



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 116<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 165

WASHINGTON, MONDAY, JUNE 10, 2019

No. 96

## House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. CARBAJAL).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
June 10, 2019.

I hereby appoint the Honorable SALUD O. CARBAJAL to act as Speaker pro tempore on this day.

NANCY PELOSI,  
*Speaker of the House of Representatives.*

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Dear Lord, we give You thanks for giving us another day.

At the beginning of a new workweek, we use this moment to be reminded of Your presence and to tap the resources needed by the Members of this people's House to do their work as well as it can be done.

May they be led by Your spirit in the decisions they make. May they possess Your power as they steady themselves amid the pressures of persistent problems.

All this day, and through the week, may they do their best to find solutions to pressing issues facing our Nation. Please hasten the day when justice and love shall dwell in the hearts of all peoples and rule the affairs of the nations of Earth.

May all that is done this day be for Your greater honor and glory.  
Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Missouri (Mrs. HARTZLER) come forward and lead the House in the Pledge of Allegiance.

Mrs. HARTZLER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### HONORING THE SHEALY BROTHERS

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

Mr. WILSON of South Carolina. Mr. Speaker, last week was the 75th anniversary of the Normandy invasion. 150,000 American, British, and Canadian fighting men landed on the beaches of Normandy to begin the deadly struggle to liberate Europe from Nazism and stop the Holocaust.

Among the heroes were five brothers from Lexington, South Carolina. Sadly, only four came home alive.

Carroll Floyd Shealy was killed by mortar fire after jumping with the 101st Airborne Division.

Joe Lewis Shealy was wounded and nearly lost his leg after jumping in with the 82nd Airborne Division.

Muller Everett Shealy served in Normandy with the Army Air Corps.

Billy Ray Shealy and his twin brother, Bobby Rhett Shealy, both served aboard the USS *Dale W. Peterson*.

We owe them our deepest gratitude. Today, congratulations to Bulgaria, recognizing the 29th anniversary of the first post-Communist election to implement democracy.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

### FUND HHS TO PROVIDE CARE FOR UNACCOMPANIED MINORS

(Mrs. HARTZLER asked and was given permission to address the House for 1 minute.)

Mrs. HARTZLER. Mr. Speaker, today, I rise to highlight a humanitarian crisis happening within our borders.

Because of our failing immigration policies and inadequate border security, people, including tens of thousands of unaccompanied children, are streaming across our porous borders. In shelters throughout the country, the Department of Health and Human Services is caring for over 13,000 unaccompanied migrant children who illegally crossed our southern border.

This is just a portion of the over 40,000 children who have come into U.S. custody since October of last year, and more of these children are arriving sicker than ever before and require immediate medical attention.

Time is not on our side. To continue caring for these children, HHS needs more funding. HHS projects it will be out of funds to provide care within a matter of days.

HHS requested \$3.2 billion in emergency funds to continue providing shelter, food, and medical care for these children, but Democrats have ignored this request.

It is time for us to work together to provide the resources necessary to care for these children, work to fix our immigration system, and secure our borders to prevent this crisis from happening again.

### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

H4351

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 10, 2019.

Hon. NANCY PELOSI,  
The Speaker, House of Representatives,  
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 10, 2019, at 11:03 a.m.:

That the Senate passed S. 1289.  
That the Senate passed S. 1749.  
That the Senate agreed to S. Con. Res. 15.  
With best wishes, I am  
Sincerely,

CHERYL L. JOHNSON.

### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3 p.m. today.

Accordingly (at 2 o'clock and 6 minutes p.m.), the House stood in recess.

□ 1500

### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CUELLAR) at 3 p.m.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

### TAXPAYER FIRST ACT

Mr. LEWIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3151) to amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3151

*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 First Act’’.

(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.

#### TITLE I—PUTTING TAXPAYERS FIRST

##### Subtitle A—Independent Appeals Process

Sec. 1001. Establishment of Internal Revenue Service Independent Office of Appeals.

#### Subtitle B—Improved Service

Sec. 1101. Comprehensive customer service strategy.

Sec. 1102. Low-income exception for payments otherwise required in connection with a submission of an offer-in-compromise.

#### Subtitle C—Sensible Enforcement

Sec. 1201. Internal Revenue Service seizure requirements with respect to structuring transactions.

Sec. 1202. Exclusion of interest received in action to recover property seized by the Internal Revenue Service based on structuring transaction.

Sec. 1203. Clarification of equitable relief from joint liability.

Sec. 1204. Modification of procedures for issuance of third-party summons.

Sec. 1205. Private debt collection and special compliance personnel program.

Sec. 1206. Reform of notice of contact of third parties.

Sec. 1207. Modification of authority to issue designated summons.

