

110TH CONGRESS
1ST SESSION

H. R. 1463

To provide a source of funds to carry out restoration activities on Federal lands under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2007

Mr. UDALL of Colorado (for himself and Mr. TANCREDO) introduced the following bill; which was referred to the Committee on Natural 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

A BILL

To provide a source of funds to carry out restoration activities on Federal lands under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture, 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. SHORT TITLE AND FINDINGS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Federal Lands Restoration, Enhancement, Public Edu-
6 cation, and Information Resources Act” or the “Federal
7 Lands REPAIR Act”.

1 (b) FINDINGS.—Congress finds the following:

2 (1) Violations of laws and regulations applicable
3 to the use of Federal lands under the jurisdiction of
4 the Secretary of the Interior or the Secretary of Ag-
5 riculture often result in damages to those lands that
6 require expenditures for restoration activities to
7 mitigate the damages.

8 (2) Increased public information and education
9 regarding the laws and regulations applicable to the
10 use of these Federal lands can help to reduce the
11 frequency of unintentional violations.

12 (3) It is appropriate that fines and other mone-
13 tary penalties paid as a result of violations of laws
14 and regulations applicable to the use of these Fed-
15 eral lands be used to defray the costs of such res-
16 toration activities and to provide such public infor-
17 mation and education.

18 **SEC. 2. USE OF FINES FROM VIOLATIONS OF LAWS AND**
19 **REGULATIONS APPLICABLE TO PUBLIC**
20 **LANDS FOR RESTORATION AND INFORMA-**
21 **TIONAL ACTIVITIES.**

22 (a) LANDS UNDER JURISDICTION OF BUREAU OF
23 LAND MANAGEMENT.—Section 305 of the Federal Land
24 Policy and Management Act of 1976 (43 U.S.C. 1735)

1 is amended by adding at the end the following new sub-
2 section:

3 “(d) USE OF COLLECTED FINES.—

4 “(1) AVAILABILITY AND AUTHORIZED USE.—

5 Any moneys received by the United States as a re-
6 sult of a fine imposed under section 3571 of title 18,
7 United States Code, for a violation of a regulation
8 prescribed under section 303(a) shall be available to
9 the Secretary, without further appropriation and
10 until expended, for the following purposes:

11 “(A) To cover the cost to the United
12 States of any improvement, protection, or reha-
13 bilitation work on the public lands rendered
14 necessary by the action which led to the fine or
15 by similar actions.

16 “(B) To increase public awareness of regu-
17 lations and other requirements regarding the
18 use of the public lands.

19 “(2) TREATMENT OF EXCESS FUNDS.—Moneys
20 referred to in paragraph (1) that the Secretary de-
21 termines are excess to the amounts necessary to
22 carry out the purposes specified in such paragraph
23 shall be transferred to the Crime Victims Fund es-
24 tablished by section 1402 of the Victims of Crime
25 Act of 1984 (42 U.S.C. 10601).”.

1 (b) NATIONAL PARK SYSTEM LANDS.—Section 3 of
2 the National Park Service Organic Act (16 U.S.C. 3), is
3 amended—

4 (1) by striking “That the Secretary” the first
5 place it appears and inserting “(a) REGULATIONS
6 FOR USE AND MANAGEMENT OF NATIONAL PARK
7 SYSTEM; ENFORCEMENT.—The Secretary”;

8 (2) by striking “He may also” the first place it
9 appears and inserting the following:

10 “(b) SPECIAL MANAGEMENT AUTHORITIES.—The
11 Secretary of the Interior may”;

12 (3) by striking “He may also” the second place
13 it appears and inserting “The Secretary may”;

14 (4) by striking “No natural,” and inserting the
15 following:

16 “(c) LEASE AND PERMIT AUTHORITIES.—No nat-
17 ural”; and

18 (5) by adding at the end the following new sub-
19 section:

20 “(d) USE OF COLLECTED FINES.—

21 “(1) AVAILABILITY AND AUTHORIZED USE.—

22 Any moneys received by the United States as a re-
23 sult of a fine imposed under section 3571 of title 18,
24 United States Code, for a violation of a rule or regu-
25 lation prescribed under this section shall be available

1 to the Secretary of the Interior, without further ap-
2 propriation and until expended, for the following
3 purposes:

4 “(A) To cover the cost to the United
5 States of any improvement, protection, or reha-
6 bilitation work on the National Park System
7 lands rendered necessary by the action which
8 led to the fine or by similar actions.

