, which addresses a very real problem that currently exists with potentially misleading commercial Web sites that taxpayers may mistakenly believe to be affiliated with the IRS.

In February, the Subcommittee on Telecommunications and the Internet, which I chair, became aware of three commercial Web sites operating under domain names which may confuse the public into believing them to be official IRS Web sites: IRS.com, IRS.net, and IRS.org. In response to this situation, I wrote to the Federal Trade Commission Chairman Majoras, Secretary of the Treasury Paulson, and Internal Revenue Service Commissioner Everson to express my concerns that consumers who visited these sites might provide the operators with personally identifiable information and tax return information, enabling the operators to either market or sell this information to others, or to sell and market all manner of products and services to these taxpayers. Since the taxpayers who provide personal information to these sites might be doing so under the misimpression that they were dealing with an official government Web site subject to applicable federal privacy protections, I felt there was a serious potential for consumer confusion, deception, and abuse.

In fact, a consumer survey and study presented to the IRS and FTC in early January of this year by the Computer and Communications Industry Association suggested that a significant proportion of consumers misinterpreted these three nongovernmental Web sites as being sites hosted by the IRS. The survey showed, for example, that before viewing the Web site IRS.com, 47 percent of those surveyed believed the site represented the

Internet address of the Internal Revenue Service. Even after viewing the site, one third of those surveyed still believed the site was the IRS Web site.

Now, the IRS.com Web site bears a remarkable resemblance to the official IRS.gov site. Both Web sites have the same color blue banner at the very top, a grey search bar right below, and a white background with various links and search features covering the bulk of the page. Back in February, the IRS.com site even had an actual image of the U.S. Treasury headquarters building on the top of the page. At the time, there was only a fine-print disclaimer at the bottom of this site stating that it was a non-governmental site. This disclaimer was so far down on the Web page that few consumers were likely to view it.

I asked the FTC, the Treasury, and the IRS to look into the issues raised by this Web site, as well as the IRS.org and IRS.net sites. The IRS and the Treasury Department have never formally responded to my inquiry. However, the IRS has issued a press statement warning taxpayers about these potentially misleading sites. The FTC did respond to my letter, but in that response merely noted that in response to the concerns I had raised, the operator had "made a number of changes to distinguish it from the official IRS Web site, and to better highlight the disclaimers included on the Web site."

I continue to be concerned about the potential for unfair or deceptive trade practices associated with these commercial Web sites, and I believe that we need to do more to ensure that the public does not continue to be exposed to these potentially misleading or confusing Web sites. There is no relationship between a citizen and our government more sensitive, nor information more private, than that involving individual taxes and the annual voluntary compliance obligation. The federal government has a duty to protect taxpayers from predatory behaviors as they seek to meet their obligation to pay taxes. I am hopeful that by clarifying the intent of the Congress that the existing legal prohibitions on misuse of Treasury Department and IRS names and symbols is and should be applied to commercial activity on the Internet, that this bill will better protect the public from this kind of operation in the future.

I urge adoption of the bill.

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

The SPEAKER pro tempore (Mrs. TAUSCHER). The question is on the motion offered by the gentleman from Georgia (Mr. LEWIS) that the House suspend the rules and pass the bill, H.R. 1677, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. LEWIS of Georgia. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.