

you know, the number of folks who now hold so much wealth.

Yet, if you take a step backwards and look at the way we have our laws set up in this country, we don't decide that you get to invest in certain types of activities because of your talent. We don't decide you get to invest in certain activities because you are an expert in the technology or the business model.

We actually have a series of rules that, if you have \$1 million, you and your wife have a certain income, then you are allowed to invest. You think about that. So if I came to you right now and said, I am going to judge you by the size of your bank account and not by your competence, that would be pretty outrageous.

I guess for years and years, none of us had really sort of talked about it, thought about it in that way, that the arbitrary rules that the SEC and we had allowed to continue were a world where we judged people by their wealth and then gave them additional opportunities instead of handing those same opportunities to people because of their expertise in investing or the technology, their expertise in understanding the risk profile of such technology. I am hoping that is where we are heading.

There was a number of compromises to make both sides feel comfortable, and that is actually one of the reasons we had such a bipartisan vote; and to that, I also thank my friend, Chairman GARRETT. I am going to miss you because you have worked hard to shepherd many of these concepts through for years now.

I think this is a great start because we are going to start judging our brothers and sisters by their talents and not necessarily their bank account size, and that is why I am so happy on this one.

Ms. VELÁZQUEZ. Mr. Speaker, I am prepared to close. I yield myself such time as I may consume.

Mr. Speaker, access to capital is the lifeblood of every business. By expanding the pool of accredited investors and venture capital firms, improving the equity crowdfunding rules, and giving small business a bigger voice in SEC decisionmaking, H.R. 6427 provides the tools necessary to inject much-needed equity capital into our Main Street businesses.

Finally, closing the U.S. territories loophole in the Investment Company Act of 1940 will harmonize regulatory oversight and give millions of investors and retirees, mostly in Puerto Rico, the peace of mind that their hard-earned money will receive the same level of protection afforded to those on the mainland.

I thank the chairman, ranking member, and all of the cosponsors for their hard work in bringing this bipartisan package to the floor. I urge Members to support this bill, and I yield back the balance of my time.

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

I rise again to support the legislation. It dawns on me also that, as I rise today, this may be the last time that I rise on the floor. So let me just say what an honor it has been to stand at this podium to bring forth legislation like this, as I have done over the last 14 years, and to end where I began, to do so in a bipartisan manner, that they tell me we should be able to pass through today in a pretty overwhelmingly bipartisan manner as well.

The gentleman from Arizona ended his remarks with the statement: Every day is a new beginning.

So I look at that as my days ahead. This legislation is a new beginning for capital formation and is a new beginning for bipartisanship in future legislation as well.

I thank my colleagues from the other side of the aisle that I have had the honor and privilege to work with on this legislation and other legislation as well. I thank my colleagues from my side of the aisle that I have had similar opportunity to do so as well. We have gone through challenging times, from good economic times and bad—maybe more bad than good—but, through it all, I think we have done so with the American public's interest in mind.

Behind me also are some of our members of our committee who I also wish to recognize for their work as well. They have left a profound impact on myself during the time that I have known them, and I thank them humbly for their being willing to put up with me and to deal with me throughout the years, but be able to work together for the benefit of the American public as well.

I think that, together, we have done great things. I look forward to watching what other great things will be done in a bipartisan manner as well.

I think my time may be just about out, but let me also just say this as well. I want to end where I began, which was thanking the chairman of this committee, Mr. JEB HENSARLING, for his leadership and, most importantly, for his friendship in the years I have known him in this capacity.

I urge every Member to support the underlying legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. GARRETT) that the House suspend the rules and pass the bill, H.R. 6427.

The question was taken.

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

Mr. GARRETT. Mr. 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, further proceedings on this motion will be postponed.

□ 1715

COMBAT-INJURED VETERANS TAX FAIRNESS ACT OF 2016

Mr. BRADY of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5015) to restore amounts improperly withheld for tax purposes from severance payments to individuals who retired or separated from service in the Armed Forces for combat-related injuries, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5015

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 "Combat-Injured Veterans Tax Fairness Act of 2016".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Approximately 10,000 to 11,000 individuals are retired from service in the Armed Forces for medical reasons each year.