9 “(B) To increase public awareness of rules,
10 regulations, and other requirements regarding
11 the use of such lands.

12 “(2) TREATMENT OF EXCESS FUNDS.—Moneys
13 referred to in paragraph (1) that the Secretary de-
14 termines are excess to the amounts necessary to
15 carry out the purposes specified in such paragraph
16 shall be transferred to the Crime Victims Fund es-
17 tablished by section 1402 of the Victims of Crime
18 Act of 1984 (42 U.S.C. 10601).”.

19 (c) NATIONAL WILDLIFE REFUGE SYSTEM LANDS.—
20 Subsection (f) of section 4 of the National Wildlife Refuge
21 System Administration Act of 1966 (16 U.S.C. 668dd) is
22 amended by adding at the end the following new para-
23 graphs:

24 “(3) USE OF COLLECTED FINES.—Any moneys
25 received by the United States as a result of a fine

1 imposed under section 3571 of title 18, United
2 States Code, for a violation of this Act or a regula-
3 tion issued thereunder shall be available to the Sec-
4 retary, without further appropriation and until ex-
5 pended, for the following purposes:

6 “(A) To cover the cost to the United
7 States of any improvement, protection, or reha-
8 bilitation work on the System lands rendered
9 necessary by the action which led to the fine or
10 by similar actions.

11 “(B) To increase public awareness of rules,
12 regulations, and other requirements regarding
13 the use of System lands.

14 “(4) TREATMENT OF EXCESS FUNDS.—Moneys
15 referred to in paragraph (3) that the Secretary de-
16 termines are excess to the amounts necessary to
17 carry out the purposes specified in such paragraph
18 shall be transferred to the Crime Victims Fund es-
19 tablished by section 1402 of the Victims of Crime
20 Act of 1984 (42 U.S.C. 10601).”.

21 (d) NATIONAL FOREST SYSTEM LANDS.—The elev-
22 enth undesignated paragraph under the heading “SUR-
23 VEYING THE PUBLIC LANDS” of the Act of June 4, 1897
24 (16 U.S.C. 551), is amended—

1 (1) by inserting before the first sentence the
2 following:

3 **“SEC. 551. PROTECTION OF NATIONAL FOREST SYSTEM**
4 **LANDS; REGULATIONS.**

5 “(a) REGULATIONS FOR USE AND PROTECTION OF
6 NATIONAL FOREST SYSTEM.—”;

7 (2) by striking “destruction; and any violation”
8 and inserting the following: “destruction.

9 “(b) VIOLATIONS; PENALTIES.—Any violation”; and

10 (3) by adding at the end the following new sub-
11 section:

12 “(c) USE OF COLLECTED FINES.—

13 “(1) AVAILABILITY AND AUTHORIZED USE.—

14 Any moneys received by the United States as a re-
15 sult of a collateral payment in lieu of appearance or
16 a fine imposed under section 3571 of title 18,
17 United States Code, for a violation of a regulation
18 issued under subsection (a) shall be available to the
19 Secretary of Agriculture, without further appropria-
20 tion and until expended, for the following purposes:

21 “(A) To cover the cost to the United
22 States of any improvement, protection, or reha-
23 bilitation work on National Forest System lands
24 rendered necessary by the action which led to
25 the fine or payment.

1 “(B) To increase public awareness of rules,
2 regulations, and other requirements regarding
3 the use of such lands.

4 “(2) TREATMENT OF EXCESS FUNDS.—Moneys
5 referred to in paragraph (1) that the Secretary of
6 Agriculture determines are excess to the amounts
7 necessary to carry out the purposes specified in such
8 paragraph shall be transferred to the Crime Victims
9 Fund established by section 1402 of the Victims of
10 Crime Act of 1984 (42 U.S.C. 10601).”.

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