Sec. 1208. Limitation on access of non-Internal Revenue Service employees to returns and return information.

#### Subtitle D—Organizational Modernization

Sec. 1301. Office of the National Taxpayer Advocate.

Sec. 1302. Modernization of Internal Revenue Service organizational structure.

#### Subtitle E—Other Provisions

Sec. 1401. Return preparation programs for applicable taxpayers.

Sec. 1402. Provision of information regarding low-income taxpayer clinics.

Sec. 1403. Notice from IRS regarding closure of taxpayer assistance centers.

Sec. 1404. Rules for seizure and sale of perishable goods restricted to only perishable goods.

Sec. 1405. Whistleblower reforms.

Sec. 1406. Customer service information.

Sec. 1407. Misdirected tax refund deposits.

### TITLE II—21ST CENTURY IRS

#### Subtitle A—Cybersecurity and Identity Protection

Sec. 2001. Public-private partnership to address identity theft refund fraud.

Sec. 2002. Recommendations of Electronic Tax Administration Advisory Committee regarding identity theft refund fraud.

Sec. 2003. Information sharing and analysis center.

Sec. 2004. Compliance by contractors with confidentiality safeguards.

Sec. 2005. Identity protection personal identification numbers.

Sec. 2006. Single point of contact for tax-related identity theft victims.

Sec. 2007. Notification of suspected identity theft.

Sec. 2008. Guidelines for stolen identity refund fraud cases.

Sec. 2009. Increased penalty for improper disclosure or use of information by preparers of returns.

#### Subtitle B—Development of Information Technology

Sec. 2101. Management of Internal Revenue Service information technology.

Sec. 2102. Internet platform for Form 1099 filings.

Sec. 2103. Streamlined critical pay authority for information technology positions.

#### Subtitle C—Modernization of Consent-Based Income Verification System

Sec. 2201. Disclosure of taxpayer information for third-party income verification.

Sec. 2202. Limit redisclosures and uses of consent-based disclosures of tax return information.

#### Subtitle D—Expanded Use of Electronic Systems

Sec. 2301. Electronic filing of returns.

Sec. 2302. Uniform standards for the use of electronic signatures for disclosure authorizations to, and other authorizations of, practitioners.

Sec. 2303. Payment of taxes by debit and credit cards.

Sec. 2304. Authentication of users of electronic services accounts.

#### Subtitle E—Other Provisions

Sec. 2401. Repeal of provision regarding certain tax compliance procedures and reports.

Sec. 2402. Comprehensive training strategy.

### TITLE III—MISCELLANEOUS PROVISIONS

#### Subtitle A—Reform of Laws Governing Internal Revenue Service Employees

Sec. 3001. Prohibition on rehiring any employee of the Internal Revenue Service who was involuntarily separated from service for misconduct.

Sec. 3002. Notification of unauthorized inspection or disclosure of returns and return information.

#### Subtitle B—Provisions Relating to Exempt Organizations

Sec. 3101. Mandatory e-filing by exempt organizations.

Sec. 3102. Notice required before revocation of tax-exempt status for failure to file return.

#### Subtitle C—Revenue Provision

Sec. 3201. Increase in penalty for failure to file.

### TITLE IV—BUDGETARY EFFECTS

Sec. 4001. Determination of budgetary effects.

### TITLE I—PUTTING TAXPAYERS FIRST

#### Subtitle A—Independent Appeals Process

**SEC. 1001. ESTABLISHMENT OF INTERNAL REVENUE SERVICE INDEPENDENT OFFICE OF APPEALS.**

(a) IN GENERAL.—Section 7803 is amended by adding at the end the following new subsection:

“(e) INDEPENDENT OFFICE OF APPEALS.—

“(1) ESTABLISHMENT.—There is established in the Internal Revenue Service an office to be known as the ‘Internal Revenue Service Independent Office of Appeals’.

“(2) CHIEF OF APPEALS.—

“(A) IN GENERAL.—The Internal Revenue Service Independent Office of Appeals shall be under the supervision and direction of an official to be known as the ‘Chief of Appeals’. The Chief of Appeals shall report directly to the Commissioner of Internal Revenue and shall be entitled to compensation at the same rate as the highest rate of basic pay established for the Senior Executive Service under section 5382 of title 5, United States Code.

“(B) APPOINTMENT.—The Chief of Appeals shall be appointed by the Commissioner of Internal Revenue without regard to the provisions of title 5, United States Code, relating to appointments in the competitive service or the Senior Executive Service.

“(C) QUALIFICATIONS.—An individual appointed under subparagraph (B) shall have experience and expertise in—

“(i) administration of, and compliance with, Federal tax laws,