(2) Some of such individuals are separated from service in the Armed Forces for combat-related injuries (as defined in section 104(b)(3) of the Internal Revenue Code of 1986).

(3) Congress has recognized the tremendous personal sacrifice of veterans with combat-related injuries by, among other things, specifically excluding from taxable income severance pay received for combat-related injuries.

(4) Since 1991, the Secretary of Defense has improperly withheld taxes from severance pay for wounded veterans, thus denying them their due compensation and a significant benefit intended by Congress.

(5) Many veterans owed redress are beyond the statutory period to file an amended tax return because they were not or are not aware that taxes were improperly withheld.

SEC. 3. RESTORATION OF AMOUNTS IMPROPERLY WITHHELD FOR TAX PURPOSES FROM SEVERANCE PAYMENTS TO VETERANS WITH COMBAT-RELATED INJURIES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall—

(1) identify—

(A) the severance payments—

(i) that the Secretary paid after January 17, 1991;

(ii) that the Secretary computed under section 1212 of title 10, United States Code;

(iii) that were not considered gross income pursuant to section 104(a)(4) of the Internal Revenue Code of 1986; and

(iv) from which the Secretary withheld amounts for tax purposes; and

(B) the individuals to whom such severance payments were made; and

(2) with respect to each person identified under paragraph (1)(B), provide—

(A) notice of—

(i) the amount of severance payments in paragraph (1)(A) which were improperly withheld for tax purposes; and

(ii) such other information determined to be necessary by the Secretary of the Treasury to carry out the purposes of this section; and

(B) instructions for filing amended tax returns to recover the amounts improperly withheld for tax purposes.

(b) EXTENSION OF LIMITATION ON TIME FOR CREDIT OR REFUND.—

(1) PERIOD FOR FILING CLAIM.—If a claim for credit or refund under section 6511(a) of the

Internal Revenue Code of 1986 relates to a specified overpayment, the 3-year period of limitation prescribed by such subsection shall not expire before the date which is 1 year after the date the information return described in subsection (a)(2) is provided. The allowable amount of credit or refund of a specified overpayment shall be determined without regard to the amount of tax paid within the period provided in section 6511(b)(2).

(2) SPECIFIED OVERPAYMENT.—For purposes of paragraph (1), the term “specified overpayment” means an overpayment attributable to a severance payment described in subsection (a)(1).

SEC. 4. REQUIREMENT THAT SECRETARY OF DEFENSE ENSURE AMOUNTS ARE NOT WITHHELD FOR TAX PURPOSES FROM SEVERANCE PAYMENTS NOT CONSIDERED GROSS INCOME.

The Secretary of Defense shall take such actions as may be necessary to ensure that amounts are not withheld for tax purposes from severance payments made by the Secretary to individuals when such payments are not considered gross income pursuant to section 104(a)(4) of the Internal Revenue Code of 1986.

SEC. 5. REPORT TO CONGRESS.

(a) IN GENERAL.—After completing the identification required by section 3(a) and not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the actions taken by the Secretary to carry out this Act.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) The number of individuals identified under section 3(a)(1)(B).

(2) Of all the severance payments described in section 3(a)(1)(A), the aggregate amount that the Secretary withheld for tax purposes from such payments.

(3) A description of the actions the Secretary plans to take to carry out section 4.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Committee on Finance of the Senate; and

(2) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Committee on Ways and Means of the House of Representatives.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BRADY) and the gentleman from Massachusetts (Mr. NEAL) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BRADY of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 5015, currently under consideration.

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

There was no objection.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have responsibilities for all the brave men and women who protect and defend our great Nation, especially those who are injured in the line of duty. The bill we are consid-

ering today by Representative ROUZER does just that.

Under our tax system, veterans who suffer from combat-related injuries are not required to pay taxes on the one-time lump-sum disability payment they receive when they leave the military. Unfortunately, errors in the Defense Department's automatic payment system have resulted in taxes being improperly withheld from these injured troops' payments—sometimes for years on end.

