

## Union Calendar No. 478

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**H. R. 4912****[Report No. 107-763, Part I]**

To increase the penalties to be imposed for a violation of fire regulations applicable to the public lands, National Park System lands, or National Forest System lands when the violation results in damage to public or private property, to specify the purpose for which collected fines may be used, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 11, 2002

Mr. TANCREDO (for himself, Mr. MCINNIS, Mr. SCHAFFER, and Ms. DEGETTE) introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

OCTOBER 21, 2002

Additional sponsors: Mr. UDALL of Colorado and Mr. HEFLEY

OCTOBER 21, 2002

Reported from the Committee on Resources with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

OCTOBER 21, 2002

Referral to the Committee on Agriculture extended for a period ending not later than October 21, 2002

OCTOBER 21, 2002

The Committee on Agriculture discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

# A BILL

To increase the penalties to be imposed for a violation of fire regulations applicable to the public lands, National Park System lands, or National Forest System lands when the violation results in damage to public or private property, to specify the purpose for which collected fines may be used, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PENALTIES FOR VIOLATION OF PUBLIC LAND**  
4 **FIRE REGULATIONS RESULTING IN PROP-**  
5 **ERTY DAMAGE.**

6 *(a) INCREASED PENALTIES ON INTERIOR LANDS.—*  
7 *Notwithstanding section 303(a) of the Federal Land Policy*  
8 *and Management Act of 1976 (43 U.S.C. 1733(a)) or section*  
9 *3 of the Act of August 25, 1916 (16 U.S.C. 3), a violation*  
10 *of the rules regulating the use of fire by visitors and other*  
11 *users of lands administered by the Bureau of Land Manage-*  
12 *ment or National Park System lands shall be punished by*  
13 *a fine of not less than \$1,000 or imprisonment for not more*  
14 *than one year, or both, if the violation results in damage*  
15 *to public or private property.*

16 *(b) INCREASED PENALTIES ON NATIONAL FOREST*  
17 *SYSTEM LANDS.—Notwithstanding the eleventh undesig-*

1 nated paragraph under the heading “SURVEYING THE PUB-  
2 LIC LANDS” of the Act of June 4, 1897 (16 U.S.C. 551),  
3 a violation of the rules regulating the use of fire by visitors  
4 and other users of National Forest System lands shall be  
5 punished by a fine of not less than \$1,000 or imprisonment  
6 for not more than one year, or both, if the violation results  
7 in damage to public or private property.

8 (c) *USE OF COLLECTED FINES.*—Any moneys received  
9 by the United States as a result of a fine imposed for a  
10 violation of fire rules applicable to lands administered by  
11 the Bureau of Land Management, National Park System  
12 lands, or National Forest System lands shall be available  
13 to the Secretary of the Interior or the Secretary of Agri-  
14 culture, as the case may be, without further appropriation  
15 and until expended, for the following purposes:

16 (1) *To cover the cost to the United States of any*  
17 *improvement, protection, or rehabilitation work ren-*  
18 *dered necessary by the action that resulted in the fine.*

19 (2) *To reimburse the affected agency for the cost*  
20 *of the response to the action that resulted in the fine,*  
21 *including investigations, damage assessments, and*  
22 *legal actions.*

23 (3) *To increase public awareness of rules, regula-*  
24 *tions, and other requirements regarding the use of fire*  
25 *on public lands.*

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