As a result, thousands of combat-injured veterans—men and women who have sacrificed greatly for our country—have not received the full compensation they are rightfully due. The Combat-Injured Veterans Tax Fairness Act provides an opportunity to right this wrong for veterans injured during their service. This legislation will allow veterans to recover income taxes that were improperly collected by the Department of Defense on certain disability severance payments.

Under this bill, the Defense Department will be required to identify all the veterans who have been impacted by this problem. They will inform these veterans of the full amount that has been improperly withheld from their disability payments, and they will provide detailed instructions on how veterans can recover the money through an amended tax return.

Our men and women in uniform and their families have sacrificed so much for our Nation. Errors like this are completely unacceptable and cannot be allowed to go unaddressed.

I thank Representative ROUZER for his leadership on the Combat-Injured Veterans Tax Fairness Act and his dedication. This legislation takes important action to ensure America's promises are kept to our combat-injured heroes and their families.

Mr. Speaker, I urge all of my colleagues to join me in supporting its passage.

I reserve the balance of my time.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 30, 2016.

Hon. KEVIN BRADY,
Chairman, Committee on Ways and Means,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 5015, the Combat-Injured Veterans Tax Fairness Act of 2016, which was referred to the Committee on Armed Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker.

In order to expedite this legislation for floor consideration, the Committee on Armed Services will forgo action on this bill. This decision is conditional on our mutual understanding that forgoing consideration in no way diminishes or alters the jurisdictional interests of the Committee on Armed Services in this bill, any subsequent amendments, or similar legislation.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the Congressional Record during consideration of the measure on the House floor.

Sincerely,
WILLIAM M. “MAC” THORNBERRY,
Chairman.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 1, 2016.

Hon. WILLIAM M. “MAC” THORNBERRY,
Chairman, Committee on Armed Services, House
of Representatives, Washington, DC.

DEAR CHAIRMAN THORNBERRY: Thank you for your letter regarding H.R. 5015, the “Combat-Injured Veterans Tax Fairness Act of 2016.” As you noted, the bill was referred to the Committee on Armed Services.

I am most appreciative of your decision to waive formal consideration of H.R. 5015 so that it may proceed expeditiously to the House floor. I acknowledge that although you waived formal consideration of the bill, the Committee on Armed Services is in no way waiving its jurisdiction over the subject matter contained in those provisions of the bill that fall within your Rule X jurisdiction.

I will include a copy of our letters in the Congressional Record during consideration of this legislation on the House floor.

Sincerely,
KEVIN BRADY,
Chairman.

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

Mr. Speaker, I thank Chairman BRADY for his efforts on behalf of this legislation.

This is a pleasant responsibility that we have when you consider that its corrective action will alone help 175 former military members in the State of Massachusetts and 13,800 across the country.

Let me reiterate some of the points that were made by Chairman BRADY. The bill before us corrects an issue related to a provision that was designed to alleviate some of the tax burdens of our Nation's combat-injured veterans. Under Federal law, veterans who suffer combat-related injuries and who are separated from the military are not supposed to be taxed on the one-time lump-sum disability severance payment they receive from the Department of Defense.

Due to an accounting error at the Defense Finance and Accounting Service, approximately \$78 million in tax payments were inadvertently taken from combat-disabled servicemembers. Some of this improper withholding has taken place outside the 3-year period in which taxpayers could file an amended tax return.

H.R. 5015 would right this wrong by instructing DOD to identify those who were wrongfully taxed so that they can be reimbursed. This bill would allow those veterans identified by the DOD to file amended returns to recoup those unintentionally withheld funds.

Mr. Speaker, I am curious with respect to two items in this bill, and I just would like to raise this ever so politely with the majority party. Veterans' issues in the Congress have long had a bipartisan flavor to them. We have been supportive across the board in the efforts that we make as it relates to our veterans, and the differences we have generally are very small; but in this case, it does not appear that a Democrat was asked to cosponsor the bill in its original introduction. So I would hope in the future that even though this bill was largely

sponsored by Republican Members, that on this side you could have easily picked up 33 Members as well.

So I hope going forward there will be that effort that we would continue with here to ensure that matters of this magnitude are well met by both parties. I would say that I don't want to suggest for a moment that this was done in a partisan atmosphere as much as I would like to think that it was just overlooked. I hope in the future that we would be considered for sponsorship of this sort of legislation as well.

Also, I would like to highlight an issue that is akin to the matter that is before us, and it comes from our friends on the committee, SAM JOHNSON and JOHN LARSON. They worked together on legislation that would prevent exonerated felons from facing an undue tax burden with respect to payments they received due to their wrongful conviction—emphasis on “wrongful conviction.”

Similar to the veterans in the situation before us, these wrongfully convicted individuals should not face an improper tax liability on amounts intended to compensate for the tremendous injustices they faced under our legal system. Legislation to that effect became law in 2015. However, due to the lengthy IRS process in providing guidance on the issue, the statute would only allow less than 5 months for these exonerated individuals to amend their prior year tax returns.

Mr. JOHNSON and Mr. LARSON of Connecticut have worked tirelessly to make sure that these individuals are not unfairly burdened further than they already have been and they have proposed extending the statutory deadline for these individuals to file amended returns.

So while I think the legislation before us is sound, I do hope that the committee and the Congress will find time to consider similar IRS filing-deadline legislation with respect to these exonerated individuals.

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

Mr. BRADY of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. ROUZER), who is the author of the bill in the House. Besides his advocacy for small businesses and job growth, he is also a champion for our military, especially those who have been injured in combat.

Mr. ROUZER. Mr. Speaker, first, I want to make mention to the fine ranking member of the committee that we did reach out, certainly, to as many staff on the Democrat side as we possibly could. Perhaps we could have done a little bit better job of that, but I do want to make mention that we did make that effort—a point duly noted, though—and we will follow up multiple times the next time I have a bill that I think the gentleman would be interested in.

Mr. Speaker, I filed H.R. 5015, the Combat-Injured Veterans Tax Fairness

Act, after learning that nearly 14,000 veterans from all 50 States and the District of Columbia who suffered service-ending, combat-related injuries never received the full amount of their severance payment because taxes were wrongly withheld. Let me repeat that: nearly 14,000 veterans did not receive the money to which they were entitled because of a taxing error made by the Federal Government.

Now, in case you are wondering how this error occurred, here is some background: the Internal Revenue Code excludes recurring disability payments from taxable income for personal injuries or sickness resulting from active service in our Armed Forces. In 1991, a Federal district court case, *St. Clair v. United States*, determined that one-time lump-sum disability severance payments received for injuries resulting from active service should be excluded from taxable income as well.

Despite this court decision and the resulting regulatory guidance that stemmed from it, taxes on combat-related disability severance payments have been withheld for many years. As was mentioned earlier, the Defense Finance and Accounting System claimed this was due to the limitations of its automated computer payment system. Go figure. Regardless, this is an issue that needs to be addressed.

Many of the veterans affected are not even aware that their benefits were improperly reduced. In most cases, the 3-year period in which they could file an amended tax return to get their money back has long since passed.

This legislation directs the Department of Defense to identify instances of improper withholding and determine how much these combat-wounded veterans are owed. Those veterans who were adversely affected will then be able to apply to the IRS to receive the money they are rightfully due.

Our soldiers, sailors, airmen, and marines risk their lives every day to protect our freedoms, our values, and our Republic. The revelation that there are thousands of veterans who did not receive their full disability severance pay is unacceptable, and it must be corrected immediately.

Today we can make a great step towards rectifying this problem. I think we can all agree that these veterans deserve no less for their service and sacrifice to our Nation.

I want to make special mention of Senator BOOZMAN of Arkansas and Senator WARNER of Virginia who have sponsored an identical bill in the United States Senate. Their leadership on this issue has been absolutely critical. I commend this legislation to my colleagues and encourage its passage.

Mr. NEAL. Mr. Speaker, I want to acknowledge the gentleman for his good effort and his thoughtful response to the point that I raised.

Of course, thanks to Chairman BRADY, this is an example, again, in a

small way of how we can do some good things around here in a bipartisan manner.

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

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

First, I really do applaud the work of Representative ROUZER in this area and the bipartisan work of Senators BOOZMAN and WARNER.

This is an area that could have easily been just swept aside over the years and never really addressed. The gentleman continued to raise the issue, bring it to our attention, and work through the legislative process. Again, I thank the gentleman for his very important leadership.

I also thank the chairman of the Armed Services Committee, Chairman MAC THORNBERRY, and his team for their approval of this measure and willingness to work with the author to bring this forward.

I, too, thank the ranking member, Mr. NEAL, and congratulate him on his naming as ranking member for the Ways and Means Committee. I look forward to working with the gentleman on these and other issues moving forward.

On behalf of 14,000 veterans who deserve to get the dollars they earned from the Department of Defense, late is better than never. I applaud the efforts of Mr. ROUZER in doing that.

Mr. Speaker, I urge support for this bipartisan bill.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 5015, Combat-Injured Veterans Tax Fairness Act of 2016, because the legislation directs the Defense Department (DoD) to restore improperly withheld for taxes from severance payments to individuals who retired or separated from service in the Armed Forces for combat-related injuries.

The bill also requires the DoD to notify combat-injured veterans if it had improperly withheld tax on their severance pay any time after January 17, 1991 and provide the veterans with information on how to seek a refund from the Internal Revenue Service (IRS).

H.R. 5015 works to remedy the egregious action of withholding more than \$78 million in taxes from almost 14,000 combat-injured veterans.

This legislation additionally ensures that further tax amounts will not be taken from combat-injured veterans in the future.

As a member of the House Committee on Homeland Security since its establishment, and current Ranking Member of the Judiciary Subcommittee on Crime, Terrorism and Homeland Security this bill is of importance to me.

The DoD held an average of over \$5,500 from each of the veterans since 1991.

That amount of money could help combat-injured veterans with hospital bills and the difficult transition back into civilian life.

I am pleased that the DoD will also have to submit a report on the number

of times it had withheld pay to combat-injured veterans, the amount of each severance payment it withheld, and its actions to prevent future improper withholding to Congress within one year of the bill's enactment for Congress to assess the situation.

Our veterans deserve to be treated with respect.

It is only through the efforts and sacrifice of our veterans that America has the freedoms and privileges we do today.

I urge my colleagues to join me in supporting H.R. 5015.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise in strong support of H.R. 5015, a bill that would improve the fairness of the tax code and treat our service members with the respect they are due.

Veterans who suffered combat-related injuries who separated from the military are not supposed to be taxed on any one-time disability payments. Unfortunately, an accounting error has cost about 14,000 veterans more than \$78 million in taxes. Just under 500 of these veterans are from my home state of Illinois.

H.R. 5015 fixes this problem by instructing the DoD to identify those who were wrongfully taxed so that they can be reimbursed. The lion's share of the affected veterans are outside of the window for amending their tax returns to recoup the funds.

Consequently, this bill would allow those veterans identified by the DoD to file amended returns to recoup these unintentionally-withheld funds. This is a good bill that helps our service members as we should. I hope that this chamber can engage in similar bipartisan efforts to support other needy Americans as we move into the next Congress.

I am troubled that some stakeholders are advocating that a 15 to 20 percent corporate tax rate serve as the central metric by which we judge any tax reform effort. To achieve this rate, middle- and low-income families and small businesses will have to subsidize the wealthiest corporations, foregoing critical credits and deductions that provide much needed assistance.

I sincerely hope that we advance the intent of this bill to help Americans in need as we consider tax reform next year.

I strongly support H.R. 5015, and I urge my colleagues to support its passage.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 5015, as amended.

The question was taken.

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

Mr. BRADY of Texas. Mr. 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, further proceedings on this motion will be postponed.

PREScribed BURN APPROVAL ACT OF 2016

Mr. LUCAS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3395) to require limitations on prescribed burns.

The Clerk read the title of the bill.
The text of the bill is as follows:

S. 3395

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 "Prescribed Burn Approval Act of 2016".

SEC. 2. DEFINITIONS.

In this Act:

(1) NATIONAL FIRE DANGER RATING SYSTEM.—The term "national fire danger rating system" means the national system used to provide a measure of fire danger according to a range of low to moderate to high to very high to extreme.

(2) PRESCRIBED BURN.—The term "prescribed burn" means a planned fire intentionally ignited.

(3) SECRETARY.—The term "Secretary" means the Secretary of Agriculture, acting through the Chief of the Forest Service.

SEC. 3. LIMITATIONS ON PRESCRIBED BURNS.

(a) IN GENERAL.—Except as provided in subsection (b), the Secretary shall not authorize a prescribed burn on Forest Service land if, for the county or contiguous county in which the land is located, the national fire danger rating system indicates an extreme fire danger level.

(b) EXCEPTION.—The Secretary may authorize a prescribed burn under a condition described in subsection (a) if the Secretary coordinates with the applicable State government and local fire officials.

(c) REPORT.—At the end of each fiscal year, the Secretary shall submit to Congress a report describing—

(1) the number and locations of prescribed burns during that fiscal year; and

(2) each prescribed burn during that fiscal year that was authorized by the Secretary pursuant to subsection (b).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oklahoma (Mr. LUCAS) and the gentleman from Minnesota (Mr. PETERSON) each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma.

GENERAL LEAVE

Mr. LUCAS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within 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 Oklahoma?

There was no objection.

□ 1730

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

I rise today in support of S. 3395, the Prescribed Burn Approval Act of 2016.

Across much of the country, Forest Service land borders private lands that are essential to the livelihood of farmers, ranchers, and foresters. While the Forest Service is tasked with managing these lands, many techniques are effective but carry risk.

On April 3, 2013, the Forest Service conducted a controlled burn on the Dakota Prairie Grasslands intended for 130 acres. As weather conditions changed, the fire escaped its boundary and burned 16,000 acres of private land.

The prescribed burn planned by Federal officials resulted in millions of dollars in damage to private lands in South Dakota, with ranchers losing valuable pasture, hay, fence, and structures.

In the aftermath of the fire, the Office of the General Counsel of USDA determined that the Forest Service had done nothing out of line and claimed no responsibility to those harmed by this carelessness. This commonsense piece of legislation that we are addressing today, simply put, would require the Forest Service to conduct prescribed burns only when the national fire rating system indicates that it is safe to do so in that county and contiguous counties.

Furthermore, this bill will encourage greater collaboration with local officials, helping to mitigate more of the risk to private lands.

We all strive to be good neighbors and hope our neighbors will do the same. With passage, this bill gives many neighbors to the Forest Service additional certainty, and I urge your support.

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

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,

Washington, DC, December 1, 2016.

Hon. K. MICHAEL CONAWAY,
Chairman, Committee on Agriculture,
Washington, DC.

DEAR MR. CHAIRMAN: I write regarding S. 3395, the Prescribed Burn Approval Act of 2016. This bill contains provisions under the jurisdiction of the Committee on Natural Resources.

I recognize and appreciate your desire to bring this bill before the House of Representatives in an expeditious manner, and accordingly, I will agree that the Committee on Natural Resources be discharged from further consideration of the bill. I do so with the understanding that this action does not affect the jurisdiction of the Committee on Natural Resources.

I also ask that a copy of this letter and your response be included in the Congressional Record during consideration of S. 3395 on the House floor.

Thank you for your work on this important issue, and I look forward to its enactment soon.

Sincerely,

ROB BISHOP,
Chairman, Committee on Natural Resources.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, December 1, 2016.

Hon. ROB BISHOP,
Chairman, Committee on Natural Resources,
Washington, DC.

DEAR CHAIRMAN BISHOP: I am writing concerning S. 3395, the Prescribed Burn Approval Act of 2016. The bill was agreed to in the Senate on November 17, 2016, and was referred in the House primarily to the Committee on Agriculture, with an additional referral to the Committee on Natural Resources.

I ask that you allow the Committee on Natural Resources to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your Committee's jurisdiction over the subject matter of